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To:

Councillors: David Cox, Mike Reece and Tony Sharps

13 March 2018

Dear Councillor

You are invited to attend a meeting of the Licensing Sub-Committee which will be held at 10.00 am on Monday, 19th March, 2018 in the Delyn Committee Room, County Hall, Mold CH7 6NA to consider the following items

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 REQUEST TO LICENCE A VEHICLE WHICH DOES NOT MEET THE VEHICLE SPECIFICATION (Pages 3 - 16)

Purpose: For Members to consider a request from a Private Hire Operator to depart from our agreed vehicle specification to allow a modified Renault Master to become licensed.

Yours sincerely

Robert Robins
Democratic Services Manager

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LICENSING SUB COMMITTEE

Date of Meeting	Monday, 19 th March 2018
Report Subject	Request to Licence a Vehicle Which Does Not Meet the Vehicle Specification
Report Author	Chief Officer (Planning and Environment)

EXECUTIVE SUMMARY

For Members to consider a request from a licensed Private Hire Operator to depart from the agreed vehicle specifications, so that a vehicle which does not meet our minimum requirements may become licensed.

RECOMMENDATIONS

1	That Members consider all of the information provided to decide whether it is in the interest of the public for this vehicle to become licensed.
2	<p>That Members consider the following options: (The licence has not yet been applied for so any grant would be subject to a full application being made and an MOT/Compliance check from one of our nominated testing stations being completed and passed)</p> <ul style="list-style-type: none"> • To depart from the vehicle specifications and grant the licence; • To grant the licence with additional conditions deemed appropriate by Members (i.e. to allow the vehicle to undertake wheelchair contracts only); • To grant the licence with the condition that any seats which do not meet our vehicle requirements are not to be used as seats, but only as anchorage points for wheelchairs; • To refuse to grant the licence on the grounds that it does not meet our vehicle specifications.

REPORT DETAILS

1.00	EXPLAINING THE REQUEST TO LICENCE A VEHICLE WHICH DOES NOT MEET THE MINIMUM REQUIREMENTS TO BECOME LICENSED
1.01	Flintshire County Council have a Private Hire Vehicle Specification, which allows applicants to understand what is required when applying to licence a vehicle for Private Hire. The specification is shown at Appendix A
1.02	The specifications are a minimum requirement for vehicles, and are intended to ensure the safety and comfort of passengers.
1.03	A white Renault Master was recently presented for MOT and compliance testing at one of the garages nominated by Flintshire Council to undertake testing of Private Hire and Hackney Carriage vehicles. The tester contacted the Licensing Section to advise that some of the seats did not meet the minimum size requirement of 400mm and therefore he was unable to pass the vehicle.
1.04	The vehicle had previously been used as an ambulance and the layout is as such. There are two chairs which double up as wheelchair anchorage points. The seat detaches from the chair back, and the wheelchair user is anchored to the rear of the seat. Both of these points, when used as seats, do not meet the minimum requirement of 400mm. Some other fixed seating also falls slightly short of the minimum requirement.
1.05	The Operator of Yellow Cars in Dobshell has requested that the Licensing Committee look at the vehicle with a view to departing from the minimum requirements to allow the vehicle to be tested and licensed as a Private Hire Vehicle. His written request and the photographs he provided are shown at Appendix B.
1.06	Additional photographs were provided, which are shown as Appendix C.
1.07	Also provided, was a certificate of conformity, showing that the vehicle was constructed to M1 standard. This is shown at Appendix D.
1.08	The Licensing Section refuse to licence any vehicle which does not meet the minimum standard for vehicle specification.
1.09	The vehicle will be presented for inspection by Members. The Panel are asked to view the vehicle and use the seats, keeping the safety and comfort of users as their main consideration.
2.00	RESOURCE IMPLICATIONS
2.01	There is a right of appeal to the Magistrates Court which may involve a cost to the Authority.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	The Operator seeks to licence this vehicle as a Private Hire Vehicle.
4.02	The vehicle is equipped to carry two wheelchair users.

5.00	APPENDICES
5.01	Appendix A – Vehicle Specification Appendix B – Written request for Committee and photographs Appendix C – Additional photographs Appendix D – Certificate of conformity

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Gemma Potter – Team Leader Telephone: 01352 703371 E-mail: gemma.potter@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	<p>Private Hire Operator – Private Hire Vehicles and Drivers may only be despatched by way of a licensed Private Hire Operator.</p> <p>Private Hire Vehicle – a type of licensed vehicle which can only be booked through a licensed Operator’s office and driven only by a Private Hire / Hackney Carriage Driver.</p> <p>Hackney Carriage – black cab style taxi or purpose built vehicles which have distinguishable features and can be hailed from the street.</p> <p>Private Hire / Hackney Carriage Driver – a dual licence to drive both Hackney Carriage and Private Hire vehicles.</p> <p>M1 Passenger Vehicle – vehicle with four or more wheels and not more than 8 passenger seats, designed and constructed for the carriage of passengers.</p>

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Private Hire Vehicle Specification

1. The vehicle must have 4 wheels and be fitted with at least 4 doors. A door is defined as a means of direct access into and egress from the vehicle, and which is not obstructed by seating or luggage or by any other cause, and which can be opened from both inside and outside of the vehicle by the passenger.
2. The following additional condition applies to vehicles licensed to carry more than 4 persons:-
Each passenger must have direct access to and egress from the vehicle without the need to climb over other seats or luggage. This would not include where a seat has to be tipped to allow access or egress. Any seat must measure 400mm at the narrowest point.
3. The vehicle must be right-hand drive.
4. The vehicle must have a current M.O.T. Certificate where appropriate.
5. The vehicle must be presented for inspection in a clean and roadworthy condition, and all its fittings and equipment shall at all times be kept in an efficient, safe, tidy and clean condition and must comply with all relevant statutory requirements, including those contained in the Motor Vehicles (Construction and Use) Regulations.
6. The vehicle must not be of such type, design or appearance as to lead any person to believe that the vehicle is a Hackney Carriage vehicle.
7. Vehicles must have adequate space for luggage within the car; whilst a roof rack is permissible, this should be to provide extra luggage accommodation, not as an alternative - no other roof fitting will be permissible.
8. The vehicle must be fitted with a fire extinguisher (dry powder type, minimum weight 2.00 kg) in such a position to be readily available for use.
9. The vehicle must be equipped with an appropriate first-aid box, minimum contents to be as follows: card giving the general first-aid guidance, six individually wrapped sterile adhesive dressings, one large sterile plain dressing, two triangular bandages, two safety pins and individually wrapped moist cleansing wipes and one pair of disposal gloves.
10. The vehicle must be capable of carrying at least 4 and not more than 8 passengers, in addition to the driver.
11. There must be in force a current Certificate of Insurance in relation to the vehicle.
12. The vehicle must pass the County Council's vehicle mechanical and suitability test before a licence can be issued.
13. Each and every front seat passenger must be provided with a lap & diagonal seat belt, and head restraints.

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Licensing committee hearing request.

I would like to put forward the vehicle PO60EHC Renault Master to the licensing committee seeking an exception for this to be used as a private hire vehicle.

I have been made aware that some of the full seats are slightly less than the required 400mm wide at the narrowest point. (I have provided photos to show my measurements) There are two wheelchair strapping point chairs which have been designed for the safe transport of seated passengers and having the ability to have wheelchairs strapped securely.

I understand the rules are there to safeguard the public, this vehicle has been converted properly and used by the national health service to transport patients for the last 7 plus years. The build quality is apparent as soon as you enter the vehicle and I am positive that the committee will see the same when inspecting on site.

Thanks

A handwritten signature in black ink, appearing to read 'Eddie Roberts', with a long horizontal flourish extending to the right.

Eddie Roberts

Yellow Cars 01244 545115





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VEHICLE CONVERSIONS

CONVERT TO QUALITY

CERTIFICATE OF CONFORMITY

This Certificate validates that the Renault Master vehicles detailed below have been constructed to M1 standard at the date of first registration for North West Ambulance Service.

The seats, floor tracking and wheelchair restraint systems fitted to these vehicles have, as part of a total system been tested and approved for compliance to European Directive 76/115/EEC as amended by 96/38EEC to M1 level.

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VF1FDC2L642969732	VF1FDC2L642969761	VF1FDC2L642969801
VF1FDC2L642969733	VF1FDC2L642969763	VF1FDC2L642969802
VF1FDC2L642969734	VF1FDC2L642969764	VF1FDC2L642969803
VF1FDC2L642969735	VF1FDC2L642969765	VF1FDC2L643006467
VF1FDC2L642969737	VF1FDC2L642969766	VF1FDC2L643006468
VF1FDC2L642969738	VF1FDC2L642969768	VF1FDC2L643006469
VF1FDC2L642969739	VF1FDC2L642969769	VF1FDC2L643006470
VF1FDC2L642969740	VF1FDC2L642969793	VF1FDC2L643006471
VF1FDC2L642969741	VF1FDC2L642969794	VF1FDC2L643006472
VF1FDC2L642969743	VF1FDC2L642969795	VF1FDC2L643006473
VF1FDC2L642969744	VF1FDC2L642969796	VF1FDC2L643006474
VF1FDC2L642969746	VF1FDC2L642915030	VF1FDC2L643006475
VF1FDC2L642969747	VF1FDC2L642915031	VF1FDC2L643006476
VF1FDC2L642969748	VF1FDC2L642915032	VF1FDC2L643006477
VF1FDC2L642969749	VF1FDC2L642973620	VF1FDC2L643006478
VF1FDC2L642969750	VF1FDC2L642973621	
VF1FDC2L642969751	VF1FDC2L643006500	
VF1FDC2L642969752	VF1FDC2L643006501	
VF1FDC2L642969754	VF1FDC2L643006502	
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Oughtred & Harrison (Facilities) Ltd., has a high commitment to safety and quality and an operating philosophy where we endeavour to exceed our customers' expectations in terms of delivery, technology and service. The company operates within a controlled production environment working within the terms of our ISO 9001 2008 NQA Certification.

Signed *M Chaplin*

Dated 14th October 2010

Michael Chaplin
QUALITY MANAGER

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