

LICENSING COMMITTEE
6 August 2020



Report sponsor: Tracey Blackwell, Interim
Director of Public Protection & Streetpride

ITEM 5

Report author: Michael Kay, Head of
Environmental Protection, Housing Standards,
Licensing, Emergency Planning and Business
Continuity

Licensing of Eight-Seater Private Hire Vehicles

Purpose

- 1.1 The report asks members to consider whether the current vehicle specification for private hire vehicles (attached at Appendix 1) requires amendment to allow consideration of vehicles which carry 8 passengers.
- 1.2 The option may appeal to customers travelling in a larger group.

Recommendation(s)

- 2.1 To agree that applications for vehicles which are required to be licensed for 8 passengers which do not meet the current vehicle specification for such vehicles are referred to the Licensing Sub-Committee for consideration.
- 2.2 To agree that the Head of Environmental Protection, Housing Standards, Licensing, Emergency Planning and Business Continuity and the Licensing Team Leader be delegated the power to amend the Council's adopted Specification for Private Hire Vehicles to incorporate the requirements for such changes.
- 2.3 That all other Council policies relating to Private Hire Vehicles shall apply to such vehicles.

Reasons

- 3.1 Licensing a wider range of vehicles with varying seat capacities means customers will have greater choice of vehicles to suit their needs, and also allow the proprietor the option of providing a service option which caters for larger numbers.

Supporting information

- 4.1 The Licensing Department has been approached to consider licensing vehicles which can carry a maximum of 8 passengers plus a driver.

- 4.2 Generally, most of the vehicles which are manufactured to carry 8 persons do not meet the Council's current vehicle specification, particularly in relation to the size of the additional front passenger seat and the close proximity of the passenger to the driver, for safety reasons.
- 4.3 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 states that:

' a district may on receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence...' provided that certain criteria are met. One such criteria is that the vehicle must be 'suitable in type, size and design for use as a private hire vehicle'
- 4.4 Members may wish to also bear in mind that the definition of a Private Hire Vehicle is:

'A motor vehicle constructed or adapted to seat **fewer** than nine passengers, other than a Hackney Carriage or Public Service Vehicle which is provided for hire with the service of a driver for the purpose of carrying passengers.'

Public/stakeholder engagement

- 5.1 Not applicable.

Other options

- 6.1 Maintaining existing criteria of only accepting vehicles which meet our Specification for Private Hire Vehicles.

Financial and value for money issues

- 7.1 Not applicable.

Legal implications

- 8.1 None, other than as set out in paragraphs 4.2 and 4.3 of this report.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	27/07/20
Finance	-	
Service Director(s)	-	
Report sponsor	Tracey Blackwell	27/07/20
Other(s)	-	

Background papers:	None
List of appendices:	Appendix 1 – Specification for Private Hire Vehicles

Specification For Private Hire Vehicles

Revised August 2019

(For vehicles designed to carry up to eight passengers)

		Implementation Date
1	A Private Hire vehicle shall not have an exterior body colour that is yellow, a shade of yellow or of which yellow or any shade of yellow may be a primary colour, such that the vehicle may resemble the approved colour for Hackney Carriages licensed by the Council. Any queries or disputes about the suitability of a vehicle colour will be determined by the Team Leader (Licensing)	
2	The following vehicles will not be approved for licensing as Private Hire vehicles:	
	<ul style="list-style-type: none"> any derivative of an LTI vehicle 	
	<ul style="list-style-type: none"> any derivative of a Metrocab vehicle. 	
3	The vehicle must be right-hand drive.	
4	a The vehicle must have at least two bodyside doors for passengers excluding any rear door.	
	b For vehicles with three or more rows of seats, rear seat passengers (all those seated behind the front row of seats) must have direct access to two doors.	
5	Access from the doors to the seats must be direct, without the necessity for folding or moving seats or parts of the seats to gain access.	
6	a All seats must be forward or rear facing and adequate in size, shape and condition for passengers.	
	b The vehicle shall be equipped at all times with seat belts of an acceptable type in respect of every seat which can be used for the carriage of passengers.	

7	a	The vehicle must contain a separate lockable luggage compartment or have a secure screen or cage fitted to contain luggage within the vehicle.	
----------	---	--	--

	b	The arrangements for storing luggage must not obstruct the use of exits from the vehicle.	19 January 2017
--	---	---	-----------------

8.			
	a.	The spare wheel and tyre must be identical to the size of the four road wheels unless the vehicle's original manufacturer's specification includes provision of a space saver tyre, a run-flat tyre or a temporary seal & inflation gas product kit. The use of any space saver, run-flat tyre or temporary seal & inflation gas product must be for emergency purposes only. A space saver wheel, run-flat tyre or tyre containing a temporary seal & inflation gas product must be replaced with a full size wheel or new tyre at the earliest opportunity and in any event, immediately after the fare-paying journey, if any, during which it was fitted (as applicable) to the vehicle has been completed. Whilst a deflating run-flat tyre, space saver wheel or temporary seal & inflation gas product is in use, the driver must observe the vehicle manufacturer's recommendations in relation to its usage, in particular those relating to speed and loading. The vehicle proprietor and/or operator, as appropriate, must ensure that the driver is made aware of those recommendations.	22 August 2019
	b.	For the avoidance of doubt, use of a space saver wheel, a run-flat tyre or temporary seal & inflation gas product on a vehicle is solely at the discretion of the driver and the condition in paragraph 8.1 is not to be regarded as an instruction by the Council, to the driver, to use a space saver wheel, run-flat tyre or temporary seal & inflation gas product.	22 August 2019

9	a	The interior floor surface of the vehicle must be fitted with non-slip covering and any steps to the vehicle must be fitted with anti-slip treads.	
	b	Where vehicles are fitted with a door step, a step light must also be provided.	

10	The vehicle must comply in all respects with the Motor Vehicle (Construction and Use) Regulations 1986 and all other relevant legislation.		
-----------	--	--	--

11	a	The vehicle must satisfy the Director of Communities, Environment and Regulatory Services as to its fitness for use as a Private Hire vehicle upon full examination and testing to the standards of the MOT test and the Council's Supplementary Testing Manual.	
	b	The vehicle must at all times comply with Derby City Council's Private Hire Vehicle Licence Conditions.	

12	a	If any vehicle fails to meet only one of the dimension requirements (Item 16), the Director of Communities, Environment and Regulatory Services may still approve the vehicle to be licensed, but for reduced number of passengers.	
	b	If any vehicle fails to meet the dimension requirements due to special adaptations to assist the carrying of disabled passengers, the Director of Communities, Environment and Regulatory Services may still approve the vehicle for licensing.	

13	Any vehicle modified to use liquefied petroleum gas (LPG) as a fuel shall have all associated modifications carried out by an approved and certificated installer to the standards specified by the LPG installation manufacturer. The installation shall comply with Liquefied Petroleum Gas Association Code of Practice No. 11 – Autogas Installations, or to an equivalent standard accepted by the Council. The proprietor shall provide a Certificate of Safety that the vehicle complies with relevant Code of Practice on completion of the LPG installation.		
-----------	---	--	--

14	Any LPG tank shall be located within the vehicle boot.	19 January 2017
-----------	--	-----------------

15	Vehicles may be fitted with darkened glass at the discretion of the Operator. If providing a vehicle so equipped for a booking, the Operator shall ensure that the customer is given the option of accepting or rejecting the vehicle before the contract for hire is concluded. A record of the customer's response must be recorded in the booking details. For the avoidance of doubt, darkened glass means tinted glass, privacy glass and any proprietary film added to the windows.	
-----------	---	--

16	The following minimum dimensions indicated in Figures 1, 2, 3 and 4 apply to all vehicles intended to be licensed as private	
-----------	---	--

	hire vehicles. All seats fitted in a vehicle must comply with the following minimum dimensions: (please refer to the Description notes for guidance)	

17	Vehicle Modification	
	If the vehicle has being modified since leaving the manufacturer, a 'normal' level Voluntary Individual Vehicle Assessment must be carried out before presenting the vehicle at one of the Council approved testing stations	19 January 2017

* Please note that the onus to ensure vehicle compliance with the specifications in this document lies with the vehicle proprietor/owner.

Figure 1

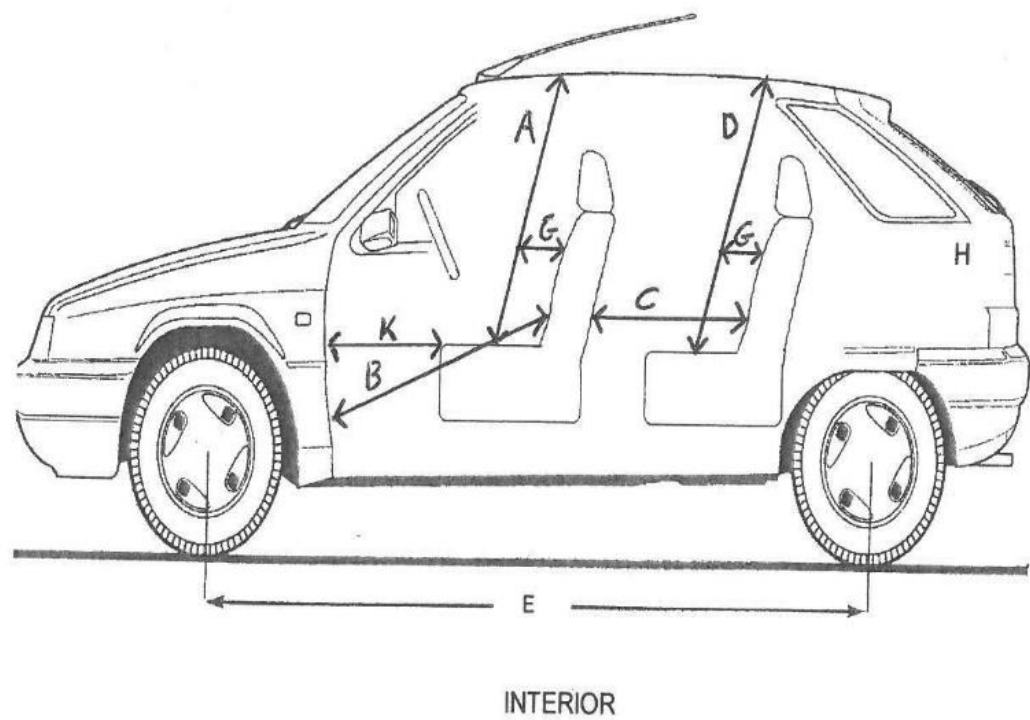
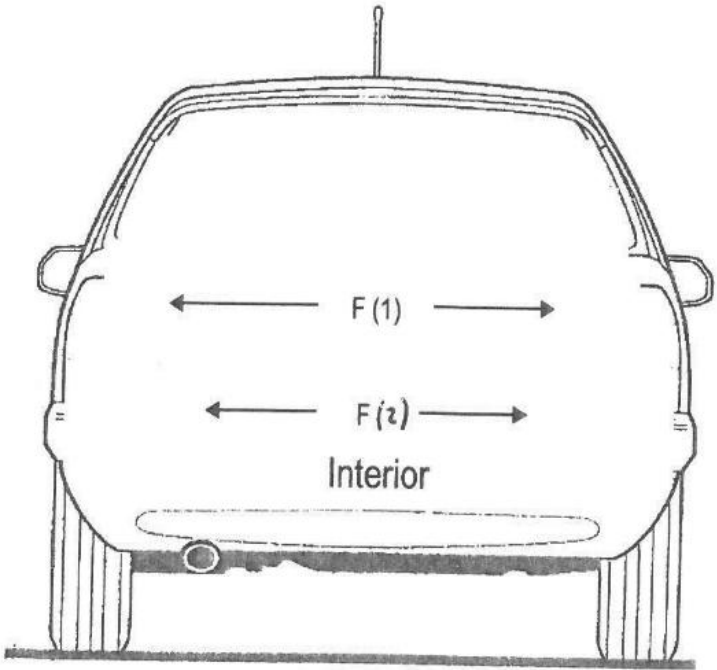


Figure 2



Dimension	Description	mm	inches
-----------	-------------	----	--------

A	Distance between the front seat cushion (base) and roof, measured 255mm, (10"), from and in line with, the seat back rest. Cushion not compressed. Requirement applies to all vehicles, regardless of how many rows of seats are present.	890	35
B	Distance between the lower part of any front passenger seat back rest and foot well. Front seat fully rearward. Requirement applies to all vehicles, regardless of how many rows of seats are present.	940	37
C	Distance between the lower part of the rear seat back rest and the front seat back rest. Front seat fully rearward. Requirement usually applies to vehicles with two rows of seats only.	610	24
D	Distance between the rear seat cushion (base) and roof, measured 255mm, (10"), from and in line with, the seat back rest. Cushion not compressed. Requirement usually applies to vehicles with two rows of seats only.	865	34
E	Wheelbase. Requirement applies to all vehicles.	2490	98
F(1)	Interior width measured in line with the top face of the seat cushions (bases), but excluding any arm rests and at points on the body sides 50mm (2") below the bottom edge of the side window aperture. Requirement usually applies to vehicles with two rows of seats only.	1345	53
F(2)	Interior width measured between any arm rests on the doors. Requirement usually applies to vehicles with two rows of seats only.	1245	49
G	Point of measurement from the seat back rest, parallel with the seat cushion (base).	255	10
H	Minimum luggage capacity when all seats are occupied by passengers. Requirement applies to all vehicles, regardless of how many rows of seats are present.	360 litres	-

If a vehicle has 3 or more rows of seats, it must also comply with the following dimensions, in **addition** to those set out previously at A-H:

Figure 3

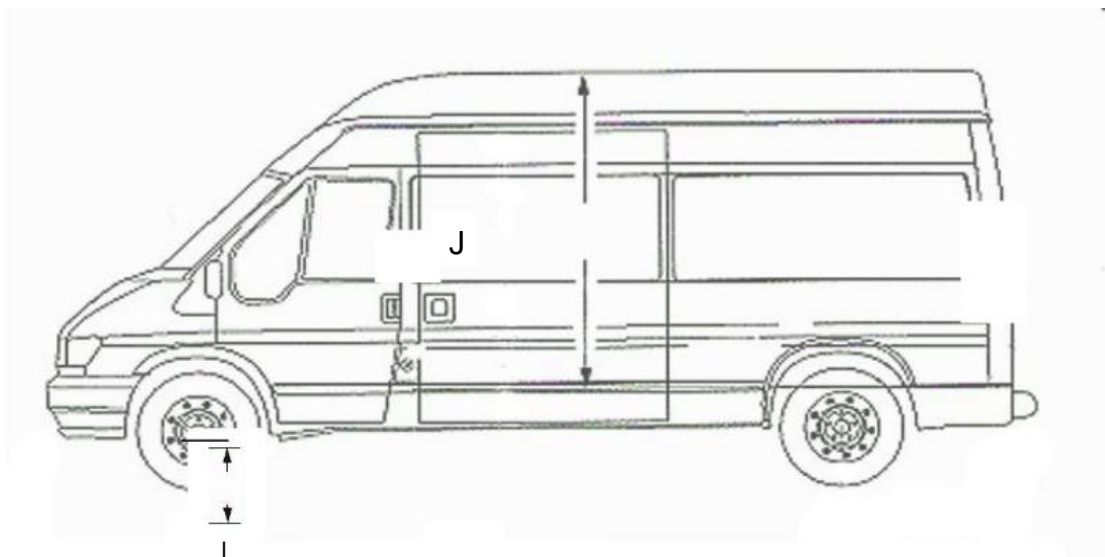
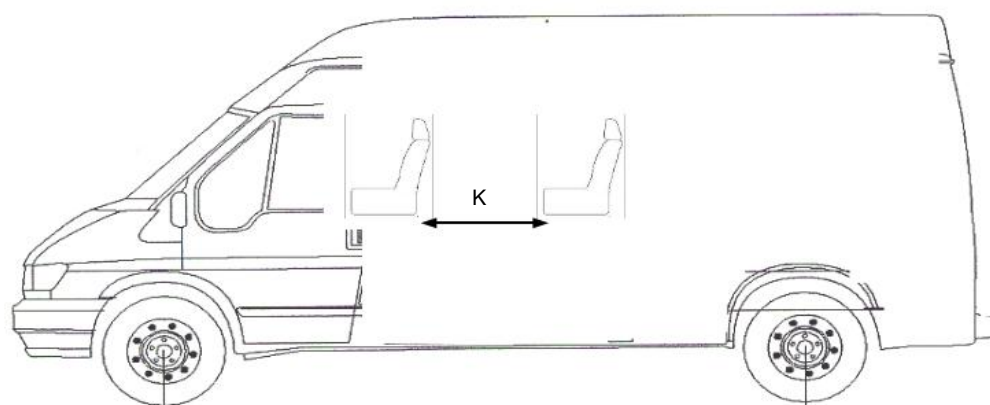


Figure 4



NB: All dimensions are minimum requirements except where stated otherwise

Dimension	Description	mm	inches
I	Maximum step height.	460	18
J	Height from floor to roof.	1320	52
K	Knee room. Distance between seats and/or any bulkhead/dashboard, as applicable. Requirement applies to any seats fitted, including front seats.	230	9
L	Individual seat width.	405	16
M	Width of any gangway (access route).	300	12