

Public Document Pack



Regulatory Committee

Wednesday, 9 October 2024 6.30 p.m.
Town Hall, Runcorn

A handwritten signature in black ink that reads 'S. Young'.

Chief Executive

COMMITTEE MEMBERSHIP

Councillor Pamela Wallace (Chair)
Councillor John Abbott (Vice-Chair)
Councillor Irene Bramwell
Councillor Eddie Dourley
Councillor Mike Fry
Councillor Valerie Hill
Councillor Colin Hughes
Councillor Kath Loftus
Councillor Angela McInerney
Councillor Gareth Stockton
Councillor Angela Teeling

*Please contact Kim.Butler on 0151 5117496 or e-mail
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The next meeting of the Committee is on Wednesday, 27 November 2024

**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	
<p>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.</p>	
3. TAXI LICENSING POLICY AMENDMENTS	3 - 50
4. GAMBLING ACT 2005 STATEMENT OF GAMBLING POLICY	51 - 73
5. TAXI ENFORCEMENT POLICY	74 - 80
6. SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	

PART II

In this case the Committee has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is **RECOMMENDED** that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

7. TAXI LICENSING UPDATE	81 - 87
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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, 3 July 2024 in the Council Chamber, Runcorn Town Hall

Present: Councillors Wallace (Chair), Abbott (Vice-Chair), Bramwell, Fry, A. McInerney and Stockton

Apologies for Absence: Councillors V. Hill and K. Loftus

Absence declared on Council business: None

Officers present: K. Hesketh, W. Pringle and A. Stickland

Also in attendance: None

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

Prior to the commencement of the meeting the Chair expressed the thanks of the Committee to the previous members, Councillor D Cargill and Councillor Wainwright, for their contributions to the Committee over the years.

	<i>Action</i>
REG1 MINUTES	
<p>The minutes of the meeting held on 11 January 2023 were taken as read and will be signed as a correct record.</p>	
REG2 GAMBLING ACT 2005 STATEMENT OF GAMBLING POLICY	
<p>The Committee considers a request to authorise a review of the Council's Statement of Gambling Policy.</p> <p>The Policy must be reviewed by the Council for successive three-year periods and the current policy is due to expire on at midnight on 30 January 2025. Members were advised on the consultation process to be followed and a copy of the updated Policy had been circulated to Members.</p> <p>Following the consultation process a report would be brought back to Committee for consideration and recommendation to full Council.</p>	

RESOLVED: That

- 1) the Director - Legal and Democratic Services (D-LD) be authorised to undertake a consultation exercise in respect of the Council's Statement of Gambling Policy, in accordance with section 349 Gambling Act 2005;
- 2) the D-LD determine all matters relating to the consultations process; and
- 3) the matter be reported back to the Regulatory Committee following the completion of the consultation process.

Director, Legal
and Democratic
Services

Meeting ended at 7.01 p.m.

REPORT:	Regulatory Committee
DATE:	9 October 2024
REPORTING OFFICER:	Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Taxi Licensing Policy Amendments
WARDS:	Borough-wide

1. PURPOSE OF REPORT

- 1.1. To consider additions and amendments to the Councils Taxi Licensing Policies.

2. RECOMMENDATION: that the Committee considers the proposals and makes appropriate recommendations to the Executive Board.

3. BACKGROUND

- 3.1. Recently the taxi trade has asked for several amendments to be made to the Taxi Licensing Policies. The request has been on the following points.
 - Age of vehicles
 - Card Readers
 - Colour of purpose-built vehicles
 - Spare wheel/space saver
 - Fire Extinguishers
 - Age of electric vehicles
- 3.2. According to the Council's Constitution the Committee is responsible for determining policies in connection with the grant, variation, suspension or revocation of licences relating to taxi and private hire.
- 3.3. However, the Constitution must now be interpreted in accordance with the case of R (On the application of 007 Stratford Taxis Limited v Stratford on Avon District Council 2011. This Court of Appeal decision interpreted the meaning of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 in respect of matters which must be dealt with by a Council's Executive or by a committee of its council. Essentially, the court held that: (1) it was clear that individual applications relating to taxi matters must be dealt with by the equivalent of this Council's Regulatory Committee and (2) matters calculated to facilitate, or be conducive or incidental to such applications must also be dealt with in the same way but (3) any "plan or strategy" associated with

such a function would be an executive function and therefore have to be determined by a Council's Executive. The Stratford case concerned the introduction of a wheelchair access policy. The decision was taken by the Council's Cabinet rather than its Licensing Committee. The challenge from the taxi trade was that the Licensing Committee should have adopted the policy. This element of the challenge was rejected by the Court.

3.4. Consequently, any decision of the Regulatory Committee on matters contained in this agenda will be by recommendation to the Executive Board.

3.5. In deciding whether to recommend the adoption of a policy the following questions should be addressed:-

3.5.1 Has a proper consultation been undertaken where the duty arises?

3.5.2 Are the proposals necessary and proportionate?

4. POTENTIAL AMENDMENTS

Amendment 1 – Age of Vehicles

4.1 The Councils 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 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 Members will recall a temporary extension was granted for a period of two years with effect from the 25 February 2023, this is due to expire on the 25 February 2025, this temporary extension does not cover the whole of the trade it only covered qualifying vehicles that were coming up to the maximum age during the period.

4.3 The trade has asked for a review of the vehicle age policy due to the cost-of-living crisis and the price of replacing vehicles.

4.4 A review of the Liverpool City Region vehicle age policies has been undertaken, with Wirral Council being the most recent Authority to have adopted a new policy in June 2024, attached at **Appendix A** is the vehicle policy criteria.

- 4.5 Recent discussions within the Liverpool City Region have been taking place over the last few months with consideration being given that all the authorities within the region, are to adopt a standardised approach with a number of conditions and policies, the vehicle age policy is one of the policies that has recently been discussed. Research has found that most of the region already have similar criteria in place in relation to the age of vehicles.
- 4.6 In October 2015, the Deregulation Act 2015 made amendments to the Local Government (Miscellaneous Provisions) Act 1976 to allow a Private Hire Operator to subcontract a booking to another Private Hire Operator irrespective of where they are licensed. This practice is often referred to as “Cross Border Hiring”. The effect of this deregulation is that vehicles with different criteria can operate across many different authorities. It is only in recent years, that the amendment to the legislation has had an impact on the operation of the licensed vehicles in Halton. Licensing Officers are witnessing increasing concern from drivers licensed by Halton in respect of the number of vehicles that operate in Halton but are licensed by other licensing authorities who have different criteria for licensing vehicles, and this includes age of vehicles. It is reported that individuals are seeking to have their vehicles licensed by other authorities as they are finding it difficult to obtain vehicles that will comply with the current criteria for licensing vehicles in Halton Borough Council. Should an individual wish to have a licensed vehicle licensed by another licensing authority, in order to be able to drive that vehicle the individual must also obtain a driver's licence from that authority and work for an operator who has a licence in that authority. The consequences of this are that both the drivers and vehicles can operate in Halton under the conditions and criteria set by another licensing authority.

PROPOSAL

- 4.7 The temporary amendment – which permits an extension of the time limit for two years - is due to expire on the 25 February 2025 as the economic circumstances have not improved with the current cost of living crisis. The trade has requested that the whole of the vehicle age policy be reviewed.
- 4.8 In determining whether the policy should be reviewed, or an additional temporary amendment should be extended, the following considerations should be considered.
- Replacing a licensed vehicle on attaining current age limit could in the current time of austerity be punitive to the proprietor and place unreasonable financial and/or personal pressure on the licence holders.

- Removing the conditions in their entirety could lower the standards achieved in the Borough since age restrictions were introduced to, the detriment of the service to which the public are entitled.
- Any additional 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 the any potential rule change and may choose to obtain a newer vehicle anyway.
- The committee will also need to have regard to the consultation outcomes, the most recent publication of the DfT Best Practice Guidance, as well as the criteria for licensing vehicles in neighbouring authorities in the City Region as well as other licensing authorities. If it is considered that there should be no change to the current policy, vehicle proprietors may seek to have their vehicles licensed in other authorities where the criteria do not restrict vehicles in terms of their age. Attached at **Appendix B** is the relevant sections from the guidance.
- The legislation gives licensing authorities a wide range of discretion over types of vehicles that they can licence as Hackney Carriage or Private Hire Vehicles. This is recognised in the DfT Best Practice Guidance which states:
“individual licensing authorities are still responsible for deciding their own policies and making decisions on individual licensing matters applying the relevant law and any other relevant considerations. This guidance is primarily intended to assist licensing authorities, but it is only guidance and does not intend to give a definitive statement of the law: any decisions made by an authority remain a matter for that authority”

CONSULTATION

- 4.9 The trade was consulted on the 10 June 2024 by email and the question was asked - should the age of vehicle be increased.
- 4.10 There were 111 replies to the consultation, which have provided the following information:
- 52 replies are in favour of the change
 - 52 replies are not in favour of the change
 - 7 replies made no comment
- 4.11 The findings with comments were collated and can be found at **Appendix C**.
- 4.12 The public have also been consulted via the Council website on the same question, no comments were received.

5. OPTIONS

- 5.1 The options available to the Committee are to recommend:
- Maintain current policy and readopt the 2-year extension time limit to 25 February 2027 or
 - Maintain current policy, but allow the extension time limit to expire on 25 February 2025 or
 - Adopt the same policy as other authorities in the Liverpool City Region or
 - Remove the minimum age requirement from 5 years to 7 for a standard vehicle and maximum from 10 to 12 years and keep the minimum age of 13 years for wheelchair accessible but increase the maximum to 18. With the same testing conditions as two a year
- 5.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.
- 5.3 In the event that policy is changed powers will need to be delegated to the Licensing Manager to settle wording of the policy.

6. POTENTIAL AMENDMENTS

Amendment 2 – Card Readers

- 6.1 There is currently no condition within the vehicle policy to have card readers in a licensed vehicle.
- 6.2 A request was made by one of the Private Hire Operators that this should be reviewed by the Licensing Department.

PROPOSAL

- 6.3 Should this proposal be reviewed in line with the Liverpool City Region, it may be noted that there are no other authorities within the city region that makes it mandatory to have a card reader in the vehicles.
- 6.4 Adding this to the vehicle licence conditions will add an additional cost for drivers licensed by Halton.

CONSULTATION

- 6.5 The trade was consulted on the 10 June 2024 by email and the following question was asked - should it be a condition that Hackney Carriage and Private Hire Vehicles have card readers in the vehicle?
- 6.6 There were 111 replies to the consultation, which have provided the following information:
- 26 replies are in favour of the change

- 80 replies are not in favour of the change
- 5 replies made no comment

6.7 The findings with comments where collated and can be found at **Appendix C**.

6.8 The public have also been consulted via the Councils website on the same question, no comments were received.

7. OPTIONS

7.1 The options available to the Committee are to recommend:

- Require a Card Reader for all new vehicles from and all vehicles currently licensed fromor
- Do not require a Card Reader

7.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.

7.3 In the event that policy is changed powers will need to be delegated to the Licensing Manager to settle wording of the policy.

8. POTENTIAL AMENDMENTS

Amendment 3 – Colour of Purpose-built vehicles (Wheelchair accessible)

8.1 The current vehicle conditions are as follows

Hackney Carriage

Be painted black except where the vehicle is a London style vehicle where it can be an be any solid colour

Private Hire

Painted any colour other than black

8.2 A request was made by the trade to remove the colour on purpose-built vehicles (Fully Wheelchair Accessible Vehicles) due to the cost of replacing the vehicles. Comments have been made that the cost of purchasing a black vehicle is a lot more expensive than purchasing one in any other colour.

8.3 The DfT guidance states on colour of vehicles
Licensing authorities should not impose a livery requirement on private hire vehicles. The more distinctive a private hire vehicle is made to appear, the greater the chance that this might be confused with a taxi.

To assist the differentiation further, licensing authorities which require taxis to be a particular colour should prevent private hire vehicles from being that same colour, unless they are easily identifiable i.e. they are purpose-built vehicles as is the case in many of our cities.

- 8.4 Residents of Halton are fully aware of the colour of licensed vehicles in Halton and if this was to be changed it could lead to confusion with the public.
- 8.5 In October 2015, the Deregulation Act 2015 made amendments to the Local Government (Miscellaneous Provisions) Act 1976 to allow a Private Hire Operator to subcontract a booking to another Private Hire Operator irrespective of where they are licensed. This practice is often referred to as “Cross Border Hiring”. The effect of this deregulation is that vehicles with different criteria can operate across many different authorities. It is only in recent years, that the amendment to the legislation has had an impact on the operation of the licensed vehicles in Halton. Licensing Officers are witnessing increasing concern from drivers licensed by Halton in respect of the number of vehicles that operate in Halton but are licensed by other licensing authorities who have different criteria for licensing vehicles, and this includes colour of vehicles. It is reported that individuals are seeking to have their vehicles licensed by other authorities as they are finding it difficult to obtain vehicles that will comply with the current criteria for licensing vehicles in Halton Borough Council. Should an individual wish to have a licensed vehicle licensed by another licensing authority, in order to be able to drive that vehicle the individual must also obtain a driver's licence from that authority and work for an operator who has a licence in that authority. The consequences of this are that both the drivers and vehicles can operate in Halton under the conditions and criteria set by another licensing authority.

CONSULTATION

- 8.6 The trade was consulted on the 10 June 2024 by email and the following question was asked - should the colour of purpose-built vehicles be changed?.
- 8.7 There were 111 replies to the consultation, which have provided the following information:
- 23 replies are in favour of the change
 - 27 replies are not in favour of the change
 - 61 replies made no comment
- 8.9 The findings with comments were collated and can be found at **Appendix C.**

8.10 The public have also been consulted via the Councils website on the same question, no comments were received.

9. OPTIONS

9.1 The options available to the Committee are to recommend:

- Maintain current policy or
- Change policy in specified respects.

9.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.

9.3 In the event that policy is changed powers will need to be delegated to the Licensing Manager to settle wording of the policy.

10. POTENTIAL AMENDMENTS

Amendment 4 – Spare Wheel/Space Saver

10.1 The current vehicle conditions are as follows

When driving a licensed Hackney Carriage or Private Hire Vehicle equipped with a space saver tyre the holder must be aware of and adhere to the VOSA requirements for the use of space saver tyres.

10.2 A request was made by the trade to remove the conditions for a spare wheel/space saver. The request was due to when drivers are purchasing new vehicles, manufacturers do not provide a spare wheel or space saver they now only provide the manufacturer tyre kit (tyre foam).

10.3 Officers have reviewed the conditions within neighbouring authorities, and it is noted some authorities do allow tyre sealant as part of the vehicle condition.

10.4 Comments have been received from the Councils Lowerhouse Lane Depot that they would have concerns regarding how they would continue their journey, and this could be an issue regarding passenger safety.

CONSULTATION

10.5 The trade was consulted on the 10 June 2024 by email and the following question was asked – should the condition for space saver/spare wheel be removed

10.6 There were 111 replies to the consultation, which have provided the following information:

- 78 replies are in favour of the change
- 18 replies are not in favour of the change

- 15 replies made no comment

10.7 The findings with comments were collated and can be found at **Appendix C**.

10.8 The public have also been consulted via the Councils website on the same question, no comments were received.

11. OPTIONS

11.1 The options available to the Committee are to recommend:

- Keep the requirement for a space saver/spare wheel in the vehicle as per current policy or
- Remove the current policy requirement for a space saver/spare wheel in the vehicle (with the implications that the manufacturers specification applies).

11.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.

11.3 Should the Committee recommend any of the changes to the Policy then they will need to be altered. The Committee would therefore be requested to include within the resolution a delegation of the task of preparing detailed wording and other consequential matters to the Licensing Managers.

12. POTENTIAL AMENDMENTS

Amendment 5 – Fire Extinguishers

12.1 The current vehicle conditions are as follows

A fire extinguisher shall be maintained within the vehicle in a position approved by the Council. The extinguisher shall comply with BSEN3 1996, bear a K mark and licence number and have a gauge. The extinguisher shall be subject to annual test by a qualified tester and the test certificate shall be produced to the Council when the vehicle tested by the Council.

The fire extinguisher shall be permanently marked with the vehicle registration number and/or plate number.

12.2 A request was made to remove this condition due to not being required any longer, as it was not felt safe for a driver to return to a vehicle if it was on fire.

- 12.3 Officers have reviewed the conditions within neighbouring authorities, who do not have this condition as part of their policy.
- 12.4 Officers have contacted Cheshire Fire regarding this condition, and the replied received was that they could make no comment on this condition.
- 12.5 Comments have been received from the Councils Lowerhouse Lane Depot that fire extinguishers are a fire safety support, and all Halton Borough Councils fleet vehicles carry a fire extinguisher.

CONSULTATION

- 12.6 The trade was consulted on the 10 June 2024 by email and the following question was asked – should the condition for fire extinguishers be removed

There were 111 replies to the consultation, which have provided the following information:

- 30 replies are in favour of the change
- 21 replies are not in favour of the change
- 60 replies made no comment

- 12.7 The findings with comments were collated and can be found at **Appendix C**.
- 12.8 The public have also been consulted via the Councils website on the same question, no comments were received.

13. OPTIONS

- 13.1 The options available to the Committee are to recommend:
- Keep the requirement for a fire extinguisher in the vehicle as per current policy or
 - Remove the current policy requirement for a fire extinguisher in the vehicle
- 13.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.
- 13.3 In the event that policy is changed powers will need to be delegated to the Licensing Manager to settle wording of the policy.

14. POTENTIAL AMENDMENTS

Amendment 6 – age of electric vehicles

- 14.1 The current vehicle conditions regarding Electric Vehicles are the same as the current age restrictions as set out in paragraph 4.1 of this report.

- 14.2 A request was made by the trade that the age of Electric Vehicles should be allowed to be licensed for a longer period than the current vehicle age conditions due to the financial cost of purchasing a new vehicle.
- 14.3 Officers have reviewed the conditions within neighbouring authorities, and they do not have a age policy specifically for Electric Vehicles.

CONSULTATION

- 14.6 The trade was consulted on the by email and the following question was asked - should the age of Electric Vehicles be amended.
- 14.7 There were 111 replies to the consultation, which have provided the following information:
- 30 replies are in favour of the change
 - 8 replies are not in favour of the change
 - 73 replies made no comment
- 14.8 The findings with comments where collated and can be found at **Appendix C.**
- 4.9 The public have also been consulted via the Councils website on the same question, no comments were received.

15. OPTIONS

- 15.1 The options available to the Committee are to recommend:
- Maintain current policy with no difference between licensing convectional and electric vehicles or
 - Electric vehicles to have a different age limit as specified.
- 15.2 The Committee are asked to recommend one of the above options to the Executive Board for adoption.
- 15.3 In the event that policy is changed powers will need to be delegated to the Licensing Manager to settle wording of the policy.

16. REGULATORS' CODE 2014

- 16.1 The Regulators' Code 2014 requires regulators (such as the Council) to take into account a number of factors when introducing new policies.

16.2 For example, paragraph 1.2 of the Code states: “When designing and reviewing policies, operational procedures and practices, regulators should consider how they might support or enable economic growth for compliant businesses and other regulated entities, for example, by considering how they can best:

- understand and minimise negative economic impacts of their regulatory activities;
- minimising the costs of compliance for those they regulate;
- improve confidence in compliance for those they regulate, by providing greater certainty; and
- encourage and promote compliance.”

16.3 The Code also states that regulators should base their regulatory activities on risk. In the present case the balancing exercise is to weigh any negative consequences on the taxi trade against the positive consequences on the public who use the services of the trade.

16.4 It is taken as read that unnecessary burdens should never be imposed and that all actions need to be proportionate.

17. POLICY IMPLICATIONS

17.1 Any changes made to in relation to the above sections of this report would impact upon existing policies and possibly standards of Hackney Carriage and Private Hire Vehicles Licensed by Halton Borough Council.

17.2 Any changes made would change elements of existing policy and vary Conditions relating to applicants applying to hold Single Status Driver’s and Private Hire Operator’s Licences issued by Halton Borough Council.

18. OTHER IMPLICATIONS

There are no other implications arising out of this report.

19. IMPLICATIONS FOR THE COUNCIL’S PRIORITIES

19.1. Improving Health, Promoting Wellbeing and Supporting Greater Independence

None

19.2. Building a Strong, Sustainable Local Economy

None

19.3. Supporting Children, Young People and Families

None

19.4. Tackling Inequality and Helping Those Who Are Most In Need

None

19.5. Working Towards a Greener Future

None

19.6. Valuing and Appreciating Halton and Our Community

None

20 RISK ANALYSIS

None identified.

21 EQUALITY AND DIVERSITY ISSUES

There are no equality and diversity issues to highlight.

22 CLIMATE CHANGE IMPLICATIONS

There are no climate change implications since the decision will have no effect on the environment.

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

Document	Place of Inspection	Contact Officer
Taxi Consultative Group Agenda	Licensing Section	Kim Hesketh
Current licence conditions/policies	Licensing Section	Kim Hesketh
Taxi consultation file	Licensing Section	Kim Hesketh



HACKNEY CARRIAGE VEHICLE LICENCE

CRITERIA

JUNE 2024

Hackney Carriage Vehicle Criteria

In this document the "Licensing Authority" means Wirral Council, its Regulatory and General Purposes Committee, its Licensing Panel and its Officers.

Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a Hackney Carriage Vehicle to transport members of the public for hire and reward.

Although the Licensing Authority may extend its approval of any particular type of vehicle to all other vehicles conforming to the design of that type, the Licensing Authority may withdraw such general approval if, in their opinion, any unsuitable features arise.

The criteria set out in this document are made under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976.

A vehicle that meets the criteria to be licensed as a Hackney Carriage Vehicle must have passed the MOT and Compliance Test in accordance with the Licensing Authority's procedure for testing vehicles before it can be licensed and before each renewal of that licence. Further tests and inspections may be carried out as directed by the Licensing Authority or Merseyside Police.

MOT or Compliance Test Pass Certificates submitted more than 28 days after the date of test will not be accepted.

A vehicle licensed as a Private Hire Vehicle or Hackney Carriage Vehicle with any other Local Authority will not be licensed by Wirral Council.

VEHICLE EMISSION STANDARDS AND AGE POLICY

1. A vehicle presented for the grant of a Hackney Carriage Vehicle Licence with Wirral Council must have been compliant with **Euro 5** emission standards at the date of first registration.
2. A vehicle that is **11 years** of age or more from the date of first registration will be subject to a **licence of no more than 6 months** and will therefore be required to pass an MOT and Compliance test every 6 months.
3. A vehicle that reaches 11 years of age before the expiry of a current licence will be issued with a licence of no more than 6 months in accordance with the criteria set out in paragraph 2 above.

GENERAL CONSTRUCTION

4. The vehicle must be fitted with at least 4 doors and 4 wheels.
5. The vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.
6. In addition to the front driver and passenger doors, the vehicle must be fitted with at least two side/rear opening doors.
7. All vehicles must be purpose built and built to accommodate disabled passengers whilst seated in a wheelchair in the rear passenger compartment.
8. Any vehicle to be licensed as a Hackney Carriage Vehicle must be a side loading wheelchair accessible vehicle.
9. The vehicle must hold European Community Whole Vehicle Type Approval (ECWVTA) or GB Vehicle Type Approval category M1. A vehicle that does not hold M1 type approval must be

APPENDIX A

presented with approved certification that the specific vehicle meets the requirements of M1 category.

10. All vehicles must have separate driver and rear passenger compartments, separated by a transparent partition in accordance with the manufacturer or vehicle converter's original specification.
11. The vehicle must comply with the Road Vehicles (Construction and Use) Regulations 1986 and any subsequent amendment or re-enactment thereof.
12. The steering wheel must be on the offside of the vehicle.
13. Unless approved by the Licensing Authority no fittings outside of the manufacturer's or vehicle converter's specification may be attached to or be carried upon the inside or outside of the vehicle.

BODYWORK

14. The vehicle must be free from corrosion, damage, or unsatisfactory repairs.
15. Paintwork must be of a high standard and the colour and finish of all panels must match exactly.

WHEELS AND TYRES

16. Where a vehicle is fitted with alloy wheels, all four road wheels must be of the same type and pattern.
17. Where a vehicle is fitted with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.
18. Alloy wheels, wheel rims, and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity of the wheel.
19. Part-worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.
20. Vehicles must not be fitted with tyres that are more than ten years old.
21. All tyres, including the spare where applicable must be the correct size, speed, and load rating for the vehicle as per the manufacturer's specification, and be compatible with the taximeter.
22. All tyres, including the spare where applicable, must be properly inflated in accordance with both the vehicle and tyre manufacturer's specifications.
23. All tyres must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.
24. All tyres, including the spare, where applicable, must be free from cuts and other defects.
25. The Hackney Carriage Vehicle must carry a method for dealing with a wheel or tyre should it become defective. This method must be in accordance with the vehicle manufacturer's specification which must be one of the following:
 - a. **full size spare wheel** - which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, speed, and load rating as the four road wheels. Proper tools and equipment for changing the wheel must also be carried

- b. **space saver spare wheel** - which must be the correct size and type for the vehicle and be fitted with a tyre of the correct size, speed, and load rating. The tyre must be correctly inflated in accordance with the manufacturer's specifications. Proper tools and equipment for changing the wheel must also be carried.
- c. **run-flat tyres** - which must be fitted to all four road wheels. Run-flat tyres may only be used if the vehicle is fitted with an appropriate and serviceable tyre pressure monitoring system (TPMS).
- d. **emergency tyre sealant and compressor/inflator pack** – which must be permanently marked with the vehicle registration number.

INTERIOR LIGHTING

- 26. Lighting must be provided for the driver and passengers.
- 27. Separate lighting controls for both passenger and driver must be provided.
- 28. Passenger compartment light switches and window controls must be within easy reach of all passengers.
- 29. In the case of the passenger compartment, an illuminated control switch must be fitted.
- 30. Lighting must be provided at floor level to each passenger door and be activated by the opening of the doors.

SEATS

- 31. Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.
- 32. If seat covers are used they must be correctly fitted, in a good and clean condition and free from rips, tears and holes.

SEAT BELTS

- 33. Vehicles must be fitted with lap and diagonal seatbelts on all seats, including rear facing seats, as per the manufacturer or vehicle converter's specification.
- 34. Seatbelts and seatbelt mechanisms must be in good working order and free from frays, cuts, and other damage.
- 35. If a seatbelt sustains any frays, cuts, or other damage the seatbelt must be replaced – not repaired.

DRIVER COMPARTMENT

- 36. Vehicles must be provided with a means of communication between the passenger and the driver.
- 37. Vehicles must be fitted with an induction loop system.

PASSENGER COMPARTMENT

- 38. Occasional seats must automatically rise when not in use.
- 39. The rear seat dimensions must be adequate to carry the appropriate number of adult

passengers comfortably.

40. Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of elderly and disabled persons.
41. Colour contrasting grab handles must be placed at door entrances to aid passenger access to and egress from the vehicle.
42. Colour contrasting sight patches are required on all passenger seats.

WHEELCHAIRS & RAMPS

43. Vehicles must be built to accommodate disabled passengers whilst seated in their wheelchair and must be so equipped in order that disabled passengers in a wheelchair may be carried comfortably and safely.
44. A ramp for the loading of a wheelchair and the occupant must be made available at all times for the safe loading and unloading of passengers.
45. Any passenger ramp that was not fitted to the vehicle at the time of manufacture must comply with BS 6109-2:1989 and have a minimum safe working load (S.W.L.) of 250kg for the loading of a wheelchair and occupant.
46. Anchorages must be provided for the wheelchair and occupant. Anchorages must be either chassis or floor linked.
47. Restraints must be provided for wheelchairs and occupants which must be independent of each other.
48. Anchorages must also be provided for the safe stowage of wheelchairs when not in use, whether folded or otherwise.
49. An adequate locking device must be fitted to ensure that the ramp(s) do not slip or tilt when in use.
50. The surface of the ramp must be covered with a non-slip material.
51. The edges of the ramp's surface must be marked in a high-contrast colour scheme.
52. Ramps which are not permanently fixed to the vehicle must be permanently marked with the vehicle registration number.

ENTRANCE STEP

53. The outer edge of the floor at each entrance must be fitted with non-slip high-visibility treads.
54. The top tread for any entrance must not exceed 38 cm above ground level when the vehicle is un-laden, except as detailed in criteria 55.
55. Where the top tread for the entrance exceeds 38 cm then an intermediate step must be provided at each entrance into the passenger compartment. The intermediate step must not extend outwards beyond the vertical line of the vehicle's wing mirrors. The step must be covered with a suitable non-slip surface with the edges of the step highlighted yellow.

WINDOWS

56. Windows must be provided at the sides and at the rear of the vehicle.
57. Passenger door windows must be capable of being easily opened by passengers when seated. The control for opening a door window must be clearly identified so as not to be mistaken for any other control.
58. The front windscreen must allow at least 75% of light through, the front side windows must allow at least 70% of light through and the windows rear of the B-pillar must allow a minimum light transmission of 30%.
59. No windows or glass fitted to the vehicle may have been subject to an enhanced film / after-market tinting post manufacture.

HEATING AND VENTILATION

60. A heating and ventilation system must be provided for the driver and passengers with independent controls for the driver and passengers and must be in good working order.

DOORS

61. Where hinged doors are fitted:
 - a. An automatic locking device must be fitted to passenger doors.
 - b. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
 - c. The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open or closed position.
 - d. A hinged door must be capable of being opened to a minimum angle of 90 degrees.
62. Where sliding doors are fitted:
 - a. An automatic locking device must be fitted to passenger doors.
 - b. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
 - c. The interior door handle must be clearly visible, of a contrasting colour to the interior of the vehicle, and easily accessible to passengers when the door is in the fully open or closed position.
 - d. There must be reflective strips on both the front and rear edges of the door.
 - e. There must be an illuminated sign bearing the words "Door Open" clearly visible from the rear of the vehicle. This sign must be automatically linked to the passenger doors in order that when either door handle is activated to open the door, the sign is illuminated.
 - f. There must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.
 - g. An audible or visual warning must be fitted in the driver's compartment indicating when any door is open.

63. Where electric doors are fitted:

APPENDIX A

- a. A sign must be clearly displayed inside the vehicle providing instructions on the correct operation of the door opening and closing mechanism.
- b. The door system design shall incorporate a method to detect an obstruction in the path of a closing door. When an obstruction is detected, the door system shall react in a manner that will allow the obstruction to be released
- c. A method for detecting an obstruction and preventing the closure of a powered door shall be included as part of the design of the door controls.

INTERIOR LIGHTBOX

64. A lightbox must be exhibited in a prominent position within the vehicle.
65. The lightbox must display the word 'CAB' in uppercase letters and the vehicle licence number below it.
66. The lightbox must be wired to the ignition so that it will remain lit at all times the vehicle ignition is turned on.

FLOOR COVERING

67. The floor of the vehicle must be covered in an appropriate non-slip material which can be easily cleaned.
68. The floor covering must not impede the movement of wheelchairs.

LUGGAGE

69. There must be provision for the safe carrying of luggage commensurate with the number of passengers being carried in the vehicle.
70. Provision must be made for luggage to be kept separate and secured from the passenger seating area.

TAXIMETER

71. A taximeter must be fitted to the vehicle, calibrated, and sealed to show the current tariffs set by the Licensing Authority.

EXTERIOR ROOF LIGHT

72. An illuminated roof-sign displaying the word 'TAXI' must be securely fitted to the roof of the vehicle in such a position that it is clearly visible from the front of the vehicle by day and night.
73. The roof-sign must be connected to the taximeter so that when the vehicle is available for hire the sign is illuminated and it is not illuminated when hired.



PRIVATE HIRE VEHICLE LICENCE

CRITERIA

JUNE 2024

Private Hire Vehicle Criteria

Legislation gives local authorities a wide discretion over the types of vehicles that can be licensed as Private Hire Vehicles.

In this document the “Licensing Authority” means Wirral Council, its Regulatory and General Purposes Committee, its Licensing Panel, and its Officers.

The Licensing Authority must be satisfied that vehicles licensed by them as Private Hire Vehicles are suitable in type, size, and design for use as Private Hire Vehicles, that the vehicle is in a suitable mechanical condition and is safe and comfortable.

Although the criteria set out in this document may have been met, approval for the issuing of a licence may be withheld if the Licensing Authority is of the opinion that the vehicle is unsuitable for use as a Private Hire Vehicle to transport members of the public for hire and reward.

Although the Licensing Authority may extend its approval of any particular type of vehicle to all other vehicles conforming to the design of that type, the Licensing Authority may withdraw such general approval if, in their opinion, any unsuitable features arise.

A vehicle that meets the criteria to be licensed as a Private Hire Vehicle must have passed the MOT and Compliance Test in accordance with the Licensing Authority’s procedure for testing vehicles before it can be licensed and before each renewal of that licence. Further tests and inspections may be carried out as directed by the Licensing Authority or Merseyside Police.

MOT or Compliance Test Pass Certificates submitted more than 28 days after the date of test will not be accepted.

A vehicle licensed as a Private Hire Vehicle or Hackney Carriage Vehicle with any other Local Authority will not be licensed by Wirral Council.

VEHICLE EMISSION STANDARDS AND AGE POLICY

1. A vehicle presented for the grant of a Private Hire Vehicle Licence with the Licensing Authority must have been compliant with **Euro 6** emission standards at the date of first registration.
2. A vehicle that is **8 years** of age or more from the date of first registration will be subject to a **licence of no more than 6 months** and will therefore be required to pass an MOT and Compliance test every 6 months.
3. A vehicle that reaches 8 years of age before the expiry of a current licence will be issued with a licence of no more than 6 months in accordance with the criteria set out in paragraph 2 above.

GENERAL CONSTRUCTION

4. The vehicle must be fitted with at least 4 doors and 4 wheels.
5. The vehicle must be capable of carrying at least 4 and not more than 8 passengers in addition to the driver.
6. In addition to the front driver and passenger doors, the vehicle must be fitted with at least two side/rear opening doors.

7. A vehicle with a top tread for the entrance which exceeds 38cm from the ground must be fitted with a step to allow easy access into and egress from the vehicle. Any vehicle that does not have a step fitted must carry a portable step to be available for passengers. Both a fitted and portable step must be robust to carry the weight of a passenger and covered with a non-slip surface. The step height must be no more than 38cm from the ground. The driver of the vehicle must risk assess the use of a portable step on each occasion it is requested by a passenger.
8. Any vehicle to be licensed as a Private Hire Vehicle that is wheelchair accessible and is a rear loading wheelchair accessible vehicle may only be used to undertake school contract work and must load the wheelchair using a tailgate system.
9. The vehicle must hold European Community Whole Vehicle Type Approval (ECWVTA) or GB Vehicle Type Approval category M1.
10. Any converted vehicles will be required to hold the appropriate low volume type approval certificate in the M1 classification or the appropriate Individual Vehicle Approval (IVA) Certificate.
11. The steering wheel must be on the offside of the vehicle.
12. Unless approved by the Licensing Authority no fittings outside of the manufacturer's specification may be attached to or be carried upon the inside or outside of the vehicle.
13. Where bench seats are fitted in the vehicle one person will be counted for each complete length of 16" measured in a straight line along the widest part of the seat.

BODYWORK

14. The vehicle must be free from corrosion, damage, or unsatisfactory repairs.
15. Paintwork must be of a high standard and the colour and finish of all panels must match exactly.

WHEELS AND TYRES

16. Where a vehicle is supplied with alloy wheels, all four road wheels must be of the same type and pattern.
17. Where a vehicle is supplied with wheels intended to be fitted with wheel trims, all four road wheels must be fitted with wheel trims of the same pattern.
18. Alloy wheels, wheel rims, and fitted wheel trims must be free from damage and defects which affect the safety, appearance, or integrity of the wheel.
19. Part-worn and remould tyres must comply with the Motor Vehicle Tyres (Safety) Regulations 1994.
20. Vehicles must not be fitted with tyres that are more than ten years old.
21. All tyres, including the spare where applicable, must be the correct size, speed, and load rating for the vehicle as per the manufacturer's specification.
22. All tyres, including the spare where applicable, must be properly inflated in accordance with both the vehicle and tyre manufacturer's specification.

23. All tyres, including the spare where applicable, must have a continuous tread depth of at least 1.6mm across the central three quarters of the breadth of the tyre, and visible tread across the remaining breadth of the tyre.
24. All tyres, including the spare where applicable, must be free from cuts and other defects.
25. The vehicle must carry a method for dealing with a tyre should it become defective. This method must be in accordance with the manufacturer's specification which may be one of the following:
 - a. full size spare wheel - which must be the same size and type as the four road wheels and be fitted with a tyre of the same size, speed, and load rating as the four road wheels. Proper tools and equipment for changing the wheel must also be carried.
 - b. space saver spare wheel - which must be the correct size and type for the vehicle and be fitted with a tyre of the correct size, speed, and load rating. The tyre must be correctly inflated in accordance with the manufacturer's specifications. Proper tools and equipment for changing the wheel must also be carried.
 - c. run-flat tyres - which must be fitted to all four road wheels. Run-flat tyres may only be used if the vehicle is fitted with an appropriate and serviceable tyre pressure monitoring system (TPMS).
 - d. emergency tyre sealant and compressor/inflator pack – which must be permanently marked with the vehicle registration number.

INTERIOR LIGHTING

26. Interior lighting must be provided in accordance with the manufacturer's specification. No additional lighting may be fitted.

SEATS

27. Seats must be secure and covered with an appropriate material which must be properly upholstered and in good and clean condition, free from rips, tears and holes.
28. If seat covers are used they must be correctly fitted, in a good and clean condition and free from rips, tears and holes.

SEAT BELTS

29. Vehicles must be fitted with lap and diagonal seatbelts on all seats, including rear facing seats, as per the manufacturer's specification.
30. Seatbelts and seatbelt mechanisms must be in good working order and free from frays, cuts, and other damage, and show no evidence of repair.
31. For the avoidance of doubt any cut, frayed or damaged seatbelt must have been replaced and not repaired.

WINDOWS

32. Windows must be provided at the sides and at the rear of the vehicle.
33. Passenger door windows must be capable of being easily opened by passengers when seated.

34. The front windscreen must allow at least 75% of light through, the front side windows must allow at least 70% of light through and the windows rear of the B-pillar must allow a minimum light transmission of 30%.
35. No windows or glass fitted to the vehicle may have been subject to an enhanced film / after-market tinting post manufacture.

HEATING AND VENTILATION

36. A heating and ventilation system must be provided and must be in good working order.

DOORS

37. All doors must be easily accessible to all passengers and capable of being opened from inside. It must be clear to passengers how to operate the doors of the vehicle.

Hinged and sliding doors

38. When the vehicle is stationary, the passenger doors must be capable of being opened from the inside and outside of the vehicle by one operation of the latch mechanism.
39. Where sliding doors are fitted, an audible or visual warning must be fitted in the driver's compartment indicating when any door is open.
40. Where sliding doors are fitted, there must be a sign within the passenger compartment, clearly visible to all passengers, giving instructions on the correct operation of the passenger door.

Electric doors

41. Where electric doors are fitted:
 - a) A sign must be clearly displayed inside the vehicle providing instructions on the correct operation of the door opening and closing mechanism.
 - b) The door system design shall incorporate a method to detect an obstruction in the path of a closing door. When an obstruction is detected, the door system shall react in a manner that will allow the obstruction to be released
 - c) A method for detecting an obstruction and preventing the closure of a powered door shall be included as part of the design of the door controls.

FLOOR COVERING

42. The floor of the vehicle must be covered in an appropriate non-slip material which must be free from rips, tears, and holes.
43. All floor covering fitted must be of uniform colour and material.

LUGGAGE

44. There must be provision for the safe carrying of luggage commensurate with the number of passengers being carried in the vehicle.
45. Provision must be made for luggage to be kept separate and secured from the passenger seating area.

8.4 Vehicle age limits

The frequency of testing required (see [frequency of vehicle tests](#)) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle.

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.

Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

APPENDIX C

Consultation – policy and conditions

	Should card readers be a condition on the licence for Hackney and Private Hire	Colour of purpose-built vehicles	Should the condition for spare saver/spare wheel be removed	Should the condition for fire extinguishers be removed	Age limit on electric vehicles	Age of vehicles	Additional comments
1	Everyone should have a card reader						No other changes as far as I'm concerned.
2	Card readers should be optional as it is with shops	All purpose built vehicles should be black so where is a distinct difference	Spare wheels should be removed as most new vehicles don't have capacities to carry them	There is no reasonable reason to have them	All vehicles should have the same age restrictions regardless of fuel type	All vehicles should have the same age restrictions regardless of fuel type	It may be a good idea to be able to bring a vehicle on to trade up to 7 years old and removed at 12 years old
3							No further comment
4	Yes for both vehicles	Yes any colour	Yes remove it, new cars don't always come with one, and its just more expense	Yes	Yes	Yes there should be no age limits anymore, the cost of replacing a vehicle is expensive, and with the job being so quite. Sometimes you wonder why. Also should be kept at 2 tests a year, not 3/4	
5	Also I feel that all drivers hackney or private hire should be made to accept card readers as I get a lot of complaints from customers about having to wait longer if a driver doesn't accept this.			The fire extinguishers rule is also a rule that may need changing, as I would rather stay away from and it passengers with me stay away from my vehicle if it caught fire.		Increase age	I have felt for a while now that vehicle ages needs to be looked at, especially the age of bringing a vehicle on the road, the reason for this is the cross boarder working now, with all Wolverhampton plates, and also Uber now in force from various councils using older cars than Halton.
6	Yes card readers should be a condition on the vehicle licence conditions, for both Hackney and Private Hire Vehicles. There have been instances where drivers are insisting on cash payments and taking the client to a card machine, thus increasing the charge and causing anxiety to the customer	They should remain black to identify a Hackney vehicle, which can pick up without booking. Using any colour can increase the probability of Private Hire Vehicles illegally picking up without booking.	All vehicles should include these.	Providing its not an insurance necessity, then the inclusion of a fire extinguisher should be removed from the vehicle licence conditions. In the case of a vehicle catching fire, the advise is to move as far away from the vehicle as possible, not attempt to extinguish the fire	Comments have been received from the trade that the age limit on electric vehicles should be changed due to the cost of purchasing an electric vehicle, please provide any comments. N/A at the moment.	Yes the age of vehicles should be changed due to the cost of purchasing a new vehicle. Providing your vehicle is fit for purpose (valid MOT), then continued use should be allowed. Drivers out of HBC licensing do not have to abide by the twice yearly MOT, so do not have to follow these same rules. HBC residence who use UBER, could be at high risk of either of being in an accident, or unsure whether	

						the insurance fully covers them as customers. Quite worrying.	
7	Card machines shouldn't be part of the test, I can take payment on my phone.	Colour should remain black on multiple purpose vehicles, as we need to stand out from all the cross border hiring vehicles in our area.	Yes it should be removed, I'd phone the AA or road side assistance	Yes the fire extinguisher should be removed as we aren't trained to use them,	Yes the age should be older, just to encourage people to use electric vehicles more.	Yes the age should be higher as cars and engines now last longer and they're definitely getting more expensive	
8	All Hackney and PH to have card readers for convenience of customers	Any colour due to scarcity and extra expense of black vehicles	All vehicles to carry spare or space savers, safety of customer	Remove extinguisher, we are not trained and fire most likely in engine. Believe it is very dangerous to open bonnet.	Stay same as before.	Raise age to 12 years with 2 tests. Also consider having mileage restrictions on new vehicles instead of age. I can bring a 3 year old vehicle on that has done 100,000 miles but not my wife's 6 year old vehicle that has done 34,000.	
9	These should not be a mandatory condition. Its becoming increasingly more difficult to earn a living and often to meet national minimum wage as a Hackney drivers in Halton, additional fees for card payments only add to this burden. Therefore this should be down to each drivers personal choice of payment method.	London cabs should remain at being any colour however all other vehicles should stay black	This should remain as its important to carry a spare wheel	Should be removed from licensing conditions. Unsure if one has ever been required. In the event of an emergency appropriate emergency service would be contacted	I agree that electric vehicle time limit should be extended. The cost to purchase are typically more expensive and thus will also create an incentive to switch to electric vehicle	As previously mentioned its becoming more difficult to make money, especially with the cross boarder rules no longer in place. Drivers have all taken a huge hit over the past 5 years and average yearly income has rapidly declined, for this reason age of vehicles should be extended to allow drivers to save for new vehicles and to purchase a vehicle within their budget. This also allows drivers with brand new vehicles to pay off any existing finance agreements over a longer period of time to increase monthly affordability.	
10	If a driver doesn't want to use a card reader then I think its his choice, I don't think this should be mandatory to gain a license	I don't think the colour of a purpose made vehicle matters after all London cabs come in all colours.	Cars supplied new don't have a spare wheel they come with a pump and repair kit however a spare wheel is the best option to keep you on the road	Fire extinguishers are a must they should be kept	No comment	The age of vehicle should be extended not only for the cost of replacing with a new one. But speaking for myself my car is tested twice a year by the council workshop, also I service my car every 6 thousand miles to maintain perfect running order and its clean inside and out. Its in perfect condition so why can't it stay longer, with the cost of living through the roof and the amount of competition now in Halton we are barely making ends meet.	

11	No, I have had one for several years but I think its personal choice it should be personal choice. They're a pain to be honest, you often drop off in areas with a poor signal and it can be difficult to get one, if people want to pay by car it's probably better for them to do it through the prepay facility on the app.	I think that any vehicle should be any colour, there's black private hire in widnes with out of town plates so whats the point in Halton being different, the waters have been muddied as the town is flooded with vehicles from other councils so it makes no sense any longer	New vehicles don't come with a spare wheels anymore so I don't think it should be mandatory. They come with a foam pump to reinflate and temporarily fix the puncture until you get to a garage.	I've never had to use my fire extinguisher in 23 years and never known anyone else to have used one so I'd say they're not needed personally.	See point 6.	Halton is now flooded with drivers plated in authorities that don't have age restrictions on vehicles, we're all working in the same area so to make it fair it should be the same rules for everyone. That's why you never see prestige vehicles in Halton, it wouldn't be worth investing in a Mercedes under the current restrictions, I think if age limits were stopped people would be more inclined to but these types of vehicles. If a car is good enough to pass a mot does it really matter how old it is	
12						The main one that really stands out for myself is the age of vehicle, I have been doing the taxis for nearly 20 yrs & always kept my car in tip top condition, but when you see other vehicles working our borough in no wr're near the condition of my car it really hits home. I alike no doubt other Halton taxis are noticing that taxing does not warrant going into debt on a new car when we're struggling to make a wage with the massive change in the job.	To many taxis without Halton plates are having a big impact on our job, our living & I honestly can't really afford going into debt at this present moment until things change. My car is a very good example & when customers are commenting on how nice it is, why get rid of it when there happy to ride in it & I'm happy to maintain & keep it to a high standard.
13	No, people already use them, if they want to pay cash keep it as it is. If a driver who doesn't have a reader and it's the only way to pay, that's up to them to get paid. Just do it through the office if needs be	Keep with different colours, but see if you can do it with the 7 seaters as then private hire only use cars, as it was years ago.	Leave as is	Leave as is	Yes but don't think may will buy, as they still no good as a taxi	As cars are a lot better than years ago, they should be aloud to bring on under 7 years with a maximum mileage of 80,000. And keep the vehicle up to 14 years old, but as long as they don't exceed 300,000 miles at 12 years old, plus get rid of the 3 tests as long as they don't have loads of advise on test.	
14	No	Should remain black	Yes	No	No purchasers choice to buy electric vehicles	Yes	
15	No	Purpose built any colour. Would give drivers more opportunity to find a cheaper vehicle.	Yes	No	Yes	Yes vehicles coming on should have the age limit increased to 7 years. Coming off should be 12 years. Allowed drivers to find a more affordable car. Purpose built cabs should have no limit of expiry	

16	Yes	Yes they should be allowed as its so expensive to have them sprayed	No it should not be removed, due to safety issues	Yes it should be removed, luckily never needed to use one and probably never would.	Yes electric vehicles should be allowed on longer years due to the cost of running and purchasing them	Yes if it passes the taxi tests then they should be allowed to stay on a lot more years, due to the cost of purchasing, the upkeep and standard of the vehicle, far to costly to replace.	
17	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
18	Yes	Yes they should be any colour as far to expensive to get them resprayed if purpose built	No spare tyres space savers should not be removed due to safety issues	Yes fire extinguishers should be removed, never used one in over 40 years.	Electric vehicles should have a longer age restrictions due to cost of purchasing, and battery costs.	Yes vehicles should not have an age restriction and should be allowed to be kept on a lot longer as long as they pass the councils taxi test each year without to many faults due to age.	Vehicles are to costly to replace especially if there's plenty of use left in them, not everyone puts hundreds of miles on their vehicle every year. Plus when your older you can't get finance to replace a car.
19	I do have a card reader & find it useful. However, I don't think it should be mandatory as some drivers may struggle with technology & if you don't have an iphone to connect it too, you will struggle.	No view either way	I think this should be removed, we have some great contacts in Halton that we can ring when needing to replace a tyre.	Definitely support this being removed. If the taxi is on fire, from a Health & Safety point of view, you would put distance between yourself and the car, so unlikely to utilize the fire extinguisher anyway.	I would support the age limit for all cars to be increased due to cost of buying a new vehicle. This will be in line with other councils and taxi providers such as Uber, who are operating with much older vehicles	I would support the age limit for all cars to be increased due to cost of buying a new vehicle. This will be in line with other councils and taxi providers such as Uber, who are operating with much older vehicles	
20	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
21	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed			No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
22	No	No material differences	Vehicle manufacturing industry has seen fit to	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of	

			provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed			providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
23	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
24	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
25	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
26	No	Any colour doesn't matter	Remove as new vehicles aren't fitted with them anymore	From a safety point of view I'd keep them	No preference	Absolutely not, otherwise standards and safety would be severely impacted	
27	Yes	Yes I think hackneys should be allowed to by any colour, they have the taxi light and some even have the words Taxi and back and sides	Yes it should be removed. A lot of cars now have no space to store a spare wheely and its has to be fastened inside the boot, taking up valuable space. How about as part of the vehicle check if no spare wheel in the vehicle ten there must be an emergency repair kit. Like what most new cars come with.	I don't think fire extinguishers should be removed	This would be great, maybe make it the same length as wheelchair accessible vehicles. Would encourage drivers to but electric which can only ne a good thing	Don't see why not, they are checked every 6 months anyway after 3 years.	
28	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency,	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	

			therefor it should be removed				
29	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
30	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
31	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
32	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
33	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
34	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
35	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles.	

			the grounds of efficiency, therefor it should be removed			Any further increase diminishes the quality of PHV fleet	
36	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
37	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
38	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
39	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
40	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
41	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
42	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles.	

			without spare wheels on the grounds of efficiency, therefor it should be removed			Any further increase diminishes the quality of PHV fleet	
43	No should be personal choice	No comment	No comment	Yes remove in 21 years never heard of anyone using one	Yes extend the cost of vehicles have rocketed	Yes extend the cost of vehicles have rocketed	
44	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
45	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
46	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
47	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
48	No should be your own choice, but should have stickers on vehicle saying "No card reader" so the customer understands, I use one myself with no problems	As there is now vehicles from other areas working in Halton with different colour vehicles, I don't see a problem with Halton vehicles being any or a few selected colours	This condition should be removed, if there is no room for a spare in the vehicle, providing they use run flats, personally I'd rather always try and buy a vehicle with a spare.	I like having a fire extinguisher available, I'd have one regardless	No electric vehicles is nothing to do with an age limit. The Dacia Sandero has a new RRP range of £13,795 to £17,295, the Audi A6 has a new RRP range of £44,590 to £69,875 should the Audi get a longer age limit because of no price No the price you	New and used vehicles are both expensive at the moment. So rather than extending the vehicles final age limit think about extending the age at which the vehicle can be first tested as a PHV or Hackney, as of now its under 5 years old, if it was say under 7 years old, the price range would be cheaper to buy, a car under 7 years old would have lower mileage and be in better condition than a 10 year old PHV	

					pay and the Vehicle type is your choice	or Hackney Vehicle its age limit extended.	
49	No	No material differences	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material differences	No material differences	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
50	No this would be very costly problem for me I would have to buy a new phone and card reader a very expensive and unrealistic idea to cater for the few people who want to pay by card	This should remain unchanged to keep the distinction between hackney and private hire	No idea	I have never used one	They wear out just like all others	No change should be made	
51	No	Vehicles should be any colour	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed			No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
52	Yes in all	Yes any colour	Yes removed as most vehicles have no room in boot or run flats fitted	No need for them should be optional	Yes longer due to cost of vehicle	All vehicles should have a longer life span than 10 years not only are newer vehicles more expensive but most if not all that are taken off are in perfect condition and with other private hire vehicles (Uber) are driving around in cars lot older making it easier for them to compete with us and making it a lot harder for us, its crazy to change a perfectly good vehicle for no good reason	
53	Should be made mandatory	Purpose built should be black if Hackney except the London Hackney Cab	Modern cars don't come with spare wheels so condition should be removed	Should remain as a condition	Should be increased	Should be increased	
54	No I can only speak for myself I really have problems with technology. I purchased a card reader and I have to admit I couldn't use it properly. In turn cost me quite a considerable amount of money. In 4 weeks I lost £160.00 because of my inability to use the machine	I feel that the system that is in use is more than adequate. The people of Halton are aware and used to knowing a black vehicle is hackney. So I don't see a need to change the requirements as it could cause confusion for the public.	I feel the public should at least be aware that if a situation arises such as a puncture that the journey can be completed by a wheel change	I cant think of an excuse for not having a fire extinguisher in a vehicle. For the safety of the vehicle the customer and the driver.	Drivers have to look at their own finances to see what is in their budget. I personally would like to see more and more EV's on the road as taxis. But raising the age limit also leaves the door open for other people	I feel much the same as point 5 (previous question) the vehicles and standard of vehicle in our borough is excellent and anything that affects that is in my opinion is a risk to the quality of our service to the people of Halton	

					who may take advantage of it		
55	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
56	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
57	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
58	Yes		Yes	Yes		Yes	
59	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
60	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
61	No	Does not matter	No longer a fitted item	As a safety issue I think they should be fitted	Makes no difference	As long as a vehicle is well maintained it should be reliable vehicle for the companys fleets. In the long term the age should not be changed as mileage could be the issue and not the age of it.	
62	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles.	

			the grounds of efficiency, therefor it should be removed			Any further increase diminishes the quality of PHV fleet	
63	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
64	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
65	Yes for both PHV & HCV its more convenient for the customer	No residents of Halton recognize HCV as black only. By introducing any colour to purpose built vehicles, I feel it would be confusing and may lead to PHV drivers chancing their arm on a rank or accepting a hailed fare	Yes if I had a blow out whilst carrying passengers, I'd organize a replacement taxi to take my passengers and phone a mobile tyre specialist	No they are a vital part of H&S and could be lifesaving on that one occasion its needed. Plus, I would suggest all electric cars have an extra appropriate extinguisher in the event of battery or electrical fire	Yes for obvious reasons	Yes for obvious reasons	
66	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
67	I have a card reader in my taxi away it can be a good thing and in others not, Some people want to go out of town and say to the driver do you take card we say yes when you get to the destination they put it in knowing it's declining. Then its it must be the card I'll get the cash from a cash point you let them out an they run off. So I think it should be left to the driver if he wants one or not but I do have one.	Colour of the hackney taxis should stay black as it will confuse the customer in widnes and runcorn as we have far to many out of town driver sitting on ranks ect. At least if we leave it as it is people will know it's black it's a hackney.	Fire extinguishers, I know there will be mixed opinions about this question I have mine in and happy to have it. I don't have an opinion on it I know the fire service do advise to move away leave it to them but if its small or some one is trapped in a accident at least you can fight it until help gets there i suppose.	Electric cars I do know they are expensive to buy like any vehicle it's a big outlay of money and I think if you keep up with the maintenance and they are in good order I think age should be looked at to get the revenue back what you paid out.	Age of vehicles yes I think they should be removed we have cars coming in to halton now of all ages and they still pass the test from other councils.		Halton borough exercise strict rules with our taxis that we keep them up to a standard the best we can which is welcomed by the way and the testing structure of every 6 months I don't know why we don't change or remove the age. What me and other drivers I've spoke to have mentioned that wheel chair taxis today are so

							<p>expensive and it's alot more now to buy a wheel chair cab now than what it was years ago.</p> <p>Vehicle manufacturers have come on since back in the 80s 90s where a car would last for maybe 8 years then have more holes than a sieve.</p> <p>When I've looked at knew wheel chair cabs now they are silly expensive and we don't live in a city like Manchester London ect we live in a town so it would be crazy to spend that much money on a wheel chair cab for a small town like widnes or runcorn we don't have the revenue coming in to pay for them.</p> <p>More to the point in my mind if the age of the wheelchair cabs are not removed or altered how are disabled people going to get about of a night time or any time it's restricting them which in my eyes is not fair on wheelchair users they find it hard enough to get out and about by putting age limits on these vehicles would make it even harder as when mine gets to the age I don't think I will be getting another wheelchair vehicle due to the price of them.</p> <p>Its like taking out another mortgage on cabs direct website it's £59,995 Over 6 years that would be about 10k a year about £833 amonth that is cash</p>
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							price if you got a bank loan or finance it would be more plus test fee license fee fuel, service ect. It would be easier and cheaper to get a car due to the cost of living ect. Sorry if I go on I'm just trying to stress how the age rules affect us or could affect us in the future.
68	No	Any colour	Yes remove or make it discretionary	Yes remove as not needed really but again discretionary an option	All vehicles are expensive now, so shouldn't be so age restricted	All vehicles are expensive now, so shouldn't be so age restricted	
69	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
70	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
71	This would be an additional expense to have these in our vehicles. Our margins are tight now and to impose extra costs would require another increase in our cost to customers. As we own the vehicles, we would also have further administrative costs and we cannot see any value from this both to the business and the customers. Currently we take card payments over the telephone if a customer does not want to pay cash on the day. For business customers we invoice at month end.					This is an issue for us. As a small business our vehicles accumulate high mileage. To purchase a new vehicle is very costly requiring us to take out finance/loan agreements. The depreciation is also considerable on a new vehicle due to the high mileage. We have viewed several 2 nd hand low mileage vehicles that are in excellent condition, costs are lower, and we would be able to purchase without expensive finance. As a small business this would be better VFM. However, to only allow them to be licenced for a	

	A separate issue could potentially cause us further problems when dropping at the airport. All airports now charge to drop off and if we are delayed in this by taking card payments drop off charges could considerably ramp up.					shorter time is costly to us. Our vehicles are regularly serviced and checked by the council we also carry out our own checks' cleanliness etc so we feel they could continue to provide a good reliable service beyond the restricted years.	
72	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
73	No it should be the drivers choice, as no other outlets are forced to accept cards.	They should remain black for easy identification by the public for their own safety, so they do not hire an uninsured private hire by mistake. I believe this to be very important safety issue	Yes it should be removed	No it should not be removed	I agree with extra years as they are as they are an expensive item	Yes I agree with age extensions as soon as possible as both new and second hand vehicles are expensive. The extension needs to apply particularly to hackney wheel chair vehicles as they will become extinct in the borough because of their cost compared to cars.	Earnings are still low after covid. We must also take into account our private hire competitors who are being encouraged to plate vehicle outside the borough (Wolverhampton) with no age limit at all.
74	Drivers discretion	Any colour as Alpha have black private hire working in the area.	Not needed as most new cars don't come with them, car either come with run flat tyres or puncture repair glue	Not needed as more drivers are not trained to use them	Electric vehicles are expensive so maybe 8 year old	Needs to come down as other boroughs have longer age limit need to come inline with them maybe 7 years to continue to come on and max 12 years	
75	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
76	Yes to both	No hackney should be black and no other colour	Most modern car don't carry a spare wheel anyone so why should it be part of the MOT procedure unless they are supposed to be fitted with a spare wheel	Should still be part of the MOT	Price doesn't come in to it it's up to the individual	Same as previous question	
77	Yes I think with the way of the world today that a card reader is an important tool for a taxi driver	The colour of purpose built vehicle should be allowed to be any colour as they	Should just remove this condition most new cars don't come with a spare	Fire extinguisher you know my feelings in this one it's actually	Electric cars are double the price of a similar fuel type	Age of vehicles in general we have a fantastic fleet of taxis in the Borough but the job is very	

	to have in there vehicle at all times Hackney or Private hire and should be made a condition of your licence	are easily identified as a taxi what ever colour they may be plus it might make the purchase of such vehicles a little easier as there will be more to pick from and with cross boarder rules there is already different colour Hackney vehicles working in the borough	wheel and with the new electric cars there is no space for a spare wheel so all we are doing is taking up luggage space	dangerous to try and put out a fire we are not trained fire fighters We need to get out get any passengers out and stay out and call the fire brigade	vehicle so if the council wants to encourage people to purchase electric cars then the licence conditions need to be more favourable so yes extending the life expectancy is a most.	hard at present and we can't see it getting any better any time soon so we the trade need some help and by allowing people to purchase slightly older cars or keeping there current vehicles for longer would be a little help that the council could do quite easily	
78	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
79	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	No the age of vehicle should not be changed on the grounds of providing quality reliable vehicles. Any further increase diminishes the quality of PHV fleet	
80	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	
81	No	Colour black is old and other taxi Council's let you have any colour lets be the same as other Councils or have 3 choices black white or silver	Have a wheel if you don't have a wheel and your in a area with no mobile signal you car sort this out yourself and feel safe we're if you have never has one you could be there for a while	No as the fire department says if your car is on fire get to a safe place call 999	No they are bad for the environment you brake down there not enough charge	Big yes	
82	No	Define purpose built	No it shouldn't be removed I think common sense dictates that you should have a replacement of some sort	We've had fire extinguishers for the past 20 odd years or so now so why get rid of them	N/A	My car must go by January next year. Since I have had it, it has been services twice a year by either yourselves or Booths, in 2022 it had a fully reconditioned engine fitted by Booths & Dieselcraft, both reputable	Because it has been services by yourselves at the testing station, any faults have been rectified and/or replacement parts fitted on the day so it hasn't been off the road

						businesses, as of today it has only done approximately 90,000 miles.	for any kind of failure. I think the vehicle should be licensed with regards to its past test history.
83	Firstly the council will have to change the conditions so that all drivers will have to have a smartphone. How will the council work round that, some drivers may still have Brick type phones or might not be tech savvy to know how to work the apps and card reader. Also it means passengers get a free pass if they can't get a signal, or not have any money to pay the fare in the first place how would we know, and what would the council do to protect the driver in this situation. Insist on taking payment up front ?	There is no need to change the council policy on this it will lead to out of Borough private hire ranking up on taxi ranks even more than they do now eg. Wolverhampton Liverpool Knowsley and Sefton private hire.	This needs to be removed at the earliest opportunity for cars that have no designated place to store a spare wheel 95% of other boroughs allow tyre inflation kits so why can't we it doesn't solve every problem but it beats having a spare wheel in the luggage compartment meaning large items like wheelchairs wouldn't fit in. The council's solution at the moment is run flat tyres which would mean taking 4 road legal tyres of the car and replacing them with run flats at a cost of nearly £1000 also not all car tyre sizes are available in run flats so maybe invalidating insurance and the car's warranty if the incorrect size tyre is on the vehicle.	taxi drivers are not trained to a fireman's job attending to a car fire where flammable liquids and fabrics are ablaze so why would you expect them to tackle them with a small fire extinguisher. If drivers wish to have a fire extinguisher let them but don't make it compulsory.	I proposed this idea for the forum to ponder and with financial and environmental concerns I think it's justified on its own merits I accept that 4 monthly tests would probably be required and that would be acceptable to drivers as long as they weren't burdened with excessive test fees for this.	Because the Borough is overrun with out of town taxi firms that don't adhere to our stringent regulations concerning licensed vehicles (which drivers don't have a problem with by the way) by letting them use them for longer gives us a more level playing field and 4 month tests wouldn't be a problem. Licensed vehicles in this borough are far better than surrounding areas so I think this is a viable proposal.	
84	No	Should be black	There should always be a spare wheel/space saver	Should be removed from vehicle licence conditions	Electric vehicles could be seriously dangerous after 10 years so no change	The vehicle age should be 12 yrs for cars and 16 yrs for cabs	
85	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	No material difference	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	
86	All vehicles should have card readers, it makes it easier for customers		All vehicles should have a spare wheel, it takes 10 minutes to change a	Basically a waste of money now, they		Yes	The biggest thing that needs addressing is the age of All vehicles. Since

			tyre & if you have customers in, its quicker for them.	wouldn't put a camp fire out let alone a car fire			covid, they have gone up exponentially. What cost £10,000 pre covid, is now costing upwards of £17,000. The cost of living crisis is crippling the taxi industry at the moment. Taxis are a luxury nowadays. & drivers are roughly about £200 A WEEK down on earnings now. Making us work longer hours, more days. Putting more wear on vehicles in doing so. So it should be brought in line with Wolverhampton criteria. An older vehicle doesn't mean a substandard vehicle.
87	Yes	7 seater wheelchair cabs are difficult to obtain in black and should be any colour provided the vehicle is clearly marked as a taxi	All vehicles should have a spare wheel	All cabs should carry a fire extinguisher	Status quo should remain	Registration age should be changed to 6 years 11 months	
88	Yes	Yes	Yes	Should be removed on the grounds of cost and also for being rarely used in real life situations	Yes	Yes	
89	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	No material difference	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefor it should be removed	
90	No not to be a condition on licence	Should remain black only	There should always be a spare wheel or space saver	Should stay a condition of vehicle licence	Age limit should remain the same as the batterys degrade after 10 years	The age of vehicles should be 12 years and no age limit for wheelchair accessible vehicles	
91	No card readers should not be a condition	Colours options SHOULD stay the same so as to avoid confusion for current drivers when reapplying. Avoids	Spare wheel/Space saver should be part of conditions as this is a safety feature	Fire extinguisher should be part of conditions as this is a safety feature	No comment	Due to extra rises in cost I believe the age condition should be increased by an extra 5 years on both standard and wheelchair access. This should be	

		confusion for customers who are aware and use to the current system. Keeps it fair to Drivers who have had to stick to the current system already in place.				accompanied by an extra MOT each year after the normal age limit has expired so 3 MOT a year. 1 every 4 months	
92	No	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	No material difference	No material difference	Vehicle manufacturing industry has seen fit to provide new vehicles without spare wheels on the grounds of efficiency, therefore it should be removed	
93	I personally these should now be made compulsory and be brought into the licensing conditions.we are now after all in the 21st century and a large percentage of our customers carry cards/phones etc for contactless payment, along with the fact again most customers now have salaries paid directly into the bank. Also it can speed up the time taking a booking and the time taken by a fleet searching for a contactless vehicle.	I think the vehicle colours are fine as they are, my personal opinion is all purpose built vehicles i.e.wheelchair accessible should be issued with a hackney plate and coloured Black the plate retained with the owner until the vehicle has served its life whence the plate is returned to the council. The owner then should he decide not to renew a purpose built vehicle should seek a plate elsewhere. My reason for this is the education of the public, after all these years they are still confused as to whether the vehicle is a "taxi" or private hire? To them all vehicles with a licence are "taxis" a word now being replaced by the youth with the word "UBER"	Pretty much all cars today are supplied without a full spare wheel, especially Electric vehicles, as not only is there no space beneath said vehicle the recommendation to not even jack the vehicle up is suggested as it can be dangerous and short out batteries. If the council wish to see an increase in E.V'S in the fleet this necessity would need to be removed, also noting run flat tyres are not a financially viable option either as are way to expensive even to consider on an E.V. as weight restrictions on said tyres makes them extortionately overpriced.	I think fire extinguishers are no longer needed as yet I haven't seen one used, plus so many different vehicles now in production could actually be dangerous as different fires require different extinguishers i.e. electrical fire, petrol fire, diesel etc			
94	I personally these should now be made compulsory and be brought into the licensing conditions.we are now after all in the 21st century and a large percentage of our customers carry cards/phones etc for contactless payment, along	I think the vehicle colours are fine as they are, my personal opinion is all purpose built vehicles i.e.wheelchair accessible should be issued with a hackney plate and	Pretty much all cars today are supplied without a full spare wheel, especially Electric vehicles, as not only is there no space beneath said vehicle the	I think fire extinguishers are no longer needed as yet I haven't seen one used, plus so many different vehicles now in production could actually be dangerous as			

	with the fact again most customers now have salaries paid directly into the bank. Also it can speed up the time taking a booking and the time taken by a fleet searching for a contactless vehicle.	coloured Black the plate retained with the owner until the vehicle has served its life whence the plate is returned to the council. The owner then should he decide not to renew a purpose built vehicle should seek a plate elsewhere. My reason for this is the education of the public, after all these years they are still confused as to whether the vehicle is a "taxi" or private hire? To them all vehicles with a licence are "taxis" a word now being replaced by the youth with the word "UBER"	recommendation to not even jack the vehicle up is suggested as it can be dangerous and short out batteries. If the council wish to see an increase in E.V'S in the fleet this necessity would need to be removed, also noting run flat tyres are not a financially viable option either as are way to expensive even to consider on an E.V. as weight restrictions on said tyres makes them extortionately overpriced.	different fires require different extinguishers i.e. electrical fire, petrol fire, diesel etc			
95		I believe they should stay black	I think we should be stop with a spare wheel especially in electric vehicles				
96	I believe this should be a part of the conditions given the drivers are able to choose which card machine they want. CWaC Council and LC Council only enforce this on Hackney Drivers whereas I believe Sefton Council enforce this on all vehicles. The choice of terminal should be left to the driver as different companies charge different rate for different level of service, i.e. next day payouts vs weekly payouts	- A vehicle that is black is the second most common colour of car. I believe dictating the colour of vehicles to distinguish between a Hackney and PH is not an effective way to do so. A more effective way is with purpose-built vehicles WAV, LTI/ E7 etc are more what the public would expect a hackney to be. I think a 10-12-year age limit is good practice and keeps the car at a good age, however the maximum of 5 years should be brought down to 7-8 years as the costs for the car are a lot cheaper.	Most newer cars don't have them; I'd say money better to have 24-hour breakdown cover than a spare wheel	No opinion on this, most drivers wouldn't be able to put an engine fire out with what is in the boot			
97	No	No	Yes	No	Yes	Yes	

98	No	Purpose built vehicles should stay black	Should remain	Should remain	Should be changed	Should be changed	
99	No drivers should be able to choose if they have a card reader or not	Vehicles should be any colour due to costs associated with respray/purchasing specific colour vehicles	Should be removed as most new cars no longer have a spare wheel included. This also takes up additional space	Yes this should be removed – never used in 20- years	Agree due to costs associated with electric vehicles	Agree due to costs associated with replacing vehicles especially in current economic climate and cost of living crisis	
100	Yes	Black	Definitely yes	Yes	Raise age limit	Raise age limit by five years at least	
101	Yes everyone should have a card reader in my opinion	Yes I would like any colour for purpose built vehicles but I would also like it for any Hackney vehicle due to the price of black cars. It also limits us to finding black cars to meet the criteria	Yes I feel the need to carry a spare wheel realistically don't feel the need to carry a spare wheel	I feel fire extinguisher is not required these days	I would like to see electric vehicle to get a life of 15 years due to the price	Same as electric vehicles	
102	<p>These should not form a condition for carrying in HCV or PHVs. Taxis are independent / itinerant businesses / traders. It must be for the driver to decide taking into account his/her own business needs and running costs because these readers have a cost to provide and to run.</p> <p>I paid £140 for a stand alone sim based reader and a deduction from sales of 2.7%. Additionally, from experience there are no tips from card users which in effect is a further deduction for the business. There are also signal problems; for example Daresbury Business Park, Windmill Hill and various spots around the borough.</p> <p>A current tactic being deployed against drivers is insufficient funds on cards and on ApplePay the device needs a certain level of charge for a transaction to complete. These users knowingly get into a taxi with insufficient charge. There is nothing in the legislation which covers the</p>	<p>This is no longer necessary given the sheer number of vehicles from neighbouring and further afield boroughs freely operating in Halton. A purpose built vehicle now costs upwards of £65,000. I recently had to pay £2500 for my next vehicle over the costs of the same vehicle in a different colour. The roof sign is sufficient. It is sufficiently covered in law that only a hackney carriage can have a taxi sign and thus they are readily depicted in any colour.</p>	<p>This should be removed. Breakdown cover is used on the road mainly for safety and taxi companies can and do send relief vehicles to those unable to continue the journey.</p>	<p>This condition should be removed. Fire Service advice is to safely evacuate the vehicle and call them. Today's motor vehicles no longer just use fossil fuels but use hybrid and full electric power. Other fuels include LPG. The same standard extinguisher is not suitable nor safe to use on all vehicles. Drivers also do not have any training in fighting fires. Even touching some extinguishers without the correct protection can result in serious injuries. In my previous employment full training on each type of extinguisher was given over two full days with periodic refresher training.</p>	<p>Agree that the age limit should be removed but it should be removed from all types of vehicle because they are now massively more expensive and additionally Halton is a relatively small town and from an earnings perspective doesn't generate the incomes typical of the larger authorities/cities.</p> <p>Historically the age limit was brought in to protect the trade from nearby areas but now with cross border hiring and the proliferation of Wolverhampton licensed vehicles the Halton trade is hampered by this policy.</p>	<p>Same as Electric Vehicle comment</p>	

	<p>device charge and it is a total loss to the driver whom cannot at the best of times get help from the police.</p> <p>If this condition goes through it should carry an amendment to cover the device payment method and there must be a minimum fare amount. I'm not advocating higher prices than tariffs; just that the journey should 'clock' more than say £5 for digital payment to be accepted.</p>				Standards across the Halton fleet are very substantially better than they ever were during the seventies and eighties. This was expressed by the garage lead Mr Cullen. Standards are now very high.		
103	<p>Personally think its time all drivers had card readers. Although its not just making the drivers get a card reader it's the attitude towards using it when customers get in the vehicle</p>	<p>Happy have a purpose built vehicle in other colours as when buying these vehicles there is already such a some range of options a single colour choice can be the different between buying one or not. Maybe changing this would encourage more drivers into having them,</p>	<p>I feel like all vehicles should carry a spare wheel either full size spare or a space saver</p>	<p>Having never used my fire extinguisher and probably never will I would be happy for this to be dropped.</p>	<p>The electric saving when charged at home is huge compared to the cost of petrol or diesel. Any electric taxi that in on for the duration of its life would more than recover its price difference. The extension of age is not necessarily in my opinion as the financial incentive is already to buy one.</p>	<p>The vehicle age is a bit of open one here as I would like to see it that an older vehicle could ne brought on as long as it is under the maximum age. Making staying with halton council more financially viable instead of license shopping to save some money. I'm happy with the maximum age of vehicle and don't think this needs to change</p>	
104	No	No material difference	<p>The vehicle industry has provided new vehicles without spare wheels, for efficiency, so should be removed.</p>	No material difference	No material difference	<p>No. If the age of the vehicles is changed, this could mean the vehicles would be less reliable.</p>	
105						<p>The age of cars should be extended to 15 years.</p>	
106	Yes	<p>Colour of vehicles should be kept black</p>				<p>Age of vehicles should be extended as long as they pass there 2 yearly tests.</p>	
107	<p>Card readers should be available in all taxis "hackney/PH" the high percentage of customers now use card.</p>	<p>Purpose built hackney vehicles should be available in any colour easily recognised</p>	<p>All taxis should have either a full size spare wheel or space saver its avoids getting stranded</p>	<p>No I do not think a fire extinguisher should be part of the compliance test. I have never had the need to use one in the 35 plus years also would all drivers know</p>	<p>Most definitely electric vehicles should have a longer age limit due to the cost of purchase and batteries have a much longer life than conventional engines</p>	<p>Yes definitely vehicles should have a longer age limit due to the high cost of replacing and overheads increasing plus the decline in the trade which in turn means less annual mileage . Taking these factors into account drivers will leave rather than get</p>	

				what to do if required to use it	also encourages a cleaner environment	into debt replacing their vehicles which means eventually the trade will suffer..	
108	No not reliable enough	Any colour	Should have a spare wheel	Keep	Same age as petrol and diesel vehicles	Increase the age of vehicles, because of decline in business and cost of living, overrun with cross border taxis and illegally parked card on Hackney ranks	
109	No	Any colour they are purpose built	No new cars don't come with a spare wheel	No	All vehicles are expensive	If they pass the MOT test its shouldn't matter	
110	I have one and have no issue taking card payments at all but don't think it should be made mandatory. We do incur charges for using the card machine and I think it would be hard to police as you'd still get drivers who don't want to use one telling customers that there reader isn't working and stuff like that.	I think this should be changed, I am private hire at the minute but would like to go Hackney in the future and been only able to pick a black car severely limits your choice and therefore might not get the best deal for a car. Also with the amount of out of town drivers in the town now who can use black cars I don't think there's any need for this anymore.	Also think this should be changed most cars now a days don't come with any kind of spare wheel my car didn't and I have to keep it in my boot which takes up a lot of room and can make it difficult fitting things like fold down wheelchairs in.	Don't see the need for these anymore never had to use mine in 8 years and don't know a driver who ever has, I've had to replace mine twice even tho I've never used it as they lose pressure over time.	If your wanting to encourage people to buy thses them the more flexibility the better as they are expensive	I strongly think this one needs changing when I bought my last car there where many better options but I couldn't take advantage as they where older than 5 years old. These cars get MOT'd every 6 months as long as the car passes and in good condition I don't think it should matter how old it is	
111	Yes I think card readers are a must	Any colour	Spare wheels are a must have	Fire extinguishers are not needed		Yes extend to 12 years and 7 years when first put on the taxis would help drivers a lot with the price of vehicles	

REPORT:	Regulatory Committee
DATE:	9 October 2024
REPORTING OFFICER:	Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Gambling Act 2005 Statement of Gambling Policy
WARDS:	Borough-wide

1. PURPOSE OF REPORT

- 1.1. To approve a draft Statement of Gambling Policy for recommendation to full Council for adoption.

2. RECOMMENDATION that:

- 1) **Having undertaken a consultation exercise, it is resolved that the draft Statement of Gambling Policy amended as set out in Appendix B be hereby approved by the Committee and be recommended to full Council for adoption.**
- 2) **An appropriate form of wording for the Council resolution would be: “The Council”:**
 - a) **adopts the Statement of Gambling Policy attached to the report to come into effect immediately following the expiry of the current Policy; and**
 - b) **directs that the Director of Legal and Democratic Services publishes the Statement in accordance with section 349 Gambling Act 2005 and the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006”.**

3. BACKGROUND

- 3.1. At a meeting held on 3 July 2024, the Committee considered a report on the Statement of Gambling Policy which must be adopted by the Council to replace the current policy which will expire in January 2025. The current Statement of Gambling Policy is due to expire at midnight on 30th January 2025 and the new Statement of Gambling Policy must be in place on 31st January 2025.
- 3.2. The Committee authorised the Operational Director Legal and Democratic Services (OD-LD) to undertake a consultation exercise in

respect of the Council's Statement of Gambling Policy in accordance with section 349 Gambling Act 2005.

- 3.3. The consultation exercise was completed on 23 August 2024. One comment was received from GamCare regarding the consultation, a copy of the reply can be found at **Appendix A** of this report.
- 3.4. Following the comments received from GamCare, Halton Borough Council will publish on the Council's website the details of the National Gambling Helpline for information.
- 3.5. The original consultation draft Statement is attached at **Appendix B** this includes the slight amendments, **Appendix C** of this report sets out the additional paragraphs which have been added to the new draft statement, the paragraphs have been inserted after point 8 of the policy – Licensing Functions and can be found on page 7 of the policy.
- 3.6. The appropriate Council meeting to consider this matter will be held on 4 December 2024.

4. POLICY IMPLICATIONS

- 4.1. Once it comes into effect, the Statement of Gambling Policy will be used in accordance with the Gambling Act 2005.

5. OTHER IMPLICATIONS

- 5.1 There are no other implications arising out of this report.

6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1. Improving Health, Promoting Wellbeing and Supporting Greater Independence.

The Council's Statement of Gambling Policy operates under a separate statutory code but since it involves licensable activities it is designed to contribute to licensing objectives of the protection from harm.

6.2. Building a Strong, Sustainable Local Economy

None

6.3. Supporting Children, Young People and Families

None

6.4. Tackling Inequality and Helping Those Who Are Most In Need

None

6.5. Working Towards a Greener Future

None

6.6 Valuing and Appreciating Halton and Our Community

None

7. RISK ANALYSIS

7.1. None identified.

8. EQUALITY AND DIVERSITY ISSUES

8.1. There are no equality and diversity issues to highlight.

9. CLIMATE CHANGE IMPLICATIONS

9.1. There are no climate change implications since the decision will have no effect on the environment.

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

Document	Place of Inspection	Contact Officer
Guidance issued by the Gambling Commission	Licensing Section/ Government Website www.gamblingcommission.gov.uk	Kim Hesketh
Halton Council's current Statement of Gambling Policy	Licensing Section/ Council website www3.halton.gov.uk/Documents/business/licencing/gambling	Kim Hesketh



GamCare's response to Halton Borough Council – Consultation on the revision of statement of principles under the Gambling Act 2005

About GamCare:

GamCare is an independent charity and the leading provider of information, advice, and support for anyone affected by gambling harms. We operate the National Gambling Helpline, provide structured support for anyone harmed by gambling, and create awareness about safer gambling and treatments. For 26 years, our confidential, non-judgemental services, have supported more than half a million people to get their lives back on track.

We hold data locally and nationally through our National Gambling Helpline. We also work closely with those who have lived experience in shaping and delivering our services and programmes, ensuring that all our work is coproduced with our lived experience community at its heart.

GamCare's comments on the revision of the statement of principles:

- We welcome the position Halton Borough Council is taking to go beyond the mandatory and default conditions of the Gambling Act 2005 in its statement of principles.
- Local authorities can play a greater role in reducing gambling harm, particularly for those of our clients who experience harm in land-based gambling venues, due to council's licensing responsibilities.
- It is vital that Halton Borough Council develops a local picture of the level of gambling harms, in order to best target resources and tailor service provision. This could be achieved by gathering data from the National Gambling Helpline, as well as those already providing services in the area.
- Building on the proactive approach the council is already taking, we would like to see Halton Borough Council commit in its statement of principles **to a public health approach** to gambling.
- This commitment should include training frontline and primary care staff to recognise the signs of gambling harm and develop referral pathways to the National Gambling Helpline or local treatment providers. GamCare has worked with Haringey Council to implement a similar system, that has received widespread support.
- In the absence of Cumulative Impact Assessments as a method by which the "aim to permit" approach can be challenged, Halton Borough Council should pursue a Local Area Profile approach that specifically analyses gambling risk, and use this data as a basis from which to scrutinise and possibly oppose a licensing application.
- The changes to Halton Borough Council's statement of principles should be viewed in the context of the Gambling Act Review and subsequent process of white paper consultations, so take account of the rapidly changing regulatory environment.

*If you have any questions or would like to discuss in more detail, please contact Pollyanna Hopkins,
External Affairs Officer: pollyanna.hopkins@gamcare.org.uk*



Halton Borough Council

STATEMENT OF GAMBLING
POLICY

GAMBLING ACT 2005

January 2025 – January 2028

DRAFT

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PART A

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

This policy will promote these licensing objectives.

It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

2. Introduction

Halton Borough Council (“the Council”) is situated in the County of Halton and is a Unitary Authority. Halton Borough comprises the towns of Widnes and Runcorn and surrounding villages of Hale, Daresbury, Moore, and Preston Brook. It is predominantly an urban area with a population of around 128,500 (2021 Census). Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which it proposes to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts re-consulted upon. The statement must be then re-published.

The Council consulted upon this policy statement before finalising and publishing it. A list of the persons we consulted is provided below.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority represent the interests of persons carrying on gambling businesses in the authority’s area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005

List of persons this authority consulted:

- Cheshire Constabulary
- Halton Borough Council People Directorate
- Halton Borough Council Enterprise, Communities and Resources Directorate
- The Bingo Association
- Association of British Bookmakers
- British Amusement Catering Association
- Responsibility in Gambling Trust (U.K.)
- GamCare
- The general public through local advertisement and the Council’s website
- Reel Leisure

- Cashino Gaming Limited
- White Leisure Limited
- British Beer & Pub Association
- William Hill Bookmakers
- Betfred Bookmakers
- Coral Bookmakers
- David Pluck Bookmakers
- Boylesports Bookmakers
- Club 2000 Bingo
- Buzz Bingo

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and will depend to a large extent on the type of gambling that is proposed for the premises according to the statutory requirements of the Gambling Act 2005. The Council shall aim to permit the use of premises for gambling as set out in section 153 of the Gambling Act 2005.

3. Declaration

In producing this licensing policy statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

4. Competent authority for protection of children from harm

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area;
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

The Council designates the Halton Borough Council People Directorate for this purpose.

The contact details of all the Responsible Bodies under the Gambling Act 2005 are available from Legal Services Licensing Section.

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorities activities,
- b) has business interests that might be affected by the authorised activities, or

c) represents persons who satisfy paragraph (a) or (b)”

The licensing authority is required to state the principles it will apply in exercising its powers under section 158 of the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission’s Guidance to local authorities. Note that decisions on Premises Licences must be “in accordance” with Gambling Commission Guidance.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents’ and tenants’ associations. This authority will not however generally view these bodies as interested parties unless they have a member who can be classed as one under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as Councillors and MP’s. Other than these persons, this authority will require written evidence that a person ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorities activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department. Contact details are set out in Part D below.

6. Exchange of Information

Licensing authorities are required to include in their policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that relevant data protection legislation will not be contravened. The licensing authority will also have regard to Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Issues of confidentiality will be assessed on a case by case basis since the interests of data subjects must be balanced against the public interest. The fundamental principle which the licensing authority must adhere to is that it must act in the public interest. Data subjects can access information via the licensing authority’s contact details set out below.

7. Inspection and criminal proceedings

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and as per the Gambling Commission's Guidance for local authorities, it will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects

This licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority will also, as recommended by the Gambling Commission's Guidance for local authorities, adopt a risk-based inspection programme.

The licensing authority's Community Safety Team carries out inspections – often jointly with Gambling Commission enforcement staff.

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission. This authority also understands that the Gambling Commission will be responsible for compliance as regards unlicensed premises.

This licensing authority will promote efficient and effective regulatory approaches which improve outcomes without imposing unnecessary burdens on business.

8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines

- Grant *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences.

Section 17 Crime and Disorder Act 1998 obligation

Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its administrative area. It is mindful of national concerns that licensed premises can be used for criminal activity such as drug dealing or money laundering. The Council shall work in partnership with licence holders, local businesses, responsible authorities and local communities to promote licensing objectives.

Equality and Diversity - obligations for non-discrimination under the Equality Act 2010

The Council is mindful of its obligations under the Equality Act 2010 and through policy and service delivery shall look to eliminate unlawful discrimination, promote equality of opportunity and promote good relations between diverse communities.

Roles of Gambling Commission (Personal and Operator Licences) and licensing authority (premises licence)

In order for a business to undertake activity covered by the Gambling Act 2005, they are required to hold a personal licence and operator licence (which are issued by the Gambling Commission) together with a premises licence which is issued by the Council in accordance with the licensing objectives.

At present, the Council has issued 22 premises licenses in total (consisting of 2 for Bingo, 15 Betting Shops and 5 Adult Gaming Centres).

Conditions of premises licence (mandatory/standard conditions)

The conditions placed on a premises licence shall consist of the mandatory and standard conditions unless other conditions are required to promote the licensing objectives.

Corporate Objectives

The adopted Halton Borough Council Corporate Plan 2024-29 includes three corporate objectives - Building a Strong Sustainable Local Economy, Supporting Children, Young People and Families and Tackling Inequality/helping those who are

most in need. These are relevant to the issue of gambling and the need to ensure that the process for issuing Premises Licences should be both efficient and effective.

PART B PREMISES LICENCES

1. General Principles

Premises Licences will be subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

Definition of "premises" - Premises is defined in the Act as "any place". It is for the licensing authority to decide whether different parts of a building can be properly regarded as being separate premises and as the Gambling Commission states in its Guidance for local authorities, it will always be a question of fact in the circumstances. The Gambling Commission does not however consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

This licensing authority takes particular note of the Gambling Commission's Guidance for local authorities which states that in considering applications for multiple licences for a building or those for a specific part of the building to be licensed, entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

This licensing authority will also take note of the Gambling Commission's Guidance to local authorities that: Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

Location - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated. It should be

noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.

Duplication with other regulatory regimes - This authority will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime – This licensing authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission in its Guidance for local authorities has stated that generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. This licensing authority also notes, however, that the Gambling Commission states in relating to the licensing tracks the licensing authorities' role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. This licensing authority understands that there may be further guidance from the Gambling Commission on this issue which it will have regard to, when available.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission Guidance to local authorities states that the objective talks of protecting children from being "harmed or exploited by gambling, but in practice that often means preventing them from taking part in or being in close proximity to gambling.

This licensing authority will pay particular attention to any Codes of Practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos. It is understood that a Code for casinos must:

- specify steps that the premises licence-holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino do not enter the gambling area;
- amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person ("the supervisor") who is responsible for compliance with the code of practice; and

- require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.

As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking to offer a definition but states that it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. This licensing authority will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

Conditions - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises: and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of control measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Security Industry Act and that door supervisors at casinos or bingo premises cannot be licensed by the Security Industry Authority. This licensing authority may therefore have specific requirements for door supervisors working at casinos or bingo premises.

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that

under 18 year olds do not have access to the premises. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

The Council did not make an application for new casinos under the Gaming Act 1968 (prior to the deadline of 26th April 2006). Consequently 'Section 4. Casinos' is not directly relevant to this Statement but is included for the sake of completeness.

No Casinos resolution - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do

so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

Casinos and competitive bidding - This licensing authority is aware that where a licensing authority area is enabled to grant a Premises Licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. This licensing authority will run such a competition in line with any regulations issued under the Gambling Act 2005 by the Secretary of State.

Betting machines - This licensing authority is aware that, as explained in the Gambling Commission's Guidance for local authorities: Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons.

Credit - This licensing authority has noted that the Gambling Commission has stated in its Guidance for Local Authorities that section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept debit cards and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, not make any payment in connection with the machines. Guidance on the further conditions that may apply in relation to such machines will be included in the next version of this guidance

5. Bingo premises

This licensing authority will follow the guidance issued by the Gambling Commission relating to bingo. There will be a focus on the protection of children and young persons, use of gaming machines and appropriate conditions.

6. Betting premises

Betting machines - It is noted that the Gambling Commission's Guidance for local authorities states: "Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable persons."

Credit - It has also been noted that the Gambling Commission Guidance states: section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept debit cards and the arrangement

is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines. It is also understood that the Gambling Commission will be placing restrictions and requirements on Operating Licences for betting premises as regards credit and this licensing authority will consider the guidance when it is available.

7. Tracks

This licensing authority is aware that the Gambling Commission may provide further specific guidance as regards tracks. We have taken note of the Guidance from the Gambling Commission which highlights that tracks are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operator licence as there may be several premises licence holders at the track which will need to hold their own operator licences.

There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

Appropriate licence conditions may be:

- Proof of age schemes
- CCTV
- Door supervisors
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- The location of gaming machines

This list is not exhaustive.

As regards the protection of vulnerable persons, this licensing authority will consider measures such as the use of self-barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare.

Betting machines - Licensing authorities have a power under the Gambling Act 2005, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Gambling Commission's Guidance will be noted in that it states: In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track

operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

This licensing authority also notes that, in the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Condition on rules being displayed - The Gambling Commission has advised in its Guidance for local authorities that licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

8. Travelling Fairs

It will fall to this licensing authority to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

This licensing authority notes the Guidance for the Gambling Commission which states that it is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence and that requiring the building to be complete ensures that the authority could, if necessary, inspect it fully.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which is in the authority's opinion reflect a change in the operator's circumstances.

This authority has noted the Gambling Commission's Guidance on not taking into account irrelevant matter: one example of an irrelevant matter would be the likelihood of the applicant obtaining planning or building regulations approval for the proposal.

10. Reviews:

Requests for a review of a premises licence can be made by interested parties or responsible authorities, however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause this authority to wish alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy;

The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

PART C Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits – Schedule 10 para 7)

Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance for local authorities also states: In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits....., licensing authorities will want to give weight to child protection issues. Further guidance on the information that should be obtained from the applicant and others will be provided in the next version of this guidance.

The Guidance also states: An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application. Relevant considerations to take into account would include the applicant's suitability, such as any convictions that they may have that would make them unsuitable to operate a family entertainment centre; and the suitability of the premises in relation to their location and issues about disorder.

It should be noted that a licensing authority cannot attach conditions to this type of permit and that the statement of principles only applies to initial applications and not to renewals.

Statement of Principles: This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include DBS checks for staff, training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

With regard to renewals of these permits, a licensing authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

2. (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1))

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in site of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons this applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Entertainment Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

The Gambling Act 2005 states that a Licensing Authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

This licensing authority has not prepared a statement of principles. Should it decide to do so it will include details in a revised version of the policy statement.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

Gambling Commission Guidance for local authorities states: Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.

The Guidance also makes it clear that before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members’ club and may grant the permit if the majority of members are over 18.

This Licensing Authority is aware that: Licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

It should be noted that there is a 'fast-track' procedure available for premises which hold a Club Premises Certificate under the Licensing Act 2003. As the Gambling Commission's Guidance for local authorities states: Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced and that the grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

5. Temporary Use Notices

There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the licensing authority to decide what constitutes a 'set of premises' where Temporary Use Notices are received relating to the same building / site.

6. Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

Part D

Contact Details

Please contact the licensing authority via the following email address and telephone number: Email - legalservices@halton.gov.uk; Tel: 0151 511 8066

APPENDIX C

Section 17 Crime and Disorder Act 1998 obligation

Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its administrative area. It is mindful of national concerns that licensed premises can be used for criminal activity such as drug dealing or money laundering. The Council shall work in partnership with licence holders, local businesses, responsible authorities and local communities to promote licensing objectives.

Equality and Diversity - obligations for non-discrimination under the Equality Act 2010

The Council is mindful of its obligations under the Equality Act 2010 and through policy and service delivery shall look to eliminate unlawful discrimination, promote equality of opportunity and promote good relations between diverse communities.

Roles of Gambling Commission (Personal and Operator Licences) and licensing authority (premises licence)

In order for a business to undertake activity covered by the Gambling Act 2005, they are required to hold a personal licence and operator licence (which are issued by the Gambling Commission) together with a premises licence which is issued by the Council in accordance with the licensing objectives.

At present, the Council has issued 22 premises licenses in total (consisting of 2 for Bingo, 15 Betting Shops and 5 Adult Gaming Centres).

Conditions of premises licence (mandatory/standard conditions)

The conditions placed on a premises licence shall consist of the mandatory and standard conditions unless other conditions are required to promote the licensing objectives.

Corporate Objectives

The adopted Halton Borough Council Corporate Plan 2024-29 includes three corporate objectives - Building a Strong Sustainable Local Economy, Supporting Children, Young People and Families and Tackling Inequality/helping those who are most in need. These are relevant to the issue of gambling and the need to ensure that the process for issuing Premises Licences should be both efficient and effective.

REPORT:	Regulatory Committee
DATE:	9 October 2024
REPORTING OFFICER:	Director – Legal and Democratic Services
PORTFOLIO:	Resources
SUBJECT:	Taxi Enforcement Policy
WARDS:	Borough-wide

1. PURPOSE OF REPORT

- 1.1. To accept the powers delegated from the City of Wolverhampton Council to Halton Borough Council under Section 101 of the Local Government Act 1972.
- 1.2. **RECOMMENDATION: that the Committee approve the proposed formal arrangement between the City of Wolverhampton Council and Halton Borough Council in relation to officer authorisation concerning Taxi and Private Hire licensing functions and accept the powers delegated by the City of Wolverhampton Council under section 101 Local Government Act 1972.**

2. BACKGROUND

- 2.1. Since the introduction of the Deregulation Act 2015, Private Hire Operators have been allowed to subcontract bookings to any other Private Hire Operator. This has resulted in an increase of vehicles completing bookings in one local authority area although the driver and vehicle are licensed in a different local authority area.
- 2.2. The City of Wolverhampton have recently piloted a scheme with Milton Keynes for a period of 6 months. This scheme has been successful and has now been offered to other Local Authorities one of them being Halton Borough Council.
- 2.3. Section 5.3 of the Department for Transport's 'Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England' states, "Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of compliance and enforcement powers regardless of which authority within the agreement employs the officer and which issued the licence. This will mitigate the opportunities for licensees to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed

by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the LGA Councillors' handbook."

- 2.4. A copy of the report which will be presented to the City of Wolverhampton Council Regulatory Committee on the 25 September 2024 is attached at **Appendix A** of this report.
- 2.5. In the event this report is approved, a letter of acceptance will be given to the City of Wolverhampton Council's Compliance Service Lead accepting the powers that are proposed to be delegated, enabling officers at Halton BC to enforce licensing requirements for vehicles carrying a plate licensed with Wolverhampton City Council. Wolverhampton CC would provide a letter of authority to the Taxi Enforcement Officer at Halton BC and all licence holders shall be made aware.
- 2.6. All licence holders in Halton will be made aware of the joint authorisation.

3. POLICY IMPLICATIONS

None

4. OTHER IMPLICATIONS

- 5.1 There are no other implications arising out of this report.

5. IMPLICATIONS FOR THE COUNCILS PRIORITIES

5.1. Improving Health, Promoting Wellbeing and Supporting Greater Independence

None

5.2. Building a Strong, Sustainable Local Economy

None

5.3. Supporting Children, Young People and Families

None

5.4. Tackling Inequality and Helping Those Who Are Most In Need

None

5.5. Working Towards a Greener Future

None

6.6 Valuing and Appreciating Halton and Our Community

None

6. RISK ANALYSIS

6.1. None identified.

7. EQUALITY AND DIVERSITY ISSUES

7.1. There are no equality and diversity issues to highlight.

8. CLIMATE CHANGE IMPLICATIONS

8.1. There are no climate change implications since the decision will have no effect on the environment.

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

None.

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h1>Regulatory Committee</h1> <p>25 September 2024</p>
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Report title	Joint Authorisation of Taxi Compliance Officers	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Licensing	
Accountable employee	Glen Moseley	Service Lead - Compliance
	Tel	01902 550711
	Email	Glen.Moseley@wolverhampton.gov.uk
Report has been considered by	Resident Services Leadership Team	20 August 2024
	Strategic Executive Board	27 August 2024

Recommendation for decision:

The Regulatory Committee is recommended to:

1. Approve the delegation of authority to Milton Keynes City Council.
2. Approve the delegation of authority to Rotherham Metropolitan Borough Council.
3. Approve the delegation of authority to South Derbyshire District Council.
4. Approve the delegation of authority to Halton Borough Council.
5. Approve the delegation of authority to Knowsley Metropolitan Borough Council.

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

1.0 Purpose

- 1.1 To seek approval from the Committee for authorisation of officers to other licensing authorities to undertake compliance functions under Section 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended.

2.0 Background

- 2.1 On 6 March 2024 the Regulatory Committee authorised the enforcement team lead of Milton Keynes City council to undertake some compliance functions in relation to private hire vehicles.
- 2.2 Section 5.3 of the Department for Transport's 'Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England' states,

"Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of compliance and enforcement powers regardless of which authority within the agreement employs the officer and which issued the licence. This will mitigate the opportunities for licensees to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the LGA Councillors' handbook."

3.0 Milton Keynes Pilot

- 3.1 As of 4 September 2024, there are 171 private hire drivers and 105 private hire vehicles proprietors licensed by City of Wolverhampton Council who live in Milton Keynes.
- 3.2 Milton Keynes City Council were granted a 6 month authorisation of their officers, to allow for immediate suspensions of a vehicle licence. For example, where a vehicle is found to have tyre tread below the legal limit of 1.6mm.
- 3.3 The Regulatory Committee agreed that a report on the pilot scheme would be presented to the September committee, the results of the enforcement undertaken by Milton Keynes City Council are as follows – A total of 846 roadside checks on vehicles were conducted, of those 91 were Wolverhampton licensed vehicles and using the delegated from the pilot 2 vehicles were suspended.
- 3.4 It is proposed that this authorisation is extended indefinitely and to the following positions:
 - A. Enforcement Team Lead
 - B. Taxi Licensing Lead

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C. Senior Enforcement Officer

D. Taxi Licensing Enforcement Officer

- 3.5 This authorisation maybe revoked at any time in writing by the council.
- 3.6 The authorisation would be for powers under Sections 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended. Section 68 relates to the fitness of a vehicle and section 73 relates to obstructing officers investigating offences under the Act.
- 3.7 It is proposed that City of Wolverhampton Council's Section Leader - Compliance receive an authorisation for the same powers from Milton Keynes City Council.
- 3.8 A letter of authorisation for each named officer will be provided and this can be shown to licensees. Copies of the licence conditions and relevant policies will be exchanged, as well as information on reporting enforcement action.
- 3.9 All licensees in Milton Keynes will be written to, advising of the joint authorisation.

4.0 Joint Authorisation with other licensing authorities

- 4.1 Following the positive publicity that the joint authorisation with Milton Keynes City Council received, several other Councils have contacted Wolverhampton for joint authorisation.
- 4.2 The authorisation would be for powers under Sections 68 and 73 of the Local Government (Miscellaneous Provisions) Act 1976, as amended. Section 68 relates to the fitness of a vehicle and section 73 relates to obstructing officers investigating offences under the Act.
- 4.3 It is proposed that this authorisation is granted to:
- 4.4 Halton Borough Council
- A. Taxi Enforcement Officer
- 4.5 Knowsley Metropolitan Borough Council
- A. Consumer Protection Manager
- B. Senior Licensing Enforcement Officer
- C. Licensing Enforcement Officer
- 4.6 Rotherham Metropolitan Borough Council
- A. Licensing Manager
- B. Principal Licensing Officer
- C. Licensing Enforcement Officer

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4.7 South Derbyshire District Council

A. Senior Licensing Officer

4.8 This authorisation maybe revoked at any time in writing by the council.

4.9 It is proposed that City of Wolverhampton Council's Compliance Service Lead receive an authorisation for the same powers to the respective Councils.

4.10 A letter of authorisation for each named officer will be provided and this can be shown to licensees. Copies of the licence conditions and relevant policies will be exchanged, as well as information on reporting enforcement action.

4.11 All licensees in Halton, Knowsley, Rotherham and South Derbyshire will be written to, advising of the joint authorisation.

5.0 Financial implications

5.1 Production of the authorisation documents will be met through existing revenue budgets.

5.2 There are no proposals for recharge for officer time between the authorities.

[SB/19072024/M]

6.0 Legal implications

6.1 Section 101 (1) (b) of the Local Government Act 1972 permits councils to discharge functions on behalf of another authority.

[RS-31072024-3]

7.0 Equalities implications

7.1 There are no equalities implications.

8.0 All other Implications

8.1 There are no other direct implications contained within this proposal.

9.0 Schedule of background papers

9.1 Joint Authorisation of Taxi Compliance Officers – Regulatory Committee – 6 March 2024

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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