



Walsall Council

REPORT OF THE HEAD OF PUBLIC PROTECTION

TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE

WEDNESDAY 16TH APRIL 2008 @ 6.00PM

ISSUE OF 12 MONTH VEHICLE LICENCES FOR BOTH HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is for Members to consider removing the need to issue 4 month vehicle licences, and require the issuing of 12 month licences to both hackney carriage and private hire vehicles.

2. RECOMMENDATION

- 2.1 The Committee is recommended to approve the change in relation to the issue of hackney carriage and private hire vehicle licences by the removal of the 4 month licence and the issue of 12 month licences only.

3. FINANCIAL IMPLICATIONS

- 3.1 Within Budget: Yes.
- 3.2 The cost of any appeal to a Magistrates Court by any person aggrieved by the decision of the council in respect of any conditions set by the authority as permitted under the legislation.

4. POLICY IMPLICATIONS

- 4.1 None arising from this report.

5. LEGAL IMPLICATIONS

- 5.1 Legal Services consulted: Yes.
- 5.2 The Local Government (Miscellaneous Provisions)Act 1976 governs the issue and control of licences for private hire and hackney carriage vehicles, drivers and operators.

- 5.3 Section 47 of the Act allows councils to attach to the grant of a licence for hackney carriages such conditions as they consider reasonably necessary.
- 5.4 Section 48 of the Act allows councils to attach to the grant of a licence for private hire vehicles such conditions as they consider reasonably necessary.
- 5.3 Section 50 (1) of the Act permits the authority to require operators to submit their vehicles for inspection on no more than 3 occasions in any twelve months.

6. EQUAL OPPORTUNITIES

- 6.1 None arising from this report.

7. ENVIRONMENTAL IMPACT

- 7.1 Conditions attached to the grant of any licence under the Act are made in order to safeguard members of the public whilst travelling in either private hire or hackney carriage vehicles.
- 7.1 The testing of the vehicles on a regular basis ensures a safe, secure, clean and environmentally supportive transport system.

8. WARD(S) AFFECTED

- 8.1 All.

9. CONSULTEES

- 9.1 Taxi Liaison Group.

10. CONTACT OFFICER

- 10.1. Steven Knapper – Principal Licensing Officer. Ext. 2221

9. BACKGROUND

- 9.1 The Act requires that both hackney carriage and private hire vehicles be tested to ascertain their fitness to be licensed by the authority.
- 9.2 Local authority is permitted by the Act to inspect licensed vehicles on no more than 3 times a year.
- 9.3 This authority requires that for vehicles under 3 years of age (taken from the first date of registration) a twelve monthly test is required. For

vehicles older than 3 years of age, the vehicle is required to be tested 3 times a year.

- 9.4 The licence plate is therefore issued for either 4 months or 12 months dependant on the age of the vehicle concerned.
- 9.5 The cost to drivers and proprietors is budgeted accordingly and requires them to visit the licensing office either once or three times a year.
- 9.6 The licensing Service is always working to continuously improve the procedures and, considers the needs of the trade in line with licensing requirements and the need to ensure compliance with the law.
- 9.7 At the Taxi Liaison Group meeting of the 12th March 2008 a member of the private hire association requested that Committee consider the introduction of a 12 month licence for all vehicles.
- 9.8 The issue of such licences would in no way reduce the number of tests that are required to be undertaken in line with the age of each individual vehicle.
- 9.9 It was suggested that Members also consider that when a vehicle was presented for either it's 4 monthly or twelve monthly test, and if the vehicle failed that test, the officer inspecting the vehicle would remove the licence plate from the vehicle, and suspend that vehicle licence until the vehicle was passed fit again.
- 9.10 The garage would forward all vehicle pass sheets for vehicles to the licensing office for information so that records can be maintained and appropriate enforcement checks carried out.
- 9.11 By approving the adoption of this new system, there would be a number of benefits to both the licensed trade and the licensing service:
 1. It is an effective way of encouraging drivers/proprietors to keep their vehicles maintained at all times in order to prevent suspension of the vehicle licence.
 2. The system would give the drivers more time working by not having to attend the licensing offices so regularly,.
 3. Licensing officer's time would be freed up in order to involve themselves in more urgent and important licensing issues.
 4. Licence plates will not be issued so often therefore, there will be an environmental and a cost saving issue on materials and inks.
 5. There will be less waste.
 6. There may be a benefit to the trade when considering new licensing budgets.

7. Vehicles that fail the test and have had their licence plates removed will be clearly visible for Enforcement purposes.