

## **Review of Hackney Carriage & Private Hire Vehicle upper Age Limits**

**Private Hire and Hackney Carriage Licensing Sub-Committee    Date: 22nd  
February 2012**

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Regeneration and Community.**

**Wards Affected:    All**

### **Purpose**

To consider a request to remove the upper age limit on wheelchair accessible Hackney Carriage Vehicles.

To consider a request to remove the upper age limit on Private hire vehicle licences

### **Recommendation**

The Sub-Committee is asked to : -

- To extend the vehicle age limit for wheelchair accessible Hackney Carriage vehicles from the current age limit of 12 years, to 15 Years
- To extend the age limit on Private Hire and Hackney Carriage saloon vehicles from the current age limit of 7 years, to 10 years
- To approve that these vehicles to be inspected twice a year when they reach 10 years of age for Wheelchair accessible Hackney Carriages and 5 years of age for all other vehicles.
- Grant delegated authority to the Licensing Officer to refuse to licence any vehicle after inspection if in their opinion the vehicle has not been exceptionally well maintained.

## **1. Current Position**

- 1.1. In 2009 vehicle age limits were extended from five years to seven years for Private Hire Vehicles and Hackney saloon cars and from ten years to twelve years for wheelchair accessible Hackney Carriages. This limit had been in force since 1997.
- 1.2. Vehicle age limits are currently 12 years of age for Wheelchair accessible Hackney Carriages. Once a vehicle reaches the age limit it is considered too old to be licensed. This age limit has been in force since 2009.
- 1.3. Vehicle age limits are currently 7 years of age for Private Hire and Hackney Carriage saloon vehicles. Once a vehicle reaches the age limit it is considered too old to be licensed.

## **2. Detail**

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Further information on the subject of this report can be obtained from Mike Shears on 01793 466208 or e-mail [mshears@swindon.gov.uk](mailto:mshears@swindon.gov.uk).

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- 2.1. In December 2011 a request was received from Mr Keith Radway of the Swindon Black Cab Company to extend a Hackney Carriage vehicle licence beyond the current age limit. This request was turned down by the Licensing Officer who does not have Delegated Authority to approve a vehicle licence beyond the current age limits. As a result a meeting was arranged with officers and the Chair of the Private Hire and Taxi Licensing Sub-Committee, where it was agreed that Mr Radway could bring the matter of age limits before the Licensing Committee.
- 2.2. Currently wheelchair accessible Hackney Carriages can be licensed for 12 years with an annual inspection in the 11<sup>th</sup> and 12<sup>th</sup> year and two MOT tests per annum at one of the garages contracted by the Council.
- 2.3. Vehicle specifications have improved significantly since 1997 when the initial age limit of 10 years on wheelchair accessible Hackney Carriages was first imposed. The age limit was increased in 2009 to twelve years. and since then our experience is that vehicle specifications continue to improve and vehicles are now capable of providing a safe and comfortable service beyond the 12 year limit.
- 2.4. Operators of Private Hire vehicles for specialist use such as chauffeur companies, often use prestige vehicles these vehicles incur a substantial financial outlay for operators, and these vehicles are often presented in immaculate condition and are therefore are capable of being licensed beyond the current 7 year limit.
- 2.5. It is therefore recommended that the upper age limit for wheelchair accessible Hackney Carriages is at the time of renewal of the vehicle licence no more than 15 years of age. When the vehicle reaches the age of ten years old there are two inspections and two MOT tests per year. The costs of all MOT test's and inspections to be borne by the vehicle proprietor.
- 2.6. It is also recommended that the upper age limit for Hackney Carriage saloon vehicles and private hire vehicles is at the time of renewal of the vehicle, licence to be no more than 10 years of age and when the vehicles reach the age of five years old there are two inspections and two MOT tests per year. The costs of all MOT test's and inspections to be borne by the vehicle proprietor.
- 2.7. Officers are of the opinion the overarching principle behind the licensing of private hire and hackney carriage vehicles is one of public safety. Based on this overarching principle the Council implemented a policy that limits the age upon which a vehicle can be first licensed, and the age upon which it must cease being licensed.
- 2.8. In March 2010 the Department for Transport issued non statutory 'Best Practice' guidance relating to private hire and hackney carriages. This guidance states the following in relation to age limits:- "Age Limits it is

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*perfectly possible for vehicles to be in good condition. So the setting of an age limit beyond which a local authority will not licence vehicles may be arbitrary and inappropriate. But greater frequency of testing may be appropriate for older vehicles-for example, twice yearly checks for vehicles over five years old.*

- 2.9. It is recommended that these new arrangements, if approved, will commence on the 1<sup>st</sup> April 2012.
- 2.10. A decision on the future licensing of hackney carriage saloon vehicles has been deferred by the Hackney Carriage and Private Hire Licensing Sub-Committee. whilst further consultation is undertaken with the trade, however a decision is expected to be made early in the next financial year.

### **3. Alternative Options**

Remove the upper age limit completely as requested by Mr Radway of Swindon Black Cabs and Sterling Travel Services Ltd.

### **4. Preferred option**

As recommended by officers to extend age limit to 15 years for Wheelchair accessible Hackney Carriages and 10 years for Private Hire and Hackney Carriage saloon vehicles.

### **5. Financial Implications**

In relation to any amendments to the vehicle age limits, the cost of a new vehicle licence is the same as the cost for a renewal, therefore amending the vehicle age limits is cost neutral.

#### **Risk Management**

##### *Financial and Procurement Implications*

There are no direct financial implications arising from this report. There are no procurement issues arising from this report.

##### *Links to Corporate Plans and Policies (in particular to Swindon 2010 Promises)*

Priority: We can all benefit from a growing economy and a better town centre

Priority: Living independently protected from harm, leading healthy lives and making a positive contribution.

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### **Consultees**

The Director of Finance (s.151 Officer) and the Director of Law and Democratic Services (Monitoring Officer) are consulted on all reports.

### **Background Papers and Appendices**

**Appendix A.** Letter from Mr Keith Radway of Swindon Black Cabs requesting removal of the upper age limit on wheelchair accessible Hackney Carriages.

**Appendix B.** Points raised by Mr Keith Radway in support of the removal of the upper age limit.

**Appendix C** Letter from Sterling Travel Private Hire Operator in support of the removal of the upper age limit on Private Hire Vehicles.

**Appendix D** Table of age limits from Authorities in the local area