



Derby City Council

**TAXI LICENSING & APPEALS COMMITTEE**  
**19 February 2015**

**ITEM 8**

Report of the Strategic Director of  
Neighbourhoods

**Executive Use of Private Hire Vehicles**

**SUMMARY**

- 1.1 The Taxi Licensing and Appeals Committee considered the executive use of private hire vehicles previously and requested a consultation exercise be undertaken to consider the matter.
- 1.2 The report sets out the results of the consultation exercise and proposes the formation of a cross party working group to consider the comments, formulate a view and recommend an approach to deal with the matter.

**RECOMMENDATION**

- 2.1 To approve the formation of a cross party working group to review the information received from the consultation exercise on executive cars and consider the issues that have been raised, formulate a view and recommend an approach to deal with the matter at the next scheduled meeting in April 2015.

**REASONS FOR RECOMMENDATION**

- 3.1 To review the current policy on the use of Private Hire Vehicles to undertake 'executive work' to ensure the Council's current policy remain fit for purpose.

**SUPPORTING INFORMATION**

- 4.1 In February 2014, Committee considered a report on the executive use of private hire vehicles. Previously Committee had decided that there should be no exemption for executive-type vehicles and that the same standards and conditions that applied to Private Hire Vehicles should also be applied to them.
- 4.2 A request had been received from Oakwood Executive Cars Ltd at a Licensed Trade Meeting for this requirement for company signs and a licence plate to be displayed on licensed private hire vehicles operating as an executive car hire business to be reviewed.

- 4.3 Committee resolved to authorise the Licensing Team to undertake further research and review the original decision of Council and report back with recommendations for amendment to the policy, where appropriate, following consultation with relevant stakeholders.
- 4.4 A public consultation exercise has been undertaken between 28 October 2014 and 22 December 2014, the results of which are set out at Appendix 2 for information.
- 4.5 There are a number of issues that the consultation exercise has raised and, rather than debate them all as a Committee, officers believe it would be appropriate for a cross party working group to consider the issues that have been raised, formulate a view and recommend an approach to deal with the matter at the next scheduled meeting in April 2015.
- 4.6 As there is no definition of an 'executive car', it is for individual local authorities to determine any criteria for exemption if it is considered appropriate. It is possible that this may include a change of conditions, a clear criteria of what an 'executive car' is and policies and procedures to manage the licensing process.
- 4.7 Members would also need to be satisfied that any relaxation did not compromise public safety or effective compliance.

#### **OTHER OPTIONS CONSIDERED**

- 5.1 None. The Committee have agreed an approach to deal with this matter which is set out in the report.

**This report has been approved by the following officers:**

<b>Legal officer</b>	Olu Idowu
<b>Financial officer</b>	-
<b>Human Resources officer</b>	-
<b>Estates/Property officer</b>	-
<b>Service Director(s)</b>	-
<b>Other(s)</b>	Michael Kay

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<b>Background papers:</b>	Taxi Licensing and Appeals Committee Report: 20 February 2014
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 – Executive Car Consultation Results

## IMPLICATIONS

### **Financial and Value for Money**

- 1.1 None arising from this report.

### **Legal**

- 2.1 In January 2008 the ability for some vehicles to be exempt from the licensing regime by virtue of the so called 'contract exemption' was repealed. Subsequently in April 2008, the Taxi Licensing and Appeals Committee considered the requirement for all Private Hire Vehicles to be licensed following the removal of the contract exemption, including those that operated as executive cars.
- 2.2 The Local Government (Miscellaneous Provisions) Act 1976 Section 46(1)(b) details the requirement for a Private Hire Vehicle to be licensed. The licence is granted under Section 51 of the Act. Once licensed, Private Hire Vehicles are licensed for all purposes of private hire work, there is no provision in law for a restricted licence.
- 2.3 Under Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976, there is the ability for a Private Hire Vehicle to be exempt from the requirements of Sections 48(6)(a) and 54(2)(a) of the Act, which relates to the displaying of a licence plate or disc in such manner as the local authority shall prescribe by conditions and display their badge to be plainly and distinctly visible. The exemption is provided by the issue of a notice in writing to the proprietor of the vehicle.

### **Personnel**

- 3.1 None arising from this report.

### **IT**

- 4.1 None arising from this report.

### **Equalities Impact**

- 5.1 None arising from this report.

### **Health and Safety**

- 6.1 None arising from this report.

### **Environmental Sustainability**

- 7.1 None arising from this report.

## **Property and Asset Management**

8.1 None arising from this report.

## **Risk Management**

9.1 None arising from this report.

## **Corporate objectives and priorities for change**

10.1 The proposals set out in this report will deliver **better outcomes for our communities.**

## Appendix 2

### Executive Car Consultation Results

A total of 39 responses were received.

The breakdown of these responses by capacity of completion is in table 1:

As a member of public?	18
As a representative of a private hire firm?	4
As a driver of a private hire firm?	18
As a representative of a company using/considering using an executive car?	4
Other (hackney carriage driver)	2

Respondents were asked how strongly they agree or disagree about various aspects of how the council should define an executive car. In table 2, are the responses to each aspect. Please note, strongly agree and agree have been amalgamated, as have disagree and strongly disagree. Where respondents have strongly felt an opinion these are highlighted, green where respondents agree/strongly agree, red where respondents disagree/strongly disagree and yellow for a neutral response.

	Strongly Agree/Agree	Neither agree nor disagree	Strongly Disagree/disagree	No opinion
An executive car should be less than 2 years old when exemption is granted?	10	1	27	1
After the vehicle is 5 years old on the next renewal it should not be renewed as an executive car?	12	2	24	1
An executive car should have an original list price of £30,000 or above?	9	6	23	1
An executive car should be specifically for executive use and not for other private hire work?	17	3	19	0
An executive car should be driven by a private hire driver in a suit and tie?	21	7	11	0
An executive car should be driven by a private hire driver in a uniform?	14	13	12	0

The driver of an executive car should not have to wear a badge for identification?	14	3	21	1
An executive car should be exempt from displaying rear plate and company door signs?	23	3	12	1
An executive car should be free from advertising?	31	2	5	0
An executive car should not display logos or any information about the company?	23	8	6	2
An executive car should be used for contracted work or journeys where a client has asked for a vehicle with no plate, no written door sign or no data head or meter?	22	5	9	3
An executive car should have the same vehicle specification, testing regime and conditions as private hire vehicles?	30	3	6	0
An executive car must be booked through an operator and comply with the conditions attached to that operators conditions?	30	4	4	1

When asked which what should signify the car is a genuine executive car, in order to help passengers to feel safe and secure, Table 3 shows the responses given.

it should display a specific licence card in window	33
driver must have their badge with them at all times	29
it should display a fixed licensed plate in boot	21
driver must show evidence of contract work on request	19
driver must show original written exemption on request	14

Respondents were asked about the specification of the executive car, the responses are in table 4.

air conditioning	35
electric windows throughout	35
front and rear head rests	30
central locking	28
saloon style	26
climate control to front and rear seats	21
tinted windows	15

Respondents were asked if there was anything else they felt should be in the specification of an executive car, the direct comments are below.

Table 5 - Comments on specification
Alloy wheels as standard, leather seats. The vehicle should be of executive 'class' rather than governed by age and/or original list price. Provided that the vehicle is maintained to a high standard and is able to pass a private hire vehicle test the age of the vehicle should not be conditional.
Valeted before every job
Roomy and comfortable
Why are you wasting council tax on something as frivolous as this. I suspect nearly all people who want to hire an executive car know how to do it without the help of the council.
Leather interior
Leather seating and or alcantara type materials. Good legroom
On-board Wi-Fi would be a good idea.
Leather interior

Further comments or ideas are in Table 6.

Table 6 - Further comments on specification
It doesn't matter how old the car is but when a client use that car he should be satisfied that he has used a executive car.
Clean and tidy all the time
As an executive car is usually hired for chauffeur driven purposes such as Airport Transfers or chauffeur hire days it would not be subjected to the wear and tear of a general private hire vehicle. Therefore the vehicle's presentation remains a high standard for a much longer life than a general private hire vehicle. My current 'executive' vehicle is now 8 years old and I still receive many compliments on the vehicle's cleanliness, comfort and style. I would therefore contest any conditions imposed which relate to the age of the vehicle. To further clarify my point the committee should look to similar services such as wedding car hire (currently exempt from any licensing conditions). Wedding cars can be of any age/value and are still hired for the executive service of the hirer.
Cannot see justification for any exemptions except to look the part should be able to remove plate and operator signs.
An executive car should be clean and tidy age should be matter. All the rules should be applied as a normal private hire vehicle does thanks
safety features
Why are you wasting council tax on something as frivolous as this. I suspect nearly all people who want to hire an executive car know how to do it without the help of the council.
dark grey or black.

If you're suggesting the operator should be buying a really expensive car every 5 years that's crazy, it will hike prices for the customers and put operators out of work surely! As long as the car and driver look smart and are road safe I would be happy.

An Executive Vehicle does not only have to come in saloon car format, as some companies require more than 4 people to be conveyed and so therefore some Mpv's such as the vito should also be considered to fall into this category

Those respondents who replied as a representative of a hire firm (4 replies) were asked how likely they are to operate an executive car scheme. See table 7.

Table 7 - How likely or unlikely are you to operate an executive car as part of your private hire vehicles? (Base 4)	
Very likely	3
Likely	1
Neither likely nor unlikely	0
Unlikely	0
Very unlikely	0

The types of journeys or occasions mentioned for using an executive car are:

- Airport Transfer, wedding, business meetings, business functions
- High profile contract work. Weddings and Special Occasions. Customer request for Executive vehicle.

Those respondents who replied as a representative of a company using/considering using an executive car (4 replies) were asked how likely they would be to contact a private hire firm to use an executive car. See table 8.

Table 8 - How likely or unlikely are you to contract a private hire firm to use an executive car? (Base 4)	
Very likely	2
Likely	0
Neither likely nor unlikely	1
Unlikely	0
Very unlikely	1

The comment from the respondent who is unlikely to use an executive car is below:

- I may do it though one of the many firms which provide that bespoke service, but not through something run by the money wasters at Derby City Council.

Those respondents who replied as a member of the public, were asked how likely they would be to use an executive car. See table 9.

Table 9 - How likely or unlikely are you to use an executive car? (Base 18)	
Very likely	4



Likely	4
Neither likely nor unlikely	5
Unlikely	0
Very unlikely	5

Those respondents likely to use an executive car provided comments on the journeys or occasions where they would use such a car see table 10.

Table 10 - What types of journeys or occasions would you use an executive car?
to ferry business associates in style and comfort to portray the city in proper style
Business trips, airport transfers.
Business meetings, airport transfers, client entertainment
Airport runs. Picking up guests from hotels etc.
Business meetings, weddings, airport pick ups / drop offs of business associates.
Airport transfers and meetings
For collecting clients, for personal use on special occasions.
Business meetings, discreet travel, airport transfers

The comments from the respondents who are unlikely to use an executive are below.

- I have my own car
- Price
- its safer to use a private hire taxi or hackney carriage due to all the good restrictions in place

Respondents were asked if they agree or disagree that Derby City Council should consider allowing private hire firms to offer an executive car service, see table 11.

Table 11. Agree or disagree Derby City Council should consider allowing private hire firms to offer an executive car service. (All respondents – 39)	
I agree	31
I disagree	5
I am not sure	3