

Working Group on Differential Age Limits for Licensed Vehicles



Draft Report – April 2018

**For consideration by the General
Licensing Committee on 10 April 2018**

Contents

	Page:
Chair's Foreword	3
Rationale for Working Group	4
Membership of Working Group	5
Aims and Objectives	6
Links with current Licensing Plan	7
Methodology	8
Key Findings	9
Recommendation	11
Next Steps	11
Appendix 1	12

Chair's Foreword



The General Licensing Committee has always understood the need to work closely with both the licensed trade and service users. For this reason, I was honoured to be asked to take the lead on an important piece of work which had been raised by the trade at a Taxi Trade Forum.

South Ribble Borough Council has long been proud of its licensed Hackney Carriage and Private Hire fleet, which provides a valuable service to the Borough's residents. In assessing the strength of its fleet, one of the key criteria is the age limits which govern when a vehicle may be licensed. It is important that these age limits are fair and relevant, particularly so when they impact upon wheelchair users and other vulnerable members of society.

When the working group met on 22 February 2018, I was delighted to see members and officers, as well as trade and disability representatives, all working together for the greater good. The conclusions put forward as a result of this work are considered and appropriate, and I commend them to the General Licensing Committee when it meets to discuss them in April 2018.

My personal thanks go to all members of the working group, without whom this report could not have been completed. I am grateful for their individual contributions, whether in terms of time, effort, expertise or personal experience – and in many cases all four. All were greatly appreciated!

Councillor David Wooldridge
Chair of the Working Group

Rationale for setting up the working group

After an absence of around a year, the Council re-convened meetings of the Taxi Trade Forum. These meetings were intended to increase mutual understanding between the Council (in its role as Licensing Authority) and the licensed trade (as key stakeholders in the licensing process).

At the Taxi Trade Forum held on 26 October 2017, trade representatives raised a number of issues including the view that it was undesirable to have a policy of differential age limits for saloon vehicles and wheelchair accessible vehicles. They enquired whether it would be possible for the Council to bring these age limits into closer alignment.

As a result, the Chair of the Taxi Trade Forum (Cllr Mike Nelson) commented that it may be appropriate for a working group of committee members to be set up, with a view to considering the issue in detail and reporting back to the General Licensing Committee at a later date.

A report was then taken to the General Licensing Committee in November 2017, where members agreed that a working group should be established to consider the topic in detail. Officers were asked to prepare some initial documentation to inform the discussion and bring this back to the Committee for final approval. On presentation of this documentation in January 2018, along with proposals to incorporate representatives of the trade and disability groups, members requested that the working group should meet during the month of February and report back to the April meeting.

Trade representatives were identified at the Taxi Trade Forum on 1 February 2018, and a disability contact was identified through colleagues in the Council's Scrutiny Section.



Membership of the working group

At the meeting of the General Licensing Committee in January 2018, the following members were identified to participate in the exercise:

- ▶ Cllr Wooldridge (Chair)
- ▶ Cllr Mary Green
- ▶ Cllr Hamilton
- ▶ Cllr Hancock
- ▶ Cllr B Nathan

Two trade representatives then kindly put themselves forward at the Taxi Trade Forum in February 2018:

- ▶ David Cox (TCE Airport Travel)
- ▶ Scott Washington (a licensed Hackney Carriage driver).

In addition, an approach was made to Disability Equality North West, a body which had helpfully contributed to previous Scrutiny exercises. As a result, Suzie was able to attend and contribute from an Equalities perspective.



Working group's Aims and Objectives

At its January 2018 meeting, the General Licensing Committee adopted the following aims and objectives for the working group:

- ▶ To review the evidence provided to the Group by officers on the current age differential of vehicles licensed by this authority and other local authorities.
- ▶ To understand the rationale for, and advantages / disadvantages of, the current differentiated age policy (including the views of the nominated trade representatives on the issue from the trade's perspective)
- ▶ To consider whether an alternative age policy would be more appropriate in reflecting the needs of a modern licensed fleet, and to determine what that alternative should be
- ▶ To work with officers to develop recommendations to be made to the General Licensing Committee in April 2018 (for future recommendation to full Council in the event of any policy changes being required).

Links with current Licensing Plan

In line with the approach taken by many other licensing authorities, the Council's Licensing Plan currently prescribes the age limits for vehicles. The relevant sections of the Licensing Policy are reproduced below:

Section 6.9 - Hackney Carriage Vehicle Age Limits

The Council operates an age policy in respect of licensed vehicles and since its introduction, the travelling public of South Ribble have benefitted from more reliable vehicles which are fitted with better safety features and are more environmentally friendly.

The Council will where appropriate, issue Hackney Carriage Licences to vehicles which:

- a) Are no older than 4 years, when first presented for licensing
- b) In respect of purpose built taxis (i.e. Peugeot E7, Euro taxi) or other wheelchair accessible vehicles are no older than 6 years, when first presented for licensing

Vehicles in (a) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 8 years old.

Vehicles in (b) above, which have been continuously licenced by South Ribble, will no longer be eligible for renewal once they are 12 years old

The Council operates an age policy in respect of licensed vehicles and since its introduction, the travelling public of South Ribble have benefitted from more reliable vehicles which are fitted with better safety features and are more environmentally friendly.

7.8 Private Hire Vehicle Age Limits

The Council will where appropriate, issue Private Hire Licences to:

- a) Saloon/estate vehicles which are no older than 4 years, when first presented for licensing,
- b) Larger MPVs, minibuses and other wheelchair accessible vehicles which are no older than 6 years, when first presented for licensing.

Vehicles in (a) above, which have been continuously licensed by South Ribble, will no longer be eligible for renewal once they are 8 years old.

Vehicles in (b) above, which have been continuously licensed by South Ribble, will no longer be eligible for renewal once they are 12 years old.

For the avoidance of doubt, the age limits for summarised as follows:

	Hackney Carriage		Private Hire	
	Max age on first reg'n	Max age on renewal	Max age on first reg'n	Max age on renewal
Saloon	4	8	4	8
WAV	6	12	6	12

This shows that the Council operates a differential age policy for saloon vehicles as opposed to wheelchair accessible vehicles; the latter can currently be first licensed up to 6 years of age (some 2 years later than saloons) and can continue to be licensed until up to 12 years of age (some 4 years later than saloons).

The key questions for the working group were:

- ▶ Should this age differential be retained: and
- ▶ If not, what should it be replaced with?

Methodology

Officers supporting the working group carried out an initial desktop exercise which identified helpful research on age policies adopted by licensing authorities across the county. This was made available to the working group for its consideration in advance of the meeting. In addition, relevant government guidance (in the form of best practice guidance from March 2010) was also located. This information is attached collectively as Appendix 1 to this report.

The meeting of the working group took place on 22 February 2018 and followed a structured format in which the following key questions were identified and debated by the group:

- ▶ Historically, why has SRBC adopted a differential age policy?
- ▶ What are the advantages / disadvantages of a differentiated approach?
- ▶ On balance, would the working group wish to move away from the current approach?
- ▶ If so, what is the preferred option?
 - Align saloons with Wheelchair Accessible Vehicles (ie move to the higher age limits across the fleet)?
 - Align Wheelchair Accessible Vehicles with saloons (ie move to the lower age limits across the fleet)?

- Adopt other age limits (to be defined)
 - Abandon age limits completely
- ▶ What benefits would adoption of the preferred option bring?

Key Findings

The Task Group used the above methodology to come up with the following key findings:

Reasons for differential age policy:

The trade expressed the opinion that – going back many years – the authority originally permitted wheelchair access from a side-loading position only. Vehicles with a side-loading facility were conventionally more expensive to purchase, and as a result the Council allowed them to retain a licence for a longer period.

More recently, the authority changed its stance to allow the rear-loading of wheelchairs – rear-loading vehicles were cheaper but the Licensing Policy was never changed to reflect their introduction.

Advantages of a differentiated approach:

Members appreciated that an upper age limit gave the authority a modern fleet which it could be proud of. When compared to the fleet in other authorities which did not operate an age policy, the South Ribble fleet was considered to be of a higher standard; this was evidenced by officers engaged on inspection duties witnessing the serving of enforcement notices etc on vehicles licensed by neighbouring authorities where no age policy was in place. The adoption of an age limit ensured that the fleet meets the latest standards of safety and comfort, benefits to which passengers are entitled.

Members in particular placed great store in whether vehicles licensed by South Ribble were perceived to be of a suitable standard for a parent to have their child transported safely and in comfort.

Disadvantages of a differentiated approach:

The trade representatives had a mixed approach to the issue of an age policy, with one of them feeling that it was illogical and fundamentally flawed. The representative suggested that a notional point in time to form a cut-off point for licensing a vehicle therefore led to potential absurdities; for instance, he cited an example of a 2014 Skoda Octavia (140,000 miles) which could be purchased for £5750, as opposed to a 2013 Skoda Octavia (which had done 70,000 miles) and could be purchased for £5980. The former could be licensed under our age policy, but the latter – which had travelled considerably fewer miles – could not. By extension, a vehicle which was 5

years and 364 days old (with 500,000 miles on the clock) could be licensed, but a vehicle which was 6 years and 1 day old (with 50,000 miles on the clock) could not.

When considering the various age policies adopted by authorities around us, the trade noted that the authorities in closest geographical proximity to South Ribble (namely Blackburn with Darwen, Chorley and Preston) all had a policy of no age limits. It was therefore logical for South Ribble to adopt a similar approach as that of its neighbours.

Documentation provided by the trade indicated that wheelchair accessible vehicles were said to have a higher output of CO2 emissions when compared against saloons. It was therefore illogical to allow wheelchair accessible vehicles to stay on the road longer than saloons, which was the case under the current policy.

The trade representatives considered that the imposition of an upper age limit placed South Ribble owners of licensed vehicles at a commercial disadvantage when competing against vehicles licensed by other local authorities where no age limit was in place.

Should the Council move away from its current differentiated policy?

The Working Group quickly formed a consensus that, in light of the comments above, the current age policy was out of date and should therefore be revisited. The question then was – how?

What is the preferred option for change?



A range of options were considered by the Group, including:

- ▶ Standardising the age limits at those currently for saloon vehicles;
- ▶ Standardising the age limits at those currently for wheelchair accessible vehicles;
- ▶ Adopting the 4 year age for first registration of saloons and also the higher age limit for wheelchair accessible vehicles (12 years)
- ▶ Abandoning the age policy (with or without further restrictions such as a maximum mileage for vehicles)

Whilst one trade representative continued to argue in favour of abolition of an age limit, the clear consensus was in favour of aligning the age limit for all vehicles at the current level of that for wheelchair accessible vehicles – namely 6 years on first registration and an upper limit of 12 years. This approach offered greater flexibility to the trade than the current system, whilst remaining politically acceptable to elected members on the Working Group.

It was noted that – from an Equality perspective – the imposition of a single unified age policy seemed an entirely appropriate way forward!

Recommendation

That the General Licensing Committee consider recommending the commencement of a wider consultation exercise, with a view to the outcomes of this exercise being reported to a future meeting of the Committee. Subject to this, members may recommend the adoption of an amendment to the current Licensing Policy which – if endorsed by full Council - would result in the introduction of a standardised age limit for all vehicles (whether saloon or wheelchair accessible) of up to 6 years on first registration and a maximum age limit of 12 years.



Next Steps

In line with the agreed Terms of Reference, the working group will submit the above recommendations for consideration by the General Licensing Committee at its meeting in April 2018.

Should the Committee support the key recommendations, and agree to submit them for wider consultation, an amendment to the Licensing Policy will ultimately be required. In

this event, the Committee is asked to forward the report to a future meeting of the full Council with a recommendation for the appropriate changes to the Licensing Policy to be made.

Appendix 1

Research undertaken by Pendle BC in 2015 shows range of approaches across the County:

Authority	Age Limit	Additional conditions applied
Blackburn	No age limit	None – tested every 6 months.
Burnley	Saloons and small MPVs – no lower age limit and licence to 8 years Large MPVs and minibuses – 5 to 10 years Wheelchair accessible, large MPVs and minibuses – 5 to 12 years Hackney carriage black cabs – 3 to 12 years	N/A
Chorley	No age limit	All vehicles required to meet same standards regardless of age – currently being reviewed.
Fylde	Up to 12 years for all vehicles	One test a year.
Hyndburn	7 to 10 years	Three tests per year from 8 years old. Hackneys must have a swivel seat.
Lancaster	No age limit	Any vehicle over 10 years must be in outstanding condition and must be inspected and approved by licensing officers – then tested every 4 months.
Preston	No age limit	None – tested twice a year.
Ribble Valley	No age limit	Tested three times a year when over 7 years old.
Rossendale	7 to 10 years, minibuses and purpose built hackney carriages up to 12 years	Tested twice a year and minibuses/purpose built hackney carriages three times a year.

South Ribble	Saloons 4 to 8 years and purpose built/minibuses 6 to 12 years.	None - tested twice per year
West Lancs	Private hire 6 to 15 years and HC all wheelchair accessible 4 to 18 years.	None
Wyre	No age limit	All vehicles required to meet same standards regardless of age – tested once a year.

Burnley, Rossendale and West Lancs have a differentiated age policy similar to SRBC

1) Government guidance

TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE (DfT March 2010)

Age Limits. It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.