



Licensing Committee

Item
7

17 January 2023

Report of	Head of Public Protection	Author	Sarah White
Title	Taxi Policy – Vehicle Age Restriction		☎ 506420
Wards affected	All Wards		

1. Executive Summary

- 1.1 The Department of Transport issued the updated Taxi and Private Hire Best Practice Vehicle Guidance in November 2023. This document gives guidance on the age restrictions for licensed vehicles. In light of this guidance and in response to concerns raised by the trade, this report considers whether the current vehicle age restriction for licensed vehicles stipulated in the Council's Hackney Carriage and Private Hire Licensing Policy should be removed.

2. Recommended Decision

- 2.1 It is recommended that the Committee consider approving, for consultation purposes, the removal of the age restriction on licensed vehicles and that the vehicle testing programme be used to determine the continuing road worthiness of licensed vehicles.

3. Reason for Recommended Decision

- 3.1 The change would bring the Council into line with the Department of Transport's Best Practice Guidance by removing arbitrary age limits and may help address the current issues being faced by the trade around the supply and affordability of vehicles.

4. Alternative Options

- 4.1 To leave the Policy unaltered and to continue with the existing licensing regime.

5. Detailed Information

5.1 The Council's current Hackney Carriage and Private Hire Licensing Policy sets out the age limits both for first licensing and the maximum age for a licensed vehicle.

1. Vehicle Age and Condition

1.1 An application for a hackney carriage/private hire vehicle will not be accepted if the vehicle is five years or older. The age of the vehicle will be taken from the date of first registration on the logbook and therefore this must be submitted with the application.

1.2 The vehicle will continue to be licensed until it reaches 12 years of age (or in the case of a hackney carriage vehicle, 15 years of age for a purpose-built taxi).

1.3 The vehicle must pass an inspection undertaken at a Council approved testing station. The current approved garage is the Riverside Workshop, Unit 7, Westside, Stanway CO4 3QE.

1.4 All vehicles licensed as hackney carriages and which are, from the date of first registration, over one year old must have a VOSA MOT test certificate.

5.2 In recent years, the Council has become aware of the increasing difficulty the trade is experiencing in finding suitable and affordable vehicles that meet the Council's current licensing requirements.

5.3 The age limit for first licensing vehicles and the maximum age limit have been in place for many years. The limitations were put in place not only to ensure the safety of the public but also to ensure the overall standard of the Council's licensed vehicles remained high. Since the Policy was put in place, the overall standard of vehicles, their longevity and emissions have steadily improved to the point where it is considered that the age limits currently imposed should be reconsidered with a view to their removal and the vehicle testing regime used to determine the continuing suitability of the vehicle to be licensed.

5.4 This stance is supported by the recently published Department of Transport's Best Practice [Guidance](#) which states that in relation to vehicle age limits, 'the setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality'.

5.5 The Council's Policy in relation to air quality and Euro emissions will remain relevant although it is likely that this will be revised as part of the current review of the Council's Hackney Carriage and Private Hire Licensing Policy.

6. Vehicle testing

6.1 The Council has a robust test regime in place for its licensed vehicles as set out below.

1. Vehicle Testing

1.1 Once licensed, the vehicle must be presented for inspection as follows –

- Up to 5 years old - once during each 12-month licensing period.
- 5 to 12 years old - twice during each 12-month period.

1.2 Licensed vehicles that fail an authorised examination and test will be issued with a suspension notice to prevent the vehicle being used to carry passengers until the defect(s) is/are remedied. The suspension will not be lifted until the vehicle has been repaired; undergone a further test at your expense; has been passed as fit for use by a Council approved testing station; and the Authority has received the appropriate notification.

1.3 If the defect is not repaired within 28 days from the date of the service of the suspension notice, the vehicle licence will be revoked by the Council. Where it is anticipated that repairs will take longer than 28 days an application must be made to the Council to extend the period.

1.4 Any damage to a licensed vehicle must be reported to the Licensing Team in writing/by email within 72 hours.

1.5 A vehicle must always be inspected after it has been involved in a road traffic accident or where damage has been caused to it, however minor or limited the damage appears to be. You must also present the vehicle for inspection, at a Council approved testing station, after it has been repaired. A copy of the Pass Certificate must be given to the Council before the vehicle can be used again to carry passengers.

1.6 The licence of any vehicle failing to attend a required inspection will be suspended until such time as the vehicle has been inspected and passed.

1.7 Vehicles must be maintained to MOT standard at all times. Vehicles that pass the MOT with minor defects will be required to carry out remedial works within 7 working days of the MOT; if this is not possible prior approval for an extension in this time must be sought from the Licensing Manager. Proof of the completion of works must be presented to the Council within the period provided for remedial works to be carried out.

6.2 It is suggested that this testing regime should be used to determine the suitability of the vehicles to remain licensed rather than imposing an arbitrary cut-off date. As such it is proposed that the Policy be amended to read -

1.1 Once licensed, the vehicle must be presented for inspection as follows –

- Up to 5 years old - once during each 12-month licensing period.
- 5 years and older - twice during each 12-month licensing period at approximately 6-month intervals.

7. Strategic Plan References

7.1 Links to the priorities in the Council's [Strategic plan 2023-26](#).

Priorities:-

- Respond to the climate emergency.

- To make our city a better place in which to live and work and visit.

8. Consultation

- 8.1 The proposed changes would constitute a major change to the Council's Policy and therefore a consultation period of 6 weeks is proposed with the Trade to obtain its views before the Committee makes a final decision.

9. Publicity Considerations

- 9.1 Any change to the Policy will have effect once approved by full Council. The Policy and supporting information will be made available on the Council's website.

10. Financial implications

- 10.1 There are no financial implications for the Council associated with the policy. The cost of vehicle inspections is borne by the vehicle owners.

11. Environmental and Sustainability Implications

- 11.1 The Council's Policy currently sets emission limits for its licensed vehicles with the intention of improving air quality over time and these will remain pending a full review as part of the wider review of the Policy to ensure that the Council's policy reflects the current science and targets on emissions and air quality. The Council's vehicle testing regime will continue and therefore it is anticipated that the proposed change will have no detrimental impact.
- 11.2 The Council's 2030 Climate Emergency Response target monitors our direct emissions (Scope 1 Emissions) and "Scope 2" emissions indirectly created by people working for or with the Council to provide us with goods or services. However, as neither of these applies, this would not affect our own targets, as vehicle emissions from third party owned vehicle are outside the scope of the 2030 target.

12. Standard References

- 12.1 There are no community safety, health and wellbeing, health and safety, risk management, nor equality, diversity and human rights implications.