
AMENDMENT TO THE VEHICLE LICENCE CONDITIONS – USE OF FRONT SEATS

1 SUMMARY

- 1.1 This report is to consider a minor amendment to the Hackney Carriage and Private Hire Vehicle Licence conditions relating to a restriction of only allowing one passenger to be carried in the front seat of a Multi-Purpose Vehicle (MPV) or minibus type vehicle.

2 INTRODUCTION

- 2.1 There are currently 62 MPVs or minibus type vehicles of various types licensed as hackney carriage or private hire vehicles with Rochford Council.
- 2.2 Of these licensed vehicles 47 will be unaffected by the proposed change to the licence conditions for two reasons:-
- (a) The vehicle may have only one front passenger seat and therefore no space for a second front passenger.
 - (b) The vehicle may already be licensed for the maximum number of 8 passengers, accommodating 1 in the front and 7 in the rear of the vehicle.
- 2.3 However, around 15 of these vehicles have two front passenger seats and if the licence conditions were amended, proprietors would benefit by having their vehicles licensed to carry an additional passenger.

3 LEGISLATION

- 3.1 The legislation permits a Local Authority to licence a vehicle to carry a maximum of 8 passengers. Vehicles capable of carrying more than 8 passengers for hire and reward must be licensed as a Public Service Vehicle (PSV) with the Traffic Commissioners.

4 COUNCIL CONDITIONS

- 4.1 The Council's Pre Licensing Standards for hackney carriage and private hire vehicles approved in 2002, state that a vehicle being considered for licensing must be suitable in type, size and design and according to the manufacturer's unaltered specification have:-
- Rear seat accommodation for at least 3 persons, with a minimum of 41cm (16") per person; and
 - Separate front seats to accommodate only one person in addition to the driver.

- 4.2 The Council's Licence Conditions relating to a rear seat width of 16 inches per person is an appropriate gauge of passenger space, and it would be reasonable to adopt the same measure for front passenger seating.
- 4.3 Proprietors of these vehicles have objected to the current condition, as it restricts the number of passengers an MPV or minibus may be licensed to carry. It has also been suggested, by the taxi trade, that they are losing work to neighbouring Authorities that do accept two passengers in the front seats of certain vehicles.

5 DISCUSSION

- 5.1 The various types of MPV's and mini buses, currently licensed, have been inspected and measurements of seat width and legroom have been recorded. Some vehicles have restricted legroom to the second front passenger seat, closest to the driver, and this may cause difficulties for the driver when changing gear. It is important that the passenger feels comfortable when travelling in this seat and their personal space is not invaded by the driver, when operating the vehicle.
- 5.2 It is also important to remember that the comfort and safety of the travelling public is of utmost importance and that the current licensing conditions were put in place for that purpose. However with new style larger vehicles it may now be possible to consider permitting two passengers in the front seats providing certain criteria are met.
- 5.3 To ensure that the comfort and safety of the travelling public is not compromised in any way, it is proposed that the licensing conditions be amended to enable both front passenger seats be accepted to be used in certain vehicles. The suggested amendments to the licensing conditions are:-
- (a) that the width of the front seat(s) measure a minimum of 41cm (16 ") per passenger;
 - (b) that diagonal seat belts be fitted to all front passenger seats;
 - (c) that the gear change area should not encroach the passenger seating space; and
 - (d) that the passenger(s) in the front seats have unobstructed legroom of at least 26" (measured from the back of the seat).

6 LEGAL IMPLICATIONS

- 6.1 The Council may only licence vehicles to carry a maximum of 8 passenger for hire and reward.

7 RECOMMENDATION

7.1 It is proposed that the Executive Board RESOLVES

To amend the Hackney Carriage and Private Hire Vehicle Licence Conditions to permit the use of both front passenger seats in MPV or mini bus type vehicles that provide accommodation for 2 passengers in the front of the vehicle, subject to the conditions outlined in the report.

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Background Papers:-

Hackney Carriage and Private Hire Vehicle Licence Conditions

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