

LER/18 & 19/12 Appendix 1

COMMITTEE: LICENSING & ENVIRONMENTAL REGULATION COMMITTEE **ITEM:**

DATE: 26th March 2002

REPORT OF: ASSISTANT DIRECTOR (ENVIRONMENTAL SERVICES)

CONTACT OFFICER: Mr. A. Fisher (01204) 336570 **REPORT NO. LER/ 12 /02**

SUBJECT:
**THE USE OF ALTERNATIVE TYPES OF VEHICLE AS
LICENSED HACKNEY CARRIAGES**

NON CONFIDENTIAL

This report does NOT contain information which warrants its consideration in the absence of the press and public.

PURPOSE OF REPORT:

To ask Members of the Committee to consider approving changes to the current policy to permit the use of alternative types of vehicles as licensed Hackney Carriages.

DELEGATED MATTER

This matter is fully delegated to the Licensing and Environmental Regulation Committee.

SUMMARY AND RECOMMENDATIONS:

A one page summary of the report and details of the recommendations which members are requested to consider is on the reverse of this sheet.

BACKGROUND DOCUMENTS: None

SUMMARY

- A The Council currently permits only vehicles approved by the London Public Carriage Office to be licensed as Hackney Carriages
- B The Bolton Taxi Association has requested that the Council considers permitting the use of other types of vehicle.

RECOMMENDATIONS

Members are asked to:

- i) Consider the issues and determine whether or not the Council should change the current policy and allow specially converted vehicles to be licensed as hackney carriages in the Borough and:
- ii) Indicate any further work or research which should be carried out or:
- iii) Agree a timescale for Officers to put in place appropriate conditions to ensure the implementation of the change.

1. BACKGROUND

- 1.1 The Council currently permits only vehicles which are approved by the London Public Carriage Office (PCO) to be licensed as Hackney Carriages in the Borough.
- 1.2 In practice this means that only 'custom built' vehicles from two manufacturers are permitted, namely Metrocabs and London Taxis International.
- 1.3 The PCO has a detailed specification for hackney carriages which, the Licensing Unit understands, is currently under review.
- 1.4 One of the particular requirements in the PCO specification, which other manufacturers find it difficult to comply with, is the 'turning circle'.
- 1.5 A number of other manufacturers now produce 'hackney carriage' vehicles, a number of which were examined in Bolton in May 2001.

2. REQUEST FOR CHANGE

- 2.1 The Bolton Taxi Association has, for some time, been trying to persuade the Council to relax the current restriction.

- 2.2 A number of vehicles are now available. They are based on the vehicle 'platforms' of some of the major manufacturers before being 'fitted out' by a specialist vehicle converter.
- 2.3 The 'alternative vehicles', which were viewed by Members, Officers of the Licensing Unit, the Testing Station, Social Services and a wheelchair user, were well received.
- 2.4 The issue has been considered by the Environment and Public Protection Policy Development Group and the Hackney Carriage and Private Hire Consultative Panel. At the last meeting of the Panel it was agreed that the matter should be progressed by referring it to the Committee.

3. CONSEQUENCES OF THE CHANGE

- 3.1 When the matter was first considered Officers were concerned that, if the Council abandoned the PCO specification, a replacement, detailed specification would need to be developed to replace it in order to ensure the safety of hackney carriage vehicles and to prevent 'unsatisfactory' vehicles becoming eligible to be licensed.
- 3.2 Advice which the Licensing Unit has received recently, and the work which was done relating to the specification for private hire 'minibuses', suggests that an acceptable standard can be achieved by the use of the national and european 'type approvals' system.
- 3.3 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 seeks to prevent private hire vehicles from being confused with hackney carriage vehicles by prohibiting the licensing of any vehicle as a private hire vehicle where it is similar in design or appearance to a hackney carriage.
- 3.4 If 'alternative' vehicles are permitted, it is inevitable that vehicles based on the same 'platform' will be licensed as both private hire vehicles and hackney carriages apparently in contravention of the Act.
- 3.5 It is common practice in many other towns to permit *any* appropriate saloon car to be licensed as a hackney carriage even though an identical vehicle is also licensed as a private hire vehicle.
- 3.6 It is widely accepted that the livery and the placing of a signs etc on the vehicle to clearly indicate that the vehicle is a 'taxi' is sufficient to overcome any possibility of confusion and to satisfy the requirements of the Act.

4. ISSUES FOR CONSIDERATION

- 4.1 If Members are minded to change current policy to permit any suitable vehicle to be used as a hackney carriage the following issues may need to be considered:

- (i) The 'type approval' requirements. It is suggested that either 'M1' type approval and 'Low Volume' type approval is appropriate for this type of vehicle.
- (ii) That a maximum vehicle length restriction may be required to ensure that the existing hackney carriage stands are able to accommodate the correct number of vehicles.
- (iii) That any 'alternative' vehicle should be of a specific colour (black).
- (iv) That eight seat private hire vehicles should not be permitted in the same colour.
- (v) Should 'alternative' vehicles be permitted to carry a livery.
- (vi) That any permission granted would relate only to vehicles specially converted as hackney carriages.
- (vii) Such other matters as Members consider relevant.

5. RECOMMENDATION

Members are asked to:

- iv) Consider the issues and determine whether or not the Council should change the current policy and allow specially converted vehicles to be licensed as hackney carriages in the Borough and:
- v) Indicate any further work or research which should be carried out or:
- i) Agree a timescale for Officers to put in place appropriate conditions to ensure the implementation of the change.

LICENSING AND ENVIRONMENTAL REGULATION COMMITTEE

Present – Councillors Eastwood (Chairman), Noble (Vice-Chairman), Ainscough, Anderton, Hanscomb, Higson, Mrs. Howarth, Kay and Morris.

An apology for absence was submitted on behalf of Councillor Mrs. Fairclough

Councillor Eastwood in the Chair.

Items marked with an asterisk are submitted for information only.

76. MINUTES

The minutes of the proceedings of the meeting of the Committee held on 26th February, 2002 were submitted and signed as a correct record.

***77. USE OF ALTERNATIVE TYPES OF VEHICLES AS LICENSED HACKNEY CARRIAGE VEHICLES**

(LER/12/02)

The Assistant Director of Environment (Environmental Services) submitted a report requesting the Committee to consider approving changes to the current Council Hackney Carriage Policy so as to permit the use of alternative types of vehicles as licensed Hackney Carriages.

Members were reminded that the Council currently permitted only vehicles approved by the London Public Carriage Office to be licensed as Hackney Carriages. However, the Bolton Taxi Association had requested the Council to consider permitting the use of other types of vehicle.

The report indicated that alternative vehicles had been viewed by members, officers of the Licensing Unit, the Testing Station, Social Services and a wheelchair user and had been favourably received. The issue of proposed change had been considered by the Environment and Public Protection Policy Development Group and by the Hackney Carriage and Private Hire Consultative Panel, and the Panel had agreed that the matter should be progressed by referring the issue to this Committee.

Although the Local Government (Miscellaneous Provisions) Act 1976 sought to prevent Private Hire Vehicles from being confused with Hackney Carriage Vehicles by

prohibiting the licensing of any vehicle as a Private Hire Vehicle where it was similar in design or appearance to a Hackney Carriage Vehicle, it was now common practice in many towns to permit any appropriate saloon car to be licensed as a Hackney Carriage Vehicle notwithstanding that an identical vehicle was also licensed as a Private Hire Vehicle. It was widely accepted that the livery and the placing of signs on the vehicle to clearly indicate that a vehicle was a taxi, was sufficient to overcome any possible confusion and to satisfy the requirements of the Act.

The report went on to examine the consequences of a change in policy and put forward a number of issues for consideration, particularly with regard to alternative vehicles.

Resolved – (i) That the current Council policy on Hackney Carriages be amended to allow for specially converted vehicles which meet either M1 type approval or have low volume approval from the Vehicle Inspectorate to be licensed as Hackney Carriages in the Borough, with such vehicles having a maximum length of 4660 mm.

(ii) That the Assistant Director of Environment (Environmental Services) be requested to implement the required change to the existing policy as soon as possible.