

**LICENSING
COMMITTEE**

5th November 2018

**CONSIDERATION OF A REVIEW OF HACKNEY CARRIAGE AND
PRIVATE HIRE VEHICLE AGE LIMITS**

Relevant Portfolio Holder	Councillor G Prosser
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 carry out consultation on amending 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 consider the content of the report and RESOLVE whether or not they would like carry out a consultation exercise on 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 consultation would 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.

Service / Operational Implications

- 3.3 The Council's existing Private Hire Vehicle Policy was last amended with effect from 1st August 2013 and the Council's Hackney Carriage Vehicle Policy was last amended with effect from 1st December 2017.
- 3.4 These policies both contain requirements in relation to the age of vehicles. A summary of the current vehicle age requirements 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 In November 2016 the Licensing Committee considered a report from the Senior Practitioner (Licensing) asking them to consider whether they wished to review the vehicle age limits in light of the number of applications being granted by Members at Licensing Sub-Committees, that fell outside the requirements set out in Policy.
- 3.6 At that time, officers had noticed an increase in the number of applications being submitted where the vehicle did not comply with the Council's policy. For example an increasing number of applicants were requesting that licences for vehicles are renewed after they had reached the upper age limit set out in the policies.
- 3.7 Between 1st January 2016 and 14th September 2016 there had 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 The Democratic Services Officer has confirmed that, since September 2016, there have been a further 52 applications made and referred to Licensing Sub-Committees for vehicles that did not meet the age requirements set out in the Council's Policy.

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- 3.10 Of these 52 applications, the majority (40) were for saloon-type vehicles that had reached the maximum age under the policy and where the proprietor was requesting a licence to continue using the vehicle, despite it no longer complying with the Council's policy.
- 3.11 36 of these 40 applications were ultimately determined at a Licensing Sub-Committee with the other 4 applications being withdrawn or otherwise not proceeded with.
- 3.12 Of the 36 applications determined by Licensing Sub-Committees, 31 applications were granted (86%) and 5 were refused (14%).
- 3.13 Officers recognise that preparing for and attending Licensing Sub-Committees is costly and time consuming for both the Council and licence applicants. In addition, the Redditch Taxi Association has also repeatedly requested during liaison meetings that further consideration be given to amending the vehicle age requirements to allow saloon-type vehicles to be licensed until they are ten years of age.
- 3.14 Therefore, in light of the number of occasions since September 2016 that Sub-Committees have resolved to grant licences to vehicles that fall outside the policy requirements, and in light of the requests made by the Redditch Taxi Association, Members are asked to consider whether they wish to carry out a consultation on amending the age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.
- 3.15 Any consultation could set out a number of options and Members would be asked to consider the results of the consultation at a future Licensing Committee meeting before deciding whether they wished to make any amendments to the Council's current Hackney Carriage and Private Hire Vehicle Licensing Policies.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

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

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