



DERBY CITY COUNCIL

TAXI LICENSING AND APPEALS COMMITTEE

22 APRIL 2009

Report of the Corporate Director of Environmental Services

VEHICLE AGE POLICY

RECOMMENDATION

- 1.1 To note the findings of the Cross Party Working Group.
- 1.2 To approve the Cross Party Working Group's recommendations set out in paragraph 2.5.

SUPPORTING INFORMATION

- 2.1 At its meeting on 22 April 2009, Committee considered a report about whether or not an age policy or similar for licensed vehicles should be introduced.
- 2.2 Committee resolved to appoint a Cross Party Working Group to examine the different options available and make recommendations to Committee at a future meeting.
- 2.3 The Cross Party Working Group met on the 10 July 2009 to consider this issue. A copy of the minutes of the Working Group's meeting is set out at Appendix 2.
- 2.4 A copy of the information the Working Group considered at its meeting is set out at Appendices 3 - 6.
- 2.5 The Cross Party Working Group's recommendations to Committee are set out below:
 - Acknowledge that the greater problem, if any, with vehicle standards at the present time is that of maintenance, which runs across the entire age spectrum of licensed vehicles
 - There is insufficient justification for the introduction of a vehicle age policy for licensed vehicles at the current time. The Cross Party Working Group therefore proposes that there should be no change presently
 - However, the Cross Party Working Group recommends that committee tasks officers to begin exploring ways to obtain emissions data for licensed vehicles for possible use in the future, whether on its own or alongside some other justifiable criteria for reconsidering the introduction of an age policy

- In 24 months time, review the available roadside and other emissions data to determine any emerging pollution patterns and reconsider, if considered appropriate at the time, the committee's involvement in measures to act on the data within the scope of its regulatory functions
- In the interim, continue to review and monitor the spot check statistics in the future, with additional entries on the reporting matrix to identify the ages of the vehicles randomly assessed

For more information contact:	Michael Kay, Tel. 01332 641940, email michael.kay@derby.gov.uk
Background papers:	Vehicle Age Policy – Taxi Licensing and Appeals Committee, 22 April 2009
List of appendices:	Appendix 1 – Implications Appendix 2 – Cross Party Working Group Minutes, 10 July 2009 Appendix 3 – Petition from DATOA Appendix 4 – Counter Petition from Mr A B Rafique Appendix 5 – Taxi Licensing Data Appendix 6 – Updated Information from DATOA/DHU

IMPLICATIONS

Financial

1. None directly arising from this report.

Legal

2. None directly arising from this report.

Personnel

3. None directly arising from this report.

Equalities Impact

4. None directly arising from this report.

Corporate objectives and priorities for change

5. Considering the introduction of a licensed vehicle age policy contribute to the corporate priorities of **creating a 21st Century city centre, leading Derby towards a better environment and giving excellent services and value for money.**

10 July 2009

Taxi Licensing and Appeals Committee
Cross Party Working Group – Age Policy

Present

Councillor Redfern (Chair)
Councillor Williams
Olu Idowu (Legal)
Michael Kay (EH&TS)

Apologies

Councillor Winter

1. Purpose of Meeting

To consider the proposal to introduce a vehicle age policy to all Hackney Carriage and Private Hire licensed vehicles and make recommendations to the Taxi Licensing and Appeals Committee.

2. Information considered by the group

- a) Petition from DATOA.
- b) 'Counter' Petition from Mr A B Rafique.
- c) Taxi Licensing Data of Licensed Vehicles by Age, Licensed Vehicles by Age Group, Outcome of Private Hire Spot Checks, Outcome of Hackney Carriage Spot Checks, Other Local Authorities information.
- d) Updated Information from DATOA and DHU.

3. Summary of comments made

- information available to the group considered
- brief overview of vehicle licensing process described
- public safety paramount
- recognition of importance to establish rational justification for introducing such a policy
- acknowledgment that trade believe introducing age policy is 'alternative' way of capping licence numbers

- recognition that spot check statistics show no significant difference between inspections involving older vehicles and newer vehicles
- acknowledgment by trade that Council already has good standard of checks in-place
- acknowledgement of Council's existing high standards but recognition of need to maintain/improve
- no indication from the trade on how much consultation with its members had been undertaken before the updated information was received from them, or what the nature of the statistical data is that was relied upon in reaching the judgments made
- proposals/comments from the trade raised discriminatory issues
- avoidance of unnecessary financial burdens on the trade important
- need to consider the balance between the need to adopt a proportionate approach to change, and public safety
- consideration of introduction of emissions based controls in future to tie into Council's corporate priorities/national indicator sets
- acknowledgement that emission data for existing licensed vehicles is either incomplete or not available at present
- combination of factors to improve the existing standards

4. Cross Party Working Group recommendations to Taxi Licensing and Appeals Committee

- a) Acknowledge that the greater problem, if any, with vehicle standards at the present time is that of maintenance, which runs across the entire age spectrum of licensed vehicles
- b) There is insufficient justification for the introduction of a vehicle age policy for licensed vehicles at the current time. The Cross Party Working Group therefore proposes that there should be no change presently.
- c) However, the Cross Party Working Group recommends that committee tasks officers to begin exploring ways to obtain emissions data for licensed vehicles for possible use in the future, whether on its own or alongside some other justifiable criteria for reconsidering the introduction of an age policy
- c) In 24 months time, review the available roadside and other emissions data to determine any emerging pollution patterns and reconsider, if considered appropriate at the time, the committee's involvement in measures to act on the data within the scope of its regulatory functions.
- d) In the interim, continue to review and monitor the spot check statistics in the future, with additional entries on the reporting matrix to identify the ages of the vehicles randomly assessed.

D.A.T.O.A.

Date:12/01/09

At the last trade meeting attended by ourselves and D.H.U with representation from Taxi Licensing and Derby City Council , both Taxi unions made a strong point to the Council for too many hackney licenses for a city the size of Derby and the Council will not go down that route of capping hackney licences or even freezing hackney licences for a period of time. What they have suggested that they are willing to consider is the trades proposal for existing drivers cabs to be no older than 15 years old and that new drivers to purchase zero mileage cabs. This will also ensure that environmentally we will see a benefit in terms of less pollution and also that the standards of Taxis serving Derby City is of a modern fleet fit for purpose and that passengers enjoy the comforts as well. Existing drivers whose vehicles are older than 15 years old , will be able to replace their vehicles within the 15 year old limit. We fully believe that this avenue available to us will go down towards slowing the process of drivers obtaining Licences too quickly and flooding Derby City with cheap cabs which have no use in their home cities and therefore standards of maintenance will drop as our income takes a knock with far too may cabs in Derby chasing work which is not in abundance. Therefore we ask you to please put your name to the petition which the City Council requires in order for it to proceed at the next Council Meeting. Both Taxi Unions will be collecting the petitions to forward to the City Council.

Yours truly,

JAVED KHAN

(CHAIRMAN of D.A.T.O.A.)

Taxi Licensing
Derby City Council
Celtic House
Heritage Gate
Friary Street
Derby
DE1 1QX

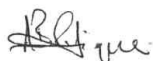
Mr Aftab Bin Rafique
160 Peartree Street
Derby
DE23 8PL

Dear Ann Walker,

With reference to our telephone conversation, regarding the counter petition from Mr J Khan proposing that the council put a limit on the age of the vehicle to 15 years. On the creation of this proposal (at the Trade meeting), I understand that the condition was Mr Khan needed to gain the support of at least 60% of licensed drivers; this he found unachievable.

Shockingly, in order to pressure drivers into signing his petition he made many false statements of fact, claiming that the proposal they were signing concerned the number of licensed Hackney's in Derby. However, the counter petition attached proves that the Trade is totally against such a proposal.

Yours Sincerely



Mr A B Rafique

APPENDIX 5

TABLE 1 – LICENSED VEHICLES BY AGE

TABLE 1 – LICENSED VEHICLES BY AGE																												
	> 10 Yrs Old						6 – 10 Yrs Old											< 5 Yrs Old										
Registration No.	K	L	M	N	P	R	S	T	V	W	X	Y	51	02	52	03	53	04	54	05	55	06	56	07	57	08	58	09
Private Hire	1	1	5	14	38	84	58	52	52	58	30	39	46	53	39	33	22	45	23	26	16	12	6	15	20	9	8	3
Hackney Carriage	3	7	14	17	23	56	22	32	40	28	29	28	22	7	7	6	7	4	4	3	2	4	13	6	5	2	0	3

TABLE 2 – LICENSED VEHICLES BY AGE GROUP

	Hackney Carriage	Private Hire	Total
> 10 Yrs Old	120	143	263
6 - 10 Yrs Old	228	482	710
< 5 Yrs Old	46	183	229
Total	394	808	1202

TABLE 3 – OUTCOME OF PRIVATE HIRE SPOT CHECKS

	July 07 – June 08				July 08 – June 09			
Reg. No.	Suspended	Referred	Advised	OK	Suspended	Referred	Advised	OK
K	0	0	0	0	0	0	1	1
L	1	0	0	0	0	0	0	0
M	2	3	3	3	1	0	1	1
N	4	1	6	0	2	1	1	0
P	13	2	4	2	8	4	7	2
R	8	3	13	5	11	3	7	4
S	10	2	9	4	7	4	8	9
T	5	2	7	4	7	0	1	1
V	3	2	10	2	4	1	4	2
W	1	0	3	2	3	3	3	4
X	4	2	3	2	1	2	4	0
Y	3	0	4	4	4	1	3	3
51	3	0	2	1	4	2	4	1
02	4	2	3	3	3	1	8	3
52	0	0	1	2	5	2	0	3
03	2	1	2	1	2	0	2	1
53	0	0	1	1	0	0	1	0
04	1	0	0	0	4	1	3	2
54	0	0	0	0	2	0	2	0
05	0	0	1	0	0	1	1	0
55	0	0	0	0	1	0	2	1
06	0	2	0	1	0	0	1	0
56	0	0	0	0	0	0	0	0
07	0	0	0	0	0	0	1	1
57	0	2	2	1	0	0	1	1
08	0	0	0	1	0	1	2	2
58	0	0	0	0	0	0	0	0
09	0	0	0	0	0	0	0	0

TABLE 4 – OUTCOME OF HACKNEY CARRIAGE SPOT CHECKS

	July 07 – June 08				July 08 – June 09			
Reg. No.	Suspended	Referred	Advised	OK	Suspended	Referred	Advised	OK
K	4	0	2	0	2	0	0	0
L	3	1	0	0	2	1	1	0
M	7	0	2	0	7	1	1	0
N	9	2	5	3	9	1	2	1
P	6	6	7	1	9	1	3	2
R	8	5	7	3	12	1	9	3
S	5	4	3	2	4	0	2	1
T	2	0	3	0	6	2	3	1
V	6	2	8	1	6	1	7	5
W	3	2	5	3	6	2	7	2
X	4	2	3	3	1	3	12	1
Y	3	1	4	2	3	8	3	2
51	4	0	1	0	6	0	2	0
02	1	0	1	1	2	0	0	1
52	0	0	2	0	1	0	1	0
03	2	1	1	0	0	2	1	0
53	0	0	0	0	3	1	0	0
04	0	0	0	1	1	0	1	0
54	0	0	1	0	0	0	0	0
05	0	1	0	2	1	0	2	0
55	0	0	0	0	0	0	0	0
06	1	1	1	0	0	0	2	0
56	1	0	2	2	2	1	5	0
07	0	0	2	1	0	1	2	0
57	0	1	2	0	0	0	0	0
08	2	1	0	1	0	0	0	1
58	0	0	0	0	0	0	0	0
09	0	0	0	0	0	0	0	0

TABLE 5 – OTHER LOCAL AUTHORITIES

Carlisle	HC – must be less than 5 yrs old when first licensed, no upper age limit PH - must be less than 8 yrs old when first licensed, no upper age limit
Liverpool	No age policy currently in place
Manchester	PH vehicles less than 7 yrs old only HC vehicles less than 10 yrs old maybe extended to 12 yrs maximum if emission system fitted
Exeter	PH and HC vehicles less than 8 yrs old only
Bristol	PH - Vehicle must be under 3.5 yrs old when first licensed. Once it reaches 8 yrs old it is tested twice a year. All vehicles 10 yrs old taken off. HC – From May 09 all new vehicles must be brand new. Once 8 yrs old, need testing twice a year. All vehicles 10 yrs old taken off.
Southampton	PH and HC vehicles less than 7 yrs old only
Sheffield	PH – less than 5 yrs old when first licensed and taken off at 9 yrs old HC - less than 5 yrs old when first licensed and taken off at 15 yrs old
Stoke	PH – if already licensed, taken off at 8 yrs old. New must be less than 5 yrs old when first licensed and taken off at 8 yrs old. HC - if already licensed, taken off at 8 yrs old. New must be less than 2 yrs old when first licensed and taken off at 10 yrs old.
Leicester	PH and HC – must be less than 5 yrs old when first licensed, no upper age limit
Nottingham	PH – less than 5 yrs old when first licensed and taken off at 10 yrs old HC - less than 7 yrs old when first licensed and taken off at 12 yrs old

From: javed khan [mailto:javkhan786@hotmail.co.uk]
Sent: 09 July 2009 22:45
To: Services, Environmental
Subject: F.A.O MIKE KAY ; TAXI AGE LIMIT POLICY

Draft

DATOA & DHU

Following a joint meeting by the 2 largest Stakeholders in the Hackney trade in Derby a joint proposal has been tabled which is set out below.

1 Any new applicant for a hackney vehicle must provide a brand new wheelchair accessible vehicle (new badge holder who wishes to plate vehicle can only do so if the vehicle is brand new)

2 Vehicles over 15 years old subject to 6 monthly inspections (twice yearly plates)

3 No existing vehicle to be replaced except with a vehicle younger than the one to be replaced (only applicable if total loss or if the vehicle is written off)

4 When vehicles reach the 15 year old limit, we propose that they are subject to twice yearly tests and should a testing station feel that the cab is no longer fit for the purpose then the vehicle licence will be left with no option other than to replace their vehicle.

5 Existing licence holders who wish to replace their vehicle for whatever reasons the vehicle must not be over 10 years old.

6 Transitional period to take into perspective to give reasonable time to drivers who will be affected if age policy is to be implemented (12 months is within reason)

The above issues were discussed at great length and general consensus was agreed that standards are maintained at the highest possible level.

In comparison with similar local authorities Derby has by far the highest standard in maintaining their vehicles. Therefore we believe that to maintain our existing high standards the council agrees to allow for this proposal by the trade to be implemented and hope that Derby City Council will adopt it to maintain those standards.

This policy entails the current trend towards making vehicles more environmentally friendly. Although Derby City Council agreed many years ago that purpose built vehicles will have a life span of 20 years statistics are showing vehicles are being updated a lot sooner.