

**Manchester City Council
Report for Resolution**

Report to: Licensing and Appeals Committee – 23 October 2017

Subject: Consideration of the Suitability of a Vehicle to be Licensed to Operate within Manchester as a Hackney Carriage Vehicle

Report of: Head of Planning Building Control and Licensing

Summary

To request the Licensing and Appeals Committee (**the Committee**) to consider the matter detailed within **Appendix 1** attached to this report.

Recommendations

That the Committee consider the contents of this report, anything said at the hearing and the matters contained within **Appendix 1** relating to representations from individuals wishing the Committee to consider the suitability of vehicles to be licensed in Manchester as hackney Carriage.

Wards Affected: All

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	Any change in relation to the type of vehicles that may be licensed as a hackney carriage will open the market up to additional vehicle manufactures and vehicle/vehicle part suppliers
Reaching full potential in education and employment	It is unlikely that any change to the type of vehicle that may be licensed will increase employment due to the current limit on the number of hackney carriage vehicle that can be licensed. However it may increase employment in relation to individual vehicle suppliers and associated vehicle maintenance and suppliers of parts, as they may gain an increase in the market, however this is likely to impact on manufacturers of vehicles currently licensed
Individual and collective self-esteem – mutual respect	Any change in relation to the type of vehicles may impact on individuals who have difficulty in accessing/egressing from hackney carriage vehicles. Consideration should be given to the cost of a vehicle to proprietors, and any resultant impact on the available facilities in vehicles for individuals with disabilities

Neighbourhoods of Choice	There is potential opportunity for the Council to reduce impact on air quality, by requiring hackney carriage vehicles to meet and maintain a higher level of vehicle emission standards. .

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue - None

Financial Consequences – Capital - None

Contact Officers:

Name: Ann Marku
Position: Principal Licensing Officer (Taxis)
Telephone: 800 6291
E-mail: a.marku@manchester.gov.uk

Name: Danielle Doyle
Position: Licensing Unit Manager
E-mail: d.doyle@manchester.gov.uk

Background documents

Report of Licensing and Appeals Committee 10 June 2013
Report of Licensing and Appeals Committee 2 July 2013

1. Background

- 1.1 In 2012 the Council responded to an announcement, that the then Maganese Bronze Holdings (the manufacturers of bespoke London Taxis) had gone into administration, by requesting a review of Hackney Carriage Vehicle Licensing.
- 1.2 On 10 June 2013 the requested report was submitted. The report informed members of the findings of the review during a twelve week consultation exercise. The exercise included:
 - A twelve week consultation, with vehicle manufacturers and hackney carriage proprietors in relation to the Transport for London (TFL) conditions of fitness.
 - An open day (vehicle roadshow) that allowed members of the public including a number of persons with disabilities to access/ egress and give feedback on a variety of vehicles that could potentially be considered by the Committee as being suitable to be licensed as hackney carriage vehicles.
- 1.3 The decision of the Committee was that
 - Transport for London (TFL) Conditions be abandoned and a Manchester standard adopted
 - Vehicles must be fitted with a swivel seat
 - Light transmission through a front window is not less than 75%, side door glass is not less than 70% and remaining glass (except rear window is not less than 70%
- 1.4 The new Conditions of Fitness (CoF) were later (2013) incorporated into the current Hackney Carriage Vehicle Policy.
- 1.5 The Conditions of Fitness (COF) set out the conditions of fitness in force in Manchester, which took effect on 9 October 2013.
 - 1.5.1 The Conditions allow the Council to make amendments to the COF should there be situations that require it, such as amendments to national or international laws with respect to road vehicles or air quality. These may include, for example, changes arising from disability legislation or the implementation of European emissions and air quality laws, or changes to taxi licensing legislation.
 - 1.5.2 The conditions state that:-
 - No vehicle will be licensed as a hackney carriage vehicle unless it is fit for purpose and conforms to the requirements in this document.
 - The Council can exempt a vehicle from those requirements after a request by an applicant and where, having regard to the exceptional circumstances, it considers it reasonable to do so.

- This document incorporates relevant policies relating to the licensing/following the licensing of a vehicle as a hackney carriage. Proprietors should consider this document prior to submitting an application for a Hackney Carriage vehicle proprietor licence.

2.0 Vehicles Currently Licensed in Manchester as Hackney Carriages

- 2.1 There are currently 1090 hackney carriage vehicles licensed in Manchester. The Council restricts the number of hackney carriage licenses and controls the number of vehicles licensed by a method of 'managed growth'.
- 2.2 Any vehicle being licensed as a hackney carriage in Manchester, must be wheelchair accessible. Such vehicles are higher in cost than a normal saloon vehicle. The running costs of the vehicles are calculated using the Halcrow Manchester Formula and are compared year on year. These costs inform the revision of fares.

3.0 Types of Vehicles currently licensed as hackney carriage vehicles and their compliance with the CoF.

3.1 London Taxi Company

- 3.1.1 There are currently 845 bespoke London taxi Cabs, all of which are compliant with the current Manchester CoF

3.2 Mercedes Vito Taxi

- 3.2.1 There are currently *122 Mercedes Vito taxi's licensed. The Mercedes Vito did not comply with the new CoF and the Committee decided to give adequate time for the vehicle to comply with the CoF. The Council continued to licence vehicle applications in relation to Mercedes Vito Taxis until 10 January 2014 and after that date any new/replacement vehicles required a swivel seat fitted. Any already on fleet prior to this date were given grandfather rights.

3.2.2 Mercedes M8 SE- No longer available

There are currently *8 Mercedes vehicles licensed.

These vehicles are compliant with the current Manchester CoF in so far as they have been retrofitted by Allied with swivel seats.

** Due to data inputting and the introduction of a new computer system there is uncertainty as to the numbers of the different types on Mercedes and it would require an officer to go into each of the 122 records to ascertain the correct make and model of vehicle had been inputted. For the purpose of this report the figures have to be accepted as they are*

3.2. Peugeot E7 SE XS Model – No longer available

3.2.1 There are currently 183 Peugeot E7 SE vehicles licensed.

When purchased new, the vehicles had a swivel seat fitted and complied with the Manchester CoF. Allied retrofitted swivel seats into older Peugeot E7's but only offered this service if the vehicle was purchased from them. Mr Guiliat, from Allied, explained that this was for the following reasons: "we don't have the available resource or time to retro fit the seats into vehicles bought elsewhere ie auctions, ebay etc. It is also a risky procedure where it is possible to break the floor and end up being very costly. Only we can source, supply and fit these seats due to the ECWVTA. (European Community Whole Vehicle Type Approval)"

3.3 Metro Cabs

3.3.1 There are 2 Metro Cabs currently licensed.

3.3.2 The Metro Cab was never designed with a swivel seta and the two on fleet have been licensed for some time and have 'grandfather rights'.

4.0 Legal Considerations

4.1 Although this matter does not relate to an 'application' the hearing should be conducted as though it were and the rules of natural justice should apply.

- Make the decision in accordance with the rules of natural justice
- Ensure the hearing is fair and that there is no actual (or perception of) bias or pre-determination.
- Determine how the hearing will be conducted, and may adjourn the hearing if necessary.
- Give reasons for the decision either at the hearing or in any case in writing as soon as reasonably practicable after the hearing.

4.2 Individuals will be given an opportunity to speak at the meeting. The Chair will determine, based on the number of person who wish to speak, how long each individual will be given.

4.3 As these determinations are not in connection with an application any decision by the Committee cannot be appealed to the Magistrates Court. There would however be a challenge by way of Judicial Appeal.

4.0 Contributing to the Community Strategy

4.1 (a) Performance of the economy of the region and sub region

Any change in relation to the type of vehicles that may be licensed as a hackney carriage will open the market up to additional vehicle manufactures and vehicle/vehicle part suppliers

4.3 (b) Reaching full potential in education and employment

It is unlikely that any change to the type of vehicle that may be licensed will increase employment due to the current limit on the number of hackney carriage vehicles that can be licensed. However it may increase employment in relation to individual vehicle suppliers and associated vehicle maintenance and suppliers of parts, as they may gain an increase in the market, however this is likely to impact on manufacturers of vehicles currently licensed

4.4 (c) Individual and collective self-esteem – mutual respect

Any change in relation to the type of vehicles may impact on individuals who have difficulty in accessing/egressing from hackney carriage vehicles. Consideration should be given to the cost of a vehicle to proprietors and any resultant impact on the available facilities in vehicles for individuals with disabilities.

4.5 (d) Neighbourhoods of Choice

There is potential opportunity for the Council to reduce impact on air quality, by requiring hackney carriage vehicles to meet and maintain a higher level of vehicle emission standards.

5.0 Key Policies and Considerations

5.1 (a) Equal Opportunities

5.2 There are no equal opportunities issues arising from this report.

5.3 (b) Risk Management

5.4 As with any such decision made by the Council it can be challenged by way of 'Judicial review'.

5.5 (c) Legal Considerations.

5.6 There are no additional legal considerations to those already highlighted within this report.

6.0 Conclusion

6.1 The Committee are requested, having regard to the contents of this report, and anything said at the meeting, to determine the matter as detailed within **Appendix 1** attached to this report.

**Manchester City Council
Report for Resolution**

Report to: Licensing and Appeals Committee – 23 October 2017

Subject: Request the Consideration of a Mercedes Benz – Vito Taxi CDI Compact 114 Blue Tec, to be licensed as a Hackney Carriage in Manchester.

Report of: Head of Planning Building Control and Licensing

Summary

This report relates to the request for the Committee to consider the licensing of a Mercedes Benz – Vito Taxi CDI Compact 114 Blue Tec as a Hackney carriage Vehicle. Any vehicle must comply with the current Manchester Conditions of Fitness, unless the Council exempts a vehicle from those requirements after a request by an applicant and where, having regard to the exceptional circumstances considers it reasonable to do so.

Recommendations

Taking into consideration:

- the contents of the overarching report
- the content of this Appendix 1 report
- any representations at the meeting

The Committee are asked to consider whether the Mercedes Benz – Vito Taxi CDI Compact 114 Blue Tec is suitable to be licensed as hackney carriage vehicle in Manchester.

1.0 Introduction

- 1.1 The Council currently have a Hackney Carriage Vehicle Policy that includes a 'Conditions of Fitness (CoF). Any new vehicle being licensed as a hackney carriage vehicle in Manchester must comply with the CoF.

1.1.1 The policy states that:

No vehicle will be licensed as a hackney carriage unless it is fit for purpose and conforms to the requirements in this document, unless the Council exempts a vehicle from those requirements after a request by an applicant and where, having regard to the exceptional circumstances considers it reasonable to do so.

- 1.2 The Council deals with any requests for new make and models on fleet to be dealt with as follows:

- A completed Vehicle compatibility questionnaire must be submitted which advises the Committee if the vehicle fully complies or not with the current Manchester CoF
- A vehicle (of the exact make and model as stated in the questionnaire) must be available for the Committee to view at the meeting.
- Where the form has not been submitted as an application, there is no appeal of any decision to the Magistrates Court. Any decision can be challenged by way of judicial review.

2.0 Background

- 2.1 On 12 September 2017 Mr Paul McCormick T/A Kam Cabs Ltd submitted a vehicle compatibility questionnaire (**attached at Appendix 1A**) for a Mercedes-Benz Vito taxi CDI Compact 114 Bluetec.

- 2.2.1 The questionnaire reflects the content of the Manchester CoF.

- 2.3 The questionnaire advises that the vehicle in question complies with most of the CoF except in the following area.

Question 13K – Is the vehicle fitted with a swivel seat by use by a passenger accessing the vehicle.

Response: There is no swivel seat that is fitted as ECWTA (European Community Whole Vehicle Type Approval) approved part of the vehicle.

Question 15c (i) If the vehicle is fitted with a sliding window on the glazed partition, is the maximum width of the opening more than 11.5cm.

Response: No sliding window if fitted because powered doors are fitted.

Additional comments made by Mr McCormick:

The addition of the electric step facility facilitates the ambulant disabled to access the vehicle.

- 2.3.1 A document has been received from Penso Consulting Ltd in support of the request. This is attached at **Appendix 1B**

- 2.4 Mr McCormick will be in attendance at the meeting to speak in support of his application and advise the Committee of what the exceptional circumstances are that whereby the Committee would depart from the CoF.

3.0 Officer Summary

- 3.1 The submitted questionnaire advises the Committee that the vehicle presented a Mercedes Benz – Vito Taxi CDI Compact 114 Blue Tec, does not have a swivel seat fitted.

- 3.2 The following questions and officer response may assist the Committee in considering some of the issues:

- 3.2.1 The cost of wheel chair accessible vehicles to proprietors?

Response: Manchester has a policy that requires all hackney carriage vehicles licensed in Manchester to be Wheel Chair Accessible. There is no doubt that these vehicles are costly. The Council takes this into consideration by looking at the annual running costs of the vehicles, which in turn informs the hackney carriage fare review.

A comparison of running cost of vehicles will be made available at the meeting.

- 3.2.2 What vehicles are currently available to be licensed as hackney carriages in Manchester?

Response: Manchester currently has a mixed fleet of vehicles made up of 845 London Taxi Company TX Models, 122 Mercedes Vito Taxis, 8 Mercedes M8 SE, 183 Peugeot E7 SE and 2 Metro Cabs.

Of those currently licensed models currently available are the London Taxi Company TX Models.

- 3.2.3 At the time of writing the report there are 2 new vehicles that are currently being made available on the market:

Ford Pro Cab (provided it complies with all Manchester CoF)
London Taxi Company -TX 6 Electric vehicle, which is available to order now to be on the road by November 2017.

- 3.2.4 The trade have questioned whether a swivel seat is necessary 'must' in Manchester licensed hackney carriage vehicles. Trade representatives have stated at meetings that drivers have said that swivel seats are not used. This does not mean that they should not be available. A comparison is any new building has to have toilets for use by disabled person regardless if they are used or not.

Response: London Taxi Company were asked for their comments in relation to the 'swivel seat', which is also available in the new TX6. A letter was received from London Taxi Company and is attached at **Appendix 1C**

- 3.2.5 It is important that the Committee considers not just the trade request but also takes into consideration the views of 'disability groups.

To ensure the Committee have a balanced view Sabastian Lynn who will be in attendance at the meeting representing the GMCDP (Greater Manchester Coalition of Disabled People). Sabastian will be able to view the vehicle question and provide feedback.

- 3.2.6 One of the Considerations that the Committee may wish to consider is a percentage of vehicles that do not fully comply with the CoF?

Response: If every future vehicle licensed was a Mercedes Benz – Vito Taxi CDI Compact 114 Blue Tec, this would mean the disappearance of a facility the (swivel seat) that is provided for use by persons who cannot easily access and egress a vehicle.

The Committee may wish to take into account

If a further percentage of the fleet could be made up of different types of vehicles, which may or may not comply with the Manchester CoF. The current fleet has 14.7% of vehicles that do not comply with the Manchester CoF in terms of the availability of a swivel seat and 37.3% (including the 14.7%) are vehicles that are not bespoke London taxi Cabs.

What would that percentage be and how can it be calculated/Managed? There are a number of alternative vehicles that could be licensed, which would not comply with the Manchester CoF i.e. Mercedes Eurocab, Peugeot Euro 7 Taxi, Fiat Eurocab electric. Would the Committee also have to consider allowing any of these vehicles on as part of an overall percentage of different types of vehicles?

4.0 Conclusion

- 4.1 Members are requested to consider the content of Appendix 1, the information in the Overarching report and anything said at the meeting.

APPENDIX 1A MERCEDES.



MANCHESTER
CITY COUNCIL

Conditions of Fitness – Vehicle Compatibility Questionnaire

Applicant Details

Name of Applicant *Paul McCormick T/A KamCabs Ltd*

Address of Applicant

Redacted

Post Code Redacted

Contact Details Telephone Redacted

E-mail Redacted

Vehicle Details

Make Mercedes-Benz

Model Vito Taxi CDI compact
114 Bluetec

Year of Manufacture 2017

Registration Number *Hasn't yet been issued*
(New Vehicle)

Please complete all questions in the document by ticking the appropriate box. If your vehicle does not comply to the standard and/or you have answered 'no', to a question, please provide a full explanation on the sheet provided at the end of this document.

Completed forms should be returned to:

Ann Marku
Principal Licensing Officer
Taxi Licensing Business Unit
Neighbourhood Services



- 1 Does your vehicle comply with:
- a. All respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980 Yes
 - b. The Motor Vehicle (Type Approval) Regulations (Great Britain 1984) Yes
 - c. The Motor Vehicles (EC Type Approval) Regulations 1998 and with any further national or international legislation as may be applicable. Yes
 - d. The Road Vehicles (Construction and Use) Regulations 1986 (C & U). Yes
 - e. All respects with British and European vehicle regulations and be "type approved" to the requirements of the M1 category of European Whole Type Approval Directive 2007/46/EC as amended. Yes
 - f. Note: If your vehicle has not been "type approved" to the M1 category (e.g. conversions) can you provide approved certification that the specific vehicle meets the requirements of that category? Yes
- 2 Can the vehicle facilitate the carriage of disabled persons and is it capable of accommodating a disabled person in a DfT reference wheelchair in the passenger compartment? Yes
- 3 Does the vehicle comply with Manchester City Council age policy? View the policy online http://www.manchester.gov.uk/downloads/download/4346/emissions_and_age_policy-phhc Vito Taxi meets latest Euro 6 emissions requirements Yes

Steering

- 4 Is the steering wheel on the offside of the vehicle? Yes ☒ No



- 5a Has the vehicle been fitted with any equipment, other than those approved to either the inside or the outside of the vehicle. Yes No ☒
- All equipment is approved by Mercedes-Benz Vans UK Ltd, before the fitment of Manchester City Council approved taximeter, credit card reader or other ancillary equipment.

- | | | | | |
|----|---|-----|----|---|
| 5b | Are any modifications going to be carried out to the vehicle. If 'yes' this must be accompanied by appropriate information from the vehicle manufacturer that the modifications can be accomplished without compromising the vehicle specification. | Yes | No | ✓ |
|----|---|-----|----|---|

Tyres

- | | | | | |
|----|--|-----|---|----|
| 6a | Do all tyres comply with the relevant legislation?

Specifically, re-tread tyres must comply with BS AU 144E as amended and be marked accordingly. | Yes | ✓ | No |
| 6b | Are the tyres of the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer? The tyres are original equipment | Yes | ✓ | No |

Brakes

- | | | | | |
|---|---|-----|---|----|
| 7 | Does the vehicle have an anti-lock braking system fitted? | Yes | ✓ | No |
|---|---|-----|---|----|

Interior Lighting

- | | | | | |
|----|---|-----|---|----|
| 8a | Is the vehicle fitted with adequate lighting for the driver and passengers? | Yes | ✓ | No |
| 8b | Is the vehicle fitted with separate lighting controls for both passenger and driver? | Yes | ✓ | No |
| 8c | Does the passenger compartment have an illuminated control switch fitted, which is within reach of wheelchair passengers? | Yes | ✓ | No |
| 8d | Is lighting provided at floor level to each passenger door, which is activated by the opening of the doors? | Yes | ✓ | No |

Electrical Equipment

- | | | | | |
|---|---|-----|---|----|
| 9 | Does any additional electrical installation and/or after-market components, to be used within the vehicle, meet the requirements of the relevant Automotive Electro Magnetic Compatibility (EMC) Directive, as amended, and is it marked accordingly? | Yes | ✓ | No |
|---|---|-----|---|----|

Fuel Systems

10a	Does the vehicle have a device provided whereby the supply of fuel to the engine may be immediately cut off? The Vito taxi, as with other modern vehicles, has an automatic cut-off mechanism which takes effect in the event of an accident	Yes	No	✓
10b	If a manually operated device is fitted, is the location together with the means of operation and "off" position clearly marked on the outside of the vehicle? <i>In the case of a vehicle fitted with an automatic inertia fuel cut off switch, no markings are required.</i> Comments as per answer in 10a	Yes	No	✓
10c	If the engine is powered by liquid petroleum gas (LPG), compressed natural gas (CNG), liquid natural gas (LNG), petrol or any combination of these fuels, is it fitted with an automatic inertia fuel cut off device? Comments as per answer in 10a	Yes	No	✓
10d	Does it also have a manually operated fuel cut off device externally mounted which is easily visible and readily accessible at all times from the outside of the vehicle with its location and means of operation clearly marked? Comments as per answer in 10a	Yes	No	✓

11	Does the vehicle comply with the Manchester City Council age/emission policy? http://www.manchester.gov.uk/downloads/download/4346/emissions_and_age_policy-phhc The Vito Taxi meets Euro 6 emissions standards	Yes		
----	--	-----	--	--

Body

12a	Is the vehicle body of the fixed head type with a partially glazed partition separating the passenger from the driver?	Yes	✓	No
12b	Does the overall length exceed 5 metres? This is essential for determining the size of taxi ranks The external overall length measurement of the Vito Taxi is 4.895 metres	Yes	No	✓

- | | | | | |
|-------|--|-----|---|----|
| 13a | Is the vehicle capable of carrying a wheelchair passenger? | Yes | ✓ | No |
| 13b | Does the vehicle have anchorages provided for wheelchair tie downs and the wheelchair passenger restraint? | Yes | ✓ | No |
| (i) | | | | |
| (ii) | Are the anchorages either chassis or floor linked and capable of withstanding approved dynamic or static tests? | Yes | ✓ | No |
| | The anchorages are attached to the frame of the division, which has been bolted to the vehicle body. The frame has been seat-pull tested | | | |
| (iii) | Are the anchorage restraints for wheelchair and occupant independent of each other? | Yes | ✓ | No |
| (iv) | Are anchorages provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment? | Yes | ✓ | No |
| | Preferably in the front compartment or in the boot space | | | |
| (v) | Are all anchorages and restraints designed that they do not cause any danger to other passengers? | Yes | ✓ | No |
| 13c | Is the door and doorway constructed to permit an unrestricted opening across the doorway of at least 75cm? The door width measures 94cm | Yes | ✓ | No |
| | The minimum angle of a hinged door when opened must be 90 degrees. | | | |
| 13d | Is there a clear height of the doorway of not less than 1.2 metres? | Yes | ✓ | No |
| | The height from the inner tread-plate to the top of the door is 1.33 metres, the height from inner floor to the top of the door is 1.23 metres | | | |
| 13e | Does the vehicle have grab handles placed at door entrances to assist the elderly and disabled? Yes, 4 grab handles are fitted | Yes | ✓ | No |
| 13e | Are the grab handles in a contrasting colour? | Yes | ✓ | No |
| 13f | Where the top of the tread for any entrance is at floor level of the passenger compartment, does it comply with the following requirements: | | | |
| (1) | | | | |
| (i). | Is not more than 380 mm from the ground, (measured at the centre of the tread width) The distance from the ground to the inner tread-plate is 380mm. The distance from the inner tread-plate to the floor is 110mm. So the distance from the ground to the floor (excluding the inner step) is 490mm | Yes | ✓ | No |

- | | | |
|-------|---|--|
| (ii) | The surface is covered in a slip-resistant material | Yes <input checked="" type="checkbox"/> No |
| (iii) | Has a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering
Yes a bright aluminium, non-slip plate is fixed across the entrance to both passenger doors | Yes <input checked="" type="checkbox"/> No |
| (2) | Where any entrance be more than 380 mm from the ground, is there an external interim step available when the associated passenger door is opened and comply with the following requirements: | |
| (i) | Is not more than 380 mm in height from the ground, (measured at the centre of the step width) Two electric steps are be fitted to the vehicle which result in height from ground to top of the step at 230mm | Yes <input checked="" type="checkbox"/> No |
| (ii) | Is not less than 250mm deep. Yes, 250mm | Yes <input checked="" type="checkbox"/> No |
| (iii) | The surface is covered in a slip-resistant material | Yes <input checked="" type="checkbox"/> No |
| (iv) | Has a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering Yes, a yellow band within a bright aluminium finisher is fitted | Yes <input checked="" type="checkbox"/> No |
| (v) | Is not capable of operation whilst the vehicle is in motion. The step is designed to automatically retract when the vehicle parking brake is released or the vehicle is in motion over 3mph | Yes <input checked="" type="checkbox"/> No |
| (vi) | If automatic or powered, is it fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger? | Yes <input checked="" type="checkbox"/> No |
| (vii) | Can it fold or retract so that it does not project beyond the side face of the vehicle and the vehicle is not capable of being driven away unless the step is so folded or retracted? | Yes <input checked="" type="checkbox"/> No |
| 13g | Is the vertical distance between the highest part of the floor and the roof in the passenger compartment less than 1.3 metres? Yes, measures 1.33 metres | Yes <input checked="" type="checkbox"/> No |
| 13h | Where seats are placed facing each other, is there a minimum space of 42.5cm between any part of the front of a seat and any part of any other seat which faces it? Yes, on the LH side the measurement between the two opposite seats is 55cm and on the RH side the distance is 88cm. When the seats are down | Yes <input checked="" type="checkbox"/> No |
| 13i | Where all seats are placed facing to the front of the vehicle, is there a clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the cushion? Yes, 80cm | Yes <input checked="" type="checkbox"/> No |

13j	Is there a ramp for the loading of a wheelchair and occupant available at all times for use, as a minimum, at the nearside passenger door?	Yes	✓	No
13j	Does the ramp have a safety lip, be 70cm wide, as a minimum, and comprise a single non-slip surface?	Yes	✓	No
(i)	*It is desirable for this facility to be available at the offside passenger door also. There is not sufficient width on the off-side			
13j	Does the ramp have an adequate locking device fitted to ensure that the ramp does not slip or tilt when in use?	Yes	✓	No
(ii)				
13j	Is there provision for the ramp to be stowed safely when not in use? Yes, in the boot area	Yes	✓	No
(iii)				
13k	Is the vehicle fitted with a swivel seat for use by a passenger accessing the vehicle. There is no swivel seat that is fitted as a ECWTA approved part of the vehicle	Yes		No ✓

Passenger Compartment

14a	When fitted, are the occasional seats at least 40cm in width and is the distance from the back of the upholstery to the front edge of the seat not less than 35.5cm? Yes, 40cm width. Depth is 43mm	Yes	✓	No
14b	Are occasional seats arranged as to rise automatically when not in use and placed at least 4cm apart when not in use and do not obstruct doorways? Yes, 5cm is minimum distance	Yes	✓	No
14c	Are there suitable means provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled? Yes, grab handles in place	Yes	✓	No
14d	Are the rear seat dimensions adequate to carry the appropriate number of adult passengers comfortably?	Yes	✓	No
14e	Is the vehicle fitted with lap and diagonal seatbelts on all seats (including rear facing seats)?	Yes	✓	No
14f	Are colour contrasting sight patches provided on all passenger seats?	Yes	✓	No

14g	Are head restraints fitted for all (forward and rear facing) seats? The head rests on the rear facing seats are optional because the screen acts as a head rest – a head form test will demonstrate this	Yes	✓	No
14g (i)	Do the design of headrests maximise rear sightlines for the driver when any of the passenger seats are not occupied?	Yes	✓	No
14h	Is an induction loop system (or equivalent) fitted?	Yes	✓	No

Driver's Compartment

15a	Is the driver's compartment designed so that the driver has adequate room, can easily reach, and quickly operate, the controls? The division is dog-legged so it maximises the driver legroom	Yes	✓	No
15b	Are the controls placed as to allow reasonable access to the driver's seat and, when centrally placed, are they properly protected from contact with luggage? Yes, part of the fascia	Yes	✓	No
15c	Is the vehicle provided with an approved means of communication between the passenger and the driver Intercom is fitted, mutes radio when turned on	Yes	✓	No
15c (i)	If the vehicle is fitted with a sliding window on the glazed partition, is the maximum width of the opening more than 11.5cm. No sliding window fitted because powered doors are fitted	Yes		No ✓
15c	If the vehicle is fitted with a single-piece glazed partition is there a facility provided for making payment to the driver.	Yes	✓	No
15d	Does the design of a headrest maximise the rear sightlines for the driver, when any passengers seats are not occupied?	Yes	✓	No

Driver Visibility

16	Is the vehicle fitted with a single piece full width rear window	Yes	✓	No
----	--	-----	---	----

Passenger Visibility

17	Do the windows maximise passenger visibility in and out of the vehicle?	Yes	✓	No
----	---	-----	---	----

- | | | | | |
|-----|--|-----|---|----|
| 17a | Is the top of the window line for front and side windows, when measured vertically to the top of the visible portion of the glass, 780mm or more on any glass panel forward of or beside the seated passenger? 800mm | Yes | ✓ | No |
|-----|--|-----|---|----|

Please note; the vertical distance is to be measured through the E point as defined in Directive 77/649/EEC, from the top of the uncompressed rear forward-facing passenger seat cushion to the first point of totally obscured glass.

Manufacturers are requested to declare conformity to this condition in drawing format.

- | | | | | |
|-------|---|-----|---|----|
| 17a | Is the bottom of the window area in the passenger compartment | Yes | ✓ | No |
| (i) | available for opening by the seated person Yes, the rear three-quarter window can be opened by an electric switch | | | |
| b (i) | Do the windows permit maximum visibility into and out of, the vehicle | | ✓ | |
| (ii) | Is the light transmission through the front window less than 75% | | | ✓ |
| (iii) | Is the side door glass less than 70% | | | ✓ |
| (iv) | Is the remaining glass (except rear window) less than 70% | | | ✓ |

Heating and Ventilation

- | | | | | |
|---------|--|-----|---|----|
| 18 | Does the vehicle have an adequate heating and ventilation system provided for the driver and passengers? | Yes | ✓ | No |
| 18 (i) | Is there an independent control by the driver and for the passengers? | Yes | ✓ | No |
| 18 (ii) | Are all switches within easy reach of seated passengers, including those in wheelchairs? | Yes | ✓ | No |

Door Fittings

- | | | | | |
|----------|---|-----|---|------|
| 19 | Does the vehicle have an approved type of automatic door securing device which is fitted to passenger doors to prevent them being opened when the vehicle is in motion? | Yes | ✓ | No |
| 19 (i) | When the vehicle is stationary, are the passenger doors capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism? | Yes | ✓ | No |
| 19 (ii) | When the driver has the foot brake depressed, can the passenger open the door from the inside? | Yes | | No ✓ |
| 19 (iii) | Is the interior door handle clearly identified to prevent it being mistaken for any other control? | Yes | ✓ | No |

Fare table and number plate

- | | | | | |
|-----------|---|-----|---|----|
| 20 | Does the vehicle have a frame provided for the fare table fixed in an appropriate place. A perspex frame is provided and a location is identified | Yes | ✓ | No |
| 20
(i) | Does the vehicle have a position for an interior number plate provided with the words 'the number of this taxi is Shown immediately above the position of the plate? | | ✓ | |

Floor Covering

- | | | | | |
|------------|--|-----|---|------|
| 21 | Is the flooring of the passenger compartment covered with a slip resistant material, which can be easily cleaned? | Yes | ✓ | No |
| 21
(i) | Does the floor covering impede the movement of wheelchairs? | Yes | | No ✓ |
| 21
(ii) | Does the colour of the floor covering contrast with any up stand areas around it and with the colour of the seats? | Yes | ✓ | No |

Luggage

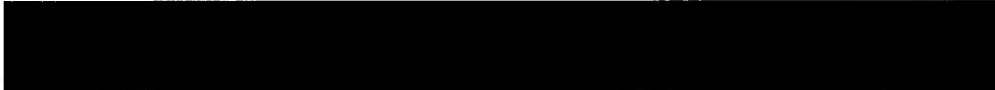
- | | | | | |
|-----------|---|-----|---|----|
| 22 | Is there a suitable and dedicated provision for the secure carriage of luggage? | Yes | ✓ | No |
| 22
(i) | Is the luggage space a separated compartment, which is proportionate in size to the number of passengers carried? | Yes | ✓ | No |

- | | | |
|----|--|--|
| | | |
| 23 | Will the vehicle accommodate the fitting of a "Taxi" sign, approved by the Council which can be clearly visible both by day and night when the taxi is available for hire? | Yes <input checked="" type="checkbox"/> No |

Radio Apparatus

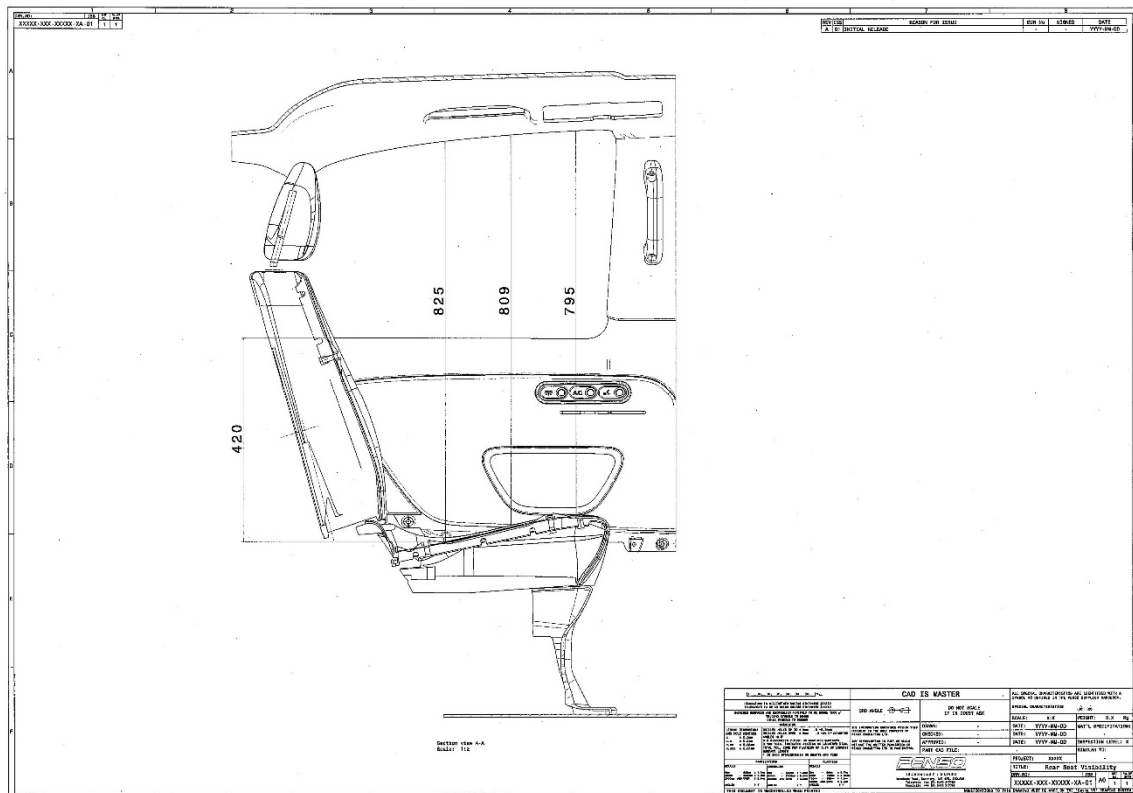
- | | | |
|----|---|--|
| 24 | Is the vehicle suitable for the fitting of radio equipment? | Yes <input checked="" type="checkbox"/> No |
|----|---|--|

If the vehicle does not comply to the standard or you have answered 'no' to the questions above, please provide a full explanation in the space below and state the number it relates to. Please use additional sheet(s) as required



13k The vehicle does not have an in-built swivel seat because the fitting of the optional extra would not achieve European Whole Vehicle Type Approval, as an integral part of the vehicle.

The addition of the electric step facilitates the ambulant disabled to access the vehicle.



APPENDIX 1B MERCEDES

12th October 2017

Report prepared by Roy McMaster,
Head of Taxi Business Development, Penso

Why should Manchester Council licence the Euro 6 Vito Taxi in Manchester even though it the Vito does not have a swivel seat?

Manchester has the third largest economy in the UK and is the third most visited city by foreigners, after London and Edinburgh. Disabled people, be it visitors or local, have the same rights to access transport links as anyone else. We completely agree with Manchester Council's aim to provide taxi users with a fully accessible wheelchair taxi fleet. What we are proposing is that the swivel seat should be a matter of choice for drivers and passengers, and that the Vito Taxi is licensed without a swivel seat. We make the following proposition:

1. Why the Vito Taxi can improve accessibility for all in Manchester

It is not a surprise that Manchester, London and Edinburgh have similar taxi policies that require all taxis to be fully accessible, with specific Conditions of Fitness. Issues like side-loading for passengers including wheelchairs, minimum door heights and widths, seat dimensions are all very important to ensure that the Conditions of Fitness provide a high standard of accessibility. Only London still requires a lower turning circle. However, what is a surprise is that, unlike Manchester, both London and Edinburgh do not mandate that a swivel seat must be fitted. Yes, they have many taxis on their fleets that have this facility but they do not mandate it. To our knowledge there are only two Councils in the whole of the UK that require a swivel seat to be fitted: Manchester and Oxford. I believe that this policy in Manchester is unnecessary, it restricts the choice of both driver and passenger and this is unfair.

Whilst we accept that there will be some ambulant disabled people who may require the use of taxis with swivel seats, these can be accommodated in other vehicles.

Also, saloon cars (Manchester regulated Private Hire) can often be a better solution for the ambulant disabled. Equally, there are many disabled passengers who will benefit from the enhanced accessible features in the Euro 6 Mercedes-Benz Vito Taxi.

Both of the other two major UK metropolitan centres, London and Edinburgh, license the Vito Taxi and their populations have benefited from its accessibility and other features. Thus the Vito has a number of specification advantages for disabled passengers, for example, those using larger wheelchairs: with its significantly larger door width and bigger rear compartment size the Vito can be ideal for the passenger using a larger wheelchair. Also, the Vito has always featured very clear yellow visibility strips on all the rear passenger seats, and in the Vito the wheelchair passenger has the most secure position with its four-point restraint system.

App technologies, such as Hailo and Gett, which were not around 5 years ago have made it easier for all customers, including those that are disabled, to choose the vehicle that most suits them.

Drivers and passengers also benefit from the Vito being a six-seater taxi and being able to carry more luggage, making it ideal for visitors coming into Manchester airport.

2. Safety, technical and specification issues with the swivel seat

There are good technical and safety reasons why Mercedes-Benz will not fit the swivel seat into the rear passenger area. Like most Original Equipment Manufacturers (OEM's) safety is a critical part of Mercedes-Benz standards. In the same way as most OEM cars and vans are tested, the Vito has been crash tested to full European and Federal (USA) stringent crash test standards. In addition the Vito Taxi has been subject to seat belt pull tests, to ECR 14 Standard. The whole taxi was tested and reviewed by the UK Vehicle Certification Agency (VCA) and was awarded

European Whole Vehicle Type Approval (known as ECWVTA). Moreover, the Vito Taxi was subject to design approval by Mercedes-Benz's parent company, Daimler Automotive Group. Passing these even more rigorous tests of design and manufacturing process has ensured the Vito can be sold and serviced by any approved Mercedes-Benz commercial dealer in the UK and that the Vito Taxi has the same 3-year unlimited mileage warranty as any other Mercedes-Benz product. The fitment of a swivel seat in the rear passenger compartment was not part of that design and the retrospective fitting of such a feature could compromise these safety standards built into the original taxi. This is because from a safety point of view the swivel seat must be securely attached to the rear division frame or B post if it is to be able to rotate out-board of the vehicle. This would involve the introduction of locking and release mechanisms which could be detrimental to the structure around the seating position in the event of a crash event. Equally so, Mercedes-Benz could not knowingly permit any after-market fitment of a swivel seat because this would be viewed as accepting a compromise of Daimler's safety standards. Currently all the available options are included in the Type Approval and are approved by Daimler.

Apart from safety, there was also a practical consideration for not fitting a swivel seat. The swivel seat in the rear passenger seat area of a taxi may not be a benefit on converted vehicles. This is because vehicles like the Vito, Peugeot Expert and others have a higher floor level. The result is that the passenger will have a bigger step up and down to and from the step to the seat itself. This would render the swivel seat of less practical benefit to the ambulant disabled person.

3. The Vito can make a significant contribution to reducing emissions

Due to the current lack of new vehicle availability to meet Manchester Council's Conditions of Fitness, inclusive of the swivel seat, the result is that the Manchester taxi fleet is ageing and older vehicles are contributing to increasing pollution in our city area. The Licensing Committee should consider that because the new Euro 6 Vito

is in great demand from Manchester drivers, the result will be that, if licensed, drivers will move out of their older Euro 3 and Euro 4 taxis into Euro 6 Vito Taxis. This will quickly result in contributing to reduced emissions in Manchester. The table below shows the annual reduction in emission of gaseous pollutants and particulates from transferring a fleet of 100 vehicles from Euro 4 vehicles to Euro 6 vehicles. These values are based on the minimum requirement of the Euro 4 and Euro 6 directives. The Vito has demonstrated substantially lower values of pollutants in emission tests.

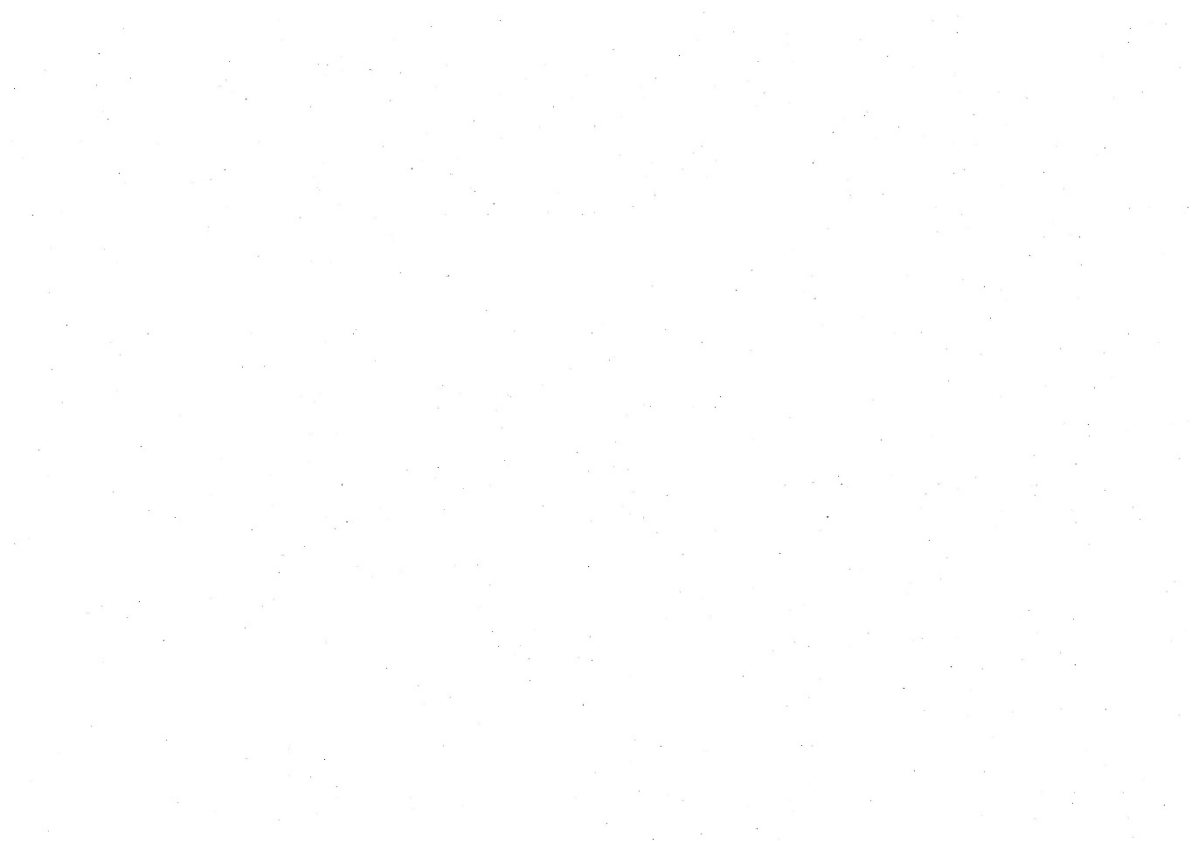
	EU4	EU5	EU6	Mileage per year	Fleet Size	Annual savings EU6 vs EU4
CO mg/km	500	500	500	50,000	100	0 kg
NOX mg/km	250	180	80	50,000	100	850 kg
HC+NOX mg/km	300	230	170	50,000	100	650 kg
Particulates mg/km	25	23	17	50,000	100	40 Kg

No surprise then that there are a lot of drivers want to buy the Vito Taxi. You will also see attached the comments from many named drivers in Manchester who support the licensing of the Vito Taxi. In London where there is a free choice of taxis, so far this year the Vito has gained over 55% of the market because it is popular with drivers, reducing operating costs and improving London's emissions.

4. Summary

In summary, by licensing the Vito taxi without a swivel seat, Manchester Council will be able to:

1. Provide a taxi which has other enhanced accessibility features due to its larger size.
2. Ensure that it licenses only taxis with the highest safety standards built into the original equipment vehicle.
3. Reduce emissions because drivers who want to buy the Vito will soon move up from older vehicles to a new Euro 6 taxi, just as they have in London.
4. Continue to ensure that those who require a taxi with a swivel seat can be accommodated.



APPENDIX 1C MERCEDES



Li Close,
Ansty Park, Coventry
CV7 9RF
E Richard.Gordon@levc.com
T 02476 57 2031

Ms. Ann Marku
Principal Licensing Officer (Taxis)
Planning, Building Control and Licensing
Growth and Neighborhoods Directorate
Manchester City Council
Albert Square
PO Box 532
M60 2LA

10 October 2017

Dear Ann,

Importance of retaining the swivel seat requirement for hackney carriage licenses

I am writing to you in anticipation of your report on taxi licence regulations and to highlight the importance of retaining the swivel seat requirement for hackney carriage licenses issued by Manchester City Council.

As the manufacturer of the iconic purpose-built London taxi, LEVC (formerly LTC) is proud of the fact that our taxis are fully wheelchair accessible and feature a range of accessibility aids to ensure passengers of all abilities can be confident in making their planned journey, safely and in comfort.

One of the taxi's core accessibility features is the swivel seat. Restricted mobility often impacts the ability to twist in position, making turning around to sit within a vehicle difficult. The mandatory requirement for a swivel seat to be installed in all hackney carriage vehicles ensures easy entry and exit for less mobile passengers. When used in conjunction with the integrated and retractable wheelchair ramp, passengers with severe mobility challenges are able to enter the vehicle without unnecessary hassle for them or for the driver.

Many passengers travel by taxi because of the accessibility benefits they provide and less mobile passengers tell us that an accessible taxi gives them more independence and that accessibility is often not fully appreciated until it is needed. This is supported by disability groups and research by Whizz-Kidz found that more than three quarters of wheelchair users, their carers and families are confident taxis will accommodate their needs.

continued.....

LEVC is a trading name of London EV Company Limited (Registration No. 08357576).
Registered address is Li Close, Ansty Park, Coventry, CV7 9RF, England.

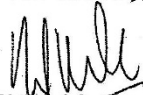
- 2 -

LEVC understands that the swivel seat, along with some of the other accessibility aids, is not used on a regular basis. However, the key benefit of a purpose-built accessible taxi fleet is that it offers passengers a consistent level of accessibility and ensures that every taxi is able to transport passengers with a variety of needs without special arrangements.

LEVC believes that taxis, and the accessibility they afford less mobile passengers, are an integral part of an inclusive public transport system. We would have serious concerns over any decision to remove the mandatory swivel seat requirement because it would disproportionately affect less mobile passengers who rely on taxis to get them from A to B. We would also caution against any move to allow drivers to decide the accessibility aids installed in their vehicle as this could lead to the removal of any features that add a cost, but are for the benefit of passengers and drivers.

I understand that the council's Licensing and Appeals Committee is due to meet in the coming weeks and would welcome the opportunity for one of our product specialists to attend the meeting to discuss the benefits of the swivel seat in further detail. In the meantime, please do get in touch if we can provide any further information.

Yours sincerely,



Richard Gordon
Commercial Director, LEVC