

TRAFFORD COUNCIL

LICENSING COMMITTEE – 22nd SEPTEMBER 2016

REPORT OF THE HEAD OF REGULATORY SERVICES

REQUEST FOR REVIEW OF VEHICLE LICENCE CONDITION – VEHICLE IDENTIFICATION PLATE

PURPOSE

To ask the Sub-Committee to consider a request from a private hire vehicle proprietor to review the Council's current condition relating to the fixing of identification plates to licensed vehicles.

RECOMMENDATIONS

The Sub Committee is asked to consider the current requirement for fixing the identification plate and decide either:

- To confirm that the identification plate must be affixed to the vehicle in accordance with the current condition; or
- to amend the current condition.

If the Sub-Committee is minded to amend the current condition it is asked to confirm that the condition will

- apply to both hackney carriage and private hire vehicles; and
- will take effect when a new set of conditions are issued on renewal of the vehicle proprietor's licence or when a new vehicle licence is granted.

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Head of Regulatory Services

Further Information From:

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1. BACKGROUND

1.1 The Local Government (Miscellaneous Provisions) Act 1976, s 48(5) requires that the Council issue an identification plate to identify a private hire vehicle. That plate must be 'exhibited on the vehicle' in such a way as the Council requires, such requirements being specified by a condition attached to the licence. In cases where one plate is issued, the conditions usually require it to be displayed on the rear of the vehicle.

1.2 Trafford Council's private hire vehicle licence conditions state:

Condition 4 – Identification Plate

The identification platform must be affixed to the rear outer most part of the vehicle's bodywork or to the rear bumper by means of at least **TWO** screws or by means of at least **TWO** expandable rivets. If this is not possible due to the design of the vehicle, the platform may be affixed to a bracket, which must be so designed as to allow fixing to the rear of the vehicle, the platform to be fixed to the bracket by means of at least **TWO** screws or by means of expanding rivets.

The plate must be affixed to the platform by means of the fixing devices supplied by the Council. [The bracket must be fixed to the rear of the vehicle by means of screws only]. In either case, the plate must be clearly visible to the driver of a following vehicle, and it must be capable of being easily removed by an authorised officer or a constable. The plate shall be so affixed to the vehicle, by the proprietor at his own expense.

1.3 In July 2016 private hire vehicle P524 was presented for its Compliance Test (MOT) at the Council's nominated testing station. The vehicle passed the test but the proprietor, Steve Jones, was advised that the vehicle was not correctly plated as the plate was displayed inside the rear window. Mr Jones re-submitted the vehicle but was again advised that the plate was not correctly plated because it was not fixed to the rear of the vehicle in accordance with the above vehicle condition.

1.4 Mr Jones has requested that the Sub-Committee review the above condition as he believes the need for screws to fix the plate is unreasonable and out of date, as there are other methods for fixing the plate without the need for screws e.g. adhesive systems/cable ties. (Please see Appendix A)

1.5 Mr Guy Morgan, of PMJ Travel, has also logged an objection to the current condition stating:

'Trafford seek to force vehicle owners to damage their property in order to satisfy the current terms and conditions of affixing licences by drilling holes in vehicles to attach the relevant licence.

With the advent of modern adhesives is it acceptable to stick these licence holders to the vehicle, thereby avoiding damage to the vehicle, in order that

the licence is displayed on the rear of the vehicle as per the current Terms and Conditions.'

2. OPTIONS

2.1 The Sub Committee is asked to consider the current requirement for fixing the identification plate and decide either:

2.1.1 To confirm that the identification plate must be affixed to the vehicle in accordance with the current condition; or

2.1.2 to amend the current condition to read as follows:

The identification platform must be securely fixed to the rear outer most part of the vehicle's bodywork, to the satisfaction of an authorised officer. The fixing of plates on the front or rear windshield is not allowed.

The plate must be affixed to the platform by means of the fixing devices supplied by the Council. The plate must be clearly visible to the driver of a following vehicle, and it must be capable of being easily removed by an authorised officer or a constable. The plate shall be so affixed to the vehicle, by the proprietor at his own expense.

2.2 If the Sub-Committee is minded to amend the current condition it is asked to confirm that the condition will:

2.2.1 apply to both hackney carriage and private hire vehicles; and

2.2.2 will take effect when a new set of conditions are issued on renewal of the vehicle proprietor's licence or when a new vehicle licence is granted.