

Licensing Team

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HACKNEY CARRIAGE VEHICLE AND PRIVATE HIRE VEHICLE LICENSING POLICY

LICENSED VEHICLE SPECIFICATIONS

Consultation Document

The Council is undertaking a review of its licensing policy in relation to the licensing of hackney carriage vehicles (taxis) and private hire vehicles – this includes the vehicle specifications for such vehicles adopted by the Authority. Questions for consideration, on which we would welcome views, have been provided within this consultation document. However, whilst we are specifically asking certain questions, within this document, you are welcome to comment and make submissions about any parts of the policy.

A hackney carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to ply for hire. This means that it may stand at taxi ranks or be hailed in the street by members of the public. Private hire vehicles too must have no more than 8 passenger seats but they must be booked in advance by customers through an operator and may not ply for hire in the street.

Background

The Council is responsible for processing and determining licence applications in respect of taxis and private hire vehicles. The Council has specific vehicle specifications and policies in relation to such licence applications.



In line with this Authority's commitment to review its licensing policies on a regular basis the vehicle specifications and policy are now due for review. The last detailed review of the vehicle specifications and policy was undertaken in 2011/12, with a small number of amendments to the policy (e.g. tinted windows in licensed vehicles) being made since that date.

The document at **Appendix A** of this consultation pack sets out the current position regarding the Council's vehicle specifications and licensing policy.

At present the view of this Authority is that the existing elements of the current policy have proved the test of time and there is no obvious need for wholesale change. However, there is always the opportunity for improvement.

The purpose of having a vehicle licensing policy document is to give clear guidance on the factors to be taken into account by this Authority when determining applications for vehicle licences. Adoption of such a policy, together with vehicle specifications, is designed to encourage transparency and consistency in the licensing process and also provide clarity and guidance for prospective applicants and licence holders.

Licensing Objectives

When undertaking the taxi and private hire vehicle licensing function, this Authority will seek to promote the following objectives:

- The protection of the public;
- The establishment of professional and respected hackney carriage and private hire trades;
- Access to an efficient and effective public transport service;
- The protection of the environment;
- Improved disability access and awareness.

Licensing Profile

Currently this Authority is responsible for the following number of licences:

Number of Hackney Carriage & Private Hire Licences – September 2019	
Hackney Carriage Vehicle Licences	139
Private Hire Vehicle Licences	124
Dual Licensed Hackney Carriage and Private Hire Vehicle Drivers	323

Of the total 139 hackney carriage vehicles 43 of the vehicles were wheelchair accessible vehicles.

Of the total 124 private hire vehicles 1 of the vehicles was a wheelchair accessible vehicle.

Approximately 38% of the licensed drivers have been licensed with the Authority for more than 10 years.

Proposed Amendments to the Policy

The following sections of this consultation document deal with areas of the current policy which this Authority is specifically considering for amendment or review.

Vehicle Emission Standards

The Council is aware that by regulators adopting targeted air quality policies for road transport, significant reductions can be achieved for atmospheric pollutants.

With this in mind, the Council is currently considering whether efforts should be made to improve the efficiency of vehicles licensed by this Authority, particularly in the emission of pollutants. For example,

newer vehicles have improved fuel efficiency and will emit fewer pollutants (if they are properly maintained) than older vehicles.

The question of taxi and private hire vehicle emission standards was previously considered by this Authority in 2012. At that time the Council decided not to set a maximum age limit for hackney carriage or private hire vehicles. The Council also decided not to introduce any specific licensing conditions designed to promote cleaner fuels or improve the efficiency of hackney carriage and private hire vehicles in the emission of pollutants. With this in mind Section 3 of the document, shown at **Appendix A**, sets out the Council's current position regarding vehicle emission standards. The current position being not to set any conditions designed to promote cleaner fuels or improve the efficiency of licensed vehicles in the emission of pollutants.

However, as part of this consultation and policy review this Authority is asking the following question:

Should this Council be making a reduction in vehicle emission levels as one of its licensing taxi and private hire vehicle licensing objectives?

The broad aim of any proposals in relation to vehicle emissions being to:

- Promote clean and efficient road transport vehicles.
- Increase energy efficiency in the transport sector.
- Protect the environment by reducing emissions of carbon dioxide and other pollutants from vehicles.

Of course if this Authority decides to move forward with any proposals in relation to vehicle emission levels then the Council will need to consult further with the taxi and private trade, and other interested parties, on any proposed arrangements before possible implementation.

We are aware that any discussion in relation to vehicle emission levels needs to be balanced against the economic times under which hackney carriage and private hire proprietors are operating.

Tougher emission controls would have a knock on effect on the age of vehicles that could be licensed with this Authority.

Hackney Carriage Vehicle Specification - Seating Arrangements

The Council's current hackney carriage vehicle specification states the following:

Seating Arrangements: *The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed without the need for seats to be folded or removed.*

The Council has received a small number of requests for the seating arrangement aspect of the policy to be reviewed. With this in mind the Council is opening up for discussion the subject of seating arrangements in hackney carriage vehicles. However, the current stance of this Authority is that we are not persuaded of the need to amend the current policy in order to remove the requirement for unobstructed access to seats in a hackney carriage.

This section of the hackney carriage vehicle specification is made on comfort and access grounds. Unlike private hire vehicles, hackney carriage vehicles are available for immediate hiring – hackney carriages can be flagged down in the street and approached by prospective customers when waiting on a taxi rank. In most cases customers approaching a hackney carriage vehicle will not have the opportunity of deciding which type of vehicle they wish to use. In adopting this part of the vehicle specification this Authority took the view that vehicles, which are available for immediate hiring, should be able to provide straightforward and immediate access for all customers, without the need to move a seat or climb over a seat. This is particularly the case for parties including elderly and ambulant disabled people.

Private hire vehicles by contrast can only be booked in advance. If a prospective customer does not want to hire a particular type of vehicle then he /she is able to advise the private hire operator of the particular

type of vehicle they require or do not require at the time of the booking. If they do not wish to hire a vehicle that includes a tip up seating or obstructed access arrangement then they can advise the proprietor in advance; this opportunity is not available when vehicles are plying for hire. For this reason the above section of the hackney carriage vehicle specification was not duplicated in the Council's private hire vehicle specification.

The specifics of this part of the policy and the reasons for its introduction can be found in Paragraphs 2.2.12 to 2.2.15 of the document shown at **Appendix A**.

As part of this consultation and policy review the Council is asking the following questions:

What are your views/comments/suggestions in relation to the seating arrangement aspect of the Council's hackney carriage vehicle specification?

If the Council decides to continue with the arrangement, which requires unobstructed access to seats, should the current part of the policy be amended to read as follows?

Seating Arrangements: The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed and be easily accessible to passengers without the need for seats to be folded or removed. Any gap through which a passenger can be expected to pass shall be a minimum width of 400mm through which an average sized adult can pass freely in a normal manner without undue difficulty.

The proposed amendments to this current part of the policy document are shown in underlined typeface above.

Submission of Comments Regarding the Hackney Carriage Vehicle and Private Hire Vehicle Licensing Policy and Vehicle Specifications

As part of this consultation process the Council is inviting stakeholders and other interested parties to make their views known. Please let us have any comments you may wish to make in relation to the consultation document.

The closing date for submissions in respect of this consultation document is midday on 15 November 2019. Submissions must be submitted to the Council's Licensing Team.

Any responses to the consultation can be emailed to the Licensing Team at:

- licensing@e-lindsey.gov.uk

Please mark any emailed response with the title 'HCV and PHV Licensing Policy Consultation 2019'.

We would prefer to receive emailed responses to the consultation document, however, as an alternative written responses can be sent to:

- Mr Adrian Twiddy, Principal Licensing Officer, East Lindsey District Council, Tedder Hall, Manby Park, LOUTH, LN11 8UP.

Those taking part in the consultation will be expected to provide their name, address and/or email address. However, they may choose to provide further personal data to illustrate or support their views. The personal data provided might include an address or area they live in, place of work, occupation, etc. The original emails and letters will be retained in line with the Council's retention policy. Further information about how the Council handles your data can be found in the Council's Privacy Notice at:

www.e-lindsey.gov.uk/privacy

Once the consultation process is complete the comments made along with the name of the person making each comment will be made available to Councillors and published via the Council's website. The legal basis for using personal data in this way is because it is necessary for activities that support or promote democratic engagement. This information will remain available on the Council website.

If you submit a comment as part of the consultation process and you would not like your name or any part of your comments published please make this clear in your email or letter. However, please note that information in responses, including personal information, may be subject to requests under the Freedom of Information Act 2000. Confidentiality cannot be guaranteed to any correspondents, and will only be possible if considered appropriate under the legislation.

All comments regarding this consultation will be considered and will help to formulate the final policy document to be presented for consideration by the General Licensing Committee (consisting of Councillors) later this year.

If you require any further information or advice, please do not hesitate to contact the Licensing Team.

Summary of Questions Within This Consultation Document

1. Should this Council be making a reduction in vehicle emission levels as one of its licensing taxi and private hire vehicle licensing objectives?

2(a). What are your views/comments/suggestions in relation to the seating arrangement aspect of the Council's hackney carriage vehicle specification?

2(b). If the Council decides to continue with the arrangement, which requires unobstructed access to seats, should the current part of the policy be amended to read as follows?

Seating Arrangements: The maximum number of passengers a vehicle may carry is eight. Access to every seat must be unobstructed and be easily accessible to passengers without the need for seats to be folded or removed. Any gap through which a passenger can be expected to pass shall be a minimum width of 400mm through which an average sized adult can pass freely in a normal manner without undue difficulty.

NOTE: Whilst we are specifically asking the above questions, within this consultation document, you are welcome to comment and make submissions about any parts of the document set out at **Appendix A**.

September 2019

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