

Report to Regulatory Panel

Agenda
Item:

A.1

Meeting Date: 21st January 2015
Portfolio: Finance, Governance and Resources
Key Decision: Not Applicable:
Within Policy and Budget Framework NO
Public / Private Public

Title: APPLICATION TO LICENCE A 6 YEAR OLD WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGE,
Report of: Director of Governance
Report Number: GD 06/15

Purpose / Summary:

An application has been received from Mr A Young, to licence a 6 year old Hackney Carriage. As the current policy is for vehicles to be no more than 3 years old on initial licensing, this application does not comply with the policy.

Recommendations:

Members are requested to consider the application and reach a decision from the options outlined on page 5 of this report.

Tracking

Executive:	
Overview and Scrutiny:	

To: The Chairman and Members of the Regulatory Panel 21st January 2015

1. APPLICATION

- 1.1 An application has been received from Mr A. Young of Carlisle Drivers, to licence a 6 year old Peugeot Expert wheelchair accessible vehicle as a Hackney Carriage. In accordance with current Council application criteria, vehicles must be under 3 year old on initial licensing, but Mr Young believes this should be increased to 7 years.
- 1.2 Mr Young is the owner of Carlisle Drivers radio circuit which is the largest taxi and private hire operator in Carlisle. He does not actually own any of the vehicles on his circuit, they are all owner drivers.

2. HISTORY

- 2.1 In 2007 the Council amended its taxi policy to incorporate age limits upon purpose built wheelchair accessible vehicles (WAVs) for the first time. This was as a result of a request from the local Taxi Association for the Council to stop issuing any additional Hackney Carriage licences.
- 2.2 Following negotiations between Licensing Staff and the Taxi Association, a report was put before the members recommending that the Council stop issuing any more licences for "saloon type" taxis but to continue issuing additional licences for WAVs.
- 2.3 As an age policy for the WAVs was being introduced, all taxi owners were asked for their preferred maximum vehicle age limit on initial licensing. Of those who replied 41% wanted 1 year; 22% wanted 3 year; 9% wanted 5 year and 16% wanted no minimum age policy. 12% had no opinion. The Taxi Association was also consulted and their preferred option was initially for 1 year, but after discussion with licensing staff this was changed to 3 years.

3 MR YOUNG'S APPLICATION

- 3.1 Mr Young's application is attached as 2 emails, **Appendix 1 & 2**. The main points are summarised below with relevant comments from Licensing where appropriate.
- 3.2 USED WAV TAXIS UNDER 3 YEAR OLD ARE VIRTUALLY NONE EXISTANT. According to the National Sales Director of Cab Direct (the largest seller of this type of vehicle) they usually have around a dozen WAVs for sale under 3 years old at any one time. Another company, Allied Vehicles, currently have 7 taxis

under three years old for sale. There are of course many other firms who sell second hand taxis including those who specialise in London style cabs.

3.3 THE DECLINE IN THE NUMBER OF WAVs COULD BE DOWN TO THE COUNCIL'S POLICY.

From our records the number of licensed WAVs for the last 5 years is:

2010	90
2011	86
2012	86
2013	79
2014	78

As you can see from the figures there has been a reduction in the number of WAVs. This is most likely to be as a result of the number of older drivers who have retired and also older vehicles which have been scrapped and not replaced. We have also had a number of drivers who have had their licences revoked or, in the case of foreign drivers, they have returned to their home countries and their taxis have been either repossessed by a finance company or sold on out of the City.

Carlisle currently has more purpose built WAVs licensed than any of the other Districts within Cumbria.

3.4 A DRIVER SCRAPPING HIS TAXI HAS 3 OPTIONS, GO PRIVATE HIRE, RENT A TAXI OR PURCHASE A TAXI LESS THAN 3 YEAR OLD.

There is also a very important 4th option. Under the present policy you can purchase and transfer a taxi currently licensed in Carlisle. The larger fleet companies regularly replace their taxis with newer models.

e.g. A taxi company replaces their 4 year old taxi with a new one.

An owner driver buys this 4 year old taxi and sells his 8 year old taxi to a driver who is currently renting a vehicle or is an employee. This system of passing currently licensed taxis down the line has worked well for last 7 years and has the advantage that we know the full service history of the vehicle.

3.5 A 65 YEAR OLD DRIVER HAS HAD HIS 9 YEAR OLD TAXI WRITTEN OFF IN AN ACCIDENT THROUGH NO FAULT OF HIS OWN.

The inference is that he will have to replace it with a taxi less than 3 year old and the amount he receives from the insurance company would not be enough to replace it. I have since spoken to this driver and he has ordered a brand new

WAV. He has also intimated that the Council should tighten up their policy to 2 years. As a capital asset, the owner of a taxi should be planning ahead and putting aside an amount each year towards a future replacement taxi.

3.6 **CARLISLE DRIVERS REGULARLY HAVE TO REJECT DISABLED CUSTOMERS AND MOTHERS WITH BUGGIES.**

Carlisle Drivers are just one of 4 large operators who all have WAVs on their circuit. Many owners of WAVs do not work on any circuit but have regular customers who are disabled and who contact them directly.

Cumbria County Council operates a scheme called "City Wheels" which is currently tendered to Beeline Taxis. It is a subsidised transport scheme for elderly or disabled people who cannot drive or can't make use of a bus pass. Saloon taxis, WAVs or rear wheelchair loading mini-buses are dispatched depending upon the degree of disability. The scheme does not run at weekends or after 5pm but gives a reliable service to the disabled during the week.

3.7 **CARLISLE DRIVERS IS THE LARGEST OPERATOR IN THE CITY AND YET THEY WERE NOT CONSULTED ON THE 3 YEAR RULE.**

Carlisle Drivers does not actually own or license any of the taxis on their circuit. Only the people directly concerned, i.e. the owners of the taxis and their taxi association were consulted in 2007.

4 **CARLISLE TAXI ASSOCIATION**

- 4.1 Carlisle Taxi Association has been consulted on this application and their views are contained in a letter attached as **Appendix 3**. They hope to have a committee member present to answer any questions the members may have. Briefly they agree with the retention of the current 3 year policy for new applications, but have sympathy with existing older drivers who need to renew their vehicle shortly before retirement. As with any policy it must be flexible and if a current driver appeared before the members and could put forward a convincing reason to license an older taxi, the members could consider the application and deviate from their policy.

5 **RADIO TAXIS**

- 5.1 Radio Taxis is one of the larger taxi operators in the City and are aware of the application being made by Mr Young. They will be attending the Regulatory Panel and Mr Stuart Davidson has requested that he be allowed to speak at the meeting. **Appendix 4**

6 LEGISLATION

- 6.1 The powers to attach conditions to Hackney Carriages are contained in The Local Government (Miscellaneous Provisions) Act 1976. Section 47 (1) allows a Council to attach such conditions as they may consider “Reasonably Necessary”.

7 OPTIONS

- 7.1 To refuse the application and retain the current policy.
- 7.2 To deviate from the current 3 year policy and grant a Hackney Carriage licence for a specific 6 year old wheelchair accessible taxi to Mr Young on this occasion.
- 7.3 To amend the maximum age policy on initial licensing for new Hackney Carriage licences to 7 years or to an age the members consider appropriate.

Contact Officer: Barry Sharrock

Ext: 7027

Appendices **1 & 2 Email application from Mr Young**
attached to report: **3 Letter from Carlisle Taxi Association**
 4 Email from Radio Taxis – Stuart Davidson

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's – N/A

Community Engagement – N/A

Economic Development – N/A

Governance – N/A

Local Environment – N/A

Resources – N/A

Appendix 1

Susan Stashkiw

From: admin@carlislecabs.com
Sent: 27 November 2014 10:22
To: Susan Stashkiw
Subject: Hackney carriage licence three year rule.

Fao Sue
Licensing
Carlisle City Council

Vehicle make/model: Peugeot Expert 7 seat with wheelchair access
Registration mark: SD08 WXH
Reg. date: 11/04/2008

I wish to make application for a hackney carriage licence for the above vehicle or similar, to operate in the City of Carlisle.

I understand the vehicle is outside the city councils 3 year age rule but in my opinion the vehicle is fit for purpose and necessary to prevent further damage to that sector of the trade providing wheelchair access to the city's residents.

I have many valid points to argue favour for the 3 year rule to be relaxed for (WHEELCHAIR ACCESSIBLE HACKNEY CARRIAGES) and believe a seven year rule would be more realistic.

A single fact I wish to point out is that new wheelchair access vehicles are driven by the owner for 3 years plus then traded in, used vehicles under 3 years are virtually none existent.

An early response would be appreciated.

Tony Young

Director
Carlisle Drivers

Sent from my iPad

Appendix 2

Barry Sharrock

From: admin@carlislecabs.com
Sent: 03 December 2014 11:42
To: Barry Sharrock
Subject: Re: Hackney carriage licence three year rule.

Hi Barry

The points I wish to put forward to the panel are as follows.

National taxi association survey figures suggest from January-April 2010.

2010.	2012.	2014
217 hackney.	210 hackney.	202 hackney
50 private hire.	52 private hire.	60 private hire. operated in Carlisle.

The decline in hackney licensed vehicles are of course the wheelchair accessible ones and not the white saloon cars, which brings me to ask.

Do council conditions have any bearing on the decline ? I think so.

The driver scrapping his old cab has three options, 1. Purchase a saloon car (8 year rule). and drive private hire. 2. Rent a white saloon hackney licenced vehicle/no true commitment to the trade. 3. Take on a lengthy hire purchase agreement in purchasing a wheelchair accessible vehicle within the 3 year rule ?

Other than brand new, 3 year rule wheelchair accessible vehicles are virtually non existent throughout the whole of the UK and any that do become available tend to attract an unfair premium.

Through no fault of his own a 65 year old driver in the city was recently involved in a RTC of which left his cab a write off.

Carlisle Drivers private hire and taxi co. reject customer requests for such taxis tens upon tens of times per day due to non availability although ex black cab drivers now in saloon cars can be within those request areas at those same given times.

I can further briefly explain why a wheelchair bound customer whom shopped twice weekly in Morrisons Carlisle regrettably now stays at home while her daughter does her shopping for her. Why a mother with her baby in a buggy hates to walk the length of Newtown Road during rush hour. etc etc etc.

Carlisle Drivers have been the largest operator in the City for many years guiding both saloon cars and wheelchair accessible vehicles to their next customer.
Why were we not consulted on the 3 year rule ?

I have through time spoken to all licensing officers on this matter to no avail and wish to point out that this is not a new idea, its just the same old story.

Tony Young

Director
Carlisle Drivers

Carlisle Taxi Association

60 Chesterholm
Sandsfield Park
Carlisle, CA2 7XX
Tel/Fax: 01228 598740
Email: secretary@national-taxi-association.co.uk
Website: www.national-taxi-association.co.uk



Members

5th January 2015

Mr Sharrock
Licensing Officer
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

Dear Mr Sharrock

I write with reference to your recent letter regarding an application to have the age limit on first license of Hackney Carriage Wheelchair Accessible Vehicles (WAV) relaxed.

As an association, we understand and sympathise with the difficulty the private hire operator has, from an operators perspective supplying the vehicle required by the customer is, as you may agree, rather important.

The policy was introduced at a time when there was no age policy, upper or lower, in respect of WAV's – it was leading to a situation where an increasing number of older vehicles were being licensed, thus both the authority and association were concerned about a lack of investment.

The association are however mindful of the older generation of taxi owners – some when needing to renew vehicles may face a quandary of attaining finance when they are at an age of where it is either difficult to obtain or may prolong their careers beyond a point where they would normally wish to retire.

In some cases a restrictive policy may lead to these drivers leaving the taxi trade completely – I am sure you may agree, this is not what the authority or association wanted or envisaged when the policy was introduced.

Whilst we accept that an owner could purchase a vehicle that is already licensed from someone either leaving the trade or replacing his or her vehicle, this may not be something a person wishes to do.

We do believe there is a difference between existing licenses that have already been issued, to new freshly issued ones.

Carlisle Taxi Association

60 Chesterholm
Sandsfield Park
Carlisle, CA2 7XX
Tel/Fax: 01228 598740
Email: secretary@national-taxi-association.co.uk
Website: www.national-taxi-association.co.uk



Members

In short, we believe the authority could allow existing licensees a degree of discretion according to their circumstances.

If for example an existing licensee has their vehicle written off through no fault of their own, the replacement vehicle is to be attached to the existing license and the vehicle supplied is newer than the vehicle being replaced and within the councils upper age policy.

We believe under such circumstances discretion should be given.

Sincerely

WJ Casey

Wayne Casey
Chairman

Appendix 4

Fred Watson

From: Licensing (Carlisle)
Subject: FW: panel meeting

From: Stuart Davidson [mailto:stuart@radiotaxis.org.uk]
Sent: 08 January 2015 15:53
To: Licensing (Carlisle)
Subject: panel meeting

Radio Taxis(Carlisle)Ltd
Unit 1, Millrace Rd
Carlisle, CA2 5RS

Re Panel Meeting,

We at Radio Taxis would like to say a few words at the up and coming meeting concerning the age policy for new licenced wavs within the city.

Many thanks
S Davidson
Radio Taxis



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