

1. **Public Protection Committee Decision in Relation to the Age of Hackney Carriages**

Submitted by: Head of Business Improvements, Central Services, and Partnerships

Portfolio: Safer Communities

Ward(s) affected: All Wards

Purpose of the Report

To request that Council endorse the decisions made by the Public Protection Committee at its meetings held on the 31st March 2014 concerning the Councils policy relating to the age of Hackney Carriage vehicles.

Recommendation

That the Council ratify the recommendation made by the Public Protection Committee at the meeting held on 31st March 2014.

Reasons

The decision made by the Public Protection Committee relates to a matter of Council policy and as such falls within the remit of full Council to endorse prior to any implementation.

1. **Background**

On the 5th September 2013 the Public Protection Committee resolved that consultation should be undertaken to seek the views of those concerned following a proposal from officers that the Councils age policy for Hackney Carriages be amended.

Following the consultation the Public Protection Committee met on the 31st March 2014 and resolved that:-

It be recommended to full Council that as from 1st January 2015, all hackney carriage vehicles that are saloon cars will cease to be relicensed when they are eight years of age.

A copy of the reports considered by the Committee are attached as an Appendix.

2. **Issues**

All Councils have a duty to periodically review the policies and procedures for licensing Hackney Carriage and Private Hire vehicles.

The Council has a duty to protect the public and to ensure that the vehicles that it licences shall be in a suitable mechanical condition, shall be safe, and comfortable.

2. **Options Considered**

No other options were considered by the Committee

4. **Proposal**

- That the Council ratify the decisions of the Public Protection Committee

5. **Reasons for Preferred Solution**

To improve the standards of Hackney Carriage saloon vehicles, and to achieve parity with the same vehicles licensed as Private Hire.

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- Creating a cleaner, safer and sustainable Borough

7. **Legal and Statutory Implications**

The power to ratify these decisions lies with the Council

8. **Equality Impact Assessment**

Button in his book on Taxis – Licensing Law and Practice states that “Whilst it is accepted that older vehicles can be used successfully as hackney carriages.....the purpose of any age limit is to try and ensure that the licensed vehicles are safe, reliable and comfortable as possible. Any age policy would not in itself be arbitrary, because it must be a policy and the local authority must then consider any application that falls outside the age policy on its own individual merits.”

Members will recall that the over-riding purpose behind the proposal is to assist the Council ensure the safety, reliability, and overall standards of the vehicles it licences.

9. **Financial and Resource Implications**

There have been objections from Hackney Carriage drivers in relation to the detrimental affect such a change could mean for them.

10. **Major Risks**

Possible challenge from the Hackney Carriage Trade if the policy is amended

13. **Earlier Cabinet/Committee Resolutions**

Public Protection Committee 3rd February 2014, 31st March 2014

14. **List of Appendices**

Agenda Item 11a from the 3rd February 2014
Agenda item 11 from 31st March 2014

15. **Background Papers**

Public Protection Agenda 3rd February 2014
Public protection Agenda 31st March 2014