

REPORT TO:	Licensing Committee
DATE:	18 th October 2017
LEAD OFFICER:	Head of Planning and Public Protection Services
CONTACT OFFICER:	Public Protection Business Manager licensing@denbighshire.gov.uk 01824 706066
SUBJECT:	Application for a Hackney Carriage Vehicle Licence

1. PURPOSE OF THE REPORT

1.2 To consider a request from Mr. Terry Ledden, owner of Ledden’s Taxis in Rhyl and an established hackney carriage proprietor, to licence a vehicle for the purpose of hackney carriage licensing.

2. EXECUTIVE SUMMARY

2.1 In accordance with delegated authority, licensing officers are able to grant or refuse applications for hackney carriage vehicles that fall within the existing policy.

2.2 Whilst officers have delegated authority to grant licences as described at 2.1 above, this does not include vehicles that do not meet the current specification as described in the existing policy.

2.3 Having received such a request, Members are therefore asked to consider whether it would be appropriate to deviate from the existing policy on this occasion.

3. POWER TO MAKE THE DECISION

3.1 Town Police Clauses Act 1847.

4. BACKGROUND INFORMATION

4.1 Mr Ledden has approached the Council with a view to licensing a number of “new to fleet” vehicles for the purposes of hackney carriage licensing.

4.2 The Council’s existing policy that was approved by Members in December last year, and came into effect in June of this year, includes a

specific requirement for available legroom, namely, at condition 6.4.1 “*The minimum leg room available to any passenger shall be 200mm. The measurement will be taken from the base of the seat to the centre of the rear of the seat in front when the front seat is at its full, rearwards extension. Where there is no seat in front the measurement will be taken from the base of the seat to the nearest obstruction in front.*”

4.3 The vehicles presented by Mr Ledden to Fleet Services on 2 October 2017 are Dacia Logan estate cars and when measurements were made by Fleet Services staff the legroom was found to be 157 mm. The vehicles were therefore rejected.

4.4 Mr Ledden has asked for this decision to be put before Members of the Licensing Committee and has been invited to attend.

5 CONSIDERATION

5.1 When considering this request to deviate from our existing policy, Members should be satisfied that a clear case for deviation has been provided by the applicant.

5.2 The previous policy did not have any specific requirement for minimum permitted space. However, in December 2010 Members approved a guidance document for the Compliance Testing of taxis. Reference to seating in this document states “*Seating- All passenger seats shall have a minimum cushion size of 400mm width and 350mm front to back and be fixed such that a minimum leg room of 660mm is provided, measured from the face of the backrest to the nearest part of the seat in front, measured in a horizontal plane, excepting that where seats face each other, i.e. conference seating, the distance between the faces of opposing backrests shall be not less than 1300mm and the gap between the front edges of opposing seat cushions shall be not less than 425mm. All seats shall have minimum headroom of 900mm measured from the central point of the seat cushion where it meets the backrest, measured in a vertical plane.*”

5.3 The current version of the Policy and Conditions was introduced so as to provide clarity to licensees and consistency of the standard of vehicles being licensed and are relevant to both hackney carriage and private hire vehicles.

5.4 Mr. Ledden has submitted a document in support of his request which can be found at Appendix 1.

- 5.5 Officers have researched the seating requirement for a number of other authorities in Great Britain, including those in the immediate area, and have concluded that there is no national standard or guidance for legroom space allowances. The findings are summarised at Appendix 2.
- 5.6 Members will wish to note that a number of identical or broadly similar vehicles are already licensed and whilst these were approved before the adoption of the current policy they will be nearing their date for renewal or 6 monthly compliance test.
- 5.7 When considering this application, Members will need to balance the interests and opinion of the applicant with the possible implications on the Denbighshire taxi fleet and the potential for an increased number of similar requests from applicants being brought to Members, at future committee meetings.

6. RECOMMENDATION

- 6.1 For Members to consider all the information contained in this report and Members may therefore resolve to either:
- Deviate from the existing policy and approve the vehicle as suitable to be licensed as a hackney carriage vehicle
 - Refuse the request for the vehicle to be licensed as a hackney carriage vehicle.