

## **APPENDIX F**

### **CAERPHILLY COUNTY BOROUGH COUNCIL GUIDANCE AS TO EXCEPTIONAL CIRCUMSTANCES RE: DISPLAY OF PLATES, HEAVILY TINTED WINDOWS, AGE RESTRICTIONS**

Caerphilly County Borough Council has adopted a vehicle policy and standard covering the age and specification of vehicles that can be considered suitable for licensing as hackney carriages or private hire vehicles. Where requests are received for vehicles to be exempt from policy limitations the Licensing Committee will consider the evidence and circumstances presented to them.

The following is simply a guide as to what may constitute exceptional circumstances, however the onus remains on the applicant to make the case before the committee. Applicants must note that each application is considered on its merits, any decision in respect of a particular vehicle does not set any precedent in respect of any other vehicles.

Exceptions to policy will not normally be granted where a vehicle is primarily used for routine work which is best described as an open service that is available to any member of the public booking a journey. A range of terms may be applied to vehicles used for 'non routine' work such as prestige, executive, limousine, exclusive, chauffeured, however none of these will confer an automatic right to exemption.

There are a diverse range of situations that could be considered as exceptional, the following list is not exhaustive and simply indicates potential circumstances that in the opinion of the Committee may merit exemption.

Types of situations / vehicles that may be considered as exceptional:

1. Solely contract work, for large companies, government agencies, TV studios, private schools, travel agencies, etc Essentially bookings for the vehicle not accepted from or for the general public.
2. Vehicle retained and used solely for specific celebratory events travel such as birthdays, graduations, anniversaries, attending horse races, or other one off celebratory occasions.
3. Vehicle solely used for specialist journeys such as transporting persons with special needs and requirements.
4. Vehicle is recognised as an exclusive brand and has been well maintained and is in pristine condition such as Rolls Royce, Bentley, Daimler, Jaguar, Aston Martin etc may be considered as suitable for exemption.
5. Vehicle has a combination of facilities that would not normally be found in vehicles used for routine work, such as exceptional high quality upholstery, wi-fi accessibility, conference seating, individualised media sources, refreshments, individual controlled ventilation, air conditioning, etc.
6. Difficulties can arise where the vehicle is required for a combination of the exceptional and the routine and the Council would have to consider how much weight they would give to each element of the use. For example occasional use for carrying a person with special requirements may not be sufficient grounds to grant an exemption where simple adjustments can be made such

as the provision of blinds on side windows when carrying that passenger. Infrequent exceptional use may not be sufficient to convince the committee that it would be possible to grant an exemption.

Evidence that would assist the committee in determining exceptional circumstances would be:

1. Contract documentation.
2. Logs of the amount of “exceptional” work .
3. Websites and advertising material employed by the applicant.
4. References, statements from customers.
5. Appearance and condition of vehicles, uniformed drivers, service enhancements.

Applicants should note that an exemption from the display of plates is only permissible in respect of private hire vehicles. An exemption is unlikely to be granted where any form of advertising is displayed on or in the vehicle, in particular where it indicates that it is a taxi or private hire vehicle, or that it is associated with a private hire vehicle operator.

Applications for exemption will be considered by the Licensing committee in the first instance. In the event that an exemption from the display of plates has been granted, the Council will issue a small double sided notice for display on the front windscreen in the bottom left hand corner (when viewed from inside). The notice will indicate the vehicle details, the start and end date of the exemption and contact details in the case of any query. Exemption will be subject to conditions requiring that the plates are carried in the vehicle at all times and are produced on request of the Police or an authorised officer of the Council.

Where a vehicle licence has expired and the proprietor later wishes to renew the licence detailed information will be required as to the reason for not renewing in a timely fashion. If the vehicle has been subject to mechanical failure or accidental damage, the proprietor should produce proof of repairs, insurance claims etc.