

Report of	Meeting	Date
Director People and Places	Licensing and Public Safety Committee	20 October 2010

HACKNEY AND PRIVATE HIRE LICENCE CONDITIONS – MPV TYPE VEHICLES

PURPOSE OF REPORT

1. To seek approval for a change in the Councils Hackney and Private Hire vehicle conditions relating to seating provision in MPV type vehicles

RECOMMENDATION(S)

2. Members are asked to approve the amended conditions as attached at Appendix 1 and 2 for all new vehicle licence applications forthwith.
3. Members are asked to determine the most appropriate option for phasing in the conditions for vehicles currently licensed for more than 4 passengers where the application of the conditions would mean they were non compliant.

EXECUTIVE SUMMARY OF REPORT

4. Members will recall that at the Licensing and Public Safety Committee meeting on 15 September 2010, representations were considered from a member of the taxi trade regarding the application of current vehicle licence conditions which prejudiced the use of multi passenger vehicle (MPV) type cars as licensed taxis.
5. Meetings have been held with taxi trade representatives to determine the most appropriate wording of conditions to ensure that MPV type vehicles are not excluded from the taxi licensing provisions provided they meet certain space standards.
6. Whilst broad agreement on the proposed changes to conditions has been reached Members should note that trade representatives do not agree with the condition relating to the safe storage of luggage and have indicated that for some vehicle proprietors this will incur additional cost in the provision of suitable means of securing luggage. However despite there having been no incidents in recent times regarding unsecured luggage causing passenger injury in Chorley, officers believe that unsecured luggage does pose a risk of injury to passengers in circumstances where a vehicle might have to take evasive action or stop suddenly.
7. The proposed conditions, which are highlighted in the attached Appendices 1 and 2 have been drafted to ensure that minimum standards for passenger comfort are met and that certain luggage storage requirements are met to ensure passenger safety.
8. It should be recognised that the application of the proposed conditions will disallow some smaller MPV type vehicles presented for taxi licensing if the seating space is too small or cramped or if any luggage cannot not be securely stowed.

NEW APPLICATIONS FOR VEHICLE LICENCE

9. It is anticipated that implementation of the revised conditions will take place with immediate effect for all new hackney and private hire vehicle licence applications.

EXISTING HACKNEY AND PRIVATE HIRE VEHICLES

10. It is believed that there are approximately six vehicles currently licensed for more than four passengers that would not meet the revised conditions, if approved by Members. Therefore the Council will need to determine an appropriate means of ensuring such vehicles are brought in line with the revised conditions in due course.
11. Three options for implementing the revised conditions for existing licensed vehicles are proposed as follows:
- Option 1 – Don't have a phased period and await removal of the vehicle from the fleet through natural wastage when any new vehicle presented for licensing would have to comply with the conditions.
 - Option 2 – Impose the new conditions with immediate effect so that any non compliant vehicles would have to be replaced or their carrying capacity reduced to 4 passengers.
 - Option 3 – Impose the new conditions at the date of next vehicle licence renewal so that existing non compliant vehicles will either have to come off fleet or be re licensed for a reduced number of passengers.
 - Option 4 – Set an implementation date beyond which any vehicle licence renewal application will mean that the vehicle will have to comply with the amended conditions beyond that date
12. Officers would recommend to Members that Option 4 be chosen as the preferred option in order to reduce the prejudicial impact on existing licensed vehicles, particularly where they may be engaged in contract work which would be affected if passenger numbers for which the vehicle was licensed was reduced in the short term.
13. Therefore officers believe a date of 1 June 2011 should be set as the date beyond which any vehicles, presenting for a vehicle licensing renewal (Hackney and/or Private hire), must meet the revised conditions.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

14. To ensure that a coherent set of licence conditions are available that can be applied to multi passenger vehicle (MPV) type vehicles which maintain the Councils obligation to license a taxi fleet that is safe for the public to use and meets minimum standards of passenger comfort.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

15. None

CORPORATE PRIORITIES

16. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the		Develop local solutions to climate change.	
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Central Lancashire sub-region			
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	X

IMPLICATIONS OF REPORT

17. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	No significant implications in this area	

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

18. The Council are empowered to attach reasonable conditions to the granting of vehicle licences. In assessing the reasonableness of the conditions Members are required to balance the interests of the public and the trade and ensure that all relevant factors are considered in reaching a decision.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	7 October 2010	HCVPHV/MPVtypeconditions