

Independent taxi drivers association

MPV's

A lot of research and consultation has been carried out in this matter, with many vehicle manufacturers, crash test results, vehicle suppliers to the trade, disabled vehicle conversion companies and councils, all of which are specific as to which vehicles are affected, some of which have not touched this issue due to the huge implications it has, and to the fact that they have never had an issue with them.

Of the councils which have attempted to introduce this rule, 17 have been taken to court of appeal by the national taxi association and lost, this number is growing.

As a trade, and in the interest of goodwill and communication with the council, we would hope that this timely, costly and inconvenient action can be avoided.

In light of all the facts, we as a trade have still agreed on a workable compromise.

Further to a recent association meeting and further discussions with the association members, we have developed a solution, giving the trade some tolerance and the council the definition which has been implicated with regard to vehicle types to be affected.

We hope that the following is acceptable and put to the committee as a recommendation:-

- From the date of implementation, all existing vehicles shall have grandfather rights.
- MPV's shall be categorised into three groups,
- Vauxhall Zafira type vehicles where the entire centre row of seats must be moved forward to allow access and exit will be group 1, these shall have 1 or both of the rear seats removed or rendered unusable and a rear door handle fitted, (which will be accessible if one of the rear seats is not in use,) this would still allow for a 5 passenger seat for the trade and for the public.
- Ford Galaxy type vehicles which have individual centre row seats shall be exempt from the rule, as the individual seats can be removed in the event of collision resulting in injury, to allow the rear passengers to exit the vehicle whilst awaiting paramedics.
- Vw Transporter type vehicles shall also be exempt from the rule and classed as minibus for licensing purposes, regardless of the logbook definition, as they are built on minibus chassis and the logbooks are inconsistent, one logbook may state MPV whilst the next may state minibus, this is only decided at point of sale, by sales people, not by mechanical engineers or construction and use officials.

This suggestion has been discussed at length, not only with the trade but with pub licensees and members of the public and agreed upon in an attempt to avoid any decisions being made which would result in undesirable action being taken by the council or the trade in this matter.

| Option | Description |
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| 01 Yes | Remove Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 |
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| 02 Yes | <p>Implement Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 and add:</p> <p>Permanently fit a handle to the inside of the rear door for use by passengers in an emergency (this will only work if the rear door is accessible.)</p> |
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| 03 Yes | <p>Implement Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 and add the following for clarification:</p> <p>Any able bodied passenger can independently, and without assistance, directly access and egress all licensed passenger seats without obstacle or the need to remove an obstacle</p> |
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| 04 Yes | Please enter below your own suggestion and / or comments: |
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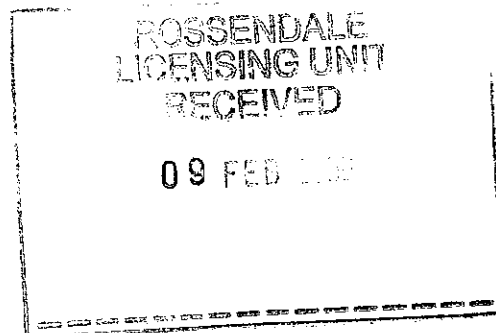
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| 03 Yes | Implement Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 and add the following for clarification: Any able bodied passenger can independently, and without assistance, directly access and egress all licensed passenger seats without obstacle or the need to remove an obstacle |
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| 04 Yes | Please enter below your own suggestion and / or comments: |
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ROSSENDALE
LICENSING UNIT
RECEIVED

20 FEB 2009

| Option | Description |
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| 01 Yes | Remove Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 |
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| 03 Yes ✓ | Implement Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10 and add the following for clarification: Any able bodied passenger can independently, and without assistance, directly access and egress all licensed passenger seats without obstacle or the need to remove an obstacle |
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| 04 Yes AT | Please enter below your own suggestion and / or comments: ANY MPV USED AS A HACKNEY CHARIAGE MUST BE ACCESSIBLE BY ANY PASSENGER TO EXIT, AT ANY TIME FOR SAFETY'S SAKE. THESE ARE LARGE FAMILY VEHICLES, NOT TAXIS, GENERALLY |
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THE BACK SEATS ARE FOR CHILDREN ONLY. NOT ADULTS, MINI BUSES ARE PURPOSE BUILT TO CARRY LUGGAGE AND PASSENGERS SO IN MY OPINION SHOULD BE THE ONLY ONES LICENCED FOR MORE THAN FOUR PASSENGERS

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HO KIDUYO.



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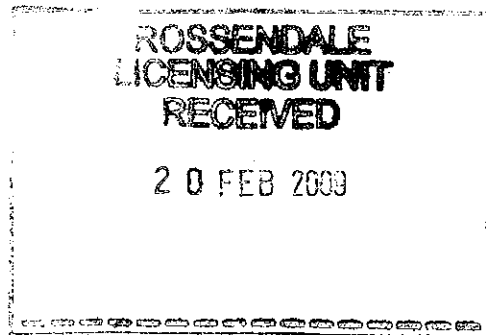
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| 04 Yes | <p>Please enter below your own suggestion and / or comments:</p> <p>Grandfather rights to affected licensed vehicles with a condition attached that offending seats be removed and new licenses and plates be issued at the cost to the council. These are to comply with health and safety issues. <i>Atkins J.</i></p> |
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**BUSINESS DIRECTORATE
LICENSING UNIT**

«Title» «Forename» «Surname»
«Address_1»
«Address_2»
«Address_3»
«Address_4»
«Address_5»

Town Centre Offices, Lord Street, Rawtenstall, Rossendale,
Lancashire, BB4 7LZ
Tel: 01706 217 777 Fax: 01706 219 334
licensing@rossendalebc.gov.uk

This matter is being dealt with by:
Name: Mrs T Brzozowski
Telephone: 01706 238 602
Email: tracybrzozowski@rossendalebc.gov.uk

Your reference:
Our reference:

6th February 2009

Dear «Title» «Surname»,

Licensing of MPV's

Consultation period ends 12.00 pm Monday 23rd February 2009

Background

You will recall that I wrote to you on 16th January 2009 regarding the current position into the licensing of multi purpose type vehicles, specifically the decision of the Licensing Committee on 16th December 2008.

Licensing Committee determination 16th December 2008

That the review of the decision of the hackney carriage vehicle Licence condition 5.10 and private hire vehicle Licence condition 4.10 be deferred pending further investigation through the Taxi Liaison Group in January 2009.

It was further resolved that until such time as a determination of this could be resolved, no further vehicles of this type will be licensed. Currently licensed vehicles are not affected by this decision.

Taxi Trade Liaison Group

Following a meeting of the taxi trade liaison group on 3rd February 2009, it has been agreed that the Licensing Unit should now go into consultation with the owners of our licensed vehicles.



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The purpose of the consultation is:

1. to inform you of the current proposals
2. give you an opportunity to support one of the proposals
3. give you the opportunity to suggest an alternative proposal

Important Consultation Document

The subject matter under consultation is hackney carriage vehicle licence condition 5.10 and private hire vehicle licence condition 4.10 which currently states:

In the case of a vehicle licensed to carry in excess of 4 passengers, all rows of seats shall have direct access to a minimum of one door. All doors shall be capable of being opened from inside and outside the vehicle

Licensing Unit - Workable Proposal under Consultation

I believe it is reasonable for all passengers to be able to get into and out all licensed seats. For this reason, I am proposing that the vehicle condition remains and I offer the following definition of the condition in order to clarify what is direct access as a workable solution from the Licensing Unit:

Proposed definition of this condition:

Any able bodied passenger can independently, and without assistance, directly access and egress all licensed passenger seats without obstacle or the need to remove an obstacle.

Taxi Trade Associations - Workable Proposal under Consultation

Members of the taxi trade associations have suggested 2 proposals to be considered as follows:

1. Remove Hackney Carriage Vehicle Licence Condition 5.10 and Private Hire Vehicle Condition 4.10
2. Permanently fit a handle to the inside of the rear door for use by passengers in an emergency (this will only work if the rear door is accessible.)

Further clarification

Please note, no vehicle will be excluded from becoming licensed as a result of this review however, some seats may not be licensed. Furthermore, the Licensing Unit will be recommending Grandfather Rights for all currently licensed



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vehicles however; it will be a matter for the Licensing Committee to determine the way forward.

Please indicate below your preferred option as a way forward by circling the relevant "yes" on the attached sheet.

Yours sincerely,



Tracy Brzozowski
Licensing Manager



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