

REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES

REGULATORY COMMITTEE – 3 OCTOBER 2011

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE POLICIES

1.0 PURPOSE OF THE REPORT

- 1.1 To inform the Committee of proposals to advise hackney carriage and private hire vehicle proprietors with regard to the Council's age policies.

2.0 DESCRIPTION OF DECISION

- 2.1 Members are requested to note the contents of the report.

3.0 INTRODUCTION/BACKGROUND

- 3.1 The Committee will be aware that they have recently considered several applications relating to the licensing of vehicles falling outside the age limits of the current policies. The owners of these vehicles have been unable to provide the required evidence that their vehicles had been correctly and regularly serviced by a reputable garage, in accordance with the manufacturers' service specification.

- 3.2 The Council's current policy relating to the age of vehicles licensed as hackney carriages or private hire vehicles states:

"(a) Except for those vehicles "exceptionally well maintained" as defined in (b) below:

- (i) no vehicle over 5 years old, i.e. from the date of first registration, be accepted for initial licensing;
- (ii) with effect from the 1st July 1992, no vehicle, licensed as a hackney carriage or private hire vehicle, be accepted for further licensing once it has reached 7 years of age from the date of first registration;
- (iii) as from 2nd March 1998, no purpose built wheelchair accessible vehicle or minibus over 5 years old, i.e. from the date of first registration, be accepted for initial licensing;
- (iv) as from 2nd March 1998, no purpose built wheelchair accessible vehicle or minibus licensed, be accepted for further licensing once it has reached 10 years of age from the date of first registration;
- (v) All vehicles as specified above currently licensed and outside of the Council's 'Age Policy' be subjected to three mechanical inspections per year.

(b) the following definition of "exceptionally well maintained" be adopted:-

- the vehicle to be in excellent mechanical condition;

- the vehicle to be in all respects safe and roadworthy with no signs of corrosion to the mechanical parts, chassis, underside or body work.
- evidence to be produced, i.e. the vehicle service record, that the vehicle has been correctly and regularly serviced, by a reputable garage, in accordance with the manufacturers' service specification;
- the exterior of the vehicle to be in near perfect condition with no dents, damage or signs of corrosion. The paintwork to be in excellent condition;
- the interior of the vehicle to be in near perfect condition. The upholstery, linings, seats and floor coverings to be perfectly clean with no holes, tears or signs of wearing;
- the boot or luggage compartment to be in good condition, clean and uncluttered."

This information is given to applicants prior to the initial licensing of a vehicle.

4.0 CURRENT POSITION

- 4.1 In order to ensure that applicants for a hackney carriage or private hire vehicle licence and current licensees are aware of the importance of ensuring that the service history of their vehicles are recorded in the required manner should they wish to license a vehicle outside of the Council's Age Policies, it is proposed that the following information will be provided to all new applicants and current proprietors in relation to hackney carriages and private hire vehicles:-

"The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years' old, from the date of first registration, will be accepted for initial licensing unless we consider it to be exceptionally well maintained. This policy applies even where the vehicle has been licensed previously but that licence, for whatever reason, is not in force when an application to license it again is made. If you want to license a vehicle after it is five years' old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
- b) No vehicle, except 'purpose built wheelchair accessible vehicles or minibuses, aged over seven years old, from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.
- c) No purpose built wheelchair accessible vehicle or minibus, aged over ten years old, from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.

You should note that 'exceptionally well maintained' means, among other

requirements, that you will need to produce a full record that the vehicle has been correctly and regularly serviced by a reputable garage in accordance with the manufacturer's service specification.

This means that you will need records for the whole of the vehicle's history, including any time before it came into your possession.

Failure to produce the necessary documents will result in an application being referred to the Regulatory Committee for their decision."

- 4.2 It is proposed that this information is to be included in new licence application forms, licence renewal application forms and letters advising a proprietor that their vehicle requires a mechanical inspection. These proposals will ensure that vehicle proprietors are advised at least twice a year of the importance of ensuring that the service history of their vehicles are recorded in the required manner. Copies of the proposed application forms and letter as detailed above are attached at Appendix 1.

5.0 REASONS FOR THE DECISION

- 5.1 To improve the awareness of applicants and proprietors of the Council's requirements in relation to the age of vehicles licensed as hackney carriages and private hire vehicles.

6.0 ALTERNATIVE OPTIONS

- 6.1 None.

7.0 RELEVANT CONSIDERATIONS

- 7.1 None.

8.0 GLOSSARY

- 8.1 No acronyms or abbreviations have been used in this report.

9.0 LIST OF APPENDICES

- 9.1 Appendix 1 – Copies of proposed documents.

10.0 BACKGROUND PAPERS

- 10.1 None.

APPENDIX 1

Town Police Clauses Act 1847
Local Government (Miscellaneous Provisions) Act 1976
Application for Hackney Carriage / Private Hire Vehicle Licence

1. Licence Requested

Hackney Carriage	New	<input type="text"/>	White only
Hackney Carriage	Replacement	<input type="text"/>	Plate No.
Hackney Carriage	Transfer	<input type="text"/>	Plate No.
Private Hire	New	<input type="text"/>	Non-White only
Private Hire	Replacement	<input type="text"/>	Plate No.
Private Hire	Transfer	<input type="text"/>	Plate No.

2. Vehicle Details

Make Model

Registration No. No. of Passenger Seats

Date of First Registration Body Type

Engine Capacity Colour

Windows Tinted Yes / No Wheelchair Accessible Vehicle Yes / No

Name of Operating Company

3. Insurance Details

Insurance Company

Insurance Broker

Risks Covered

Named Drivers

Certificate/Cover Note No. Date of Expiry

**(N.B. If a cover note is provided, successive cover notes, or a certificate
will be required to be produced upon expiry)**

OFFICE USE ONLY

Date of Examination of Vehicle Pass / Fail

Windows Checked %

Remarks
Insurance Follow-up
Authorised Officer
Authorised Officer

Licensing Section, City Services, Jack Crawford House, Commercial Road, Hendon, Sunderland, SR2 QR.
Telephone (0191) 5611669, Fax (0191) 5531660

R:\Licensing\TAXIS\Vehicle Application Form 2011 cttee.doc

4. Details of Vehicle Proprietor(s) (Your Details)
(Enter your designated contact for correspondence first)

Name (IN FULL)
Address
.....
.....
Tel. No.
E-Mail address.

Name (IN FULL)
Address
.....
.....
Tel. No.

Details of any additional proprietors must be given on a separate form
(For completion if the proprietor is a company)

Company name (IN FULL)
Address
.....
Tel. No.
E-Mail address.

TO BE COMPLETED BY ALL PROPRIETORS

5. Give details of any refusal, suspension or revocation of a Hackney Carriage or Private Hire Vehicle Licence by this or any other Licensing Authority

.....
.....
.....
.....

6. Previous Convictions

Give details of any convictions (include road traffic convictions)
(other than spent convictions as defined in the Rehabilitation of Offenders Act 1974)

.....
.....
.....
.....

DURATION OF VEHICLE LICENCES

OUR POLICY IS THAT A VEHICLE LICENSED ON ANY DATE IN A MONTH WILL BE AUTHORISED UNDER THAT LICENCE FOR THE REMAINDER OF THAT MONTH PLUS THE WHOLE OF THE FOLLOWING 11 CALENDAR MONTHS.

E.G. SHOULD A VEHICLE LICENCE COMMENCE ON 28 APRIL 2007 IT WILL EXPIRE ON 31 MARCH 2008.

PLEASE INFORM US WHEN SUBMITTING YOUR APPLICATION SHOULD YOU WISH A LICENCE TO COMMENCE ON THE 1ST OF THE FOLLOWING MONTH. YOU WILL THEN BE AUTHORISED FOR 12 COMPLETE CALENDAR MONTHS. PLEASE NOTE THE LICENCE FOR THE VEHICLE WILL THEN NOT BE VALID UNTIL THE 1ST DAY OF THE MONTH REQUESTED.

SIGNATURE(S) OF PROPRIETORS DATE

..... DATE

The Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes

ONLY TO BE COMPLETED IF TRANSFERRING AN INTEREST IN A LICENSED VEHICLE

I wish to transfer the vehicle described overleaf to:

.....
.....
.....
.....
.....

PLEASE NOTE: It is the responsibility of the previous owner to ensure that the Senior Licensing Officer is informed of a vehicle transfer.

Signed Date

Age Policy

The Council has policies to ensure that vehicles are safe and suitable to be used as Hackney Carriages or Private Hire Vehicles.

- a) No vehicle aged over five years old, from the date of first registration, will be accepted for licensing unless we consider it to be exceptionally well maintained. ***This policy applies even where the vehicle has been licensed previously but the previous licence, for whatever reason, is not in force when an application to license the vehicle again is made.*** If you want to license a vehicle after it is five years old it is in your interest to ensure that you do not allow the licence to lapse before applying for a licence after the fifth anniversary of its registration.
- b) No vehicle, except a purpose built wheelchair accessible vehicle or minibus, aged over seven years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.
- c) No purpose built wheelchair accessible vehicle or minibus, aged over ten years old from the date of first registration, will be accepted for the renewal of its licence unless we consider it to be exceptionally well maintained.

You should note that 'exceptionally well maintained' means, among other requirements, that you will need to produce a full service history showing that the vehicle has been correctly and regularly serviced by a reputable garage in accordance with the manufacturer's service specification.

This means that you will need records for the whole of the vehicle's history, including any time before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you can't produce the necessary documents your application will be referred to the Regulatory Committee for their decision.

PLEASE BRING THE FOLLOWING WHEN SUBMITTING THIS FORM	OFFICE USE ONLY (documents copied/items checked)
Registration Document and/or Bill of Sale	
M.O.T. Certificate (where applicable)	
Cover Note/Certificate of Insurance	
Existing Vehicle Licence (Transfer/Replacement only)	
Transfer Fee	
Re-Test Fee	
Door Insignias (Hackney Carriage Only)	
Licence Fee	

OFFICE USE ONLY

Date Received Details Checked

Receipt No. Date of Issue

Receipt No:

Amount

**HACKNEY CARRIAGE/PRIVATE HIRE
VEHICLE RENEWAL APPLICATION**

Proprietor
Address

Licence No
Registration No
Make/Model
Colour

The licence for the above Hackney Carriage/Private Hire vehicle expires on **31 March 2012**.

If you are not renewing the licence you must return the licence plate to the above office following expiry of the licence. Failure to do so may result in prosecution.

If you wish to continue to use the vehicle for Hackney Carriage/Private Hire purposes after the expiry date you must apply for a new licence (**Applications must be made at least 14 days prior to the expiry of the current licence**).

YOU SHOULD APPLY IN PERSON AND SUBMIT

PLEASE TICK

This completed renewal form	[]
Vehicle Registration Document	[]
Appropriate certificate of insurance	[]
MOT Certificate (if applicable)	[]
Licence fee	[]
Vehicle Licence Plate for amendment (after testing only)	[]

PLEASE STATE ANY CHANGE IN PROPRIETOR OR VEHICLE DETAILS IF APPLICABLE. (INCLUDE ANY CHANGE OF OPERATOR)

.....
Failure to produce any of the above may result in a delay in obtaining the new licence.

I declare that I have checked the information given on the form and to the best of my knowledge it is correct.

The maximum penalty for making a false declaration is £1000.

Signature Date

NOTE

- Should you wish to cancel a test appointment, 24 hours notice is required. Failure to do so will result in a re-test fee being levied.
- A licence comes into force the day it is dated except when it is taken in advance. In that case it takes effect from the day after the expiry of the previous licence. It is an offence to use an unlicensed Hackney Carriage/Private Hire vehicle.

All communications should be sent to the Licensing Section, City Services, Jack Crawford House,
Commercial Road, Sunderland, SR2 8QR
Telephone: (0191) 5611669 Fax: (0191) 5531660

NOTES

Colour Policy

All hackney carriages must be coloured all white. Minor variations to identify fleets or individual companies, such as a coloured coach line or small company logo, may be allowed at our discretion.

No private hire vehicle to be licensed if any part of the exterior of the vehicle is coloured white.

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This means that you will need records for the whole of the vehicle's history, including any time before it came into your possession. It is therefore in your interests to ensure that you obtain a record of full service history when you acquire a vehicle.

If you can't produce the necessary documents your application will be referred to the Regulatory Committee for their decision.

Date: 22nd September 2011
Our ref:
Your ref:

This matter is being dealt with by:

Mr Christopher Wood, Licensing Clerk, 0191 5611915,
christopher.wood@sunderland.gov.uk

Dear Mr

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
EXAMINATION AND TESTING OF HACKNEY CARRIAGE VEHICLES**

In order to comply with Health and Safety requirements, I must advise all vehicle proprietors that, upon arrival at South Hylton depot, drivers of licensed vehicles must adhere to the following procedures:-

- **Park the vehicle in a designated bay. Remain inside the vehicle until requested to move the vehicle inside the testing bay. The driver should remain with the vehicle at all times whilst at the depot;**
- **Do not park in the yellow box junction outside of the testing bay clearly marked "No parking in hatched area at any time";**
- **Only cross the road using the designated walkways clearly marked out;**
- **Always follow the correct traffic routes clearly marked out;**
- **Do not park your vehicle across the pedestrian footways. Ensure the vehicle is parked well within the designated bay;**
- **Do not smoke while on the premises. The entire depot including outside areas has been designated a no smoking zone;**
- **Contact Security next to the parking bays should you have any enquiries while on the premises.**

These rules are intended to protect drivers. Any driver found not to be adhering to these conditions may be reported to the Regulatory Committee where consideration will be given to the suspension or revocation of their hackney carriage and/or private hire driver's licence.

Your vehicle, registration number XXXXXXXXX, licence number XXX should be presented for examination and testing at the Council Depot, Hylton Bank, South Hylton, Sunderland (formerly the Northumbrian Water Depot) on **5 March 2012 at 10:00**.

Vehicle testing is by appointment and you should therefore present your vehicle at the time and date given. If you are unable to keep the appointment please advise my officers forthwith. Failure to keep a test appointment or a test failure will result in a re-test fee of £58.90 being levied unless otherwise advised. This fee must be paid prior to the vehicle being tested. If the vehicle is defective or unroadworthy it must not be used as a Hackney Carriage vehicle until it has been repaired and subsequently re-tested.

Please note that on completion of the vehicle examination you must produce the inspection certificate, registration, insurance documents and the current M.O.T. certificate (if applicable) to the City Centre Customer Services Centre at 31-32 Fawcett Street, Sunderland, SR1 1RE.

THESE DOCUMENTS WILL NOT BE ACCEPTED AT EITHER THE CIVIC CENTRE OR THE TESTING STATION

If your Hackney Carriage vehicle licence is due for renewal, please find enclosed an application form to renew the licence.

May I remind you of the following:

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If you can't produce the necessary documents your application will be referred to the Regulatory Committee for their decision.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A.E. Humphrey', written in a cursive style.

Mr A.E. Humphrey
Senior Licensing Officer