



Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Licensing and Public Safety Committee

9 March 2020

Consideration of the Renault Voyager RX 8 Vehicle for Licensing as a Hackney Carriage

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. To allow Licensing Committee to consider approving a new vehicle for licensing as a hackney carriage.

2. Recommendations

- 2.1. Members have the following options available to them:-

- a) approve the vehicle as an exception if satisfied the conditions that are not met are outweighed by the benefits of licensing this particular vehicle.
- b) refuse to approve the vehicle for licensing.

3. Summary

- 3.1. On 30 October 2006, Cabinet approved revised Conditions of Fitness for hackney carriages. The conditions require Licensing Committee to approve new vehicle types, before they can be licensed as hackney carriages. They also allow Licensing Committee discretion to approve vehicles for licensing that do not comply, or refuse approval for vehicles that do, where there are justifiable reasons for doing so. The revised Conditions of Fitness are attached at Appendix 1.
- 3.2. The Renault Voyager RX 8 has been put forward by the manufacturers, Voyager MPV, to be considered for licensing.

4. Background

- 4.1. The Licensing Committee has approved a number of vehicles for licensing as hackney carriages. These include some vehicles that do not fully comply with the revised Conditions of Fitness, because Members considered that the advantages of licensing them outweighed the disadvantages.

- 4.2. The manufacturers have been asked to demonstrate the vehicle on 9 March 2020, should any members wish to see it.

5. Compliance Summary

- 5.1. A vehicle compliance form has been completed by the manufacturer of the Renault Voyager RX 8, which shows that the vehicle is not fully compliant with the conditions of fitness. The vehicle has been inspected by an Enforcement Officer and there is a difference in measurements taken which indicate either compliance with the requirements or non-compliance, these are listed below:-

- The applicant has measured the overall width of the vehicle as 1.956 meters, which exceeds the maximum width of 1.845 meters specified in Appendix 1 by 0.111meters (Non-Compliant). Our enforcement officer has measured the overall width as 1806 mm which meets the requirements as specified in Appendix 1 (Compliant).
- The vertical distance between the point of maximum deflection of the seat cushion when a passenger is seated to the roof immediately above the point is 94.5 centimeters. The applicant has measured the distance as 96.5 centimeters (Non-Compliant). Our enforcement officer has measured the distance as 94.5 centimeters on the tip seat and 92.9 centimeters on the rear seat (Compliant).
- The applicant has measured the unrestricted opening across the doorway as 0.86 meters (Compliant). Our enforcement officer has measured the distance as 0.711 meters and 0.812 meters with the tip seat tilted (Non Compliant). Our requirements in Appendix 1 state an unrestricted opening access of at least 0.75 meters.
- The manufacturers have been asked to address these deviations from the conditions of fitness and their response will be reported verbally at the meeting.

- 5.2. A certificate of European Whole Vehicle type approval has been provided for the vehicle.

6. Vehicle options

- 6.1 At the Licensing Committee meeting on 6 September 2010, Members asked about options available for vehicles that are presented for approval to be licensed as hackney carriages.
- 6.2 The suppliers have been asked to provide details of the options available for this vehicle and they have provided a brochure that shows there are two option packs in addition to the standard vehicle equipment. A copy of the brochure will be available for members to view at the committee meeting.

7. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

7.1. Financial Implications

There are no direct financial implications arising from this report.

Colin Sharpe, Head of Finance

7.2. Legal Implications

Section 37 of the Town Police Clauses Act 1847, gives the Council power to decide which vehicles it will licence as a Hackney Carriage. Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 (“ the 1976 Act”) gives the Council discretion to place conditions on the licensing of hackney carriages. In applying this, members need to have consideration of their statutory obligations under the human rights and equalities legislation.

The 1976 Act states that a Council may attach to the grant of a licence conditions they consider reasonably necessary. The Section also requires that any vehicle licensed by them to be such of a design and appearance or bear such distinguishing marks that clearly identify it as a hackney carriage.

As stated in point 5 of the report the Renault Voyager RX 8 has been shown not to be fully compliant with the City Council’s Conditions of Fitness. Therefore it can only be approved by the Licensing Committee as a vehicle that can be licensed as a Hackney Carriage within the City, if the Committee is satisfied that justifiable reasons exist to license a vehicle that does not completely comply with the conditions.

The 1976 Act allows any person aggrieved by conditions attached to a hackney carriage vehicle licence to appeal to the Magistrates’ Court.

Katherine Jamieson – Solicitor, Legal Services

8. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

9. Background Papers – Local Government Act 1972

9.1. None

10. Consultations

10.1. None

11. Report Author

11.1. Deborah Bragg, Licensing Manager (Policy and Applications)

0116 454 1924

Deborah.bragg@leicester.gov.uk