

## REPORT

To: GENERAL PURPOSES COMMITTEE	Subject: REVIEW OF TAXI AND PRIVATE HIRE LICENSING	
From: DIRECTOR OF ADMINISTRATION		
Date: 29 September 2004	Ref: WBK/KH	

**1. PURPOSE OF REPORT**

- 1.1. The purpose of this report is to make detailed recommendations on the implementation of a number of policy changes in respect of taxi and private hire licensing agreed in principle at the Committee meeting on 25 August 2004.

**2. BACKGROUND AND ISSUES FOR CONSIDERATION**

- 2.1. On 25 August 2004 the Committee agreed in principle to a number of policy amendments in respect of taxis and private hire cars. Those amendments relate to the types of approved vehicle, vehicle age limits and vehicle colours. In addition certain decisions were taken in respect of the South area waiting list for taxi licences and the transfer of taxi licences by way of variation. Decisions now require to be taken in respect of the full implementation of those policy changes.
- 2.2. It has been decided that all taxis should be subject to a maximum age limit. It is recommended that the age limit for non-purpose built taxis be set at five years from the date of first registration to the date that the licence becomes due for renewal. Given the three year licensing cycle, this will give a maximum potential operational age limit of eight years. It is recommended that the age limit requirement come into effect for taxis when all licences fall due for renewal on 31 December 2005.
- 2.3. Age limits for purpose built taxis are still a matter of discussion with the taxi trade. It is recognised that truly purpose built vehicles such as the TXII and Peugeot E7 have a naturally greater longevity than saloon cars. In addition, they require a far greater capital investment at the outset and there is obviously a limited market for their resale in comparison to a saloon vehicle, which can have an effect on depreciation. In recognition of all of those factors, it is likely to be recommended that the age limit to be set for purpose built taxis be greater than that for non-purpose built taxis. As an interim position in respect of new operators from the waiting list, it is suggested that interim advice be offered that any vehicle purchased by them be no more than 7 years old at 31 December 2005. A different age limit/timescale for implementation may ultimately be set but it is thought that advice as suggested is likely to future proof new operators against imminent policy change given that it is at the strictest end of what may be ultimately recommended.
- 2.4. Insofar as private hire cars are concerned, policy making is slightly more problematic given that there are no widely representative bodies able to enter a meaningful dialogue with the Council on policy development. Notwithstanding that there is a decision in principle to apply an age limit to private hire cars there have been a considerable number of representations from individual operators expressing views on the policy change. Accordingly, in the interests of fairness and in the spirit of

consultation, the Committee is asked to approve a period of consultation with private hire operators on the issue of age limits. That consultation would in effect be an opportunity for written comments to be received by the Council in time for the matter to be further considered at the next Committee meeting on 12 January 2005. This is in line with the Committee's previously stated commitment to review private hire conditions overall.

- 2.5. In respect of vehicle colours, the status quo should remain in the North licensing area. In that area all taxis must be of the purpose built variety and therefore there is presently no requirement for a colour distinction between taxis and private hire cars. In the Central licensing area it is currently the position that all taxis must be black and that private hire cars must not be black. Again, the status quo should prevail in that area. In the South licensing area, there is no colour distinction. South area taxi trade representatives have suggested that it would make sense to have a different colour from Central area taxis to preserve the zonal distinction and have suggested white or silver. That makes a certain degree of sense and it is simply suggested that all non-purpose built taxis in the South area be white. It is recommended that this requirement comes into effect when taxi licences all fall due for renewal at 31 December 2005.
- 2.6. Insofar as private hire operators are concerned, there is a residual question as to whether South area operators should be prohibited from operating white cars. Again it is suggested that the issue simply be raised in the course of the consultation with private hire operators previously referred to.
- 2.7. Whilst a "TAXI" sign must be displayed on all taxis, many operators have now opted for small "sandwich box" signs which are not particularly helpful in clearly distinguishing licensed taxis given the variety of vehicle signage now used by all manner of businesses. Therefore, it is also proposed that all taxis should carry a full width roof sign to aid identification. It is recommended that this requirement comes into effect when taxi licences all fall due for renewal at 31 December 2005.
- 2.8. There is also a decision in principle to harmonise the vehicle specification for non-purpose built taxis and private hire cars. In essence, that primarily impacts on engine capacities. Private hire cars were most recently reviewed and have the higher requirement. It is proposed to harmonise engine capacities at minimums of 1800cc petrol, 1800cc turbo diesel or 2000cc naturally aspirated diesel. It is recommended that this requirement comes into effect when taxi licences all fall due for renewal at 31 December 2005.
- 2.9. A decision has been taken to offer taxi licences to those people who appear on the South area waiting list for taxis and to discontinue the waiting list thereafter. It is proposed that those offers simply be made following the Committee meeting and remain open for an application to be made on or before 30 April 2005. Following an application, a further three months would be made available for the presentation of a suitable vehicle for testing. Anyone who fails to apply by 30 April 2005 would revert to having the status of any ordinary member of the public who may choose to apply for a taxi licence and would fall to be considered against the unmet demand test etc. In line with existing policy, all new licences will require the operation of an approved wheelchair accessible vehicle.
- 2.10. The Committee has agreed to taxi licence transfers by way of variation. It is proposed that all taxi licence transfers be subject to a condition that the transferee present and operate an approved wheelchair accessible vehicle. In line with the previous decision, existing trade members are to be given the option of transfer which is not to be subject to the wheelchair accessibility condition. It is proposed that existing members of the trade be given the option of making a variation/transfer by 31 December 2005, which would not be subject to the wheelchair accessibility condition

assuming that the variation does not relate to a licence that was originally granted on the basis that a purpose built wheelchair accessible vehicle would be operated. Thereafter, all variations/transfer of licence holder would be subject to the wheelchair accessibility condition.

- 2.11. In line with the continuing commitment to improved taxi accessibility in North Lanarkshire, it is recommended that all non-purpose built taxi operators require to have an approved swivel seat fitted to their taxi by the time of their 2006 annual inspection. There will shortly be a report to committee seeking the approval of appropriate swivel seat systems.

### **3. CORPORATE CONSIDERATIONS**

- 3.1. The measures contained in this report are in line with the Council's commitment to disability friendly services and proper and effective regulation as envisaged by the Enforcement Concordat.

### **4. RECOMMENDATIONS**

4.1 The committee is asked to:-

- (a) set an age limit for non-purpose built taxis of five years old from the date of first registration to the date of licence renewal or vehicle substitution, to come into effect at the licence renewal due on 31 December 2005.
- (b) agree in principle to an age limit for purpose built taxis and to authorise the Head of Legal Services, in conjunction with the Convener, to consult with trade representatives on the actual limit to be applied and thereafter report to committee for decision.
- (c) Order that all non-purpose built taxis in the South licensing area be white, to come into effect at the licence renewal due on 31 December 2005.
- (d) order that all non-purpose built taxis in North Lanarkshire be fitted with a full width roof sign to come into effect at the licence renewal due on 31 December 2005.
- (e) authorise the Head of Legal Services to invite views from private hire operators on vehicle age limits and colours and thereafter report to committee for decision.
- (f) harmonise the non-purpose built taxi specification with the private hire specification with regard to engine capacities to come into effect at the licence renewal due on 31 December 2005.
- (g) authorise an invitation to all persons on the South area waiting list to apply for a taxi licence, applications to be submitted by 30 April 2005.
- (h) authorise the acceptance of applications for variation of taxi licence holders on the basis that such applications may be granted subject to all concerned being fit and proper persons to hold a taxi licence and to the operation of an approved wheelchair accessible vehicle.
- (i) allow existing taxi operators the opportunity to vary their licences in terms of licence holders, applications for such variation to be made by 31 December 2005 and if made during that time frame, not to be subject to a requirement on the part of the transferee to operate an approved wheelchair accessible vehicle.

- (j) order that all non-purpose built taxis be fitted with a swivel seat approved by the Council by the time of their annual vehicle inspection due in 2006.

Walter B. Kilgus

P. **Director of Administration**

*Members seeking further information on the contents of this report are asked to contact Kenny Hannaway, Senior Solicitor (Licensing) on Extension 2214.*