

To: All Members and Substitute Members of
the Licensing (General Purposes) Sub-
Committee
(Other Members for Information)

Maureen Brown
Democratic Services Officer
Policy and Governance
E-mail: maureen.brown@waverley.gov.uk
Direct line: 01483 523225
Calls may be recorded for training or monitoring
Date: 11 September 2015

Membership of the Licensing (General Purposes) Sub-Committee

Cllr Simon Inchbald (Chairman)	Cllr Anna James
Cllr Patricia Ellis (Vice Chairman)	Cllr Bob Upton
Cllr Peter Isherwood	

Substitutes

Cllr Maurice Byham	Cllr Carole King
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Dear Councillor

A meeting of the LICENSING (GENERAL PURPOSES) SUB-COMMITTEE will be held as follows:

DATE: THURSDAY, 24 SEPTEMBER 2015
TIME: 10.15 AM (OR AT THE CONCLUSION OF THE LICENSING AND
REGULATORY COMMITTEE, WHICHEVER IS SOONER)
PLACE: COUNCIL CHAMBER

Yours sincerely

ROBIN TAYLOR
Head of Policy and Governance

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This meeting will be webcast from the conclusion of Informal Question Time and can be viewed by visiting www.waverley.gov.uk

NOTES FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. MINUTES

To confirm the Minutes of the Meeting held on 2 June 2014 (to be laid on the table half an hour before the meeting).

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and to report any substitutions

3. DECLARATIONS OF INTEREST

To receive from members declarations of interest in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

4. APPLICATION FOR EXEMPTION FROM PRIVATE HIRE PLATE DISPLAY
(Pages 5 - 16)

This report enables the Sub-Committee to consider a request from Mr Richard Miles for exemption from the requirement to display the private hire licence plate on a private hire vehicle licensed by the Council. There are no environmental or resource implications arising as a result of this report. Approval of a certificate of exemption could have community safety implications, which are set out in the report.

Recommendation

It is recommended that the Sub-Committee gives consideration to the request for exemption from the requirement to display a private hire licence plate on any occasion when the vehicle is used for chauffeur purposes, as submitted by Mr Miles in respect of his vehicle, Private Hire Plate no 239.

5. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is

likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 1 of the revised Part 1 of Schedule 12A to the Act in respect of the following item:

Information relating to any individual (paragraph 1)

6. APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (Pages 17 - 34)

To consider the attached [Exempt] report.

7. APPLICATION TO RENEW HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (Pages 35 - 120)

To consider the attached [Exempt] Report.

8. LEGAL ADVICE

To consider any legal advice relating to any items in the agenda.

**For further information or assistance, please telephone
Maureen Brown, Democratic Services Officer, on 01483 523225 or by
email at maureen.brown@waverley.gov.uk**

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WAVERLEY BOROUGH COUNCIL

LICENSING (GENERAL PURPOSES) SUB-COMMITTEE – 24 SEPTEMBER 2015

Title:

APPLICATION FOR EXEMPTION FROM PRIVATE HIRE PLATE DISPLAY
[Wards Affected: All]

Summary and Purpose

This report enables the Sub-Committee to consider a request from Mr Richard Miles for exemption from the requirement to display the private hire licence plate on a private hire vehicle licensed by the Council. There are no environmental or resource implications arising as a result of this report. Approval of a certificate of exemption could have community safety implications, which are set out in the report.

How this report relates to the Council's Corporate Priorities:

This report relates to improving lives in the Borough.

Equality and Diversity Implications:

There are no equality implications.

Resource/Value for Money Implications

There are no immediate resource implications in this report.

Legal implications:

The Local Government (Miscellaneous Provisions) Act 1976 enables the Council, at its discretion, to grant an exemption from the requirement to display a private hire vehicle's vehicle licence plate.

Introduction

1. Private Hire Vehicles and their drivers may be pre-booked only via a licensed private hire operator. Each of the three licences, for the operator, the vehicle and the driver, must be issued by the same licensing authority, i.e. the licences must 'match'. Under Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976, private hire vehicle proprietors (licensees) are required to exhibit on their vehicles the vehicle licence plates provided by the Council.
2. Notwithstanding this provision, Section 75(1) of the Act provides:

“(1) Nothing in this Part of the Act shall –

- (d) require the display of any plate, disc or notice in or on any private hire vehicle licensed by a Council under this Part of this Act during such period that such vehicle is used for carrying passengers for hire or reward under a contract for the hire of the vehicle for a period of not less than 24 hours,
3. In addition, the Act enables the Council, generally, to grant an exemption from the requirement to display licence plates on private hire vehicles on *occasions specified* by the authority, or on *any occasion*, provided that the notice of exemption is carried in the vehicle (Section 75(3)). If an exemption from display on specified occasions/any occasion is granted, the driver of the vehicle is also exempted from the requirement in Section 54(2)(a) that he should wear his private hire driver's badge. The driver must, however, be a private hire driver licensed by the Council. For the Sub-Committee's information, no such exemptions exist for hackney carriages (taxis).
 4. If granted an exemption, the plate and the letter of exemption must be carried in the vehicle and produced for inspection when requested. The Sub-Committee has authorised several vehicles for exemption from plate display in the past, and the requests for such exemption are usually because the operator wishes to have a specific vehicle for more exclusive work than the daily 'to and fro' type of work which these vehicles may undertake.
 5. The primary function of a chauffeur/executive driver and vehicle is to transport passengers from A to B, albeit in a higher quality vehicle than a conventional minicab. Whilst recognising that the drivers might have a more dedicated focus on higher quality customer care, chauffeur vehicles fall within the Private Hire regime.

Applications for Exemption and Transfer

6. As set out in the summary, a request has been received from a licensed driver with Waverley, Mr Richard Miles, of Miles Executive Chauffeur in Farnham, for exemption from display of his licence plate at any time. A Private Hire Operator/Driver would normally need to have a good reason to request exemption, such as that the vehicle is primarily used in professional executive chauffeur-driven vehicle hire.
7. Mr Miles has purchased a new Mercedes E220 Cdi Bluetec (DVLA date of first registration on 04 June 2015) and was given a plate number 239.
8. Correspondence requesting plate exemption from Mr Miles is reproduced at Annexe 1. Attached at Annexe 2 are letters from clients of Mr Miles in support of his application for exemption.
9. Attached at Annexe 3 is a copy of a Diploma of Merit awarded to Mr Miles having taken a 'Security Chauffeur Training Course'.
10. Officers are seeking generally to ensure that plate exemption should not be an automatic procedure and that applicants produce suitable evidence of their reasons for requesting an exemption. It is important that full details of the

work should be submitted to the Council with any application for exemption, before the Sub-Committee is asked to consider the details.

Community Safety Implications

11. The provision of an identifying licence plate on the rear of a vehicle and also the driver's badge (which the driver must wear) are an assurance for hirers that they are using a safe and properly licensed vehicle and not a bogus one. An exemption from the requirement to display the licence plate could have community safety implications if the vehicle was then used for more routine and day-to-day private hire work. If an exemption is approved, the Private Hire Licence plate must be carried in the vehicle, together with the Council's letter of approval of exemption, but these will not be evident or immediately obvious to the hirer.
12. However, with the Council's vehicle licence-plate system introduced in 2005, there is now an obligation for all vehicles, including 'exempted' private hire vehicles, to display the internal small version of the plate in the front window of the vehicle. This should help to ensure that enough evidence is in place to assure any hirer of the vehicle's licence status. This is an important community safety issue.

Recommendation

It is recommended that the Sub-Committee gives consideration to the request for exemption from the requirement to display a private hire licence plate on any occasion when the vehicle is used for chauffeur purposes, as submitted by Mr Miles in respect of his vehicle, Private Hire Plate no 239.

Background Papers

Correspondence from Mr Miles and some of his clients.

CONTACT OFFICER:

Name: Paul Hughes

Telephone: 01483 523189

E-mail: paul.hughes@waverley.gov.uk

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RECEIVED

13 AUG 2015

ANNEXE 1

MR PAUL HUGHES
LICENSING DEPARTMENT
WANDERLEY BOROUGH COUNCIL
THE BURY, GODALMING,
SURREY. GU7 1HR

RICHARD MILES
MILES EXECUTIVE CHAUFFEUR
4, WOODSIDE ROAD, FARNHAM,
SURREY. GU9 9DS

12TH AUGUST 2015

OPERATORS LICENCE 031
PRIVATE HIRE LICENCE 244
VEHICLE LICENCE 239

MERCEDES E220 CDI BLUE TEC
LP 15 MBY

Dear Mr Hughes,

I write with reference to my new Mercedes saloon as above, to request exemption from the requirement to display a Private Hire Licence Plate on the rear of the vehicle. The car is used for liveried chauffeur business on a regular basis.

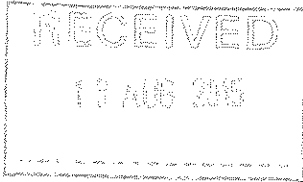
My client base is predominately corporate and a number of these companies have expressed a desire for this request, for a variety of reasons, not least security and discretion.

My clients include Sir Ray Tindle (TINDLE NEWSPAPER GROUP), Lady Parsons (BURLINGDALE LTD), Chris Chittock (PIVOT PLC), Peter Jones CBE (PHONES INTERNATIONAL GROUP) and Mark Powis (MRP CONSTRUCTION MANAGEMENT LLP) and I understand some of these companies may write to you in support of my request.

As a member of the British Chauffeurs Guild I have on several occasions taken clients to high office including, 10 Downing Street, Highgrove, Buckingham Palace and the House of Lords, all requiring security clearance, which I have.

In the past your department has granted exemption for my previous Mercedes saloons so I trust your committee will consider this request equally as favourably and I look forward to your reply in due course.

Yours sincerely
R Miller



Burlingdale Ltd

Office Rental Space

The Stables
Waverley Court Farm
Monks Walk, Farnham
Surrey, GU9 8HT

Tel: 01252 714910
Fax: 01252 726620
office@burlingdale.com

28th July 2015

Waverley Borough Council
Licensing Department
The Burys
Godalming
Surrey GU7 1HR

TO WHOM IT MAY CONCERN

Dear Sirs

Richard miles provides a chauffeur service to our company on a regular basis for corporate functions and events, therefore I would prefer him not to display a private hire licence plate on his vehicle.

Yours faithfully

A handwritten signature in black ink, appearing to read "Paula".

Paula Skilton
Office Manager

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13 AUG 2015

MRP Construction Management LLP
Tubster Cottage, Whitmead Lane, Tilford, Surrey, GU10 2BP
Email: mark@mrpmanagement.com
Tel: 07850 877123

Waverley Borough Council
Licensing Department
The Bury
Godalming
Surrey GU7 1HR

Dear Sir/Madam,

We use Richard to provide a chauffeur service for business travel and functions. We would prefer that Mr Miles does not display a taxi or private hire licence plate for discreet and professional reasons. Thank you.

Mark Powis

Partners: M R Powis and J L Powis
Registered in England Number: OC396663

Pivot

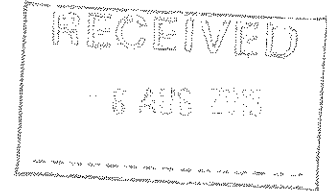
3 Maritime House
The Hart
Farnham
Surrey GU9 7HW

t: +44 (0)1252 711 825
f: +44 (0)1252 821 588
e: info@pivot-consulting.com
www.pivot-consulting.com

PIVOT

4th Aug 2015.

Waverley Borough Council
Licensing Department
The Bury's
Godalming
Surrey
EV7 1HR



To Whom It May Concern

Dear Sir/Madam,

This is to confirm that Richard Miles provides a chauffeur service to me for business meetings on a regular schedule.

We would prefer Richard not to display a private hire licence plate on his vehicle.

Yours faithfully,
Chris Clutts
Managing Director

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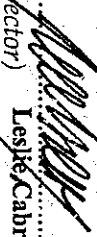
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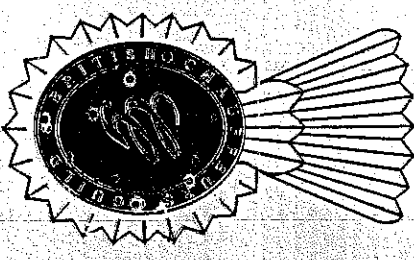
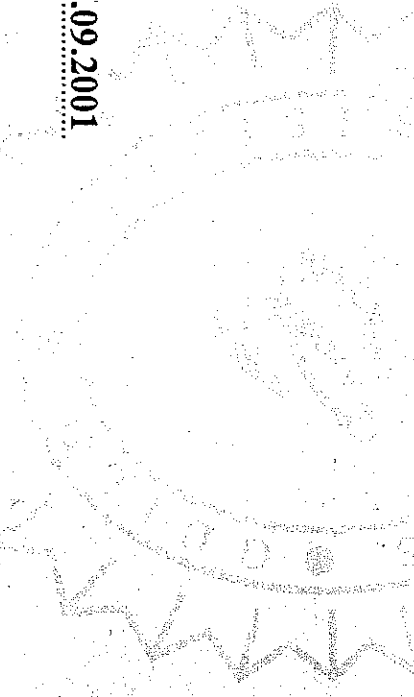
BRITISH CHAUFFEURS GUILD
LONDON
SECURITY CHAUFFEUR TRAINING COURSE

Diploma of Merit

Awarded to
RICHARD MILES
Diploma Number: **1848**

This diploma certifies that the above has attended our Security Chauffeur Training Course in Etiquette, Traditions and Security requirements of chauffeur and has attained the required standards in all practical and theoretical examinations

Authorised by

(Course Director) **Leslé Cabreza**
Dated **21.09.2001**



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199 Merton Road, Wimbledon, London SW 19 1EQ. Telephone: 020 8544 9777 Fax: 020 8544 1177

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Agenda Item 6.

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Agenda Item 7.

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