

## **Northampton Borough Council**

# **Hackney Carriage and Private Hire Vehicle Age Limit and Engine Capacity-Consultation Report**

## **Consultation Results**

### **Report authors:**

**Silvina Katz**      **Corporate Policy and Consultation Manager**  
**01604 837573**

**Bill Edwards**      **Neighbourhood, Licensing and Support Team Leader**  
**01604 838986**

## 1 Executive Summary

This report contains the results to the Hackney Carriage and Private Hire Vehicle Consultation which took place between 5 December 2011 and 29 February 2012.

### Key results

- Almost two out of every three respondents disagree that the age of a vehicle is related to its roadworthiness; **(5 out of 5 for owner, drivers and/or operators)**
- Almost two out of every three respondents disagree that the age of a vehicle relates to its safety; **(3 out of 4 for owner, drivers and/or operators)**
- Nearly three out of every five respondents disagree that NBC Licensing Authority should adopt age limits that are common to both Hackney and Private Hire Vehicles;
- If age limits were introduced, two out of every three respondents disagree with the age limits proposed by NBC; **(3 out of 5 for owner, drivers and/or operators)**
- Over half of the respondents agree that NBC Licensing Authority should have exemptions from the age limit for vehicles that are in exceptional condition and have low mileage;
- Two out of every three respondents disagree that Council testing for Hackney and Private Hire Vehicles should be increased from twice to three times per year if an age limit was not introduced; **(4 out of 5 for owner, drivers and/or operators)**
- Nearly half of respondents thought that the minimum engine capacity of Private Hire Vehicles should be increased from 1400 to 1600cc;
- Around a third of all respondents thought that Hackney Carriages and Private Hire Vehicles that are adapted to carry wheelchairs should be exempt from age/engine capacity restrictions;
- Half of all respondents agreed that if the minimum engine capacity of Private Hire Vehicles was increased from 1400 to 1600cc then NBC Licensing Authority should have exemptions;
- Nearly three out of every five respondents agreed that brand new vehicles be exempt from council re-test until 12 months from first DVLA registration; **(2 out of 3 for owner, drivers and/or operators)**

## **2 Introduction**

- 2.1 On 27 September 2011 the Northampton Borough Council Licensing Committee agreed to consult on the feasibility of introducing age limits for Hackney Carriages and Private Hire Vehicles, to increase the engine capacity of Private Hire Vehicles from 1400cc to 1600cc and associated exemptions.
- 2.2 The committee requested that all interested parties, be they in the trade, associated with the trade or members of the public, have the opportunity to have a say.
- 2.3 Completed questionnaires were accepted up to 29 February 2012.
- 2.4 This consultation followed the principles set out in the Council's Consultation Toolkit and industry standard guidance on best practice in consultation.
- 2.5 The results of the consultation are contained in this report. They will be presented to the Licensing Committee 8 May 2012 to consider whether the Council should review its policy in respect of Hackney Carriages and Private Hire Vehicles.
- 2.6 Background Documents
  - Full consultation comments results
  - Hackney owner report
  - Background information
  - Questionnaire
  - Hackney specification
  - Equality impact assessment
  - Consultation questionnaire
  - Licensing Committee Meeting 27 September 2011

These are all contained within Appendix 3

## **3 Methodology**

- 3.1 The consultation was advertised widely through direct mail shots, news releases to the local media and the council website.
- 3.2 Hackney and Private Hire drivers, operators and owners were contacted with consultation information individually. Residents' Associations, Community Forums (including Disabled People's Forum, Pensioners Forum, LGBT Forum, Diverse Community Forum) and other stakeholders were invited to provide feedback on the proposals.

- 3.2 People were able to engage with a range of methods:
- On-line survey
  - Community Forum meetings
  - Questionnaires made available in public locations
  - The consultation proposals and questionnaire were available to download and complete on-line via the Council's website. A named contact and phone line were made available to receive comments/views etc.
  - Engagement with key stakeholders and partners.
- 3.3 Support was made via a dedicated telephone number and email address to maximise involvement and understanding of the proposals
- 3.4 Interim consultation reports containing full details were circulated to Licensing Committee to maximise awareness and action in relation to issues and concerns arising during the consultation.

## 4 Equalities

- 4.1 An Equality Impact Assessment for this consultation process was undertaken.
- 4.2 People were asked to identify if any individuals or groups would be more positively or negatively affected than others should the proposals be introduced. Comments were also invited on actions that would be required to minimise any likely potential adverse impact identified. See Appendix 3 for details.

## 5 How will feedback be used?

- 5.1 Results and recommendations will be presented to the Licensing Committee on 8 May 2012 and will be used to inform future policy development.

## 6 Consultation Results

- 6.1 A total of 165 responses were received in total as at 29 February 2012. More than 1000 letters were sent out to the trade. 114 of those who responded were owner, driver and/or operators. All respondents provided in excess of 981 free comments, including details about specific proposals and concerns about potential impacts that were considered to affect various sectors of the community.
- 6.2 Full consultation results are included in **Appendix 3** and also can be viewed at

[http://www.surveymonkey.com/sr.aspx?sm=mFEqvMEFEIngGxDuvngFx\\_2bGfJ0dFsITxJ\\_2bjkXL\\_2fu7Uw\\_3d](http://www.surveymonkey.com/sr.aspx?sm=mFEqvMEFEIngGxDuvngFx_2bGfJ0dFsITxJ_2bjkXL_2fu7Uw_3d).

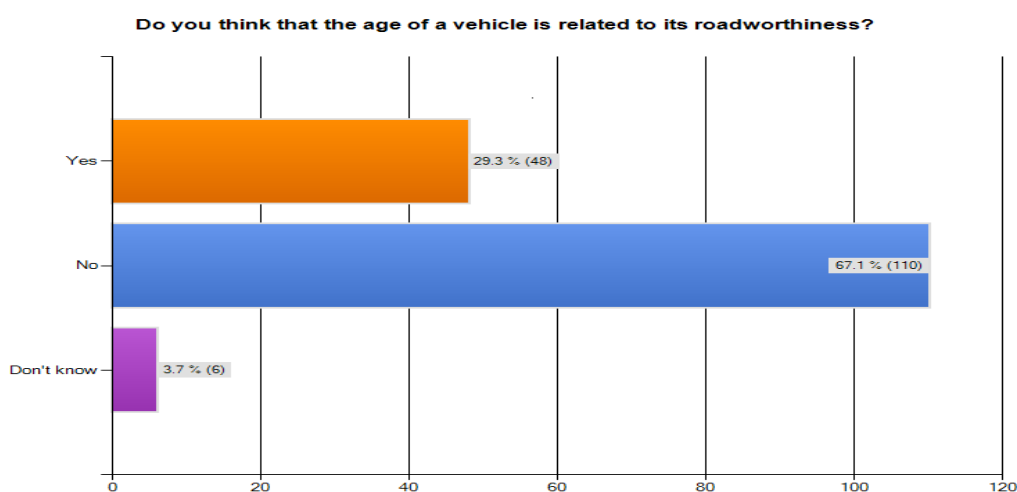
- 6.3 It should be noted that additional activity relating to this consultation was undertaken parallel to this consultation during the period of

consultation in local press, public meetings, etc and that the views expressed during such events are not included in this report.

## 7 Consultation Analysis

7.1 Below is a summary of response.

### 7.1.1. Do you think that the age of a vehicle is related to its roadworthiness?



Yes 29.3%-**No 67.1%**-Don't know 3.7%-Number of additional free-form comments received: 81

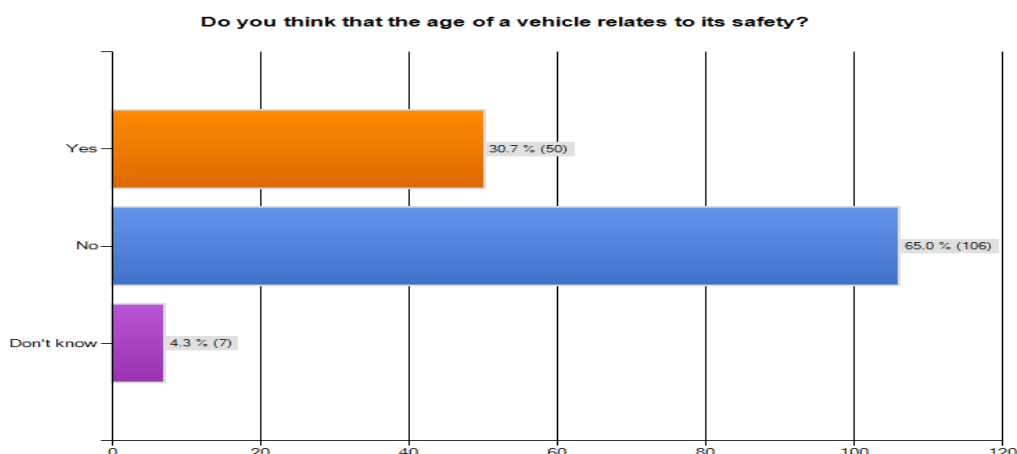
The comments received brought a number of key themes:

- That age alone is not the determining factor
- Regular maintenance and the presentation is what keeps a vehicle roadworthy
- Why replace an older vehicle if it is running well and passes the MOT
- Parts can be replaced so age doesn't matter
- A well kept older vehicle will be more roadworthy than a neglected newer vehicle
- Hackneys are purpose built to last
- Depends on the make and type of vehicle
- Good standard of MOT and council testing will maintain roadworthiness
- It's more about the driver/owners behaviour and how the vehicle is kept day to day
- Each vehicle should be judged on its own merits
- If a vehicle deteriorates that badly it would be taken off the road anyway
- A new vehicle can do very high mileage in just a few months so will need regular maintenance from the start

- If age is limited to roadworthiness why isn't there a legal age limit for all vehicles.

Overall the responses reflected the view that regular maintenance and good testing is the key to a vehicle's roadworthiness. While there was also acknowledgement that parts are liable to stress, wear and fatigue, and this is likely to increase through mileage and age, ( a respondent pointed to the motor industry research papers) these defects should be picked up through regular servicing, maintenance and the twice yearly MOT and would therefore have to be replaced or repaired. Many respondents suggested that much of the responsibility to maintain a vehicle's roadworthiness comes down to the day to day care of the vehicle by the owner/driver, regardless of the vehicle's age. There was a minority view that older vehicles could be less roadworthy due to poorer repairs, and the suggestion that an MOT failure must have been driving around in that condition for some time before it's MOT (although the same could be said for any vehicle).

### 7.1.2. Do you think that the age of a vehicle relates to its safety?



Yes 30.7%-**No 65.0%**-Don't know 4.3%-Number of additional free-form comments received: 71

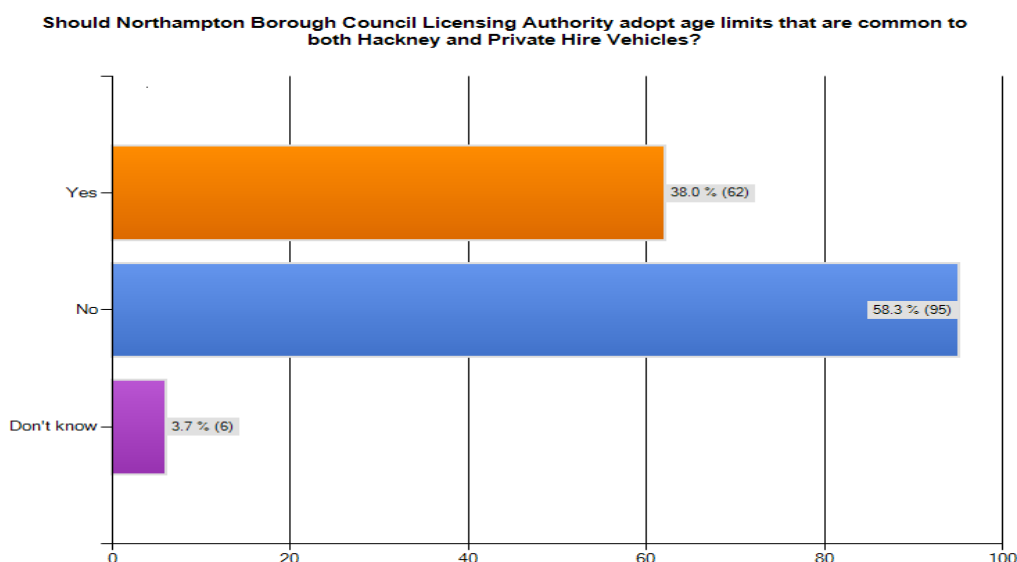
Key themes in relation to the relationship between a vehicle's age and its safety:

- Modern cars have more safety features e.g. air bags, crumple zones, side impact bars.
- Regular maintenance, servicing and condition is the key

- The MOT checks address safety issues
- A new vehicle that is driven every day but not maintained can become more unsafe through low tyre pressures and treads, worn brake pads etc than an older well maintained vehicle
- Even older vehicles have good safety vehicles. Most have air bags, side impact bars and crumple zones and these are becoming more prevalent as time goes on
- Parts will wear out irrespective of condition. Sometimes without notice.
- The way the vehicle is driven is more important
- There could be a correlation but this is mitigated by maintenance regimes otherwise there would be a legal limit for all vehicles

Many of the responses to this question were similar to those of question 2 i.e. that maintenance, regular servicing, how the vehicle is kept on a day to day basis and the MOT tests is more important in keeping a vehicle safe rather than age alone. Again examples were given of how a new neglected vehicle could be more unsafe than an older well kept vehicle. There were respondents who did point out the improved safety features on new vehicles and gave examples of mechanical failures on older vehicles and those who felt it is how the car is driven that is the most important factor. The majority of responses reflected the view that you cannot link the age of its vehicle to safety. There are more important factors like regular maintenance and how the vehicle is driven.

### 7.1.3. Should Northampton Borough Council Licensing Authority adopt age limits that are common to both Hackney and Private Hire Vehicles?



Yes 38.0%-No 58.3%-Don't know 3.7%-Number of additional free-form comments received: 69

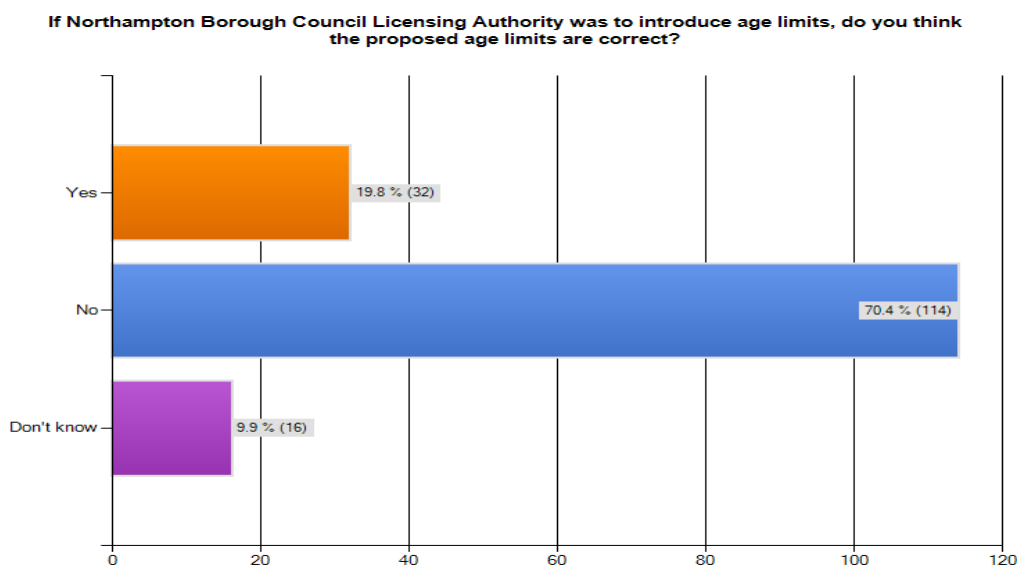


Key themes from respondents were:

- There shouldn't be any age limits, just appropriate checks
- It's the same work so the limits should be the same
- Hackneys and Private Hire vehicles should be treated equally
- Hackneys are purpose built, are a huge investment so shouldn't be the same.
- Many Hackneys are just converted cars which are unproven so why treat them differently?
- Hackneys should have a longer age limit than private hire
- Black cabs are a symbol of tradition so should be treated differently as long as they pass the MOT
- Vehicles should be judged on their own merits and not by age
- Black cabs are built on a chassis so all parts can be replaced so they can last longer so should have a longer age limit
- If we have an age limit it will punish drivers who cant afford a new vehicle but look after their older vehicle and present themselves well to the customers
- Hackneys should have a longer limit than Private Hire vehicles
- Some of the old Private Hire vehicles do not portray a good image whereas the old Black cabs look traditional so shorter limit for Private Hire
- If a Hackney or Private Hire vehicle is poor then its poor, no matter what its age.

The majority of respondents felt that age limits should not be common to both Hackney and Private Hire vehicles because Hackney Carriages are purpose built vehicles and therefore can do higher mileages. Also, because Hackneys London cabs are built on a chassis, all parts can be replaced. There were contrary views which felt that many of the newer Hackneys are simply converted normal vehicles and are therefore not really different to saloon cars and therefore should be treated equally. Again a key response was that each vehicle should be judged on its own merits so the MOT test should determine a vehicle's suitability and an assumption in generalising one type of vehicle over another would not necessarily be accurate or fair.

**7.1.4. If Northampton Borough Council Licensing Authority was to introduce age limits, do you think the proposed age limits are correct?**



Yes 19.8%-**No 70.4%**-Don't know 9.9%-Number of additional free-form comments received: 61

Key themes were:

- Not for Black cabs
- No age limit due to the financial climate as can't afford a new vehicle or change it every 5 years
- Age is irrelevant
- Hackneys should have a longer limit than Private Hire vehicles
- This proposal is stricter than the national average
- This will put many out of work
- If a vehicle passes the MOT's there is no reason to change
- No evidence to show why the proposal is being consulted on
- Current 3 year lower limit for Hackneys only is unfair

While the majority of respondents did not feel the proposed limits were correct, some suggestions were made as to what a limit should be. Examples include:

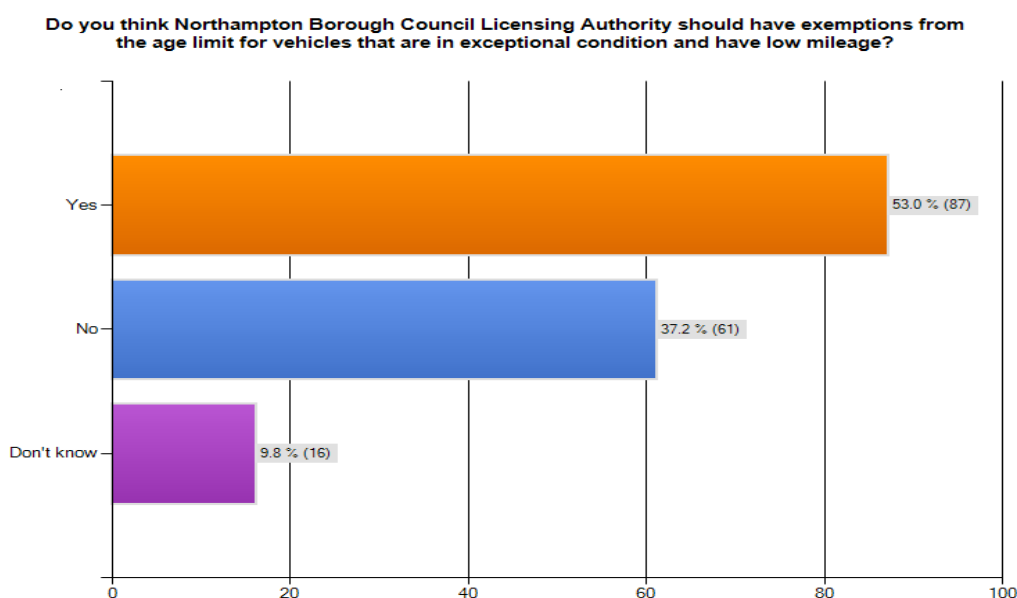
- A lower limit of 5 years with a 10 years upper limit for Private Hire and 12 years for Hackneys
- No age on Hackneys and 7 years on private Hire
- 8 years only whether 1<sup>st</sup> plate or last
- 10 years for both
- 8 years private hire, 12 years Hackney
- No age limits
- Introduce an age limit for Private Hire to prevent cheap auction vehicles being used

There was no consensus or clear common alternative proposal from the respondents, although a limit from 5 years through 10/12 years was a more

common suggestion, but this was only from a very small minority of respondents.

This question started to provide responses in relation to the financial impact the proposal would have if introduced. For example, if a person bought a 3 year old vehicle to comply with the lower limit it could take 5 years to pay off the finance agreement at which time they would have to buy another vehicle in order to comply with the upper age limit. Other respondents simply said they could not afford to work if the current proposal was introduced.

### 7.1.5. Do you think Northampton Borough Council Licensing Authority should have exemptions from the age limit for vehicles that are in exceptional condition and have low mileage?



**Yes 53.0%-No 37.2%-Don't know 9.8%-Number of additional free-form comments received: 56**

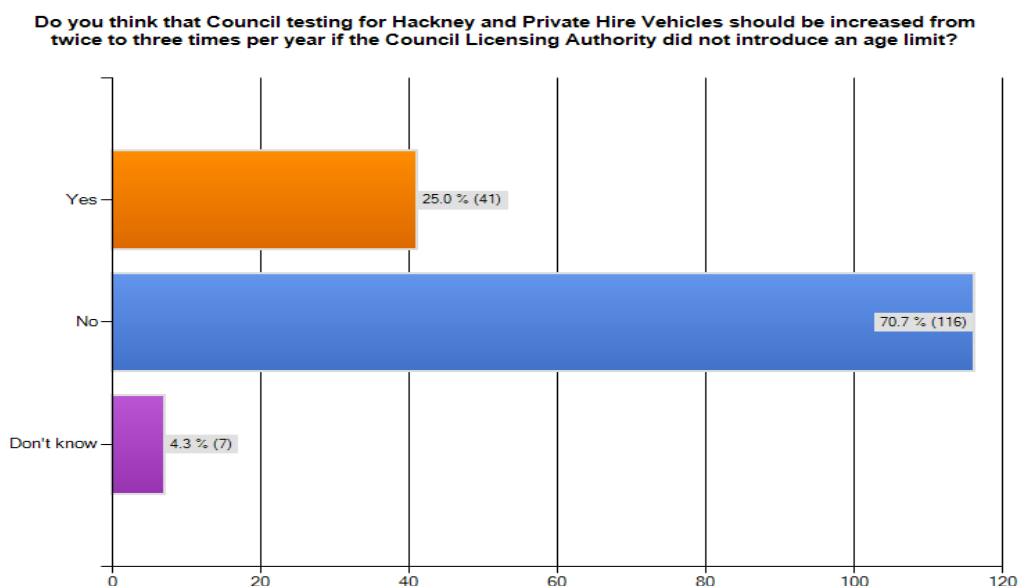
Key themes included:

- Only for specialist vehicles e.g. limousines, chauffeur driven vehicles
- One rule for all
- How can a taxi have low mileage?
- If a vehicle is in exceptional condition
- All down to how a vehicle is looked after, age is irrelevant
- If a vehicle passes the MOT then it should be able to trade

It would seem that most respondents are in favour of exemptions from an age limit policy, with some suggesting that it should be for limousines and other

specialist vehicles only. However, many felt that vehicles that trade day to day should also be exempt if they could demonstrate their vehicle was in excellent condition, but were concerned about what constitutes low mileage as these vehicles are prone to very high mileages. There was a significant minority which clearly felt that any exemption should not be introduced as it would just complicate matters and could create loopholes. Others simply felt that if a vehicle passes the relevant tests it should be able to trade irrespective of age.

### 7.1.6. Do you think that Council testing for Hackney and Private Hire Vehicles should be increased from twice to three times per year if the Council Licensing Authority did not introduce an age limit?



Yes 25.0%-**No 70.7%**-Don't know 4.3%-Number of additional free-form comments received: 73

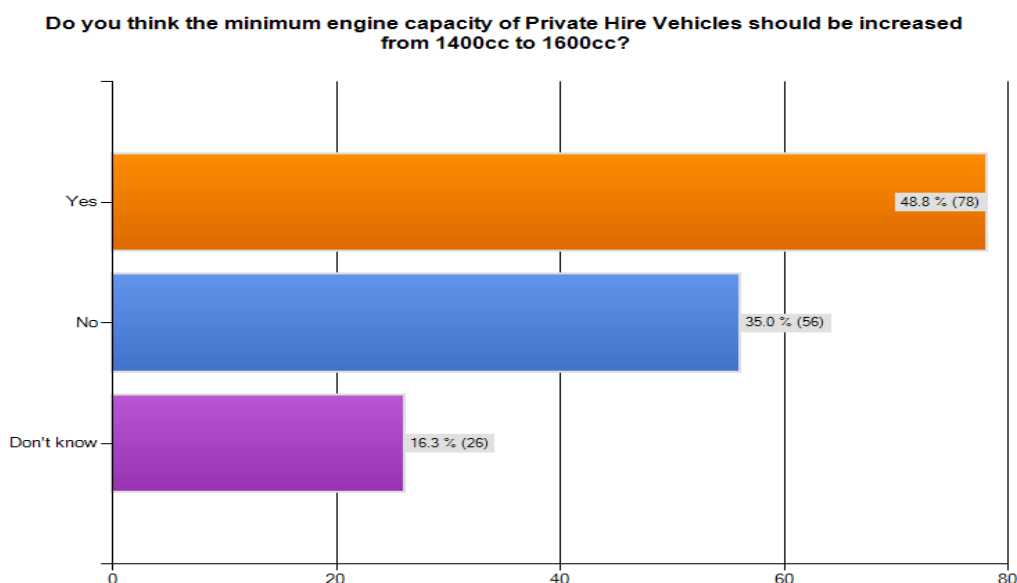
Key themes included:

- Twice yearly testing is enough
- Other towns and cities only have one test
- More use than an age limit
- More frequent spot checks by licensing officers
- Financial implications for the drivers and owners
- For older vehicles only if no age limit
- If there is evidence to support it
- Once a year for Hackneys and vehicles up to 3 years old

From the comments made there was a fairly equal spread across different points of view. Some thought that twice a year being ample with some adding that licensing officers should do more spot checks. The question again raised concerns about the financial burden being placed on drivers and owners. Comparisons were made with other towns and cities where testing is only

once per year and some respondents stating that some vehicles particularly those less than three years should only be tested once. Other respondents felt that three years should be introduced for older vehicles, and across the board if no age limit is introduced.

### 7.1.7. Do you think the minimum engine capacity of Private Hire Vehicles should be increased from 1400cc to 1600cc?



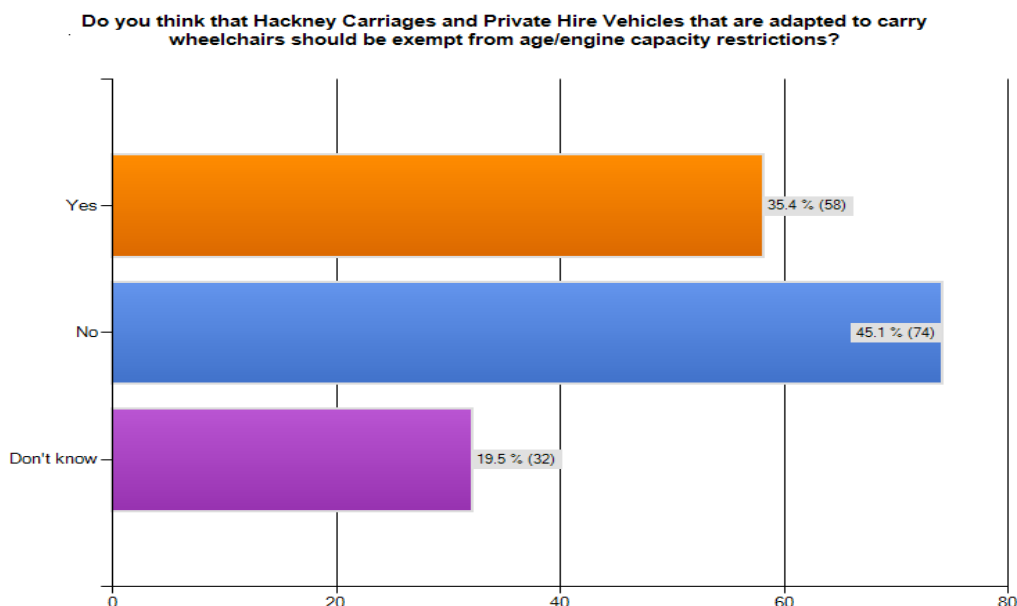
**Yes 48.8%-No 34.9%-Don't know 16.3%-Number of additional free-form comments received: 61**

Key themes identified:

- Modern engines are more powerful than they were so 1400cc is more powerful and cleaner than an older equivalent 1600cc
- Often the 1400cc vehicles are too small to carry 5 passengers
- No purpose to changing the current system, not enough difference in 200cc.

While the majority ticked yes to this answer, the comments received were more against the proposal. Many respondents didn't see the logic in this move quoting brake horse power as being more important than cc and concerns about emissions in larger engined vehicles. It was felt that a 200cc change wasn't sufficient enough to make any real difference. Those who were in favour of the change generally thought that smaller engined vehicles often had smaller body sizes and might struggle when carrying a fully loaded vehicle with a 1400cc engine. Others felt that a larger vehicle provided more comfort for passengers.

### 7.1.8. Do you think that Hackney Carriages and Private Hire Vehicles that are adapted to carry wheelchairs should be exempt from age/engine capacity restrictions?



Yes 35.4%-**No 45.1%**-Don't know 19.5%-Number of additional free-form comments received: 53

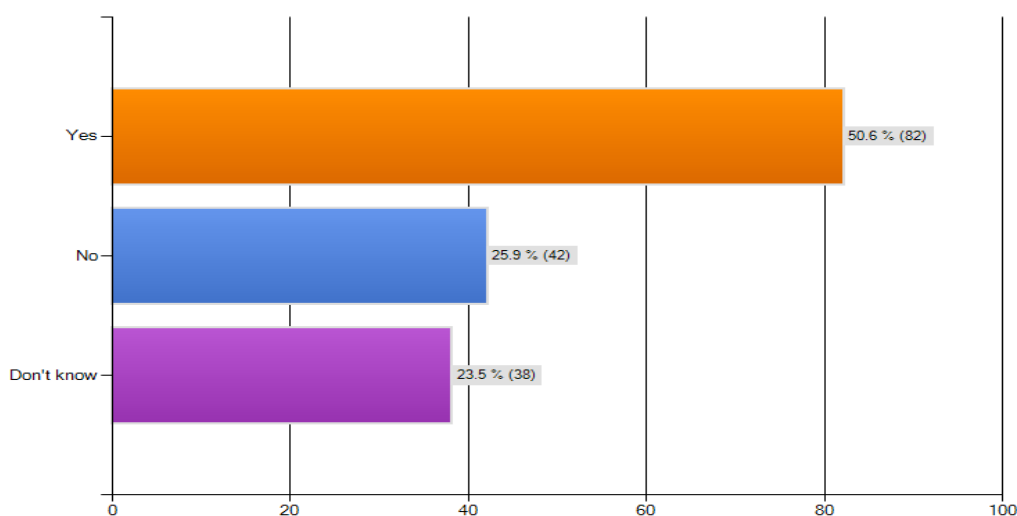
#### Key themes included

- An exemption gives the impression that disabled people can use older vehicles whereas everyone else uses new ones
- The cost of adapting a vehicle is expensive
- All Hackneys are made to carry wheelchair
- Age is irrelevant. It should be about condition of vehicle
- Rules should be the same for all

There was some concern amongst respondents that without exemptions to an age limit, access for disabled persons would be reduced as all Hackneys are fitted with features to accommodate disabled persons. This was echoed by Private Hire owners who also incur significant expense when converting vehicles with lifts and other equipment. Some respondents felt that by having an age limit exemption it is implying that disabled people would be making do with older vehicles. The majority felt it should be the same rules for all with no exemptions.

### 7.1.9. If the minimum engine capacity of Private Hire Vehicles is increased from 1400cc to 1600cc, should Northampton Borough Council Licensing Authority have exemptions (e.g. for hybrids, which are generally 1500cc)?

**If the minimum engine capacity of Private Hire Vehicles is increased from 1400cc to 1600cc, should Northampton Borough Council Licensing Authority have exemptions (e.g. for hybrids, which are generally 1500cc)?**



**Yes 50.6%-No 25.9%-Don't know 23.5%-Number of additional free-form comments received: 44**

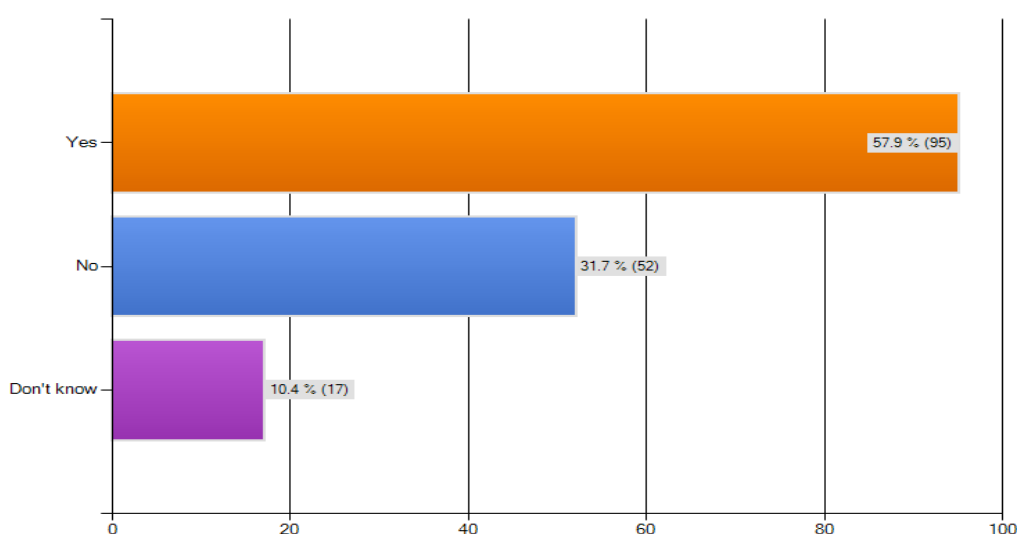
Key themes included:

- Green initiatives should be encouraged
- As long as they pass the other tests
- There shouldn't be any increase in engine capacity
- There should be no exemptions from any changes in policy

It was clear that from the responses, initiatives that improve the environment should be supported. Respondents also raised the issue about not increasing the engine capacity from 1400cc to 1600cc for similar reasons as long as testing arrangements are complied with. Other respondents felt that there should be no exemptions and that any exemption creates loopholes and would complicate the matter.

**7.1.10. At present all vehicles, irrespective of age, have to have an MOT certificate and a council test to receive a plate and are then re-tested by the Council again after 6 months. Should all brand new vehicles be exempt from a council re-test until 12 months from first DVLA registration?**

At present all vehicles, irrespective of age, have to have an MOT certificate and a council test to receive a plate and are then re-tested by the Council again after 6 months. Should all brand new vehicles be exempt from a council re-test until 12 months from first DVLA registration?



**Yes 57.9%-No 31.7%-Don't know 10.4%**-Number of additional free-form comments received: 49

Key themes included:

- Incentive to buy new cars
- New vehicles should be roadworthy for 12 months
- Most cars don't need an MOT for 3 years
- Council test only
- Under manufacturers warranty
- A new vehicle can undertake a very high mileage in a short period of time so should be tested and deteriorate rapidly
- Faults can occur at any time
- The first test yes, but not the second

Whilst the majority of those who ticked yes to this question, the majority of those who commented generally seemed to feel that the 6 monthly test should not be removed as high mileages can be achieved in a relatively short period and things like bulbs, brakes, lights and tyres can all become faulty within a year. However, the relevance of having an MOT on a brand new vehicle was questioned, and others felt that there should not be a requirement to have an MOT certificate until three years from first registration.

#### **7.1.11. Can you suggest any other ways that Northampton Borough Council Licensing Authority could increase public safety reliability and comfort for passengers?**

108 suggestions were made by respondents. They have been grouped as follows:



- Increased spot checks (cleanliness, flagging, condition, multiagency, alcohol, smoking)
- Introduce all vehicles as Hackneys
- Improve standards of driving and presentation
- Advanced driving test for drivers
- Work closer with the trade
- Mandatory breaks for drivers
- Ensure English is spoken effectively
- Review of MOT testing centres
- Booster seats available in vehicles
- Limit the number of vehicles
- Introduce a minimum leg room
- Improve the safety of drivers
- Colour/banding of vehicles for clear recognition
- More transparent complaints procedure about problems with taxis

**7.1.12 Can you suggest any other ways in which Northampton Borough Council Licensing Authority could help reduce emissions/pollutants from Hackney Carriage and Private Hire vehicles?**

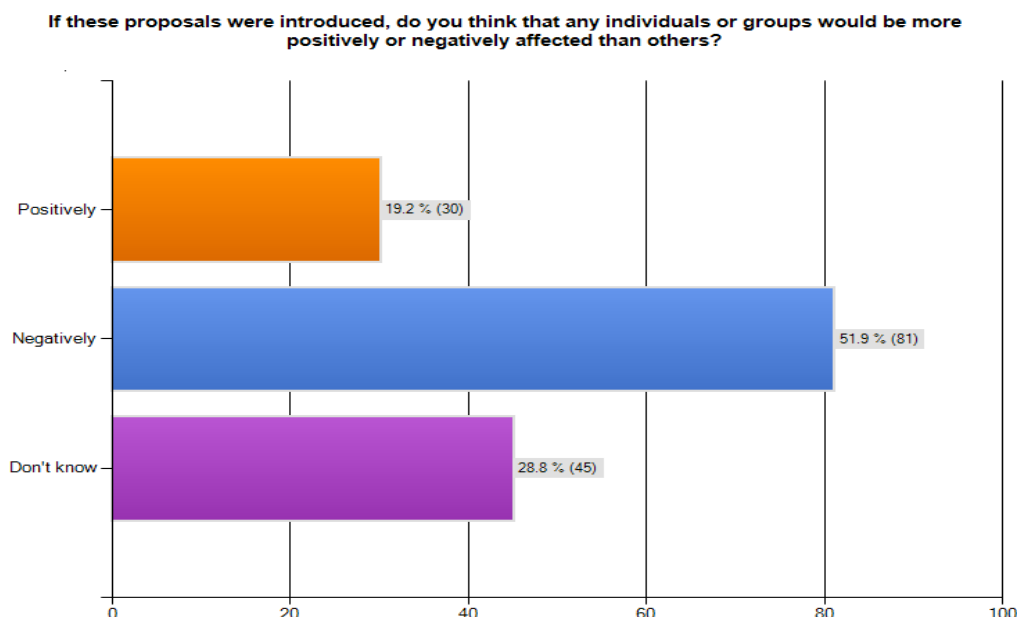
88 suggestions were made in relation to helping reduce emissions. Of those that fall within the remit of Northampton Borough Council they have been grouped as follows:

- Introduce a specific emissions test
- Catalytic converters fitted to all taxis
- Limit the number of Hackney and Private Hire vehicles and introduce age limits
- Encourage hybrids and other sources of power e.g. electric
- More spot checks
- Leave 1400cc engine capacity requirement as it is
- Introduce incentives for hybrids etc, e.g. reduced licensing charges
- Work with owners/operators to promote higher standards and work with other departments and agencies to review road routes
- Adapt older vehicles to comply with more recent emissions standards
- NBC should improve its green policies generally and not just focus on the trade

Other issues raised not within the remit of NBC were:

- Remove traffic lights at St Peters Roundabout, allow taxis to Gold St from railway station, and allow them to turn right from railway station, rather than more congestion towards St Peters Roundabout
- Open bus lanes to the trade
- Sensor activated traffic lights at night time
- Reduce idling and encourage stop/start technology

### 7.1.13 If these proposals were introduced, do you think that any individuals or groups would be more positively or negatively affected than others?



Yes 19.2%-**No 51.9%**-Don't know 28.8%-Number of additional comments received: 84

The overwhelming majority of respondents who made comments felt that the introduction of the proposal would have a negative impact. Groups within the trade were identified as the primary group the proposed changes would affect. Key themes included:

- Increased cost of renting vehicles
- Many unable to afford new/3 year old vehicles
- Unemployment and owners/operators going out of business
- Increase in fares to the public
- Financial pressure on drivers/owners/operators and their families
- Should be encouraging local enterprise not destroying it
- Proposal targets the most vulnerable
- Age is immaterial
- Waste of well maintained vehicles
- Many drivers are not creditworthy so will be forced out of the trade
- Could result in an increase in flagging and other unlawful activities to try and make ends meet
- Unnecessary restrictions, perfectly usable testing regime already exists
- Inflated prices of Hackneys due to three year rule
- More financial impact on Hackneys due to higher cost of vehicle

There were also concerns that the introduction of this proposal would negatively impact to a larger extent on drivers and owners from certain minority groups who run serviceable but older vehicles.

A small number of comments thought the introduction of the proposal would lead to a positive impact for the people of Northampton in general as they would be utilising newer cars. Comments also suggested that the introduction would increase the standard of vehicles and do away with owners who use unroadworthy older vehicles.

The main issue from this question though was the severe financial implications that would affect all aspects of the trade particularly in light of the current financial situation.

### **7.1.13 Do you have any other comments in relation to this consultation?**

83 comments were made and have been grouped as follows (where not mentioned before)

- Consultation should be based on evidence
- Not a good use of money
- Cancel the consultation
- More testing centres
- Standardise colours for Hackney and Private Hire vehicles and uniforms for drivers
- Buses and other public vehicles have no age limits
- Issues around the railway station
- Increase the transition period to allow owners time to purchase newer vehicles
- Limit the number of drivers/vehicles
- Manufacturing new vehicles has a massive negative ecological effect
- Use common sense
- Help the drivers don't penalise them (duty of care)
- Reduce to one testing station so a standard is maintained
- Consultation questions are skewed toward an outcome that isn't wanted
- Opinions do not matter its evidence that counts.

**Where questions have requested suggestions be made to address certain issues, Northampton Borough Council Licensing Authority will consider, where possible and relevant, how they may be implemented.**

## **8 Additional findings**

- 8.1 Respondents provided in excess of 981 comments, including details about specific proposals, concerns about potential impacts that were considered to affect various sectors of the community and also about alternative proposals for efficiencies. A full list of the comments provided are reproduced in Appendix 3a
  
- 8.2 A report was received from a Hackney carriage owner entitled 'A Comprehensive Review of the Proposal to Introduce Age Limits for Black Cabs & Private Hire Vehicles in Northampton'. The sections of the report that are relevant to this consultation have been incorporated in the comment responses to the questions listed above. A copy of this report was submitted to the Licensing committee and can be found in Appendix 3b

## Demographics

