



## LICENSING COMMITTEE REPORT

<b>Report Title</b>	<b>Taxi and Private Hire Vehicle Age Policy</b>
---------------------	---

**AGENDA STATUS: PUBLIC**

**Committee Meeting Date: 13<sup>th</sup> September 2016**

**Policy Document: Taxi and Private Hire Vehicle  
Age Policy**

**Directorate: Customers & Communities**

### 1. Purpose

---

1.1 To consider a Private Hire & Taxi Vehicle Age and Exceptional Standards Policy to improve the standards of older vehicles currently licensed by the authority.

### 2. Recommendations

---

2.1 That the report be considered with a view to consulting with interested parties as to the feasibility of introducing a Hackney and Private Hire Vehicle Age and Exceptional Standards Policy.

2.2 That consultation should take place with interested parties and residents of Northampton even though there is no legal requirement to do so, and that any objections / comments / alternative suggestions should be considered before any changes are implemented.

### 3. Issues and Choices

---

#### 3.1 Report Background

3.1.1 On the May 2012 a report was considered by the Licensing Committee concerning age limits in respect of the taxi and private hire trade. A decision was made at that time not to implement any age limits on private hire vehicles and to remove the age restriction upon new taxi vehicles entering the trade. This was agreed with a phased in implementation period, ending in January 2015.

- 3.1.2 Since the full implementation of the policy, the trade have voiced concerns not only about the emission standards of the current fleet, but also regarding the age of vehicles and have requested that an age policy is reintroduced as a matter of urgency to avoid any further increase of older vehicles.
- 3.1.3 There was no evidence in 2012 that the age of the vehicle was related to its safety, provided it passed the MOT and met the local vehicle policy standards and therefore this report is not intended to revisit that particular subject. The emission standards of the current fleet and the age of the vehicle is dealt with in separate reports, in order that each is given due consideration and is determined on its individual merits.
- 3.1.4 In order for a vehicle to be licensed by this local authority, the proprietor must submit an application form, a valid insurance certificate and two test certificates to certify that the vehicle meets the relevant standards as detailed in 3.1.5 and 3.1.6 below :-
- 3.1.5 **MOT Test**– This is undertaken twice a year by one of the two approved garages and is tested in accordance with statutory requirements and governed by the Department of Vehicle and Standards Agency.
- 3.1.6 **Local Policy Vehicle Inspection Test** - This is also undertaken twice a year by one of the approved garages to certify that in addition to the MOT, the vehicle meets the local policy standards set by this authority, i.e. standards that may be in addition and/or above the requirements of the MOT.
- 3.1.7 Virtually all of the requirements of the local policy require the technical experience of an approved MOT tester and most factors are measured against a specific requirement. (I.e. the tyre treads depth). However, there are some aspects within the local policy vehicle inspection that is dealt with by a subjective point of view. In particular this is related to the appearance and tidiness of the vehicle as detailed in section 6 of the local policy vehicle test. A copy of the relevant part of the policy is shown in **Appendix A**
- 3.1.8 The trade and public have expressed concern and complained about the appearance and tidiness of vehicles that are being licensed by this authority and representing a very poor image for the fleet operated within Northampton. These are likely to be vehicles that are failing the “exceptional standards” in other authorities and being brought into Northampton possibly due to a “lighter touch policy”.
- 3.1.9 Many other local authorities and Transport for London are adopting maximum age limits and emissions standard policies for their taxi and private hire trade, this may result in older vehicles being removed from the fleet in other towns and cities and introduced into Northampton if we do not adopt a similar age & “exceptional standard” policy sooner rather than later.

3.1.10 The table below shows a snapshot of other local authorities that have already adopted maximum age policies

Local Authority	Maximum Vehicle Age Limit	Comments
York	1 <sup>st</sup> reg. 5 years old	From 1/11/2016
Transport for London	10 Years Old	
Shropshire	After 9yrs must have 3 tests per year.	
Leicester	11 Years Old	Looking to reduce to 8yrs max.
Birmingham	14 Years Old	
Leeds	8yrs old	
Southampton	12yrs old (Wheelchair accessible vehicles), 9yrs other.	
Nottingham	No age restriction on HC's, 7 yrs (unless exceptional) on PHV's	

3.1.11 Therefore it is proposed that with immediate effect and after the consultation period and taking into account any representations it is considered whether vehicles older than 12 years will not be licensed upon first application with this local authority and any application for the renewal of a vehicle older than 12 years and already licensed by this authority will need to meet the “exceptional standard policy” as detailed in **Appendix B**

3.1.12 There are approximately 850 taxis (hackney carriages and private hire vehicles) currently operating in Northampton, the tables below detail the age of vehicles currently licensed by this authority.

CURRENT LICENSED PRIVATE HIRE VEHICLES	
Age of Vehicle	Number of Vehicles
0 - 5 Years Old	147
6 - 10 Years Old	408
11 – 15 Years Old	151
16 – 20 Years Old	3
Over 20 Years	0
<b>Total Vehicles</b>	<b>709</b>

CURRENT LICENSED TAXI VEHICLES	
Age of Vehicle	Number of Vehicles
0 – 5 Years Old	36
6 – 10 Years Old	43
11 – 15 Years Old	37
16 – 20 Years Old	30
Over 20 Years Old	1
<b>Total Number Vehicles</b>	<b>147</b>

3.1.13 Implementing a 12 year age policy will affect approximately 68 Hackney Carriage Vehicles and 154 Private Hire Vehicles.

3.1.14 The proposed policy will allow exiting proprietors to continue with their vehicles; however they will be the subject of a more stringent test and an additional fee levied for the “exceptional standard” application.

## **3.2 Issues**

3.2.1 If the Licensing Committee decides to take no action now Northampton will / is likely to attract older taxi and private hire vehicles from other areas that are refusing to licence such vehicles. Whilst some older vehicles meet an exceptionally high standard of safety and have financial benefits to the trade, it will not improve the appearance, tidiness and image of the fleet for residents and visitors to Northampton.

## **3.3 Choices (Options)**

3.3.1 Agree to consultation on the proposed age policy at **Appendix A**

3.3.2 Agree to a consultation for an amended age policy.

3.3.3 Agree no changes and keep the existing vehicle policy

## **4. Implications (including financial implications)**

---

### **4.1 Policy**

4.1.1 Northampton Hackney and Private Hire Vehicle Standards Policy 2012

### **4.2 Resources and Risk**

4.2.1 The proposed policy will create additional workload for the Licensing Team and therefore it is proposed that a charge should be levied on vehicles over 12 years old for the additional work required to monitor and inspect vehicles accordingly.

4.2.2 Based on the current numbers of vehicles over 11 years old, officers will need to consider the exceptional standard for approximately 40 vehicles per month, within the first 6 months of implementation. This number should then reduce to a rolling number of vehicles including those approaching 12 years old. As the emission policy takes effect proprietors will need to consider purchasing newer vehicles, which may assist with reducing the number of older vehicles.

4.2.3 It should be noted that there is the potential in the future for every proprietor to buy a hybrid/electric vehicle that is for example over 10 years old. Should this happen then this will result in all the fleet requiring consideration of the exceptional policy standard and will have a significant impact upon the licensing team resources. Therefore any future impact will need careful monitoring and the policy may need to be revisited if it is identified that there are insufficient resources.

### **4.3 Legal**

- 4.3.1 The Local Government (Miscellaneous Provisions) Act 1976, allows the Local Authority to set conditions for the granting of taxi and private hire vehicle licences as detailed in section 47 and section 48 and to include any other reasonable conditions prior to grant of a vehicle licence or upon consideration of a renewal application

### **4.4 Equality**

- 5 There is no equality issues identified as this policy would apply equally to any proprietor of a Hackney or Private Hire vehicle in similar circumstances.

### **5.1 Consultees (Internal and External)**

- 5.1.1 Julie Seddon  
Legal

### **5.2 Other Implications**

- 5.2.1 None identified

## **5. Background Papers**

---

- 5.1 Northampton Borough Council Vehicle Conditions Policy  
5.2 Local Government (Miscellaneous Provisions) Act 1976.  
5.3 Department for Transport Guidance 2010

**Louise Faulkner**  
**Senior Licensing Officer**

## Appendix B



### **Policy and Guidance in relation to Applications for Hackney Carriage and Private Hire Vehicles that Wish to Operate Beyond the Age Restrictions Policy**

1. With effect from 1 January 2018 no new application for a Hackney Carriage or Private Hire Vehicle licence will be granted for a vehicle more than 12 years since the date of its first registration in this or any other country.
  
2. With effect from 1 January 2018 no renewal application for a Hackney Carriage or Private Hire Vehicle licence will be granted for a vehicle more than 12 years since the date of its first registration in this or any other country, **unless** the Council agree to waiver the age restriction in the case of individual vehicles where the Council considers that the vehicle is of an exceptional standard.
  - a) Any request for an exemption due to a licensed vehicle being in “exceptional condition” will normally be granted for a 24-month period, after which time a further application would be required that would again be considered against the agreed standards.
  - b) Consideration for an exemption to the age limit will normally only be considered for vehicles currently licensed with this local authority.
  - c) That any vehicle licensed outside of the standard age limit policy will be subject to a daily inspection checklist carried out by the driver of the vehicle and records maintained in a Council approved inspection book.
  
3. With effect from 1<sup>st</sup> January 2018 Private Hire vehicles that have provision to carry passengers seated in a wheelchair be licensed for no more than 12 years of age from the date of first registration.
  
4. An additional charge of £50.00 will be levied for any renewal licence application for those vehicles over 12 years old to meet the increased officer time to assess whether the exceptional standard is met

5. This policy will apply to any vehicle over 12 years old upon the next renewal due date, or transfer application, whichever is sooner.
6. The Council reserves the right to immediately remove the “exceptional standard” certificate for any vehicle which is deemed to fall below the required standard.
7. An approved garage will still carry out their own test in accordance with the local policy vehicle inspection and may also fail the vehicle if it does not consider that the “exceptional standard” has been met.

### **Standards used to determine whether a Hackney Carriage/Private Hire Vehicle is in “exceptional condition”**

1. The bodywork should be in near perfect condition with no signs of panel age deterioration, dents, scratches, stone chips or rust or any other abrasions that may detract from the overall appearance of the vehicle.
2. The general paint condition should not show signs of fading; discolouration or mismatching that may detract from the overall appearance of the vehicle. The interior trim, panels, seating and carpets etc. should be in excellent condition clean, free of damage and discoloration.
3. The vehicle service record can be used as supporting evidence of exceptional condition in that a vehicle of exceptional condition would normally be expected to demonstrate regular servicing and maintenance in accordance with the manufacturer's service specification.
4. The vehicle to be in excellent mechanical condition and in all respects safe and roadworthy with no signs of corrosion to the mechanical parts, chassis, underside or body work. The council will take into consideration any MOT failures in considering this requirement.
5. The boot or luggage compartment to be in good condition, clean and undamaged.
6. Passenger areas to be free from damp or any other odours that may cause passenger discomfort.
7. The vehicle is safe and comfortable

# Hackney Carriage and Private Hire Vehicle Daily Checklist

## Daily Inspections

Before a vehicle is used, the driver should inspect the vehicle to make sure that it is fit for use and record that inspection in the maintenance log book. It is recommended that such an inspection should include the following:

- Check all obligatory lights to ensure that they are working correctly;
- Check that all dashboard warning lights are working correctly;
- Check that the direction indicators are working correctly;
- Check that the windscreen wipers are working and are free from faults;
- Check that there is sufficient water in the windscreen washer reservoir;
- Check the oil levels are correct;
- Check to coolant levels are correct;
- Check the brake fluid levels are correct;
- Check the power steering fluid levels are correct;
- Check for fluid leaks;
- Check the wheels are not damaged;
- Check the tyres for wear and pressure;
- Check the spare wheel for damage and the tyre for wear and pressure;
- Check the outside of the vehicle to make sure it is clean and free from faults;
- Check the inside of the vehicle to make sure that it is clean and free from faults;
- Check that the vehicles horn is working;
- Check that the heater, demister and rear screen heater are working;
- Check the boot to make sure that it is clean and able to carry passenger luggage;



- Check that the vehicle has a working fire extinguisher;
- Check to make sure that the vehicle complies with the Council's licence conditions;

When the check has been carried out and any faults found, they must be recorded in the maintenance log book. A faulty vehicle should not be used until the fault(s) have been repaired.

### **Suspected Faults**

Where a licensed vehicle is suspected of being faulty and it is not clear what the fault is, an entry should be made in the maintenance log book. The vehicle should then be examined as soon as possible by a competent person to find out if the vehicle has a fault. Details of the examination, its finding and the actions to repair any fault found should be recorded in the maintenance log book together with details of the person carrying out the inspection.

The list of checks may be amended with the approval of at least a manager or director level of the local authority.