

**Telford & Wrekin Council**

**Licensing Committee – 16<sup>th</sup> January 2013**

**Consideration to licence a Peugeot E7 as a Hackney Carriage Vehicle.**

**Report of: Service Delivery Manager Public Protection.**

**1. Purpose**

- 1.1 For Members to consider whether to licence a Peugeot E7 as a Hackney Carriage Vehicle.

**2. Recommendations**

- 2.1 **To consider the findings of the ‘Working Panel’ and to determine whether to include the Peugeot E7 on the Council’s approved list of licensed Hackney Carriage Vehicles.**

**3. Summary**

- 3.1 After an extensive consultation with the taxi trade and other affected organisations, Members of the Licensing Committee approved a report on 2<sup>nd</sup> October 2012 which agreed to consider licensing other purpose-built vehicles as a Hackney Carriage Vehicle.
- 3.2 A ‘Working Panel’ was then formally set up with the purpose of inspecting vehicles. Where applications are received for a vehicle to be included on the approved list, the results of any inspections are then to be brought back before Members for consideration.

**4. Previous Minutes**

- 4.1 LC-14 – 02/10/2012

**5 Information**

**5.1 Background**

- 5.1.1 On 2<sup>nd</sup> October 2012 Members of the Licensing Committee resolved to amend the wording of a specific condition relating to types of Hackney Carriage Vehicles. This was then implemented as to type of vehicle by way of an approved list.

5.1.2 With the agreement of the Members, a 'Working Group Panel' was created to inspect vehicle types.

5.1.3 This 'Panel' consists of the following members:-

- Members of the Licensing Committee
- Public Protection Team Leader
- Licensing Officer
- Hackney Carriage Association
- Garage Technician from TWS
- Fleet Services Officer from Telford & Wrekin Council
- Representatives from Disability Groups.

5.1.4 On 20<sup>th</sup> November 2012, the Public Protection Team Leader received correspondence from Allied Vehicles Group requesting consideration to licence a Peugeot E7 as a Hackney Carriage Vehicle. The email is attached as **Appendix 1**.

5.1.5 On 11<sup>th</sup> December 2012, the 'Panel' met to examine the Peugeot E7 and to consider its suitability for licensing as a Hackney Carriage. Details of the vehicle and its specification are attached as **Appendix 2**.

5.1.6 All parties were present at the inspection except a representative from the disability groups. All parties agreed that this was unfortunate as their opinion was vital in order to be able to make an informed decision. As a result an additional inspection has been arranged where consideration can be given to wheelchair users. Their comments will be made available to Members at the Licensing Committee.

5.1.7 All parties were provided with an Inspection Sheet. Prior to inspection, all parties were informed that the Inspection Sheet was provided merely as a guide to assist the 'Panel' in its determination. A copy of the Inspection Sheet is attached as **Appendix 3**.

5.1.8 After inspecting the Peugeot E7 all Inspection Sheets were collated and their comments are attached as **Appendix 4**.

## **5.2 Equal Opportunities**

5.2.1 A Community Impact Assessment has been carried out relating to the type of vehicles licensed as a Hackney Carriage by Telford & Wrekin Council and is attached at **Appendix 5**.

## **5.3 Environmental Impact**

5.3.1 Not applicable for the purposes of this report.

## **5.4 Legal Comment**

- 5.4.1 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 allows the council to attach to the grant of hackney carriage licences such conditions as it may consider reasonably necessary.
- 5.4.2 The relevant condition of licence says that the proprietor shall ensure that the hackney carriage vehicle shall only be of a type approved for hackney carriage use by the council, namely a purpose built vehicle built to carry up to eight passengers with factory fitted seat belts and an engine capacity not less than 1600cc, such hackney carriage vehicles to be approved by way of a list that will specify as many different types of vehicle as possible.
- 5.4.3 The Working Group Panel considers the suitability of each hackney carriage vehicle by way of inspection and reports its findings to the Licensing Committee for their consideration in relation to the application.

## **5.5 Links with Corporate Priorities**

- 5.5.1 This report has links to the following priorities :

To Protect and Support our Vulnerable Children and Adults  
To Protect and create jobs as a “Business Supporting, Business Winning Council”

## **5.6 Financial Comment**

- 5.6.1 To Follow

## **5.7 Risks and Opportunities**

- 5.7.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.
- 5.7.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.
- (i) The Council being unable to successfully defend an Appeal to the Magistrates Court as well as (and after) to the Crown Court and the financial risks of the costs of an Appeal.

## **6. Ward Implications**

- 6.1 Borough Wide Implications

## **7. Background Papers**

- 7.1.1 Town Police Clauses Act 1847  
7.1.2 Local Government (Miscellaneous Provisions) Act 1976  
7.1.3 Human Rights Act 1998.  
7.1.4 Road Traffic Act 1988  
7.1.5 Public Service Vehicle Accessibility Regulations 2000  
7.1.6 Equality Act 2010

- 7.1.7 Department for Transport's Guidance to Local Authorities on the Equality Act 2010.
- 7.1.8 Road Vehicle (Construction and Use) Regulations 2003
- 7.1.9 Telford & Wrekin Council's Conditions of Licence for Hackney Carriages.

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