

# LICENSING COMMITTEE

## AGENDA



**Friday 7<sup>th</sup> January 2022**

**at 1.00pm**

**in the Council Chamber,  
Civic Centre, Hartlepool.**

**A limited number of members of the public will be able to attend the meeting with spaces being available on a first come, first served basis. Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523019 by midday on Thursday 6<sup>th</sup> January and name and address details will be taken for NHS Test and Trace purposes.**

**You should not attend the meeting if you are required to self-isolate or are displaying any COVID-19 symptoms such as (a high temperature, new and persistent cough, or a loss of/change in sense of taste or smell), even if these symptoms are mild. If you, or anyone you live with, have one or more of these symptoms you should follow the [NHS guidance on testing](#).**

**MEMBERS: LICENSING COMMITTEE:**

Councillors Brown, Cassidy, Cook, Elliott, Feeney, Fleming, Jackson, Little, B Loynes, Picton, Prince and Richardson

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
  - 3.1 To approve the minutes of the Licensing Committee meeting held on 1<sup>st</sup> October 2021
  - 3.2 To approve the minutes of the Regulatory Sub-Committee meeting held on 8<sup>th</sup> October 2021
  - 3.3 To approve the minutes of the Licensing Sub-Committee meeting held on 22<sup>nd</sup> October 2021
  - 3.4 To approve the minutes of the Licensing Sub-Committee meeting held on 16<sup>th</sup> November 2021

#### **CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE**

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

**4. ITEMS REQUIRING DECISION**

4.1 Hackney Carriage Tariffs – *Assistant Director (Regulatory Services)*

4.2 Taxi Licensing Policy – *Assistant Director (Regulatory Services)*

**5. ITEMS FOR INFORMATION**

5.1 No items.

**6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

Date of next meeting – Friday 11<sup>th</sup> March 2022 at 1.00pm



# **LICENSING COMMITTEE**

## **MINUTES AND DECISION RECORD**

1<sup>st</sup> October 2021

The meeting commenced at 1.00pm in the Civic Centre, Hartlepool

**Present:**

Councillor: Tim Fleming (In the Chair)

Councillors: Paddy Brown, Rob Cook, Jennifer Elliott, Tom Feeney,  
Peter Jackson, Sue Little, Steve Picton, Amy Prince and  
Carl Richardson

In accordance with Council Procedure Rule 4.2 Councillor Brian Cowie was in attendance as substitute for Councillor Brenda Loynes

Officers: Sylvia Pinkney, Head of Public Protection  
Ian Harrison, Trading Standards and Licensing Manager  
Maxine Bee, Technical Officer (Licensing)  
Tony Macnab, Solicitor  
Jo Stubbs, Democratic Services Officer

### **9. Apologies for Absence**

Apologies were submitted by Councillors Tom Cassidy and Brenda Loynes.

### **10. Declarations of interest by Members**

None

### **11. Confirmation of the minutes of the Licensing Committee meeting held on 25<sup>th</sup> June 2021.**

Minutes confirmed

### **12. Confirmation of the minutes of the Regulatory Sub-Committee meeting held on 21<sup>st</sup> July 2021.**

Minutes confirmed

### **13. Gambling Act – Statement of Licensing Principles** (Assistant Director (Regulatory Services))

The Council's current statement of licensing principles in relation to gambling activities was due for renewal in January 2022. Consultation on the attached draft proposed policy had been approved by members at the meeting on 25<sup>th</sup> June 2021. This consultation had ended on 3<sup>rd</sup> September with no responses meaning no changes had been made to the document.

A member raised concerns at a reference within the statement to particular ethnic groups and queried whether this was relevant. The Trading Standards and Licensing Manager advised that this information had come from a national gaming prevalence survey and was not specific to Hartlepool. This information had been included in the consultation document however he acknowledged members' concerns and was happy to remove it from the final document if members preferred this.

A member queried why the figures contained in the statement were based on the 2001 census and suggested the figures from the more recent census be used when the statement was considered by Council.

#### **Decision**

- That the draft statement of licensing principles be recommended for approval to full Council subject to the omission of the following sentence:

'It was also associated with poor health, being single and being Asian/British Asian' and the inclusion of updated census information.

- That a 'no casino' resolution be incorporated into the draft statement of licensing principles.

### **14. House to House Collections** (Assistant Director (Regulatory Services))

Under the House to House Collections Act 1939 and the House to House Regulations 1947 anyone wishing to carry out a house to house collection for charitable purposes must first obtain a licence from the local authority. A House to House collection licence must be granted by a licensing authority unless it believes there are grounds to refuse it. These include that the total amount likely to be applied is inadequate in proportion to the value of the proceeds, that any remuneration to be received would be excessive and that the applicant or persons conducting the collection are unfit. In April 2011 the Licensing Committee had determined that all applicants must demonstrate that a minimum of 75% of the proceeds of the collection would be donated to the good cause before a licence was granted. If they were

unable to do so the collection bag or leaflet must clearly and prominently state the percentage to be donated in order to grant a licence.

In January 2015 the Chief Executive of the Great North Air Ambulance (GNAA) had attended a Licensing Committee meeting to explain why his organisation were unable to comply with the Council's policy in this regard. Members had subsequently decided to amend the policy to allow for exemptions to be made for individual charities on a case by case basis. The GNAA were given a 3-year exemption, which had subsequently been renewed in 2018. This exemption was now due for reconsideration.

David Stockton, representative of the GNAA, advised members that the organisation was solely funded by charitable donations and while they were unable to reach the 75% threshold they donated an average quarter of a million pounds a year to their charitable causes. The GNAA attended around 1500 incidents each year and had overheads of £7 million per annum to pay for their aircraft and crews. Staffing costs were approximately £1.5 million per annum. Money was raised through collections, be they ad hoc or through collection bag deliveries, and the contents sold wholesale in the UK and Europe. This gave a higher rate than if products were sorted before being passed on.

A member queried whether clothing bags were ever stolen and if so how this could be prevented. Mr Stockton acknowledged this as a risk and suggested that a national agreement was needed to stop cash for clothes operations. During covid their bag delivery operations had been paused but they had continued to provide an ad hoc delivery service to anyone that asked for it.

A member queried whether any other organisations had been granted an exemption on the 75% requirement. The Trading Standards and Licensing Manager confirmed that the GNAA was the only one. Another organisation had requested the exemption but had been refused as they had not attended a Committee meeting to put their case forward.

Members expressed their support for the GNAA and had no objection to the continuation of the exemption.

### **Decision**

That a further three year exemption from the Council's House to House collections policy for the Great North Air Ambulance be approved.

## **15. Taxi Licensing Policy** *(Assistant Director (Regulatory Services))*

The Government had published statutory standards for the taxi trade which must be incorporated into local policies by December 2021. As a result of this a number of amendments had been made to the Council's Taxi Licensing Policy. Consultation on the attached draft proposed policy

document had been approved by members at the meeting on 25<sup>th</sup> June 2021. This consultation had ended on 3<sup>rd</sup> September with no responses before the deadline. However Blue Line had since contacted officers raising the potential of an employment issue due to the requirement that existing staff have a DBS check when this was not in their original contract. This issue had been taken to court by another provider and the Council in question had lost the case. There was no requirement for taxi companies to keep proof of a positive DBS check. He also noted that these changes only referred to call handlers as there was already a requirement for drivers to be DBS checked.

Members had also approved a separate consultation regarding a proposal to prevent the transfer of vehicle licence ownership due to concerns at the potential value of these licences. However further investigation had showed this was not an issue so this consultation had not been taken any further.

A member referred to a current shortage of taxi drivers in Hartlepool and asked if anything could be done to address this. The Trading Standards and Licensing Officer felt that the issue may be more to do with whether a living could be made as a driver rather than anything that could be solved by the Council. The licensing policy was guided by the protection of the public and standards could not be dropped. He also noted that licences were provided to drivers at a cost basis and if they were cheaper that money would need to come from somewhere else. The only way to improve matters would be to increase fares and this might lead to a reduction in usage. However he did not believe that potential drivers were dissuaded by the cost implications.

A member referred to the dress code. The Trading Standards and Licensing Officer acknowledged there had been previous concerns about this however it was not enforceable.

A member referred to the practice of drivers hiring their vehicle from a taxi company, asking if the cost could be controlled and who was responsible for vehicle maintenance. The Trading Standards and Licensing Manager advised that the Council had no control over charges and maintenance was the responsibility of the holder of the licence for the vehicle.

Members noted there were currently only 2 private hire companies in Hartlepool which could be used to pre-book taxis. They suggested that an app be developed for use by hackney carriage drivers which would allow customers to book a car while out and about rather than the public using social media to book cars illegally as had been the case. The Trading Standards and Licensing Officer felt this was a positive idea but did not think it was something the Council could be involved in.

A member suggested that officers might wish to amend the references to drivers offering reasonable assistance to make this more specific and the requirement that drivers remain in their vehicle as he felt this was

unreasonable. The Trading Standards and Licensing Officer confirmed this could be amended to require drivers to stay with their vehicle. In terms of reasonable assistance the Solicitor advised that this was common legal terminology.

### **Decision**

That the draft licensing policy be approved.

## **16. Mobile Home Sites (Fit and Proper Person) Licensing** *(Assistant Director (Regulatory Services))*

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 requires the manager of a licensed mobile home site to be 'fit and proper'. Hartlepool has 2 licensed mobile home sites therefore under the new regulations each site would need to nominate a proposed manager who must then be considered fit and proper. A draft policy was attached covering all the requirements detailed in government guidance.

Members queried whether the person referred to as fit and proper would be expected to be on site at all times. The Trading Standards and Licensing Manager felt that this would not be reasonable, commenting that sites could nominate multiple persons to be fit and proper.

### **Decision**

That the draft Mobile Homes (Fit and Proper Person) Determination Policy as attached be approved.

The meeting concluded at 2:25 pm.

CHAIR

## **REGULATORY SUB COMMITTEE**

### **MINUTES AND DECISION RECORD**

8<sup>th</sup> October 2021

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

**Present:**

Councillor: Tom Cassidy (In the Chair)

Councillors: Sue Little and Stephen Picton

Officers: Ian Harrison, Trading Standards and Licensing Manager  
Neil Wilson, Assistant Chief Solicitor  
Jo Stubbs, Democratic Services Officer

Also present: Dawn Clarke, Mitchells & Butlers Leisure Retail Limited  
Sarah Lowther, Owton Lodge Manager

#### **5. Apologies for Absence**

Apologies were submitted by Councillor Paddy Brown.

#### **6. Declarations of interest by Members**

None

#### **7. Application for the variation of a Gaming Machine Permit – Owton Lodge, Stockton Road, Hartlepool** *(Assistant Director, Regulatory Services)*

The Trading Standards and Licensing Manager outlined the details of an application received from Mitchells & Butlers Leisure Retail Ltd for a variation of the current gaming machine permit so as to increase the number of gaming machines from 3 to 4. The Owton Lodge had applied to have 3 Category C machines and 1 Category D machine in use at the premises. A Category C gaming machine was limited to a maximum stake of £1 and a maximum prize of £100 while a Category D machine was limited to a maximum 30p cash stake with a maximum cash prize of £5 or a £50 maximum non-cash prize.

Dawn Clarke from Mitchells & Butlers Leisure Retail Limited and Sarah Lowther, Manager for the Owton Lodge, were both present and addressed the Sub-Committee. They explained that since lockdown restrictions had



eased they were busier than they had ever been and had witnessed patrons queuing to play the 2 Category C machines currently in place. All machines would be placed so as to be visible from the bar area and staff received statutory training in both alcohol and gaming machine legislation upon induction and on a twice-yearly basis after that. Mitchells & Butlers Leisure Retail Limited carried out additional test purchases on their premises to ensure that underage gaming was not taking place. They were also testing additional technology which would highlight whether patrons were standing at gaming machines for any length of time and a new gaming app which required proof of age to use.

A member queried whether anti-gambling leaflets would be made available and what steps would be taken to help patrons with a gambling addiction. Ms Clarke explained that the app would allow people to self-exclude but it was difficult for staff to control this when using cash at the machines. A review of the Gambling Act was currently underway and it had been put forward that debit card payments be used at machines rather than cash. T

Members considered the application. They indicated that they felt reassured at the answers given by the representatives and were happy to approve the application.

### **Decision**

That the application for a third Category C machine at the Owton Lodge in Hartlepool be approved.

The meeting concluded at 10:45

CHAIR

## **LICENSING SUB COMMITTEE**

### **MINUTES AND DECISION RECORD**

22<sup>nd</sup> October 2021

The meeting commenced at 1.30pm in the Civic Centre, Hartlepool

#### **Present:**

Councillor: Tom Feeney

In accordance with Council Procedure Rule 4.2 Councillor Jackson was in attendance as substitute for Councillor Cook and Councillor Prince was in attendance as substitute for Councillor B Loynes

Officers: Sylvia Pinkney, Head of Public Protection  
Tony Macnab, Solicitor  
Jo Stubbs, Democratic Services Officer

Also present: Emma Price and Harsahib Singh, Sweet Munchies

#### **1. Apologies for Absence**

Apologies were submitted by Councillors Rob Cook and Brenda Loynes.

#### **2. Appointment of Chair**

Councillor Amy Prince was appointed to Chair the meeting

#### **3. Declarations of interest by Members**

None

#### **4. Application for a new premises licence – Sweet Munchies, 124 Oxford Road, Hartlepool** *(Assistant Director, Regulatory Services)*

An application had been submitted for a new premises licence for the sale of alcohol between 2pm and 11pm 7 days a week at Sweet Munchies on Oxford Road. Two objections to this application had been received.

Following negotiations between the appellant, Cleveland Police and the Council's Trading Standards Department agreement had been reached in respect of a number of conditions including the use of CCTV cameras and

various measures to prevent the under-age sale of alcohol. Detailed information was provided to members.

Ms Price and Mr Singh were present and addressed members. They advised that during the coronavirus lockdown they had successfully moved to online delivery and intended to continue this as an addition to in-store sale. Alcohol would only be sold online via home delivery and would not be sold or displayed on the premises, being stored in a locked cupboard out of view of any customers. There would also be a requirement that the cost of the alcohol could not exceed the cost of any non-alcoholic purchases in the online order. Delivery drivers would be over 18 and be required to complete Challenge 25 training. The person receiving the order would need to show ID, the details of which would need to be provided when the order was being placed. All staff, both in store and online, would be given regular training on Challenge 25 and would be reminded of the requirements.

In terms of the objections Ms Price advised that she had previously worked for Light Pear Ltd before leaving to set up her own business. She disputed their allegation that she employed underage children, saying that 1 member of staff was 16-years-old who had taken on in order to give them some life skills. In terms of their comment regarding payment of VAT she felt this was irrelevant to her application and disputed their inference that she might sell alcohol at less than the recommended retail price. She reiterated that she did not intend to sell alcohol on the premises or have it on display. She felt that concerns around problems with alcohol and drug dependence near the premises were misplaced as the majority of their sale were from other areas in Hartlepool.

Members queried whether the CCTV was to the standard agreed as part of the proposed conditions. Ms Price confirmed there were currently 4 cameras covering the inside and outside of the shop. Should the licence be granted more cameras would be installed in order to have full coverage of the locked cupboard where the alcohol would be stored. Members noted the request that the licence be granted until 11pm despite the policy being licences in residential areas only be granted until 10pm. Ms Price indicated that they would be happy to comply with a 10pm licence if that was what members wished. She also confirmed that the alcohol would be stored in a lockable under stairs cupboard and that there was ample storage. The loading of alcohol into the delivery vans would take place out of sight of the customers and there would be no indication anywhere on the premises that alcohol was available for sale.

The Chair praised Ms Price for employing a young person but queried if they were ever left alone in the premises. Mr Price advised that they were always accompanied by herself or another member of staff.

Members considered the application in closed session. They were happy to approve the application but felt they would prefer it to be granted between 2pm and 10pm in order to comply with Council policy regarding the sale of

alcohol in residential areas. However they also noted that should the sale of alcohol be successful there was the option to apply for a variation.

**Decision**

That the application for off sale of alcohol from Sweet Munchies Ltd be granted from 2pm to 10pm 7 days a week.

The meeting concluded at 2.30pm.

CHAIR

## **LICENSING SUB COMMITTEE**

### **MINUTES AND DECISION RECORD**

16<sup>th</sup> November 2021

The meeting commenced at 10.00am in the Civic Centre, Hartlepool

#### **Present:**

Councillor: Amy Prince (in the Chair)

Councillor: Tim Fleming

In accordance with Council Procedure Rule 4.2 Councillor Feeney was in attendance as substitute for Councillor Elliott.

Officers: Rachael Readman, Senior Trading Standards Officer  
Tony Macnab, Solicitor  
Jo Stubbs, Democratic Services Officer

Also present: Hadi Azagh, Belle Vue Booze Ltd (10 Sydenham Road)

#### **5. Apologies for Absence**

Apologies were submitted by Councillor Jennifer Elliott.

#### **6. Declarations of interest by Members**

None

#### **7. Application for a new premises licence – 10 Sydenham Road, Hartlepool** *(Assistant Director, Regulatory Services)*

The applicant had applied for a licence for the off sales of alcohol between 10am and 11pm 7 days a week. Two representations had subsequently been received – an anonymous letter and a 69 signature petition. Both were appended to the report. The premises under consideration was already covered by an existing premises licence however that was suspended due to outstanding annual fees which had been unpaid by a previous licensee. In order to unsuspend this licence the outstanding fees (totalling £770) would need to be paid. However there was no legal bar on more than 1 licence being issued for a premises and application costs for a new licence were much less than the outstanding fees. The suspended licence allowed for the sale of alcohol 9am to 9pm 7 days a week and this

was still an option for the applicant should their application be refused. The Council's licensing policy states that licences before 9am and after 10pm in residential areas will generally be refused.

Mr Azagh attended the meeting and addressed members. He had applied for a later closing time as other premises nearby were already open at 11pm and he wished to be able to compete against them. Aside from the of licence aspect of the premises Mr Azagh also intended to offer a post office service. The application would create local jobs and offer a service which was not currently available in the area. Mr Azagh acknowledged the objections but questioned whether the people who had signed the petition had been given the full and correct information. He also noted that no evidence had been provided for the allegations in the anonymous letter which he felt were based more on concerns over competition rather than anti-social behaviour issues.

Members queried why Mr Azagh had requested licensing hours which went against the Council's Licensing Policy. He indicated that other premises nearby were licensed to 11pm. However the Solicitor noted that these licences may have been granted before the current licensing policy had come into effect and therefore could not be changed. There was also no guarantee that alcohol could be sold at those premises after 10pm.

Members discussed the application in closed session. They were happy to approve the application to 10pm as per the Council's Licensing policy.

### **Decision**

That a licence for the off sale of alcohol by granted to Belle Vue Booze Ltd from 10am-10pm 7 days a week for 10 Sydenham Road.

The meeting finished at 10.25am.

CHAIR

## LICENSING COMMITTEE

7<sup>th</sup> January 2022



**Report of:** Assistant Director (Regulatory Services)

**Subject:** HACKNEY CARRIAGE TARIFFS

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### 1. PURPOSE OF REPORT

- 1.1 To consider a request from the hackney carriage trade for an increase in hackney carriage tariffs.

### 2. BACKGROUND

#### Hackney Carriage Tariffs

- 2.1 By virtue of the Town and Police Clauses Act 1847 licensing authorities are responsible for the setting of hackney carriage tariffs that may be charged in its area.
- 2.2 Members of the hackney carriage trade have submitted a request that hackney carriage tariffs be increased to reflect an increase in their running costs and to ensure they make a reasonable living.
- 2.3 The proposed new tariff rates and an indication of what effect they will have on prices is attached as **Appendix 1**.
- 2.4 The proposed increase has been considered and approved by the Taxi Owners Working Group which is a small group of hackney carriage owners, elected by the trade, which meets with Council officers on a periodic basis.
- 2.5 All 86 hackney carriage owners have been consulted on the proposed rise and nine were in favour, 27 were against and the others made no comment.
- 2.6 Experience has shown that it is extremely difficult to obtain 100% trade agreement for any proposed change to tariffs. As such, as the (elected) Taxi Owners Working Group has proposed the increase and only around 30% of taxi owners have objected to the rise, it is recommended that the Licensing Committee consider the proposal that has been put forward.

- 2.7 Members are reminded that the proposed tariffs represent the highest fare that can legally be charged and it is entirely permissible for a hackney carriage driver to charge a lower fare if they wish.

### 3. ISSUES FOR CONSIDERATION

- 3.1 Licensing authorities are responsible for the setting of hackney carriage tariffs.
- 3.2 The proposal received from the hackney carriage trade consists of a change to the distances travelled before the price rises on the meter, a change to when each different tariff applies and an increase in the charge for ‘waiting times’.
- 3.3 The proposal received is to shorten the distance that must be travelled before the meter advances by a further 20 pence. The effect of this would be to increase the cost of each journey in proportion to the distance travelled.
- 3.4 There are currently three tariffs which apply during each 24 hour period and a fourth tariff that applies all day only on special days such as Christmas Day. The proposal includes an amendment to these times as follows: -

Tariff	Current Times	Proposed Times
1	0900 – 1700	0700 - 1800
2	0630 – 0900 1700 - 2330	0600 - 0000
3	2330 – 0630	0000 - 0700

- 3.5 Should Members approve a tariff increase a public notice will be placed in the Hartlepool Mail to inform the general public. Should any objections be received within 14 days of the notice being published, the matter will be referred back to the Licensing Committee before any increase is implemented.
- 3.6 Members should note that hackney carriage drivers are prevented by law from charging more than the maximum approved tariff. Any increase in their operating costs must therefore be absorbed by them until any tariff increase is approved by the Council.
- 3.7 According to the taxi trade magazine *Private Hire Monthly* Hartlepool's Hackney Carriage tariffs (£5.40 for a two mile journey) will still be among the cheapest in the country (the cheapest being £5.10 whilst over 200 council areas have a charge of £6 or more).
- 3.8 Any increase in tariffs must reflect a balance between allowing licensed drivers to generate a reasonable income whilst representing value for money for the travelling public.



- 3.9 There is no prohibition on a taxi driver charging less than the approved tariff and it would therefore be possible for a driver to charge a lower rate if they believed the proposed tariff increase was too high.
- 3.10 The proposed increase in tariffs applies only to hackney carriages as licensing authorities have no power to set fares for private hire vehicles.

#### **4. RECOMMENDATIONS**

- 4.1 That the Licensing Committee approves the proposed increase in hackney carriage tariffs as detailed in Appendix 1.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 Experience has shown that it is extremely difficult to obtain 100% agreement from the hackney carriage trade and therefore, if tariffs are ever to be increased, it must be done where only a majority of hackney carriage owners agree.
- 5.3 As stated above, if the Committee approves the proposed tariffs, individual hackney carriage drivers will still be able to charge lower fees if they want.

#### **6. BACKGROUND PAPERS**

- 6.1 There are no background papers

#### **7. CONTACT OFFICER**

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## Appendix 1

Tariff	Flag fall (plus initial distance)	Subsequent cost of journey	Cost for first mile	Cost for subseque nt miles	Total cost for a 2 mile journey	<b>Increase in cost of a 2 mile journey</b>
T1	£2.50 + 30p for first 120m	20p for every 240m	£4.10	£1.30	£5.40	<b>60p</b>
T2	£2.50 + 30p for first 80m	20p for every 160m	£4.80	£2.00	£6.80	<b>£1.40</b>
T3	£4.00 + 30p for first 80m	20p for every 120m	£6.00	£2.60	£8.60	<b>£2.80</b>
T4	£5.00 + 20p for first 100m	20p for every 100m	£8.20	£3.20	£11.40	<b>£3.20</b>

Tariff 1 – 7:00 a.m – 6:00 p.m.

Tariff 2 – 6:00 p.m. – midnight

Tariff 3 – midnight – 7:00 a.m.

Tariff 4 – Only between 6:00 p.m. on Christmas Eve until 7:00 a.m. on 27<sup>th</sup> December and 6:00 p.m. on New Year's Eve until 7:00 a.m. on 2<sup>nd</sup> January.

All bank holidays (unless covered by tariff 4) will be tariff 3

Waiting time will be 30p per minute

## LICENSING COMMITTEE

7<sup>th</sup> January 2022



**Report of:** Assistant Director (Regulatory Services)

**Subject:** TAXI LICENSING POLICY

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### 1. PURPOSE OF REPORT

- 1.1 To consider a change to the Taxi Licensing Policy with regard to the permitted age of vehicles.

### 2. BACKGROUND

- 2.1 Hartlepool Borough Council is the statutory licensing authority for hackney carriage and private hire vehicles, drivers and operators that work within the borough.
- 2.2 The Council has a policy (a Taxi Licensing Policy) that details the standards that are expected of drivers, vehicles and operators in order to ensure the safety and comfort of the travelling public.
- 2.3 Among other things, the policy currently states that vehicles may be no older than four years old when they are first licensed by the Council.
- 2.4 At its meeting on 11<sup>th</sup> September 2019 the Licensing Committee approved amendments to the Taxi Licensing Policy that included changes to the required exhaust emission standards for all licensed vehicles (which, by implication, impacts on the age of vehicles that can be, or can remain, licensed).
- 2.5 The committee was advised that these changes were being considered by all North East councils and that, dependant on how things developed elsewhere, it may be necessary for Hartlepool to re-visit its policy again.
- 2.6 It is now clear that for several reasons, including the subsequent impact that covid-19 has had on the taxi trade and on second hand car prices, many councils have adopted, or are in the process of adopting, policies allowing the licensing of older vehicles in order to help keep operating costs down for the taxi trade.

- 2.7 It is important that, whilst not undermining public safety, the council does what it can, in the current climate, to ensure that Hartlepool's taxi trade remains financially viable.
- 2.8 In addition to the potential for an increase in hackney carriage tariffs (as detailed in another report), it is therefore proposed that an increase in the minimum age that a car can be first licensed (the lower limit) from four years, to five years, will provide some additional practical support for the trade. This would bring Hartlepool into line with most of the other North East councils that now have either five years, or longer, as their lower limit age policy.
- 2.9 At present, the age at which a vehicle should be removed from the fleet (the upper limit) is six years old, unless it has been exceptionally maintained. If the lower limit is increased to five years it would be inappropriate for the upper limit to remain as six years.
- 2.10 This has also been considered by neighbouring authorities and the most common upper age limit in the North East is now, or will soon be, eight years old....without the potential for longer if the vehicle had been exceptionally well maintained.
- 2.11 It is proposed that Hartlepool's upper age limit be extended to seven years but that this can be extendable (as at present) if it can demonstrated that the vehicle has been exceptionally well maintained (as this would maintain the incentive to keep the vehicle in excellent condition).

### **3. ISSUES FOR CONSIDERATION**

- 3.1 Members will be aware of the significant pressure that covid-19 has placed on the taxi trade. A number of drivers have left the profession and overall driver numbers are at the lowest for several decades.
- 3.2 Whilst ensuring that the public are provided with the highest levels of protection, it is appropriate for licensing authorities to have policies that promote a thriving taxi trade so as to offer the best possible taxi service for the public.
- 3.3 A change to both the upper and lower age limits for licensed vehicles, as detailed above, will not impact on public safety as all vehicles must pass an enhanced mechanical inspection at the Council's depot before it is first licensed and must pass further tests every six months.
- 3.4 As the price of second hand cars has increased significantly over the past two years, the taxi trade have found it more difficult to purchase good vehicles. Increasing the lower limit (from four years to five) will allow them the opportunity to purchase vehicles from a bigger pool of second hand cars.

#### **4. RECOMMENDATIONS**

- 4.1 That the Licensing Committee approve an amendment to the Taxi Licensing Policy so as to extend the lower age limit for hackney carriages and private hire vehicles to five years and the upper age limit to seven years – extendable if the vehicle has been exceptionally well maintained.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 A change to the lower and upper age limits will not undermine public safety but will provide the taxi trade with the opportunity to reduce their costs.

#### **6. BACKGROUND PAPERS**

- 6.1 There are no background papers

#### **7. CONTACT OFFICER**

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