

EAST AYRSHIRE COUNCIL

LICENSING PANEL – 26 OCTOBER 2006

TAXI AND PRIVATE HIRE CAR SPECIFICATIONS

Report by Executive Director of Neighbourhood

1. PURPOSE OF REPORT

- 1.1 To advise Licensing Panel of the outcome of a request for the approved specification for taxi and private hire vehicles to be amended.

2. BACKGROUND

- 2.1 During 2004, the Transport Services Manager prepared a revised specification for vehicles which Licensing Panel would consider acceptable for taxis and private hire vehicles. The draft proposals were distributed to all operators whose comments were invited prior to the specification being submitted to Licensing Panel for final approval. No comments were received about proposals concerning vehicles having a double front seat and four doors.
- 2.2 At the Licensing Panel meeting held on 17 March 2005, the revised specification was approved but Panel members agreed that only new replacement vehicles would have to meet the revised specification and any existing vehicles previously licensed would be permitted to continue until such times as these were due for replacement.
- 2.3 On 30 December 2004 a previously approved private hire vehicle was presented for annual inspection. The vehicle had a double front seat and as it met the Council's specification at the time, it passed inspection. The operator was advised however that if Licensing Panel was minded to approve the revised specification under consideration, any replacement vehicle of a similar type could not be passed.
- 2.4 The same vehicle was presented for retest in November 2005 and passed inspection as a consequence of the decision made by Licensing Panel on 17 March. The operator was however advised that if he was to present a similar type of vehicle in the future, it could only be passed for the carriage of seven passengers (rather than the eight currently licensed as part of the double front seat configuration).

- 2.5 In January 2006, the operator contacted the Licensing Service to seek clarification on the advice given by the Transport Service and he was advised that if he presented a replacement vehicle with a double front seat then it could only be licensed for seven passengers.
- 2.6 As a consequence of further representation made by the operator, the Chair of Licensing Panel asked the Head of Protective Services to carry out a review of the specification for taxi and private hire car vehicles approved on 17 March. The review was carried out in July 2006.

3. DISCUSSION

- 3.1 In 2001, the Transport Service raised some concerns about multi-seat vehicles supplied by two manufacturers which had a double front passenger seat. In one case the engine bulkhead projected into the passenger space which meant that anyone sitting in the front seat between the driver and the front passenger would have to straddle the bulkhead. While the bulkhead was less of an issue with the other vehicle, it reduced the amount of floor space for anyone sitting in the “middle” front seat.
- 3.2 Following discussions with the Licensing Service, the Transport Services Manager proposed that the draft specification for taxis and private hire vehicles to be considered by Licensing Panel should consider refusing to accept double front passenger seats for the following reasons:
- Comfort of passenger occupying the “middle” seat.
 - Safety of passenger occupying this seat in the event of a road accident.
 - Minimise the opportunity to restrict the driver’s action in terms of gear changing.
 - Minimise the opportunity for driver to inadvertently touch passengers in the “middle” seats (particularly if the gear level was floor mounted).
- 3.3 Apart from the one operator, all other operators have been able to comply with the revised specification approved by Licensing Panel on 17 March 2005 and only one operator appears to be having a difficulty with complying with the new specification. The review of the specification carried out by the Head of Protective Services suggests that there is no justification in Licensing Panel amending the approved specification to accommodate one individual operator. Indeed he formed the view that ‘double front passenger seat’ is a misnomer as there is insufficient room for two adults to travel comfortably.

4. FINANCIAL IMPLICATIONS

4.1 Nil.

5. LEGAL IMPLICATIONS

5.1 The Civic Government (Scotland) Act 1982.

6. POLICY IMPLICATIONS

6.1 Approval and enforcement of detailed specification for taxis and private hire vehicles in East Ayrshire is consistent with the aspirations in the Community Plan to improve public safety and ensure high standards of regulation.

7. CONCLUSIONS

7.1 A request has been received from an operator that Licensing Panel reviews and amends the specification approved on 17 March 2005 for taxis and private hire vehicles. The Head of Protective Services has carried out a review, can find no justification for this specification being amended, and is of the opinion that the changes requested would be a retrograde step and not consistent with the Council's policy of continuous improvement.

8. RECOMMENDATIONS

8.1 The Licensing Panel is invited to:-

- (i) note that Officers can find no justification for revisiting the specification approved for taxis and private hire vehicles at the meeting held on 17 March 2005;
- (ii) confirm that the current specification remain unchanged; and
- (iii) otherwise note the contents of the report

William Stafford
Executive Director of Neighbourhood Services

WS/JFC/SD

11 October 2006

LIST OF BACKGROUND PAPERS

1. Briefing note prepared by the Head of Protective Services dated 24 February 2006
2. Letter from Head of Protective Services to Chair of Licensing Panel dated 10 July 2006.

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