

**Meeting of: LICENSING COMMITTEE**

**Time:** 6.30pm **Date** 4<sup>th</sup> July 2023

**Venue:** Council Chamber, The Business Centre, Futures Park, Bacup, OL13 0BB



**Supported by:** Carolyn Sharples, Committee and Member Services Manager, 01706 252422, [carolynsharples@rossendalebc.gov.uk](mailto:carolynsharples@rossendalebc.gov.uk)

**The meeting will also be live streamed at the following link:**

<https://www.youtube.com/channel/UCrLsMDOP7AYxik5pNP0gTIA/streams>

ITEM		Lead Member/Contact Officer
<b>A.</b>	<b>BUSINESS MATTERS</b>	
<b>A1.</b>	<b>Apologies for Absence</b>	
<b>A2.</b>	To approve and sign as a correct record the minutes of the Licensing Committee held on 22 <sup>nd</sup> February 2022.	
<b>A3.</b>	To approve and sign as a correct record the Minutes of the Driver Sub-Committees as follows: a) 26 <sup>th</sup> May 2022 b) 22 <sup>nd</sup> September 2022 c) 15 <sup>th</sup> December 2022 d) 25 <sup>th</sup> May 2023	
<b>A4.</b>	<b>Declarations of Interest</b> <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary. Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.</i>	Clare Birtwistle, Legal Services Manager, 01706 252438, <a href="mailto:clarebirtwistle@rossendalebc.gov.uk">clarebirtwistle@rossendalebc.gov.uk</a>
<b>A5.</b>	<b>Urgent Items of Business</b> To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	

The agenda and reports are also available for inspection at the Council's One Stop Shop, The Business Centre, Futures Park, Bacup, OL13 0BB Other formats are available on request. Tel 01706 217777

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<b>B.</b>	<b>OPERATIONAL MATTERS</b>	
<b>B1.</b>	Proposed review of Hackney Carriage Fares	Phil Morton, Public Protection Manager, 01706 252442 <a href="mailto:philmorton@rossendalebc.gov.uk">philmorton@rossendalebc.gov.uk</a>
<b>B2.</b>	Minor amendments to Taxi Licensing Policy	Phil Morton, Public Protection Manager, 01706 252442 <a href="mailto:philmorton@rossendalebc.gov.uk">philmorton@rossendalebc.gov.uk</a>



**Rob Huntington**  
Chief Executive

**Date Published:** 26<sup>th</sup> June 2023

**MINUTES OF: LICENSING COMMITTEE**

**Date of Meeting: 22<sup>nd</sup> February 2022**

**Present: Councillor Gill (Chair)  
Councillors Stevens, S Barnes, Johnson, Rigby (Subbing for  
Cllr Steen), Woods, Haworth, Whitehead and Adshead.**

**In Attendance: Phil Morton, Public Protection Manager  
Clare Birtwistle, Head of Legal (Monitoring Officer)**

**Also Present: 1 member of the press joined remotely**

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## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

Apologies from Cllr Steen (Cllr Rigby subbing)

### **2. MINUTES OF COMMITTEES**

**Resolved:**

That the minutes of the Licensing Committee meeting held on the 19<sup>th</sup> October 2021 approved as a correct record.

### **3. MINUTES OF SUB-COMMITTEES**

**Resolved:**

That there were no minutes of the Driver Sub-Committee meetings to approve.

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **6. TAXI AND PRIVATE HIRE LICENCE FEES**

The Public Protection Manager introduced the report. To consider the report and, subject to the required consultation approve the revised fees. A second recommendation was put forward as follows:

That in the event of objections, it be delegated to PPU Manager and Chair of Licensing and Portfolio Holder to consider the objections and set a second date for the variation to come into force.

Discussion took place on the item as summarised below:

- Confirmation of not making a profit
- How does it compare to other local authorities
- Why do we not increase incrementally in line with inflation
- When and how do we review fees and surplus
- Impact on the increase on fees on drivers following Covid
- Subsidising the costs to the trade
- Charges for clean air zone/ congestion charge
- These are the costs of the service and we do have to deal with this

In response to questions raised, the Public Protection Manager advised that:

- Confirmed that any profit needs to be reflected in future years in the same way as we have done previously eg reduction of fees, subsidising CCTV systems
- The fees are not subject to local benchmarking as it is based on a cost analysis but some comparatives were given
- Cannot deal with increase by inflation
- Outlined details of our compliant fleet and impact on congestion charge
- Upper age limit on vehicles may see non-compliant vehicles drop off our fleet
- Reminded fee remission for electric and plug in cars and may look at self-charging hybrids

It was moved and seconded to defer this item until next year but this was not carried.

Members voted on approval to the revised fees subject to the required consultation and delegated matters as set out above in the event of objections being received.

<b>For</b>	<b>Against</b>	<b>Abstain</b>
6	3	0

**Resolved:**

That the Licensing Committee granted approval to the revised fees subject to the required consultation. That in the event of objections, it be delegated to PPU Manager and Chair of Licensing and Portfolio Holder to consider the objections and set a second date for the variation to come into force.

**The meeting commenced at 6.30pm and closed 7.05pm.**

CHAIR: \_\_\_\_\_

**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 26<sup>th</sup> May 2022**

**Present: Councillors Smith (Chair), Whitehead and Adshead**

**In Attendance: Yasmin Ahmed, Principal Legal Officer  
Sattar Hussain, Legal Officer  
Phil Morton, Public Protection Manager  
1 Driver**

## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **Resolved:**

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

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### **5. REPORT TO REVIEW THE HACKNEY CARRIAGE DRIVER'S LICENCE FOR GF (ITEM C1)**

The chair welcomed the driver to the sub-committee.

The Public Protection Officer outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the driver before the sub-committee.

The driver presented their case to the sub-committee.

The sub-committee members asked questions for clarification purposes only.

The driver and Public Protection Officer left the room to enable the sub-committee to come to a decision.

The driver and Public Protection Officer re-entered the room to enable the sub-committee to advise of their decision.

The following decision was read out by the Chair:

**Resolved:**

1. To suspend the licence until the driver passes a council approved driving test and provide written evidence of this to the licensing unit.
2. The driver would be informed of their right of appeal to the Magistrates' Court which must be exercised within 21 days of service of the decision letter upon them.
3. The driver would be informed of the reason for the council's decision in writing.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to Hackney Carriage Driver Licences and the Sub-Committee took into account all the relevant information put before them.

**The meeting concluded at 11.09am.**

CHAIRMAN

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**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 22<sup>nd</sup> September 2022**

**Present: Councillors Barnes (Chair) and Cllr Smith**

**In Attendance: Yasmin Ahmed, Principal Legal Officer  
Sattar Hussain, Legal Officer  
Phil Morton, Public Protection Manager  
1 Applicant and Representative**

## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

Apologies received from Cllr Whitehead.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **Resolved:**

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

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### **5. REPORT TO CONSIDER THE APPLICATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE FOR SN (ITEM C1)**

The chair welcomed the applicant to the sub-committee.

The Public Protection Officer outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the applicant before the sub-committee.

The applicant's representative presented their case to the sub-committee.

The sub-committee members asked questions for clarification purposes only.

The applicant, applicant representative and Public Protection Officer left the room to enable the sub-committee to come to a decision.

The applicant, applicant representative and Public Protection Officer re-entered the room to enable the sub-committee to advise of their decision.

The following decision was read out by the Chair:

**Resolved:**

That the hackney carriage driver's licence application be granted.

The applicant would be informed of the reason for the council's decision in writing.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to Hackney Carriage Driver Licences and the sub-committee took into account all the relevant information put before them.

**The meeting concluded at 10:45am.**

CHAIRMAN

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**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 15<sup>th</sup> December 2022**

**Present: Councillors M Smith (Chair), and Cllr Neal**

**In Attendance: Yasmin Ahmed, Principal Legal Officer  
Sattar Hussain, Legal Officer  
Phil Morton, Public Protection Manager  
Licence Holder**

## **BUSINESS MATTERS**

### **1. APOLOGIES FOR ABSENCE**

Cllr McInnes

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. URGENT ITEMS**

There were no urgent items of business.

### **4. EXCLUSION OF PUBLIC AND PRESS**

#### **Resolved:**

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

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### **5. REPORT TO CONSIDER THE REVIEW OF ALL VEHICLE LICENCES HELD BY UAA (ITEM C1)**

The chair welcomed the Licence Holder to the sub-committee.

The Public Protection Officer outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the Licence Holder before the sub-committee.

The Licence Holder presented their case to the sub-committee.

The sub-committee members asked questions for clarification purposes only.

The Licence Holder and Public Protection Officer left the room to enable the sub-committee to come to a decision.

The Licence Holder and Public Protection Officer re-entered the room to enable the sub-committee to advise of their decision.

The following decision was read out by the Chair:

**Resolved:**

That the vehicle licenses listed in the report be suspended until an Authorised Officer has conducted a vehicle inspection and is satisfied as to the fitness of the vehicles.

The Licence Holder would be informed of the reason for the council's decision in writing.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to Hackney Carriage Vehicle Licences/Private Hire Licences and the sub-committee took into account all the relevant information put before them.

**The meeting concluded at 10:40am.**

CHAIRMAN

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**MINUTES OF: LICENSING SUB-COMMITTEE (DRIVERS)**

**Date of Meeting: 25<sup>th</sup> May 2023**

**Present: Councillors Marriott (Chair), Gill and Morris**

**In Attendance: Sattar Hussain, Legal Officer  
Phil Morton, Public Protection Manager  
David Hodson, Public Protection Officer  
2 Licence Holders  
3 supporters/representatives**

## **BUSINESS MATTERS**

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. URGENT ITEMS**

There were no urgent items of business.

**4. EXCLUSION OF PUBLIC AND PRESS**

**Resolved:**

That the public and press be excluded from the following items of business under Section 100(A)(4) of the Local Government Act 1972 since they involved the disclosure of exempt information under Paragraph 1 of Schedule 12A of the Act.

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**5. REPORT TO CONSIDER THE REVIEW OF A HACKNEY CARRIAGE DRIVER'S LICENCE HELD BY KM (ITEM C1)**

The chair welcomed the Licence Holder their interpreter and friend to the sub-committee.

The Public Protection Officer outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the Licence Holder before the sub-committee.

The Licence Holder presented their case to the sub-committee.

The sub-committee members asked questions for clarification purposes only.

The Licence Holder, their interpreter, the Licence Holder's friend and Public Protection Officers left the room to enable the sub-committee to come to a decision.

The Licence Holder, their interpreter, Licence Holder's friend and Public Protection Officers re-entered the room to enable the sub-committee to advise their decision.

The following decision was read out by the Chair:

**Resolved:**

That the hackney carriage driver's licence be will be suspended for a period of 2 years from today's date and until you pass a Council approved driving test and provide written evidence of this to the Licensing Unit.

The Licence Holder would be informed of the reason for the Council's decision in writing.

**Reason for Decision**

The matter had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles, and the sub-committee took into account all the relevant information put before them.

**6. REPORTS TO CONSIDER THE REVIEW OF A PRIVATE HIRE OPERATOR'S LICENCE, AND TWO HACKNEY CARRIAGE VEHICLE LICENCES HELD BY UAA (ITEM C2)**

The chair welcomed the Licence Holder and their representative to the sub-committee.

The Public Protection Officer outlined to all persons present the relevant information, which applied to all confidential applications.

The Public Protection Officer presented the report and detailed the circumstances that had brought the Licence Holder before the sub-committee.

The Licence Holder presented their case to the sub-committee.

The sub-committee members asked questions for clarification purposes only.

The Licence Holder, their representative and Public Protection Officers left the room to enable the sub-committee to come to a decision.

The Licence Holder, their representative and Public Protection Officers re-entered the room to enable the sub-committee to advise of their decision.

The following decision was read out by the Chair:

**Resolved:**

1. That the private hire operator's licence be revoked.
2. That the hackney carriage licence be revoked.
3. The hackney carriage licence was not revoked as it already expired. It had not been renewed.

The Licence Holder would be informed of the reason for the Council's decision in writing.

**Reason for Decision**

The matters had been considered in accordance with the Council's approved procedure, the Council's Guidelines on Convictions, the conditions attached to the Policy for the Licensing of: Hackney Carriage Drivers and Vehicles, Private Hire Operators, Drivers and Vehicles, the conditions attached to the Enforcement Policy - Hackney Carriage Drivers and Vehicles, Private Hire Drivers, Operators and Vehicles and the sub-committee took into account all the relevant information put before them.

**The meeting concluded at 13:40**

**Chair:**

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**Date:**

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<b>Subject:</b>	Proposed review of Hackney Carriage Fares	<b>Status:</b>	For Publication
<b>Report to:</b>	Licensing Committee	<b>Date:</b>	4 <sup>th</sup> July 2023
<b>Report of:</b>	Public Protection Manager	<b>Lead Member:</b>	Planning, Licensing and Enforcement
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required: No	Attached: No	No
<b>Biodiversity Impact Assessment:</b>	Required: No	Attached: No	No
<b>Contact Officer:</b>	Phil Morton	<b>Telephone:</b>	01706 252442
<b>Email:</b>	philmorton@rossendalebc.gov.uk		

## 1. RECOMMENDATION(S)

- 1.1 That Members consider the report, consider the options and approve the proposed fares following the statutory advertising requirements and consideration of any subsequent objections.

## 2. EXECUTIVE SUMMARY

- Fares for Hackney Carriages were last reviewed in 2018
- Current fares are the lowest in Lancashire
- The effect of inflation has had a detrimental impact on levels of income
- Consultation across the hackney trade supports a rise in the fares.
- Agreed fare subject to required legislative requirements contained within Section 65 Local Government Miscellaneous Provisions Act 1976 (full details are set out in paragraph 7)

## 3. BACKGROUND

At a meeting of the Licensing Committee on 10<sup>th</sup> July 2018, it was agreed to commence a consultation exercise to review the existing Hackney Carriage Tariff.

As a result of the consultation the tariff was increased as outlined in **Appendix A**

A number of requests have been received from the trade requesting that the tariff is reviewed and amended to take into account the effects of inflation since the last rise.

Three options have been suggested which although all giving an overall price of a 2 mile journey of £6.50p, provide different considerations for journeys less than 1 mile in length.

Option 1 places a higher burden on those travelling the shortest distance, which in Rossendale is the most common journey type.

Option 2 places a higher burden on those travelling longer journeys.

Option 3 is the preferred option as it ensure that the proposed rise, although increasing the price overall, does not unfairly disadvantage any section of the travelling public.

All three options give an overall price for a 2 mile journey of £6.50

A comparison of fares set by other Lancashire Authorities is attached at **Appendix B**.

It should be noted that taking into consideration the effects of inflation the value of £5 in 2018 is now £6.55.

#### 4. DETAILS

	<b>Mileage – For the first 1609 metres or part thereof (1<sup>st</sup> mile)</b>	<b>For each subsequent 321.8 metres (or part thereof)</b>
<b>1</b>	£4.00	50p
<b>2</b>	£3.00	70p
<b>3</b>	£3.50	60p

All three options give an overall price for a 2 mile journey of £6.50

It is proposed to increase the incidental costs as outlined below.

##### **Waiting time**

For each period of one minute or uncompleted part thereof **40p**

##### **Extras**

For each article of luggage conveyed outside the passenger compartment of the carriage **20p**

For each person in excess of one conveyed (2-4 passengers) **10p**

For each person in excess of four conveyed (5-8 passengers) **50p**

#### 5. RISK

There are no specific risk issues for members to consider arising from this report.

#### 6. FINANCE

There are no financial implications outside current budgets

#### 7. LEGAL

Section 65 of the Local Government (Miscellaneous provisions) Act 1976 sets out the procedure for setting Hackney Carriage Fares.

Once the table of fares has been made with the option members have approved, it will be published in at least one locally circulating newspaper. There will be at least 14 days in which anyone can object to the fares.

A copy of the table of fares will be available to inspect at the Council offices.

If objections are received, these will be considered and a further date will be set on which the table of fares will come into force, with or without modifications. This date will be no later than 2 months after the first date specified in the original notice.

If no objections are received, the table of fares will take effect on the date originally specified.

#### 8. POLICY AND EQUALITIES IMPLICATIONS

The Councils Hackney Carriage and Private Hire Licensing Policy will be amended accordingly

## 9. REASON FOR DECISION

To ensure that a hackney fare which reflects the impact of inflation is set which does not disadvantage the trade or the travelling public.

Background Papers	
Document	Place of Inspection
Existing Tariff	Appendix A
Local Authority Comparison	Appendix B



**Table of fares for hackney carriages –  
distance and waiting time  
Effective from .....**



Fares detailed below are the **MAXIMUM** fares that may be charged

<b>Mileage</b>	
For the first 1609 metres or part thereof (1 <sup>st</sup> mile)	<b>£2.50</b>
For each subsequent 321.8 metres (or part thereof)	<b>50p</b>
<b>Waiting Time</b>	
For each period of one minute or uncompleted part thereof	<b>20p</b>
<b>Extra Charges</b>	
For hiring between midnight and 6:00am and on Sundays and Statutory Holidays (except Christmas Eve, Christmas Day, New Year’s Eve and New Year’s Day)	<b>+ 50%</b>
For hiring after 6:00pm on Christmas Eve; on Christmas Day and after 6:00pm on New Year’s Eve and on New Year’s Day	<b>+ 100%</b>
For each article of luggage conveyed outside the passenger compartment of the carriage	<b>10p</b>
For each person in excess of one conveyed	<b>10p</b>
For the soiling of the vehicle so as to necessitate valet	<b>£50.00</b>

Up-front payments – drivers may ask you to pay an estimated fare/deposit up-front. If you do not agree, you may be refused travel.

All fares should be charged at meter fare UNLESS the destination falls outside the Borough of Rossendale. If the destination falls outside the above area, the fare should be negotiated with the driver before commencement of the journey.

**FOR COMPLAINTS & COMPLIMENTS, PLEASE CONTACT:** The Licensing Unit, Rossendale Borough Council, Futures Park, Bacup, Rossendale, Lancashire. OL13 0BB. Email: [licensing@rossendalebc.gov.uk](mailto:licensing@rossendalebc.gov.uk).

Hackney carriage licence no: .....

For further information visit our website at [www.rossendale.gov.uk/taxi](http://www.rossendale.gov.uk/taxi)

**Table of fares for hackney carriages –  
distance and waiting time  
Effective from.....**



Fares detailed below are the **MAXIMUM** fares that may be charged

<b>Mileage</b>	
For the first 1609 metres or part thereof (1 <sup>st</sup> mile)	<b>£2.50</b>
For each subsequent 321.8 metres (or part thereof)	<b>50p</b>
<b>Waiting Time</b>	
For each period of one minute or uncompleted part thereof	<b>20p</b>
<b>Extra Charges</b>	
For hiring between midnight and 6:00am and on Sundays and Statutory Holidays (except Christmas Eve, Christmas Day, New Year’s Eve and New Year’s Day)	<b>+ 50%</b>
For hiring after 6:00pm on Christmas Eve; on Christmas Day and after 6:00pm on New Year’s Eve and on New Year’s Day	<b>+ 100%</b>
For each article of luggage conveyed outside the passenger compartment of the carriage	<b>10p</b>
For each person in excess of one conveyed	<b>10p</b>
For the soiling of the vehicle so as to necessitate valet	<b>£50.00</b>

Up-front payments – drivers may ask you to pay an estimated fare/deposit up-front. If you do not agree, you may be refused travel.

All fares should be charged at meter fare UNLESS the destination falls outside the Borough of Rossendale. If the destination falls outside the above area, the fare should be negotiated with the driver before commencement of the journey.

**FOR COMPLAINTS & COMPLIMENTS, PLEASE CONTACT:** The Licensing Unit, Rossendale Borough Council, Futures Park, Bacup, Rossendale, Lancashire, OL13 0BB. Email: [licensing@rossendalebc.gov.uk](mailto:licensing@rossendalebc.gov.uk).

Hackney carriage licence no: .....

For further information visit our website at [www.rossendale.gov.uk/taxi](http://www.rossendale.gov.uk/taxi)

## HACKNEY FARE COMPARISON

Borough	2-mile fare	reviewed
Pendle	£4.40	2008
Rossendale	£5.00	2018
Burnley	£5.00	2022
West Lancashire	£ 5.20	2022
Blackpool	£6.00	2023
Chorley	£6.20	2022
South Ribble	£6.30	2022
Wyre	£6.38	2022
Hyndburn	£6.42	2022
Lancaster	£6.60	2023
Fylde	£6.70	2022
Blackburn	£6.80	2022

<b>Subject:</b>	Minor amendments to Taxi Licensing Policy	<b>Status:</b>	For Publication	
<b>Report to:</b>	Licensing Committee	<b>Date:</b>	4 <sup>th</sup> July 2023	
<b>Report of:</b>	Public Protection Manager	<b>Lead Member:</b>	Planning, Licensing and Enforcement	
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>	
<b>Equality Impact Assessment:</b>	Required:	No	Attached:	No
<b>Biodiversity Impact Assessment:</b>	Required:	No	Attached:	No
<b>Contact Officer:</b>	Phil Morton	<b>Telephone:</b>	01706 252442	
<b>Email:</b>	philmorton@rossendalebc.gov.uk			

## 1. RECOMMENDATION(S)

1.1 To approve the amendments to the Taxi Licensing Policy.

## 2. EXECUTIVE SUMMARY

- MoT testing stations at present are limited to 3 stations
- Shortage of qualified testers are impacting on service delivery
- Using any registered MoT station will alleviate the pressure
- “Rossendale Test” carried out by licensing officers will ensure consistent standard
- Amendment to lower age limit will still ensure that the most current Euro standard is maintained
- Delegate future minor amendments of the Policy to officers

## 3. BACKGROUND

The councils Taxi and Private Hire Licensing Policy was adopted in 2017. Since that time, minor amendments have taken place to reflect the most current standards. The two proposed changes would still ensure that the quality of our licensed vehicles was at the highest level, whilst addressing some concerns both of the trade and the Licensing Authority.

## 4. DETAILS

### MOT's

- 4.1 Currently the Taxi Licensing Policy limits the number of approved MOT stations to three garages. Historically, these have carried out both the vehicles MOT test and the additional “Rossendale test” which ensures that the cleanliness, bodywork appearance and other non-mechanical matters are addressed.
- 4.2. Since Covid, all three establishments have found it increasingly difficult to recruit and retain qualified MOT testers, and consequently have been cancelling increasing numbers of taxi and private hire vehicle tests.
- 4.3. In order to alleviate this issue, it is proposed that all suitably authorised MOT test stations in Rossendale become authorised garages.
- 4.4. In addition, it is proposed that licensing officers at Futures Park carry out the “Rossendale Test” when the proprietor attends to collect their licence plates.

4.5 This will ensure that the standard of this inspection is carried out to a consistent standard, and will allow officers an opportunity to examine the internal CCTV system to ensure that this is functioning correctly.

## **AGE LIMITS**

4.6. The existing licensing policy states at paragraph 4.5 (p17):

*'Applications for a new vehicle licence will only normally be accepted in respect of vehicles that are less than 5 years of age from the date of first registration or are less than 7 years of age where an approved conversion kit has been installed on the vehicle reducing its emissions to within the current Euro standard as amended from time to time'.*

4.7. Presently, the current standard is Euro 6, which was introduced in 2014.

4.8. This means that all vehicles first registered after that date are fully compliant with the current Euro standard, and are therefore eligible to be licensed without an approved conversion kit being fitted.

4.9. It is anticipated that Euro 7 will not be introduced before 2025 at the earliest.

4.10 It is proposed that the age policy is amended to allow vehicles to be first licensed up to the age of 7 years, as long as they are Euro 6 compliant.

4.11 However following the introduction of Euro 7, this again would be subject to an approved conversion kit having been installed, reducing the emissions to within Euro 7 standards. Otherwise, the age limit would remain at 5 years of age.

4.12 It is therefore proposed that the licensing policy be amended to read:

*'Applications for a new vehicle licence will only normally be accepted in respect of vehicles that are less than 5 years of age from the date of first registration or are less than 7 years of age and meets the current Euro standard or has an approved conversion kit installed on the vehicle reducing its emissions to within the current Euro standard as amended from time to time'.*

4.13 Members are asked to consider delegating future minor amendments of the Policy to the Public Protection Manager in consultation with the Chair of the Licensing Committee. Major changes which materially change the policy and which cannot be considered minor would as per standard procedure, return to the Licensing Committee for consideration.

## **5. RISK**

There are no specific risk issues for members to consider arising from this report.

## **6. FINANCE**

There are no financial implications outside of current budgets

## **7. LEGAL**

All legal matters are covered in the body of the report

## **8. POLICY AND EQUALITIES IMPLICATIONS**

The Taxi and Private Hire Licensing Policy will be amended to reflect these changes.

## 9. REASON FOR DECISION

The current policy does not take into account that all vehicles currently on the fleet are compliant with the most recent Euro standards. It is therefore important that this is recognised and to remove any ambiguity.

Background Papers	
Document	Place of Inspection
Taxi and Private Hire Licensing Policy	On line - <a href="#">Click here to view the taxi policy</a>
Summary of Changes	Attached

**Policy for the Licensing of:  
Hackney Carriage Drivers and Vehicles  
Private Hire Operators, Drivers and  
Vehicles**

Date of Issue: March 2017

**SUMMARY OF  
PROPOSED CHANGES**

## 1.4 Changes to Policies, Procedures and other matters

A paragraph is added here to allow the delegation of minor amendments to the Public Protection Manager in consultation with the Chair of the Licensing Committee.

### Current:

Significant changes to this Policy, internal procedures and other matters will be reasonably consulted upon and communicated via the Council's website, Social Media pages and the Council's official One Stop Shop.

### Change:

Significant changes to this Policy, internal procedures and other matters will be reasonably consulted upon and communicated via the Council's website, Social Media pages and the Council's official One Stop Shop.

Minor amendments to this Policy is delegated to the Public Protection Manager in consultation with the Chair of the Licensing Committee.

## 4.13 Vehicle Suspensions

This section refers to the MOT and Rossendale Test being undertaken by an authorised garage. The changes reflect that the MOT will be done by an authorised garage and the Rossendale Test will be done by Council officers.

### Current:

If the vehicle suspended under the Local Government (Miscellaneous Provisions) Act 1976 section 68 has been subject to an MOT and Rossendale Test undertaken by an authorised garage, the lifting of the suspension will become an administrative process. Where relevant, the Council reserves the right to conduct a vehicle inspection before lifting the suspension.

### Change:

If the vehicle suspended under the Local Government (Miscellaneous Provisions) Act 1976 section 68 has been subject to an MOT undertaken by an authorised garage and a satisfactory Rossendale Test by an Authorised Officer, the lifting of the suspension will become an administrative process. Where relevant, the Council reserves the right to conduct a vehicle inspection before lifting the suspension.

## 4.15 Rossendale Vehicle Test

This section refers to the MOT and Rossendale Test being undertaken by an authorised garage. The changes reflect that the MOT will be done by an authorised garage and the Rossendale Test will be done by Council officers.

### Current:

The 'Rossendale Test' element of the vehicle check will be conducted at the same time as the MOT at a Council authorised testing centre within the one calendar month preceding the licensing application and at the 4-month test.

The vehicle may be subject to further inspection(s) by Authorised Officers during the duration of the licence

### Change:

The 'Rossendale Test' element of the vehicle check will be conducted by an Authorised Officer within the one calendar month preceding the licensing application and at the 4-month test.

The vehicle may be subject to further inspection(s) by Authorised Officers during the duration of the licence

## Appendix L

### Documents to be submitted when making an application for a new or renewal vehicle licence

This section refers to the MOT and Rossendale Test being undertaken by an authorised garage and submitted with a new or renewal application. The changes reflect that the MOT will be done by an authorised garage and the Rossendale Test will be done by Council officers.

#### Current:

- the correct fee;
- An original certificate of insurance for the vehicle, valid on the day the licence is collected, insuring it for the purpose of its use as a hackney carriage vehicle or private hire vehicle as appropriate ; certificates of insurance emailed direct from the insurance company will be accepted;
- The original Vehicle Registration Document showing the current owners name and address or the new keeper supplement; (document must be in person name, sole trader, partnership or limited company);
- An MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application; on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence;
- A 'Rossendale Test' pass certificate from the same MOT testing station the MOT certificate was issued from confirming that the vehicle conforms to the standards set by the Council dated within the month preceding the application; on renewal applications, this certificate shall be no older than two months
- prior to the expiry of the vehicle licence; and
- If applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed.
- If the applicant is not a holder of a current Rossendale drivers licence or a Rossendale Private Hire Operators licence the application must include a valid basic disclosure (issued within 1 month of the application being submitted) and a completed statutory declaration

#### Change:

- the correct fee;
- An original certificate of insurance for the vehicle, valid on the day the licence is collected, insuring it for the purpose of its use as a hackney carriage vehicle or private hire vehicle as appropriate ; certificates of insurance emailed direct from the insurance company will be accepted;
- The original Vehicle Registration Document showing the current owners name and address or the new keeper supplement; (document must be in person name, sole trader, partnership or limited company);
- An MOT certificate issued during a mechanical vehicle inspection at a Council nominated testing station dated within the month preceding the application; on renewal applications, this certificate shall be no older than two months prior to the expiry of the vehicle licence;
- A 'Rossendale Test' pass certificate issued by an Authorised Officer confirming that the vehicle conforms to the standards set by the Council dated within the month preceding the application; on renewal applications, this certificate shall be no older than two months
- prior to the expiry of the vehicle licence; and
- If applicable, a letter from the registered keeper of the vehicle to the applicant, stating that they have given their permission for the vehicle to be licensed.
- If the applicant is not a holder of a current Rossendale drivers licence or a Rossendale Private Hire Operators licence the application must include a valid basic disclosure (issued within 1 month of the application being submitted) and a completed statutory declaration