



Regulatory Committee

**Thursday, 12 February 2009 6.30 p.m.
Council Chamber, Runcorn Town Hall**



Chief Executive

COMMITTEE MEMBERSHIP

Councillor Ged Philbin (Chairman)
Councillor Pamela Wallace (Vice-Chairman)
Councillor Bob Bryant
Councillor Philip Drakeley
Councillor Harry Howard
Councillor Diane Inch
Councillor Alan Lowe
Councillor Peter Murray
Councillor Ernest Ratcliffe
Councillor Kevan Wainwright
Councillor Mike Wharton

*Please contact Caroline Halpin on 0151 471 7394 or e-mail caroline.halpin@halton.gov.uk for further information.
The next meeting of the Committee is on Monday, 23 March 2009*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
2. CREAMFIELDS 2008	1 - 8
3. LEGAL SERVICES LICENSING IN TABLES	9 - 10
4. VEHICLE LICENCE CONDITIONS	11 - 21

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT: Regulatory Committee
DATE: 12 February 2009
REPORTING OFFICER: Chief Executive
SUBJECT: Creamfields Event 2008
WARDS: Borough-wide

1. PURPOSE OF REPORT

To consider a report from responsible authorities on issue's arising from the carrying out of the Creamfields Event 2008

2. RECOMMENDED

That the Committee considers the reports from the responsible authorities.

3. SUPPORTING INFORMATION

- 3.1 The Creamfields Event application was granted subject to conditions by the Regulatory Committee on 29 May 2008.
- 3.2 The Creamfields events have taken place in August 2006 and August 2007 and feedback on the events was presented to members at the November meetings of the Regulatory Committee following the events.
- 3.3 The purpose of this report is to present the facts from the viewpoint of the responsible authorities who have now had the opportunity of dealing with two events.
- 3.4 It is also recognised that at the hearing on 29 May 2008 the Committee considered representations from a small number of interested parties as well as responsible authorities. It is not appropriate for this report to seek or represent the views of interested parties.
- 3.5 Reports on the event have been received from
 - Cheshire Police
 - Halton Borough Council Environmental Health – Noise Control
 - Halton Borough Council Environmental Health – Health & Safety
 - Warrington Borough Council

These reports are set out at Appendix A. The responsible authorities have been invited to attend the Committee to introduce their reports and to answer any questions raised by the Committee

4 POLICY IMPLICATIONS

None

5 OTHER IMPLICATIONS

None

6 IMPLICATIONS FOR THE COUNCILS PRIORITIES

6.1 Children and Young People in Halton

None

6.2 Employment Learning and Skills in Halton

N/A

6.3 A healthy Halton

N/A

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal

N/A

7 RISK ANALYSIS

N/A

8 EQUALITY AND DIVERSITY ISSUES

N/A

9 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/ Kay Cleary

Creamfields 2008 Event Report

Appendix A

CHESHIRE CONSTABULARY

REPORT TO HALTON LICENSING COMMITTEE REGARDING CREAMFIELDS 2008

**Insp. 2912 Deborah Dodd
(Police Planning Team Leader)**

This report summarises the views of Cheshire Constabulary regarding the planning and operation of the Creamfields 2008 music festival. It is based on a comprehensive debrief process involving all staff who were involved in the event and a number of formal debrief meetings.

PLANNING

This year the event was significantly different from the previous two years due to the introduction of camping and the increased length of the event from one day / one night to a two day / two night event. The planning process took account of this and produced an operational plan following liaison with a variety of police and external specialists. The community was also involved in the planning process in the form of a community consultation group which met regularly in the months prior to the event.

The organiser agreed to all licensing conditions however the licensing process was somewhat challenging from the perspective of the police. The focus of the licensing process shifted from the organisers responsibilities to provide a safe event to tactical policing issues. Despite being advised that staffing and police tactics were not a legal requirement of the licensing hearing the committee and the community representatives continued to scrutinise the policing operation, thus diverting the hearing away from the applicant and the main purpose of the licensing process.

The Police were instrumental in forming a community consultation group made up of parish council representatives. Prior to the event this group met on a regular basis and the community's concerns and suggestions were taken in to consideration during the planning.

LICENSING OBJECTIVES

Prevention of Harm to Children

Challenge '21' was enforced by the Designated Premise Supervisor (DPS) and his staff during the event.

The following details are the results of those checks:

Saturday - 1487 people were age checked, 11 failed, 9 of which had no identification and the remaining two had identification which was either fake or questionable.

Sunday - 837 people were age checked, 16 failed, 10 of which had no identification and the remaining six had identification which was either fake or questionable.

In the first year of Creamfields (2006) 150 people were age checked and in 2007 there were 1500. As can be seen above there has been a significant increase in 2008 and seems to be more proactivity in this particular area by the DPS and his staff.

Prevention of Public Nuisance

The major issue as in previous years regarding public nuisance related to visitors urinating in public. Despite the best efforts of the Community Police Officers the Community debrief highlighted that this was still a problem and a concern of the Local Community.

Additional to this preventative measures were put in place regarding the drinking of alcohol on the public highway. The area around the event is deemed to be a 'no alcohol zone' and although Police Officers and PCSO's were taking positive action to prevent this from occurring the Local Community gave feedback in relation to the fact that they wanted more signage in the area.

Prevention of Crime & Disorder

The total number of crimes that occurred at Creamfields was significantly lower than other festivals of a similar nature across the Country.

The Police Planning Team carried out a large amount of work and intelligence gathering with other Police Event Planners and as this was the first time that the event had experienced camping it was anticipated that theft (from tents) and overall crime would be considerably higher.

The Police Planning Team reacted to this intelligence pre event and introduced a crime prevention strategy. They also developed a robust tactical plan during the event to deal with anticipated crime levels which proved successful.

The statistics below show crime levels for 2008 and the previous two years. Despite the fact that this event was longer and had the facility to camp unlike 2006 / 2007 there was no increase with crime levels.

Total Crime committed specific to Cremefields event during 23rd to 25th August 2008

Crime Type	Volume	Detected	Undetected	Detection Rate
Drug Offences	128	125	3	97.7%
Violence Against the Person	9	6	3	66.7%
Theft	32	0	32	0.0%
Vehicle Crime	10	0	10	0.0%
Robbery	2	0	2	0.0%
Other	1	1	0	100.0%
TOTAL	182	132	50	72.5%

Crime Committed at Creamfields 2006

TYPE OF CRIME	NUMBER REPORTED
Robbery	13
Violence against the person	18
Theft	42
Drugs	6
Vehicle Crime	8
Other	2
Total	89

Crime Committed at Creamfields 2007

TYPE OF CRIME	NUMBER REPORTED
Robbery	1
Violence against the person	8
Theft	38
Drugs	111
Vehicle Crime	2
Other	4
Total	164

Public Safety

The Security Company and the Police worked together to ensure that the right level of SIA security staff were provided at the event.

The Event Liaison Team worked well for the police, the only issue that occurred was the opening times of the ELT which have been recognized at the multi agency debrief.

The Police set up a Security Sub Group involving the organiser, security and HBC emergency planner. Security issues were discussed prior to the event which included the provision of CCTV to a satisfactory standard.

CONCLUSION

From a police perspective the event was a success and it is felt that this was as a result of a well structured tactical plan, effective working relationships with the organizer and other agencies and community consultation.

HALTON BOROUGH COUNCIL ENVIRONMENTAL HEALTH

Environmental Health - Noise (Wendy Salisbury Principal Environmental Health Officer)

Environmental Health Officers assessed the potential impact of this year's event and the control measures being proposed. Recommendations were made to ensure that noise impact was kept to the minimum in the context of such an event. Maximum music noise levels were set in the license and these were tested jointly by the noise consultant and environmental health staff by using of noise propagation tests prior to the event between 11:00 and 12:00 hours on the day of the event.

The Environmental Health Division mobilised 15 staff working in shifts throughout the event to monitor and control noise and respond to complaints.

A suitably qualified noise consultant was appointed who stationed representatives in each tent who were regularly undertaking tests of noise levels at the sound mixer positions to ensure compliance with the license conditions. All readings were made available to the Council's Environmental Health Officers. An environmental health officer was on site at key times of the event to shadow the noise consultant and respond to issues. Halton staff off site responded to complainants both in Halton and some complaints within Warrington due to communication difficulties between Warrington residents and Warrington Borough Council.

A number of complaints were received about elevated noise levels from the concert, the main complaint issue being the persistent low bass noise. On Saturday 23rd August 2008 Halton received seven noise complaints six of these from the Warrington area. On 24th August Halton received ten complaints all of these from the Warrington area. A further two complaints were received on Monday the 25th August and one on 30th August all within Warrington area. The complaints referred to loud music from the concert over the weekend. Officers from Halton were of the opinion that for short periods of time noise from the concert was louder than in previous years, particularly within Moore on Saturday, and on those occasions officers did monitor minor breaches of the licence conditions. Immediately officers became aware that noise levels were increasing they contacted both the noise consultant on site, Vanguardia, and the council's representative. The weather conditions on the night, SE wind, may have contributed to the increase in noise levels at this location.

Environmental Health: Health & Safety, Food Safety & Standards (Yee May Sung Principal Environmental Health Officer)

The Health & Safety service welcomed early contact and timely responses to enquiries from Creamfields staff.

The only concern noted by officers was the number of unauthorised personnel wandering in areas not open to the public on Saturday morning. When challenged by officers, it was found that persons had genuinely wandered behind scenes by mistake, possibly due to poor signage or supervision.

Early notification of almost all businesses allowed the Service to carry out vital food safety checks on nearly all businesses attending. No problems were encountered with these food businesses prior or during the event. The official on site caterer in particular was found to be of an excellent standard.

However, for some reason, food stalls in the Continental market had not been notified to this Service and they were found to be of a poor standard. We must reiterate that all food concerns, caterers and food stalls, should be reported well before the event to allow officers to check registration with the original local authority.

WARRINGTON BOROUGH COUNCIL (Philip Ramsden Principal Environmental Health Officer [Customer Services])

The Creamfields 2008 Festival took place over the August Bank Holiday weekend and for the first time there was on site camping and the event was over two days. Extending to two days did have an adverse effect on the residents in terms of the extended period of disruption within the area. Additionally, and more directly, the higher perceived and measured noise levels in areas for periods of time on both Saturday and Sunday evenings.

Measured noise levels at the agreed monitoring points inside the tents and in front of the main stage were within the levels set by both Halton BC and Warrington BC. When individual acts or bands exceeded the maximum level in short term measurements, the levels were reduced within the 15 minute monitoring periods, to achieve compliance.

At no time did the measured levels, taken outside residents homes exceed the levels within the Code of Practice on Environmental Noise Control at Pop Concerts, however, the perception was that the noise was much louder than in previous years and beyond that which residents and Officers found acceptable.

Discussion has taken place between the consultants for the event, Vanguardia, and Officers from both Halton and Warrington. This discussion included the consideration of all the monitored noise data, both inside and outside the event. The metrological conditions throughout the event were considered and an explanation for the higher off site noise levels was sought.

Despite the orientation of the site being broadly the same as 2006 and 2007 the off site noise levels were very different in different areas. In 2008 both the measures and perceived noise levels in Hatton and Daresbury were much lower than in previous years. The noise levels on the A57 and to the North of the site were subjectively much louder, but with measured levels within the curtilage of the residents homes were below the levels in the code of practice.

I am satisfied that these elevated levels were due to meteorological effects, the effects of temperature and wind speed and vector correlate well with the increase in perceived and measured noise levels off site. [This phenomena is discussed at length and in detail by P H Parkin and W E Scholes in their 1965 paper published in the Journal of Sound and vibration] This view was confirmed with Vanguardia who had experienced similar effects at other venues during the inclement summer of 2008.

Metrological effects can not be controlled by conditions on a license and can not be anticipated more than a few hours in advance. Working with Halton and Vanguardia we would hope to increase the off site monitoring in 2009 [should a license be granted] and establish a better system of communication OFF / ON site to avoid any confusions as to the relationship between the measured dance floor levels and the off site levels. In addition we would like to see access to the metrological data from Police Silver Command rather than relying on data from off site monitors some distance away.

The on site camping appears to have had little effect on local residents and once again the traffic management plans were reactive in addressing local hot spots of congestion. Work is already underway to improve the arrangements with both Halton

and Loudsound who produce the event. The first meeting of the All Agencies Working Group is scheduled for the end of February.

REPORT: Regulatory Committee
DATE: 12 February 2009
REPORTING OFFICER: Chief Executive
SUBJECT: Legal Services Licensing in Tables
WARDS: Borough-wide

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update members on the changes made to the Legal Services Licensing in Tables currently on the Councils Internet.

2. RECOMMENDED: That

- (1) the amended information contained in Legal Services Licensing in Tables be noted; and**
(2) although the Committee will continue to receive training on relevant areas the Committee is invited to identify any areas of interest to be included in future training.

3. SUPPORTING INFORMATION

- 3.1 At the Committee meeting on 18 September 2006 members were advised of a document relating to the various licences dealt with by Legal Services and resolved that the information as outlined be published on the Councils web site.
- 3.2 This document was updated and presented to members at the meeting on 21 January 2008 and has been further updated again to reflect changes.
- 3.3 The amended version of the Legal Services Licensing in Tables will be presented to members at the meeting and then put onto the Councils web site.

4. POLICY IMPLICATIONS

There are no policy implications

5. OTHER IMPLICATIONS

There are no other implications from this report

6 IMPLICATIONS FOR THE COUNCILS PRIORITIES

6.1 Children and Young People in Halton

None

6.2 Employment Learning and Skills in Halton

N/A

6.3 A healthy Halton

N/A

6.4 A Safer Halton

None

6.5 Halton's Urban Renewal

N/A

7 RISK ANALYSIS

N/A

8 EQUALITY AND DIVERSITY ISSUES

N/A

9 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/ Kay Cleary

REPORT: Regulatory Committee
DATE: 12 February 2009
REPORTING OFFICER: Chief Executive
SUBJECT: Review of Qualifying Vehicles
WARDS: Borough-wide

1.0 PURPOSE OF REPORT

On 16 June 2008 the Regulatory Committee resolved to undertake a review of the Council's Qualifying Vehicles conditions in respect of Hackney Carriage and Private Hire Vehicles. A report was submitted to the meeting of the Regulatory Committee on 24 September 2008 when the members requested further consultation. This report details the outcome of the further consultation and provides options for the Committee to consider.

2.0 RECOMMENDED: That

- (1) the Committee consider the options outlined in this report;**
- (2) the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) be directed to draw up a new set of qualifying vehicles conditions to be included in the Council's Hackney Carriage and Private Hire Vehicles conditions to reflect the decision of the Committee taken in the context of this report as well as with Minute 13 of 24th September 2008; and**
- (3) the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) be authorised to update the Council's rules, regulations and conditions relating to taxis and private hire as may be deemed appropriate from time to time.**

3.0 SUPPORTING INFORMATION

- 3.1** On 16 June 2008 the Committee resolved to undertake a review of the Council's Qualifying Vehicles conditions in respect of Hackney Carriage and Private Hire Vehicles. The Taxi Consultative Group was consulted at its meeting on 10 July 2008. The Group was briefed on the nature of qualifying vehicles conditions and asked for any recommendations to be produced by 31 July 2008.
- 3.2** Representations relevant to this Report were received from two members of the taxi trade. These representations were reported back

to the Regulatory Committee on 24 September 2008 (and are set out at **Appendix 1 Part 1**).

3.3 At the meeting on 24 September 2008 the members resolved to accept the amendments (see Council Minute13) and requested that a number of issues be referred back to the Taxi Consultative Group for further consultation.

3.4 The issues for further consultation were:

- 3.4.1 Front bench seats
- 3.4.2 Seat configuration
- 3.4.3 Passenger numbers and
- 3.4.4 Privacy glass.

3.5 Arising out of the further consultation two representations were received. Details are set out at **Appendix 1 Part 2**.

4.0 UNDERLYING PRINCIPLES

4.1 The challenge for the Committee is to approve a policy that is logically defensible. This involves identifying the underlying principles on which any policy is to be based.

4.2 In the context of issues 3.4.1 to 3.4.3 there are two basic conflicting sets of principles to consider. The first set is **passenger comfort**. The second set comprises: (a) keeping **travelling costs to a minimum**; (b) **carbon footprint reduction**; (c) the general principle that if a vehicle is rated, using national standards, for a particular number of passengers they should be allowed to be used as taxis and private hire vehicles for those numbers of passengers (which we can call the **national standards** principle).

4.3 The reason why these two sets of principles are contradictory is that the first set implies fewer passengers per vehicle whereas the second set implies more passengers per vehicle.

4.4 The Committee must decide which sets of principles will prevail. The resultant policy will be determined by the Committee's decision.

5.0 OPTIONS

5.1 The options available to the Committee are:

5.1.1 Confirm the Council's existing qualifying vehicles conditions without change.

- 5.1.2** Adopt a new set of qualifying conditions having regard to the information set out in this report. **Appendix 2** sets out recommended conditions based on the assumption that the Committee resolves that the first set of underlying principles will determine seat configuration and passenger numbers. **Appendix 3** sets out recommended conditions based on the assumption that the Committee resolves that the second set of underlying principles will determine seat configuration and passenger numbers.
- 5.1.3** The issue of front bench seats also impinges on both sets of underlying principles. There is a further potential underlying principle in the context of front bench seats. This is the potential for a driver interfering with a passenger (or vice versa) because of the close proximity of passenger and driver if two passengers are allowed to occupy front bench seats. Since proprietors are entitled to voluntarily restrict the numbers of passengers and passengers are by definition not going to be travelling alone in these circumstances, this principle is discounted for the purposes of **Appendix 3**. However, **Appendix 2** shows how front bench seats could be restricted. In this Appendix front bench seats are considered in the context of the same underlying principles as seat configuration and passenger numbers as well as the potential for a driver interfering with a passenger and vice versa.
- 5.1.4** The issue of privacy glass issue is not connected with any of the above underlying principles. It has its own contradictory underlying principles. The first is that what is allowed under the general law (the Construction and Use Regulations) should be allowed in taxis and private hire vehicles: this is a variation of the above **national standards** principle. The second is that it is unacceptable that the passengers in taxis and private hire vehicles cannot be seen from the outside both in the interests of deterring criminal activity and in the interests of fostering feelings of safety on the part of passengers: which we can call the **crime reduction and wellbeing** principle.

6.0 POLICY IMPLICATIONS

- 6.1** This report is designed to update existing Council policy.

7.0 OTHER IMPLICATIONS

- 7.1** None

8.0 IMPLICATIONS FOR THE COUNCILS PRIORITIES

- 8.1 Children and Young People in Halton**
None
- 8.2 Employment Learning and Skills in Halton**
N/A
- 8.3 A healthy Halton**
N/A

8.4 A Safer Halton

None

8.5 Halton's Urban Renewal

N/A

9.0 RISK ANALYSIS

N/A

10.0 EQUALITY AND DIVERSITY ISSUES

N/A

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Application Documents	Legal Services	John Tully/ Kay Cleary

APPENDIX 1

Part 1 – Representations on initial consultation

REPRESENTATIONS MADE BY JOHN GERRARD

I wish to express my concern at (R1) the application to licence vehicles to carry up to eight passengers for the reasons stated herein and (R2) *I also wish to table an amendment to the procedure for presenting a vehicle for testing and subsequent licensing.*

R1 8 Seat Vehicles

Comfort Of Passengers

The amount of space per passenger is not sufficient especially for longer journeys. The passengers lower limbs would have to be turned to one side because of the centre console. This would be most uncomfortable for anyone over 5' 6" tall. Additionally, from experience, in some frontal and off set front impacts, the centre console can collapse through the crumple zone features and through the passengers limbs being forced into the column from the g forces and deceleration of the accident. The potential for very serious lower bodily injury in this scenario should not be underestimated. For a passenger to occupy the centre front seat, he/she would have to slide in a restricted space across the front seat and there could be further problems if it is decided by this person to leave the vehicle before the nearside front passenger after they have entered the vehicle. I would also have to look further into the provision of SRS (airbag) equipment and the effects from such when sat so tightly together in the front confines of a vehicle.

Driver Integrity

It is not beyond the realms of possibility that an allegation could be made against a driver of such an eight seat vehicle from a passenger, that the drivers hand came into contact with the knee or further up the leg of the passenger whilst changing gear. I would accept that an automatic transmission may reduce the possibility of such but cannot eradicate it such as the centre divide fitted in other multi seat vehicles.

Passenger Safety

In the event of an accident involving damage to the nearside front, the centre seated passenger could become trapped or in the very least experience difficulties alighting from the offside which could be necessary because the nearside exit is either blocked through damage or injury to the nearside passenger. If the passenger was tall, had mobility problems or was of above average build, then this problem would be exacerbated and the risks substantially increased.

A Volkswagen Transporter (Halton Licensed Taxi) was involved in a side impact collision earlier this year on the A562 Fiddlers Ferry Road and the vehicle was rolled over surprisingly easy. Had this occurred with a passenger so seated in the front centre and when added to the fact that very few adult passengers actually wear seat belts in taxis despite being advised to the contrary, the consequences would have been very serious. There is no safety tested bulkhead partition between the front seats and the rear compartment of this type of vehicle and therefore, in the event of deceleration in an accident, the potential for the second row of seats moving forward from mountings into the cramped front end is a distinct possibility. I am informed that this vehicle is tested to M1 standard at manufacture but with all the seats being forward facing. The second row of seats is removed and remounted to face rearwards. I would be surprised if this conversion is to full M1 specification. At best I would guess it is to lower specification, small vehicle production standard.

Encouragement To Not Provide Fully Accessible (wheelchair) Vehicles

Although nationally it is often quoted that people requiring the use of wheelchairs is 2%, it is factual to say that Halton has a much higher average than this. If it is allowed by this Committee to licence taxis to carry eight passengers such as presented to the Committee at the earlier meeting, then it will virtually finish the procurement of fully accessible vehicles which will make life very much more difficult for disabled people whom have more than enough transport problems to start with. It would encourage licence holders to purchase eight seat vehicles in favour of fully wheelchair accessible vehicles. I am reliably informed that Halton's largest taxi operator has only sixteen (16) fully wheelchair accessible vehicles in its entire fleet of over one hundred vehicles. This tiny number of such vehicles is spread throughout a twenty-four hour cycle, seven days a week. There is more often than not no wheelchair vehicles available during the twilight hours and bookings are not accepted at any time. This is despite the right of the disabled person to expect the same level of service as that expected of a fully able bodied person. This creates longer waiting times, severe inconvenience, disability discrimination and places more pressure on the existing vehicles to cover, which increases mileage between pick-ups, which impacts on economical and environmental factors.

I drive a fully wheelchair accessible vehicle which has an approved seating plan for seven passengers and over the seven years that I have operated such vehicles, it is exceedingly rare to get a request to carry seven passengers and I will argue it is even more rare for a request to cater for eight persons.

PROS of R1: All of the points raised with the exception of passenger safety are valid. The Committee must take as read that all vehicles certified as complying with national legislation are safe.
CONS of R1: The points raised at R3 represent the contrary argument.

***R2:** Pre Testing Presentation – R2 is not a representation within the terms of reference of the consultation exercise*

REPRESENTATIONS MADE BY (1) PAUL FURFIE AND (2) TOMMY MACNTYRE Unite the Union

R3: Subject: Proposal for licensing of the two front seats in Mpv's

At the Taxi forum at Runcorn Town Hall 10th July 2008, two vehicles were presented to the councillors of the Taxi Consultative Group, for consideration for licensing the two front seating positions and after testing met with their approval.

I would like to propose that the two Mpv's presented be used as the bench mark, for the licensing of the two front seats along side the driver in the borough of Halton.

Client and environmental benefits

At the present time when four couples require to be transported they have to hire either two taxis or a minibus.

For Example Runcorn Station to Liverpool Lime Street Return to Runcorn Station

8 Persons two taxis approx = £120

Minibus 8 seats approx = £120

8 seats approx = £60

Clearly there is a financial benefit to the client and the environmental effect when two vehicles are used instead of one.

PROS of R3: Leaving aside precise the accuracy of precise costings one vehicle will always be half or a little more than half the cost of two vehicles.

CONS of R3: Costing have to be balanced with comfort and other issues. These issues represented by the arguments for R1 above. This is the fundamental decision for the Committee.

Part 2 – Representations on further consultation

The first representation was from a driver who polled a sample of 50 Single Status Drivers on the issues and the results are:-

Front Bench seating

80% felt that the front should be licensed for no more than 1 passenger.

Rear Accessibility

66% felt that rear folding seats (Backing onto the bulkhead) created better space and accessibility. Therefore front and rear facing seats were preferred.
Clear access is important.

Blacked out windows

6% abstained

6% felt that the decision should be left to the driver

88% felt that "Blacked Out" windows should be banned, but that "tinted" would be acceptable either by measurement or leave it subject to Authorised Officer judgement.

The second representation was from a driver who provided information on the various 8 seat vehicles available. This information does not add to the debate on the particular issues involved in the consultation exercise.

APPENDIX 2

POLICY OPTIONS - Option 1

(assumes that passenger comfort is the dominant underlying principle)

Passenger numbers, Seat configuration and Front bench seats

The permitted number of passengers shall be one passenger per permitted passenger seat and the number of permitted passenger seats shall be calculated in accordance with the following rules:

1. in **purpose built hackney carriages** the permitted passenger seats shall be in accordance with manufacturers' specifications except that if the vehicle is fitted with a front bench seat that seat shall be deemed to constitute one permitted passenger seat;
2. in **saloon and estate** vehicles the permitted passenger seats shall be in accordance with manufacturers' specifications except that if the vehicle is fitted with a front bench seat that seat shall be deemed to constitute one permitted passenger seat;
3. in **MSVs** the permitted passenger seats shall be in accordance with manufacturers' specifications except that (1) if the vehicle is fitted with a front bench seat that seat shall be deemed to constitute one permitted passenger seat and (2) the nearside seat on the middle row of the vehicle shall be removed;;
4. in **MPVs which have all forward facing seats** the permitted passenger seats shall be in accordance with manufacturers' specifications except that (1) if the vehicle is fitted with a front bench seat that seat shall be deemed to constitute one permitted passenger seat and (2) the nearside seat on the middle row of the vehicle shall be removed;;
5. in **MPVs which do not have all forward facing seats** the permitted passenger seats shall be in accordance with manufacturers' specifications except that if the vehicle is fitted with a front bench seat that seat shall be deemed to constitute one permitted passenger seat;

In all cases the above rules are subject to (1) the right of proprietors to request fewer passenger numbers to be licensed and (2) to the minimum sizes specified elsewhere in these Conditions.

Privacy glass

(Assumes that crime reduction and wellbeing is the dominant underlying principle)

Privacy glass shall be permitted subject to the following rules:

- (1) Blackout glass shall be banned in Halton;

- (2) The permitted degree of tinting of glass in front of the vehicles' "B-Pillar" shall be in accordance with national standards;
- (3) The permitted degree of tinting of glass behind the vehicles' "B-Pillar" shall be in accordance with rules to be determined from time to time by the Council

APPENDIX 3

POLICY OPTIONS - Option 2

Passenger numbers, Seat configuration and Front bench seats

(assumes that reducing the cost of travelling is the dominant underlying principle)

The permitted number of passengers, the seat configuration and the use of front bench seats shall be in accordance with manufacturers' specifications subject to (1) the right of proprietors to request fewer passenger numbers to be licensed and (2) to the minimum sizes specified elsewhere in these Conditions.

Privacy glass

(assumes that applying national standards is the dominant underlying principle)

Privacy glass shall be permitted in accordance with national standards