

LICENSING COMMITTEE	AGENDA ITEM No. 4
16 FEBRUARY 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller – Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Ian Robinson - Regulatory Officer Adrian Day - Licensing Manager	Tel. 453541 Tel. 454437

PRIVATE HIRE LICENSING – SMART CARS

RECOMMENDATIONS	
FROM : Licensing (Taxi Enforcement) Regulatory Officer Ian Robinson	Deadline date : N/A
It is recommended that the Licensing Committee:	
<ol style="list-style-type: none"> 1. Consider a variation of private hire vehicle requirements to permit the licensing of the single passenger “Fortwo” Smart Car as a private hire vehicle; and 2. Approve the amendment of the aforesaid private hire vehicle requirements 1 (b) & 1(c) to read: <ul style="list-style-type: none"> 1(b) No vehicle shall be licensed unless it is a standard car with a minimum of four doors, or a “Fortwo” Smart Car. (Sports saloons, drop head coupes, convertibles, touring cars, left hand drive cars or London type taxi-cabs will not be accepted.) 1(c) The cubic capacity of the engine is not less than 1300cc, unless the vehicle in question is a “Fortwo” Smart Car. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee following a referral from the Licensing Department (Taxi Enforcement).

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to allow Members to determine whether to vary the licensing conditions to permit the licensing of single passenger “Fortwo” Smart Cars.
- 2.2 The Council has received a request from a licensed operator to amend current vehicle licensing requirements (**Appendix A**) to facilitate the licensing of a “Fortwo” Smart Car, as a private hire vehicle.
- 2.3 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.1(a) “hackney carriage and private hire vehicle licensing” and 2.5.1.4 namely “To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council”.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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4. MAIN REPORT

- 4.1 A licensed Operator, trading under the name of Green Leaf Cars is committed to being Peterborough's first truly environmentally friendly private hire company, advertising that his vehicles produce the lowest emissions. They currently operate a Toyota Prius Hybrid. His environmental credentials and strong customer service has led to a large amount of interest in his firm and a sharp rise in bookings. As a result he needs to expand his business to meet the demand, taking on two additional drivers and vehicles. He wishes to expand his fleet to include another Prius hybrid and the diesel version of the single passenger "Fortwo" Smart Car (letter included as **Appendix B**).
- 4.2 As it currently stands the Operator would be prevented from licensing the Smart Car. Our vehicle requirements state:
1(b) No vehicle shall be licensed unless it is a standard car with a minimum of four doors.
1(c) The cubic capacity of the engine is not less than 1300cc.
- 4.3 The Licensing Department would not wish to remove the requirements laid down in paragraph 4.2, as they serve to ensure the private hire fleet provides a level of comfort and safety to the passenger. It is anticipated that if approved, the Committee would approve the "Fortwo" Smart Car as a separate tier within private hire licensing, and that specific model of vehicle be named within the private hire vehicle requirements, listing it as an exception to the requirements laid down in 1(b) & 1(c).
- 4.4 The Government's guidance regarding the specification for vehicle types that may be licensed states: "the legislation gives local authorities a wide range of discretion over the types of vehicle that they can licence as taxis or private hire vehicles." These guidelines are attached to the report as **Appendix C**. Most authorities do not licence Smart Cars, however Uttlesford District Council, West Oxfordshire Council, Cornwall County Council, Mendip, East Cambridgeshire District Council are among a number that do licence them and have done so because of the vehicle's environmental credentials. In licensing the Smart Car, they have not encountered any issues.
- 4.5 Although Smart Cars appear small, the applicant and manufacturer state that high levels of passenger comfort are found inside and that there is a generous amount of space in terms of head and leg room. The vehicle has wide doors and high supportive seats, allowing for comfortable boarding and alighting, for those passengers who are less agile. The vehicle type is approved for use as a mobility vehicle. There is a 220-340 litre luggage capacity, which can accommodate a number of suitcases (**Photos in Appendix E**) or a trolley of shopping. Checks undertaken by our officers indicate it can store a standard sized folding wheelchair in the boot (**Photo in Appendix E**) and it appears to have as much room in the front passenger seat as a normal saloon car to facilitate an assistance dog, this is corroborated by similar checks undertaken by Uttlesford Council prior to them licensing the same vehicle.
- 4.6 The vehicles have achieved the NCAP4 level of safety approval, has anti-lock brakes and an electronic stability programme, which controls the throttle and brakes to individual wheels to stabilise the car if it is in danger of swerving. The vehicle has two full size airbags, belt tensioners, and belt force-limiters. Dependent on the model, the engine would either be an 800cc (turbo diesel) or 999cc (petrol).
- 4.7 The vehicle manufacturer (part of the Mercedes / Daimler Group) boasts strong environmental credentials. Many of the components are made from renewable raw materials and 100% recycled plastic. The vehicle's main safety cell is powder coated, a painting technique generally regarded as the most environmentally friendly. This method of painting uses 40% less energy, with zero solvent emissions. All surplus powder paint is collected and 98% is reused. All vehicles are fitted with catalytic converters and offer 41.5 - 89 mpg and carbon dioxide emissions between 89 – 124 grams per kilometre, dependent on model (see chart overleaf).

Model	Fuel Consumption Urban	CO2 emissions
52kw (71 bhp)	54.3 mpg	104/106 g/km
62kw (84 bhp)	42.8 mpg	120/125 g/km
40kw diesel (54 bhp)	80.7 mpg	89 g/km
72kw turbo (98bhp)	41.5 mpg	124 g/km

5. CONSULTATION

5.1 The consultation period ran throughout July, with an article and advertisement appearing in the Evening Telegraph. The consultation was also included on the consultation page featured on our website. In addition, letters were sent to a number of interested parties, detailed in paragraph 5.3.

5.2 We have received three responses in total, which can be seen in **Appendix D**. Two responses came from the trade and one via Peterborough's Disability Forum. Many of the issues raised in the two trade responses are addressed within the report.

5.3 Consultees

The Peterborough Hackney Driver Federation.

The Peterborough Private Hire Federation

All Peterborough Private Hire Operators

Advert placed in the Peterborough Evening Telegraph.

Notification placed on council website.

Sara Thompson - Passenger Transport Operations, Peterborough City Council

Charlotte Palmer -Team Manager - Travelchoice and Climate Change

Sgt. Nikki Hall – Cambs Constabulary

The Physically Handicapped and Able Bodied Club (P.H.A.B.)

The Peterborough Disability Forum

6. ANTICIPATED OUTCOMES

6.1 It is anticipated that Members of the Licensing Committee will approve the recommendations in order to amend the vehicle requirement relating to Private Hire vehicle licenses issued by Peterborough City Council, to specifically allow the licensing of the "Fortwo" Smart Car. The Committee may wish to go a step further and restrict approval to the diesel model, in order to fully maximise the environmental benefits.

7. REASONS FOR RECOMMENDATIONS

7.1 The applicant has carried out some research which suggests that between 60-82% (depending upon time and day) of journeys were single person trips. The same statistic appears to be widely available on the internet, although we have been unable to locate the source of that statistic. Our own research, drawn from the National Travel Survey suggests that depending on the time / day, 40% would be a more realistic figure. The operator is committed to providing a more environmentally friendly private hire service, has already licensed a hybrid Toyota Prius and on discovering the mpg and carbon emission statistics relating to the Smart Car is interested in providing one of these vehicles as an option for single travellers. For these reasons he has approached the council with a view to licensing the Smart Car as a private hire.

7.2 Our strategic priorities include the desire to create the UK's environment capital. That being the case, the request to license the Smart Car is strengthened by the information laid down in paragraph 7.1 above, coupled with the vehicle's strong environmental qualifications i.e. that many of the components are made from renewable raw materials and 100% recycled plastic. The vehicle's main safety cell is powder coated, a painting technique generally regarded as the most environmentally friendly. This method of painting uses 40% less energy, with zero solvent emissions. All surplus powder paint is collected and 98% is

reused. In addition, dependant on model the vehicle could achieve up to 80.7 mpg, all vehicles are fitted with catalytic converters and offer 41.5 -85.6 mpg and carbon dioxide emissions between 89 – 124 grams per kilometre

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The Committee may decide not to licence Smart Cars and retain the current private hire vehicle requirements, or rather than licence all Smart Cars, they may wish to restrict approval to the diesel model to maximise the environmental benefits.

9. IMPLICATIONS

- 9.1 There should be no impact on, or increased risk to passenger safety. The vehicle concerned has achieved the NCAP 4 Star level of safety approval (4 out of a possible 5 stars), has anti-lock brakes and an electronic stability programme, which controls the throttle and brakes to individual wheels to stabilise the car if it is in danger of swerving. The vehicle has two full size airbags, belt tensioners, and belt force-limiters. The vehicle will be subjected to the same testing requirements as the rest of the private hire fleet.

- 9.2 The vehicle has wide doors and high supportive seats, allowing for comfortable boarding and alighting for those passengers who are less agile and is approved for use as mobility vehicles. Checks undertaken by other authorities indicate it can accommodate a passenger with an assistance dog and store a standard sized folding wheelchair. The luggage space available could restrict the carriage of some wheelchairs, but as these vehicles will be licensed as a private hire, they would therefore be booked in advance. That being the case the Operator can facilitate the passenger's journey by utilising another vehicle from the fleet, as they would currently for many other vehicles. If for example the passenger was wheel chair dependent, the operator would not send a saloon car. It would be expected that any issues would be addressed by the Operator at the time of booking, to allow an alternative vehicle to be booked if required.

- 9.3 Those passengers requiring transport for more than one person would be unable to use this vehicle; however the licensed operator could facilitate the passenger's journey by utilising another vehicle from the fleet, as they would if a customer required a 7-seater people carrier, as opposed to a saloon car. It would be expected that any issues would be addressed by the Operator at the time of booking, to allow an alternative vehicle to be booked if required.

- 9.4 It is recognised in the industry that some passengers, especially lone females may feel uncomfortable at having to sit alongside, rather than behind the driver, in fact many advisory and safety organisations advise from a safety point of view that the customer travel seated behind the driver. It would be expected that any issues would be addressed by the Operator at the time of booking, to allow an alternative vehicle to be booked if required.

10. BACKGROUND DOCUMENTS

- i) Section 48(1&2) Local Government (Miscellaneous Provisions) Act 1976 (attached).
- ii) Peterborough City Council Private Hire Vehicle requirements (Conditions 1b&1c).

11. Appendices:

Appendix A – Private Hire vehicle requirements
Appendix B – Letter from Mr Howard of Green Leaf Cars
Appendix C – Government guidelines re: taxi licensing
Appendix D – Consultation documents
Appendix E - Photographs