

Report from the Assistant Director – Housing and Community Safety

## **Hackney Carriage and Private Hire Vehicle Licence Conditions**

### **Summary**

1. This report asks Members to consider revising existing conditions with regards to seating capacity, for both hackney carriage and private hire vehicle licences.

### **Background**

2. The Taxi Licensing Section are experiencing issues in relation to vehicles complying with the conditions relating to seating capacity / internal space as there are an increasing number of seating positions available in newer vehicles, especially in relation to front seats.
3. The Section are also receiving an increase in requests from vehicle licence proprietors to change their licensed vehicle to a larger multi seater vehicle (vehicles that carry 5 or more passengers), vehicles that are licensed to carry 6 passengers usually provide a third row of seats. At this time vehicle licence conditions are not in place in relation to this type of vehicle. The council currently licence 183 hackney carriage vehicles and 562 private hire vehicles, the following number of vehicles carry 5 or more passengers: -

Number of passengers	Hackney Carriage Vehicles	Private Hire Vehicles
5	5	2
6	8	67
7	28	16
8	7	70

4. The third row of seats within multi seater vehicles are usually positioned within the boot area.
5. The council currently has the following conditions in place in relation to seating / internal capacity:
  - 1) The seating capacity of a licensed vehicle shall be determined as follows:-
    - a) where separate seats for each person are provided, one person shall be counted for each separate seat provided.
    - b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in a straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the forward most point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it were not fitted with such arms.
    - c) All licensed vehicles shall comply with the following minimum standards of internal space:-
      - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm.
      - ii) the distance from the foremost front edge of the rear seat to the rearmost part of the seat in front of that seat or other partition shall not be less than 200mm for the purpose of carrying passengers.
6. A full copy of vehicle licence conditions for both Hackney Carriage and Private Hire can be found at Annex 1 and 2.
7. Officers wish to amend these conditions and add additional conditions in relation to vehicles with a third row of seats, as follows:

- 1) The seating capacity of a licensed vehicle shall be determined as follows:-
  - a) where separate seats for each person are provided, one person shall be counted for each separate seat provided.
  - b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in a straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the forward most point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it were not fitted with such arms.
  - c) All vehicles licensed shall comply with the following minimum standards of internal space:-
    - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm, when the seat in front is in its rearmost position.
    - ii) the distance from the top of the seat cushions (without compression) to the lowest part of the roof must be not less than 960mm (measurement taken from the rear of the seat cushion).

2) Vehicles with a third row of seats:-

- a) All vehicles with a third row of seats must also comply with the following standards of internal space: -
  - i) the distance from the seat-back of the third row of seats to the rearmost part of the seat in front shall be not less than 610mm, when the seat in front is in its rearmost position.

- ii) the distance from the top of seat cushions (without compression) to the lowest part of the roof must be not less than 960mm (measurement taken from the rear of the seat cushion).
- b) Where there is no door adjacent to a row of seats, no passenger must have to pass through a gap of less than 280mm at the narrowest point in order to exit the vehicle via the rear side door.
- c) The middle row of seats must have at least one seat capable of adequately tilting to provide a safe exit route for passenger and meet the necessary exit dimension of 280mm, at the narrowest points, at the exit door.
- d) All vehicles with a row of passenger seats without adjacent side doors must provide:-
  - i. means of operation signs, which must provide clear instructions to operate the tilting mechanism, with letters of no less than 25mm in height.
  - ii. adequate lighting that illuminates the sign, catches and levers to operate the tilting mechanism.
  - iii. signs, catches and levers that are clearly visible.

## **Consultation**

- 8. A formal consultation has not taken place regarding this proposal. This report has been circulated to all Hackney Carriage and Private Hire Associations.

## **Options**

- 9. Option 1 – agree with officers' recommendations and instruct officers to implement the new licence conditions with effect from:
  - 1 June 2013 for Hackney Carriage Vehicle Licences,

- 1 November 2013 for existing Private Hire Vehicle Licences, however consideration must be given to existing licence holders who may request a change of vehicle prior to this date, and
- 1 June 2013 for any new Private Hire Vehicle Licences.
- These conditions will not apply to vehicles currently licenced by the authority.

10. Option 2 – instruct officers' to take no action.

### **Analysis**

11. Option 1 – due to manufacturers regularly changing seating / internal space capacity in vehicles, these amended conditions will assist officers in making sure that licensed vehicles provide adequate seating / internal space to carry customers comfortably and safely.

12. Option 2 – there will be no changes to the current conditions.

### **Council Priorities**

13. The provision of hackney carriage and private hire licensing supports the council priority of 'Get York Moving'.

### **Implications**

14.

(a) **Financial**

There are no financial implications.

(b) **Human Resources (HR)**

There are no HR implications.

(c) **Equalities**

There are no equalities implications.

(d) **Legal**

There are no legal implications.

(e) **Crime and Disorder**

There are no crime and disorder implications.

**(f) Information Technology (IT)**

There are no IT implications.

**(g) Property**

There are no property implications.

**(h) Other**

There are no other implications.

**Risk Management**

15. There are no known risks associated with this report.

**Recommendations**

16. That Members approve Option 1 of this report.

Reason: This option will assist officers in making sure that licensed vehicles provide adequate seating / internal space capacity to carry customers comfortably and safely.

**Contact Details**

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		<b>Report Approved</b>	√	<b>Date</b> 29/04/13
<b>Specialist Implications Officer(s)</b> Head of Legal Services Ext: 1004				
<b>Wards Affected:</b>			<b>All</b>	√
<b>For further information please contact the author of the report</b>				

**Annexes**

- Annex 1 - Hackney Carriage Vehicle Licence Conditions
- Annex 2 - Private Hire Vehicle Licence Conditions