

REPORT TO:	Licensing Committee
DATE:	12 October 2022
LEAD OFFICER:	Head of Planning, Public Protection and Countryside Services
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SUBJECT:	Review of vehicle age for the licensing of Hackney Carriage and Private Hire Vehicles

1. PURPOSE OF THE REPORT

- 1.1 For Members to consider reviewing the existing maximum age of vehicles for both new and renewal applications following interim amendments to the existing policy in January of this year by Members of the Licensing Committee.

2. EXECUTIVE SUMMARY

- 2.1 Members approved to defer the implementation date to only licence vehicles up to the age of 12 years old from the date of first registration, until July 2023 with a further review to take place.

3. POWER TO MAKE THE DECISION

- 3.1 Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847.

4. BACKGROUND INFORMATION

- 4.1 The existing Hackney Carriage and Private Hire Vehicle Policy, together with vehicle specification and conditions, was approved at the December 2016 committee meeting, following extensive consultation, and came into effect on the 1st of July 2017. There have been a number of small amendments since this date.
- 4.2 The conditions, at paragraphs 2.4.3 and 5.4.3, place an age restriction on vehicles whether new or for renewal, namely that all new to fleet vehicles must be a maximum of 5 years old and any vehicle reaching the age of 12 years old must be removed. At the time of implementation, a period of

grace was given for 5 years for vehicles which had “grandfather rights” i.e. they were already licensed vehicles and remained continually licensed. This grace period was to cease in July 2022, and reads as follows:

- 4.3 *“All existing licensed vehicles will have “grandfather rights” for 5 years after the implementation of this policy, by which time all existing licensed vehicles must be able to comply with 2.4.2 above e.g. all licensed vehicles aged 12 years or over, from the date of first registration, must have been replaced with one of a maximum age of up to 5 years from the date of first registration. This will only be relevant to licensed vehicles that have had a continuous licence. Vehicles that are not renewed before the expiry date of the existing licence will be treated as a new vehicle and 2.4.2 above will apply.”*
- 4.4 In January of this year, Officers and Licensing Committee Members (at that time) received a request from a licensed taxi proprietor to urgently consider reviewing the vehicle age policy for new and renewal applications in light of the coronavirus pandemic having an impact on the automotive industry as a result of the shortage of semiconductors (chips) for new vehicles. This shortage was having a knock on effect on used car trade as the demand for used cars increased.
- 4.5 Members of the Committee approved a delay for a period of 12 months, to the implementation of the part of the Policy and Conditions relating to age of vehicles. The decision enabled proprietors to retain older vehicles and allow some valuable time to recover from the effects of the global pandemic.
- 4.6 Whilst agreeing to the deferment Members also requested the position is reviewed by January 2023.
- 4.7 Members were further requested by the same licensed taxi proprietor to relax the requirement for new vehicle applications to be no more than 5 years old and instead require vehicles to be no more than 8 years old. Additionally, officers have received a request from a different operator to consider relaxation of the age requirement for wheelchair accessible vehicles, particularly those with power tail lifts. Unlike the deferral of the implementation date this aspect is a policy change which would need consideration by the Members and wider consultation and as such would be considered as part of the review before January 2023.

5. CONSIDERATION

- 5.1 As minuted at the Licensing Committee meeting in December 2016, the introduction of a vehicle age policy in 2017 was intended to modernise the existing fleet of licensed vehicles, thereby ensuring high standards for users and the introduction of the five-year grandfather rights at the time

would provide sufficient time for vehicles to be replaced. An extract of the minutes are detailed below:

“Members felt the changes brought consistency across hackney carriage and private hire vehicles and would result in improved vehicle standards whilst also giving sufficient time for the older vehicles to be replaced and upgraded. It was also noted that there had been general support for introducing an age limit for vehicles from the trade during the consultation process “

- 5.2 Significant interruption to that 5-year period has been encountered by the pandemic and industry comment generally indicates car prices remain higher than previous years, as shown, for example, in the press release from a recognised online retailer <https://plc.autotrader.co.uk/press-centre/news-hub/retail-price-index-august-2022/>
- 5.3 If the current decision remains the new date for the expiry of grandfather rights would be July 2023.
- 5.4 There are 287 vehicles licensed, 21 of those are currently affected by the upper age limit, rising to 23 in July 2023, and will require removing.
- 5.5 Since the introduction of the policy the number of new to fleet vehicles stands at 2017 – 64; 2018 – 21; 2019 – 26; 2020 – 10; 2021 – 35; 2022 – 31. These will have had to be a maximum of 5 years of age.
- 5.6 The information below shows the vehicle age requirements for other north Wales authorities:
 - 5.6.1 Wheelchair Accessible Vehicle (“WAV”)
 - Anglesey: New to fleet – Under 6 years / Renewal Maximum Age – None
 - Conwy: New to fleet (all new hackney carriages must be WAV) – Under 5 years / Renewal Maximum Age – None
 - Flintshire: New to fleet – None / Renewal Maximum Age – None
 - Gwynedd: New to fleet – Under 3 years (currently deviation from policy is permitted) / Renewal Maximum Age – 12 years (under review)
 - Wrexham: New to fleet (all new hackney carriages must be WAV) – Under 10 years for hackney carriage (none for private hire) / Renewal Maximum Age – None
 - 5.6.2 Not Wheelchair Accessible Vehicle (“WAV”)
 - Anglesey: New to fleet – Under 6 years / Renewal Maximum Age – None

- Conwy: New to fleet (applies to private hire only) – Under 5 years / Renewal Maximum Age – None
- Flintshire: New to fleet – Under 5 years / Renewal Maximum Age – None
- Gwynedd: New to fleet – Under 6 years / Renewal Maximum Age – 12 years (under review)
- Wrexham: New to fleet (applies to private hire only) – None / Renewal Maximum Age – None

5.7 Members are therefore asked to consider whether it is appropriate to relax the maximum age limit for new and renewal vehicle applications.

6. RECOMMENDATION

- 6.1 For Members to consider all the information contained in this report and firstly determine whether to retain the current vehicle age restrictions along with the deferred implementation date of July 2023.
- 6.2 Should Members be minded to amend the vehicle age requirements only in relation to wheelchair accessible vehicles they may agree to
- Increase the maximum age limit for new wheelchair accessible vehicle applications with or without additional conditional requirements, and / or
 - Increase the upper age limit for renewal wheelchair accessible vehicles with or without further conditional requirements.
- 6.3 Should Members be minded to amend the vehicle age requirements for all vehicles then they may agree to: -
- Increase the maximum age limit for new vehicle applications to 8 years, or some other age they determine, with or without additional conditional requirements, and / or
 - Increase the upper age limit for renewal vehicles to 8 years, or some other age they determine, with or without further conditional requirements,
- 6.4 If Members are minded to support any of the proposals at 6.2 or 6.3 above, that they authorise Officers to instigate consultation with all licence holders and key partners.