



AGENDA ITEM: 6

SUMMARY

Report for:	Licensing Health & Safety Enforcement Committee
Date of meeting:	25 November 2014
PART:	1
If Part II, reason:	

Title of report:	Taxi and Private Hire Vehicle Standards – MPV's
Contact:	Ross Hill – Licensing Team Leader, Legal Governance
Purpose of report:	To propose a deregulatory measure to the Council's vehicle standards for taxis and private hire vehicles, in respect of 6- and 7-seat multi-purpose vehicles (MPV's)
Recommendations	To modify the Council's vehicle standards for hackney carriages / private hire vehicles with effect from 1 December 2014, by omitting paragraph 5 from the current hackney carriage standards, and paragraph 6 from the current private hire standards.
Corporate objectives:	Dacorum Delivers <ul style="list-style-type: none"> • Efficiencies
Implications:	The proposal represents a minor policy change, and no negative implications have been identified as a result.
Consultees:	The proposal has been discussed informally with members of the Dacorum Hackney Carriage Drivers Association. As the proposal is of a deregulatory nature, wider consultation has not been carried out.
Background papers:	Current vehicle standards (attached)
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. The Council, as part of the licensing of hackney carriages and private hire vehicles, has previously set standards for each category of licence, stipulating the nature of vehicles which the Council will typically expect of vehicles presented for licensing. These standards were most recently adjusted in February 2014.
- 1.2. In respect of multi-purpose vehicles which feature three rows of seating, where it is necessary to move, tilt or fold a seat in the middle row in order to reach seats in the rear row, the Council currently requires a device to be fitted to the rear door of the vehicle allowing it to be opened from the inside. The rationale behind this requirement was to provide a means for passengers in the third row of seating to escape from the vehicle in the event of an accident which incapacitated passengers in other seats. The current policy replaced an earlier requirement for proprietors to remove a seat from the middle row of the vehicle.
- 1.3. Copies of the current standards are appended to this report, at Annex A (hackney carriages) and Annex B (private hire vehicles).

2. PROPOSAL

- 2.1. The Council requires all hackney carriage/private hire vehicles to be of type M1 European Whole Vehicle Type Approval and unaltered from the original design and construction, or otherwise certified to a similar standard. This means that the vehicle specification and design has been approved to homogenised vehicle standards by the transport ministry of an EU member state. Additionally, new vehicle models are frequently tested by a European vehicle safety authority, such as Euro NCAP, to confirm compliance with a further set of standards which in many cases exceed the M1 standards.
- 2.2. Any after-market modifications to the vehicle will have the effect of invalidating the type approval. By requiring the fitting of an additional device to the rear door, the Council is inadvertently mandating the invalidation of type approvals. Therefore, it is now considered that these two policy provisions are incompatible.
- 2.3. It is therefore proposed to cease the requirement for vehicles to feature a rear door opening device inside the vehicle.
- 2.4. In practice, all M1 type-approved multi-purpose vehicles have already been found to be safe for the carriage of 6 or 7 persons, and the type approval process does not require an interior operating control on any access door behind the driver or front passenger seats.
- 2.5. Officers have recently identified a number of opening devices fitted in vehicles which require the engine to be active in order to function, particularly in vehicles with electronic latching mechanisms (which are now ubiquitous) where there is no feasible way to introduce a manual opening device without substantial modification to the entire vehicle.
- 2.6. Vehicle proprietors have previously expressed concerns about the requirement, including the potential for the rear door to open during journeys, either due to the modification to the locking system or if the device were to

be activated by a child or falling luggage, and the potential effect of this on insurance claims and liability for any resulting accidents.

2.7. At present, 43 of the 235 hackney carriages licensed by the Council and 19 out of 179 private hire vehicles are multi-purpose vehicles which would be subject to the current provision. The most popular vehicle models in use are:

- Seat Alhambra (20)
- Ford Galaxy (19)
- Volkswagen Sharan (11)
- Chrysler Voyager (4)
- Vauxhall Zafira (3 – early models were only licensed for 4 passengers)

3. RECOMENDATION

3.1. To modify the Council's vehicle standards for hackney carriages and private hire vehicles with effect from 1 December 2014, by omitting paragraph 5 from the current hackney carriage standards, and paragraph 6 from the current private hire standards (in both cases, paragraphs titled 'Egress from rear seating').

ANNEX A – Current Vehicle Standards for Hackney Carriages

Licensing, Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead, HP1 1HH



Vehicle standards for hackney carriages

Dacorum Borough Council will require vehicles presented for licensing as hackney carriages to satisfy the following criteria:

Vehicle specification

1. The vehicle must be suitable in type, size and design for its proposed use, and must satisfy the following requirements:
 - a. The vehicle must be a vehicle with four road wheels, which is authorised for use on public roads in Great Britain;
 - b. The vehicle must be right-hand drive;
 - c. The vehicle must be in a suitable mechanical condition, free of rust and dents, safe and comfortable;
 - d. The vehicle must have sufficient seating capacity to carry not less than four and not more than eight passengers in addition to the driver. (The seating capacity is determined on the assumption that allowance is made for a rear seating width of approximately 400 mm (16") per passenger measured laterally along the widest part of the seat and where arm rests are positioned over such seats the measurement shall be taken between arm rests).
2. The vehicle must:
 - a. Be a saloon, estate, hatchback or multi-purpose vehicle with:
 - i. at least four doors capable of being opened outwards from the near and offside of the vehicle to an angle of at least 60 degrees, or slide open to their fullest extent;
 - ii. an engine capacity of not less than 1400cc;
 - iii. all seats facing forwards or rearwards, and each fitted with an inertia seat belt per passenger, except continuous rear seats where centre belt may be lap type; and
 - iv. a suitable space separated from the passenger compartment for the safe carriage of luggage; or
 - b. Be a 'London' type taxi; a purpose-built taxi or a similar large passenger carrying vehicle (with seating for no more than eight passengers), with:
 - i. at least four doors, either hinged or sliding, and a rear tail-gate that must be capable of opening to their full extent. There must be at least one door on either side of the vehicle for passenger loading;
 - ii. an engine capacity of not less than 1800cc;
 - iii. all seats facing forwards or rearwards, and each fitted with a seat belt restraint per passenger per seat; and
 - iv. a vehicle capable of carrying passengers in wheelchairs must be equipped to safely load and restrain every wheelchair and its occupant securely. The wheelchair may face either forwards or rearwards. The vehicle must have a ramp or lift to load the wheelchair from the near side or rear.

Type approval

3. All vehicles must comply with British and European vehicle regulations, be approved to the standard of type M1 European Whole Vehicle Type Approval (EWWTA), and materially unaltered from the type approval specification. A certificate of conformity bearing the vehicle's

unique identification number which relates to an M1 whole vehicle type approval may be required. This requirement is subject to the following provisions:

- a. The Council may, at its discretion, accept vehicles converted and certified as conforming to a national Small Series or Low Volume Type Approval in place of the above requirement, providing no further modifications have been made to the vehicle since conversion. A certificate of conformity, bearing the vehicle's unique identification number, will be required as evidence of the satisfactory conversion.
- b. Proprietors of vehicles which have been modified from an original type approval specification must additionally provide proof of type conformity by way of successful completion of a voluntary Individual Vehicle Approval (IVA) test to M1 standards at a Vehicle and Operator Services Agency (VOSA) testing station, following completion of the modification and with any additional equipment (e.g. wheelchair access/restraints) in place. In such cases, the original vehicle, prior to modification, must be of M1 ECVTA Approval.
- c. Vehicles converted from other base vehicle types (e.g. M2 or N1) will not be accepted for licensing, unless converted and certified in accordance with sub-paragraph a.

Roadworthiness inspection and compliance test

4. The vehicle must attend the Council's authorised testing station and undergo a roadworthiness inspection ('MOT test'), and a compliance test against the relevant specifications set by the Council. The vehicle must satisfactorily complete both elements of the test before it may be considered for licensing.

Egress from rear seating

5. Multi-purpose vehicles (MPV's) which feature rear seating without direct unimpeded access to a door (i.e. if it is necessary to tilt or fold a seat in the middle row to gain access to a door adjacent to the middle row of seats) must feature a device enabling the rear door of the vehicle to be opened from the inside of the vehicle, permitting emergency egress from the rear seats. Under no circumstances shall a seat installed by a manufacturer be removed from the vehicle, unless replaced by a seat of identical construction and safety standards.

Age of vehicle

6. A vehicle which, on the date of issue of a licence is older than **10 years** (as calculated from the date of first registration shown on the V5C registration certificate) shall be required to complete an additional MOT and compliance test through the Council's authorised testing station, within a period of 28 days prior to the day 6 months prior to the expiry of the licence, and to submit the results to the Council no later than that day.

Dual plating

7. A vehicle will not be licensed as a hackney carriage if it is already licensed as a hackney carriage or as a private hire vehicle, by Dacorum or by any other authority. Evidence of the surrender of any applicable licence will be required prior to the issue of a licence.

Wheelchair accessibility

8. A hackney carriage vehicle licence will only be granted in respect of a vehicle which is safely accessible to a disabled person in their wheelchair and must be able to carry the person in safety and in reasonable comfort whilst remaining within their wheelchair.

(Note: The above requirement will not apply to the licence renewal or to the substitution of a vehicle to an existing licence, where a licence for a non-accessible vehicle was held prior to 1 April 2004, providing that the licence has been maintained continuously since then without revocation or lapse, and at no point since that time has a wheelchair-accessible vehicle been substituted to the licence).

N.B. Vehicles which do not satisfy certain of the above requirements may be considered for licensing in exceptional circumstances, at the discretion of the Council. Please contact a licensing officer to discuss prior to making an application or purchasing a vehicle.

ANNEX B – Current Vehicle Standards for Private Hire Vehicles

Licensing, Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead, HP1 1HH



Vehicle standards for private hire vehicles

Dacorum Borough Council will require vehicles presented for licensing as private hire vehicles to satisfy the following criteria:

N.B. Alternate standards will be applied to stretched limousines and novelty vehicles, presented for licensing.

Vehicle specification

1. The vehicle must be suitable in type, size and design for its proposed use, and must satisfy the following requirements:
 - a. The vehicle must be a vehicle with four road wheels, which is authorised for use on public roads in Great Britain;
 - b. The vehicle must be right-hand drive;
 - c. The vehicle must be in a suitable mechanical condition, free of rust and dents, safe and comfortable;
 - d. The vehicle must have sufficient seating capacity to carry not less than four and not more than eight passengers in addition to the driver. (The seating capacity is determined on the assumption that allowance is made for a rear seating width of approximately 400 mm (16") per passenger measured laterally along the widest part of the seat and where arm rests are positioned over such seats the measurement shall be taken between arm rests).
2. The vehicle must:
 - a. Be a saloon, estate, hatchback or multi-purpose vehicle with:
 - i. at least four doors capable of being opened outwards from the near and offside of the vehicle to an angle of at least 60 degrees, or slide open to their fullest extent;
 - ii. an engine capacity of not less than 1400cc;
 - iii. all seats facing forwards or rearwards, and each fitted with an inertia seat belt per passenger, except continuous rear seats where centre belt may be lap type; and
 - iv. a suitable space separated from the passenger compartment for the safe carriage of luggage; or
 - b. Be a large passenger carrying vehicle (with seating for no more than eight passengers), with:
 - i. at least four doors, either hinged or sliding, and a rear tail-gate that must be capable of opening to their full extent. There must be at least one door on either side of the vehicle for passenger loading;
 - ii. an engine capacity of not less than 1800cc;
 - iii. all seats facing forwards or rearwards, and each fitted with a seat belt restraint per passenger per seat; and
 - iv. a vehicle capable of carrying passengers in wheelchairs must be equipped to safely load and restrain every wheelchair and its occupant securely. The wheelchair may face either forwards or backwards. The vehicle must have a ramp or lift to load the wheelchair from the near side or rear.
3. The vehicle must not resemble a 'London' type or purpose-built taxi or be of such design to lead any person to believe the vehicle is a taxi.

Type approval

4. All vehicles must comply with British and European vehicle regulations, be approved to the standard of type M1 European Whole Vehicle Type Approval (EWWTA), and materially unaltered from the type approval specification. A certificate of conformity bearing the vehicle's unique identification number which relates to an M1 whole vehicle type approval may be required. This requirement is subject to the following provisions:
 - a. The Council may, at its discretion, accept vehicles converted and certified as conforming to a national Small Series or Low Volume Type Approval in place of the above requirement, providing no further modifications have been made to the vehicle since conversion. A certificate of conformity, bearing the vehicle's unique identification number, will be required as evidence of the satisfactory conversion.
 - b. Proprietors of vehicles which have been modified from an original type approval specification must additionally provide proof of type conformity by way of successful completion of a voluntary Individual Vehicle Approval (IVA) test to M1 standards at a Vehicle and Operator Services Agency (VOSA) testing station, following completion of the modification and with any additional equipment (e.g. wheelchair access/restraints) in place. In such cases, the original vehicle, prior to modification, must be of M1 EWWTA Approval.
 - c. Vehicles converted from other base vehicle types (e.g. M2 or N1) will not be accepted for licensing, unless converted and certified in accordance with sub-paragraph a.

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5. The vehicle must attend the Council's authorised testing station and undergo a roadworthiness inspection ('MOT test'), and a compliance test against the relevant specifications set by the Council. The vehicle must satisfactorily complete both elements of the test before it may be considered for licensing.

Egress from rear seating

6. Multi-purpose vehicles (MPV's) which feature rear seating without direct unimpeded access to a door (i.e. if it is necessary to tilt or fold a seat in the middle row to gain access to a door adjacent to the middle row of seats) must feature a device enabling the rear door of the vehicle to be opened from the inside of the vehicle, permitting emergency egress from the rear seats. Under no circumstances shall a seat installed by a manufacturer be removed from the vehicle, unless replaced by a seat of identical construction and safety standards.

Age of vehicle

7. A vehicle which, on the date of issue of a licence is older than **10 years** (as calculated from the date of first registration shown on the V5C registration certificate) shall be required to complete an additional MOT and compliance test through the Council's authorised testing station, within a period of 28 days prior to the day 6 months prior to the expiry of the licence, and to submit the results to the Council no later than that day.

Dual plating

8. A vehicle will not be licensed as a private hire vehicle if it is already licensed as a hackney carriage or as a private hire vehicle, by Dacorum or by any other authority. Evidence of the surrender of any applicable licence will be required prior to the issue of a licence.

N.B. Vehicles which do not satisfy certain of the above requirements may be considered for licensing in exceptional circumstances, at the discretion of the Council. Please contact a licensing officer to discuss prior to making an application or purchasing a vehicle.