



Review of the Private Hire Vehicle Specification in relation to Spare Wheel Provision

SUMMARY

- 1.1 Committee have previously considered changes to the Council's Specification for Private Hire Vehicles in relation to spare wheel provision. This was last done during 2012.
- 1.2 As part of these changes, Committee have considered the alternative use of 'space saver' tyres, 'run flat' tyres and 'temporary seal & inflation gas products'.
- 1.3 This reports sets out information in relation to a further review of the use of these alternative options.

RECOMMENDATION

- 2.1 To retain the current requirement in relation to spare wheel provision contained in Paragraph 8 of the Council's Specification for Private Hire Vehicles.

REASONS FOR RECOMMENDATION

- 3.1 To ensure the Council remains satisfied that the scope of the specifications maintains the right balance between the statutory obligation to safeguard the public interest and the legitimate interference with licence holders' discretion.

SUPPORTING INFORMATION

- 4.1 All licensed private hire vehicles must comply with the Council's Specification for Private Hire Vehicles.
- 4.2 Paragraph 8 of the Specification relates to the provision of a spare wheel. It sets out that the vehicle must have four road wheels and carry one spare wheel, jack and brace, all securely stored in a position not liable to damage passenger's luggage. The spare wheel and tyre must be identical to the size of the four road wheels. The spare wheel must be compatible with the vehicle and be capable of being safely and securely fitted to the vehicle to which it relates using the existing vehicle fittings.

- 4.3 In practical terms, this precludes the use of a 'space saver' tyre, a 'run flat' tyre or a 'temporary seal & inflation gas product'. Paragraph 8 also requires that where provision needs to be made for a full size spare tyre in the luggage storage area, its provision must not reduce the overall luggage capacity of that area below 300 litres.
- 4.4 The current requirement contained in the Specification relating to the spare wheel has been considered by Committee previously. In March 2012, Committee approved an amendment to the wording of Paragraph 8 of the Specification to allow any type of wheel to be used so long as it was the same size as the four road wheels. A further amendment was approved in July 2012 which clarified the need to have a spare wheel that was compatible with the vehicle and capable of being safely and securely fitted.
- 4.5 At the Committee in March 2012, the use of 'space saver' tyres, 'run flat' tyres and 'temporary seal & inflation gas products' was deferred to be looked at again at a later date by the Committee and the Chair has requested that this matter be considered again to review the sufficiency of the provision.
- 4.6 Increasingly, many new vehicles no longer include the provision of a full size spare tyre as standard, although some manufacturers will offer it as an optional extra. Some new vehicles are still supplied with a space saver tyre but many new vehicles now are being supplied as standard with a gas product that is designed to temporarily seal and inflate a tyre.
- 4.7 Officers recollection of the discussion that took place previously is that Members were satisfied that the use of 'space saver' tyres, 'run flat' tyres and 'temporary seal & inflation gas products' represented temporary measures aimed at 'getting a vehicle home' following an emergency tyre change and also, that each of these options placed weight and speed restrictions on the vehicle when in use.
- 4.8 Members also noted that it was not unusual for licensed vehicles to be hired for longer distance travel arrangements, often outside the licensed district, including to any of the many airports located around the country in the course of which the vehicles were likely to be fully laden. With the restrictions imposed on the use of 'space saver' tyres, 'run flat' tyres and 'temporary seal & inflation gas products', members were satisfied that public safety was likely to be compromised in the event of the need for an emergency tyre change, which in turn would call into question whether or not the journey could safely be concluded.
- 4.9 The officer's view is that the current provision contained in the Specification in relation to spare wheel provision is sufficient and adequately safeguards the public safety interest.

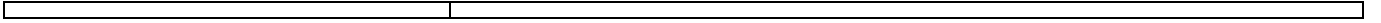
OTHER OPTIONS CONSIDERED

- 5.1 Amend Paragraph 8 of the Council's Specification for Private Hire Vehicles to allow the use of 'space saver' tyres, 'run flat' tyres and 'temporary seal & inflation gas products' as a spare wheel option. If this option was considered, the Specification would need to be reviewed in relation the impact a punctured full size tyre would have on safely securing it in the vehicle for the remainder of the journey and on the overall luggage capacity of 300 litres.
- 5.2 Remove completely any requirement in the Council's Specification for Private Hire Vehicles for spare wheel provision. If this option was considered, the Specification would need to be reviewed in relation the impact a punctured full size tyre would have on safely securing it in the vehicle for the remainder of the journey and on the overall luggage capacity of 300 litres.

This report has been approved by the following officers:

Legal officer	Olu Idowu
Financial officer	-
Human Resources officer	-
Estates/Property officer	-
Service Director(s)	John Tomlinson
Other(s)	-

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Background papers:	None
List of appendices:	Appendix 1 – Implications



IMPLICATIONS

Financial and Value for Money

- 1.1 None directly arising from this report.

Legal

- 2.1 As the licensing authority, the Council is obliged to ensure that its licensing policies and related terms and conditions attaching to licences effectively safeguard the public interest. So long as the rationale for inclusion of a term or condition can be objectively justified in the public interest, the courts have demonstrated their reluctance to interfere with local authority policies.

Personnel

- 3.1 None directly arising from this report.

IT

- 4.1 None directly arising from this report.

Equalities Impact

- 5.1 None directly arising from this report.

Health and Safety

- 6.1 None directly arising from this report.

Environmental Sustainability

- 7.1 None directly arising from this report.

Property and Asset Management

- 8.1 None directly arising from this report.

Risk Management

- 9.1 None directly arising from this report.

Corporate objectives and priorities for change

- 10.1 The proposals set out in this report will deliver **better outcomes for our communities.**