

10 January 2013		ITEM: 7
Licensing Committee		
HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE SPECIFICATION AND LICENCE CONDITIONS		
Report of: Paul Adams, Principal Licensing Officer		
Wards and communities affected: All	Key Decision: Non key	
Accountable Head of Service: Gavin Dennett, Acting Head of Public Protection		
Accountable Director: Jo Olsson – Director of People Services		
This report is Public		
<i>If the report, or a part of this, has been classified as being either confidential or exempt by reference to the descriptions in Schedule 12A of the Local Government Act 1972, it is hereby marked as being not for publication. The press and public are likely to be excluded from the meeting during consideration of any confidential or exempt items of business to which the report relates.</i>		
Date of notice given of exempt or confidential report: not applicable		
Purpose of Report: Seek approval of proposed changes to Thurrock Council Hackney Carriage and Private Hire vehicle specifications and Licence Conditions		

EXECUTIVE SUMMARY

Local Authorities have a power to set policy and conditions that it requires its Hackney Carriage and Private Hire Vehicle to meet. This report sets out the proposals for changes to the current conditions and vehicle specification, seeking views of Members of the Licensing Committee on the proposals before the revised documents go out for public consultation.

1. RECOMMENDATIONS:

1.1 That the Committee -

Considers the proposed recommendations for changes to the vehicle specification and licence conditions for Private Hire and Hackney Carriage Vehicles, and approves them with or without any additional amendments for public consultation.

2. INTRODUCTION AND BACKGROUND:

- 2.1 Local Authorities have the power to set conditions and policy in relation to Hackney Carriage and Private Hire Vehicle Licences.
- 2.2 The current Vehicle Specification and Licence Conditions are attached as appendix 1. This document sets out the type of vehicles that are considered suitable for licensing and the conditions that they must adhere to once the licence has been granted.
- 2.3 The vehicle specification is now dated and requires reviewing to ensure that it remains fit for purpose. The changes suggested are intended to enhance public safety, provide licence holders with the opportunity to keep well maintained vehicles for a longer period of time, and will allow for easier enforcement of the licence conditions by clarifying some points.
- 2.4 These documents will eventually form one taxi licensing policy which will incorporate all taxi related policy, conditions and specifications.
- 2.5 The proposed changes have been developed from the experience of the Licensing Department and suggestions from licence holders, and from national guidance, this report seeks the views of Members before the document goes out for public consultation with the trade and other interested parties.

3. ISSUES, OPTIONS AND ANALYSIS OF OPTIONS:

- 3.1 The following points are a summary of the proposed changes, a draft of the vehicle specification and licence conditions is attached for both Hackney Carriage vehicles and Private Hire vehicles are attached as appendix 2.
- 3.2 Any vehicle presented for a new Hackney Carriage Licence, must be wheelchair accessible. Any existing saloon style vehicle currently licensed can be replaced with a saloon vehicle regardless of who the licence holder is.

It is proposed for this grandfather right to remain for the current licence holder (Proprietor) until the licence is transferred to a new Licence holder, when after that point, when the vehicle is replaced, it must be with a wheelchair accessible vehicle.

- 3.3 The age limit for vehicles be extended to as follows:
 - Minimum of 4 years at first point of licensing to remain as is,
 - Saloon Vehicles to increase from a maximum age of 7 years to 10 years,
 - Wheelchair accessible vehicles to increase from a maximum age of 10 years to 15 years,
 - Limo's, Classic Cars and Speciality Vehicles to have no age limits for first point of licensing and no maximum age for licensing.

- 3.4 The frequency of Vehicle inspections to be increased as follows:
- On Initial licensing
 - Annually for vehicles aged less than 5 years,
 - 6 monthly for vehicles aged between 5 and 8 years,
 - 3 monthly for vehicles aged over 8 years.
- 3.5 Set a minimum space for leg room in the rear of the vehicle.
- 3.6 Require that tyres fitted on the vehicle are those recommended by the manufacturer's specification and to prohibit the use of remould tyres.
- 3.7 Existing rear loading wheelchair accessible Hackney Carriage Vehicles are replaced with side loading vehicles when the vehicle is next replaced, or when they become 10 years of age.
- 3.8 No tinted windows will be permitted including factory fitted tints; exemptions to this can be applied by the licensing Department for limos, executive vehicles, Speciality Vehicles or Classic Vehicles. Any licensed vehicles that are currently fitted with factory fitted tints can remain until the vehicle is replaced.
- 3.9 Relaxation of advertising both on the exterior and interior of vehicles to allow greater advertising subject to the approval of the Licensing Department.
- 3.10 Any alloy wheels fitted must be matching and where alloy wheels are not fitted matching hub caps must be fitted to all wheels.
- 3.11 Enhanced CCTV guidance is being developed to give guidance on the requirements for CCTV fitted in licensed vehicles.
- 3.12 Revision of the requirements for trailers used in association with licensed vehicles.
- 3.13 The document has been re formatted to split the pre licensing requirements and vehicle conditions, to aid with the understanding and interpretation of them by all.
- 3.14 Consideration is being given to the introduction of incentives for Green Vehicles; this work is being progressed via the Cleaner, Greener and Safer Overview & Scrutiny Committee, but will require changes to this vehicle specification which will be incorporated if any scheme is feasible.

4. REASONS FOR RECOMMENDATION:

- 4.1 Although there is no legal requirement for consultation, the view of members is being sought before public consultation. At this point any view of the licensing committee based on their experience of attending hearings may be incorporated before the proposals go out for public consultation.

5. CONSULTATION (including Overview and Scrutiny, if applicable)

- 5.1 No formal consultation has been undertaken so far, following any comments made by the Licensing Committee; this document will be place for public consultation, specifically being sent to all current vehicle licence holders, operators, disability access groups and others with an interest in the taxi trade.
- 5.2 A final proposal will be presented to the Licensing Committee at the next meeting for progression to adoption.

6. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 6.1 None.

7. IMPLICATIONS

7.1 Financial

Implications verified by: **Michael Jones**
Telephone and email: **01375 652277**
mxjones@thurrock.gov.uk

There are no financial implications for Thurrock Council.

7.2 Legal

Implications verified by: **David Lawson**
Telephone and email: **01375 652087**
david.lawson@bdtlegal.org.uk

Following public consultation the revised policy will have to be brought back to this committee for approval before being referred to Full Council for adoption.

7.3 Diversity and Equality

Implications verified by: **Samson DeAlyn**
Telephone and email: **01375652472**
sdealyn@thurrock.gov.uk

Any increase in the number of wheelchair accessible vehicles servicing Thurrock's Taxi ranks is positive in improving access to public transport for wheelchair users. Comments from all consultees should be carefully considered at the next stage.

7.4 Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental

None

BACKGROUND PAPERS USED IN PREPARING THIS REPORT (include their location and identify whether any are exempt or protected by copyright):

- Thurrock Council's Hackney Carriage & Private Hire Vehicle Licence Conditions.
- Taxi and Private Hire Vehicle Licensing Standardised Conditions Template 09.10
- Taxi and Private Hire Vehicle Licensing Best Practice Guidance

APPENDICES TO THIS REPORT:

- Appendix 1 – Existing vehicle specifications and licence conditions
- Appendix 2 – Proposed vehicle specifications and licence conditions.

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