



Derby City Council

LICENSING COMMITTEE
21 January 2016

Report of the Strategic Director of Communities
& Place

ITEM 8

Request for Approval of a Mercedes Vito M8 C/DIR to be Licensed as a Hackney Carriage

SUMMARY

- 1.1 There are currently ten types of vehicles approved to be licensed as hackney carriages within Derby City.
- 1.2 A request has been received by a current licensed driver for a MERCEDES VITO M8 C/DIR to be approved as a Hackney Carriage.
- 1.3 The vehicle has been inspected and a number of non-conformities have been identified but the proprietor has agreed to undertake work to meet the specification in every respect with the exception of the vehicle length specification. Approval is being sought to exempt the vehicle from this requirement and subsequently approve it.

RECOMMENDATION

- 2.1 To approve the MERCEDES-BENZ T1 VITO V6 122 CDI (now renamed as V6 122 CDI) as a vehicle type approved as a Hackney Carriage within Derby City subject to the proprietor undertaking the work required to ensure compliance with all the Hackney Carriage Specifications, as set out in paragraphs 4.5 and 4.7 – 4.12 of this report.
- 2.2 Subject to recommendation 2.1 being complied with, to exempt the vehicle from the vehicle length dimension provision of the Hackney Carriage Vehicle Specifications.

REASONS FOR RECOMMENDATION

- 3.1 To ensure consistency in the approval of Hackney Carriages vehicles within Derby City.

SUPPORTING INFORMATION

- 4.1 There are currently ten types of vehicles approved to be licensed as hackney carriages within Derby City.

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- 4.2 A request has been received by a current licensed driver for a MERCEDES VITO M8 C/DIR to be approved as a Hackney Carriage.
- 4.3 The vehicle proprietor has informed the Licensing Enforcement Officer that Cab Direct undertook the conversion of the vehicle. There has been no supporting documentation provided to confirm this.
- 4.4 A Licensing Enforcement Officer undertook an inspection of the vehicle having regard to the Vehicle Specification for Hackney Carriages. A number of non-conformities were identified which are set out in Paragraph's 4.5 – 4.12 below.
- 4.5 Item 10 requires that separate controls must be fitted for the driver and passengers in order to operate the interior lighting. Although fitted with adequate interior lighting, the vehicle does not have a separate switch for passengers.
- 4.6 Item 14 states that the overall length of the vehicle must not exceed 4.665 metres. The actual vehicle length was measured at approximately 4.8 metres.
- 4.7 Item 15(a) requires that the top of the tread for any entrance must be at the level of the floor of the passenger compartment and must not exceed 38 cm above ground level. The actual distance is 44 cm but the vehicle is fitted with a secondary, built in step, below the level of the floor which is 35 cm from the ground. In addition, the vehicle has been fitted with two (one either side) non-standard, full length steps, which are 26 cm from the ground. These steps are 12 cm wide and appear to be a satisfactory fitment.
- 4.8 Item 15(b) requires that the outer edge of the floor at each entrance must be fitted with non-slip treads. The vehicle does not have separate non-slip treads fitted at the entrances but the floor and the steps referred to in Paragraph 4.7 above are non-slip.
- 4.9 Item 17(a) requires vehicles to be the prescribed colour 'AA Yellow'. The vehicle is currently white, although the proprietor did state he is fully aware of this colour requirement and will comply.
- 4.10 Item 18(a) requires that no seat be fitted next to the driver. The vehicle currently does have a seat next to the driver, but again, the proprietor is aware of this requirement and will remove the seat to comply.
- 4.11 Item 23(a) requires interior door handles to be easily identified so as not to be mistaken from any other control. The vehicle's door handles were originally painted in bright yellow to highlight them. However, when the vehicle was presented, this paint had worn off. The proprietor recognized the need to have the handles re-painted/coated and will do this to comply.
- 4.12 Item 28(b) requires a "Taxi" sign to be displayed on the rear of the vehicle for identification purposes. When presented, the vehicle had an acceptable sign on the rear but was also displaying two further signs on each side. The proprietor accepted these further signs do not comply with the requirements and indicated that they would be removed when the vehicle is re-sprayed yellow.

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- 4.13 Although the vehicle does not currently comply fully with the Council's Vehicle Specification for Hackney Carriages, all but one of the measures set out above will ensure compliance is achieved.
- 4.14 The only requirement that will not be achieved is in relation to the vehicle length dimension section of the specification and approval is sought to exempt the vehicle from this specific requirement.

OTHER OPTIONS CONSIDERED

- 5.1 Not applicable.

This report has been approved by the following officers:

Legal officer	Olu Idowu
Financial officer	-
Human Resources officer	-
Estates/Property officer	-
Service Director(s)	-
Other(s)	Michael Kay

For more information contact:	Sandra Mansell 01332 641931 sandra.mansell@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications

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IMPLICATIONS

Financial and Value for Money

- 1.1 None directly arising from this report.

Legal

- 2.1 As the licensing authority, the Council is obliged to ensure that its licensing policies and related terms and conditions attaching to licences effectively safeguard the public interest. So long as the rationale for inclusion of a term or condition can be objectively justified in the public interest, the courts have demonstrated their reluctance to interfere with local authority policies.

Personnel

- 3.1 None directly arising from this report.

IT

- 4.1 None directly arising from this report.

Equalities Impact

- 5.1 None directly arising from this report.

Health and Safety

- 6.1 None directly arising from this report.

Environmental Sustainability

- 7.1 None directly arising from this report.

Property and Asset Management

- 8.1 None directly arising from this report.

Risk Management

- 9.1 None directly arising from this report.

Corporate objectives and priorities for change

- 10.1 The proposals set out in this report will deliver **better outcomes for our communities.**