



Leicester  
City Council

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**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:  
Licensing and Public Safety Committee**

**24 October 2017**

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**Temporary Relaxation of Taxi Age Policy for Hackney Carriages**

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**Report of the Director of Neighbourhood and Environmental Services**

**1. Purpose of Report**

- 1.1. To inform the Committee of the decision regarding the temporary relaxation of the Taxi Age Policy for hackney carriages.

**2. Recommendations**

- 2.1. Members are asked to note the decision.

**3. Background**

- 3.1 Members received a report on 13 July 2017 setting out the proposals for a temporary relaxation of the council's age policy for hackney carriages.
- 3.2 The Committee resolved that the City Mayor be informed that the Committee recommends Option C be implemented as this gives further options to extend the temporary relaxation if the anticipated supply and choice of manufacturers of ULEVs does not materialise and still provides assurances for public safety during the extension period.
- 3.3 Option C was that:
- Any vehicle having a last licensable date after the date of the decision and some date to be fixed will be relicensed for a period up to 12 months.
  - The end date of this moratorium will be reviewed taking into account the availability of approved ULEVs for delivery.
  - The vehicles will continue to be subject to 6 monthly tests.

**4 Decision**

- 4.1 On 6 September 2017 the City Mayor decided to temporarily relax the age policy for hackney carriages as follows:

- (1) Where any HC vehicle has a last licensable date between the date of the decision and 30 June 2018 then, on request of the owner, it will be

relicensed to 30 June 2018 [the end of general moratorium date].

- (2) Where a HC vehicle has a last licensable date after the end of the general moratorium date then, on request of the owner and supply of evidence of a contract to purchase an approved ULEV, it will be relicensed for a period of 3 months [the delivery period] to accommodate delivery of the replacement vehicle.
- (3) That authority is delegated to the Director of Neighbourhood and Environmental Services to defer, after consultation with the relevant Assistant Mayor/s, the end of general moratorium date.
- (4) That authority is delegated to the Team Manager (Licensing Policy & Applications) and direct line managers to set, in exceptional circumstances, a different delivery period to facilitate replacement with an approved ULEV.
- (5) That the relaxation arrangements will not extend beyond 31 March 2019.

4.2 The reasons for the decision were:

- Leicester City Council has an 11 year age policy for licensing vehicles as taxis. ULEV hackney cabs are not yet available for purchase.
- Operators have asked to be allowed to use vehicles older than permitted by the Age Policy to bridge the gap before they are able to acquire ULEVS.
- The aims of the Air Quality Plan 2015-26 are to improve air quality by reducing emissions from vehicle serving the public.
- This is a temporary relaxation of the policy to advance the aims of Air Quality Plan 2015-26 by supporting owners of hackney carriages to replace their existing old hackney carriage with a new ULEV hackney carriage.
- Vehicles will continue to be subjected to 6 monthly checks.

## **10 Financial, Legal and Other Implications**

### **Financial Implications**

10.1 There are no significant financial implications arising directly from this report.

*Colin Sharpe, Head of Finance, ext. 37 4081*

### **Legal Implications**

10.2 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.

- 10.3 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.
- 10.4 Any contractual agreement between the Local Authority and a Hackney Carriage driver, cannot override statutory requirements.
- 10.5 Due to the uncertainty of when the Ultra Low Emission Vehicles will become available and the number of vehicles that will become available to purchase, it is difficult to see how any meaningful contractual agreement could be entered into between the Local Authority and individual drivers at this stage. The position may change when the vehicle availability details become known.

*Katherine Jamieson, Solicitor – Legal Services*

## 11 Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	Yes	The report refers to the council's age policy for hackney carriages
Sustainable and Environmental	Yes	4.2
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

## 12 Background Papers – Local Government Act 1972

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## 13 Consultations

None

## 14 Report Author

Rachel Hall, Licensing Team Manager  
0116 4543047  
[Rachel.hall@leicester.gov.uk](mailto:Rachel.hall@leicester.gov.uk)