

FTPP

ADMINISTRATION COMMITTEE

Monday, 15 February 2021

EXEMPTION TO PRIVATE HIRE POLICY

Report of the Head of Legal Services

Recommendations

It is recommended that:

- (1) the Committee approve an exemption to the Private Hire vehicle policy to allow Toyota Prius Plus model to be licensed for six passengers for school transport vehicles only; and
 - (2) any Toyota Prius Plus licensed for six passengers for school transport must display permanently fixed signage on the nearside and offside of the vehicle stating “Licensed for School Transport only”
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Summary

This Report of the Head of Legal Services proposes an exemption from the Private Hire licensed vehicle conditions which states the minimum size height, width, depth and leg room for each seat per passenger. The proposed vehicle model is the Toyota Prius Plus.

This exemption is proposed to assist the taxi and Private Hire trade during the Covid-19 pandemic due to a dramatic downturn in business and income. A discussion took place at the last Licensed Transport Forum, where the trade requested any assistance the Council may be able to offer during these times. The Toyota Prius Plus is a more affordable and greener option than larger diesel vehicles and is widely used as a licensed vehicle. The make and model were specifically requested by an operator whose main business is providing school transport across Hampshire.

Statutory Powers

The Local Government (Miscellaneous Provisions) Act 1976

Strategic Implications

1. The Council has a statutory licensing role which in this case is the mechanism for supporting objectives relating to the Economy (supporting businesses),

Environment (promoting more sustainable forms of travel or vehicles), and Health and Wellbeing (decreasing pollution).

Introduction

2. This Report proposes an exemption from the Private Hire licensed vehicle conditions for vehicles that are licensed for school transport only.

Private Hire Policy – Seating

3. The Private Hire Vehicle Policy states the seating size must meet the following:

Seating capacity rear seat (width) - the width of the rear seat is measured in a straight line across the centre of the seat from the edge to edge of the seat and shall not be less than 1200mm. In the case of a 2 seater seat the measurement shall not be less than 800mm. Seats (depth) - the depth of the rear seat is measured in a straight line, from the bracket to the front edge of the seat. This measurement must not be less than 457mm (18 inches). Knee space – the measurement between the rear of the front seats and the backrest of the rear seat must not be less than 762mm (30 inches) with the front seat at its centre point (that is, midway on its runners).

The measured width of total available seating should be divided by 400mm to find out the seating capacity.

This figure will be used as the total possible seating capacity

This figure will help determine the number of passengers that the vehicle licence will allow.

For every 'seat' there must be a seat belt or restraint. If you do not have a three-point seat belt, you must fit a static belt.

Internal Height – the measurement from the top of the rear seat cushion where it meets the backrest vertically must be not less than 813mm (32 inches).

4. The Toyota Prius Plus is produced as a seven-seater family car, this includes the driver. As a standard taxi or private hire, this vehicle is licensed for four passengers. The rear two seats do not meet the minimum seating arrangements to enable a licensed vehicle to provide a comfortable journey for the average adult. It is considered that these seats would be more comfortable for children to be conveyed in as the leg room required is reduced. The vehicle is a hybrid petrol/electric vehicle which would be a more environmentally friendly option to replace large diesel minibus type vehicles which are in use at this time. It is proposed that signage permanently fixed to the vehicle is displayed on the nearside and offside of the vehicle to advertise that the vehicle is licensed only for school transport purposes. The lettering will be a minimum of 50mm in height and contrast to the bodywork of the vehicle (see Appendix A).

Financial Implications

5. There are no financial implications arising from the decisions recommended in this report. School Transport signage is to be supplied by the licence holder at their expense and to the satisfaction of the licensing authority.

Risk Assessment

6. No financial risks are identified. The vehicle is manufactured as standard to carry 7 persons including the driver so there would be no safety risk to the licensing authority.

Equality and Diversity Implications

7. The Equality Act has been considered and it is felt that this report will have no impact therefore it is considered that for this decision the Equality Duty does not need to be addressed and an Equality Impact Assessment (EqIA) has not been carried out. The proposal increases the available vehicles for school transport
8. The transportation of disabled children is catered for using specifically adapted vehicles which will continue to be supplied by the Private Hire Operator.

Climate Change and Environmental Implications

The proposal will assist the trade in removing more polluting diesel vehicles from their fleet which will assist towards a decrease in Greenhouse Gas/CO2 whilst allowing them to provide a reliable school transport service.

Conclusion

9. It is recommended that the Committee approves an exemption to the Private Hire vehicle policy to allow the Toyota Prius Plus model to be licensed for six passengers for school transport vehicles only, as outlined in this report.
10. Further, it is recommended that the Committee approves that any Toyota Prius Plus licensed for six passengers for school transport must display permanently fixed signage on the nearside and offside of the vehicle stating "Licensed for School Transport only".

Date: 21 January 2021
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Appendices Attached: 1

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

* List Background Papers or state None.