

South Ayrshire Council

Report by Chief Governance Officer
to Regulatory Panel (Licensing)
of 23 May 2024

Subject: Taxi and Private Hire Vehicle age limits

1. Purpose

- 1.1 The purpose of this report is to seek an extension to the recent decision of the Regulatory Panel (Licensing) on 14th March 2024 to temporarily extend the upper age limit of taxis and private hire vehicles from 31st May 2024 to 11th October 2024.

2. Recommendation

2.1 It is recommended that the Panel:

- 2.1.1 grant an extension of the vehicle age limits to 11th October 2024 for the licence holders of taxi and private hire vehicles:**
- (a) currently holding an extension authorised by the Licensing service, following the Panel decision of 14th March 2024, subject to authorisation by Licensing including any required testing in terms of paragraph 2.1.3**
 - (b) whose vehicles have reached or will reach their upper age limit in terms of Council policy between 14th March 2024 and 11th October 2024, who have advised Licensing of their intention to utilise the extension, and subject to authorisation by Licensing, including any required testing in terms of paragraph 2.1.3**
- 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 who (a) currently hold an extension and (b) whose taxi or private hire vehicles will reach the current age limit before 11th October 2024, contact Licensing if they wish to utilise this extension so the necessary arrangements can be made**
- 2.1.3 if members agree to the temporary extension in terms of paragraph 2.1.1 above, grant delegated powers to the Service Lead – Legal and Licensing to determine if any further vehicle testing is required in each circumstance.**

3. Background

- 3.1 At the Regulatory Panel (Licensing) meeting on 14th March 2024, members were advised of a request from the Taxi and Private Hire Forum 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.
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.
- 3.2 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. This was agreed by Regulatory Panel (Licensing) on 14th March 2024.
- 3.3 The report which will be considered at Cabinet is currently being drafted with information being provided by various departments in the Council. It has not yet been finalised and will not be ready to be considered by Cabinet on 21st May 2024. It is now proposed that it will be heard at Cabinet on the 25th September 2024.

4. Proposals

- 4.1 It is proposed that the vehicle age limits are extended to 11th October 2024 for:
- licence holders who currently hold an extension authorised by the Licensing service, following the Panel decision of 14th March 2024 subject to authorisation by Licensing including any required testing in terms of paragraph 4.2 below , and
 - licence holders whose vehicles have reached or will reach their upper age limit in terms of Council policy between 14th March 2024 and 11th October 2024, who have advised Licensing of their intention to utilise the extension, and subject to authorisation by Licensing, including any required testing in terms of paragraph 4.2 below.
- 4.2 It is also proposed that, due to the varying times when inspections and MOT's are due, to grant delegated authority to the Service Lead – Legal and Licensing to determine if any further vehicle testing is required for any vehicle utilising the extension.

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

8.1 *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 September 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 Regulatory Panel (Licensing) 14th March 2024**
https://www.south-ayrshire.gov.uk/media/11465/Agenda-Item-4-Temporary-Extension-to-Vehicle-Age-Limits/pdf/Item_4_REGLIC140324_Vehicle_Age_Limits.pdf?m=1710148241073

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>

Person to Contact **Karen Briggs, Service Lead - Legal and Licensing**
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Date: 17th May 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: 17.5.24		Copy to equalities@south-ayrshire.gov.uk	