

COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT: CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/PRIVATE HIRE VEHICLES

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

The purpose of the report is to seek approval to change the current policy relating to the testing frequency for Hackney Carriage and Private Hire Vehicles licensed by Rhondda Cynon Taf County Borough Council, in order to ensure a balance is achieved between:

- (i) The needs of the trade to operate a viable business.
- (ii) The needs of the consumers with Rhondda Cynon Taf area.
- (iii) The profile of the service to meet corporate objectives.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

Approval is granted to change the existing policy to remove the 4 month and 8 month interim tests for all vehicles over 7 years from first date of registration that have an expiry of licence over 10 years from date of first registration and replace with a 6 month interim test in line with current policy for vehicle aged 3-7 years.

The policy change is to take effect on 1st June 2023



Louise Davies

19th April 2023

Llofnod y Prif Swyddog
Chief Officer Signature

Enw (priflythrennau)
Name (Print Name)

Dyddiad
Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION



18th April 2023

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

**WILL THIS DECISION HAVE AN IMPACT ON THE WARD?
A FYDD Y PENDERFYNIAD YMA'N CAEL EFFAITH AR Y WARD?**

BYDD | YES NA FYDD | NO ✓

**Any further comments/Need for Local Member to be informed: N/A
Unrhyw sylwadau pellach/Oes angen rhoi gwybod i'r Aelod Lleol?:**

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES NAC YDY | NO[√]

Rheswm dros fod yn fater brys | Reason for Urgency:

.....

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd | Presiding Member)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Council's Website:- _____19.04.23_____

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

_____25.04.23_____
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Public Health, Protection & Community Services
Enw'r Person Cyswllt Contact Name:	Kim Trilloe
Swydd Designation:	Health Protection and Licensing Officer
Rhif Ffôn Telephone Number:	07385396740



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

18th APRIL 2023

CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/ PRIVATE HIRE VEHICLES

REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES

Author(s): Kim Trilloe – Health Protection and Licensing Manager

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval to change the current policy relating to the testing frequency for all Hackney Carriage and Private Hire Vehicles licensed by Rhondda Cynon Taf County Borough Council, in order to ensure a balance is achieved between:
- (i) The needs of the trade to operate a viable business.
 - (ii) The needs of the consumers with Rhondda Cynon Taf area.
 - (iii) The profile of the service to meet corporate objectives.

2. RECOMMENDATIONS

- 2.1 It is recommended that:
- a) The 4 month and 8 month interim tests for vehicles over 7 years from first date of registration that have an expiry of licence over 10 years from date of first registration are removed and replaced with a 6 month interim test in line with current policy for vehicles aged 3-7 years.
 - b) The policy change to take effect on 1st June 2023

3. BACKGROUND

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 makes provision for a Council to attach, to the grant of a licence of a Hackney Carriage under the Police and Town Clauses Act of 1847, such conditions as the district council may consider reasonably necessary.
- 3.2 The 1976 Act also allows a district council to attach to the grant of a Private Hire Vehicle licence such conditions as they may consider reasonably necessary.

- 3.3 The Authority received a request from the trade via Unite Union to consider removing the 4 month and 8 month interim test in 2021.
- 3.4 Initial analysis of the data for failure rates 2019/2020 showed a failure rate of **30.5% CAT A and 12% Cat B** which was deemed unacceptable and the 4 month interim tests remained in place
- 3.5 It was agreed that the Licensing team would monitor test failure rates for vehicles over 7 years and should there be an improvement i.e. reduction in failure rates, then the position would be reviewed.

4. RATIONALE FOR THE PROPOSAL

- 4.1 The recent pandemic has caused the trade to suffer losses in income and the Local Authority has been asked by members of the trade to consider ways to assist in reducing the oncosts of operating Hackney Carriage and Private Hire vehicles. The proposed change will save the trade the cost of 1 interim test per year (£77) per vehicle over 7 years and that have an expiry of licence over 10 years from date of first registration.
- 4.2 The test failure rates for Sep 2021 – Sep 2022 have been reviewed and they show a failure rate of **11.5% Cat A and 11.5%** for Cat B which is a significant improvement.

<u>Year</u>	<u>Cat A Fail Rate</u>	<u>Cat B Fail Rate</u>
2019/2020	30.5%	12%
2021/2022	11.5%	11.5%

(Fail rate for vehicles 3 – 7 yrs. 2021/22 were 7.3% CAT A and 8.2% CAT B)

- 4.3 The Licensing team has reviewed the data from test results and consider that the proposed changes to the testing frequency will not negatively affect the safety of the public. Vehicles will still be subject to a 6 month test.
- 4.4 It must also be noted that should a vehicle show poor maintenance and failure rates, action can be taken by the Department such as suspension or revocation of license of the proprietor/operator.
- 4.5 The Integrated Transport Unit (ITU) who manage school contracts have been contacted and have expressed no concerns over the recommendations within this report.
- 4.6 The proposal has been discussed with the Chairman, Secretary and Regional representative of the 'Unite' union who are supportive of the proposal.
- 4.7 The proposal has been shared with the Chair of the Licensing Committee who is supportive of the proposal.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It is deemed the impact of this proposal will not negatively impact equality and diversity. A copy can be viewed upon request.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 A Welsh Language Impact assessment has been completed. It is deemed that the amendments proposed are demographic neutral and will not negatively impact on Welsh language.

7. FINANCIAL IMPLICATION(S)

- 7.1 This report does not have any financial implications for the Council as it relates to a slight amendment to current policy only.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 Local Government (Miscellaneous Provisions) Act 1976 and the Police & Town Clauses Act 1847 was considered which provides legislation for taxis.
- 8.2 The Equality Act 2010, Sections 165 to 167 were considered, as well as the Disability Discrimination Act 1995.

9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 9.1 This report has been considered for evidence of the Five Ways of Working and how it may contribute to our Well-being Objectives.
- 9.2 Prevention: The Hackney Carriage & Private Hire Vehicle trade provides an essential service to all members of the public. By reducing the oncosts to the trade, whilst not compromising public safety it is envisaged that it will help stop proprietors leaving the trade and support a safe and suitable taxi fleet that is instrumental in assisting a vibrant economy.
- 9.3 Collaboration: The Licensing department meets regularly with 'Unite' union who represent many of the taxi trade within RCT to discuss topics relevant to the trade. The issue regarding oncosts and vehicle tests has been raised as a concern.

10. CONCLUSION

- 10.1 The removal of the 4 month and 8 month interim test requirement for all vehicles over 7 years that have an expiry of licence over 10 years from date of first registration and replacement with a 6 month interim test will maintain public safety and assist the trade in reducing oncosts by £77 per year for Hackney Carriage and Private Hire Vehicles.

- 10.2 The 4 month and 8 month interim test requirement for Wheelchair Accessible Vehicles (WAV) over 10 years will remain in place. This will be subject to review in 2 years subject to enough data being available to be evaluated following the recent change in policy (December 2022) to extend the licensable end of life age for a WAV from 10 years to 12 years.
- 10.3 It is anticipated that the change to policy will take effect on 1st June 2023.
- 11. STRATEGIC OR RELEVANT TO ELECTORAL WARDS (please specify)**
- 11.1 The proposed changes to the testing frequency will reduce the oncost to the trade and support a vibrant taxi trade which will benefit members of the public and the taxi trade across all electoral wards within the Borough.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

DELEGATED OFFICER DECISION

18th APRIL 2023

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH, PROTECTION AND
COMMUNITY SERVICES**

**CHANGE TO POLICY FOR LICENSING OF HACKNEY CARRIAGE/ PRIVATE
HIRE VEHICLES**

Background Papers:

None

Officer to contact:

Kim Trilloe – Health Protection and Licensing Manager