

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **LICENSING SUB-COMMITTEE**

DATE: **FRIDAY, 28 FEBRUARY 2014**

REPORT BY: **DIRECTOR OF ENVIRONMENT**

SUBJECT: **REQUEST FOR EXEMPTION FROM PRIVATE HIRE
VEHICLE SPECIFICATION**

1.00 PURPOSE OF REPORT

1.01 For Members to consider and determine a request for an exemption from the Private Hire Vehicle Specification to allow a Mercedes CLS 320 to become licensed as a Private Hire Vehicle

2.00 BACKGROUND

2.02 Mr Geoff Powell has recently applied to become a Private Hire Operator and Driver with this Authority, both of which licenses are in a position to be issued.

2.03 Mr Powell has also applied for a Private Hire Vehicle Licence for a Mercedes CLS 320 vehicle. This vehicle is luxurious and instead of having a standard three passenger seating configuration in the rear, there are two large seats and a centre console.

2.04 Flintshire County Council has a vehicle specification relating to all Private Hire Vehicles. Number 10 on the list of specifications states that only vehicles with a minimum of four and a maximum of eight passenger seats may become licensed. This vehicle specification is part of a Private Hire Vehicle application and is shown at Appendix A.

3.00 CONSIDERATIONS

3.01 Mr Powell's vehicle has been viewed by the Licensing Team Leader. He has also provided photographs to allow Members to fully appreciate the layout of the vehicle. These photographs are shown as Appendix B.

3.02 There is no impact on public safety by not having three seats in the rear. The two available seats are spacious and are equipped with necessary seat belts. Because of the centre console, it would be impossible to illegally seat three persons in the rear if requested.

3.03 The vehicle has been tested and other than the failure to have a minimum of four seats, it meets all other criteria for becoming licensed.

3.04 Mr Powell has indicated that the only type of work he intends on carrying out would be contract, and executive, 'chauffeur' style work. Unfortunately this is not catered for within the Local Government (Miscellaneous Provisions) Act 1976, therefore in order to undertake any kind of journey for hire or reward, a Private Hire Vehicle licence is necessary. He has already enquired about an exemption from displaying the plate, which Flintshire Council may award to vehicles of superior quality.

4.00 RECOMMENDATIONS

4.01 That Members consider the information and determine whether it is appropriate to make an exemption to the vehicle specification specifically for a Mercedes CLS320 with the exact seating configuration as in this instance.

4.02 That Members consider imposing a condition on the licence that the vehicle may not be used for Private Hire journeys other than contract bookings made in writing at least 24 hours before the journey commences. Usually for executive, contract and 'chauffeur' work, this would be the case.

5.00 FINANCIAL IMPLICATIONS

5.01 The Applicant has paid for a Private Hire Driver Licence (for which he had to pass our knowledge test), Private Hire Operator Licence, Private Hire Vehicle licence application and Council MOT / Taxi test.

6.00 ANTI POVERTY IMPACT

6.01 The Applicant seeks to gain work as a Private Hire Operator

7.00 ENVIRONMENTAL IMPACT

7.01 None

8.00 EQUALITIES IMPACT

8.01 None

9.00 PERSONNEL IMPLICATIONS

9.01 None

10.00 CONSULTATION REQUIRED

10.01 None

11.00 CONSULTATION UNDERTAKEN

11.01 None

12.00 APPENDICES

Appendix A – Private Hire Vehicle Application Form
Appendix B – Photographs of the Applicants vehicle

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

Local Government (Miscellaneous Provisions) Act 1976

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