

# Executive Decision Report

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## **Temporary relaxation of vehicle age policy – hackney carriage and private hire vehicles**

Decision to be taken by: Deputy City Mayor, Housing &  
Neighbourhoods

Decision to be taken on/Date of meeting: 18 October 2023

Lead director/officer: Sean Atterbury, Director of Environment  
& Neighbourhood Services

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## Useful information

- Ward(s) affected: All
- Report author: Rachel Hall
- Author contact details: rachel.hall@leicester.gov.uk
- Report version number: 1

### 1. Summary

- 1.1 To set out the proposal to temporarily relax the vehicle age policy for hackney carriage and private hire vehicles whilst a consultation takes place on the permanent age policy.

### 2. Recommended actions/decision

- 2.1 It is recommended that
- i) There is a temporary relaxation of the vehicle age policy to:
    - Vehicles must be no older than 6 years when first licensed
    - Vehicles must be no older than 12 years when renewed
  - ii) The temporary relaxation of the vehicle age policy takes effect immediately and that eligible vehicles must be renewed before the date the vehicle licence expires.
  - iii) Notwithstanding ii), in the interests of good relations with the trade, vehicles that expired from 18 September 2023 may also be licensed for an additional year if they meet all of the usual pre-licensing requirements no later than 14 October 2023.
  - iv) The temporary relaxation of the vehicle age policy shall continue until such time as the permanent age policy has been consulted upon and a decision has been made on the permanent age policy.

### 3. Scrutiny / stakeholder engagement

- 3.1 Representatives of the taxi trade have approached the City Mayor, councillors and officers to express their concerns about the current cost of living crisis and the impact on their livelihoods.
- 3.2 Two meetings have taken place between the above parties and a further meeting is planned for December 2023.
- 3.3 Full consultation on the permanent policy will take place with the trade, members of the public and interested parties.

### 4 Background

- 4.1 The Town Police Clauses Act 1847 covers the licensing of hackney carriages, and the Local Government (Miscellaneous Provisions) Act 1976 makes provision for councils to license private hire vehicles. Each council sets its own parameters for pre-licensing requirements, in order to be satisfied that a vehicle is suitable to be licensed in the interests of public safety.

4.2 The number of hackney carriages has been in decline for some time due to a number of factors, one of which is the cost of buying a suitable vehicle. Trade representatives say that there are very few affordable hackney carriages available on the second-hand market.

4.3 Private hire vehicles do not have to meet the same specification as hackney carriages and so licence holders have a wider choice, but also report financial pressures. It is also noted that other licensing authorities have different policies on vehicle age, including Wolverhampton, where there is an upper limit of 11.5 years but no limit on the age of a vehicle being licensed for the first time.

## **5. Rationale for temporary relaxation of vehicle age policy**

5.1 In response to the request from the trade representatives, it has been agreed that the vehicle age policy will be reviewed. It is necessary to undertake a formal consultation and to consider the options carefully, which will take several months. In the meantime, we know that taxi licence holders are struggling to make a reasonable living.

5.2 It is noted that all vehicles must meet the council's pre-licensing requirements, including a formal inspection at the Vehicle Testing Station, to ensure that the vehicle meets minimum safety requirements.

### *5.3 Upper age limit – temporarily increase from 11 to 12 years*

5.3.1 There are 17 vehicles approaching the upper age limit in the 6 months to the end of March 2024, although these vehicles are likely to be licensed to a subsequent date. This is because vehicles may be renewed for 12 months, provided they are less than 11 years old. In light of these relatively low numbers it is considered that the impact of retaining them for an additional 12 months will be negligible to the council but significant to the individual licence holders.

5.3.2 There is one hackney carriage that expired on 19 September 2023 and is now overage, and one private hire vehicle that expired on 22 September that is now overage. In the interests of fairness, it is proposed that both proprietors be contacted by Licensing staff to advise that they may license these vehicles for an additional year. (Another private hire vehicle that expired on 20 September 2023 was replaced with a newer vehicle on 11 September 2023 and no action will be taken to relicense this overage vehicle).

5.3.3 All vehicles that are relicensed under this temporary policy must pass an additional inspection at the Vehicle Testing Station – ie, an inspection every four months as opposed to the current requirement for an inspection every six months.

### *5.4 Entry age limit – temporarily increase from 5 to 6 years*

5.4.1 Noting comments from trade representatives about the cost and availability of replacement vehicles, it is considered appropriate to also temporarily increase the age at which a vehicle may be licensed for the first time from 5 years to 6 years. This should give licence holders who need to replace their licensed vehicle some more leeway during the cost-of-living crisis.

## **6. Implementation process**

6.1 Licensing staff will contact the trade to advise them of the temporary relaxation of the vehicle age policy and the intention to consult on a new policy.

## **7. Options**

### *1) Retain the existing vehicle age policy during consultation on a new policy*

The consultation is likely to take several months to complete, analyse and report upon. During this time it is anticipated that some drivers will be forced out of the trade through being unable to afford a suitable replacement vehicle. These drivers may leave the trade altogether or may move to another licensing authority but continue to work in Leicester.

### *2) Temporarily relax the existing age policy during the consultation process with immediate effect.*

Vehicle licence holders approached LCC for help, first raising this matter formally during a meeting held in June 2023. It is likely to take several months to consult on the proposed new policy, analyse the responses and submit a decision report. A temporary relaxation of the current policy during this period will allow licence holders a period of grace in a difficult financial climate. Vehicles must still meet the appropriate safety standards.

### *3) In addition to option 2, include a short backdate for vehicles whose licences have recently expired.*

The proposal to temporarily relax the vehicle age policy was put forward by LCC at the follow up meeting in September and as a gesture of good faith it is right to apply the temporary relaxation from the week of the meeting.

## **8. Financial, legal, equalities, climate emergency and other implications**

### 12.1 Financial implications

There are no financial implications arising from the recommendations in this report.

Stuart McAvoy – Head of Finance

### 12.2 Legal implications

The power for the Council to license a Hackney Carriage/s is contained within Section 37 of the Town Police Clauses Act 1847 and the power to place conditions on the licensing of Hackney Carriages is contained in Section 47 of the Local Government (Miscellaneous Provisions) Act 1976. Section 48 of the same Act provides similar provisions for Private Hire Vehicles

It is for individual licensing authorities to reach their own decisions within their statutory powers on overall policies and individual licensing matters. It is therefore within the Authority's power to relax the Age Policy however Officers are encouraged to specify the period of any relaxation and consider the implications for the trade when moving from any relaxed period to any new policy

Katherine Jamieson, Solicitor, 4541452

### 12.3 Equalities implications

There are no direct equality implications arising from this report. However we need to ensure that any communication with licence holders and the taxi trade is fair, accessible and proportionate.

Sukhi Biring, Equalities Officer, 454 4175

### 12.4 Climate Emergency implications

The city council declared a Climate Emergency in 2019 and has set an ambition to achieve net zero carbon, with transport one of the key areas to tackle, particularly in those areas where the council has the greatest level of influence. As a result of the relaxation of the age policy there is likely to be some increase in emissions, as older vehicles generally produce a higher level of carbon emissions. However, as noted in the report, this change in policy is planned to be temporary, and is only expected to affect a relatively limited number of vehicles at this time. Further consideration should be given to these impacts as part of the planned process to consult upon the permanent age policy.

Aidan Davis, Sustainability Officer, Ext 37 2284

### 12.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

### **13. Background information and other papers:**

None

### **14. Summary of appendices:**

None

### **15. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No

### **16. Is this a “key decision”? If so, why?**

No