



# Licensing

## Committee

Mon 7 Nov  
2016  
7.00 pm

Committee Room 2  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact**

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# Licensing

## Committee

Monday, 7th November, 2016

7.00 pm

Committee Room 2 Town Hall

### Agenda

#### Membership:

Cllrs:

Pat Witherspoon  
(Chair)  
Andrew Fry (Vice-  
Chair)  
Roger Bennett  
Natalie Brookes  
Anita Clayton  
Pattie Hill

Gay Hopkins  
Gareth Prosser  
Antonia Pulsford  
Rachael Smith  
Jennifer Wheeler

<b>1. Apologies</b>	To receive the apologies of any Member who is unable to attend this meeting.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
<b>3. Minutes</b> (Pages 1 - 10)	To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 18th July 2016.  (Minutes attached)
<b>4. Update on the consultation on "Improving Disabled People's Access to Redditch Taxi Fleets"</b> (Pages 11 - 22)	To receive an update report on the consultation exercise being undertaken following the findings of the Overview and Scrutiny Task Group "Improving Disabled People's Access to Redditch Taxi Fleets".  <b>All Wards</b>
<b>5. Private Hire Operator Licence Durations</b> (Pages 23 - 28)	To consider private hire operator licences durations.  <b>All Wards</b>
<b>6. Consideration of a review of Hackney Carriage and Private Hire Age Limits</b> (Pages 29 - 34)	To consider a review of the vehicle age exemption criteria as set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.  <b>All Wards</b>

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## **7. Licensing Committee Work Programme**

(Pages 35 - 36)

To consider the Committee's Work Programme for the current municipal year 2016/2017.

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## **Licensing Committee**

Monday, 18 July 2016

### **MINUTES**

#### **Present:**

Councillor Andrew Fry (Vice-Chair), and Councillors Roger Bennett, Natalie Brookes, Pattie Hill, Gay Hopkins, Gareth Prosser, Antonia Pulsford, Rachael Smith and Jennifer Wheeler

**Observing:** Three members from Redditch Taxi Association

#### **Officers:**

Vanessa Brown, Dave Etheridge and Jess Bayley

#### **Committee Services Officer:**

Pauline Ross

#### **1. APOLOGIES**

Apologies for absence were received on behalf of Councillors Pat Witherspoon and Anita Clayton.

#### **2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

#### **3. MINUTES**

##### **RESOLVED that**

**the minutes of the meeting of the Licensing Committee held on 7th March 2016 be confirmed as a correct record and signed by the Vice-Chair.**

.....  
Chair

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#### 4. **OVERVIEW AND SCRUTINY COMMITTEE - IMPROVING DISABLED PEOPLE'S ACCESS TO REDDITCH TAXI FLEET TASK GROUP**

Members received a presentation from Councillor Gay Hopkins, Chair, Improving Access for People with Disabilities to Redditch Taxi Fleets, Short, Sharp Review, Task Group.

Councillor Gay Hopkins briefly informed Members that the proposal for consideration by the Overview and Scrutiny Committee had been proposed by Councillor Tom Baker-Price, following a distressing case involving a lady with multiple disabilities who had struggled to book a taxi to transport her home from a local supermarket in November 2015. This had thrown up several issues: -

- Overcharging of wheelchair passengers.
- Pre-booking of wheelchair accessible vehicles.
- The availability of wheelchair accessible vehicles.
- Who should the lady have complained to?

The Overview and Scrutiny Committee had accepted the proposal form and in order to ensure that the task group's proposals could influence local policies and working practices as soon as possible, it was agreed that a short sharp review would be undertaken.

Therefore a short sharp review was carried out over a period of six weeks.

During her presentation, Councillor Gay Hopkins briefly explained the circumstances with regard to the difficulties the disabled lady had experienced when trying to arrange suitable transport to take her home. Councillor Gay Hopkins also drew Member's attention to the Equality Act 2010.

There were approximately 400 licensed taxis in Redditch, with only 23 of those vehicles being wheelchair accessible vehicles (WAVs). Councillor Gay Hopkins stated that if more WAVs were available in the Borough it could help with some of the issues experienced by wheelchair users, but it should be noted that the task group had been unable to determine the current demand for WAVs in the Borough.

The task group consulted with service users and local community groups who supported elderly and disabled residents. Task group members were disappointed as only four responses were received from local residents and three responses from local community groups. The task group, however, were aware that due to the limited timescale of the short sharp review process this may have

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restricted the level of feedback received. The task group invited all of the taxi operators in the Borough to send a representative to a meeting of the task group to discuss the services provided to passengers with disabilities. Members were once more disappointed, as only one taxi operator out of seventeen operators had attended the meeting. This operator stated that he rarely received requests for a WAV from passengers. On the rare occasion that he received a request for a WAV he referred those customers to another operator with WAVs.

Councillor Gay Hopkins continued and informed Members that a new WAV could cost anything from £12,000 to £45,000. The task group had been advised that a standard second hand saloon vehicle could be purchased for between £6,000 and £8,000. It would be unreasonable to expect the taxi trade to address all of the issues and concerns raised during the task group's short sharp review.

Councillor Gay Hopkins highlighted that nationally Redditch Borough Council had led the way, as licensed drivers were required to undertake disability awareness training before commencing work as a taxi driver in the Borough. The task group however were concerned that not all taxi drivers remembered or applied their disability awareness training. The feedback received from Worcestershire Regulatory Services indicated that they did not receive a lot of complaints from disabled passengers. Task group members on considering this, wondered if it was a case of incidents not being reported, therefore incidents were actually unreported as passengers may not be fully aware of whom to report any incidents or concerns to.

The presentation also detailed the Recommendations from the task group and Councillor Gay Hopkins briefly highlighted the findings of the task group with regard to the reasons behind the Recommendations.

Further discussion took place with Members in strong agreement, that the vast majority of licensed drivers in the Borough were a credit to the Borough, the Task Group Report, had however, highlighted a need for the concerns of the travelling public to be addressed with regard to the minority of licensed drivers who failed to comply with the licensing requirements placed upon them or adhere to the disability training awareness undertaken.

Members briefly discussed Recommendation 1.2, as detailed in the task group report, with regard to drivers displaying stickers in their vehicles that provided information about how to report complaints. Councillor Jennifer Wheeler commented that the wording concentrated on the negative side, as it only referred to 'complaints'

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being reported and that the wording should include positive feedback also. Therefore it was agreed that the wording be amended to include the reporting of any 'complaints' and 'compliments'.

Councillor Gay Hopkins drew Member's attention to the flipchart and informed Members that, as detailed at Recommendation 2.2, the lists referred to and displayed on Brighton and Hove City Council and Eden District Council websites; with regard to detailed information on licensed operators in their areas who operated WAVs were available to view on the flipchart.

Councillor Roger Bennett stated that he applauded anything that would improve the taxi service within the Borough, he would however highlight that not only are the taxi trade and Council responsible for addressing any concerns raised, but that passengers themselves should also ensure they took responsibility when making travel arrangements.

**RESOLVED that, the Recommendations of the Task Group, as detailed in the report and subject to the amendments, as detailed in the preamble above, be agreed. Subject to further consultation, where appropriate, to be carried out by Worcestershire Regulatory Services with the relevant consultees.**

- (a) that applications for new hackney carriages to be made for vehicles that are less than six years old, meet European M1 safety standards and have facilities for carrying a disabled person in a wheelchair within the vehicle. (*This relates to the Hackney Carriage Vehicle Licensing Policy only*);**
- (b) that drivers display stickers in their vehicles that provide information about how to report compliments and complaints;**
- (c) that the Driver Licence Policy – Application for a Hackney Carriage and / or Private Hire Vehicle Driver's Licence – should be amended to require that refresher training should be provided on driving standards and disability awareness to taxi drivers every three years;**
- (d) that a media campaign be published to guide disabled people and taxi drivers when travelling by taxi about their rights and responsibilities;**



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- (e) that Worcestershire Regulatory Services (WRS) publish a list of drivers who currently operate licensed wheelchair accessible vehicles on the WRS and Redditch Borough Council websites in a similar format to Brighton and Hove City Council and Eden District Council;**
- (f) that WRS undertake a review of the conditions attached to taxi operators' licences; and**
- (g) that the Licensing Committee reviews the effectiveness of the disability awareness training provided to taxi drivers.**

### **5. PENALTY POINTS SCHEME FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS - CONSULTATION RESULTS**

Following on from the Licensing Committee meeting held on 7th March 2016, where Members considered and approved for the purpose of consultation, the draft Hackney Carriage and Private Hire Penalty Point Scheme. Members received a report on the responses received to the consultation and to consider deferring the introduction of a Hackney Carriage and Private Hire Penalty Point Scheme, following the responses received.

The Senior Practitioner (Licensing), Worcestershire Regulatory Services (WRS), reminded Members that during the Licensing Committee meeting held on 7th March 2016; Members had agreed and approved, for the purpose of consultation, the draft Hackney Carriage and Private Hire Penalty Point Scheme.

A large number of responses to the consultation were received, with the vast majority of responses received from licensed drivers. 95% of those who had responded had opposed to the introduction of a Hackney Carriage and Private Hire Penalty Point Scheme. The comments received from the taxi trade highlighted that they felt that the scheme was not a fair scheme; and as such there was no requirement for such a scheme. They were keen as a group to self-regulate and also felt that the current position to deal with complaints or non-compliance in respect of licensed drivers was thought to be adequate. It was suggested that the scheme be deferred in order for the newly formed Redditch Taxi Association to try and prove that self-regulation could improve matters.

The Senior Practitioner (Licensing), WRS, explained to the Committee that officers believed that the responses received which opposed to the introduction of the scheme was due to a fundamental misunderstanding of the concept of the scheme and

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how it would be operated. The intention was not to create new rules and regulations, but to put a mechanism in place that ensured compliance with existing licensing requirements without the need for formal legal proceedings, which were far more costly.

The Senior Practitioner (Licensing) WRS, had met with three members of the newly formed Redditch Taxi Association. The meeting had highlighted that a further consultation exercise was required with the taxi trade with regards to the scheme in order to provide further details. This would enable licensed drivers to see how the scheme would work if implemented.

It was recognised that the majority of licensed drivers complied with the requirements placed upon them. Therefore the majority of licensed drivers should not be alarmed by the introduction of a Hackney Carriage and Private Hire Penalty Point Scheme. The intention of the scheme was to help identify licensed drivers who persistently failed to comply with the licensing requirements and therefore be accountable for their actions.

Further discussion followed on how self-regulation would work and be monitored by the taxi trade. Members were keen to know the basis of the self-regulation and what rules would be applied and adopted. Members had agreed, for the purposes of consultation, the draft scheme which had set out the requirements as agreed by the Licensing Committee, therefore the taxi trade would need to be clear on what they intended to monitor and how they would address any non-compliances and complaints.

In response the Senior Practitioner (Licensing), WRS, explained that there needed to be a balance. Officers could provide the taxi trade with information on the main non-compliances reported to them, Redditch Taxi Association could then reiterate the non-compliances to their drivers and monitor any future non-compliance and complaints.

In response to further questions from Members, the Senior Practitioner (Licensing), WRS, informed the Committee that self-regulation was always the best way to deal with any issues or concerns, but clear measures needed to be identified and monitored in order to evidence any improvement with non-compliances and complaints received and reported.

Members asked for it to be noted that licensed drivers were ambassadors for the Borough and that those drivers who complied were important to the community. Members were in agreement that only a small number of repeat offenders failed to comply with the requirements placed upon them, but there was still a need to

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ensure that any non-compliance or complaint was addressed and dealt with accordingly.

Members agreed that the Redditch Taxi Association should be given a period of six months to monitor any non-compliances and complaints. Officers from WRS would then work with the Redditch Taxi Association to monitor any non-compliances and complaints. It was further agreed that a future report on the outcome of the self-regulatory period be presented to the Licensing Committee meeting scheduled for 6th March 2017.

The Chair, thanked the three members from the Redditch Taxi Association for attending and observing the Licensing Committee meeting. The Chair was extremely pleased that as a result of the Licensing Committee, Taxi Forums held on 18th January 2016, that the Redditch Taxi Association had been reformed.

### **RESOLVED that**

- (a) the implementation of a Hackney Carriage and Private Hire Penalty Point Scheme, be deferred to allow further meetings and discussions with officers from Worcestershire Regulatory Services and representatives of the newly formed Redditch Taxi Association (RTA), in order to explain in more detail the aims of the scheme and how it would operate in practise; and**
- (b) that a further report, detailing the findings from officers at Worcestershire Regulatory Services, to establish, as detailed in the preamble above; the monitoring of the self-regulating scheme run by Redditch Taxi Association (RTA) with regard to complaints and non-compliance. The report to include detailed six monthly comparisons on the RTA self-regulating scheme to be presented to the Licensing Committee meeting on 6th March 2017.**

## **6. LICENSING ANNUAL REPORT**

The Committee considered the Licensing Annual Report 2015/2016 which provided an overall view of the activities, under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing, and to inform the Committee on any issues anticipated in the ensuing year.

The Senior Practitioner (Licensing), Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed the Committee that during 2015/2016 the Council's Statement of Principles under the Gambling Act 2005 was reviewed, with the

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revised Statement of Principles was published with effect from 31st January 2016.

Also during 2015/2016 the Council had consulted on and adopted its first comprehensive policy on the licensing of Sex Establishments.

The Licensing Act 2003 transferred the liquor licensing functions from the Magistrate's Court to the Local Authority and consolidated these activities with entertainment licensing legislation, the provision of late night refreshments, cinemas and theatres.

The report also detailed the number of new licences issued and granted by Redditch Borough Council in 2015/2016. There had been an increase of approximately 8% in the number of driver licences issued. Whilst the number of licensed hackney carriages had fallen slightly, there had been an increase of approximately 20% in the number of vehicles licensed to be used as private hire vehicles.

The Senior Practitioner (Licensing), WRS, reminded Members of the two taxi forums held on 18th January 2016 for hackney carriage and private hire licensed holders. The taxi forum was well received by the taxi trade and had motivated the licensed drivers to re-establish the Redditch Taxi Association. The Senior Practitioner (Licensing), WRS, hoped that WRS officers and Redditch Borough Council would facilitate any future meetings of the newly formed Redditch Taxi Association. A further taxi forum for hackney carriage and private hire licensed holders was due to be organised in August 2016.

In October 2013 the Scrap Metal Dealers Act 2013 came into force within the Borough. The number of licenses issued had remained the same as for 2014/2015. The Licensing Team were responsible for enforcing the legislation in partnership with the police and environment agency. Two multi-agency operations in the North Worcestershire area were carried out during 2015/2016. The operations had also tried to identify any unlicensed scrap metal dealers operating in the area.

Members thanked the Senior Practitioner (Licensing), WRS for his comprehensive report.

### **RESOLVED that**

**that the Licensing Annual Report 2015/2016, as presented, be noted.**

# **Licensing**

## **Committee**

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**Monday, 18 July 2016**

### **7. LICENSING COMMITTEE WORK PROGRAMME 2016/2017**

The Committee considered the Licensing Committee Work Programme for the remainder of the 2016/17 Municipal Year.

**RESOLVED that**

**the Licensing Committee Work Programme 2016/17 be updated as discussed and agreed during the course of the meeting.**

The Meeting commenced at 7.00 pm  
and closed at 8.06 pm



**LICENSING  
COMMITTEE**7<sup>th</sup> November 2016**UPDATE ON THE CONSULTATION ON “IMPROVING DISABLED  
PEOPLE’S ACCESS TO REDDITCH TAXI FLEETS**

Relevant Portfolio Holder	Councillor Yvonne Smith
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

To receive an update report on the consultation exercise being undertaken following the findings of the Overview and Scrutiny Task Group “Improving Disabled People’s Access to Redditch Taxi Fleets”.

**2. RECOMMENDATIONS**

**That Members note the content of the report and the consultation document shown at Appendix 1.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs involved in carrying out the consultation exercise are being met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 Carrying out proper consultation on any proposals to amend the Council’s policies is required to minimise the risk of legal challenge if the proposals are subsequently implemented.

**Service / Operational Implications**

- 3.3 On 18<sup>th</sup> July 2016, the Licensing Committee received a presentation from the Chair of the Overview and Scrutiny Board, Improving Disabled People’s Access to Redditch Taxi Fleet Task Group and considered the findings contained in the Task Group’s Report.

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COMMITTEE**7<sup>th</sup> November 2016

- 3.4 The Task Group had been established to carry out a review of action that could be taken to improve taxi services delivered to customers with disabilities in the Borough.
- 3.5 The Task Group made a number of recommendations in their report and the Licensing Committee were asked to resolve to implement these recommendations, subject to further consultation where required.
- 3.6 The recommendations from the Task Group were:
- 1) The Hackney Carriage Vehicle Licensing Policy and the Private Hire Vehicle Licensing Policy should be amended:**
    - (a) to allow applications for new hackney carriages to be made for vehicles that are less than six years old, meet European M1 safety standards and have facilities for carrying a disabled person in a wheelchair within the vehicle. (*This relates to the Hackney Carriage Vehicle Licensing Policy only*); and**
    - (b) to require drivers to display stickers in their vehicles that provide information about how to report complaints;**
  - 2) The Driver Licence Policy – Application for a Hackney Carriage and / or Private Hire Vehicle Driver’s Licence – should be amended to require that refresher training should be provided on driving standards and disability awareness to taxi drivers every three years;**
  - 3) There should be a media campaign to guide disabled people and taxi drivers when travelling by taxi about their rights and responsibilities;**
  - 4) WRS should publish a list of drivers who currently operate licensed wheelchair accessible vehicles on the WRS and Redditch Borough Council websites in a similar format to Brighton and Hove City Council and Eden District Council;**
  - 5) WRS should undertake a review of the conditions attached to taxi operators’ licences; and**
  - 6) The Licensing Committee should review the effectiveness of the disability awareness training provided to taxi drivers.**



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- 3.7 The Licensing Committee resolved that the recommendations of the Task Group be agreed subject to a small amendment so that the stickers displayed in vehicles provided information on how to report compliments as well as complaints and subject to further consultation where appropriate to be carried out by Worcestershire Regulatory Services with the relevant consultees.
- 3.8 Following discussions with Legal Services, it was concluded that the recommendations that require amendments to be made to the Council's policies or would involve licence holder's details being published on the Council's website, would need to be subject to consultation with relevant stakeholders.
- 3.9 A consultation document was therefore produced to facilitate consultation on these proposals. The consultation document can be seen at Appendix 1. The consultation document has been sent to all drivers and operators licensed by Redditch Borough Council at the beginning of October.
- 3.10 Details of the consultation have also been posted online on the Council's website at [www.redditchbc.gov.uk/consultations](http://www.redditchbc.gov.uk/consultations). The website offers an online version of the consultation form that people can complete as an alternative to the paper version.
- 3.11 Details of the consultation have been forwarded to relevant stakeholders that represent both the hackney carriage and private hire trade, relevant organisations such as the Police and also groups that represent people with disabilities in the Borough.
- 3.12 The consultation will be running until 31<sup>st</sup> December 2016 and it is anticipated that the results will be reported back to the Licensing Committee for consideration at the meeting on 6<sup>th</sup> March 2017.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

Appendix 1 – Consultation Document

**LICENSING  
COMMITTEE**

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**AUTHOR OF REPORT**

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# Improving Disabled People's Access to Redditch Taxi Fleets



## A Consultation

## BACKGROUND

Earlier this year a Task Group was established by the Council's Overview and Scrutiny Committee to conduct a short, sharp review with the aim of identifying actions that could be taken to improve taxi services delivered to customers with disabilities in the Borough.

The Task Group produced a report in April 2016, which made a number of recommendations. The overall aims of the Task Group's recommendations are:

- To help prevent the overcharging of disabled passengers for taxi journeys.
- To increase the number of licensed wheelchair accessible vehicles operating in the Borough
- To reduce passenger waiting time for wheelchair accessible vehicles.

The Task Group's report was considered by the Council's Licensing Committee in July 2016 and the recommendations in the report were agreed subject to consultation being carried out where required.

The purpose of this consultation is to seek views on those recommendations that would require the Council to amend its current hackney carriage and private hire licensing policies and conditions.

Responses to this consultation can be emailed to [enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk) using the subject line "Redditch Taxi Consultation."

Responses can also be submitted via the post to:

Redditch Taxi Consultation  
Worcestershire Regulatory Services  
Wyre Forest House  
Finepoint Way  
Kidderminster  
Worcestershire  
DY11 7WF

The consultation will be open for responses until **31 December 2016**. All responses received during the consultation period will be considered by the Licensing Committee before any decisions are taken about which, if any, of the proposals will be implemented.

**CONSULTATION QUESTIONS**

Redditch Borough Council is considering relaxing its policy on the licensing of vehicles as hackney carriages so that instead of additional hackney carriages having to be "brand new" wheelchair accessible vehicles, they can be wheelchair accessible vehicles that are up to six years of age.

*Please note that in this context a "wheelchair accessible vehicle" means a vehicle capable of carrying a wheelchair user whilst they remain seated in their wheelchair.*

Do you agree with this proposal?

**YES** ☐

**NO** ☐

Please provide reasons for your answer above.

Redditch Borough Council is considering amending it's policy on the licensing of drivers of hackney carriage and private hire vehicles to require all drivers to undertake refresher training in driving standards and disability awareness every three years.

Do you agree with this proposal?

**YES** ☐

**NO** ☐

Please provide reasons for your answer above.

Redditch Borough Council is considering amending it's policy and conditions for the licensing of hackney carriage and private hire vehicles to require vehicle proprietors to display stickers in their vehicles that provide information on how passengers can make complaints or pass on compliments.

Do you agree with this proposal?

**YES** ☐

**NO** ☐

Please provide reasons for your answer above.

Redditch Borough Council is considering publishing a list on their website of all taxi owners / operators who can provide a vehicle that is capable of carrying a passenger who remains seated in their wheelchair.

Do you agree with this proposal?

**YES** ☐

**NO** ☐

Please provide reasons for your answer above.



Do you have any other proposals that you think the Council should consider to improve access for disabled people to hackney carriage and private hire services? If so, please list them here:



**LICENSING  
COMMITTEE**7<sup>th</sup> November 2016**PRIVATE HIRE OPERATOR LICENCE DURATIONS**

Relevant Portfolio Holder	Councillor Yvonne Smith
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

Members are asked to consider whether to direct officers to take steps to enable private hire operator licences to be granted for a period of three years in addition to the current options of licences that last for one or five years.

**2. RECOMMENDATIONS**

**That Members RESOLVE whether to direct officers to take steps to enable private hire operator licences to be granted for a period of three years in addition to the current options of licences that last for one or five years.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The Council has currently set two fees for the issuing of private hire operator licences. One fee relates to licences that are issued for one year and the other fee relates to licences that are issued for five years. The Council would need to set an additional licence fee for licences that last three years if Members decide they would like to implement this as an option.

**Legal Implications**

- 3.2 Any proposed amendment to the fees charged by the Council for private hire operator licences must be advertised in accordance with the provisions of section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

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**Service / Operational Implications**

- 3.3 With effect from 1<sup>st</sup> October 2015, as a result of section 10 of the Deregulation Act 2015, the standard duration of licences issued under the Local Government (Miscellaneous Provisions) Act 1976 to authorise individuals to operate private hire vehicles is five years or such less period as the Council think appropriate in the circumstances of the case. Up until this time the Council only issued private hire operator licences for a period of one year.
- 3.4 In order to offer greater flexibility and choice to the holders of private hire operator licences, the Council has adopted the policy shown at **Appendix 1**. This states that if an applicant requests a licence that lasts for one year rather than the standard five years, the Council think it would be appropriate to grant a one year licence in accordance with the applicant's wishes.
- 3.5 At a private hire liaison meeting earlier this year, members of the private hire trade indicated that they were pleased with being able to choose to remain on a one-year licence, but also asked that the Council give consideration to introducing an option of a licence that is issued for three years.
- 3.6 If a licence of three years duration were to be introduced, amendments would need to be made to the policy shown at **Appendix 1** to reflect this. Furthermore the Council would need to take appropriate steps to set a fee applicable for applications for licences that last three years.
- 3.7 Any proposed amendments to the fees charged for private hire operator licences need to be advertised by the publication of a public notice in accordance with section 70 of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.8 If Members resolve to direct officers to takes steps to implement an option for a private hire operator's licence that lasts for three years, officers would need to calculate and advertise an appropriate fee to be charged before a final decision is made at a future Licensing Committee to amend the Policy shown at **Appendix 1**.

**4. RISK MANAGEMENT**

- 4.1 None

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COMMITTEE**7<sup>th</sup> November 2016

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**5. APPENDICES**

Appendix 1 – Policy on the Duration of Private Hire Operator  
Licences

**AUTHOR OF REPORT**

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Worcestershire Regulatory Services

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**REDDITCH BOROUGH COUNCIL****POLICY ON THE DURATION OF PRIVATE HIRE OPERATOR LICENCES**

From 1<sup>st</sup> October 2015 the standard duration of licences issued under the Local Government (Miscellaneous Provisions) Act 1976 to authorise individuals to operate private hire vehicles will be five years or such less period as the Council think appropriate in the circumstances of the case. This policy intends to clarify in what circumstances the Council would consider granting a licence of less than five years.

**Applicant Request for a One Year Licence**

If the applicant for a licence to operate or private hire vehicles requests a licence of one year duration rather than the standard five years, the Council think it would be appropriate to grant a one year licence in accordance with the applicant's wishes.

**Standard Five Year Licence**

If an existing licensed operator wishes to be granted a licence of five years duration, they must pay the relevant fee and must also provide a DBS Application Form with their application.





**LICENSING  
COMMITTEE**7<sup>th</sup> November 2016**CONSIDERATION OF A REVIEW OF HACKNEY CARRIAGE AND  
PRIVATE HIRE AGE LIMITS**

Relevant Portfolio Holder	Councillor Yvonne Smith
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

Members are asked to consider whether they wish to conduct a review of the age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies

**2. RECOMMENDATIONS**

**That Members RESOLVE whether or not they would like a report to be brought to a future Licensing Committee setting out options for amending the existing applicable age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.**

**3. KEY ISSUES****Financial Implications**

- 3.1 The costs involved in carrying out the review, including any necessary consultation, would need to be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 Council's are free to adopt policies on the licensing of hackney carriage and private hire vehicles. These policies can include requirements relating to the age of vehicles that the Council will consider issuing licences in respect of. However each case must be considered on its own merits and the Council can depart from its own policies and grant a licence in respect of a vehicle that does not meet the normal requirements in policy where there are exceptional reasons for doing so.

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**Service / Operational Implications**

- 3.3 The Council's existing Private Hire Vehicle Policy was approved in July 2013 and the Council's Hackney Carriage Vehicle Policy was approved in November 2013.
- 3.4 These policies both contain requirements in relation to the age of vehicles. A summary of the vehicle age requirement is shown in the table at **Appendix 1**.
- 3.5 It is open to applicants to request that the Council departs from its normal policies if there are exceptional reasons for doing so. Where a person submits an application to licence a vehicle that does not meet the Council's policy, the application is referred to a Licensing Sub-Committee for consideration and determination.
- 3.6 Officers have noticed an increase in the number of applications being submitted where the vehicle does not comply with the Council's policy. For example an increasing number of applicants are requesting that licences for vehicles are renewed after they have reached the upper age limit set out in the policies.
- 3.7 Between 1<sup>st</sup> January 2016 and 14<sup>th</sup> September 2016 there have been a total of ten applications for licences for vehicles that did not meet the age requirements set out in the Council's policy.
- 3.8 Four of these applications related to applications for licences to use a vehicle as a hackney carriage three being granted and one refused. The remaining six applications were for licences to use vehicles as private hire vehicles. Five of these were granted and one application was withdrawn.
- 3.9 Officers recognise that arranging and attending Licensing Sub-Committees is costly and time consuming for both the Council and licence applicants. Therefore, in light of the number of occasions this year that Sub-Committees have resolved to grant licences to vehicles that fall outside the policy requirements, Members are asked to consider whether they wish to review these requirements.
- 3.10 Specifically Members are asked to consider whether they would like to receive a report from officers at a future Licensing Committee setting out various options for amending the existing applicable age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.

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- 3.11 Members are reminded that any proposed amendments to the Council's policies would need to be subject to appropriate consultation with relevant stakeholders.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

- Appendix 1 – Table Setting Out Existing Age Requirements for  
Licensed Vehicles

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## Appendix 1

	<b>Current Policy - Hackney Carriage</b>	<b>Current Policy - Private Hire</b>
New (additional) vehicles being licensed	Must be brand new (and wheelchair accessible)	Must be under 6 years of age
Replacement vehicles	Must be under 6 years of age	Must be under 6 years of age
On Renewal	Can be no older than 9 years of age unless wheelchair accessible when it can be no older than 12 years of age.	Can be no older than 9 years of age unless wheelchair accessible when it can be no older than 12 years of age.
Inspections	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>	<p>Vehicles up to 9 years of age must be inspected twice per year.</p> <p>Vehicles over 9 years of age must be inspected three times per year.</p>



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COMMITTEE****7<sup>th</sup> November 2016****LICENSING COMMITTEE WORK PROGRAMME 2016/17****7th November 2016**

Wheelchair Accessible Vehicles – Update on the consultation on ‘Improving Disabled People’s Access to Redditch Taxi Fleets’.

To consider the options of offering a 1 year, 3 year and 5 year private hire operator’s licence.

To consider a review of the Licensing Committee’s Hackney Carriage and Private Hire age exemption policies.

Verbal update following Hackney Carriage and Private Hire Liaison Meetings

**6th March 2017**

Wheelchair Accessible Vehicles – Results of consultation on changes to policy proposed as a result of the work of the Overview & Scrutiny Committee Task Group on Improving Disabled People’s Access to Redditch Taxi Fleet.

Review of Policy on the Relevance of Convictions for Hackney Carriage and Private Hire Drivers

Further Consideration on the Introduction of a Penalty Points Scheme for Hackney Carriage and Private Hire Drivers

**To Be Allocated To Suitable Available Dates in 2017/2018**

Review of Street Trading Policy

