

**MONMOUTHSHIRE COUNTY COUNCIL
REPORT**

SUBJECT: Proposed amendment to the Taxi and Private Hire Policy and Conditions 2016

DIRECTORATE: Social Care, Safeguarding and Health

MEETING: Licensing and Regulatory Committee

Date to be considered: 13th September 2016

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider the proposed amendment to the Taxi and Private Hire Policy and Conditions 2016.

2. RECOMMENDATION(S):

- 2.1 Members approve the amendment of Appendix D item 6 of the Taxi and Private Hire Policy and Conditions 2016 to state the following:-

Before being licensed a vehicle must meet the technical standard of either;

- (i) A European Whole Vehicle Type approval
- (ii) A British National Type Approval or
- (iii) A British Single Vehicle Approval pre 31st December 2009
- (iv) A British Individual Vehicle Approval from 1st January 2010

Only vehicles in category M1 or M2 (passenger carrying vehicles), will be licensed by MCC. Vehicles in category N1 or N2 (goods vehicles) that have been converted will not be licensed unless the vehicle has been issued with either a British Single Vehicle Approval or a British Individual Vehicle Approval from the Driver and Vehicle Standards Agency to ensure the vehicle is suitable to carry passengers. More information on vehicle categories can be found at www.dft.gov.uk

- 2.2 Members approve the amendment of Appendix D item 21 of the Taxi and Private Hire Policy and Conditions 2016, namely:

In the instances of fire in a vehicle, in all circumstances, stop the vehicle and escape, retiring to safe distance without straying onto the carriageway.

3. KEY ISSUES

- 3.1 The Authority approved the Taxi and Private Hire Policy and Conditions 2016 that came into force on 1st April 2016.
- 3.2 Appendix D item 6 of this Policy requested that vehicles in category N1 or N2 (goods vehicles) that have been converted will not be licensed unless an Individual Vehicle Approval to M1 or M2 has been issued by VOSA. It has now become apparent that the Driver and Vehicle Standards Agency (previously VOSA) will not change a category of vehicle from N category (goods vehicles) to

M category (passenger vehicles) vehicles following a vehicle approval check. However, they have stipulated that N category vehicles will be suitable to carry passengers providing this type of vehicle has either a British Single Vehicle Approval or a British Individual Vehicle Approval certificate. As such it is recommended the wording of Appendix D item 6 be amended to accommodate this, (see 2.1 above for the proposed amendment).

- 3.3 Appendix D item 21 requested a fully serviced fire extinguisher (preferably with a gauge), shall be fitted in such a position to be readily available for use. The registration number of the vehicle shall be marked upon the extinguisher at all times. The extinguisher must be serviced in accordance with manufacturer's instructions and always replaced after use or in accordance with any date specified by the manufacturer. Only use the fire extinguisher for minor fires. In all other circumstances, stop the vehicle and escape, retiring to safe distance without straying onto the carriageway.
- 3.4 Concerns have been raised with regard to the safety of the driver and their passengers if they tried to tackle a fire with an extinguisher. It is therefore recommended that instead the driver ensure safe exit from a vehicle. If a vehicle is installed with a fire extinguisher the driver or a passenger may be tempted to remain with the vehicle and try and use the extinguisher, putting themselves at risk if the vehicle ignites quickly. As such it is recommended the wording of Appendix D item 21 be amended to accommodate this (see 2.2 above).
- 3.5 Consultation is not required on the amendments of the Taxi and Private Hire Policy and Conditions 2016 recommended in 3.2 and 3.3 above. 3.2 is a requirement of the DVSA and 3.3. is the removal of a condition to ensure the safety of the driver and passengers of a vehicle.

4. REASONS

- 4.1 To ensure vehicles licensed as a Hackney Carriage / Private Hire Vehicle is suitable to carry passengers.
- 4.2 To ensure the safety of the driver and passengers in instances of fire in a licensed Hackney Carriage / Private Hire Vehicle .

5. RESOURCE IMPLICATIONS

- 5.1 All Licensing fees and charges are recovered on a cost recovery basis.

6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS

- 6.1 The 'Future Generations' template was previously submitted on the introduction of the Taxi and Private Hire Policy and Conditions 2016.

7. CONSULTEES:

Driver and Vehicle Standards Agency.

8. BACKGROUND PAPERS:

Town Police Clauses Act 1847
Local Government (Miscellaneous Provisions) Act 1976.

9. AUTHOR:

Linda O’Gorman
Principal Licensing Officer

CONTACT DETAILS:

Tel: 01633 644214
Email: lindaogorman@monmouthshire.gov.uk