

REGULATORY & APPEALS COMMITTEE – 16 DECEMBER 2019

Title of paper:	Hackney Carriage Specification – Additional Vehicle.	
Director(s)/ Corporate Director(s):	Andrew Errington, Director – Community Protection.	Wards affected: All
Report author(s) and contact details:	Angela Rawson, Regional Licensing & Policy Manager Angela.rawson@nottinghamcity.gov.uk 0115 8761749	
Other colleagues who have provided input:	Richard Bines, Solicitor Richard.bines@nottinghamcity.gov.uk 0116 8764413	
Date of consultation with Portfolio Holder(s) (if relevant)	N/A	
Relevant Council Plan Key Theme:		
Nottingham People		<input type="checkbox"/>
Living in Nottingham		<input type="checkbox"/>
Growing Nottingham		<input type="checkbox"/>
Respect for Nottingham		<input type="checkbox"/>
Serving Nottingham Better		<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
<p>In 1990 the Council first introduced its policy requiring all Hackney Carriages licensed by the City Council to be of a type approved by the London Public Carriage Office, wheelchair accessible and British Racing Green in colour.</p> <p>Over time a number of vehicle types have been included within our Hackney Carriage Vehicle specifications, although they do not have London Public Carriage Office approval. The Council is entitled to depart from its policy if it has good reason to, and the Council has already done so in the past, as signified by these previous vehicle approvals.</p> <p>Members are asked to determine whether the Nottingham City Council Hackney Carriage vehicle requirements should be amended to include an LEVC Icon vehicle. This vehicle is produced by the London Electric Vehicle Company (LEVC) and due to the newness of the model does not hold London Public Carriage Office Approval at this time. It is a more affordable version of its TX electric taxi which is already approved and included within the Nottingham City Council Hackney Carriage vehicle requirements. The Icon vehicle are wheelchair accessible and are felt to adequately meet the aims of the Councils specification and the needs and safety requirements of the travelling public so as to enable a departure from the Policy to be justified</p> <p>An enhanced range of electric vehicles will not only aide an improved emissions record for the City and benefit the safety of the public in environmental terms through improving air quality but also provide a superior alternative for the travelling public.</p>		
Recommendation(s):		
1	<p>To amend the Council’s current Hackney Carriage Vehicle specification at paragraph 1.7 of the Supplementary Testing Manual, attached at Appendix 2, to include:-</p> <ul style="list-style-type: none"> • London EV Company TX Icon (black) 	

and only where the vehicle has a first date of registration no earlier than the date of this meeting

1 REASONS FOR RECOMMENDATIONS

- 1.1 Introducing additional models of vehicles licensed as hackney carriages will provide both passengers and proprietors with an increased choice of vehicle to hire/purchase.
- 1.2 The Council has a policy of specifying London Public Carriage Office approved vehicles within its Hackney Carriage Vehicle specifications. However, it is entitled to depart from its policy if it has good reason to, and the Council has already done so in the past.
- 1.3 Whilst the Icon does not currently hold London Public Carriage Office Approval at this time, the vehicle is wheelchair accessible and were felt to adequately meet the aims of the Councils specification and the needs and safety requirements of the travelling public so as to enable a departure from the Policy to be justified.
- 1.4 Although the Icon is a “low-specification” version of the already approved TX taxi (under the Nottingham City Council Hackney Carriage vehicle specification) it can be converted so as to be consistent with the current safety specifications for Hackney Carriage Vehicles set out in the specification. In the circumstances a further departure from the usual policy expectations to be a London Public Carriage Office can be made for the Icon on this basis.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 a Council may require the hackney carriages it licenses to be of such design and appearance or bear such distinguishing marks as shall clearly distinguish it as a hackney carriage.
- 2.2 In 1990 the Council first introduced its policy requiring all Hackney Carriages licensed by the City Council to be of a type approved by the London Public Carriage Office, wheelchair accessible and British Racing Green in colour. This policy withstood a challenge by way of appeal and was phased in over a number of years with all hackney carriages conforming to this requirement since 1995.
- 2.3 The Hackney trade is an important part of Nottingham’s transportation system however steps are now required to make the fleet a younger, more efficient and effective business option. As such in December 2017 an Age & Specifications Policy was approved by this Committee to support the Taxi & Private Hire Strategy 2017-2020 aims, and Council mandates, to reduce carbon emissions.
- 2.4 Nottingham developed the Hackney Carriage and Private Hire Vehicles Strategy 2017-2020 with the aim to not only create a younger and greener fleet of vehicles but also attempt to futureproof the trade by introducing the concept of electrification by the use of Zero Emission Capable Ultra Low Emission Vehicles. The Policy was approved by this Committee on 18 December 2017.

Allowing a wider range of vehicles will increase the prospects for current Hackney

2.5 Carriage owners to update their vehicles to more efficient models which in turn will provide for a better customer experience together with an improved business return.

2.6 The vehicle in Appendix 1 is not available for inspection today but as this is a variant on the currently approved TX model vehicles it is felt that it is appropriate to request this Committee's approval. The dealer will however need to ensure that all the relevant optional extras are fitted to ensure the vehicle meets Nottingham City Councils specifications.

2.7 Brief details of the additional vehicle is contained in Appendix 1 to this report and brochures are available for Committee perusal if required. For these reasons the vehicle is felt to be acceptable and will meet the aims of the existing specifications.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Retaining current licence requirements is an option. However, it is felt that the inclusion of the new vehicle types will maintain a choice of vehicle available for the trade to purchase whilst meeting the needs and safety requirements of the travelling public as well as the duty of the Council relative to managing emissions.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

4.1 No financial implications to the Council

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to require Hackney Carriages licensed by it to be of such design or appearance or to bear distinguishing marks as it requires to enable them to be clearly distinguished as hackney carriages. This section therefore provides the authority for the Council to prescribe a vehicle specification.

5.2 As indicated in the body of the report, the Council's current specification was originally prescribed in 1990. Whilst the Council is entitled to have a policy as to the type of vehicles it will licence it may depart from that policy where there are good reasons to do so. This has happened previously where vehicles have met the aims of the Council's current specification (ie were wheelchair accessible, safe, met the needs of the travelling public, etc) but lacked London Public Carriage Office approval.

5.3 If the Committee is satisfied that the vehicle details in Appendix 1 meet the aim of the Council's policy and specifications notwithstanding that it does not yet have London Public Carriage Office approval, it may therefore determine that vehicles of the type described as London EV Company TX Icon (black) can be approved as suitable for licensing as hackney carriages.

Advice provided by Paul Bines, Solicitor 4 December 2019

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

6.1 N/A

7 EQUALITY IMPACT ASSESSMENT

7.1 An EIA is not required because wheelchair bound passengers can gain access via side doors, colour coded 'grab' handles are provided for visually impaired passengers and an induction loop for those with hearing difficulties is available. There is also a full partition separating the driver and passenger compartments for comfort, security and safeguarding.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Local Government (Miscellaneous Provisions) Act 1976

9.2 Hackney Carriage and Private Hire Vehicles Strategy 2017-2020