

Report of: Transport & Parking Business Manager

To: General Purposes Licensing Committee

Date: 16th January 2008 **Item No:**

Title of Report Exemption from the Private Hire Vehicle Conditions.

Summary and Recommendations

Purpose of report: To consider a request from a licensed private hire vehicle operator.

Key decision: No

Portfolio Holder: N/A

Scrutiny Responsibility:

Ward(s) affected: All

Report Approved by:

Graham Smith. Transport and Parking Business Manager
Daniel Smith Legal & Democratic Services

Policy Framework: None

Recommendation(s):

The Committee is RECOMMENDED to:-

Vary the Private Hire Vehicle Criteria in order to enable the Transport and Parking Business Manager, at his discretion, to approve the exemption of certain vehicles from the requirements of the Criteria in respect of the light transmission of any window.

Background

1. For some time criteria for both hackney carriages and private hire vehicles has required that there be clear vision into and out of the vehicle, this was introduced for the safety of both passengers and drivers and required that there be a clear view of the occupants from outside the vehicle. This would also aid enforcement. **(Appendix 1)**
2. A request has been received from an operator that this requirement be relaxed in respect of those vehicles operated by them and used on their executive work. **(Appendix 2)**
3. It is appreciated that there is a luxury market to be catered for, that the requirements for this type of vehicle may be in excess of those required for a normal private hire vehicle and that this might include a degree of privacy.
4. This type of vehicle, already granted exemption from the Council's requirement to display a licence plate and door stickers, would not be picking up from the streets from an immediate booking made through an operator.
5. It is recommended that a delegated power be granted to the Transport & Parking Business Manager to exempt suitable luxury vehicles used for executive work from this requirement. The exemption to be for the specific vehicle and proprietor and only when the vehicle is operated in the way specified in the exemption notice.
6. Should the Transport & Parking Business Manager not be willing to grant the exemption the request can be referred to the Hackney Carriage and Private Hire Licensing Sub-Committee for decision.

Legal Considerations

7. The Council is permitted by Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 to attach such conditions to private hire vehicle licences, as it considers reasonably necessary. Any person aggrieved by any such condition may appeal to a Magistrates' Court.

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Appendix 1 Criteria

Appendix 2 E mail from NB Executive

Appendix 1

6. Windows

Windows must be provided at the sides and at the rear of the vehicle. The light transmission of any window in any position must not be less than that currently required of the front windscreen and side windows by The Road Vehicles (Construction & Use) Regulations 1986.

The light transmission through the windows of vehicles, including those licensed prior to the introduction of this regulation may not be reduced in any way from that present when the vehicle was approved for licensing.