

Bolton Council

Report to: Licensing and Environmental
Regulation Committee

Date: 10th January 2012

Report of: Director Environmental Services

Report No: LER/05/12

Contact Officer: Patricia Clyne
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Report Title: **Alternative Hackney Carriage Vehicle Length**

Non Confidential:

This report does **not** contain information which warrants its consideration in the absence of the press or members of the public.

Purpose:

Members are asked to consider an application to licence a specially converted vehicle as a hackney carriage. The vehicle models are not ones currently licensed in Bolton as hackney carriages and they do not fully comply with the agreed Council policy. The company Voyager Multi Purpose Ltd base the conversion on Nissan Primastar/Vauxhall Vivaro/Renault Traffic. The approved maximum body length at Bolton is 4660mm the vehicles used by Voyager exceed the agreed vehicle length by 122mm.

Recommendations:

Members are asked to consider the request and to:

- i) Refuse the application due to current policy requirements, or
- ii) Agree that the elements of the policy regarding vehicle length be not applied for this requests, or
- iii) Take any action deemed necessary.

Background Doc(s):

Alternative vehicle committee report and minutes appendix 1 (1.3)
Voyager Multi Purpose Ltd letter and supporting documentation appendix 2 (2.5)

Summary:

No summary

Report: Alternative Hackney Carriage Vehicle Length

1. Background

- 1.1 Members will be aware that all hackney carriage vehicles are licensed and regulated by the Council by virtue of the Town Police Clause Act 1847 and the Local Government Miscellaneous Provisions Act 1976.
- 1.2 Section 47 of the Local Government Miscellaneous Provisions Act 1976:
- (1) A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.*
- (2) Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.*
- (3) Any person aggrieved by any conditions attached to such a licence may appeal to a magistrates' court.*
- 1.3 Specialist vehicle conversion companies produce vehicles which are marketed at the hackney carriage industry and which are built on the platforms of a range of vehicles from 'mainstream' manufacturers.
- 1.4 In March 2002 the Committee approved, the issuing of hackney carriage vehicle licences to 'alternative' type vehicles, for those vehicles that were based on the vehicle 'platforms' of some of the major manufacturers before being 'fitted out' by a specialist vehicle converter.
- 1.5 This was subject to M1 type approval or low volume approval from the Vehicle Inspectorate and a maximum length of 4660mm. A copy of the original Committee report and minute is attached to the report at appendix 1.
- 1.6 A number of 'alternative' types of vehicle have been licensed by the Council since this permission was granted.

2. The Application

- 2.1 In October 2011 Mr Ayub contacted the Licensing Unit, to enquire if a Nissan Primastar NX8 could be licensed as a hackney carriage vehicle in Bolton.
- 2.2 Mr Ayub was looking to replace his currently licensed hackney carriage vehicle and was considering replacing it with a Nissan NX8 converted by Voyager Multi Purpose Ltd.
- 2.3 The vehicle in question was inspected by the Principal Licensing Officer and Steven Pollitt MOT tester/vehicle examiner from the Councils Vehicle Fleet Management Team. Subject to all the documentation being order, it initially appeared that the vehicle fitted the Councils criteria and could be licensed as a hackney carriage vehicle in Bolton.
- 2.4 Upon receipt of the documentation it became apparent that the vehicle did not comply with Council policy. The approved maximum length of a hackney carriage vehicle is 4660mm. NX8 vehicles converted by Voyager are constructed on vehicle platforms for Nissan Primastar/Vauxhall Vivaro/Renault Traffic. The vehicle length of a NX8 is 4782mm, which is 122mm (just under 5inches) over Council policy length for a hackney

carriage vehicle.

- 2.5 Voyager has made a written requested, that the Committee considers allowing their converted vehicles which fall slightly outside of the current policy be licensed. A copy of this letter and the supporting documentation is attached to the report at appendix 2.
- 2.6 The Network Planning, Safety and Management Team (Highways and Development) have confirmed that the vehicle length used for the provision of ranking spaces is 6000mm per vehicle. This figure does factor in the ability to be able to move on and off the rank and can be reduced for ranks in a restrictive location. A further calculation is used in traffic flow management and the development of road infrastructure and the hackney carriage vehicle length for this calculation is 4585mm.
- 2.7 Mr Ayub and Mr Stuart from Voyager have been invited to attend the meeting to support their application. The vehicle will also be available should Members wish to view it.

2. Recommendation

Members are asked to consider the request and to:

- i) Refuse the application due to current policy requirements, or
- ii) Agree that the elements of the policy regarding vehicle length be not applied for this requests, or
- iii) Take any action deemed necessary.