

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE LIMITS AND TESTING ARRANGEMENTS – RESPONSE TO CONSULTATION

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 On 19th September 2022, the Licensing Committee resolved to direct officers to undertake a consultation exercise in relation to proposals to amend parts of the Council’s Hackney Carriage and Private Hire Vehicle Licensing Policy in respect of vehicle age limits and testing arrangements for licensed vehicles.
- 1.2 The results of this consultation exercise now need to be considered by Members of the Licensing Committee.

2. RECOMMENDATIONS

That the Licensing Committee consider the responses received during the consultation exercise and RESOLVE to approve the draft revised Hackney Carriage and Private Hire Licensing Policy shown at Appendix 3 with effect from 1st April 2023.

3. KEY ISSUES

Financial Implications

- 3.1 The costs of the consultation exercise undertaken were met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 Proper consultation on the 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 14th March 2022, the Council's Licensing Committee approved the adoption of a new Hackney Carriage and Private Hire Licensing Policy which took effect on 1st 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 On 19th September 2022, Members of the Licensing Committee considered a report that was produced by officers to try and address those requests and set out the details of some dialogue that had taken place between officers and representatives of hackney carriage and private hire drivers licensed by the Council in respect of the current vehicle age policies.
- 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.

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

Private Hire Vehicles	
Maximum age (when first licensed)	Maximum age at renewal of licence
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 particular vehicle is fuelled / powered.
- 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. Despite this, on 19th September 2022 there were only 4 hackney carriages out of 88 and 1 private hire vehicle out of 16 licensed by the Council that are WAVs.
- 3.9 The dialogue between officers and representatives of the hackney carriage and private hire trade had 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.
- 3.10 The representatives of the hackney carriage and private hire trade therefore requested that consideration was 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 had therefore drawn up some suggested vehicle age limits for consideration by Members. The suggested age limits were 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 age limits that officers suggested Members consider, are shown in the table at **Appendix 1**.
- 3.13 To help ensure that any relaxation of vehicle age limits would not put public safety at risk, officers also suggested 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 Following consideration of the officer's report, Members resolved to direct officers to carry out consultation on amending the vehicle age limits to those shown at **Appendix 1**. Members also resolved to direct officers to carry out consultation on amending the vehicle testing arrangements to the following:

Vehicles under 7 years of age	Examined once per year (just before a licence is granted or renewed)
Vehicles over 7 years of age and under 10 years of age	Examined twice 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 three times 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 The consultation exercise was undertaken between 4th January 2023 and 3rd March 2023. An online consultation survey was used to enable people to give their views on the proposed amendments. A link to the survey was provided via the Council's website and advertised via social media channels.

3.17 Details of the consultation exercise were also sent to:

- Those licensed by the Council to drive hackney carriage and/or private hire vehicles
- Those licensed by the Council to operate private hire vehicles
- Bromsgrove Taxi Association
- National Private Hire and Taxi Association
- Licensed Private Hire Car Association
- Worcestershire County Council – School Transport Team
- West Mercia Police
- Office of the Police and Crime Commissioner
- West Mercia Safer Roads Partnership
- Bromsgrove District Council Depot Management
- Safer Bromsgrove (Community Safety Partnership)
- Climate Change & Energy Support Officer (Bromsgrove DC)
- Environmental Policy & Awareness Officer (Bromsgrove DC)
- Bromsgrove District Councillors
- Parish Councils

3.18 Details of the responses received to the questions that were asked in the consultation survey are set out at **Appendix 2**.

3.19 The majority of those who responded to the consultation were supportive of amendments being made to parts of Council's Hackney Carriage and Private Hire Vehicle Licensing Policy in respect of vehicle age limits, as proposed.

3.20 Opinion was however more divided on whether or not the Council should amend the vehicle testing amendments to require an additional inspection for those vehicles that are over 10 years of age.

3.21 Notwithstanding the mixed opinions expressed on this proposal, officers still believe that requiring extra examinations of these older vehicles provides additional safeguards for the public, which would help to counterbalance any potential risk that might be posed by relaxing vehicle age limits for hackney carriage and private hire vehicles.

3.22 Members are asked to consider the responses received during the consultation exercise.

3.23 A draft revised version of the Council's Hackney Carriage and Private Hire Licensing Policy, which incorporates those amendments proposed during the consultation exercise, can be seen at **Appendix 3**. The parts of the policy that have been amended have been highlighted for ease of reference.

- 3.24 Officers recommend that the Licensing Committee resolve to adopt this revised version of the Hackney Carriage and Private Hire Licensing Policy to take effect from 1st April 2023.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

Appendix 1 - Suggested Vehicle Age Limits

Appendix 2 - Responses to consultation questions

Appendix 3 - Draft Revised Hackney Carriage and Private Hire Licensing Policy

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