

LICENSING AND REGULATION COMMITTEE

17 March 2016

REVIEW OF STATEMENT OF LICENSING POLICY WITH RESPECT TO  
HACKNEY AND PRIVATE HIRE VEHICLES, DRIVERS AND PRIVATE HIRE  
OPERATORS - UPDATE FOLLOWING CONSULTATION (ADDITIONAL  
INFORMATION)

REPORT OF HEAD OF ENVIRONMENTAL HEALTH & LICENSING

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RECENT REFERENCES:

[LR 462](#) – Review of Statement of Licensing Policy with respect to Hackney and Private hire Vehicles, Drivers and Private Hire Operators – 14 January 2016

[LR 454](#) – Review of Statement of Licensing Policy with respect to Hackney and Private hire Vehicles, Drivers and Private Hire Operators – 8 October 2015

[LR 411](#) – Review of Statement of Licensing Policy with respect to Hackney and Private hire Vehicles, Drivers and Private Hire Operators – 13 June 2013

EXECUTIVE SUMMARY:

This report is to provide additional information following comments made by members at the Licensing & Regulation Committee held on 14 January 2016 relating to the specifications of wheelchair accessible vehicles. Members are also asked to consider the additional information and the comments made during the consultation period for proposed changes to the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators.

**RECOMMENDATIONS:**

- 1 That in view of the comments received, the Committee consider whether changes should be made to the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators.
- 2 That, subject to any amendments, the draft Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators, as per report LR 462 (attached at Appendix 1) is approved for adoption, including the amendment made at Appendix 3.

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### REVIEW OF STATEMENT OF LICENSING POLICY WITH RESPECT TO HACKNEY AND PRIVATE HIRE VEHICLES, DRIVERS AND PRIVATE HIRE OPERATORS - UPDATE FOLLOWING CONSULTATION (ADDITIONAL INFORMATION)

#### REPORT OF HEAD OF ENVIRONMENTAL HEALTH & LICENSING

#### DETAIL:

##### 1 Introduction

- 1.1 At the Licensing and Regulation Committee on 14 January 2016, Members reviewed a draft version the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators (“the Policy”) following comments received during the consultation period.
- 1.2 Members stated that they wished to have further information relating to the M1 specification for vehicles and whether this related to vehicles that were adapted for the carriage of wheelchairs after first registration.
- 1.3 Members are asked to consider the comments received during the consultation period, as well as any further information contained in this report to determine if any additional changes should be made to the Policy.

##### 2 Comments

- 2.1 Following comments raised by Members, licensing officers contacted both the DVLA and the Department for Transport (DfT) to clarify if there are any further British or European Standards that wheelchair accessible vehicles must meet if they are converted after first registration, other than the M1 specification.
- 2.2 The DVLA confirmed that any wheelchair accessible vehicle that is registered as a wheelchair accessible vehicle (i.e. it is listed on the V5 logbook as such) must meet the M1 specification standards, however they would not be involved in the change of use of a vehicle that was converted after first registration. They have suggested that a licensing authority may request that a Voluntary Individual Vehicle Approval (IVA) application can be made for any vehicle that is converted after first registration. This application can be found on the Gov.uk website.
- 2.3 Following these comments point 5.4 of the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators has been amended to include the advice from the DVLA. A copy of the amended section of the Policy can be found at Appendix 3.

- 2.4 The DfT confirmed that there are no specific British or European standards that a wheelchair accessible vehicle must meet other than the M1 specification, and they would not expect that there would be a 'standard specification' for wheelchair accessible vehicles as not all wheelchairs are the same, and that the individual users needs would vary. The DfT commented that whilst a local authority may have a list of approved vehicles that they would licence as Hackney Carriages, they would expect the Private Hire industry to help meet the need of wheelchair users as they could accommodate larger vehicles, or vehicles that could meet users' needs better.
- 2.5 As stated previously this Council's licensing section have historically preferred not to list particular vehicles as make, model and specification of vehicles change frequently making it difficult for officers to keep an up-to-date list.
- 2.6 Members may wish to consider comments made by the DVLA and DfT when reaching any decision in relation to the amendment of the Statement of Licensing Policy with respect to Hackney and Private Hire Vehicles, Drivers and Private Hire Operators.
- 3 Decision required
- 3.1 Members are asked to consider, in light of the comments received during consultation and, subsequently, from the DVLA and DfT, whether to amend the Policy to include the changes put to Members at the Licensing and Regulation Committee on 8 October 2015, and to include any comments made.

#### OTHER CONSIDERATIONS:

#### 4 COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

- 4.1 This report relates to ensuring the safety of the public using taxis and private hire vehicles licensed by the Council.

#### 5 RESOURCE IMPLICATIONS:

- 5.1 Income and expenditure is forecast to remain at existing levels and within the current approved budgets.

#### 6 RISK MANAGEMENT ISSUES

- 6.1 None.

#### BACKGROUND DOCUMENTS:

None.

#### APPENDICES:

Appendix 1 – Report LR462

Appendix 2 – Minutes from Licensing and Regulation Committee from 14 January 2016

Appendix 3 – amended section 5 from the Statement of Licensing Policy with respect to Licensed Hackney and Private Hire Vehicles, Drivers and Private Hire Operators.