

REGULATORY PANEL**26 NOVEMBER 2020**

REPORT TITLE	APPLICATION TO LICENSE THE RENAULT TRAFIC NX8 AS A HACKNEY CARRIAGE VEHICLE
REPORT OF	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is for the Regulatory Panel to consider whether to license the Renault Trafic NX8 as a Hackney Carriage Vehicle.

RECOMMENDATION/S

That the Regulatory Panel considers whether or not to license the Renault Trafic NX8 as a Hackney Carriage Vehicle.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a delegated function of this Panel to approve vehicles that can be licensed as Hackney Carriage Vehicles.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 That consideration of the matter be delegated to officers.

3.0 BACKGROUND INFORMATION

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 gives the local authority discretionary powers to require any Hackney Carriage Vehicle licensed by them to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.

- 3.2 At the meeting of the Licensing, Health and Safety and General Purposes Committee on 25 November 2015 Members resolved that the consideration of applications for the approval of new makes and models of vehicles to be licensed as Hackney Carriage Vehicles be delegated to the Licensing Panel.

- 3.3 The Council's criteria for licensing vehicles as Hackney Carriage Vehicles includes the following:

- All vehicles must be purpose built and built to accommodate disabled passengers in wheelchairs in the rear passenger compartment.
- Every new vehicle offered for approval must comply in all respects with the British and European vehicle regulations and be M1 type approved in accordance with European Whole Vehicle Type Approval 70/156/EEC as amended. Those vehicles which do not hold M1 type approval must be presented with approved certification that the specific vehicle meets the requirements of M1 category.
- All vehicles must have separate driver and rear passenger compartments, separated by a transparent partition in accordance with the manufacturer or vehicle converter's original specification.
- Vehicles presented for approval must comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.

- 3.4 The full criteria for licensing vehicles as Hackney Carriage Vehicles is attached at Appendix 1.

- 3.5 Type Approval is a system for testing and approving motor vehicles and for controlling conformity of production to be consistent with the approved type. Under

the type approval system category M1 relates to passenger carrying vehicles having no more than eight seats in addition to the driver's seat. UK law defines a taxi as an M1 vehicle.

- 3.6 Manufacturers who build vehicles in large volumes, are required to undertake destructive testing of vehicles which is witnessed by the Vehicle Certification Agency (VCA). Once the testing is satisfactorily completed the VCA issue an approval for that vehicle type. This in conjunction with conformity of production checks which ensure the manufacturer can build vehicles repeatably then allows the manufacturer to build multiple vehicles to the approved specification, and issue a Certificate of Conformity (CoC) for each vehicle. This certificate is a legal declaration that the vehicle complies with the type approval and can be used to register the vehicle with DVLA.
 - 3.7 An application has been submitted by Mr Owen to change the vehicle that he has currently licensed as a Hackney Carriage Vehicle which is an LTI TXII registration number AF52 UUR to be replaced by a Renault Trafic NX8 registration number PO11 FSP.
 - 3.8 The Renault Trafic NX8 is not a vehicle currently approved to be licensed as a Hackney Carriage Vehicle by Wirral Council.
 - 3.9 The Licensing Authority has been advised that the Renault Trafic NX8 has been issued with a Ministers Approval Certificate for a Low Volume Motor Vehicle to M1 requirements which states that Voyager Multi Purpose Vehicles Ltd are the manufacturer of the vehicle. Documentation supplied in support of the application will be supplied in advance of the meeting.
 - 3.10 The Licensing Authority has been advised that vehicle has been issued with a Certificate of Conformity which states that it meets the Type Approval requirements. A copy of the certificate has been requested to be available at the meeting.
 - 3.11 The Regulatory Panel is asked to consider whether the Renault Trafic NX8 complies with the Council's criteria for licensing Hackney Carriage Vehicles and whether it is a suitable vehicle to be licensed.
 - 3.12 Should the Regulatory Panel be satisfied that the Renault Trafic NX8 should be licensed as a Hackney Carriage vehicle in Wirral Members are further asked to consider whether to license the Renault traffic NX8 registration number PO11 FSP.
 - 3.13 The vehicle has been examined at one of the Council's authorised testing stations and the pass certificates will be available at the meeting.
 - 3.14 Mr Owen is currently the proprietor of twelve licensed Hackney Carriage Vehicles.
- 4.0 FINANCIAL IMPLICATIONS**
- 4.1 There are no specific implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 A district council may require any Hackney Carriage licensed by them under the Town Police Clauses Act 1847 to be of such design or appearance or bear any such distinguishing marks as shall clearly identify it as a Hackney Carriage.
- 5.2 A district council may attach to the grant of licence of a Hackney Carriage such conditions as the district council consider reasonably necessary.
- 5.3 A decision of this Panel can be subject to legal challenge.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 6.1 There are no specific implications arising from this report.

7.0 RELEVANT RISKS

- 7.1 There are none arising from this report.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no specific implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 Diesel-fuelled vehicles are major sources of harmful pollutants, such as ground-level ozone and particulate matter, often in the form of black smoke, along with a number of other chemical compounds such as volatile organic compounds, hydrocarbons, carbon monoxide, ozone, lead, and various oxides of nitrogen.

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APPENDICES

Appendix 1 - Hackney Carriage Vehicle Criteria

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date