



Section 75(3) Local Government (Miscellaneous Provisions)
Act 1976

**EXECUTIVE HIRE EXEMPTION GUIDELINES FOR PRIVATE
HIRE VEHICLES**

Guidelines Approved by Licensing Regulatory Committee, 13th October 2016

The Local Government (Miscellaneous Provisions) Act 1976 requires that a District Council must issue a private hire vehicle with an identity plate or disc and that the proprietor should not use, or permit the use of, that vehicle without displaying the plate as directed by the Council. The Act also gives a district Council the discretion to grant a proprietor an exemption from displaying the licence plates on their licensed private hire vehicle. Each application for an exemption will be considered on its own merits. The overriding consideration will be public safety.

Exemptions will not be granted as a matter of course. A clear case for the exemption will have to be made by the proprietor. In determining an application it will normally be the status of the passenger and the executive nature of the work that will indicate whether or not the exemption should be granted. The high quality of the vehicle being used will be supportive of an application, but will not be the sole determining factor.

THE TYPE OF WORK, WHICH MAY BE DEEMED EXECUTIVE HIRE

Examples of the type of work, which is considered to be Executive Vehicle Hire, are as follows:

- Corporate bookings to transport employees and clients on business related journeys.
- Other journeys where the client specifically requires a vehicle without any private hire plates or signage on it at the time of booking.
- Transporting a wedding party or funeral.

TYPES OF VEHICLE, WHICH MAY GRANTED EXEMPTION

Executive travel is considered to be a speciality private hire service in a luxury vehicle rather than a standard vehicle. Examples of luxury vehicle types include for example Mercedes, BMW, Audi, Jaguar and Lexus models.

The Council does not wish to provide a prescriptive list of acceptable vehicles because this may be subjective and also require frequent updates. Conversely, it does not wish to restrict the types of vehicles, which may be top of the range and therefore deemed to hold luxury status.

These guidelines set out a range of general criteria that leave it open to the private hire vehicle trade to put forward vehicles of its own choice, which can be shown to meet the criteria. This will enable flexibility if the circumstances merit it.

- Each seat is of adequate dimension and permits direct access into and out of the side doors of the vehicle without the need to move, remove or fold down any seat.

Vehicle types that are capable of seating more than four passengers will be considered for the exemption but will only be licensed for, in the opinion of the authority, the number of passengers who can travel comfortably. This consideration relates to the level of comfort that the average person may believe an executive hire car should afford.

- Evidence to show that the vehicle is a luxury or top of the range as represented by the vehicle manufacture.
- Relevant considerations as to whether a vehicle is an executive hire car include but are not limited to cost, reputation, specification, appearance, perception and superior comfort levels.
- The vehicle has a minimum specification of air conditioning/climate control, all electric windows, central locking and suitable front and rear headrests for each passenger.

PRIVATE HIRE (EXECUTIVE HIRE) VEHICLE – ADDITIONAL CONDITIONS

1. The decision to grant/refuse an exemption for the display of the current private hire licence plates will be that of the Environmental Health Manager.
2. To qualify as exempt, the vehicle must be of a higher specification than standard model vehicles.
3. Any bookings for the undertaking of a journey in an exempt vehicle must be made by way of a written contract or licensed Private Hire Operator. Records of bookings shall be made available for inspection by an authorised Officer or Constable at any reasonable time and be retained for a period of not less than 12 months.
4. Exempt vehicles that conduct private hire work without a written contract in place as per condition 3 will have their exempt vehicle status withdrawn. They will then be required to display Barrow Borough Councils standard private hire plates on the front and rear of the vehicle.
5. Exempt vehicles shall not display any external markings eg. Operator details or advertisements.
6. Exempt vehicles can only be driven by a licensed private hire driver who is licensed by the same authority from which the exempt vehicle licence was issued.
7. At all times when the vehicle is being used on work covered by the exemption from the display of the private hire plate, the letter of authority must be carried on the vehicle and produced for inspection if requested. When not engaged on work covered by the exemption, the vehicle must display the licence plate in accordance with licensing conditions.
8. Any breach of the exempt vehicle conditions could result in the vehicle having its exempt vehicle status withdrawn; from which point, assuming it continues to be

used as a private hire vehicle, the vehicle will be required to display the current standard private hire licence plates.

9. All other private hire conditions will apply to both the vehicle and the driver whilst he/she is undertaking executive hire.
10. Appeal to Licensing Regulatory Committee regarding the type of vehicle and contracts of use if refused or deemed inappropriate by the Environmental Health Manager.

PRIVATE HIRE (EXECUTIVE HIRE) DRIVERS – ADDITIONAL CONDITIONS

1. Drivers shall wear smart clothing and are required to wear a suit with jacket or equivalent. Male drivers shall wear a tie. This dress code must be followed at all times the vehicle is being used to undertake a booking. Jackets may be removed for the comfort of the driver or where weather conditions require it.
2. The driver shall at all times when hired have his/her badge available to identify him/herself to the hirer.