

Private Hire Vehicle Exemption from Displaying External Plate Policy

Section 75 of the Local Government (Miscellaneous Provisions) Act 1976 - Draft

1. The Policy

- 1.1. Exemptions from displaying external identification plates (vehicle licence plates) may be in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles will not be allowed.
- 1.2. Each application will be assessed on its own merit and each vehicle will be inspected by an authorised council officer to ensure that it is fit for purpose.
- 1.3. We will only exercise these discretionary powers in rare cases, where we are satisfied that there is a genuine operational business need and business requirement and that the safety of the public will not be compromised as a result.

Exemption:

- 2.1. Applications for exemption from the requirement to display an external identification plate on the rear of a private hire vehicle for the duration of the licence will generally only be considered where the requirements listed below are met:
 - Work undertaken is exclusively "chauffeured" in nature. The chauffeur and vehicle are specifically hired to provide transport to a company or person, and/or where the display of a licence plate may affect the dignity or security of the persons carried.
 - Vehicles must be of a standard of a size and comfort as decided the Executive Director – Neighbourhoods, Communities & Housing and equipped to a level equal or above luxury models of vehicles such as Mercedes Benz E or S Class, BMW 7 Series, Lexus GS or LS, Audi A8, Rolls Royce and Bentley saloons. (The highest specification executive type saloon cars from other manufacturers may also be considered).
 - Vehicles must be in pristine condition with no visible defects, dents or blemishes to the external bodywork, wheels or internal trim and seating.
 - The safety of the travelling public will not be compromised by exempting the specified vehicle from displaying an identity plate.
- 2.2. An application for a vehicle to be exempted from displaying an external identification plate must be made by the vehicle proprietor using the appropriate application form. Additional documentation may be requested as reasonably necessary to allow the Council to make an informed decision. Where such documentation is not provided to the satisfaction of the Council the application will be refused. The Council will maintain commercial confidentiality.
- 2.3. An Authorised Officer will assess whether or not there is a genuine operational business need and whether or not the vehicle is considered to meet the criterion at

- 2.4. There is no legal route of appeal in relation to the refusal of an exemption. In light of this a route of appeal will be provided through the Corporate Complaint process and in the event of a complaint it will be dealt with as a Stage 1 Corporate Complaint and determined by the Licensing Manager.
- 2.5. Where an application is granted and a vehicle is exempted from displaying its external identification plate an exemption notice will be issued as soon as practical after the decision is made.
- 2.6. Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicle's current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for a period of time that is coterminous with that vehicle's private hire licence unless either the licence or notice is otherwise surrendered or revoked.
- 2.7. Exemption notices may be renewed annually subject to the vehicle undergoing a re-inspection by an authorised officer to ensure that it continues to be fit for purpose.
- 2.8. Other than where to do so would conflict with the requirements of this policy, all vehicles granted an exemption notice must, in addition to the requirements of this policy, comply with the Council's Private Hire Driver and Vehicle conditions.
- 2.9. The following conditions will apply to all private hire vehicles granted an exemption from the requirement to display an external identification plate by Brighton & Hove City Council, and are in addition to the criteria and conditions set out in the council's general requirements and conditions pertaining to licensed private hire vehicles and drivers.
 - a. The identification plate and exemption notice provided by the Council pursuant to requirements of the Local Government (Miscellaneous Provisions) Act 1976 shall remain the property of the Council.
 - b. The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer or Other Authorised Person.
 - c. When issued with an exemption notice, the vehicle will not be required to display any other signs (except the internal licence plate) which the Council may at any time require private hire vehicles to display.
 - d. The proprietor will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
 - e. During the period of the exemption notice, the driver shall not be required to wear the private hire driver's identification badge but will have it available for immediate inspection by an authorised officer of the Council or any Police Officer on request.

- f. During the period of the exemption notice the driver of the vehicle whilst engaged on private hire work will be smartly dressed such as in a business suit.
- g. The proprietor shall within 1 working day notify the Council of any change in the use of the vehicle.
- h. The proprietor shall not use the vehicle for private hire purposes other than for chauffeur use (i.e. not for 'normal' airport journey's or daily private hire use).
- j. The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale/transfer of ownership immediately and in writing, and provide details of the new owner. The exemption notice must be returned to the Council along with the private hire vehicle identification plate unless being sold to another private hire operator licensed by the Council; in which case, only the exemption notice has to be returned.
- k. A taximeter will not be installed in the vehicle.

