

**LICENSING
COMMITTEE**

4th March 2019

**CONSIDERATION OF RESPONSES TO CONSULTATION ON AMENDING
THE COUNCIL'S HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE
LICENSING POLICIES –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

On 5th November 2018 the Licensing Committee considered a report and resolved to carry out consultation 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.

That consultation exercise has now taken place and Members are asked to consider the responses received and determine what changes (if any) they wish to make to the Council's policies as a result.

2. RECOMMENDATIONS

That Members consider the responses received during the consultation exercise and RESOLVE whether or not they wish to make any amendments to the existing applicable age limits for vehicles that are set out in the Council's Hackney Carriage Vehicle Policy shown at Appendix 1 and the Private Hire Vehicle Policy shown at Appendix 2.

3. KEY ISSUES

Financial Implications

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

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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 where there are exceptional reasons for doing so.

Service / Operational Implications

- 3.3 The Council's Hackney Carriage Vehicle Policy was last amended with effect from 1st December 2017 and the Council's Private Hire Vehicle Policy was last amended with effect from 1st August 2013.
- 3.4 These policies both contain requirements in relation to the age of vehicles. A copy of the Council's Hackney Carriage Vehicle Policy is shown at **Appendix 1** and a copy of the Council's Private Hire Vehicle Policy is shown at **Appendix 2**.
- 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 On 5th November 2018, Members of the Licensing Committee considered a report which set out the large number of occasions in recent years that Licensing Sub-Committees had granted applications to licence vehicles that fell outside of the existing policy requirements in respect of the age of the vehicle.
- 3.7 Members were also reminded that preparing for and attending Licensing Sub-Committees is costly and time consuming for both the Council and licence applicants.
- 3.8 In addition, Members were advised that the Redditch Taxi Association have repeatedly requested during liaison meetings that consideration be given to amending the vehicle age requirements to allow saloon-type vehicles to be licensed until they are ten years of age.

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- 3.9 Following consideration of the report, Members resolved to task officers to carry out a consultation exercise on a number of proposed amendments to the age limits set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies.
- 3.10 The consultation was undertaken in conjunction with a further consultation relating to taxi and private hire licensing, which was also approved by Members of the Licensing Committee at their meeting on 5th November 2018.
- 3.11 The consultation exercise was commenced on 3rd December 2018 and was open for responses until 31st January 2019. A survey was created to facilitate the consultation. A copy of the survey can be seen at **Appendix 3**.
- 3.12 A copy of this was sent to all licensed drivers and also to the following organisations or people:
- Redditch Borough Councillors
 - Redditch Community Panel
 - West Mercia Safer Roads Partnership
 - West Mercia Police (North Worcestershire Licensing)
 - Worcestershire County Council (Driver Training)
 - Worcestershire County Council (Corporate Equality and Diversity Manager)
 - Feckenham Parish Council
 - National Taxi Association
 - National Private Hire Association
 - Guide Dogs
 - Managers Responsible for Crossgates Depot
- 3.13 An electronic version of the consultation survey was also hosted on the Council's website and attempts were made to publicise the consultation via the press and social media.
- 3.14 In total 186 responses were received during the consultation. Of these 186 respondents, 123 came from licence holders in the hackney carriage or private hire trade. The remaining 63 respondents were a mixture of members of the public (54), elected Members (1), charities representing disabled groups (1) or individuals who did not indicate what capacity they were responding in (7).
- 3.15 Not all of the respondents answered the questions relating to the proposals regarding vehicle age limits. Between 171 and 179 respondents answered each question relating to the proposals to amend the vehicle age limits set out in the Council's policies.

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- 3.16 An overview of the results of the consultation questions relating to vehicle age limits, including the comments made by individual respondents, can be seen at **Appendix 4**.
- 3.17 The vast majority of respondents were in favour of making the proposed amendments to the vehicle age limits. This is perhaps unsurprising given the large number of licence holders who responded to the consultation.
- 3.18 In relation to the proposal to continue testing vehicles over 9 years of age three times per year, only 36.7% of respondents agreed with this proposal and 63.3% disagreed. Examining the comments suggests that some respondents felt that three tests per year was excessive whilst others felt vehicles should be tested more often.
- 3.19 Members are asked to consider the responses received during the consultation exercise and resolve whether or not they wish to amend the existing applicable age limits for vehicles that are set out in the Council's Hackney Carriage Vehicle Policy at **Appendix 1** and the Private Hire Vehicle Policy set out at **Appendix 2**.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- Appendix 1 – Hackney Carriage Vehicle Policy
- Appendix 2 – Private Hire Vehicle Policy
- Appendix 3 – Consultation survey
- Appendix 4 – Consultation responses

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