

**Committee: LICENSING**

**Agenda Item**

**Date: 10 November 2010**

**7**

**Title: VEHICLE TYPES OF PRIVATE HIRE  
VEHICLES**

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### **Summary**

1. This report is to inform members of an approach received by the Council to licence a type of vehicle which does not currently meet the Council's specifications.

### **Recommendations**

2. That members determine whether to vary the licensing conditions to permit the licensing of 3 wheeled vehicles.

### **Financial Implications**

3. None.

### **Background Papers**

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
  - Submission made in support of the application.

### **Impact**

- 5.

Communication/Consultation	None.
Community Safety	Other than that contained in the submission, no safety information is available.
Equalities	The submission gives no information as to how equality issues would be addressed. Clearly this form of transport would not be suitable for a number of people with disabilities but the licensing of such vehicles would not reduce the availability of other private hire vehicles to disabled groups.

Health and Safety	As referred to in community safety.
Human Rights/Legal Implications	Under the Local Government (Miscellaneous Provisions) Act 1976 district councils may grant an application for a private hire vehicle licence but shall not grant such an application unless they are satisfied that the vehicle is suitable in type, size and design for use as a private hire vehicle; safe and comfortable.
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

## Situation

6. The Council has received an approach to amend its licensing conditions to permit the licensing of motor-trikes. The vehicle which has prompted the application is powered by 1300cc VW engine, the vehicle having been purpose built by a German company. The vehicle is to the original manufacturer's specification although safety bars have been added and the vehicle is registered in the United Kingdom.
7. Government guidance regarding the specification for vehicle types which may be licensed states that 'the legislation gives local authorities a wide range of discretion over the types of vehicle that they can licence as taxis or private hire vehicles ... normally the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account'.
8. The applicant has cited 3 other authorities which license motor-trikes. Officers are not aware of any other authorities that do so although it is known that the Public Carriage Office (Transport for London) license motorcycles as private hire vehicles which are primarily used for airport runs.

**Risk Analysis**

9.

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigating actions</b>
Those requiring transport for more than 1 person would be unable to use the service.	4, the vehicle is only designed to take 1 passenger and additional passengers would not be permitted.	1, there is an extensive fleet of multi-seater private hire vehicles within the district.	Should the committee determine to license such vehicles, a condition should be imposed that only 1 passenger may be carried.
An unsuitable vehicle is licensed as a private hire vehicle.	1, members have shown themselves to have a keen awareness of what would constitute a suitable motor vehicle.	4, the safety or comfort of the public could be affected.	Members only agree to vary the licensing conditions to permit the licensing of motor-trikes if they are satisfied that they meet the statutory criteria.

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.