

ABERDEEN CITY COUNCIL

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COMMITTEE: Licensing Committee  
DATE: 6 April 2016  
DIRECTOR: Richard Ellis  
TITLE OF REPORT: Age of Vehicles – Clarification of Policy  
REPORT NUMBER: CG/16/054

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1. PURPOSE OF REPORT

This report seeks to clarify and simplify the age limit for taxis and private hire cars following Committee instruction of 8<sup>th</sup> March 2016.

2. RECOMMENDATION(S)

That the Council:

- a. approves the proposed new policy on Age of Vehicles as set out in this report;
- b. instructs the Head of Legal and Democratic Services to publish the new policy on Age of Vehicles; and
- c. instructs the Head of Legal and Democratic Services to review the policy on Age of Vehicles following the implementation of the accessible vehicle policy on 6 June 2017 and report back to the Licensing Committee with recommendations as appropriate twelve months after the accessible vehicle has been implemented.

3. FINANCIAL IMPLICATIONS

It is anticipated there should be no additional costs to the licensing authority, whether the Committee decides to continue with the existing policy or adopt the new policy.

4. OTHER IMPLICATIONS

None

5. BACKGROUND/MAIN ISSUES

Background

The licensing authority appears since at least 1966 to have had a policy in relation to the age limit for taxis and private hire cars at first licensing. The policy has been amended at various points over the years and the present position is as follows:-

- All taxi vehicles presented at first licensing must be accessible vehicles, 10 years old, or less.
- Accessible taxi vehicles presented at substitution must be 10 years old, or less.
- All other taxi vehicles presented at substitution must be 5 years old, or less.
- Private hire car vehicles presented at first licensing must be 4 years old, or less.
- Private hire car vehicles presented for substitution must be 5 years old, or less.

At its meeting on 8 March 2016 the Committee granted an application for a private hire car driver's licence for a vehicle in excess of four years old, thereby making an exception to its policy. The applicant had previously operated the vehicle as a taxi and wished to change to a private hire car licence in anticipation of the implementation of the Committee's accessible vehicle policy in June 2017. In view of the issues arising from the application in respect of the Age of Vehicles Policy, the Committee instructed officers to provide a report on the age limit for taxi and private hire car vehicles.

#### Consultation with the trade

The age limit of taxi vehicles was discussed at the meeting of the Taxi Consultation Group on 28 October 2015. Whilst members expressed a desire to maintain a high standard throughout the fleet, concerns were raised regarding a change to the present limit for accessible vehicles in light of the move to a fully accessible fleet on 6 June 2017. It was felt that maintaining the current age limit of 10 years would assist taxi licence holders in making the transition from a saloon car to an accessible vehicle. The Group therefore felt that it would be prudent to wait until after the implementation of the 100% accessible vehicle policy, at which point the standard of the taxi fleet could be assessed and consideration given to a reduction in the age limit for accessible vehicles at that time.

The issue was again discussed at the Taxi Consultation Group meeting on 1 March 2016 in relation to the Committee's accessible vehicle policy. It was highlighted that there would be a number of taxi licence

holders wishing to move to private hire cars given their preference for a saloon vehicle. Members of the Group raised concerns that the age limit for first licensing for private hire cars could be prohibitive and result in licence holders having to incur the expense of purchasing a new vehicle in order to apply for a private hire car licence. It was therefore suggested that existing taxi licence holders should be exempted from the age limit for private hire car vehicles in order to facilitate their transition from a taxi licence to a private hire car licence.

Members of the Group also asked that the transition from a taxi to private hire car be treated as a variation of the licence as opposed to a fresh application. However this is not possible in view of the fact that taxi and private hire licences are treated separately under the Civic Government (Scotland) Act 1982 and are two separate types of licence. Accordingly any driver who wishes to move from a taxi to a private hire car would have to apply for a new private hire car licence.

### Recommendations

The taxi and private hire car fleet in Aberdeen is presently going through a period of change with the imminent move to a 100% accessible vehicle fleet on 6 June 2017. In view of the issues that have, and may, arise in connection with the implementation of the policy it is recommended that the Committee adopt the following policy as an interim measure:-

- **Accessible taxi vehicles must be 10 years old or less at first licensing and at substitution.**
- **All other taxi vehicles must be 5 years old or less at substitution.**
- **Private hire car vehicles must be 5 years old or less at first licensing and at substitution.**
- **There will be a general exemption from the age limit for any vehicle presented as a private hire car at first licensing prior to 6 June 2017 which, immediately prior to the date of application, operated as a licensed taxi vehicle in the city of Aberdeen.**

It is considered that the proposed policy will maintain a consistent standard of fairness between taxis and private hire cars. The general exemption will assist licence holders who may wish to move from a taxi to private hire car in anticipation of the move to a 100% accessible taxi fleet next year. The policy will also assist taxi licence holders who require an accessible vehicle prior to the 6 June 2017 by maintaining the age limit of 10 years for accessible vehicles pending the implementation of the policy. Finally it will streamline the age limits for saloon taxis and private hire vehicles insofar as possible at this time.

Officers will keep the policy under review following the implementation of the accessible vehicle policy on 6 June 2017 and report back to Committee once a period of twelve months has passed with further recommendations if appropriate. This will allow further consultation with the Taxi Consultation Group on the standard of the taxi fleet once it becomes 100% accessible and allow consideration to be given as to whether the 10 year age limit for accessible vehicles can be reviewed in order to streamline the age limit across the taxi and private hire fleet.

## 6. IMPACT

Equality and Human Rights Impact Assessment – An EHRIA has been carried out and the recommendations have been found to have a neutral impact on the protected groups. It is not considered that there will be any detrimental impact to persons with disabilities in view of the fact that no change is being made to the current age limit for accessible vehicles.

Public – Having an age of vehicles policy is of benefit to members of the public as it ensures that a high standard of vehicle is available for hire across the city. Clarifying the policy will assist applicants for taxi and private hire licences as well as current licence holders.

## 7. MANAGEMENT OF RISK

The Committee must ensure that its policies are fair and justifiable and do not unfairly prejudice one group or holder of similar licences against another. For example, by placing a greater financial burden on one group or sub-group compared to another.

## 8. BACKGROUND PAPERS

None

## 9. REPORT AUTHOR DETAILS

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