

Relevant Portfolio Holder		Councillor Monica Stringfellow
Portfolio Holder Consulted		No
Relevant Assistant Director		Simon Wilkes – Director of Worcestershire Regulatory Services
Kiran Lahel	Job Title: Licensing and Support Services Manager Contact email: kiran.lahel@worcestershire.gov.uk Contact Tel: 01562 738067	
Wards Affected		All
Ward Councillor(s) consulted		No
Relevant Council Priority		
Non-Key Decision		
If you have any questions about this report, please contact the report author in advance of the meeting.		
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended		

1. RECOMMENDATIONS

That Members either:

- I. Note the contents of the report and make no changes to the current policy, which, from the 1st August 2025, requires all hackney carriage and private hire vehicle applications where the vehicle does not meet the council's policy in respect of the age of the vehicle to be determined by a licensing sub committee, **or**
- II. Consider and approve a six-week consultation period with relevant stakeholders to consider a permanent delegation to officers to determine hackney carriage and private hire vehicle applications where the vehicle does not meet the council's policy in respect of the age of the vehicle.

2. BACKGROUND

- 2.1 On the 29th March 2023, following consultation, Members of the Licensing Committee directed officers to proceed with the actions required to delegate authority to determine applications for licences to use vehicles as hackney carriages or private hire vehicles where the vehicles do not meet the council's required criteria in respect of the age of the vehicle.

- 2.2 The process required the delegation to be considered by the Constitutional Review Working Party (CRWP) and on the 7th March 2024 the CRWP made a recommendation to Council that, for a trial 12 month period officers had delegated authority to determine hackney carriage and private hire vehicle applications that fell outside of the Council's age criteria policy.
- 2.3 On 20th May 2024 Council resolved that the delegation was given to officers for a 12 month period as recommended by the CRWP. The trial period of this delegation ends on the 31st July 2025.

3. KEY ISSUES

- 3.1 On 21st March 2022 the Licensing Committee approved a new Hackney Carriage and Private Hire Vehicle Licensing Policy which took effect on 1st September 2022.
- 3.2 Section 3.12 of the policy set out how the Council will deal with applications to licence vehicles that do not meet the required criteria.

The policy says:

This section applies where an application is received for the grant or renewal of a licence to use a vehicle as a hackney carriage or a private hire vehicle and the vehicle concerned does not meet the required criteria detailed in this policy.

The application cannot be determined by officers under delegated powers, but the applicant can request that the application is determined at a hearing of the Council's Licensing Sub-Committee.

- 3.3 A considerable number of applications are made each year, and it was recognised that arranging and attending Licensing Sub-Committees to determine applications for vehicles that do not meet the required criteria on account of their age, was time consuming and resource intensive for all involved from arranging the Sub Committee to collating information and getting Members together to determine the application.
- 3.4 On 29th March 2023, Members resolved that the officers should proceed with the actions required to delegate the determination of hackney carriage and private hire vehicle applications, this was approved by Council for a 12-month trial period rather than as a permanent delegation.

This report seeks to update Members on the outcome of the trial period.

- 3.5 Officers have been determining applications since the 1st August 2024 using a robust set of procedures that provide a clear audit trail on the decision-making process.
- 3.6 Upon receipt of an application officers will contact the applicant to arrange an appointment at Crossgates depot for both the safety inspection and vehicle inspection. Details of the process are shared with the applicant in advance and their right to make representations at various stages of the process are set out clearly. A detailed Inspection Report form is completed and photographs taken and recorded. A joint decision is reached by the Licensing officer and Taxi Engineer.
- 3.7 The process has worked well and ensures well-reasoned and detailed decisions are reached using professional and transparent methods.
- 3.8 Vehicles are looked at jointly by a Licensing Officer with a qualified mechanic at the Council's dedicated testing facility.
- 3.9 Since 1st August 2025, 32 vehicles have been inspected, not dissimilar in numbers to those Members considered in the previous year (39) from June 2023 to July 2024. During the trial period 4 vehicles were refused and 28 were granted.
- 3.10 Officers have noted an increase in vehicle standards throughout the duration of this 12 month period and overall feedback from the applicants appears to have been positive. The flexibility that this process offers enables applications to be dealt with more efficiently and quickly and at a time that is convenient to the applicant.
- 3.11 Officers consider that the trial period has been successful and would invite Members to consider directing officers to carry out a consultation to establish if the relevant stakeholders agree with the Officers' assessment of the delegated process and whether it could be made permanent.
- 3.12 A consultation would ask for comments on a change to the policy as shown below:

Where a vehicle does not meet councils criteria on age, the application will be determined by authorised officers under powers delegated to them by the Council.

In this case the application will be determined jointly by a Licensing Officer and a qualified Taxi Engineer.

- 3.13 Any change in policy requires a comprehensive consultation with stakeholders as stated in the current policy at paragraph 1.9:

The Council has also carried out consultation at a local level before adopting the policies and licence conditions detailed in this document. The Council will always consult on proposed changes in licensing rules that may have a significant impact on passengers and / or the trade. .

- 3.15 Therefore Members are asked to consider whether they wish officers to carry out a consultation for applications for hackney carriage and private hire vehicles which do not meet the council's policy in respect of the age, to be determined by officers.
- 3.16 The results of the consultation would be reported back to the Licensing Committee for consideration.

4. FINANCIAL IMPLICATIONS

- 4.1 The costs of carrying out any consultation exercise would be met from existing budgets held by Worcestershire Regulatory Services.

5. LEGAL IMPLICATIONS

- 5.1 Any proposed changes to the scheme of delegations will need to be approved by the Constitutional Review Working Party and recommended to Council.

6. OTHER - IMPLICATIONS

Local Government Reorganisation

- 6.1 Any policy change will not have any impact on Local Government Reorganisation.

Relevant Council Priority

- 6.2 Any policy change would consider the Council's key priorities and ensure that changes are aligned with current Council policies to ensure the travelling public are safe.

Climate Change Implications

- 6.3 No implications.

Equalities and Diversity Implications

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- 6.4 A initial screening equality impact assessment will be carried out. If this provides any reason to carry out a Full equality impact assessmnet the team will do this as part of the consultation process.

7. RISK MANAGEMENT

- 7.1 Proper consultation on any proposals to amend the Council's policies minimises the risk of legal challenge if the proposals are subsequently implemented.

8. APPENDICES and BACKGROUND PAPERS

None

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Please record the name of the relevant Portfolio Holder who has signed off the report here.	Please give the date they signed off the report here.
Lead Director / Assistant Director	Please record the name of the relevant lead Director / Assistant Director who has signed off the report here.	Please give the date they signed off the report here.
Financial Services	Please record the name of the relevant Officer in Financial Services who has signed off the report here.	Please give the date they signed off the report here.
Legal Services	Please record the name of the relevant Officer in Legal Services who has signed off the report here.	Please give the date they signed off the report here.
Policy Team (if equalities implications apply)	If applicable, please record the name of the relevant Officer in	If applicable, please give the

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	the Policy team who has signed off the report here.	date they signed off the report here.
Climate Change Team (if climate change implications apply)	If applicable, please record the name of the relevant Officer in the Climate Change team who has signed off the report here.	If applicable, please give the date they signed off the report here.