

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor Hetherton

2 December 2019

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

All Wards

**Title:**

Review of Conditions of Fitness for Private Hire Vehicles

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**Is this a key decision?**

‘No – Although the matter may affect all Wards in the City, it is not anticipated that the impact will be significant’

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**Executive Summary:**

On the 11 December 2012 the Cabinet Member (City Services) ratified a previous Licensing & Regulatory Committee Report of 31 May 2005 concerning the Conditions of Fitness for Private Hire Vehicles. These reports qualified the minimum vehicle capacity for private hire vehicles to 4 and for the space in the rear main seats of the vehicle to be sufficient for 3 people measured by a wooden fixed frame. Given the current propensity of smaller numbers of passengers requiring a vehicle it is believed justified that the seating capacity of passengers is lowered. It is also believed justified that electric and electric hybrid vehicles are suitable to be licensed as private hire vehicles, which is currently not the case.

**Recommendations:**

The Cabinet Member for City Services is recommended to:

1. Approve that the use of the fixed wooden measurement device is to be abandoned and that licensing & enforcement officers have discretion on the minimum rear seat size.
2. Instead of a fixed minimum number of passenger seating capacity to be provided; the passenger seating capacity will be restricted to the number of seats stipulated in the V55 DVLA logbook (less one seat for the driver), subject to the existing Conditions of Fitness ratified on the 11 December 2012.
3. Approve that electric and electric hybrid vehicles off the production line are suitable to be licensed as private hire vehicles.

**List of Appendices included:**

Appendix A – Conditions of Fitness for Private Hire Vehicles - Licensing & Regulatory Committee Report dated 31 May 2005.

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No.

**Will this report go to Council?**

No

**Report title:**

Review of Conditions of Fitness for Private Hire Vehicles

**1. Context (or background)**

On the 11 December 2012 the Cabinet Member (City Services) ratified a previous Licensing & Regulatory Committee Report of 31 May 2005 concerning the Conditions of Fitness for Private Hire Vehicles. These reports qualified the minimum vehicle capacity for private hire vehicles to 4 and for the space in the rear main seats of the vehicle to be sufficient for 3 people measured by a wooden fixed frame. Given the current propensity of smaller numbers of passengers requiring a vehicle it is believed justified that the seating capacity of passengers is lowered. It is also believed justified that electric and electric hybrid vehicles are suitable to be licensed as private hire vehicles, which is currently not the case.

**2. Recommended proposals****2.1 Proposal**

Approve that the use of the fixed wooden measurement device is to be abandoned (at point 1 at Appendix A) and that licensing & enforcement officers have discretion on the minimum rear seat size.

**2.2 Proposal**

Approve that instead of a fixed minimum number of passenger seating capacity to be provided; the passenger seating capacity will be restricted to the number of seats stipulated in the V55 DVLA logbook (less one seat for the driver), subject to the existing Conditions of Fitness ratified on the 11 December 2012 (at point 2 at Appendix A).

**2.3 Proposal**

Approve that electric and electric hybrid vehicles off the production line are suitable to be licensed as private hire vehicles and that point 12 at Appendix A is amended accordingly.

**3. Results of Consultation Undertaken**

The recognized representatives of the Coventry licensed taxi trade, Unite Union, have been consulted with.

**4. Timetable for implementing these decisions**

Subject to approval of the recommendations this will commence immediately.

**5. Comments from the Director of Finance and Corporate Services****5.1 Financial implications**

None

**5.2 Legal implications**

Under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 a Local Authority may grant a Private Hire Vehicle licence if satisfied that the vehicle is suitable in type, size and design for use as a Private Hire Vehicle.

Any person aggrieved by the refusal of a Local Authority to grant a vehicle licence under section 48, or by any conditions specified in the licence, may appeal to a Magistrates Court.

**6. Other implications**

None

**6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

It will help to facilitate improvements in the taxi services available to the people of Coventry, which will contribute towards ensuring that children and young people are safer; making places and services accessible and encouraging a creative, active and vibrant city.

**6.2 How is risk being managed?**

Through established reporting and governance arrangements.

**6.3 What is the impact on the organisation?**

None

**6.4 Equalities / EIA**

None

**6.5 Implications for (or impact on) climate change and the environment**

None

**6.6 Implications for partner organisations?**

None

**Report author(s):****Name and job title:**

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**Directorate:**

Place

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| <b>Contributor/approver name</b>                                 | <b>Title</b>                                  | <b>Directorate or organisation</b> | <b>Date doc sent out</b> | <b>Date response received or approved</b> |
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| <b>Contributors:</b>   |   |                                    |                          |   |
| Andrew Walster   | Director of Streetscene & Regulatory Services | Place                              | 22/10/2019               | 14/11/2019                                |
| Liz Knight   | Governance Services Officer                   | Place                              | 22/10/2019               | 23/10/2019                                |
| Other members  |   |                                    |                          |   |
| <b>Names of approvers for submission: (officers and members)</b> |   |                                    |                          |   |
| Finance: Phil Helm   | Finance Manager                               | Place                              | 14/11/2019               | 14/11/2019                                |
| Legal: Amy Wright  | Criminal & Licensing Solicitor                | Place                              | 22/10/2019               | 23/10/2019                                |
| Director: Martin Yardley   | Director of Place                             | Place                              |                          |   |
| Members: Cllr Hetheron   | Cabinet Member for City Services              |                                    | 11/11/2019               | 11/11/2019                                |

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Conditions of Fitness for Private Hire Vehicles in Licensing & Regulatory Committee  
Report dated 31 May 2005

1. The vehicle must meet the minimum rear seat size, as determined by the measuring frame referred to as "The Coventry Frame".
2. The vehicle must be of a specification suitable to be licensed for a minimum of four passengers (i.e. have a minimum of four passenger seats).
3. The vehicle must have no more than eight passenger seats fitted.
4. The vehicle must be of a standard model and be "as manufactured" (i.e. as it came off the production line of the primary manufacturer) with no additions or alterations, unless the Taxi Licensing Office has given written approval to the additions of alterations.
5. The vehicle must be right hand drive.
6. The vehicle must have a minimum of four road wheels.
7. The vehicle must have a minimum of four doors.
8. A minimum of two exit doors, each located on different faces of the vehicle, must be accessible to each passenger without obstruction. A seat requiring moving or tilting will be considered an obstruction. Another passenger will not be considered an obstruction.
9. Doors must be easy to open from outside and inside the vehicle.
10. The vehicle must have adequate legroom for front and rear seated passengers.
11. The vehicle must have adequate luggage space.
12. If the vehicle is not powered solely by diesel or petrol, the vehicle must comply with the Council's requirements for alternatively fuelled vehicles.