

**LICENSING
COMMITTEE**

9th November 2020

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE LIMITS

Relevant Portfolio Holder	Councillor Grubb
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 the age limits for vehicles that are set out in the Council's Hackney Carriage and Private Hire Vehicle Licensing Policies and direct officers as to what steps (if any) they wish them to take with a view to amending the age limits contained in those policies.

2. RECOMMENDATIONS

Members are asked to consider the content of the report and RESOLVE to direct officers as to what steps (if any) they wish them to take with a view to amending the age limits for licensed 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 steps to amend the current vehicle age limits, including any required consultations, 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.

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 normally referred to a Licensing Sub-Committee for consideration and determination.
- 3.6 In November 2016 and then again in November 2018, the Licensing Committee has considered reports asking them whether they wished to review the vehicle age limits in light of the number of applications being granted by Members at Licensing Sub-Committees, where the vehicle fell outside the age limit requirements set out in Policy.
- 3.7 In November 2016, the Licensing Committee was made aware that in the period 1st January 2016 to 14th September 2016, 9 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 8 of these granted and 1 refused.
- 3.8 Notwithstanding this the Licensing Committee decided there was no need for officers to take steps to review the vehicle age limits in place at that time.
- 3.9 In November 2018 the Licensing Committee were provided with further figures which showed that between September 2016 and September 2018, a total of 36 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 31 of these granted and just 5 refused.
- 3.10 Members therefore resolved that officers be tasked with carrying out a consultation exercise in relation to amending the age limits for vehicles to those shown at **Appendix 2**.

- 3.11 The results of this consultation were considered at the Licensing Committee meeting on 4th March 2019. Despite overwhelming support from respondents for amending the vehicle age limits as suggested, Members ultimately resolved not to make any changes to the Council's policies and the age limits set out at **Appendix 1** remain in place today.
- 3.12 At the Licensing Committee meeting on 4th November 2019, Members agreed to add an item to their work programme to give further consideration of the rules around age criteria for vehicles, including consideration of vehicles that produced lower emissions. This report has been produced as a result.
- 3.13 Between October 2018 and the end of January 2020 a further 55 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits were considered at Licensing Sub-Committees with 51 of these granted and just 4 refused.
- 3.14 This means that between 1st January 2016 and 31st January 2020, a total of 100 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits have been considered at Licensing Sub-Committees with 90 of these granted and just 10 applications refused.
- 3.15 Since March 2020, decisions in respect of the licensing of vehicles that fall outside of the Council's age policies have been delegated to officers as a result of coronavirus related restrictions. Since March 2020 officers have considered 22 applications for the grant of a licence in respect of a vehicle that exceeded the Council's age limits with 21 of these granted and 1 refused.
- 3.16 Officers would suggest that the fact that both Members and officers are continuing to find reason to depart from the Council's policies in so many of the cases they determine would suggest that there is a strong case to argue that the policies need to be reviewed and amended.
- 3.17 Members are also reminded that preparing for and attending Licensing Sub-Committees is costly and time consuming for both the Council and licence applicants and that Redditch Taxi Association continues to lobby for a relaxation of the age limits contained in the Council's vehicle licensing policies.
- 3.18 Officers are aware that some other local authorities are looking to use their taxi and private hire vehicle licensing policies to encourage the use of less polluting vehicles to address concerns about air quality.

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- 3.19 Within Worcestershire, the Environment Committee at Worcester City Council has established a “Task and Finish Group” to develop a Taxi Strategy. Part of this wide ranging project involves developing proposals for changes to the Council’s policies to remove the most polluting vehicles from the licensed fleet and to encourage take up of electric and other low / zero emission vehicles.
- 3.20 Birmingham City Council has already introduced a series of new policies in preparation for the implementation of the Clean Air Charging Zone in Birmingham next year. Under these policies, the maximum age limit for ultra low emission vehicles is higher than for other vehicles.
- 3.21 Coventry City Council has also introduced new policies that are designed to gradually achieve a fleet of zero emission capable taxi and private hire vehicles by the end of 2025. Since 1st January 2020, vehicles licences would not be renewed unless the vehicle met the Euro 4 emissions standards. From 1st January 2022 vehicles will need to meet the Euro 5 emissions standard to be capable of having licences renewed and from 1st January 2024 vehicle licences will only be renewed for vehicles that are zero emission capable.
- 3.22 Officers believe that any review undertaken of Redditch Borough Council’s age limits for licensed vehicles should take account of vehicle emissions standards with a view to moving towards a fleet of licensed vehicles that is less polluting.
- 3.23 In light of the information set out in this report, Members are asked to direct officers as to what steps (if any) they wish them to take with a view to amending the age limits for licensed vehicles that are set out in the Council’s Hackney Carriage and Private Hire Vehicle Licensing Policies.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

Appendix 1 – Existing Age Limits for Licensed Vehicles

Appendix 2 – Age Limits consulted upon in November 2018

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