

Report of	Meeting	Date
Director of Planning and Development (Introduced by Cabinet Member (Planning, Business Support and Regeneration))	Council	Wednesday, 20 April 2022

Is this report confidential?	No
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Is this decision key?	Not applicable
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## Vehicle Age Policy

### Purpose of the Report

1. Considering the outcome of the consultation exercise undertaken between January and February 2022, and the additional consultation carried out in March 2022, and the approval by the Licensing & Public Safety Committee, this report invites members of the Council to formally adopt the changes to the Taxi Licensing policy following with regards to the Vehicle Age Policy and The Licensing Of Hackney Carriage Vehicles.

### Recommendations to Council

2. Members are requested to note the contents of the report.
3. Members are requested to formally adopt the agreed proposal following the approval by the Licensing and Public Safety Committee on the 06/04/2022.

### Reasons for recommendations

4. The necessary changes were highlighted in a report taken to committee 07/12/2021 and 06/04/2022 with various options considered by members of the Licensing and Public Safety Committee.

### Other options considered and rejected

5. All possible options have been considered by the committee in previous meetings, these options can be found within the body of the report.

## Corporate priorities

6. The report relates to the following corporate priorities:

<b>An exemplary council</b>	<b>Thriving communities</b>
<b>A fair local economy that works for everyone</b>	<b>Good homes, green spaces, healthy places</b>

## Background to the report

7. A detailed report presented to members of the Licensing and public safety committee on 07/12/2021, advised members that the Vehicle age policy and the licensing of Hackney carriage vehicles policy, were due for renewal in 2019.
8. Currently the council will licence vehicles;
9. Non wheelchair accessible hackney/private hire vehicles:
  - Up to 4 years old when first licenced
  - Remain licence until 8 years old
10. Wheel chair accessible vehicles
  - Up to 6 years old when first licenced
  - Remain licence until 12 years old
11. Officers explained that various efforts had been made to renew the policy.
12. Officers explained that the current policy does not fall in line with the commitments of the council with regards to air quality, and that the only current incentive to our licensed drivers, is to buy wheel chair accessible vehicles that statistics state are more polluting and do not meet the requirements of euro 6.
13. When researching the market for hybrid or electric type vehicles, Officers have found more cost-effective options available to drivers for saloon type vehicles, and very little if any at all cost-effective vehicles for wheel chair accessible hybrid or electric vehicles.
14. The committee were given an example that, the current policy will permit a hybrid Toyota Prius, to be licensed as a new private hire vehicle up to 4 years old, then remain licensed up to 8 years old. Whereas a transit van that has been adapted to the needs of a wheelchair user could be licensed up to 6 years old and stay licensed until it is 12 years old.
15. It's quite clear that a transit van is going to be a higher polluting vehicle than a hybrid Toyota Prius, yet the current incentive would be to purchase a transit van.
16. Officers advised that to fall in line with the councils pledges regarding air quality, the taxi licensing policy for new vehicles licensed on the fleet should meet Euro 6 standard at the very least or above.

## What is Euro 6?

17. Euro 6 - Applies to all new cars registered from 1 September 2015

- Benefits: A 67% reduction in the permissible levels of nitrogen oxides in diesels and the introduction of a particle number limit for petrol's.
- Euro 6 emissions limits for petrol - CO: 1.00g/km HC: 0.10g/km NOx: 0.06g/km PM: 0.005g/km PM:  $6.0 \times 10^{-11}$ /km
- Euro 6 emissions limits for diesels - CO: 0.50g/km HC + NOx: 0.17g/km NOx: 0.08g/km PM: 0.005g/km PM:  $6.0 \times 10^{-11}$ /km

## Problems officers are now facing.

18. Officers are currently reporting that operators from neighbouring boroughs have been obtaining Private Hire Operator licences from SRBC and then sub contacting work from South Ribble over to their offices in Preston, Chorley, Blackburn, Hyndburn, Rossendale etc, where it is much easier to licence a vehicle due to zero or limited age restriction.

19. These older more polluting vehicles are then servicing bookings taken in South Ribble.

20. This makes a mockery of our age policy and SRBC Licensing Officers have very little enforcement powers over these externally licenced vehicles.

21. An incentive for more low polluting, extremely low CO2 emitting vehicles are required within the SRBC Taxi licensing policy.

22. As of November 2019, the licensed fleet of hackney carriage and private hire vehicles, consisted of 256 licensed vehicles. 89 vehicles did not meet the EU standards for emissions, out of the 89, 76 were wheel chair accessible vehicles.

23. At the meeting of the 07/12/2021, The following new options were proposed to members.

- **Option 1** - Keep as it is - make no changes.
- **Option 2** - Reduce all vehicles to the same age 4 years on and 8 years off the fleet.
- **Option 3** - Have a blanket policy all vehicles for 5 years on and 10 years off the fleet.
- **Option 4** - Reduce all vehicles to 4 and 8 years. With an option of an extension for non-polluting vehicles that conform to a certain euro rating. 6 years on and 12 years off the fleet.

24. The second part of the report presented to the committee on 07/12/2021, identified the changes needed to the grandfather rights policy with regards to licensing new hackney carriage vehicles.

25. The main objective of the grandfather rights policy in 2015 was to restrict the amount of saloon hackney carriages and increase the number of wheelchair accessible vehicles, so that the council was compliant with the requirements for Wheelchair Accessible Vehicles designated for the purposes of Section 165 of the Equalities Act 2010.

26. Since then the only way to licence a new hackney carriage vehicle through South Ribble Borough Council, has been to present a wheel chair accessible vehicle.

27. This was the stance of the council in 2015, the fleet consisted of a small amount of wheel chair accessible vehicles and this needed to be address.
28. Current numbers of hackney carriage vehicles are depleting compared to 2015 when the grandfather rights policy was passed.
29. New drivers are turning down applying for badges with this authority as they can't obtain a hackney carriage licence for their vehicle.
30. Around 14% of the hackney carriage fleet is used by owner drivers, the rest are made up of operators owned hackney carriage vehicles, who are using the remaining 86% to perform mainly private hire pre booked work and some rank work.
31. At the meeting on 07/12/2021 officers proposed to members to go out to consultation of the trade with regards to an option to cap the amount of saloon hackney carriage vehicles licensed.
32. Officers feel this would increase the number of saloon type vehicles licensed by this authority whilst maintaining a manageable whilst accessible to the public, number of hackney's vehicles operating in the borough.
33. Officers propose to review the number of non-wheelchair/saloon type vehicles every 6 months and accept new applications for non-wheelchair accessible vehicles on those set dates.
34. Drivers would still be able to licence wheelchair accessible hackney vehicles as they please with no cap. The proposed changes required to the Taxi licensing policy with regard to licensing hackney carriage vehicles can be found within background document 1 attached as appendix 4.
35. The proposal of the change from a grandfather rights policy to a capped policy would create a controlled balance of wheelchair accessible and saloon type vehicles that are greener and compliant with required CO2 levels. Whilst still complying with its obligations under section 165 of equalities act 2010.
36. At the meeting of the 07/12/2021, members considered all four options within the report and stated the need for the policy to be flexible and agreed that the licensing section undertake a period of consultation, for all options within the report, with the relevant stakeholders in respect of the proposed options.

#### **Licensing and Public Safety Committee 06/04/2022.**

37. At the meeting of the Licensing and Public Safety Committee on the 06/04/2022, officers informed members of the committee, a 4-week consultation was conducted which ended 17/02/2022.
38. The consultation highlighted the options proposed by officers to amend the policy and invited feedback from stakeholders.
39. The summary of the consultation exercise can be found attached to the report within background document 2 sections 52-63.

## **Proposed options to members to committee on 06/04/2022**

### **Age Policy**

40. Officers feel their preferred choice would be option 4. This would help meet the departments obligation towards the council's clean air zones commitments.
41. The incentive of being able to licence a vehicle for longer if it meets certain euro rating criteria for lower CO2 levels should help to create a fleet of low polluting vehicles and officers feel we would start to see an increase in electric and hybrid vehicles being licensed by drivers. Drivers should find it more affordable to purchase these types of vehicles with less restrictions on age.
42. Officers also proposed to grant an exemption for vehicles that perform Special needs school contact work. Taking into account the decision by the Transport for London, officers propose that an exemption should be granted to vehicles that specifically perform school contact work. So that these types of vehicle can continue to be licenced until they are 12 years old.
43. It is envisaged that following a period of 3 years, manufacturers will be further down the line with producing mini bus type vehicles that are even less polluting, eco-friendlier and would be in line with that rating seen on normal saloon vehicles. The policy would be reviewed after 3 years. The proposed vehicle age policy wording can be found within appendix 1 attached to this report.

### **Licensing of new Hackney carriage vehicles**

44. Officers feel this is now a good time to review the number of saloon hackney carriage vehicles licensed by this authority and look to cap the number of saloon hackney carriage vehicles licensed to initially 100 vehicles with the delegated power to increase that number given to officers to set as the market demands through evidence of significant unmet demand from the public.
45. Thus, helping to ease issues surrounding cross border working and making it easier for "out of town drivers" working within South Ribble to licence a vehicles through this authority and not a neighbouring authority.
46. Once this agreed set cap has been reached a review could take place 6 monthly or annually. If the current number of non-wheelchair accessible vehicles is under the cap, then applications for saloon hackney carriage vehicles would be accepted.
47. Drivers would still be able to licence wheelchair accessible hackney vehicles as they please with no cap.
48. The proposed changes required to the Taxi licensing policy with regard to licensing hackney carriage vehicles can be found within Background document 1 as appendix 4 from the report dated 07/12/2021.
49. The independent unmet demand survey carried out in April 2019 states the following in reference to this,

Many phoned-for bookings will be serviced by hackney carriage vehicles particularly in Leyland. Despite freely available hackney carriage plates for wheelchair accessible capable vehicles, few have been added and the overall evidence is little need for such vehicles.

There is a very high provision of wheelchair accessible capable disabled vehicles in the private hire fleet.

50. It would create a controlled balance of wheelchair accessible and saloon type vehicles that are greener and compliant with required CO2 levels. Whilst still complying with its obligations under section 165 of equalities act 2010.

### **Decision by committee on 06/04/2022**

51. **Age Policy** - Members voted to agree with the officer proposal for option 4, with the exemption for vehicles that perform Special needs school contact work.
52. **Licensing of Hackney Carriage Vehicles** - Members voted to agree with the officer proposal, the grandfather rights policy would be replaced with a capped policy.
53. Members voted that both policies would be adopted for 3 years until 2025.
54. Member requested both policies would be part of an ongoing programme of review reported back to committee every 12 months, with a proposed date of June 2023. This update would include the availability to drivers for electric and hybrid vehicles and if the number of vehicles licenced by the authority were compliant with the council's section 165 of equalities act 2010 duties.
55. Following the report presented by officers, Members of the licensing and public safety committee decided to vote to agree with the proposed options, with members agreeing to forward the reports to the next meeting of the council for formal adoption.
56. The agreed policy wording can be found within background document 2

### **Climate change and air quality**

57. The work noted in this report impacts on the following areas of climate change and sustainability targets of the Councils Green Agenda:

- net carbon zero by 2030,
- limiting non sustainable forms of transport,
- limiting or improving air quality, improving green areas and biodiversity.

### **Equality and diversity**

58. Any Equality issues have been summaries within the report, the authority must be aware of its duties to publish a list of wheelchair accessible vehicles as per Section 165 of the Equalities Act 2010.

## Risk

59. All risk issues have been identified within the body of the report.

## Comments of the Statutory Finance Officer

60. There are no significant financial implications of this report.

## Comments of the Monitoring Officer

61. The Council has power to licence private hire vehicles under the Local Government (Miscellaneous Provisions) Act 1976 and hackney carriages under the Town Police Clauses Act 1847. Refusals may be appealed to the magistrates' court and the Crown Court respectively

## Background documents

62. Background Document 1 – report of meeting 07/12/2021 including the report attached background documents and appendix can be found within the attached link as agenda item 8.

<https://southribble.moderngov.co.uk/ieListDocuments.aspx?CId=483&MId=2197&Ver=4>

63. Background Document 2 – report of meeting 06/04/2022 including the report attached background documents and appendix can be found within the attached link as agenda item 4. [Agenda for Licensing and Public Safety Committee on Wednesday, 6th April, 2022, 6.00 pm \(moderngov.co.uk\)](#)

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