



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE LICENSING COMMITTEE**

**THURSDAY 29TH SEPTEMBER 2022**  
**AT 6.00 P.M.**

**(RESCHEDULED FROM 19<sup>TH</sup> SEPTEMBER 2022)**

**PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,**  
**WORCESTERSHIRE, B61 8DA**

MEMBERS: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), A. B. L. English, S. P. Douglas, C.A. Hotham, A. D. Kriss, S. A. Robinson, H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer and M. Thompson

**AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest  
  
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.
3. To confirm the accuracy of the minutes of the meeting of the Licensing Committee held on 11th July 2022 (Pages 1 - 6)
4. Review of Street Collection Policy (Pages 7 - 26)
5. Hackney Carriage Table of Fares (Pages 27 - 36)
6. Hackney Carriage and Private Hire Vehicle Age Limits (Pages 37 - 44)
7. Licensing Committee Work Programme (Pages 45 - 46)

8. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting.

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

20th September 2022

K. DICKS  
Chief Executive

**If you have any queries on this Agenda please contact  
Pauline Ross  
Democratic Services Officer**

**Parkside, Market Street, Bromsgrove, B61 8DA  
Tel: 01527 881406  
Email: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)**

## **GUIDANCE ON FACE-TO-FACE MEETINGS**

**At the current time, seating at the meeting will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants.**

**If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.**

### **GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON**

Members and Officers who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who do not have access to LFTs are encouraged not to attend the meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

The meeting venue will be fully ventilated, and Members and officers may need to consider wearing appropriate clothing in order to remain comfortable during proceedings.

Members of the public will be able to access the meeting if they wish to do so. Seating will be placed in such a way as to achieve as much space as possible for social distancing to help protect meeting participants. It should be noted that members of the public who choose to attend in person do so at their own risk.

Members of the public who still have access to lateral flow tests (LFTs) are encouraged to take a test on the day of the meeting. Meeting attendees who

do not have access to LFTs are encouraged not to attend the meeting if they have any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

**Notes:**

**Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.**



## **INFORMATION FOR THE PUBLIC**

### **Access to Information**

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- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

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- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE LICENSING COMMITTEE**

**MONDAY, 11TH JULY 2022, AT 6.06 P.M.**

PRESENT: Councillors R. J. Deeming, S. P. Douglas, C.A. Hotham, A. D. Kriss, S. A. Robinson, M. A. Sherrey, S. A. Webb (substituting for Councillor M. Thompson) and P. J. Whittaker

Officers: Mr. D. Etheridge, Mr. R. Keyte and Mrs. P. Ross

1/22 **ELECTION OF CHAIRMAN**

**RESOLVED** that Councillor R. J. Deeming be elected Chairman of the Committee for the ensuing municipal year.

2/22 **ELECTION OF VICE-CHAIRMAN**

**RESOLVED** that Councillor P. J. Whittaker be elected Vice-Chairman of the Committee for the ensuing municipal year.

3/22 **APOLOGIES AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors A. B. L. English, C. J. Spencer and M. Thompson, with Councillor S. Webb in attendance as the substitute Member for Councillor M. Thompson.

4/22 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/22 **MINUTES**

The minutes of the Licensing Committee held on 14<sup>th</sup> March 2022 were submitted.

**RESOLVED** that the minutes of the Licensing Committee held 14<sup>th</sup> March 2022, be approved as a correct record.

6/22 **REVIEW OF SEX ESTABLISHMENT LICENSING POLICY**

The Committee considered a report on the previously adopted Sex Establishment Licensing Policy, adopted by the Council on 1<sup>st</sup> April 2016.

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The Principal Officer (Licensing), Worcestershire Regulatory Services (WRS), introduced the report and in doing highlighted that where a Council had adopted such a policy that it was best practice to review the policy periodically. The current policy was adopted in April 2016 and officers were of the view that the policy should now be reviewed. A draft revised version of the policy was detailed at Appendix 2 to the report.

Members were informed that The Local Government (Miscellaneous Provisions) Act 1982 (“the Act”), as amended, allowed local authorities to adopt provisions concerning the regulation of sex establishments. Under the Act there was no legal requirement for the Council to adopt a policy on how it proposed to license sex establishments under the Act.

However, it was considered best practice for a Council to adopt such a policy to encourage consistency and transparency in the way that its licensing functions were carried out.

Members’ attention was drawn to the Service / Operational Implications, as detailed on pages 8 and 9 of the main agenda report.

The Principal (Licensing) Officer, WRS highlighted that, as detailed in the preamble above and in the report, that since the existing policy had been in place for more than six years, officers considered that now would be an appropriate time for the policy to be reviewed and for a revised version of the policy to be adopted.

Officers had therefore reviewed the existing policy and a draft revised version was attached at Appendix 2 to the report. The draft revised version had been highlighted to show where the document had been revised from the current policy.

The majority of the revisions were minor in nature and had been made to ensure that the document was up to date; and as clear and easy to understand as was possible.

The draft revised policy had been amended to update the foreword at The beginning of the document so that it reflected the current vision as set out in the Council Plan.

The draft revised policy had also been updated to reflect the renaming of the Local Safeguarding Children Board as Worcestershire Safeguarding Children Partnership.

The level of fines applicable in respect of various offences set out in the relevant legislation had been amended to reflect changes made to these since the current policy was approved.

Officers are now asking Members to direct them to carry out consultation with relevant stakeholders and the general public on the draft revised policy shown at Appendix 2 to the report.



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Members were further informed that, following consultation, any responses received would be brought back to a future meeting of the Committee for Members to consider; with a view to adopting the revised policy.

Members thanked the Principal (Licensing) Officer, WRS for a detailed report and for highlighting the amendments in the draft revised Sex Establishment Licensing Policy, as detailed at Appendix 2 to the report; which had made it easier to see the changes made.

In response to questions from Members, the Principal (Licensing) Officer, WRS commented that there were no licensed sex establishments in the district. Any new applications received would be brought before a Licensing Sub-Committee to determine. Licenses that had been granted and were called in for review, would be delegated to officers to determine.

A brief discussion followed on the Mandatory Refusal of Applications, as detailed in paragraph 3.3, on page 51 of the main agenda pack. Councillor C. A. Hotham questioned if the wording was relevant and should it be amended now that we had left the EU.

The Principal (Licensing) Officer, WRS agreed to amend the wording to include reference only to the relevant legislation; Paragraph 12(1) of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, so that should Paragraph 12(1) be amended in the future (following our exit from the EU) the policy would not have to be further amended to reflect this.

It was also agreed that, in order to avoid gender references, that the draft revised Sex Establishment Licensing Policy would be amended to include gender-neutral terms.

**RESOLVED** that subject to the amendments, as detailed in the preamble above that:

- a) the Licencing Committee agrees that officers carry out consultation with relevant stakeholders and the general public on the draft revised Sex Establishment Licensing Policy, as detailed at Appendix 2 to the report; and
- b) that any responses received to the consultation be brought back to a future meeting of the Committee for consideration.

7/22

## **LICENSING LEGISLATIVE UPDATE**

The Principal (Licensing) Officer, WRS, provided members with a licensing legislative update.

Members were informed that, Bromsgrove District Council was responsible for delivering a number of licensing functions regulating a

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broad range of businesses and activities undertaken in the Council's administrative area.

The licensing legislative update report would provide Members of the Council's Licensing Committee with an update on legislation that had been made or that had been proposed, which would impact on the Council's licensing responsibilities.

Members' attention was drawn to the following, as detailed in the report:

-

- Introduction of Tax Checks for Certain Licences
- Taxis and Private Hire Vehicles (Safeguarding & Road Safety) Act 2022
- Taxis and Private Hire Vehicles (Disabled Persons) Act 2022
- The Future of Pavement Licensing
- Potential Transfer of Taxi and Private Hire Licensing Functions to Upper-Tier Authorities
- Licensing Scheme for non-surgical cosmetic procedures

The Principal (Licensing) Officer, WRS responded to a number of questions with regard to Wheelchair Accessible Vehicles (WAV's), and in doing so stated that it was important to keep raising public awareness on taxi fares and how to complain if overcharged or a poor service was provided.

In response to questions with regard to Pavement Licensing and Street Amenity Licensing, Members were informed that Pavement Licensing allowed the licence holder to place removable furniture over certain highways adjacent to the premises in relation to which an application was made.

The Council's Street Amenity Policy covered specific areas for the placing of street furniture, adjacent to, or very near the premises applied for on the High Street and these areas were listed in the Street Amenity Policy.

In response to further questions on non-surgical procedures, Members were further informed that the licensing scheme would focus on certain non-surgical cosmetic procedures such as the injection of Botox and dermal fillers. These procedures had not been regulated and people had been disfigured.

The licensing scheme would introduce consistent standards that Individuals carrying out non-surgical cosmetic procedures would have to meet, as well as hygiene and safety standards for premises. It would focus on those cosmetic procedures which, if improperly performed, had the potential to cause harm, as referred to above, Botox and derma fillers.

The implementation of a scheme had been facilitated by the inclusion of provisions in the Health and Care Act 2022 which enabled the Secretary

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of State to use secondary legislation to introduce a scheme to licence specified cosmetic procedures.

It was anticipated that any licensing scheme that was introduced would be overseen by local authorities and that in two-tier areas like Worcestershire, the function would rest with the relevant district Council.

The Government had committed to carry out consultation on the form of the licensing scheme, including what cosmetic procedures would require licences to be in place.

**RESOLVED** that the Licensing Legislative update report, be noted.

8/22

## **LICENSING COMMITTEE WORK PROGRAMME 2022/2023**

The Committee noted the Licensing Committee Work Programme for 2022/2023.

The meeting closed at 7.04 p.m.

Chairman

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**REVIEW OF STREET COLLECTION POLICY**

Relevant Portfolio Holder	Councillor P Thomas
Portfolio Holder Consulted	No
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**

The Council has adopted a policy in relation to the control of street collections. This policy has been reviewed and Members of the Licensing Committee have previously resolved that officers should carry out a consultation exercise to obtain views on the policy and any amendments that could be made to it.

This consultation exercise has now taken place and the responses received are being reported back to the Licensing Committee for consideration.

**2. RECOMMENDATIONS**

**Members are asked to consider the responses received during the consultation exercise and RESOLVE to adopt the revised version of the Council’s Street Collection Policy, which is shown at Appendix 2 with effect from 1<sup>st</sup> October 2022.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 There are no fees payable in respect of applications for street collection permits.
- 3.2 The costs of the consultation exercise were met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.3 Section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 enables authorities to make regulations to control street collections in their area.

**Service / Operational Implications**

- 3.4 The Council regulates charitable collections taking place in any street or public place under the Police, Factories, etc (Miscellaneous Provisions) Act 1916. The Council can regulate collections where there is a collection of money or the selling of articles for the benefit of charitable purposes (cash collections).
- 3.5 Street collections are an important method of fund raising for charitable causes; however they can cause annoyance to the public if not suitably controlled and managed. This can lead to the public avoiding certain areas where they believe they will be asked to donate money every time they visit.
- 3.6 It is also important that those that are authorised to carry out street collections represent genuine charitable causes and are not seeking to defraud the public by pretending to collect for a charitable cause and actually using the money collected for other purposes.
- 3.7 In order to ensure that street collections are suitably controlled and managed, and that applicants for permits represent genuine charitable causes, the Council has adopted a policy for dealing with street collection permit applications.
- 3.8 The current policy was approved at the Licensing Committee on 22<sup>nd</sup> September 2014 and took effect from the 1<sup>st</sup> January 2015. It has therefore been a number of years since the policy was last subject to review.
- 3.9 It is important to recognise that the legislation does not cover face to face fundraisers who ask people in the street or other public place to sign up to donating to charitable causes by direct debit. The Council therefore cannot regulate this type of collection.
- 3.10 The Council has however entered into a site management agreement with the Institute of Fundraising (previously the Public Fundraising Regulatory Association or PFRA) to control this type of collection.

## LICENSING COMMITTEE

29<sup>th</sup> September 2022

- 3.11 During a review of the policy, officers identified at least two parts of the existing policy document that needed to be updated.
- 3.12 Firstly, the policy needed to be updated to reflect the fact that the Council has now entered into a site management agreement with the Institute of Fundraising to control direct debit street collections.
- 3.13 Secondly, the address for submission of applications needed to be updated as the Council no longer occupies the Council House in Burcot Lane.
- 3.14 A revised version of the policy was therefore created and that can be seen at **Appendix 1**. The Licensing Committee has previously resolved that officers should carry out a consultation exercise on the revised version of the policy.
- 3.15 This consultation exercise was undertaken between 23<sup>rd</sup> June 2022 and 27<sup>th</sup> August 2022.
- 3.16 The following were all contacted and asked for their views on the updated policy document:
- Those who had applied for permits in recent years
  - Local charities
  - Representatives of charitable organisations
  - Parish Councils
  - Bromsgrove District Councillors
  - Bromsgrove Centres Manager
  - Markets Manager
- 3.17 Additionally the consultation exercise was made available via the Council's website and publicised via the local press and social media channels.
- 3.18 During the consultation exercise, the only responses received were from the Bromsgrove Centres Manager and the Markets Manager.
- 3.19 The Centres Manager noted that the regulations set out in the policy document include one that says "collectors must remain within the location as defined in the Permit and must remain stationary." The Centres Manager has asked if Licensing Officers could work with herself and the Markets Manager to identify suitable locations for collectors to be positioned on Bromsgrove High Street. Officers are happy to do this but do not consider that any changes to the revised policy are required to facilitate this.

- 3.20 The Markets Manager has asked whether additional requirements could be included in the regulations to stop any collectors from being within the immediate vicinity of any market trader to ensure that anyone who does not wish to make a donation to the charitable cause is not dissuaded from visiting that market trader.
- 3.21 The Markets Manager has also asked whether the regulations could make it explicit that collectors should not shake their tins, which he considers to be a form of harassment of those who do not wish to make a donation.
- 3.22 Officers can see no particular concern with including these additional matters within the policy document and have therefore made amendments to the version of the policy consulted upon. This further revised version of the policy can be seen at Appendix 2.
- 3.23 Members are asked to consider the responses received during the consultation exercise and to resolve to adopt the revised version of the Council's Street Collection Policy, which is shown at Appendix 2 with effect from 1<sup>st</sup> October 2022.

#### **4. RISK MANAGEMENT**

- 4.1 If street collections are not appropriately controlled this could cause annoyance to the public and increase the risk that the public could be defrauded by people who are not collecting for genuine charitable causes.

#### **5. APPENDICES**

Appendix 1 – Draft Revised Street Collection Policy Consulted On

Appendix 2 – Further Revised Street Collection Policy

#### **AUTHOR OF REPORT**

Name: Dave Etheridge – Principal Officer (Licensing)  
Worcestershire Regulatory Services

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## **STREET COLLECTIONS**

Raising money or selling goods for charity in the street or any other public place requires permission from Bromsgrove District Council. These collections (usually referred to as “street collections”) most commonly take the form of a collector asking members of the public to make a donation in a collecting box.

The Council limits the number of collections taking place in the town, only in certain circumstances will additional collections be authorised.

From experience, it appears that unauthorised collectors often claim that they have permission from the manager of the store outside which they are collecting to carry out such activity in the shop entrance, although in many cases the collector is standing in the street, not in the shop entrance.

Regardless of the exact location of the collector, it is the Council’s view that a “public place” is one to which the public have, or are permitted to have, access at any time (or at least during usual shopping hours), without making payment. This would include a shop forecourt, a supermarket entrance or a privately owned shopping centre. It would not, however, include the area of any shop premises inside the entrance doors.

The sale of goods or articles in the street (usually referred to as Street Trading) is also controlled by the Council, and there are designated sites where street trading may take place.

### **Direct Debit Collections**

Direct Debit Collections are where pledges are collected for direct debit donations. These do not require permission from the Local Authority as there are no legal provisions for this type of collection.

The Council has however entered into a “site management agreement” with the Chartered Institute of Fundraising (previously known as the Public Fundraising Regulatory Association) to help control this type of activity in the town centre.

The current site management agreement can be found on the Institute of Fundraising's website here:

<https://ciof.org.uk/about-us/what-we-stand-for/excellent-fundraising/compliance/local-authorities/find-or-request-an-sma>

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## **STREET COLLECTIONS POLICY AND REGULATIONS**

The Street Collections Policy and Regulations are designed to ensure that only legitimate charities or organisations are permitted to collect money from people in the street and to ensure that the proceeds are properly accounted for.

A street includes “any highway and public bridge, road, lane, footway, square, court, alley or passage whether a thoroughfare or not”.

It does not matter whether the land is privately owned or owned by the Local Authority if the area is one to which the public have access, without making payment, then it falls under the definition of a street.

Bromsgrove District Council issues a Street Collection Permit for collections of money for charitable purposes and all applications shall be determined in accordance with the policy.

In considering applications received, the Licensing Officer will have regard to the number of collectors, the time of the collection and other events taking place at the same time. Preference will be given to local charities with regards to the application process in the event more than one application is received for the same day. If more applications are received than there are dates available, priority will be given to local charities, or local branches of national charities.

The Authority will only grant one Street Collection Permit in a Ward area on any given date unless circumstances allow for more than one Permit ie one for the morning and one for the afternoon.

Street collection permits will not normally be granted in the Town Centre (St John’s Ward) on Mondays and Wednesdays.

A Street Collection Permit will only be granted to those organisations which have submitted their latest financial returns in accordance with the Council’s Street Collection Regulations, and such returns are considered to be satisfactory.

Only one street collection per charity shall normally be made in any calendar year unless the Licensing Officer considers that circumstances are such that more than one street collection can be permitted. For example additional collections may be permitted where the proposed

collective date remains available close to the normal application deadline. Each case will be assessed on its merits.

All successful applicants must comply with the Council's Street Collection Regulations.

## **Regulations**

In pursuance of section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916, as amended by section 25 and Schedule 29 of the Local Government Act 1972, the Bromsgrove District Council Licensing Authority hereby makes the following Regulations with respect to where and the conditions under which a person or persons may be permitted in any street or public place within the District of Bromsgrove, to collect money or sell articles for the benefit of charitable or other purposes:

### **Definitions:**

“Local Authority” means Bromsgrove District Council.

“Collection” means collection of money or the sale of articles for the benefit of charitable or other purposes.

“Permit” means Street Collection Permit.

“Collection box” means box, tin or any other receptacle for the collection of money.

“Collectors” means those authorised by the Street Collection Permit to collect money from the public.

“Promoter” means a person authorised by the organisation to allow an application to be submitted.

“Qualified Account” means a current member of one or more of the following bodies: the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Association of Certified Accountants, or the Institute of Chartered Accountants in Ireland.

## Application Process

A completed Application Form should be submitted to:

Bromsgrove District Council (Licensing)  
Parkside  
Market Street  
Bromsgrove  
Worcestershire  
B61 8DA

Applications can also be emailed to [enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)

A completed application should be received by the Licensing Department at least 2 calendar months prior to the collection date unless there are special reasons for considering an application in a shorter time.

There is no fee payable.

The following documentation must also accompany the Application Form:

- i. A covering letter from the Promoter of the organisation confirming that authority has been given by the charity for the application to be made.
- ii. Form of accounts for the last 12 months (unless a Street Collection has been granted in the previous twelve months to the applicant and a form of account has been subsequently submitted).
- iii. Information regarding the organisation or charity including details of what the money is used for and what percentage of the money goes directly to the charitable organisation. Include leaflets and any promotional information

Once a completed application is received the Licensing Officer will establish whether there are any other events taking place on the same day that would conflict with the application or if any other Street Collection Permits have been granted for the same day

If the Street Collection Permit is granted the following documents will be sent to the applicant:

- A covering letter.
- The Permit specifying the date, time and location of the collection. This must be available to be viewed on the day of the collection.
- A copy of the Regulations which must be complied with.
- A Returns Form which must be sent to the Licensing Department no later than 28 days after the collection date. Failure to provide a Return Form will lead to refusal of any future application.

## **Refusals.**

If an application for a Street Collection Permit cannot be granted by the Licensing Officer for any reason, the applicant may ask for the matter to be considered by the Licensing Sub-Committee.

An application may be refused by the Licensing Sub-Committee for the following reasons:

- Insufficient information provided either within the application form or with any of the accompanying documentation.
- The completed application is received after the 2 month process period.
- The charity has already had one Street Collection Permit during the preceding 12 months.
- A Street Collection Permit has already been granted to another charity for the same time.
- Following a previous grant the Returns Form was not provided or was incomplete.
- For any other justifiable reason.

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Only those charities/organisations that have been granted a Street Collection Permit may collect money from people in the street using a collection box.

- The Permit is valid only for the date and time specified on the Permit.
- Collections must not in any way be conducted in a manner that would cause inconvenience to pedestrians or passers by.
- Collectors must not obstruct the highway or in any way cause a hindrance or obstruction.
- The Collectors must remain within the location as defined in the Permit and must remain stationary.
- Each Collector must carry a Collection Box.
- All Collection Boxes must be allocated a unique reference number, be properly accounted for and must be securely closed in such a way to ensure it can not be opened without breaking the seal.
- Collectors must be over the age of 16 unless the Licensing Department has previously given permission.
- All money received must be placed in the collection tin/box by the person making the donation.
- The Collectors must display their identity and charitable organisation at all times during the collection time.
- Collectors must have their Permit with them during the collection and must show it if requested to do so.
- The use of tables and chair is prohibited unless agreed with the Licensing Department prior to the date of collection.
- No animals may be used in any street collection unless previously agreed with the Licensing Department.
- A Return Form must be submitted to the Licensing Department within 28 days of the collection date. If the Return Form is not returned or is returned incomplete then this failure will result in any future application being refused.

## Return Form

A completed Return Form must be submitted within 28 days of the collection date. This must include the following information:

- The amount received and expenses and payments incurred.
- The details of the Collectors
- The amount in each collecting box.

The Return Form must be certified by a qualified Accountant.

The penalty for an offence arising from a failure to comply with these Regulations is liable to a fine at level 1 on the standard scale.

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## **STREET COLLECTIONS**

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The Council limits the number of collections taking place in the town, only in certain circumstances will additional collections be authorised.

From experience, it appears that unauthorised collectors often claim that they have permission from the manager of the store outside which they are collecting to carry out such activity in the shop entrance, although in many cases the collector is standing in the street, not in the shop entrance.

Regardless of the exact location of the collector, it is the Council’s view that a “public place” is one to which the public have, or are permitted to have, access at any time (or at least during usual shopping hours), without making payment. This would include a shop forecourt, a supermarket entrance or a privately owned shopping centre. It would not, however, include the area of any shop premises inside the entrance doors.

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### **Direct Debit Collections**

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The Council has however entered into a “site management agreement” with the Chartered Institute of Fundraising (previously known as the Public Fundraising Regulatory Association) to help control this type of activity in the town centre.

The current site management agreement can be found on the Institute of Fundraising's website here:

<https://ciof.org.uk/about-us/what-we-stand-for/excellent-fundraising/compliance/local-authorities/find-or-request-an-sma>

DRAFT

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It does not matter whether the land is privately owned or owned by the Local Authority if the area is one to which the public have access, without making payment, then it falls under the definition of a street.

Bromsgrove District Council issues a Street Collection Permit for collections of money for charitable purposes and all applications shall be determined in accordance with the policy.

In considering applications received, the Licensing Officer will have regard to the number of collectors, the time of the collection and other events taking place at the same time. Preference will be given to local charities with regards to the application process in the event more than one application is received for the same day. If more applications are received than there are dates available, priority will be given to local charities, or local branches of national charities.

The Authority will only grant one Street Collection Permit in a Ward area on any given date unless circumstances allow for more than one Permit ie one for the morning and one for the afternoon.

Street collection permits will not normally be granted in the Town Centre (St John’s Ward) on Mondays and Wednesdays.

A Street Collection Permit will only be granted to those organisations which have submitted their latest financial returns in accordance with the Council’s Street Collection Regulations, and such returns are considered to be satisfactory.

Only one street collection per charity shall normally be made in any calendar year unless the Licensing Officer considers that circumstances are such that more than one street collection can be permitted. For example additional collections may be permitted where the proposed

collective date remains available close to the normal application deadline. Each case will be assessed on its merits.

All successful applicants must comply with the Council's Street Collection Regulations.

## **Regulations**

In pursuance of section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916, as amended by section 25 and Schedule 29 of the Local Government Act 1972, the Bromsgrove District Council Licensing Authority hereby makes the following Regulations with respect to where and the conditions under which a person or persons may be permitted in any street or public place within the District of Bromsgrove, to collect money or sell articles for the benefit of charitable or other purposes:

### **Definitions:**

“Local Authority” means Bromsgrove District Council.

“Collection” means collection of money or the sale of articles for the benefit of charitable or other purposes.

“Permit” means Street Collection Permit.

“Collection box” means box, tin or any other receptacle for the collection of money.

“Collectors” means those authorised by the Street Collection Permit to collect money from the public.

“Promoter” means a person authorised by the organisation to allow an application to be submitted.

“Qualified Account” means a current member of one or more of the following bodies: the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Association of Certified Accountants, or the Institute of Chartered Accountants in Ireland.

## Application Process

A completed Application Form should be submitted to:

Bromsgrove District Council (Licensing)  
Parkside  
Market Street  
Bromsgrove  
Worcestershire  
B61 8DA

Applications can also be emailed to [enquiries@worcsregservices.gov.uk](mailto:enquiries@worcsregservices.gov.uk)

A completed application should be received by the Licensing Department at least 2 calendar months prior to the collection date unless there are special reasons for considering an application in a shorter time.

There is no fee payable.

The following documentation must also accompany the Application Form:

- i. A covering letter from the Promoter of the organisation confirming that authority has been given by the charity for the application to be made.
- ii. Form of accounts for the last 12 months (unless a Street Collection has been granted in the previous twelve months to the applicant and a form of account has been subsequently submitted).
- iii. Information regarding the organisation or charity including details of what the money is used for and what percentage of the money goes directly to the charitable organisation. Include leaflets and any promotional information

Once a completed application is received the Licensing Officer will establish whether there are any other events taking place on the same day that would conflict with the application or if any other Street Collection Permits have been granted for the same day

If the Street Collection Permit is granted the following documents will be sent to the applicant:

- A covering letter.
- The Permit specifying the date, time and location of the collection. This must be available to be viewed on the day of the collection.
- A copy of the Regulations which must be complied with.
- A Returns Form which must be sent to the Licensing Department no later than 28 days after the collection date. Failure to provide a Return Form will lead to refusal of any future application.

## **Refusals.**

If an application for a Street Collection Permit cannot be granted by the Licensing Officer for any reason, the applicant may ask for the matter to be considered by the Licensing Sub-Committee.

An application may be refused by the Licensing Sub-Committee for the following reasons:

- Insufficient information provided either within the application form or with any of the accompanying documentation.
- The completed application is received after the 2 month process period.
- The charity has already had one Street Collection Permit during the preceding 12 months.
- A Street Collection Permit has already been granted to another charity for the same time.
- Following a previous grant the Returns Form was not provided or was incomplete.
- For any other justifiable reason.

# Agenda Item 4

Only those charities/organisations that have been granted a Street Collection Permit may collect money from people in the street using a collection box.

- The Permit is valid only for the date and time specified on the Permit.
- Collections must not in any way be conducted in a manner that would cause inconvenience to pedestrians or passers by.
- Collectors must not obstruct the highway or in any way cause a hindrance or obstruction.
- The Collectors must remain within the location as defined in the Permit and must remain stationary.
- Collectors must not be positioned in the immediate vicinity of any market trader
- Each Collector must carry a Collection Box.
- Collections Boxes must not be shaken by Collectors to encourage people to make donations
- All Collection Boxes must be allocated a unique reference number, be properly accounted for and must be securely closed in such a way to ensure it can not be opened without breaking the seal.
- Collectors must be over the age of 16 unless the Licensing Department has previously given permission.
- All money received must be placed in the collection tin/box by the person making the donation.
- The Collectors must display their identity and charitable organisation at all times during the collection time.
- Collectors must have their Permit with them during the collection and must show it if requested to do so.
- The use of tables and chair is prohibited unless agreed with the Licensing Department prior to the date of collection.
- No animals may be used in any street collection unless previously agreed with the Licensing Department.
- A Return Form must be submitted to the Licensing Department within 28 days of the collection date. If the Return Form is not returned or is returned incomplete then this failure will result in any future application being refused.

## Return Form

A completed Return Form must be submitted within 28 days of the collection date. This must include the following information:

- The amount received and expenses and payments incurred.
- The details of the Collectors
- The amount in each collecting box.

The Return Form must be certified by a qualified Accountant.

The penalty for an offence arising from a failure to comply with these Regulations is liable to a fine at level 1 on the standard scale.

DRAFT



**HACKNEY CARRIAGE TABLE OF FARES**

Relevant Portfolio Holder	Councillor P Thomas
Portfolio Holder Consulted	No
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**

The Council has responsibility under the Local Government (Miscellaneous Provisions) Act 1976, for setting the maximum fares that can be charged by hackney carriage vehicles licensed to operate within the district.

In March 2022, the Licensing Committee approved the advertisement of a revised table of fares which was subsequently implemented. At the time this decision was reached, Members also decided that the table of fares should be reviewed annually and that an interim review should take place during the second half of 2022 if the circumstances merited this.

Officers have also recently received a request submitted on behalf of hackney carriage licence holders for the table of fares to be further varied to address some unintended consequences that have been noticed by licence holders since the implementation of the revised table of fares in May 2022.

**2. RECOMMENDATIONS**

**That the Licensing Committee considers the request and, if they agree to make the requested variations to the table of fares, RESOLVE that:**

- a) **The proposed table of taxi fares as set out in Appendix 2 be advertised as a public notice and objections from the public invited in accordance with the requirements of section 65, Local Government (Miscellaneous Provisions) Act, 1976.**
- b) **If no objections are received from the public within 14 days of publication of the notice that the proposed tariff will come into effect on 7<sup>th</sup> November 2022.**

- c) **If objections are received in the stated time, that the matter will be considered further at the next meeting of the Licensing Committee, and a decision made as to whether the variations to the table of fares should be made**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The costs of advertising any proposed variations to the table of fares for hackney carriages would be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 Section 65 (1) of the Local Government (Miscellaneous Provisions) Act 1976 states that a district council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle, to be paid in respect of the hire of hackney carriages by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.
- 3.3 Section 65(2) of the Local Government (Miscellaneous Provisions) Act 1976 goes on to state:
- a) When a district council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.
- b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the offices of the council which published the notice, and shall at all reasonable hours be open to public inspection without payment.

- 3.4 If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in section 65 (2), or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.
- 3.5 If objections are made and are not withdrawn, the district council must set a further date, not later than two months after the first specified date, on which the table of fares shall come into force with or without modifications as decided by them after consideration of the objections.

### **Service / Operational Implications**

- 3.6 The Council has responsibility under the Local Government (Miscellaneous Provisions) Act 1976, for setting the maximum fares that can be charged by hackney carriage vehicles licensed to operate within the district.
- 3.7 Hackney Carriage (“Taxi”) fares are made up of an initial hiring charge and a “mileage” rate, both of which are expressed in terms of distance and / or time per unit cost. This is because when a hired taxi is stationary or moving slowly in traffic the meter continues charging, but by time, instead of distance.
- 3.8 The table of fares applies only to hackney carriage vehicles. Private hire operators are free to agree their hiring charges in advance with their customers, normally at the time of booking the journey.
- 3.9 The current table of fares can be seen at **Appendix 1**. The current table of fares was approved by the Licensing Committee at its meeting on 14<sup>th</sup> March 2022 and took effect on 16<sup>th</sup> May 2022.
- 3.10 At the time that the table of fares was approved, Members requested that the table of fares should be reviewed annually in the future and that an interim review should be conducted later in 2022 if the circumstances merited this.

- 3.11 According to weekly fuel price data provided by the Department for Business, Energy and Industrial Strategy (BEIS), the average price of fuel in the week commencing 14<sup>th</sup> March 2022 was

	Price per litre
Ultra-low sulphur unleaded petrol	159.96p
Ultra-low sulphur diesel	169.48p

- 3.12 In the week commencing 12<sup>th</sup> September 2022, according to the same statistics, the average price of fuel was:

	Price per litre	Change
Ultra-low sulphur unleaded petrol	167.72p	+4.9%
Ultra-low sulphur diesel	182.30p	+7.6%

- 3.13 This shows that fuel prices have continued to rise since March 2022. Fuel prices peaked in July 2022 but have been coming down gradually since then. The increase in fuel prices since March 2022 is despite the temporary 5p per litre reduction in fuel duty, effective from 6pm on 23<sup>rd</sup> March 2022.
- 3.14 The cost of fuel is of course only one factor that Members should consider when determining whether it is appropriate to vary the table of fares. Also of relevance will be other general increases in the cost of living for hackney carriage proprietors.
- 3.15 According to the data compiled by the Office for National Statistics (ONS), the Consumer Prices Index (CPI) rose by 9.9% in the 12 months to August 2022, up from 7.0% in March 2022 but down slightly from 10.1% in July 2022. The Bank of England has predicted that inflation will climb to around 13% later this year, driven by the unprecedented increase in energy prices. Inflation is then predicted to remain high throughout much of 2023 before beginning to fall towards the Bank of England target of 2%

- 3.16 Since the current table of fares took effect, officers have been approached by representatives of the hackney carriage trade in Bromsgrove in respect of some unintended consequences that have been created by the new table of fares.
- 3.17 These include the fact that drivers of vehicles capable of carrying more than 4 passengers are now often not able to charge as much for journeys involving more than four passengers as they were under the previous table of fares from that was in operation from 1<sup>st</sup> August 2013 to 15<sup>th</sup> May 2022.
- 3.18 This is because the structure of the table of fares was amended in such a way as to remove the ability for drivers to charge 50% more than the standard tariff for those journeys involving the carriage of more than 4 passengers. Although an additional charge was included in the table of fares to allow the charging of £1 for every passenger in excess of 4, this does not provide the same level of recompense to drivers, particular for longer journeys involving the carriage of 5 or 6 passengers.
- 3.19 The trade representatives have therefore requested that the table of fares be amended to allow drivers to charge the Tariff Two rates for any journey where the number of passengers being transported exceeds four. As a consequence, the extra charge per passenger in excess of four would need to be removed from the table of fares.
- 3.20 Additionally it has been pointed out that under the current table of fares, the mileage rate is the same on both Tariff One and Tariff Two – equivalent to £2.00 per mile. The flag charge is higher on Tariff One than it is on Tariff Two, but the trade representatives feel that the mileage rate should also be higher on Tariff Two to provide an additional incentive and recompense for drivers to work after midnight.
- 3.21 They have therefore requested that the mileage rate on Tariff Two be increased from 20p per 176 yards to 30p per 176 yards.
- 3.22 The trade have also requested that the mileage rate on Tariff Three be increased from 30p per 176 yards to 40p per 176 yards to provide further incentive and recompense for drivers to work on Christmas Day, Boxing Day and New Year's Day
- 3.23 Finally the trade representatives have asked that the maximum soilage charge be increased from £75.00 to £100.00. Whilst soilage charges very rarely have to be charged, the trade representatives believe the maximum charge needs to cover the likely cost of cleaning the vehicle and provide a level of compensation for the income lost whilst the vehicle is off the road being cleaned.

- 3.24 Taking account of the requests made by the trade representatives, officers have drafted a revised table of fares that can be seen at **Appendix 2**.
- 3.25 Legislation requires that any changes to the table of fares are published as a public notice and objections invited. If no objections are received the fares come into force on the named date. If there are objections, then the Council must consider them and re-set the fares with or without variations. No further statutory consultation is required at that time.
- 3.26 Members are asked to consider the requests received and, if they agree to make the variations requested, to direct officers to undertake the legal processes required to advertise the varied tariff shown at **Appendix 2** with a view to this taking effect on 7<sup>th</sup> November 2022.
- 3.25 However, if objections are received when the proposed variations are advertised, then the variations cannot take effect until after those objections have been considered at a future meeting of the Licensing Committee.

#### **4. RISK MANAGEMENT**

- 4.1 None

#### **5. APPENDICES**

- Appendix 1 – Current Table of Fares  
Appendix 2 – Proposed Table of Fares

#### **AUTHOR OF REPORT**

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**BROMSGROVE DISTRICT COUNCIL**

**TABLE OF FARES FOR HACKNEY CARRIAGES**

**WITH EFFECT FROM 16<sup>th</sup> MAY 2022**

	Tariff One	Tariff Two	Tariff Three
For the first 1760 yards (1069.3 metres approx.) or part thereof	£5.00	£7.50	£10.00
For each subsequent 176 yards (160.9 metres approx.)	£0.20	£0.20	£0.30
Equivalent to:	£2.00 per mile (1609.3 metres approx.)	£2.00 per mile (1609.3 metres approx.)	£3.00 per mile (1609.3 metres approx.)
Waiting time – for each 30 seconds	£0.15	£0.20	£0.30
<b>Extra Charges</b>			
For each dog (except assistance dogs)	£1.50		
For each passenger in excess of 4	£1.00		
<b>Explanation of Tariffs Applicable</b>			
Tariff One	6am – Midnight		
Tariff Two	Midnight – 6am <u>and</u> on designated public holidays		
Tariff Three	Christmas Day, Boxing Day and New Years Day		
<p><u>Note</u> if the vehicle or seating is so soiled by any passenger or animal as to require cleaning, the proprietor may make a charge. This must be made clear to the passenger at the end of the journey there will be a maximum charge of £75.00.</p>			

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**BROMSGROVE DISTRICT COUNCIL**

**TABLE OF FARES FOR HACKNEY CARRIAGES**

**WITH EFFECT FROM DATE TO BE CONFIRMED**

	Tariff One	Tariff Two	Tariff Three
For the first 1760 yards (1069.3 metres approx.) or part thereof	£5.00	£7.50	£10.00
For each subsequent 176 yards (160.9 metres approx.)	£0.20	£0.30	£0.40
Equivalent to:	£2.00 per mile (1609.3 metres approx.)	£3.00 per mile (1609.3 metres approx.)	£4.00 per mile (1609.3 metres approx.)
Waiting time – for each 30 seconds	£0.15	£0.20	£0.30
<b>Extra Charges</b>			
For each dog (except assistance dogs)	£1.50		
<b>Explanation of Tariffs Applicable</b>			
	<b>Journeys where there are up to four passengers</b>	<b>Journeys where there are five or more passengers</b>	
<b>Tariff One</b>	6am – Midnight	N/A	
<b>Tariff Two</b>	Midnight – 6am <u>and</u> on designated public holidays except Christmas Day, Boxing Day and New Years' Day	Any time except on designated public holidays	
<b>Tariff Three</b>	Christmas Day, Boxing Day and New Years' Day	On all designated public holidays	
<p><b>Note</b> if the vehicle or seating is so soiled by any passenger or animal as to require cleaning, the proprietor may make a charge. This must be made clear to the passenger at the end of the journey there will be a maximum charge of £100.00.</p>			

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**HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE LIMITS**

Relevant Portfolio Holder	Councillor P Thomas
Portfolio Holder Consulted	No
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**

- 1.1 The Licensing Committee has previously requested reports from officers in respect of revisiting the Council’s vehicle licensing policies with regard to standards and age criteria for electric vehicles, looking at incentives for drivers to purchase less polluting vehicle, the number of Wheelchair Accessible Vehicles (WAVs) licensed by the Council, ways to incentivise drivers to purchase WAVs and an estimate of the number of WAVs the district needs.
- 1.2 Officers have also been recently approached by representatives of hackney carriage and private hire licence holders who have requested that the Council gives consideration to relaxing its vehicle age limits for hackney carriage and private hire vehicles in response to economic factors impacting licence holders as a result of the coronavirus pandemic and the subsequent global economic pressures.
- 1.3 This report has been produced to enable Members to consider these matters alongside one another.

**2. RECOMMENDATIONS**

**That the Licensing Committee RESOLVE whether or not they wish officers to undertake a consultation exercise on proposals to amend the Council’s vehicle age limits to those shown at Appendix 1 and to amend the Council’s vehicle testing requirements to those set out at paragraph 3.15 of the report.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The costs of any consultation exercise undertaken will be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

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

**Service / Operational Implications**

- 3.3 At their meeting on 14<sup>th</sup> March 2022, the Council's Licensing Committee approved the adoption of a new Hackney Carriage and Private Hire Licensing Policy which took effect on 1<sup>st</sup> September 2022.
- 3.4 Towards the end of that meeting, Members discussed the Work Programme for 2021/22 and requested that reports be brought forward to future Licensing Committee meetings in respect of:
- Revisiting the Council's vehicle licensing policies with regard to standards and age criteria for electric vehicles.
  - Looking at incentives for drivers to purchase less polluting vehicles
  - The number of Wheelchair Accessible Vehicles (WAVs) licensed by the Council, ways to incentivise drivers to purchase WAVs and an estimate of the number of WAVs the district needs.
- 3.5 This report has been produced to try and address all of the above requests and also sets out the details of some recent dialogue between officers and representatives of hackney carriage and private hire drivers licensed by the Council in respect of the current vehicle age policies in place.

- 3.6 The Council's current policy on the licensing of vehicles to be used as a hackney carriage or private hire vehicle includes the following requirements in respect of the age of the vehicle.

<b>Hackney Carriage Vehicles</b>	
<b>Maximum age (when first licensed)</b>	<b>Maximum age at renewal of licence</b>
7 years	10 years (12 years if WAV)

<b>Private Hire Vehicles</b>	
<b>Maximum age (when first licensed)</b>	<b>Maximum age at renewal of licence</b>
10 years (12 years if WAV)	10 years (12 years if WAV)

- 3.7 Currently these requirements are the same for every vehicle and do not take into account of how the vehicle is fuelled.
- 3.8 The current policy does provide some incentive for drivers to licence WAVs as they can be licensed for longer than a vehicle that cannot carry a wheelchair user who remains seated in their wheelchair. However there are still only 4 hackney carriages out of 88 and 1 private hire vehicle out of 16 licensed by the Council that are WAVs.
- 3.9 Recent dialogue has taken place between officers and representatives of the hackney carriage and private hire trade in which the following has been highlighted:
- The price of second-hand vehicles has increased dramatically in recent years
  - Licence holders are suffering financial difficulties as a result of the income lost during the coronavirus pandemic with many having used their savings to meet their day to day spending needs during this time
  - Licensed vehicles were used significantly less than usual during 2020 and 2021 as a result of the travel and business restrictions imposed in response to the coronavirus pandemic.

## LICENSING COMMITTEE

29<sup>th</sup> September 2022

- 3.10 The representatives of the hackney carriage and private hire trade have therefore requested that consideration is given to amending the current vehicle licensing policies to relax the age limits currently imposed on vehicles licensed to be used as hackney carriage or private hire vehicles.
- 3.11 Officers have drawn up some suggested vehicle age limits for consideration by Members. The suggested age limits have been based on the following principles:
- Incentivising the take up of less polluting vehicles
  - Incentivising the take up of WAVs
  - Recognising the economic impact of the coronavirus pandemic on hackney carriage and private hire licence holders
- 3.12 The suggested age limits are shown in a table at **Appendix 1**.
- 3.13 To help ensure that any relaxation of vehicle age limits does not put public safety at risk, officers are also suggesting that if the vehicle age limits are amended as suggested, the frequency of scheduled examinations of licensed vehicles should also be amended.
- 3.14 Currently licensed vehicles that are less than 7 years of age are required to be examined at the Council's Depot once per year, just before a licence for the vehicle is granted or renewed. Vehicles that are over the age of 7 years are also required to have a further examination 6 months after the licence for the vehicle took effect.
- 3.15 Officers would suggest that if the vehicle age limits were amended to those shown at **Appendix 1**, then the vehicle testing requirements should be simultaneously amended as follows:

Vehicles under 5 years of age	Examined <b>once</b> per year (just before a licence is granted or renewed)
Vehicles over 5 years of age and under 10 years of age	Examined <b>twice</b> per year (just before a licence is granted or renewed and 6 months after the licence takes effect)
Vehicles over 10 years of age	Examined <b>three times</b> per year (just before a licence is granted or renewed, 4 months after the licence takes effect and 8 months after the licence takes effect)

- 3.16 If Members were minded to amend the current vehicle age limits and vehicle examination requirements, this would involve amending the Council's Hackney Carriage and Private Hire Licensing Policy. Therefore, officers would advise that proper consultation on the proposals is undertaken with licence holders and other relevant stakeholders.
- 3.17 Such consultation would also be an opportunity to try to establish how many wheelchair accessible hackney carriage / private hire vehicles are likely to be required in the district.
- 3.18 Members are therefore asked to consider whether they wish officers to undertake a consultation exercise on proposals to amend the Council's vehicle age limits to those shown at **Appendix 1** and to amend the Council's vehicle testing requirements to those set out at paragraph 3.15 of this report.

#### **4. RISK MANAGEMENT**

- 4.1 None

#### **5. APPENDICES**

- 5.1 Appendix 1 - Suggested Vehicle Age Limits

#### **AUTHOR OF REPORT**

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## Suggested Age Limits for Hackney Carriage and Private Hire Vehicles

### Maximum age when being licensed as a hackney carriage or private hire vehicle for the first occasion

	<b>Wheelchair accessible</b>	<b>Not Wheelchair accessible</b>
Fully electric or hydrogen fuelled	No age limit	15 years
Ultra-low Emission Vehicles (ULEV)	15 years	12 years
Other vehicles	12 years	9 years

### Maximum age when licence to use the vehicle as a hackney carriage or private hire vehicle is being renewed

	<b>Wheelchair accessible</b>	<b>Not Wheelchair accessible</b>
Fully electric or hydrogen fuelled	No age limit	18 years
Ultra-low Emission Vehicles (ULEV)	18 years	15 years
Other vehicles	15 years	12 years

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## **LICENSING COMMITTEE**

**29<sup>th</sup> September 2022**

### **LICENSING COMMITTEE WORK PROGRAMME 2022/23**

**29<sup>th</sup> September 2022** (Rescheduled from 19<sup>th</sup> September 2022)

Consideration of responses to consultation on draft Street Collections Policy.

Review of Hackney Carriage Table of Fares (Interim)

Review of Hackney Carriage and Private Hire Vehicle Licensing Policies  
(Including ways to amend policy to incentivise licence holders to purchase  
wheelchair accessible vehicles and ultra-low / zero emission vehicles)

**14<sup>th</sup> November 2022**

Consideration of responses to consultation on draft revised Sex Establishment  
Policy

**27 March 2022**

Review of Hackney Carriage Table of Fares (Annual)

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