

<b>DECISION-MAKER:</b>	<b>LICENSING COMMITTEE</b>		
<b>SUBJECT:</b>	TRADE REQUEST TO AMEND THE CONDITION TO LENGTHEN THE LIFE OF LICENSED PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGES		
<b>DATE OF DECISION:</b>	19 SEPTEMBER 2013		
<b>REPORT OF:</b>	HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES		
<b><u>CONTACT DETAILS</u></b>			
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#### **STATEMENT OF CONFIDENTIALITY**

Not applicable.

#### **BRIEF SUMMARY**

Current conditions applied to hackney carriages and private hire vehicles restrict their operational life so no new or renewed licence will be issued for a vehicle more than 7 or 10 years since the date of first registration, dependant on the type of vehicle. Wheel chair accessible vehicles may be licensed for up to 10 years.

The trade consider the restrictions reduce their options on how to run their business and ask if this condition is appropriate at such times of austerity.

#### **RECOMMENDATIONS:**

- (i) to determine whether the policy and conditions in relation to the operational life of hackney carriages and private hire vehicles should continue or be amended in line with one of the options set out within the report.

#### **REASONS FOR REPORT RECOMMENDATIONS**

1. At the Trade Representatives Consultation meeting with Licensing Committee Members on 18<sup>th</sup> April 2013 the life of vehicles was raised by the trade with a request to extend the life by 1 or 2 years.
2. The Licensing Committee Members present at the meeting requested a report be submitted for consideration.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. None. All options are contained in this report.

#### **DETAIL (Including consultation carried out)**

4. Since 2000 the life of vehicles licensed by Southampton City Council has been restricted to 7 years. Since that date wheel chair accessible (WCA) vehicles have been introduced to the fleet and as they were considered to be

purpose built and a more expensive vehicle than a standard saloon car and therefore better equipped to withstand the rigours of licensed vehicle work. Their age was accordingly restricted to 10 years.

5. Licensed vehicles are either a Category A or B. Category A include vehicles made or adapted to 'M1' standards to allow wheel chair access for a person to remain seated in their wheelchair. Category B are all other types of vehicles. Category A will not be granted a new or renewed licence if it is more than 10 years since first registration and Category B is 7 years.
6. All Southampton City Council licensed vehicles are required to pass a vehicle inspection every 6 months.
7. At the consultation meeting the trade raised the following points:
  - the fact vehicles are tested twice in the year and that unacceptable vehicles should be suspended
  - at a time of recession a one year extension makes a difference and such a compromise will show the Council is listening.
  - owners will always have the choice to keep the car or not and may voluntarily change the vehicle before the age limit is reached.
8. Evidence from Council records show the vast majority of vehicles at the end of their life as a licensed vehicle have recorded mileage in excess of 150,000 miles and often much more. There are a few examples of such vehicles that still look pristine; however the majority do, naturally, show signs of their age and look tatty in appearance. The standard of appearance is an important factor and reflects on the City.
9. The vehicles are tested twice a year, a standard VOSA test (MOT) and 6 months later a more thorough compliance check that includes the body work. Vehicles deteriorate with time, the shine of the paint work dims and inevitably scratches and marks appear which reflects on the image of the city and, often, the maintenance regime of the owner.
10. High mileage vehicles are more prone to serious mechanical failures and not all owners are diligent in the maintenance of their vehicle. One recent vehicle was submitted for examination approaching the 7 year limit, the recorded mileage was 200584. It contained 10 failures and 15 advisory notes on a VOSA test. A redacted copy of the report is attached as Appendix 1.
11. Lengthening the life of the fleet reduces the safety benefits of new technologies and higher standards required of newer vehicles. Newer vehicles also benefit from matters such as better CO2 emissions and improved fuel efficiency.
12. **Options**
  - 1** To retain the condition as it is, restricting the life of the vehicles to 7 and 10 years.  
**Pros:** This policy has a proven track record and provides a balance between maintaining a high quality fleet and affordability for proprietors. It provides a clear message to the trade of expectations to allow them to effectively plan their finances for replacement vehicles.  
**Cons:** None

**2** Increase the life of either all vehicles or Category B vehicles only by either one or 2 years.

**Pros:** None for the council or customers, the trade will benefit from a little more flexibility in the purchase and investment returns from vehicles.

**Cons:** This will be a lowering of previously adopted standards. Reduced quality of fleet as older vehicles are predominantly less safe, less energy efficient, more prone to breakdown and have suffered increase use affecting passenger comfort.

**3** Retain the condition as it is at present but include an exemption for vehicles whose owners can demonstrate the vehicle has always been kept in excellent mechanical condition, i.e. no failures on the vehicle check list in the last 3 years and the vehicle is presented in excellent condition with no marks, dents or scratches and the seating providing sufficient support.

**Pros:** This represents a balance between the other 2 options.

**Cons:** This option is more difficult to enforce consistently and fairly. The test to keep a vehicle becomes subjective and open to challenge. The examination will take officer time and if challenged is likely to take up considerable officer time and therefore has a resource implication. Any level of subjective test will be open to allegations of officers acting unfairly.

13. In light of all the circumstances, on balance, the officers recommendation is option 1 as this will retain standards as they are. Thereby ensuring vehicles are kept up to date with modern safety measures / standards, are presentable and comfortable for passengers, are reasonably energy efficient and environmentally friendly.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

14. There are no direct cost implications for the Authority except staff time if option 3 is considered to allow staff to inspect vehicles and associated documentation to determine if the vehicle can be licensed. This in turn will need to be reflected in the fees.

### **Property/Other**

15. None.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

16. Section 37 Town Police Clauses Act 1847  
17. Section 47 Local Government (Miscellaneous provisions) Act 1976

### **Other Legal Implications:**

18. None.

## **POLICY FRAMEWORK IMPLICATIONS**

19. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	Redacted copy of a vehicle inspection sheet with numerous failures/advisories
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**Documents In Members' Rooms**

1.	None.
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**Equality Impact Assessment**

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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