

Agenda Item No: 7 **Report No:** 135/13
Report Title: Age Policy for Hackney Carriage and Private Hire Vehicles
Report To: Licensing Committee **Date:** 30 August 2013
Cabinet Member: Cllr Nicholson
Ward(s) Affected: All
Report By: Director of Planning & Environmental Services
Contact Officers: Ian Kedge, Head of Environmental Health,
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Robbie Clark, Hackney Carriage Licensing Officer
Robbie.clark@lewes.govuk – 01273 484276

Purpose of Report:

To amend the age policy for Hackney Carriage and Private Hire vehicles

Officers Recommendations:

The Committee is recommended to approve the following Policies for Hackney Carriage and Private Hire Vehicles:

- 1** In the case of a first application for a Hackney Carriage vehicle or Private Hire vehicle the vehicle must not exceed 7 years of age from the date of initial DVLA registration and not more than 10 years of age in the case of any subsequent application for the renewal of the licence.
 - 2** In the case of a Hackney Carriage or Private Hire vehicle that is a purpose built taxi or wheelchair accessible vehicle, the vehicle must not exceed 7 years of age from the date of the initial DVLA registration and not more than 12 years of age in the case of any subsequent application for renewal of licence.
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1 Current Age Policy

The current age policy for Hackney Carriage and Private Hire vehicles was set when licensing was first introduced to Lewes District Council in 1986/7. At present both Hackney Carriage and Private Hire vehicles must be less than 5 years old for initial licensing with an upper age limit of 10 years.

2 Information

- 2.1** A written request has been received from Southern Taxis for Lewes District Council to amend the age limits for wheelchair accessible vehicles.
- 2.2** Southern Taxis are the owners of South Coast Taxis in Longridge Avenue, Saltdean. Their stated wish is to expand the number of wheelchair assessable taxis on their fleet from South Coast Taxis. But the vehicles in question are expensive to buy in comparison to a saloon type vehicle.
- 2.3** Many other proprietors/drivers have also enquired if the age limits on our vehicles can be relaxed because of the ongoing financial problems affecting the trade in general.
- 2.4** The Trade has been consulted and the results are attached in Appendix 1. For information comparison Age Policies for other Sussex Local Authorities are attached in Appendix 2.
- 2.5** Officers believe that in the continuing economic climate it may be a good opportunity to revise age restrictions for all vehicles licensed by Lewes District Council.
- 2.6** Many drivers who are currently having to replace their vehicles inform the Licensing Office that they are struggling to find the necessary finance to purchase a vehicle that is less than 5 years old.
- 2.7** It is believed that by allowing an extension of 2 years at first licensing this would assist the trade during the current financial difficulties where there is clear evidence that the trade is contracting.
- 2.8** Running costs for vehicles continue to be high which combined with a lack of trade adds to the overall burden of expense on proprietors.
- 2.9** The stringent EURO4 emission test started in January 2005 for all diesel and petrol vehicles. Even allowing a further two years any new licensed vehicle will still have to pass the EURO4 emissions test.
- 2.10** There is no doubt that volume vehicle production has improved over the past few years in term of safety and quality. Vehicles that are 6 or 7 years old at first licensing will still have to pass our strict fitness conditions, MOT and EURO4 emission testing which are conducted every 6 months.
- 2.11** It is hoped that by this amended policy drivers may be in a position to purchase better quality vehicles which because of the age extension will now fall into a price bracket they will be able to afford.

3 Guidance

3.1 The department for Transport Best Practice Guidance states:

Age Limits – it is perfectly possible for an older vehicle to be in good condition so the setting of an age limit beyond which a Local Authority may not licence vehicles may be arbitrary and inappropriate. A greater frequency of testing for older vehicles e.g. twice yearly testing for vehicles over five years old. (Lewes District Council already has that condition in place for all licensed vehicles regardless of age).

4 Legal Implications

4.1 The Local Government (Miscellaneous Provisions)Act 1976 empowers a local Authority attach to the grant of a Hackney Carriage or Private Hire Vehicle Licence such conditions as they may consider reasonably necessary.

5 Financial Appraisal

5.1 There are no financial implications for the Council associated with this report.

6 Environmental Implications

6.1 I have completed the Environmental Implications Questionnaire and there are no significant effects as a result of these recommendations. Form No. AF29075

7 Risk Management Implications

7.1 I have completed a risk assessment. The changes/issues covered by this report are not significant in terms of risk. No new risks will arise whether or not the recommendations are implemented or rejected. Form No. LDC29073

8 Equality Screening

8.1 I have completed the Equality Screening checklist and there are positive impacts in terms of likely increase in the number of wheelchair accessible taxis in the District. Form No AF29185 applies.

9 Background Papers

9.1 There are no background papers to this report.

10 Appendices

10.1 Appendix 1 Consultation with Trade

10.2 Appendix 2 Comparison figures for other Sussex Council

Appendix 1

direct dial Mr Clark 01273 484276
Robbie.Clark@lewes.gov.uk

my ref EH/HC/RC/MH

your ref

date 20 May 2013

Dear Driver

Over the past months I have had a number of requests from owners and a written request from a taxi company for Lewes District Council to change the age policy in relation to the licensing of Hackney Carriage and Private Hire vehicles. The overwhelming reason for these requests is the cost of a replacement vehicle that is less than 5 years old.

I have discussed this matter with my Head of Department and we are minded to recommend to the Licensing Committee amending the age policy of vehicles as follows:

Hackney Carriage / Private Hire vehicles - licensing will be allowed for a first application for a vehicle that does not exceed **7 years** of age **from the date of initial DVLA registration**, and not more than **10 years** in the case of any subsequent application for a renewal of licence.

Wheelchair accessible vehicles - licensing will be allowed for a first application for a vehicle that does not exceed **7 years** of age **from the date of initial DVLA registration**, and not more than **12 years** in the case of any subsequent application for a renewal of licence.

Are you in favour of this policy change? **Yes / No** (please delete as required)

Any further comments.....

Yours sincerely

R F Clark
Hackney Carriage Licensing Officer

Your consultation must be returned in the prepaid envelope by 7 June 2013

Appendix 1 cont...

Results

No. sent out	304	
No. returned	109	36%
In favour	93	85%
Against	16	15%

Appendix 2

		Hackney Carriage		Private Hire	
		1 st licensing	Limit	1 st licensing	Limit
Brighton	cars	7	10	7	10
	WAVs	7	12	7	12
Crawley	current	4	no limit	4	no limit
	Proposed	5/6	no limit	5/6	no limit
Arun		no policy	no policy	no policy	no policy
Chichester		7	no limit	7	no limit
Eastbourne	cars	7	9	7	9
	WAVs	7	no limit	7	no limit
Hastings	cars	5	7	5	7
	WAVs	5	10	5	10
Horsham		5	no limit	5	no limit
Mid Sussex		no policy	no policy	no policy	no policy
Rother		7	no limit	7	no limit
Wealden		5	9	5	9
Worthing	cars	3	10	3	10
	WAVs	3	15	3	15
Lewes	current	5	10	5	10
	Proposed	7	10	7	10
	WAVs	7	12	7	12