

---

MEETING	GAMBLING, LICENSING & REGULATORY COMMITTEE
DATE	14 MAY 2013
PRESENT	COUNCILLORS BOYCE (CHAIR), DOUGHTY, GILLIES (VICE-CHAIR), HORTON, JEFFRIES, MCILVEEN, REID AND RICHARDSON
APOLOGIES	COUNCILLORS GUNNELL, KING, LOOKER, ORRELL, SEMLYEN, TAYLOR AND WATT

---

**16. DECLARATIONS OF INTEREST**

At this point in the meeting Members are asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

**17. MINUTES**

RESOLVED: That the minutes of the last meeting held 11<sup>th</sup> February 2013 be approved and signed by the Chair as a correct record.

**18. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Councils Public Participation Scheme.

There had been two registrations to speak on the agenda items as follows:

Allan Davies spoke on behalf of the Independent Taxi Association in relation to agenda item 4, Licence Conditions. He referred to pages 8 and 9 of the report, in particular new suggested condition cii which stated that 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). He advised that many current licensed vehicles would not meet this condition and that some of the popular models of vehicles that are commonly used

as taxis are below the 960mm figure. He asked that this part of the condition be excluded from the decision.

Bill Brolly spoke on behalf of the Independent Taxi Association. He referred to agenda item 5, the Wheelchair Accessible Hackney Carriage Vehicles report and confirmed that the report was the result of a request from the taxi trade. He stated that he was happy with the report and had nothing to add.

**19. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

Consideration was given to a report which asked Members to revise existing Hackney Carriage and Private Hire Vehicle licence conditions relating to seating capacity.

The Licensing Manager outlined the report and advised that the Taxi Licensing Section had seen an increase in the number of licensed vehicle proprietors coming forward to change their vehicle to one that seats 5 or more passengers. There had been some issues in relation to vehicles complying with the conditions relating to seating capacity and internal space.

Members agreed with the registered speaker that new suggested condition cii should be disregarded due to many popular vehicle models that are used as taxis not being able to comply with the 960mm or more distance.

The new conditions would therefore be as follows:

- 3) 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 forwardmost 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 standard 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 without modification
- d) In addition, licensed vehicles with a third row of seats must also comply with the following minimum standard 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 without modification
  - ii) 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
  - iii) the middle row of seats must have at least one seat capable of adequately tilting to provide a safe exit route for passengers and meet the necessary exit dimension of 280mm, at the narrowest point, at the exit door
- e) All licensed vehicles with a row of passenger seats without adjacent side doors must provide the following:-
  - i) means of operating 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) the sign, catches and levers must be clearly visible

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 standard of internal space:-

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.

RESOLVED: That Members approved Option 1 of the report and approved the implementation of the new licence conditions detailed above.

REASON: Option 1 will assist Officers in making sure that licensed vehicles provide adequate seating and internal space capacity to carry customers comfortably and safely.

## 20. WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE VEHICLES

Members received a report which asked them to consider revising an existing licence condition with regards to wheelchair accessible hackney carriage vehicles.

Officers reported that the Council currently had the following vehicle licence condition relating to wheelchair accessible vehicles:

14)b) All hackney carriage vehicles licences from number 159 onwards are subject to the following condition:-  
‘This licence is only valid for wheelchair accessible vehicles. Such vehicles must have wheelchair access from the nearside of the vehicle, i.e. be side loading’.

The report had been brought to Members at the request of the taxi trade for an amendment to the above condition. They had asked for the removal of the requirement that wheelchair accessible vehicles licensed from number 159 onwards must be side loading vehicles. They also requested that vehicles with licence numbers 121 to 140 inclusive also be allowed to be subject of the new suggested condition.

The new suggested condition was as follows:

‘This licence is only valid for vehicles which satisfy the City of York Council definition of wheelchair accessible vehicles’.

This new condition would allow vehicles to be side or rear loading and would be in line with the taxi trades wishes.

Members commented that they recalled that the original condition had been suggested to take into account the lack of space to the rear between taxis when they were queued at ranks.

**RESOLVED:** That Members approved Option 1 and instructed officers to remove the condition/policy in place on all hackney carriages from licence number 159 onwards and for hackney licence number 121 to 140 inclusive and apply the new condition from 1<sup>st</sup> June.

REASON:

This option will provide a greater range of wheelchair accessible vehicles.

Councillor Boyce, Chair

[The meeting started at 4.30 pm and finished at 5.00 pm].