

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>