

**MINUTES OF THE LICENSING COMMITTEE MEETING
HELD AT 6PM, ON
THURSDAY, 9 FEBRUARY 2023
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

Committee Members Present: Wiggin Chairman (Chair), S Bond (Vice Chair) Councillors Allen, Ayres, Bi, Harper, Hiller, Hussain, Moyo, Warren, and Sabir

Officers Present: Gareth Brighton, Licensing and Business Manager
Peter Gell, Acting Service Director: Communities
Colin Miles, Litigation Lawyer
Karen S Dunleavy, Democratic Services Officer

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

Declarations of interest were received for agenda Item 4 Proposed Hackney Carriage and Private Hire Policy – Responses to Consultation and Adoption of Final Policy and Implementation from Councillor Sabir who owned a Private hire company in Huntingdon, however intended to participate in the meeting.

3. MINUTES OF THE LICENSING COMMITTEE AND LICENSING ACT 2003 SUB COMMITTEE MEETING

The minutes of the Licensing Act 2003 Sub Committee meeting held on 1 July 2022 and 11 August 2022, were agreed as a true and accurate records.

The minutes of the Licensing Committee held on 7 July 2022, were agreed as a true and accurate record.

A request was received for members of the public to speak on agenda item 4, Proposed Hackney Carriage And Private Hire Policy Responses To Consultation And Adoption Of Final Policy And Implementation, which the Committee agreed.

4. PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE POLICY -RESPONSES TO CONSULTATION AND ADOPTION OF FINAL POLICY AND IMPLEMENTATION

The Licensing Committee received a report in relation to changes to the Hackney Carriage and Private Hire Policy and the requirements for tail lift enabled vehicles.

The purpose of this report was to enable the Licensing Committee to consider a proposed policy revisions relating to tail lift enabled vehicles taking into account the following:

- The current vehicle requirements outlined in the policy;
- The proposed requirements for tail lift enabled vehicles;

- The current provision of tail lift enabled vehicles within the trade and the demand for such vehicles;
- The effect of the rising cost of living on vehicles entering the taxi trade;
- The views of the private hire trade, the Hackney Carriage trade, PCC's Passenger Transport Operations Team and the Peterborough Disability Forum;
- The implications of the proposed revision on the Council's 2030 net-zero carbon emission target; and
- The position of neighbouring authorities in relation to the licensing of tail lift enabled vehicles.

The Licensing and Business Manager introduced the report and asked Members to consider the recommendation and approve the proposal.

Representatives from the company Passenger Assist, addressed the Committee and responded to questions from Members. In summary the key points highlighted included:

- The aim of the Passenger Assist was to provide a tailored service for disabled users.
- After research, it was highlighted that there was a need in the market for the tail lift type vehicle, and he had invested to purchase them.
- There were no objections to the proposals, however the age of the vehicles would make a significant financial impact on the business in relation to which vehicles to purchase.
- It was the company's intention to offer their services to care homes.
- It was confirmed by the Licensing and Business Manager that any changes to the policy that was agreed, would be effective immediately.

The Licensing Committee debated the report and in summary, key points raised and responses to questions included:

- Paragraph 4.4 of the report had highlighted that there had not been a record maintained, of vehicles with a tail lift, however, going forward, this information would be recorded at the taxi vehicle six monthly testing process.
- Members commented that there were significant safety impacts connected with operating tail lifts and that an uplift of four to eight years for the age of a taxi vehicle had raised concerns. Members were advised that the uplift would allow older vehicles to enter the trade and meet demand as well as the cost-of-living crises. There were six monthly testing and LOLER certification in place which would mitigate the safety concerns raised.
- Members were advised that there had been little that the Council could do to mandate conditions on other taxi private hire or hackney vehicles operated in other Licensing Authorities. However, there were statutory referral mechanisms for officers to highlight issues with vehicles that operated from outside of Peterborough.
- It would be very difficult to track vehicles that operated from other licensing authorities, however, there were regional meetings held with neighbouring authorities to discuss any issues arising.
- Members were advised that Peterborough's passenger transport teams would ensure that private hire and hackney vehicles used for PCC contracts only used the required vehicles as licensed by Peterborough.
- Peterborough would not licence taxi or private hire vehicles outside of the Authority. Passenger Transport team had used Huntingdonshire taxi and private hire vehicles for school contracts, and these would be subject to the same vehicle checks as Peterborough, which must be supported by a certificate of compliance.
- Any vehicle would be subject to six monthly testing process, which would cost £55 at stage one and £30 for stage two. Any test failures would be the responsibility of the driver or operator to rectify.

- The proposed amendment was in relation to a vehicle with a permanent lifting platform. Hackney Carriage vehicles had a ramp to carry a load and a valid certification.
- Members commented that the extension was necessary in order to provide a provision for future services to disabled users.
- Members felt that there should be a minimum cost charge per mile which may entice people provide the service and improve the provision. Members were advised that a minimum fare cost could have implications around the Equalities Act 2010 as it could disadvantage some users.
- The amendment to the ULEV and ZEV vehicles would be subject to the requirements that were agreed by Committee in July 2022 rather than the tail lift proposals submitted to the Committee at the current meeting.
- Any petrol or diesel would be subject to cease operation by 2029 as agreed by the Committee in July 2022.
- Members felt that reassurance had been given in relation to the safety aspect due to the six-monthly taxi vehicle inspection/testing requirements required in Peterborough.
- There had been no negative comments received during the consultation. There could be an increased cost that would be passed onto the Council's internal Passenger Transport team as a result of the rigorous testing requirements.
- Members has been satisfied that because the private hire vehicles that operated from outside of the Authority would be subject to the same high standard of testing and therefore, were comfortable to agree with the proposals.

The Committee considered the proposals and agreed (unanimously) to approve the policy amendments to Tail Lift enabled vehicles.

ACTION AGREED

The Committee **RESOLVED** (unanimously) to **APPROVE** the policy amendment as follows:

Revise the Peterborough City Council's Hackney Carriage and Private Hire Licensing Policy specific to the age requirements of tail lift enabled vehicles existing in trade and for tail lift enabled vehicles being submitted for licensing for the first time as attached in full at Appendix 1.

The revision can be summarised as:

Licensed diesel/petrol tail-lift enabled vehicles will become de-licensed when they reach 12 years of age from first registration (increased from 10 years).

Diesel/petrol tail-lift enabled vehicles will be accepted for licensing up to 8 years of age from first registration (increased from 4 years).

REASONS FOR THE DECISION:

The recommendation was made to ensure that current provision of tail lift enabled vehicles would not be impacted as a result of vehicles becoming de-licensed in the next 12 months and to encourage more vehicles into trade to meet future demand.

CHAIRMAN
END - 6:51pm

TAIL LIFT VEHICLES* - PETROL, DIESEL AND OTHER NON ULEV, ZEV			
Vehicles licensed for the first time (new applications)		Hackney Carriage	Private Hire Vehicle
	Max age at time of first being licensed	8 years old	8 years old
	Maximum age limit beyond which the vehicle will not be licensed	12 years old or until 31.12.2029 (whichever is soonest)	12 years old or until 31.12.2029 (whichever is soonest)
	Age at which the vehicle will be subject to six monthly inspections	6 years old	6 years old
	Age at which the vehicle will be subject to Critical Testing criteria	8 years old	8 years old
Vehicles that are already licensed (renewal applications)		Hackney Carriage	Private Hire Vehicle
	Maximum age limit beyond which the vehicle will not be licensed	15 years old or until 31.12.2029 (whichever is soonest)	12 years old or until 31.12.2029 (whichever is soonest)
	Age at which the vehicle will be subject to six monthly inspections	6 years old	6 years old
	Age at which the vehicle will be subject to Critical Testing criteria	8 years old	8 years old

*For the purposes of the above, a vehicle is only considered a “tail lift vehicle” if it meets all the following criteria:

- Fully functioning, permanently fitted, powered, tail lift installed to the manufacturer’s specification
- Tail lift lifting capacity of at least 300kg

- Full, up to date certification (e.g. LOLER certification, maintenance documents etc).

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