



**TAXI LICENSING AND APPEALS
COMMITTEE
14 March 2012**

ITEM 8

Report of the Strategic Director of
Neighbourhoods

PRIVATE HIRE VEHICLE SPECIFICATION – SPARE WHEEL PROVISION

SUMMARY

- 1.1 Following a member request that committee reconsiders the Private Hire Vehicle Specification – spare wheel provision, a report was presented to Committee on 7 December 2011.
- 1.2 Committee resolved that officers should seek a professional opinion from VOSA on the operational effectiveness and safety of unrestricted use of space saver/run flat/temporary seal and inflation gas products, as well as in relation to the prolonged use of steel rims in place of alloy wheels, following a tyre change.
- 1.3 The response from VOSA provided a lot of guidance but stopped short on answering the specific question so further consultation is being sort from other agencies and organisations in an attempt to provide Members with the information they requested.

RECOMMENDATION

- 2.1 To note the report and agree to wider consultation with other agencies and organisations.

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 relates to the provision of a spare wheel. It sets out that it must be of the same type (i.e. design and construction) as the four road wheels. In practical terms, this means that a steel rim spare wheel cannot be used where the four road wheels are alloy wheels, irrespective of the tyre size being the same. Paragraph 8 also precludes the use of a 'space saver' tyre, a 'run flat' tyre or a 'temporary seal & inflation gas product'. Finally, 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.

Design & Construction

- 4.3 Officers recollection of the background to the introduction of this requirement was that it was added as a follow-on from other discussions relating to public safety, rather than inserted in isolation of those considerations. Its rationale was that the appearance of licensed vehicles is an important factor in the perception of the public about the perceived standard of maintenance, comfort and safety that can be expected when a hired licensed vehicle. Members also took account of the fact that many first time visitors to the city, arriving at the train or bus stations, would often use a licensed vehicle to get them to their final destination. The need for the appearance of licensed vehicles to be maintained to a minimum stipulated standard of appearance was therefore seen as important to help instil confidence in the fleet, in addition to other public safety related concerns.

Steel Rims

- 4.4 In addition to affecting the appearance of a vehicle, and thus the perception of its standard of maintenance/upkeep in the eyes of the public, officers recollection is that when this provision was introduced, members at the time were satisfied that the different construction characteristics between steel and alloy wheels potentially creates a handling imbalance on whichever axle (front or rear) to which unmatched wheel types are installed.

Space Saver, Run Flat & Temporary Seal and Inflate Gas Products

- 4.5 Officers recollection is that members were satisfied that each of these represent temporary measures aimed at 'getting a vehicle home' following an emergency tyre change. Members were informed that each option was weight and speed restricted when in use. Similar to steel rims, members were informed that space saver spares also create a handling imbalance. Members noted that it is not unusual for licensed vehicles to be hired for long distance travel arrangements, often outside the licensed district, including to any of the many airports dotted around the country in the course of which the vehicles were likely to be fully laden. With the restrictions imposed on their use, 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.

- 4.6 Officers are led to understand that increasingly, many new vehicles no longer include the provision of a full size spare tyre. Indeed many vehicles are not being supplied with a space saver tyre but just a gas product that is designed to temporarily seal and inflate a tyre. In light of these developments, and further to the member request to revisit the specification requirements, the time would appear right to review the sufficiency of the provision, or indeed whether it remains appropriate to continue to have the restrictions in place.
- 4.7 Paragraph 8 of the Council's current Specification for Private Hire Vehicles is contained at Appendix 2 for information.

OTHER OPTIONS CONSIDERED

- 5.1 Not applicable

This report has been approved by the following officers:

Legal officer	Olu Idowu
Financial officer	-
Human Resources officer	-
Service Director(s)	-
Other(s)	-

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Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Paragraph 8 of the Council's Current Private Hire Vehicle Specifications

IMPLICATIONS

Financial

- 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.

Equalities Impact

- 4.1 The proposed changes will apply equally to all groups within the community and no particular group(s) will be disadvantaged.

Health and Safety

- 5.1 None.

Carbon commitment

- 6.1 None.

Value for money

- 7.1 None.

Corporate objectives and priorities for change

- 8.1 The proposal supports the corporate priorities to ensure the people in Derby will enjoy **good quality services that meet local needs** and **being safe and feeling safe**.

Paragraph 8 - Specification for Private Hire Vehicles

8. (a) The vehicle must have at least four road wheels and carry at least one spare wheel,
a jack and brace all securely stored in a position not liable to damage passengers' luggage. The spare wheel must be the same type as the four road wheels.
- (b) The four road wheels shall be fitted with wheel trims of a similar pattern.
- (c) Where a vehicle's manufacturer specification includes the provision of a space saver tyre, compliance with conditions 8(a) and (b), which requires the provision of a full size spare tyre, must not result in the luggage capacity of the storage space being reduced below 300 litres.