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Telford & Wrekin  
Co-operative Council

Protect, care and invest  
to create a better borough

## Borough of Telford and Wrekin

Licensing Committee

Monday 10 October 2022

6.00 pm

The Telford Room, Addenbrooke House, Ironmasters Way,  
Telford, TF3 4NT

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**Democratic Services:** Rhys Attwell 01952 382195

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**Committee Members:** Councillors H Rhodes (Chair), C R Turley (Vice-Chair),  
A R H England, M B Hosken, L A Murray, S J Reynolds,  
J M Seymour, M J Smith, B J Thompson and D Wright

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## Borough of Telford and Wrekin

### LICENSING COMMITTEE

10 October 2022

## REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE LIMITS

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Cabinet Member:	Richard Overton - Housing, Enforcement and Transport Lead
Director:	Dean Sargeant – Director: Neighbourhood and Enforcement Services
Service Area:	Neighbourhood & Enforcement Services
Report Author:	Anita Hunt
Officer Contact Details:	Tel: 01952 381818 Email: anita.hunt@telford.gov.uk
Wards Affected:	All
Key Decision:	No
Forward Plan:	Not Applicable
Report considered by:	Not Applicable

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### 1.0 Recommendations for decision:

Committee is asked to:

- 1.1 approve the amendments to Hackney Carriage and Private Hire vehicle age limits and frequency of vehicle testing; and
- 1.2 approve the amendments to the Council's policy (paragraph 3.14) on the definition of a 'Purpose Built Hackney Carriage' and amendments to 'Exceptional Condition Criteria' as it relates to Hackney Carriages.

## 2.0 Purpose of Report

- 2.1 The purpose of this report is for Licensing Committee to consider a review of the Council's Hackney Carriage and Private Hire vehicle age limits, frequency of MOT and compliance inspection.
- 2.2 This report also requires Licensing Committee to consider a review of paragraph 3.14 of the Council's Hackney Carriage and Private Hire Licensing Policy, which introduces a definition of 'Purpose Built Hackney Carriage'.

## 3.0 Background

- 3.1 Telford & Wrekin Council Hackney Carriage and Private Hire Licensing Policy<sup>1</sup> (approved April 2021) currently imposes vehicle age limits for both Private Hire and Hackney Carriages. The current vehicle age limits are set out below:

<b>Purpose Built Hackney Carriage Age Limits</b>	<b>Multi-Purpose vehicles and all other Private hire Vehicles Age Limits</b>
<b>12</b> years then after apply for extension if vehicle meets exceptional condition criteria (no max vehicle age limit)	<b>10</b> years
MOT and compliance tests annually and then every 6 months over 12 years if granted exceptional condition criteria.	MOT and compliance tests annually and then every 6 months after 5 years of age

- 3.2 It should be noted that additional inspections/tests contribute to ensuring continued mechanical safety, compliance with the legal exhaust emissions and that Telford & Wrekin licensed vehicles meet strict inspection conditions relating to interior and exterior appearance.
- 3.3 Earlier this year, Telford & Wrekin Council's Licensing Team received requests from a private hire vehicle proprietor to review the Council's existing age limit for private hire vehicles.
- 3.4 As a result of this request, the Council carried out a 28 day public consultation between 19 April 2022 and 17 May 2022 on the proposed new age limits for both

hackney carriages and private hire vehicles. It also proposed a definition of the term 'purpose-built hackney carriage'. The consultation document is contained in Appendix 1.

- 3.5 11 responses were received, 10 from the hackney carriage and private hire trade and 1 from the council's Strategic Transport & Highway Network Management Service Delivery Manager. All responses supported the proposed increase in vehicle age limits. No adverse comments were received in relation to the proposed definition of a 'purpose-built hackney carriage'.
- 3.6 Under the current policy, once a vehicle reaches its age limit then the proprietor has three options:
- Prepare a business case to be heard by a Licensing Sub-Committee to request an extension for the vehicle to be licensed for another 12 months;
  - Replace the vehicle to meet the Council's age limits;
  - Licence the vehicle with another local authority whose policy allows vehicles over the current age limits;
- 3.7 Where a vehicle is licensed by another local authority, the driver must be licensed by that same authority to drive the licensed vehicle. Both can operate within the borough with the council having no jurisdiction over the vehicle or driver.
- 3.8 A benchmarking exercise with a number of local authorities has been undertaken to inform the revised vehicle age limits as set out in this report. In addition, a review of the number of enquiries/applications to Licensing Sub-Committee to consider licensing a vehicle over the current age limits has been undertaken. Since 2020 there have been 11 applications to Licensing Sub Committee for private hire vehicles reaching the current age limit of 10 years. All 11 applications have been granted and there are currently 8 private hire vehicles licensed by the Council operating in the borough between the ages of 11 and 13 years. This has developed the amended vehicle age limits as set out in the table below:
- 3.9 There are currently 21 purpose built hackney carriages licensed in the borough. All are wheelchair accessible vehicles (WAV's). Purpose built hackney carriages that were licensed before 1<sup>st</sup> October 2022 can continue to apply be licensed without an upper age limit (subject to future review) providing it satisfies the exceptional condition criteria. It should be noted that 8 of the 21 licensed vehicles are aged 12 years and over, with the oldest being 19 years of age. The proposed vehicle age limits will allow new licensed purpose built hackney carriage vehicles to continue to operate over 12 years to the maximum age of 15 years providing they meet the exceptional condition criteria.
- 3.10 A number of private hire vehicles licensed by other authorities operate within the borough and it is estimated that 30% (220) of those are licensed by Telford & Wrekin Council. Retaining and increasing the number of eligible vehicles that the Council is able to licence means ensures that the council continues to maintain and improve the standards for vehicles and where this is not the case have the ability to deal with non-compliance issues.

**4.0 Summary of main proposals**

4.1 Hackney Carriage and Private Hire vehicle age limits are increased in response to the request received to both support the sector while ensuring that vehicle proprietors continue to licence their vehicles with the council.

<b>Purpose Built Hackney Carriage Age Limits</b>	<b>Multi-Purpose vehicles and all other Private hire Vehicles Age Limits</b>
<p><b>New application</b> Up to 12 years then apply for annual extension if vehicle meets exceptional condition criteria (up to a maximum age limit of <b>15</b> years)</p> <p><b>Renewal application</b> (for existing operators) Up to 12 years then after apply for annual extension if vehicle meets exceptional condition criteria (no maximum age limit, subject to future review)</p> <p>MOT and compliance tests annually and then every 6 months from 12 years of age</p>	<p><b>12 years</b></p> <p>MOT and compliance tests annually and then every 6 months from 5 years of age</p>

4.2 The council’s policy on MOT and compliance check frequency is maintained.

4.3 All existing Hackney Carriage licenced vehicles can continue to have their licence renewed without upper age limits subject to satisfying the exceptional condition criteria. All new Hackney Carriage licence applications can continue to have their licence renewed subject to satisfying the exceptional condition criteria from 12 years onwards to a maximum of 15 years.

4.4 Committee accept the proposed definition of “Purpose Built Hackney Carriage” to distinguish it from a multi-purpose vehicle converted after manufacture with a hackney carriage interior.

4.5 The impact of increasing hackney carriage and private hire vehicle age limits has been considered in relation to air quality and emissions, mechanical safety and vehicle appearance, availability and accessibility of taxis within the borough.

## **5.0 Alternative Options**

5.1 No change is made to the existing policy.

## **6.0 Key Risks**

6.1 Retaining the current policy on age limits will mean that private hire vehicles older than 10 years will be able to be licenced by neighbouring authorities and still work within the borough without any direct control from the council.

## **7.0 Council Priorities**

7.1 This paper supports the following council priorities:

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Everyone benefits from a thriving economy
- A community-focussed innovative council providing efficient, effective and quality services

## **8.0 Financial Implications**

8.1 The cost of the consultation exercise has been met from existing budgets.

8.2 Licence fees are calculated on a cost recovery basis taking into account the statutory costs that the service are allowed to recover and an assumed number of applications each year. Therefore any changes in the number of applications due to a change in policy will impact on the revenue generated each year.

## **9.0 Legal Implications**

9.1 Section 48 Local Government (Miscellaneous Provisions) Act 1976 relates to private hire vehicles and provides that:

A district council shall not grant such a licence unless they are satisfied:

- (a) that the vehicle is:
- (ii) in a suitable mechanical condition;
  - (iv) safe, and
  - (v) comfortable

9.2 In order to meet standards, section 47 and 48 of the 1976 Act provide that with regard to hackney carriage and private hire vehicles the council may attach to the grant of a licence such conditions as they may consider reasonably necessary. A Council is also entitled to have policy to ensure consistency when licensing of vehicles and in decision making.

9.3 Any change in policy will carry some inherent financial risk to the Council in the event of a legal challenge, however this has been mitigated by carrying out a 28 day consultation on the proposed amendments to vehicle age limits.

## **10.0 Ward Implications**

10.1 This report has implications for all wards in the Borough.

## **11.0 Health, Social and Economic Implications**

11.1 An increase in vehicle age limits will allow all hackney carriage and private hire proprietors to continue to use the vehicle for a longer period before they have to replace it.

11.2 The taxi trade lost a number of drivers and thus available vehicles as a result of the pandemic. National lockdowns and Coronavirus restrictions meant that the need for a taxi had reduced and many drivers sought employment in other industries and have not returned to work driving taxis. The increased cost of living are placing pressures on disposable income and increasing the deprivation gaps.

## **12.0 Equality and Diversity Implications**

12.1 The increase in vehicle age limits will ensure that there is a continued fleet of purpose built hackney carriages that are wheelchair accessible (WAV) operating within the borough. This will have a positive effect on residents who have limited mobility and require access to a WAV.

## **13.0 Climate Change and Environmental Implications**

13.1. The Council's adopted Local Transport Plan (LTP) 2011–2026 has two aims related to climate change and the environment that include:

- Reduce carbon emissions to help tackle climate change
- Improve the quality of life by reducing the visual, noise, air quality and other impacts of transport on people and the local environment.

13.2 The LTP is due to be reviewed once new guidance has been received from the Department of Transport later this year (2022). It is expected that there will be a strong focus on decarbonising transport and the switch to electric vehicles.



- 13.3 Since 1992, there have been a series of Euro emission standards introduced on new vehicles with the aim of improving air quality. The latest standard, Euro 6, was introduced on 1<sup>st</sup> September 2015. The difference between the Euro 5 and Euro 6 emission standards is the permitted levels of Nitrogen Oxides (NOx) for diesel vehicles. The allowable levels of this pollutant has been reduced with each new emission standard.
- 13.4 It is likely that some of the licenced vehicles in the borough will be ones that comply with the older Euro standards, namely 4 and 5. However, the number of these vehicles is low in number and removing them through introducing compliance with Euro 6 standard for diesel vehicles will impact on the number of taxis licenced by the council.
- 13.5 Telford & Wrekin Council currently meet the national objective levels for air quality; these levels are monitored and any actions reviewed by the Environmental Protection team.

#### 14.0 Background Papers

- 1 Hackney Carriage and Private Hire Policy  
[Hackney Carriage and Private Hire Licensing Policy 01\\_04\\_21\(8\).pdf \(btw.gov.uk\)](#)

#### 15.0 Appendices

- A Consultation Document

#### 16.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	12/08/2022	18.08.2022	SH
Finance	12/08/2022	16.08.2022	PT
Director	18.08.2022	19/08/2022	DS

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# **Borough of Telford and Wrekin**

**Licensing Committee**

**Monday 10 October 2022**

**Appendix 1**



Telford & Wrekin  
Co-operative Council

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# Consultation Document

## **Review of the Council's age limits for Hackney Carriage and Private Hire Vehicles**

19<sup>th</sup> April 2022 to 17<sup>th</sup> May 2022

Following a request from the private hire trade to review the Council's policy on age limits for hackney carriages and private hire vehicles, it is proposed to make the following changes.

The Consultation Document is also available to view:

- on the Council's [website](#)
- by post upon request to [licensingconsultation@telford.gov.uk](mailto:licensingconsultation@telford.gov.uk)

Comments can be made in respect of the proposed amendments by e-mailing [licensingconsultation@telford.gov.uk](mailto:licensingconsultation@telford.gov.uk) or alternatively by writing to the address below:

Principal Licensing Officer  
Public Protection  
Addenbrooke House  
Ironmasters Way  
Telford  
TF3 4NT

Closing date for comments by email or post is **17<sup>th</sup> May 2022**. **Comments received after this date will not be considered.**

We would like to thank you for taking time to participate in this consultation exercise and look forward to receiving your comments.

Telford & Wrekin Council Document	Current Policy/Licence Condition	Proposed Policy/Licence Condition
Hackney Carriage Licence Condition 2.1	<p><i>The age limit for purpose-built vehicles is 12 years. Where vehicles are of “exceptional condition” and continue to be licensed over the Council’s age limit, the vehicle will be subject to 6 monthly compliance tests.</i></p> <p><i>The age limit for multi-purpose vehicles is ten years. Vehicles to be tested every six months from five years of age in line with best practice guidance.</i></p>	<p><i>The age limit for purpose-built vehicles is fifteen years. Vehicles twelve years of age and over will be subject to 6 monthly compliance tests. Where vehicles licensed before 1<sup>st</sup> July 2022 are licensed under “exceptional condition” and continue to be licensed over the Council’s age limit, the vehicle will be subject to 6 monthly compliance tests.</i></p> <p><i>The age limit for multi-purpose vehicles is twelve years. Vehicles to be tested every six months from five years of age in line with best practice guidance.</i></p>
Hackney Carriage and Private Hire Licensing Policy <b>3.14 Hackney Carriages</b> <u>Type of Vehicle</u>	<p><i>All hackney carriages will only be of the type approved for hackney carriage use by the Council, namely a purpose built/multi-purpose vehicle built to carry up to eight passengers with factory fitted seatbelts and with an interior built for public hire use.</i></p>	<p><i>All hackney carriages will only be of the type approved for hackney carriage use by the Council, namely a purpose built/multi-purpose vehicle built to carry up to eight passengers with factory fitted seatbelts and with an interior built for public hire use. A purpose-built Hackney Carriage is a vehicle that has been manufactured and sold by the relevant Manufacturer as a Hackney Carriage. A vehicle that has been manufactured and registered, but subsequently converted is not considered to be purpose built. Whilst vehicles converted by an approved company post manufacturing process may be permitted onto the fleet, it does not meet the definition of purpose built.</i></p>

<p>Hackney Carriage and Private Hire Licensing Policy  <b>3.14 Hackney Carriages</b>  <u>Type of Vehicle</u></p>	<p><i>The Council will only licence suitable vehicles which do not exceed the age limit of twelve years for purpose built vehicles. Where an application is made and the Council considers that the vehicle is of “exceptional condition” and continue to be licensed over the Council’s age limit, the vehicle will be subject to 6 monthly compliance tests. The Council will only licence suitable vehicles which do not exceed the age limit of ten years for multi-purpose vehicles. These vehicles must be compliance tested every six months from five years of age in line with best practice guidance.</i></p>	<p><i>The Council will only licence suitable vehicles which do not exceed the age limit of fifteen years for purpose built vehicles. Vehicles twelve years of age and over will be subject to 6 monthly compliance tests.</i></p> <p><i>Proprietors of purpose-built hackney carriages licensed prior to 1<sup>st</sup> July 2022 under the Exceptional Condition Criteria, will be permitted to continue to apply annually for the vehicle to be further considered for Exceptional Condition Criteria and the licence to be renewed if the vehicle continues to meet that criteria. Where such an application is made and the Council considers that the vehicle is of “exceptional condition” and continue to be licensed over the Council’s age limit, the vehicle will be subject to 6 monthly compliance tests.</i></p> <p><i>The Council will only licence suitable vehicles which do not exceed the age limit of twelve years for multi-purpose vehicles. These vehicles must be compliance tested every six months from five years of age in line with best practice guidance.</i></p>
<p>Hackney Carriage and Private Hire Licensing Policy  <b>3.14 Hackney Carriages</b>  <u>Type of Vehicle</u></p>	<p>3. <i>That the consideration for an exemption to the age limit would normally only be considered for vehicles currently licensed with the Council.</i></p>	<p>3. <i>That the consideration for an exemption to the age limit will only be considered for vehicles already licensed by the Council under the Exceptional Condition Criteria prior to 1<sup>st</sup> July 2022. Applications to transfer the licence of</i></p>

<u>Criteria for “Exceptional Condition”</u>		<i>any vehicle licensed under Exceptional Condition Criteria will not be granted.</i>
<p>Hackney Carriage and Private Hire Licensing Policy</p> <p><b>3.15 Private Hire Vehicles</b></p> <p><u>Type of Vehicle</u></p>	<p><i>The Council will only licence suitable vehicles which do not exceed the age limit of ten years. Vehicles to be compliance tested every six months from five years of age in line with best practice guidance.</i></p>	<p><i>The Council will only licence suitable vehicles which do not exceed the age limit of twelve years. Vehicles to be compliance tested every six months from five years of age in line with best practice guidance.</i></p>