

REPORT TO	ON
General Licensing Committee	11 September 2018



TITLE	REPORT OF
Proposed changes to vehicle age policy	Head of Licensing

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

To provide members with an update on the proposed changes to the vehicle age policy relating to hackney carriage and private hire vehicles.

2. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	
Place	

3. RECOMMENDATIONS

3.1 That the committee note the response to the consultation exercise that has been carried out

3.2 That committee determine the best way forward – in this regard committee is asked to have regard not only to the results of the consultation exercise that has been carried out with the trade but also to consider carefully the concerns that have been raised by the council's Environmental Health department

4. BACKGROUND TO THE REPORT

4.1 Under the Council's current Licensing Policy different age limits are imposed for saloon vehicles as opposed to wheelchair accessible vehicles (WAVs). A table summarising what this differentiated age policy means in practice is set out below:

	Hackney Carriage		Private Hire	
	Maximum age on first registration (years)	Maximum age on renewal (years)	Maximum age on first registration (years)	Maximum age on renewal (years)
Saloon	4	8	4	8
WAV	6	12	6	12

4.2 At meetings of the Taxi Trade Forum during 2017, the Borough's licensed trade queried whether this differentiated approach remained justifiable (given that - in the trade's view - historic factors which previously underpinned this approach were no longer applicable). As a result, the General Licensing Committee agreed to set up a working group to consider the matter in detail. This working group consisted of members of the General Licensing Committee, as well as trade and voluntary group representation. The working group met on 22 February 2018, and after due deliberation reached a consensus on this issue. In brief, the working group recommended that the current differentiated age policy as set out above should be abandoned and replaced by a standardised age policy. If adopted, this would mean that the proposed age limits for all vehicles (whether saloon or wheelchair accessible) would be 6 years on first application and up to 12 years on renewal.

4.3 The table below illustrates the proposed age policy;

	Hackney Carriage		Private Hire	
	Maximum age on first registration (years)	Maximum age on renewal (years)	Maximum age on first registration (years)	Maximum age on renewal (years)
Saloon and WAV	6	12	6	12

4.4 The working group produced a detailed report setting out its methodology and the rationale for concluding that a standardised age policy was the way forward. This report was presented to the General Licensing Committee on 10 April 2018, when it was agreed that the proposed change of approach should be subject to a period of formal consultation. (A formal period of consultation is a mandatory precursor to any such change).

5.0 CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

5.1 The consultation took place between the 1st May and the 28th May 2018. There were 9 responses, 8 of the consultees were in support of the changes and 1 was against. A full copy of the comments received are attached to the report as Appendices.

5.2 Summary of comments:

Of the 8 responses in agreement of the change to the policy, the following comments were made:

"I am Totally in Agreement, Not only would it give us a better Per vehicle Value on a levy such as Preston were you can license almost any vehicle, but it may also make the problem of owners/operators registering out of Borough in order to use older vehicles in our Borough"

"Is a welcome step towards being seen to helping drivers with affordable costs"

"I welcome the change and hopefully it will allow drivers to actually make a living"

"I think that would be an excellent idea to introduce a new age limit"

"I am in favour of the proposal. I hope my view will be taken into consideration in any future discussions".

5.3 One objection to the consultation was received with the following comments made:

"The taxi fleets of South Ribble should be something to be proud of, it is modern and perceived by customers as a positive and gives operators an advantage over competition from taxi fleets from other areas who operate a less forward thinking age limit policy."

"Most modern vehicles have more airbags (more for the passengers), Lane departure warning (an alarm sounds if the car strays out of lane without the use of an indicator), Collision avoidance breaking (the car applies the brakes before the driver if an impending collision is detected), Advances in pedestrian protection in the event of a car versus pedestrian accident."

"In summary, we are happy with the current age policy and cannot see any benefit in change, only negatives."

6. AIR POLLUTION CONCERNS

6.1 The Council's Environmental Health Department have raised comments about the proposed changes. They state:

"The existing policy in relation to the age of taxis licensed by the authority was introduced with the aim of providing the taxi fleet licensed by the Council is reliable with better safety features and is more environmentally friendly. The relaxation of this policy allows for operators to extend the life of older more polluting and potential less safe vehicles. "

"As part of the Council's commitment to improving Air Quality, currently a key priority within the Corporate plan, an action has been progressed which ultimately supported the previous decision to restrict the age of the taxi fleet within South Ribble. This action has been presented to and agreed by DEFRA as a suitable policy to help reduce the harmful impact of poor air quality on the population of South Ribble."

"Members will be aware that there are currently five declared Air Quality Management Areas within South Ribble all of which have been declared due to the likely exceedance of the Nitrogen Dioxide objective level. The principal source of which is vehicle emissions. Currently it is recognised that 4.5% of all premature deaths in South Ribble are due to poor air quality."

"The taxi fleet makes up a significant portion of the fleet with individual vehicles potential driving around the borough and through the most polluted areas throughout the day and significantly more than the average car."

"The council has a statutory duty to help improve the air quality within the borough the current policy on restricting the age of taxi's helps towards this goal. If the trade are looking for equality and parity we suggest that the age policy should be brought down to lower limit i.e. any vehicle"

coming onto the fleet must be no more than 4 years old and must not remain on as a licensed vehicle past 8 years old.”

“It is the view of the air quality steering group involving cross party membership, Public Health Lancashire and other stakeholders that instead of relaxing the age policy the council should be considering tighten the requirements and offering additional incentives to reduce the emissions from this element of the fleet. To this end the Steering group recommends that the policy is not relaxed and will be bring forward additional measures in the future to encourage the use of alternative low emission vehicles as part of the fleet.”

6.2 It is clear that Air Quality is a very important issue for this council and members clearly should have an opportunity to consider carefully the issues raised by Environmental Health. In this context members need to give serious consideration as to whether it would be better to follow the Environmental Health advice as outlined above and tighten the restrictions. If members are minded to reduce the age limit of the wheel chair accessible vehicles to 8 years (and no more than 4 years on first registration) then a new consultation exercise would need to be carried out. Clearly there would be financial implications for the trade if we do this. On the other hand the introduction and implementation of such a policy would make a positive step towards improving air quality in the borough.

7. FINANCIAL IMPLICATIONS

There are none.

8. LEGAL IMPLICATIONS

Please see the comments of the Monitoring Officer

9. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no financial implications arising as a result of the recommendations in this report.

10. COMMENTS OF THE MONITORING OFFICER

Members should carefully consider the responses received through the consultation process, in line with their duty to protect the public. Great weight should also be given to the concerns raised by Environmental Health. If members are minded to reduce the age limits for wheel chair accessible vehicles then a further consultation exercise would be required. If members are minded to stick with the original proposal for change (that were consulted on) then a report would need to be taken to full council. Whatever members decide there is always the risk of legal challenge – hence whatever conclusion they come to needs to be reasoned and evidence based.

11. OTHER IMPLICATIONS:

▶ HR & Organisational Development	None
▶ ICT / Technology	None
▶ Property & Asset Management	None

▶ Risk	None
▶ Equality & Diversity	None

12. BACKGROUND DOCUMENTS

None

13. APPENDICES

N/A

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