

**BRISTOL CITY COUNCIL
LICENSING COMMITTEE**

26 FEBRUARY 2003

**TO CONSIDER AN APPLICATION TO LICENCE A HONDA PAN
EUROPEAN MOTORCYCLE AS A PRIVATE HIRE VEHICLE
APPLICANT: CLAIRE DOYLE, CHAUFFER BIKES**

Report of the Director of Environment, Transport and Leisure

Purpose of Report

1. To consider an application to licence a Honda Pan European Motorcycle as a Private Hire Vehicle.

Background

2. This item was deferred from the previous meeting of this committee. Currently this authority has only licensed four wheeled vehicles as private hire vehicles and consequently the conditions attached to such licences relate to four wheeled vehicles.
3. Licences for Private Hire vehicles are issued under the Local Government (Miscellaneous Provisions) Act '76.

Section 48 of the Act states:

- (1) Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied:

- (a) that the vehicle is:
 - (i) suitable in type, size and design for the use as a Private Hire vehicle;
 - (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney

- carriage;
- (iii) in a suitable mechanical condition;
- (iv) safe; and
- (v) comfortable;

(b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of [Part VI of the Road Traffic Act 1988], and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the Council.

(2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.

4. On 16 October 2002 members considered a report to licence motorcycles as private hire vehicles, the minute from the meeting is reproduced below:-

85.10/02 TO CONSIDER A REQUEST TO LICENCE MOTORCYCLES AS PRIVATE HIRE VEHICLES

The committee considered a report of the Director of Environment, Transport and Leisure (agenda item no. 7) considering whether the current vehicle licensing policy should be amended so as to permit the licensing of motor cycles for the purpose of private hire in light of an indication that a number of applications are likely to be forthcoming.

The directors of Chauffeur Bikes were in attendance and circulated copies of a document, entitled 'Overview of the Service', which has been copied into the minute-book.

The directors were permitted to make a statement. They stated that:

- they were seeking private hire status for motorcycles
- there was a demand within the city for this service, mainly from hospitals and corporate businesses, where there is a need to bypass traffic
- there were three companies successfully running this type of

- service in London
- the service would be aimed at the 8.00 am to 7.00 pm market where speed was particularly of the essence. This would, however, fluctuate seasonally.
- the bikes used would probably be Honda Pan European, which were specially designed 1300cc bikes, built for comfort and with a small luggage rack. They would be brand new when purchased.
- all riders used in the service would be IAM qualified and would be ex-police, examiners etc.
- there would be full insurance
- there was four types of helmet size, which the customer would stipulate when pre-booking
- all customers would receive appropriate clothing to wear on the bikes
- there would be an intercom between the rider and the passenger
- passengers would receive instructions on what they can and cannot do when on the bike
- although there was both an interest in, and demand for, this service it would only be a niche market which would not detract from the private hire taxi trade.
- the company would carry out its own quality assurance checking on the bikes in addition to the police checking of every bike and rider.

In response to questions from Members the directors stated that:

- the jobs would be mainly airport to city-centre, as opposed to vica-versa
- the service was a complimentary one to the existing one the company provided
- the clothing supplied would slip right over the attire being worn at the time and could be removed easily at the journey's end. Overshoes would also be provided. Although expensive this was because of the high quality of the clothing
- the minimum age of a passenger was 18
- if a member of the public asking for an urgent transference and a rider was available they would consider accepting this job
- the make of the motorcycle had been chosen specifically as the police used it.

Members stated that they would wish to see such a motorcycle before deciding if they could make the statutory tests of suitability, safety and comfort. It was likely they would require independent evidence on these points. If they could be satisfied of the statutory tests then the probability was that the policy could be amended. Applications could then be handled in the way in which the

Hackney Carriage vehicle policy has been progressed, with members assessing the suitability of particular models and authorising officers to licence them in the future. However, the Council was not yet at that stage with respect to two-wheeled vehicles.

RESOLVED - that the current vehicle specification policy should not be reviewed at this stage.

5. Having considered the report members stated that they would wish to see such a motorcycle before they could make the statutory tests of suitability, safety and comfort.
6. An application has now been received for a specific motorcycle which will be available on the day of the committee for inspection by members.

Liaison

Chief Constable

7. The Chief Constable has been consulted with regard to the proposed conditions attached at Appendix A. The Honda Pan European is used widely by Police forces and is generally considered safe for the carriage of passengers. The Chief Constable recommends that riders should pass the Royal Society for the Prevention of Accidents silver standard test as a minimum standard. In order for the standard to be maintained riders should be required to retake the test every three years.

Road Safety Officers

8. Officers have no objections to the use of motorcycles as private hire vehicles and have been consulted on the proposed conditions.

Licensing Officer

9. As no application to licence a motorcycle has previously been made it is suggested, should the application be granted, that the current conditions for the regulation of private hire vehicles and drivers be amended to reflect the contents of Appendix A.

10. The applicant has been invited to the meeting.

Appendices	Appendix A	Suggested amendments to the conditions for private hire vehicles and drivers.
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RECOMMENDED the committee is asked to determine the application

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

None

Exempt

Contact Officer: Keith Burchell, Licensing Co-ordinator
Environment, Transport and Leisure
Ext: Telephone 977 8075

Suggested Conditions for Vehicles & Drivers applying to motorcycles only

All current conditions relating to the Licensing of Private Hire Drivers and Vehicles will apply subject to the following amendments.

Vehicle Conditions

1. Motorcycles licensed as private hire vehicles will only be ridden by the holder of a private hire drivers licence who has written confirmation from the Council that it is satisfied that s/he fulfills the conditions set out in the motor cycle driver specification detailed below.
2. Licensed vehicles shall be inspected (for both MOT and cosmetic testing as specified by the Council) at least once every six months at a place specified by the Council and be issued with a licence for no more than six months.
3. The Licensee shall provide for use of the passengers:-
 - (i) a crash helmet to the current British standard at that time.
 - (ii) the crash helmet shall be marked with the appropriate British Standard Marking.
 - (iii) waterproof and armoured outer clothing to the current British Standard.
 - (iv) a range of outer clothing and crash helmets to ensure each passenger has available appropriately sized protective equipment.

Motor cycle driver specification

1. The licensee must have passed the ROSPA motorcycle riders test to at least silver standard, and must produce a current certificate for the above test on each renewal of the private hire driver licence. The test would need to be retaken every three years.

2. The licensee shall hold a private hire drivers licence, the conditions of which require the licensee to comply with the conditions applicable to private hire drivers generally as well as those which relate specifically to motor cycles, such as those requiring the licensee to:-
- (i) provide reasonable assistance in mounting or dismounting the vehicle
 - (ii) take all reasonable steps to ensure the safety of the Passenger when mounting or dismounting the vehicle and during the journey.
 - (iii) ensure that the passenger has a correctly fitting crash helmet.
 - (iv) ensure that the passengers helmet is correctly fastened.
 - (v) ensure that the protective clothing provided for the passenger is correctly fitting and fastened.
 - (vi) not convey any passenger who is or appears to be:-
 - a) under the age of 18 years
 - b) under the influence of intoxicating liquor or drugs
 - c) likely to be a danger to the Licensee or any other road user.
 - (vii) carry with him/her at all times whilst working, and display on the vehicle, the identification badges as issued by the Council.