

Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 12 September 2023

## Hackney and Private Hire Vehicle Age Policy update

Is this report confidential?	No
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### Purpose of the Report

1. To give Members of the Licensing and Public Safety Committee an update on the effectiveness of the Vehicle Age Policy introduced in 2022.

### Recommendations

2. To note the contents of the report; and
3. To consider the proposed changes to the Vehicle Age Policy wording recommended by officers
4. To agree that officers should undertake a consultation exercise with stakeholders on the proposed changes
5. To agree to receive a report on the outcome of the consultation exercise at a future meeting.

### Reasons for recommendations

6. At the meeting of the Licensing and Public Safety Committee in April 2022, members passed a new vehicle age policy which gave emphasis to new restrictions on the ages of licenced vehicles dependant on the emissions rating of the vehicle.
7. Members asked for an update on the policy after 12 months of the policy being in place.
8. This report delivers the requested update to members, with a recommendation to the change of wording of the policy.

### Other options considered and rejected

9. Members may choose to accept the proposed changes or reject the recommendation of officers.

## Corporate priorities

10. The report relates to the following corporate priorities:

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

## Background to the report

5. On 6<sup>th</sup> April 2022, members of the Licensing and Public Safety Committee received a report which gave members feedback from a consultation of the trade, with regards to the age of vehicles and the number of saloon type non wheelchair accessible vehicles licenced by South Ribble Borough Council.
6. Members agreed to the proposal set out below from officers;
7. New vehicles with an emissions rating of less than “euro 6” would only be licensed up to 4 years old and could only stay licensed until 8 years of age.
8. New Vehicles with an emissions rating of more than “euro 6” could be licensed up to 6 years old and stay licensed until 12 years of age.
9. The intention was to provide an incentive to the trade, being able to license an older vehicle which would remain licensed longer, providing the vehicles euro rating were Euro 6.
10. Licensing vehicles with lower Co2 levels, would help to create a fleet of low polluting vehicles – this would help the authority to meet their clean air zone commitments.
11. At the meeting, members expressed concern that implementing the policy for a further three years would hinder the Council’s ambition of being carbon neutral by 2030.
12. Members agreed there was a current lack of infrastructure for electric and hybrid vehicles and agreed that the cost of electric vehicles were currently beyond the price range of the trade.
13. Age Policy - Members voted to agree with the officer proposal with the exemption for WAV type vehicles that perform Special needs school contract work.
14. Members also considered the proposed amendments to the licensing of new hackney carriage vehicles and agreed to cap the number of non-wheelchair accessible vehicles licensed by the authority to 100 vehicles.
15. Licensing of Hackney Carriage Vehicles - Members voted to agree with the officer proposal, the grandfather rights policy would be replaced with a capped policy.
16. Members agreed that both policies would be recommended to the next meeting of full council for adoption, with the policy being formally reviewed in 2025.

## **What is Euro 6?**

17. Euro 6 - Applies to most new cars registered from 1 September 2015. Euro 6 is the name given to a set of limits for harmful exhaust emissions produced by virtually any vehicle powered by petrol or diesel engines - this includes hybrid cars, too, because they also use a petrol or diesel engine under the bonnet alongside their electrical elements.

- 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

## **Request for an update on the policy**

18. Member also asked for an update for both policies as part of an ongoing programme of review to be reported back to the committee after 12 months.

19. This update would include the availability to drivers of electric and hybrid vehicles and if the number of vehicles licensed by the authority was in accordance with the council's duties under section 165 of the Equalities Act 2010.

## **Current Position Feedback Sept 2023.**

20. The report on 06/04/2022 explained to members, there was nothing within the policy at the time that promoted an incentive for drivers to choose more efficient, less polluting vehicles.

21. Since the new policy was introduced last year, officers have found that all new vehicles licensed have been euro 6 rated vehicles, with the exception of some larger vehicles licenced as special needs transport vehicles (as per the policy wording) in line with the current ULEZ rules by "The transport for London" which have been euro 5 rating.

22. Prior to the policy being introduced in June 2022 the fleet of vehicles licenced by SRBC had only 10 hybrid vehicles.

23. Since June 2022 we have now seen this increase by 16 additional hybrid vehicles being added to the fleet by new drivers and current drivers replacing their older more polluting vehicles, the number now sits at 26 hybrid vehicles on the fleet.

24. Vehicle proprietors are clearly seeing the incentives to buying hybrid low polluting vehicles as they can be 2 years older when first licenced and remain licenced for 4 years longer.

## **Duty to provide wheelchair accessible vehicles**

25. Section 165 of the Equalities Act 2010 imposes duties upon the drivers of designated vehicles when dealing with disabled passengers travelling in wheelchairs or a person who wishes to be accompanied by a disabled person in a wheelchair. Those duties are set out in Section 165(4) as follows:

- a. to carry to passenger whilst in the wheelchair;
  - b. not to make any additional charge for doing so;
  - c. if the person chooses to sit in a passenger seat, to carry the wheelchair;
  - d. to take such steps as are reasonably necessary to ensure that the passenger is carried in safety and reasonable comfort; and
  - e. to give the passenger such mobility assistance as is reasonably required.
26. The council needs to keep a balance of wheelchair accessible and Non wheelchair accessible vehicles available for its residents.
  27. Capping the number of non-wheelchair accessible vehicles, keeps wheelchair accessible vehicles available as this would be the only option in licensing a new hackney carriage vehicle if the cap has been reached.
  28. As the council does not cap the total number of hackneys licenced, all new Hackney carriage vehicles licensed after the cap is reached are only accepted if they are WAV's.
  29. Since the policies were implemented, as part of an ongoing evidence base the council commissioned an unmet demand survey of its licenced vehicle fleet in 2022.
  30. The unmet demand survey can be found attached to this report as appendix 1.
  31. The report found there is currently no "unmet demand" of licenced vehicles in South Ribble.
  32. The report found that the council is above the guidance from the department for transport for the percentage of its fleet as wheelchair accessible vehicles.
  33. Currently the fleet of licensed vehicles has 8 wheelchair accessible vehicles and Three 8-seater vehicles (MPV) which are not euro 6 (but were licenced before the policy coming into effect in April 2022).

#### **Electric vehicles.**

34. At the meeting on the 06/04/2022, officers reported that when researching the market for hybrid or electric type vehicles, officers have found more cost-effective options available to drivers for non-wheelchair accessible saloon type vehicles.
35. Officers gave examples to members of a 4-year-old electric wheelchair accessible vehicle with 107,000 miles on the clock. The vehicle was up for sale for £42,000.
36. Another example of a 12-month-old electric wheelchair accessible vehicle was given which was £50,000 plus VAT.

#### **Current infrastructure for electric vehicles.**

37. The current infrastructure of charging points within South Ribble is not capable to accommodate the number of vehicles if the council were to change to an "electric only" policy.

38. Officers again have researched the costs of electric vehicles. Although some second-hand vehicles have been found at a lower expense, fit for purpose vehicles are still seen as being out of the price range for our drivers.
39. Additionally, the cheaper vehicles have low ranges, most less than 200 miles, they are not capable of performing the required number of miles in one charge. Potentially leaving electric vehicles sat either charging or waiting to be charged during peak times, leaving an unmet demand to passengers.
40. Appendix 2, shows an array of electric WAV type vehicles, which are either out of the price range of our drivers or the range is not compatible with the number of miles a taxi/private hire vehicle will perform in a shift before needing to be charged again.

### **Summary**

41. We are seeing an increase in low polluting hybrid vehicles coming onto the fleet, with lower CO2 levels helping create a fleet of low polluting vehicles, a step towards the councils' aspirations to be net carbon zero by 2030.
42. Giving drivers an increase margin for vehicle ages, drivers are finding it more affordable to purchase hybrid type vehicles with less restrictions on ages from the previous policy in place up to 2022. (4 years to 6 years).
43. The market for electric wheelchair accessible vehicles which are fit for purpose, is still unattainable for our drivers. We cannot be expecting our trade to be paying in excess of £40,000 for used electric wheelchair accessible vehicles with a range capable of performing to expectations.
44. Whilst the authority caps the number of licensed non-wheelchair accessible hackneys, keeping the authority compliant with our duties to our wheelchair bound passengers, the option of mandating electric vehicles is not possible with the current infrastructure and availability of electric wheelchair accessible vehicles (WAV).
45. Additionally, as mentioned in paragraph 38, there is not enough infrastructure with regards to charging points for the council to change to an electric fleet at this point.

### **Problems found with the current policy wording**

46. Since the policy has been introduced, the number of vehicles with a euro rating less than 6, already licensed by the authority has reduced.
47. Officers report the only vehicles pending to be changed by drivers that are now non-compliant with the new policy introduced last year are either wheelchair accessible or MPV/ WAV vehicles - we still have 11 licensed, (older than 8 years old).
48. As mentioned in paragraph 33 of the report, the recent unmet demand survey looked at the current policy on licensing vehicles within our area and reported back the levels of diversity between the types of vehicles.
49. The council has a duty to license wheelchair accessible vehicles and keep a list of the vehicles advertised to the general public, so there is no unmet demand for vehicles by wheelchair bound residents.

50. The type of vehicles that are normally adapted for wheelchair access are normal small converted vans or MPV's which manufacturers have taken longer to implement low co2 rated vehicles. The cost of purchasing these types of vehicle are excessively more than saloon type non-WAV's.
51. Officers are concerned should these vehicles not be licenced by the authority we may see an unmet demand for WAV's for our wheelchair bound residents.
52. Replacing non wheelchair accessible vehicles with low polluting Hybrid / electric vehicles is much easier and more cost effective than WAV and MPV for the reasons indicated.

### **Exemptions from ULEZ zones for these types of vehicles**

53. This problem has been identified in London within its "Ultra Low Emission Zones" (ULEZ), where WAV type vehicles have been given a grace period which exempts them from paying the ULEZ charge until 24 October 2027, by the transport for London.

### **Recommendation**

54. Officers consider after seeing the policy in place for almost 18 months, the current policy is working well. It has created an incentive to drivers to obtain lower polluting vehicles.
55. The recommendation to members is to make a minor amendment to the policy wording to include WAV and MPV vehicles that are not euro 6 compliant to be exempt from being euro 6 and remain licensed until 12 years old. This would only be relevant to the remaining 11 vehicles as mentioned which are not compliant.
56. Officers feel the equality duty on the council to provide a diverse vehicle fleet for our residents, is just as important as working towards the council's objectives for air quality.
57. For that reason, the remaining WAV's and MPV's should remain on the fleet and be licensed until 12 years old or until they have been replaced.
58. This would not include any new vehicles licensed by the authority. The numbers will be reduced as vehicles are changed or become 12 years old. This would be reviewed as part of the full policy review scheduled for 2025.
59. The proposed policy change can be found attached to the report as appendix 3.

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

60. The work noted in this report impacts on the following areas of climate change and sustainability targets of the Councils Green Agenda.:
  - a. net carbon zero by 2030,
  - b. limiting non sustainable forms of transport,
  - c. limiting or improving air quality.

## Equality and diversity

61. South Ribble Borough Council is responsible for licensing of all Hackney Carriage and Private Hire Vehicles within the Borough.
62. This policy applies to all proprietors of licenced vehicles, regardless of gender, age, disability, religious belief, race, ethnic minority, or sexual orientation. No overriding impact have been identified around the protected characteristic within the impact assessment attached as appendix 4.

## Risk

63. The risk to the council not fulfilling its duty to have wheelchair accessible vehicles available has been identified in the report, with a recommendation to change the policy to address this risk.

## Comments of the Statutory Finance Officer

64. There are no direct financial implications to the Council of this report.

## Comments of the Monitoring Officer

65. The report provides a review of the effectiveness of the Vehicle Age policy that was introduced in 2022. Overall it appears to have worked effectively albeit Licensing Officers are suggesting some minor changes to the wording. In accordance with normal procedures we will need to go out to consultation on the proposed changes to policy. A report would then come back for a final decision. There are important issues at stake here. On the one hand there are important environmental considerations – reducing the amount of pollution/improving air quality. On the other hand we need to be aware of our duties under equalities legislation – in particular we need to ensure that there are enough wheelchair accessible vehicles available on our fleet.

## Background documents

There are no background papers to this report.

## Appendices

Appendix 1 – Unmet Demand Survey

Appendix 2 – Examples of Electric Wheelchair Accessible Vehicles (WAV's) and Multi-Purpose Vehicle (MPV's).

Appendix 3 – Proposed Policy Wording

Appendix 4 - EIA

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