

Subject:	Revised Taxi Licensing Policies	Status:	For Publication
Report to:	Licensing Committee	Date:	27 th September 2017
Report of:	Licensing Manager	Portfolio Holder:	Regulatory Services
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That Committee Members consider the proposed amendments to the Taxi and Private Hire Licensing Policy and determine adoption of the revised conditions

2. PURPOSE OF REPORT

2.1 To provide Committee with revised conditions in relation to tinted windows in licensed vehicles and the maximum entry age and emissions standards of licensed vehicles.

To request the Committee consider the proposed amendments to the Policy.

3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
- **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
- **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

4. RISK ASSESSMENT IMPLICATIONS

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

The Council's Taxi Licensing policy ensures that the relevant safeguards are in place to enable Rossendale Council to fulfill its licensing function having regard to public safety in its widest sense. The Council needs to ensure that its policy is up to date and robust to ensure that it has a defensible position in the event of legal challenge.

5. BACKGROUND AND OPTIONS

5.1 At the Licensing Committee meeting on 25th January 2016, the following condition in relation to tinted windows in vehicles was adopted;

Vehicle Windows

All vehicle windows shall be transparent or if tinted, the front windscreen, front passenger window and driver's window must let at least 75% of light through and all other windows must let at least 70% of light through to the satisfaction of the Authorised Officer. The Council will not licence a vehicle to which a laminating film has been applied.

Although this condition was adopted in January 2016, the requirement for vehicles to comply was never strictly enforced and discussions with the taxi trade have taken place on a number of occasions since January 2016, concerning the cost of replacing factory fitted tinted windows with ones that comply with the requirements.

The original decision to adopt this element of the policy was based on the need to promote public safety, and with the absence of other means of monitoring activities within the vehicle, it was considered necessary to ensure that windows which restrict the view both into and from the car were not allowed.

5.2 In November 2016, Licensing Committee adopted an updated Taxi and Private Hire Licensing Policy which, as part of the conditions included the mandatory requirement to install CCTV in all licensed vehicles.

The fitting of these systems is scheduled to commence in January 2018.

5.3 In light of the adoption of mandatory CCTV, the need to maintain the policy on tinted windows is not now seen as being crucial in ensuring the safety of both driver and passengers. The continuous monitoring and recording of activities inside the vehicle will provide a far greater level of protection for those who work in and use hackney carriage and private hire vehicles.

5.4 It is therefore recommended that that condition in relation to tinted windows is changed from its present wording to the following;

Tinted windows will be allowed so long as they are manufacturers' specification, not after market and are not self-adhesive films.

5.5 **Age of vehicles**

At the Licensing Committee Meeting in November 2016, the following condition in relation to vehicle ages was adopted;

Completed 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.

This was a change from the previous maximum age of entry of less than 7 years from the date of first registration.

5.6 With the Government's emphasise on emissions and air quality, and the advance in technology to allow some older vehicles to have engine conversions which effectively bring

the emissions down below those set by the current Euro 6 standard, it is proposed that an amendment be made to incorporate a condition which address the concerns of both the age of the vehicle and its emissions.

This would be to allow a vehicle to enter the fleet up to its 7th anniversary of first registration, as long as it had been fitted with an approved conversion kit, reducing its emissions to within those set by Euro 6 standards (or the most current standards in force at the time).

In the absence of such a conversion, the maximum age for first entry would remain at less than 5 from date of first registration.

The maximum age of vehicles to remain as licensed hackney carriages and private hire would remain unchanged at 10 years.

All vehicles would still remain subject to twice yearly MOT and Rossendale Test inspections to ensure that they remain fit to be licensed by Rossendale Borough Council.

The proposed new wording of the policy shall be:

Completed 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.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no material financial implications arising from the proposed amendments.

7. MONITORING OFFICER

7.1 All legal implications are covered within the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 Consultation in relation to both proposed amendments was carried out as part of the process in August 2016, prior to the adoption of the current policies. Officers have continued to work with the trade and other licensing stakeholders as part of best practice and joint working.

9. CONCLUSION

9.1 The amendments to the above conditions would not impact on public safety, or the overall standard of vehicles licensed by Rossendale Borough Council.

Background Papers

Document	Place of Inspection
Taxi and Private Hire Licensing Policy	Licensing Unit and https://www.rossendale.gov.uk/downloads/file/14006/taxi_policy