

Licensing Committee

Taxi Licensing Policy Update

Report of Executive Member for Neighbourhoods

Officer contact: John Garforth – Trading Standards & Licensing Manager

11th January 2022

Executive Summary

This report requests that Members approve an amendment to the Council's taxi licensing policy in light of discussions on transitioning.

Recommendations

That Members:

- 1) Note the report; and
- 2) Approve the policy amendment as outlined in the report.

Taxi Licensing Policy Update

1. Purpose of the report

- 1.1 The purpose of this report is to request that Members approve two amendments to the Council's Taxi Licensing Policy.

2. Introduction

- 2.1 The Council in its capacity as licensing authority is responsible for the licensing of private hire and hackney carriage drivers and vehicles and private hire operators.

- 2.2 On the 30th November 2021 Members approved a major overhaul of Oldham's taxi and private hire licensing policy as part of the Greater Manchester Minimum Licensing Standards programme. This includes transitioning hackney carriages to be wheelchair accessible, revised age and emissions policies amongst other things.

3. Proposed Amendments

- 3.1 Since the last committee meeting Officers and lead Members have received feedback from trade representatives on the impact of the policy changes.

- 3.2 Following discussion it was agreed to place some of the feedback back before Members to ask them to amend some of the transitional arrangements as follows:

- For existing licensed vehicles that have been previously written off in any category to continue to be licensed until they attain their maximum age under the licensing policy.
- That existing saloon hackney carriages, when they reach their maximum licensing age of 12, or are being changed due to an accident, may be replaced with another saloon vehicle which must be emissions compliant. That vehicle, and any subsequent replacement, may be licensed up until the 31st December 2029 at which point it must be replaced with a wheelchair accessible, emissions compliant, purpose built hackney carriage. It should be noted that any existing wheelchair accessible vehicle (WAV) hackney carriage when being changed must be replaced with an emissions compliant purpose built WAV and that the above transitional arrangements do not affect those vehicles.

4 Legal Services Comments

- 4.1 Under section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach such conditions to the grant of a hackney carriage vehicle licence as the Council considers to be reasonably necessary. Case law has confirmed that it is not unlawful to have a vehicle age policy, provided that the Council continues to consider each application on its individual merits and does not fetter its discretion. Any person aggrieved by any conditions attached to a hackney carriage licence may appeal to the magistrates' court. (A. Evans)

5 Co-operative Agenda

- 5.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.
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- 6 Environmental and Health & Safety Implications**
 - 6.1 None
 - 7 Equality, community cohesion and crime implications**
 - 7.1 None
 - 8 Equality Impact Assessment Completed?**
 - 8.1 No
 - 9 Key Decision**
 - 9.1 No
 - 10 Key Decision Reference**
 - 10.1 N/A
 - 11 Background Papers**
 - 11.1 None
 - 12 Appendices**
 - 12.1 None
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