

Public Document Pack



Regulatory Committee

Wednesday, 13 January 2021 6.30 p.m.
Via public remote access (please contact
the Clerk named below for instructions)

A handwritten signature in black ink, appearing to read 'David W R'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Pamela Wallace (Chair)
Councillor John Abbott (Vice-Chair)
Councillor Eddie Dourley
Councillor Mike Fry
Councillor Pauline Hignett
Councillor Kath Loftus
Councillor Tony McDermott
Councillor Angela McInerney
Councillor Stef Nelson
Councillor Gareth Stockton
Councillor Kevan Wainwright

*Please contact Gill Ferguson on 0151 511 8059 or e-mail
gill.ferguson@halton.gov.uk for further information.
The next meeting of the Committee is on Wednesday, 10 March 2021*

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

Item No.	Page No.
1. MINUTES	1 - 2
2. DECLARATION OF INTEREST	
Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
3. TAXI LICENSING MATTER	3 - 9

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REGULATORY COMMITTEE

At a meeting of the Regulatory Committee on Wednesday, 25 November 2020 via remote access.

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), Dourley, Fry, K. Loftus, McDermott, A. McInerney, Nelson, G. Stockton and Wainwright

Apologies for Absence: Councillor P. Hignett

Absence declared on Council business: None

Officers present: K. Thompson, K. Cleary, N. Wheeler and L. Woodward

Also in attendance: One member of the public

**ITEMS DEALT WITH
UNDER DUTIES
EXERCISABLE BY THE COMMITTEE**

	<i>Action</i>
<p>REG9 MINUTES</p> <p>The Minutes of the meeting held on 2 September 2020 having been circulated were signed as a correct record.</p>	
<p>REG10 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985</p> <p>The Committee considered:</p> <p>(1) Whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and</p> <p>(2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public</p>	

interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

As the Part II item commenced, Cllr Wainwright left the meeting.

REG11 TAXI MATTER

Case No: 726

RESOLVED: That the Committee having taken several matters into account, resolved to issue a Final Written Warning.

Meeting ended at 8.15 p.m.

REPORT:	Regulatory Committee
DATE:	13 th January 2021
REPORTING OFFICER:	Strategic Director Enterprise, Community and Resources
PORTFOLIO:	Resources
SUBJECT:	Taxi Licensing Matter
WARDS:	Borough-wide

1. PURPOSE OF REPORT

Members are asked to consider a request from a member of the local taxi and private hire trade to temporarily increase the age a vehicle may continue to be licensed for based on the current economic circumstances.

2. RECOMMENDED

That the Committee considers the proposals and make appropriate recommendations to the Executive Board.

3. BACKGROUND INFORMATION

- 3.1 The Council received a request from a member of the local taxi and private hire trade whose vehicle would need to be replaced early in 2021 due the age limits imposed by this Council. The request is to temporarily extend the maximum age that a vehicle may remain licensed.
- 3.2 The individual explained that due to the Corona Virus pandemic and the resulting economic situation they felt that this would assist those members of the trade whose vehicles would soon need to be replaced due to age and who may struggle to obtain the finance for a replacement vehicle.
- 3.3 Following the request, the Chairman and Deputy Chairman of the Regulatory Committee were notified and a consultation exercise of the taxi trade was undertaken.

- 3.4 Where an email address was held, Single Status Drivers Licence holders were asked for their comments on the following:
- (1) whether they considered an extension of the maximum age limit is needed.
 - (2) and if you feel it was needed, what did they consider the length of time for the temporary extension should be.
- 3.5 Although email addresses are held for the majority of drivers the consultation questions were also sent to the private hire operators to pass on to any driver who didn't receive an email.

4. CURRENT AGE LIMITS

- 4.1 The Council's current policy on age limits of licensed vehicles are:

Non fully wheelchair accessible vehicles

Can be no more than 5 years old when first licensed and the maximum age limit is 10 years old.

Fully wheelchair accessible vehicles

Can be no more than 13 years old when first licensed and the maximum age limit is 16 years old.

- 4.2 Some Members may recall that a similar request to temporarily increase the age limits of licensed vehicles was made in 2012 following the banking recession.
- 4.3 On 19th March 2012 the Regulatory Committee resolved to allow a two year extension of licensed vehicles with two conditions:
- Any vehicle taking advantage of the extension shall be subject to three tests per year.
 - No vehicle taking advantage of the extension may be transferred to another proprietor.

5. CONSULTATION FINDINGS

- 5.1 There were 77 replies to the consultation which has provided the following information:
- 63 are in favour of an extension to the current maximum vehicle age
 - 9 of those in favour of an extension stated that a 12 month extension is appropriate
 - A further 5 in favour of an extension of 12 months stated that it should then be reviewed further
 - 11 were in favour of a two year extension

- A further 4 were in favour of a two year extension then be reviewed again
- Many of those who were in favour of an extension to the current age policy made various other comments
- 11 replies were against any extension to the current age policy

5.2 The findings with comments were collated and can be found at Appendix A of this report.

6. MATTERS TO TAKE INTO ACCOUNT

6.1 Replacing a licensed vehicle on attaining current age limits could, in the current time of austerity, be punitive to the proprietor and place unreasonable financial and/or personal pressures on Licence holders.

6.2 Removing the Conditions in their entirety could lower the standards achieved in the Borough since age restrictions were established, to the detriment of the service to which the public are entitled.

6.3 Any extension that may be granted would only benefit a small percentage of the trade whose vehicles reach the current maximum age in the next year or two. Even those licence-holders who may benefit from any temporary extension to the current policy may not necessarily take advantage of any potential rule change and choose to obtain a newer vehicle anyway.

7. OPTIONS

7.1 The Committee are asked to recommend one of the following options to the Executive Board:

- Decline the request
- Grant the request to modify the policy for a temporary period with any such conditions that are deemed appropriate

8. POLICY IMPLICATIONS

Any changes made would affect existing policies regarding age restrictions on, and possibly standards of, Hackney Carriage and Private Hire Vehicles Licensed by Halton Borough Council

9. OTHER IMPLICATIONS

None

10. IMPLICATIONS FOR THE COUNCILS PRIORITIES

10.1 Children and Young People in Halton

None

10.2 Employment Learning and Skills in Halton

N/A

10.3 A healthy Halton

N/A

10.4 A Safer Halton

None

10.5 Halton's Urban Renewal

N/A

11. RISK ANALYSIS

There are no associated risks which have been identified with this item.

12. QUALITY AND DIVERSITY ISSUES

There are no equality or diversity issues related to a review.

13. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Consultation Docs	Licensing Section	Kay Cleary Nick Wheeler
Current licence Conditions/policies	Licensing Section HBC Website	Kay Cleary Nick Wheeler

APPENDIX A

Driver	1 Year Extension	2 Year Extension	Against	Comments
1			No	Six months would be acceptable, vehicles can still be purchased but may take a little longer otherwise we are taking steps backwards
2			Yes	All drivers know the expiry date of the vehicle licence from the date it is registered, to blame the pandemic for the lack of funds erroneous as it is only 6 months when it began. Most responsible drivers have plans in place.
3		Yes	No	
4		Yes	No	As long as the vehicles passes the rigorous inspection at the testing centre which are already in place.
5			No	3 year extension should be considered, 3 mots a year. Vehicle due to be replaced next year
6		Yes	No	
7		Yes	No	Vehicles are doing less miles due to not a lot of work
8			Yes	If drivers forward plan their business more thoroughly rather than leaving the replacement of their vehicle to last minute they would not have a problem
9			No	A temporary change over the age of vehicles would be a great help for drivers
10		Yes and then review	No	As vehicles get older they are more expensive to maintain so drivers may decide to change the vehicles
11				No comment as did not directly affect
12		Yes	No	Are the council refunding the fees like Liverpool
13				See email commented a lot but not really stated much
14		Yes and then review	No	
15			Yes	It's a bit ridiculous when taxis licensed outside the borough are working here, lots of vehicles don't meet our standards
16			No	Extend the vehicle life no objection
17			No	Age limits of vehicles could be abolished and left to driver/owners discretion and councils test centre. Hopes it would be extended for all vehicles not just for now
18			No	3 year extension would be appropriate
19			No	Ok at extending the age of vehicles if there is a genuine reason maybe review the said driver/vehicle every 6/12 months
20			No	Any help at this time would be helpful
21	Yes		No	
22		Yes	No	Lift the age limit from 5 years to 7 years
23	Yes		No	
24			No	Spoken to drivers and they are in favour as long as its applied to all vehicles

25			No	Not opposed to help struggling drivers, or maybe people who are due to renew let them have a car old than 5 years instead.
26			No	Good idea and would help
27			No	Thinks an extension is necessary
28			Yes	Don't agree they know the age limit and had plenty of time
29			No	Was a bit confused thinks its should be across the board not just now
30			Yes	Think it is ok as it is
31			No	Let the Council decide or each case should be looked at individually
32			Yes	10 years is enough
33			No	No problem but the fair way is vehicles already on the system get the extra years
34			Yes	Happy as it is at the moment – vehicle can be unfit for purpose
35	Yes and then review		No	
36	Yes and then review		No	
37	Yes		No	
38		Yes	No	
39	Yes		No	
40	Yes		No	
41			No	Good idea for extension but there shouldn't be a time on how long vehicles are on for as they are built better as long as it passes test and is clean and tidy
42				No opinion as retired and no longer a driver
43		Yes	No	
44		Yes	No	
45			No	Age should be extended on a temp basis until we are out the other side
46			No	In favour of a temporary extension
47	Yes		No	
48			Yes	No age limits are long enough
49			No	Good idea to have a temporary age limit due to pandemic
50		Yes	No	
51			No	Saloons should be increased to 16 years and remove age limit for wheelchair accessible
52	Yes		No	
53			No	Vehicles should be extended once they are on the system
54			No	It should be applies to all vehicles currently licensed not just drivers who are due to renew
55			No	Age could be extended on some vehicles but based on past test history
56	Yes		No	
57			Yes	No because I asked the same question a couple of months ago and could not get an answer, changed vehicle at cost to me. Refund council fees like Liverpool
58	Yes		No	

59	Yes and then review		No	
60			No	Temporary increase
61			Yes	Don't agree keeping a standard of vehicles is important. Refund or don't charge years as per Liverpool city region agreement
62		Yes	No	And discount on fees for the next year
63			No	Yes as a temporary measure
64	Yes and then review		No	Temporary measure until the 31 st December 2021 may need to be reviewed
65			No	Supports it but do 3 test a year
66			No	Great idea any help would be welcome
67			No	Should extend the vehicles
68		Yes and then review	No	
69			No	Agrees would help drivers if extended
70	Yes and then review		No	
71			Yes	Government is offering loans with no interest and no repayments for the first year – problem solved. Extension is just laziness on the part of the driver
72			No	Increase for an indefinite period
73			No	Extension is a good idea but offer a plate to a driver who collar taxis for a temporary 12 months
74			No	Agree it would help out
75			No	Good idea to extend the life of a vehicle HBC should give out hardship payments to drivers like Liverpool council
76		Yes and then review	No	
77			No	Should extend to between 12 and 15 years permanently