

# Regulatory Committee

**Thursday 3 June 2010 7.30pm**

**Council Chamber  
Runnymede Civic Centre, Addlestone**

**Please note that this meeting takes place immediately after  
the Licensing Committee**

## Members of the Committee

Councillors D W Parr (Chairman), Mrs F J Barden (Vice-Chairman), R J Edis, Mrs M T Harnden and P S Sohi.

In accordance with Standing Order 29.2 any non-member of the Committee who is considering attending the meeting should first request the permission of the Chairman.

## A G E N D A

### Notes:

- i) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- ii) The relevant "background papers" are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Miss C Pinnock, Department of Administration and Leisure, Committee Section, Civic Centre, Station Road, Addlestone (Tel. Direct Line: 01932 425627). (Email: clare.pinnock@runnymede.gov.uk).**
- iii) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on [www.runnymede.gov.uk](http://www.runnymede.gov.uk).
- iv) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

see overleaf

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## বাঙলা

আপনি যদি ইংরেজি পড়তে বা বলতে না পারেন, ও এই লেখাটি পড়তে যদি আপনার কোনও সাহায্য লাগে তাহলে অনুগ্রহ করে 01483 750548 নাম্বারে উইটস্ লিঙ্কলাইন (WITS Linkline)-এর সাথে যোগাযোগ করুন ও আপনার নিজের ভাষায় একটা মেসেজ রাখুন।

## 简体中文

如果您无法阅读或说英语，需要协助以明白此文件，请与和景翻译服务处之语言专线连络 01483 750548，并用您的母语留下讯息。

## Italiano

Qualora non siate in grado di leggere o di parlare l'inglese, e necessitate assistenza che vi permetta di capire il presente documento, siete pregati di contattare la WITS Linkline allo 01483 750548 e lasciare un messaggio nella vostra lingua.

## اردو

اگر آپ انگریزی زبان پڑھ اور بول نہیں سکتے ہیں اور آپ کو اس دستاویز کو سمجھنے میں دقت پیش آتی ہے، تو برائے مہربانی سے وٹس لنک لائن کو اس نمبر 01483 750548 پر رابطہ کریں اور اپنی زبان میں اپنا پیغام چھوڑیں۔

## Polski

Jeżeli nie potrafisz czytać lub mówić po angielsku i potrzebujesz pomocy w zrozumieniu tego dokumentu, proszę skontaktować się z Linją Telefoniczną WITS pod numerem 01483 750548, zostawiając wiadomość w języku ojczystym.

## Español

Si no puede leer o hablar inglés, y necesita ayuda para entender este documento, por favor contacte a WITS Linkline al 01483 750548 y deje un recado en su idioma.

## **LIST OF MATTERS FOR CONSIDERATION**

### **PART I**

#### **Matters in respect of which reports have been made available for public inspection**

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### **PART II**

#### **Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

- a) Exempt Information  
(No reports to be considered under this heading)
- b) Confidential Information  
(No reports to be considered under this heading)

1. FIRE PRECAUTIONS

The Chairman will read the Fire Precautions which set out the procedures to be followed in the event of fire or other emergency.

2. NOTIFICATION OF CHANGES TO COMMITTEE MEMBERSHIP

3. MINUTES

To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 14 April 2010, as attached at Appendix 'A'.

4. APOLOGIES FOR ABSENCE

5. DECLARATIONS OF INTEREST

If Members have an interest in an item please record the interest on the form circulated with this Agenda and hand it to the Legal Representative or Committee Administrator at the start of the meeting. A supply of the form will also be available from the Committee Administrator at meetings.

Members who have previously declared interests which are recorded in the Minutes to be considered at this meeting need not repeat the declaration when attending the meeting. Members need take no further action unless the item in which they have an interest becomes the subject of debate, in which event the Member must leave the room if the interest is personal and prejudicial.

6. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES – STANDARDS AND CONDITIONS (DTS)  
(Ref: Minutes of the Regulatory Committee, June 2006, page 93, para 104)

1. Purpose of Report

1.1 **The purpose of this report is to consider relaxing the relevant Standard Conditions for Hackney Carriage and Private Hire Vehicles with regard to the requirement to have a three point lap and diagonal seat belt for every seat, seek approval to permit the use of a two point lap seat belt for side or rear facing passenger seats, and to amend the Standard Conditions as appropriate.**

2. Background Information

2.1 The specification of passenger seat belts for licensed vehicles was last considered by this Committee in June 2006.

3. Report

Seat Belts

3.1 Proprietors of licensed Hackney Carriage and Private Hire Vehicles are currently required to supply a three point lap and diagonal seat belt for each and every licensed passenger seat in their vehicle.

3.2 Prior to June 2006 some vehicles were fitted with a two piece 'lap' seat belt in the centre rear seat in the case of a five seat car, and in the centre of the seat middle row of seats in the case of a Multi Purpose Vehicle (MPV). The requirement for a three point lap and diagonal belt was introduced on safety grounds. It is now common practice for all manufacturers of mass produced vehicles to fit such safety belts to all forward facing seats.

3.3 Officers have received enquiries from prospective new Private Hire Operators to licence large American style stretched limousines, commonly known as 'stretched limos'. This type of vehicle has become more popular in recent years.

3.4 Typically such vehicles are lengthened by the addition of a centre section and then fitted with a side facing bench seat in the shape of the letter 'J', with the front most section facing towards the rear of the car, and fitted with a series of two piece lap belts.

- 3.5 The rearmost seats are generally unaffected by modification and remain fitted with the manufacturer's three point seat belts. The front passenger seat is often removed and a Perspex or polycarbonate screen fitted behind the driver for safety, security and privacy.
- 3.6 The overall passenger capacity is normally eight, which is the maximum permissible for the vehicle to be licensed as a private hire vehicle.
- 3.7 The main sources of stretched limousines have been specialist professional coachbuilders from the USA, and are therefore left hand drive. The driving position being on the left may be disadvantageous during overtaking manoeuvres on two way roads within the UK, but may also be considered to be advantageous when stopping alongside a pavement and attending to passengers who enter or exit to the left.
- 3.8 If a limousine is cut in half and extended it has to be inspected before it can be registered with the DVLA. This function is carried out by means of Individual Vehicle Approval (IVA) by the Vehicle and Operator Services Agency, to ensure construction safety is not compromised.

#### VOSA and other guidance

- 3.9 The Government body, Vehicle and Operator Services Agency (VOSA) issued guidance to operators of stretched limousines in September 2009, as attached at Appendix 'B'. However, the guidance is silent in respect of the fitting or use of seat belts by passengers.
- 3.10 Similarly, the Royal Society for the Prevention of Accidents (ROSPA) makes comment only in relation to the use of sideways facing seats used by adults in minibuses 'If adult passengers are carried, they may sit in side or rear-facing seats, but it is much safer not to use side-facing seats.'
- 3.11 The Department for Transport (DfT) also publishes 'Best Practice Guidance', most recently in February 2010. Paragraphs 40 to 44 inclusive relate to the subject of 'Stretched Limousines' but again makes no mention of sideways facing seats or fitting or use of seat belts. This section of the guidance is attached at Appendix 'C'.

#### 4. Council Policy

- 4.1 Current policy is controlled by conditions and regulations.

#### 5. Resource Implications

- 5.1 Members are asked to note that a change in policy in this way could result in a modest increase in applications.

#### 6. Legal Implications

- 6.1 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 permits district councils to attach such conditions as they may consider reasonably necessary to private hire vehicle licences.

#### 7. Human Rights Considerations

- 7.1 Hackney Carriage and Private Hire Taxi Drivers' licences and conditions imposed thereon have an impact on the livelihood of a licence holder and would invoke consideration of Article 8 of the Convention (incorporated into the Human Rights Act 1998). In this instance, conditions imposed must be reasonable and proportionate in the circumstances.

#### **OFFICERS' RECOMMENDATION that -**

- i) **any vehicles with side or rear facing seats, which have two piece lap belts, fitted by the manufacturer or coachbuilder as a substitute to a three piece lap and diagonal belt be permitted; and**
- ii) **the Standard Conditions for Hackney Carriage and Private Hire Vehicles be amended accordingly.**

**(TO RESOLVE)**

Background Papers

None stated.

7. EXCLUSION OF PRESS AND PUBLIC

If Members are minded to consider any of the foregoing items in private, it is the

**OFFICERS' RECOMMENDATION that –**

**where appropriate the press and public be excluded from the meeting during discussion of the following report under Section 100A(4) of the Local Government Act 1972 on the grounds that the report(s) in question would be likely to involve disclosure of exempt information of the description specified in the relevant paragraphs of Part 1 of Schedule 12A of the Act.**

**(TO RESOLVE)**

**PART II**

**Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection.**

a) Exempt Information

(No reports to be considered under this heading)

b) Confidential Information

(No reports to be considered under this heading)