

South Ayrshire Council

Report by Head of Legal and Regulatory Services
to Regulatory Panel (Licensing)
of 14th March 2024

Subject: Taxi and Private Hire Vehicle age limits

1. Purpose

- 1.1 The purpose of this report is to advise members of the discussions regarding vehicle age limits at the recent Taxi and Private Hire Forum meeting and request consideration is given to temporarily extending vehicle age limits as described below.

2. Recommendation

2.1 It is recommended that the Panel:

2.1.1 for the taxi and private hire vehicles currently licensed with South Ayrshire Council, which will reach their upper age limit in terms of Council policy between 14th March 2024 and 31st May 2024, consider whether to temporarily extend the upper age limit for the period until the 31st May 2024, pending a Report to be considered at Cabinet on 21st May 2024 regarding any permanent decision for changes to the age limits for taxi and private hire vehicles.

2.1.2 if members agree to the temporary extension in terms of paragraph 2.1.1 above, request that the Co-ordinator (Licensing) advises the taxi and private hire trade of this temporary extension and requests that licence holders whose taxi or private hire vehicles will reach the current age limit before 31st May 2024 contact Licensing if they wish to utilise this extension so the necessary arrangements can be made

3. Background

- 3.1** The Policy, Guidelines and Code of Conduct applicable to the Licensing, Operation and Testing of Taxi and Private Hire Cars was approved by Leadership Panel on 23rd April 2019 and in relation to age limits for these vehicles states:
- Section 3(1)(d) - *Any vehicle operating as a private hire car within South Ayrshire must be under 7 years from original registration*
 - Section 6(2) - *Any vehicle operating as a taxi within South Ayrshire must be under the age of 11 years from the original date of registration.*

4. Proposals

- 4.1 A meeting of the Taxi and Private Hire Forum was held on the 27th February 2024 and was chaired by Councillor Martin Kilbride, Portfolio Holder for Buildings, Housing and Environment. The meeting was attended by representatives of both the taxi and private hire trades, as well as the Chair of the Regulatory Panel, Councillor Kenneth Bell, and officers from Fleet and Licensing services. The trade representatives outlined their difficulties in the current economic climate and requested that an update of the Council Policy be considered, namely that (1) the age limit for first registering a vehicle as a taxi or private hire vehicle is increased from 4 years to 5 years; and (2) the age limit at which a taxi or private hire vehicle must cease to be used as such in South Ayrshire is increased - the initial request was for an extra year for both vehicle types, however it was indicated that a larger increase would be welcome.
- 4.2 Councillor Kilbride, as the Chair of the Forum, agreed that a Report should be prepared for Cabinet to consider this request for a change to the current policy. It is proposed to include this report on the agenda for the Cabinet meeting of 21st May 2024.
- 4.3 Given the current challenging economic environment and difficulties experienced by licence holders Councillors Kilbride and Bell requested that a temporary extension to the upper vehicle age limits be considered by the Regulatory Panel (Licensing), to grant all vehicles which reach the current age limit before 31st May 2024 a temporary extension until the 31st May 2024 to allow them to continue to trade.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 There are no financial implications arising from this report.

7. Human Resources Implications

- 7.1 Not applicable

8. Risk

Risk Implications of Adopting the Recommendations

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 **Risk Implications of Rejecting the Recommendations**

If the recommendations are rejected the taxi and private hire licence holders whose vehicles reach the upper age limit soon would not be able continue using their vehicle and may cease to use their licence or they may substitute another vehicle onto their licence at considerable cost when Cabinet may permanently extend the vehicle age limit in May 2024.

9. **Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#).

10. **Sustainable Development Implications**

10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. **Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. **Link to Council Plan**

12.1 The matters referred to in this report contribute to Commitment 1 of the Council Plan: Fair and Effective Leadership/Leadership that promotes fairness.

13. **Results of Consultation**

13.1 The Portfolio Holder for Buildings, Housing and Environment, Councillor Martin Kilbride, has been consulted and is supportive of the report.

Background Papers **Report for Leadership Panel 23rd April 2019** [Specification for Taxi and Private Hire Vehicles \(south-ayrshire.gov.uk\)](#)

Current Policy for the Operation and Testing of Private Hire Vehicles - <https://www.south-ayrshire.gov.uk/media/3191/Operation-And-Testing-Of-Taxis-And-Private-Hire-Cars/pdf/licensingtaxipolicy.pdf?m=1636448893810>

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Date: 8th March 2024

South Ayrshire Council Equality Impact Assessment Scoping
1. Proposal details

Taxi and Private Hire vehicle age limits	Lead Officer Karen Briggs
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2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this proposal? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	-	-
People from different racial groups, ethnic or national origin.	-	-
Women and/or men (boys and girls)	-	-
People with disabilities	-	-
People from particular age groups for example Older people, children and young people	-	-
Lesbian, gay, bisexual and heterosexual people	-	-
People who are proposing to undergo, are undergoing or have undergone a process to change sex	-	-
Pregnant women and new mothers	-	-
People who are married or in a civil partnership	-	-
People who share a particular religion or belief	-	-
Thematic Groups: Health, Human Rights, Rurality and Deprivation.	-	-

3. Do you have evidence or reason to believe that the proposal will support the Council to:

General Duty and other Equality Themes	Level of Negative and/or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	low
Promote equality of opportunity between particular communities or groups	low
Foster good relations between particular communities or groups	low
Promote positive attitudes towards different communities or groups	low
Increase participation of particular communities or groups in public life	low
Improve the health and wellbeing of particular communities or groups	low
Promote the human rights of particular communities or groups	low
Tackle deprivation faced by particular communities or groups	low

4. Summary Assessment

Is a full Equality Impact Assessment required? (A full EIA must be carried out on all high and medium impact proposals)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Rationale for decision: This report is in relation to an administrative procedure for the Council Panel.			
Signed : Karen Briggs , Service Lead Legal and Licensing			
Date: 8.3.24		Copy to equalities@south-ayrshire.gov.uk	