

Time commenced : 6.00pm  
Time finished : 7.43pm

**TAXI LICENSING AND APPEALS COMMITTEE**  
**17 OCTOBER 2007**

Present: Councillor Dhamrait (Chair)

Councillors Baxter, Hird, Jackson, Jennings, S Khan, Leeming, Lowe,  
Rawson, Redfern and Skelton

**13/07 Apologies**

Apologies for absence were received from Councillors Berry and Poulter.

**14/07 Late items introduced by the Chair**

There were no late items.

**15/07 Declarations of Interest**

There were no declarations of interest.

**16/07 Confirmation of the minutes of the Taxi Licensing and  
Appeals meetings held on 11 July 2007 and 20  
September 2007**

The minutes of the meetings held on 11 July and 20 September 2007 were confirmed as a correct record and signed by the Chair.

**17/07 Taxi Licensing Section – Statistics for Licensing and  
Enforcement Activities – Quarter 2, 2007**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director of Environmental Services.

Members welcomed the drop in the number of vehicles, both Hackney Carriages and Private Hire that had their licences were suspended due to enforcement.

Concern was expressed that enforcement officers carried out the majority of their inspections during the busiest period of the driver's week, over the weekend. It was reported that this was due to many of the vehicles concerned only worked during the busiest occasions.

**Resolved to note the report.**

**18/07 Request to Approve the Introduction of Vehicle  
Exhaust Emission Standards for Hackney Carriages  
and Private Hire Vehicles**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director – Environmental Services. Vehicle emission standards for all new vehicles were first introduced by the European Parliament in 1992. These standards, which were regularly updated as vehicle exhaust technology improves, set a maximum emission level for key pollutants – carbon monoxide (CO), hydrocarbons (HC), oxides of nitrogen (NOx) and particulate matter (PM).

In Derby, air quality monitoring had identified that vehicle exhaust emissions were the principal source of air pollution, and this had resulted in the creation of an air quality management area (AQMA) within the city. The Council's Air Quality Strategy aims to tackle this problem and two key themes will be reducing traffic levels and improving engine efficiency/emission levels. These themes are also key to the Council's Climate Change Action Plan.

In support of these strategies, it was proposed that the Council introduce vehicle emission standards for licensed hackney carriages and private hire vehicles as part of the licensing regime. This would involve requiring vehicle proprietors to meet a specific level within the standard by a set date. Licensing officers proposed that:

- all licensed vehicles meet or exceed the Euro 3 emissions standard by 1 April 2009
- all licensed vehicles meet or exceed the Euro 4 emissions standard by 1 April 2012.

It should be noted that all vehicles first registered after January 2000 onwards should already meet the Euro 3 standard. This meant that only approximately 20% of the hackney carriage and private hire fleets would be affected. This number would be even lower by 1 April 2009. Proprietors of those vehicles that do not meet the Euro 3 standard would need to:

- have the vehicle adopted/modified to meet the standard, where possible, or
- change the fuel they use to a cleaner alternative, such as biodiesel, or
- replace the vehicle with one that meets the emission standard. This will only apply to the oldest, most polluting vehicles and those where it is not economically viable to modify them.

Members raised concerns that the suggested timescales were too short, and that the drivers should be given a longer leading time as currently all drivers were not aware of the proposals as there had not been a wide consultation process. It was reported that proposals had been raised a recent trade meeting which had been met with tentative support.

## **Resolved**

- 1. to approve the introduction of vehicle exhaust emissions standards for licensed hackney carriages and private hire vehicles in the following ways:**

- a) all licensed vehicles meet or exceed the Euro 3 emissions standard by 1 April 2010**

- b) **all licensed vehicles meet or exceed the Euro 4 emissions standard by 1 April 2012**
  - c) **all new license applications received from 30 days after the meeting will be required to meet or exceed Euro 4 emissions standard;**
- 2. ask the Interim Director of Environmental Services to notify license holders of the changes as soon as possible following the meeting.**

## **19/07 Request for Consideration of Advertising on Private Hire Vehicles**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director – Environmental Services. At a recent private hire trade meeting, the Council had received a request to consider the display of advertisements on licensed private hire vehicles.

Mark Keenan, the manager of Western Cars, suggested that 'discreet' advertisements could be carried by private hire vehicles and, if approved by committee, proposed that any advertisements should be restricted to within either the existing door sign, or within a similarly-sized magnetic panel to be placed on the side doors that do not carry any existing door signage. To date, only licensed hackney carriages have been allowed to carry advertisements that have been approved by the Assistant Director - Environmental Health and Trading Standards, as conforming to the Council's advertising policy for such advertisements. If approved, it is proposed that this policy would also be applied to advertising on private hire vehicles. In contrast, hackney carriages were all one corporate colour and were more readily identifiable as licensed vehicles. Mr Keenan stated that hackney carriages licensed by the Council were able to carry advertisements and that the private hire trade should have parity with the hackney trade.

Members were concerned that if this request was approved it would become City wide and cause further work for the enforcement officers.

The Committee were sympathetic towards the company wishing to use advertisements on their vehicles as it would provide them with an extra source of revenue but their concern was for potential passengers who might be tempted to enter an unlicensed private car bearing such advertisements, believing it to be a licensed vehicle. In such circumstances, the passengers might then be at considerable risk.

**Resolved to refuse the request to advertise on Private Hire Vehicles.**

## **20/07 Request for Consideration of Vehicles Resembling Currently Licensed Types of Hackney Carriages to be Licensed as Private Hire Vehicles**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director – Environmental Services. The Taxi Licensing Section has recently received requests to consider either the Mercedes Vito and/or the Volkswagen Transporter for licensing as private hire vehicles.

Several manufacturers and reputable coachbuilders produce 'private hire' versions of the above vehicles, with seating configurations capable of carrying up to eight passengers. However, both of these vehicle types have been licensed previously by this committee as hackney carriages, with the latest versions of the hackney bodysell shapes being identical to the proposed private hire shape. The Council's conditions for licensed private hire vehicles currently preclude the licensing of vehicles which closely resemble existing licensed hackney carriages. This was designed to avoid potential passengers being put at risk by hailing a vehicle which is actually a private hire vehicle engaged in illegal plying for hire.

The comment had been made that although the proposed vehicles are the same shape as existing hackney carriages, as all of the Council's hackney carriage fleet is now the agreed 'corporate yellow' colour, they can be differentiated by means of colour alone.

Members noted that if the Private Hire Vehicles were not approved to be advertised on then they shouldn't be able to look the same. It was noted that the proposed vehicles would be van based resembling a van.

**Resolved to refuse the request for consideration of vehicles resembling currently licensed types of Hackney Carriages to be licensed as Private Hire Vehicles.**

## **21/07 Request to Reduce the Number of MOT Testers Required at Specific Taxi Testing Stations**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director – Environmental Services. Following a discussion at a recent trade meeting regarding the perceived low level of interest from potential new applicants for taxi testing stations, the Chair has requested that members should consider his proposal to reduce the number of available MOT testers from three to two at each taxi testing station. It was suggested that relaxing the requirement in this manner would not significantly compromise the testing capacity of stations and could encourage other businesses to apply for consideration as taxi testing stations.

These set out the criteria that a garage must meet to be capable of operating as a testing station for the licensed taxi trade. Essentially, each applicant must show that they can provide adequate parking, a reception area and two MOT testing bays; with a minimum of three MOT testers being employed by the garage.

The original aim of officers when compiling the requirements was to assist the trade in providing a well-staffed taxi testing capability, even in the absence of one tester, or when one MOT ramp was being used to test a vehicle owned by a member of the public. This arrangement was believed to be the best way of managing the waiting time for taxi tests and providing adequate capacity for processing a large number of licensed vehicles. The current proposal was that by requiring specified taxi testing stations to employ at least two MOT testers, with a requirement that two testers were always available, it may be able for smaller enterprises to apply for consideration as taxi testing stations.

Members noted that this could be good for the trade as there may be further testing stations in Derby that could apply and this could widen the competition which was needed as the charges had increased by over 50% in the last few years.

**Resolved:**

- 1. to note the contents of this report;**
- 2. to agree to reduce the number of available MOT testers from three to two testers at each testing station.**

**22/07      Exclusion of Press and Public**

To consider a resolution to exclude the press and public during consideration of the following items:

“that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

**23/07      Applications to Renew Private Hire Driver's Licences**

The Taxi Licensing and Appeals Committee considered a report from the Interim Director – Environmental Services on 3 applications to renew their Private Hire Driver's licences.

Resolved to note the report.

MINUTES END