

REPORT TO	ON
Full Council	26 September 2018



TITLE	REPORT OF
Proposed changes to vehicle age policy	Legal Services Manager/Interim Monitoring Officer

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

To outline the proposed changes to the vehicle age policy relating to hackney carriage and private hire vehicles licensed by South Ribble Borough Council.

### 2. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	x
Health and Wellbeing	x
Place	

### 3. RECOMMENDATIONS

- 3.1 That Council support the recommendation made by the General Licensing Committee to extend the vehicle age policy for private hire and hackney carriage vehicles to 6 years (on first registration) and 12 years (maximum age on renewal).
- 3.2 That Council note the air pollution concerns raised by Environmental Health and agree to instigate a consultation exercise as soon as practicable on an alternative age policy at the lower end of 4 years and 8 years.

### 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)
<b>Saloon</b>	4	8	4	8
<b>WAV</b>	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justifiable (given that - in the trade's view - historic factors which previously underpinned this approach were no longer applicable).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 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. This would provide parity to all licensed vehicles.

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)
<b>Saloon and WAV</b>	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 change to the Licensing Policy).

## 5.0 CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

5.1 The public consultation took place between the 1<sup>st</sup> May and the 28<sup>th</sup> May 2018. There were 9 responses, 8 of the consultees were in support of the changes and 1 was against.

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 Only 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 RAISED BY ENVIRONMENTAL HEALTH**

6.1 Prior to the consultation responses being brought before the General Licensing Committee, the Council's Environmental Health Department raised concerns about the proposed changes (albeit these comments were submitted outside the consultation window). They stated:

*"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.”*

## **7. DECISION OF THE GENERAL LICENSING COMMITTEE**

At the meeting, members were provided with further information from Public Health England, who are looking to commence discussions with local districts in the Lancashire area to develop a consistent approach in respect of age limits on vehicles, bearing in mind the air quality impact. GLC were of the view that the air pollution concerns have not been fully investigated and did not come out during the previous consultation. The approach to be taken by Public Health England could provide further information which would assist in a future consultation.

Although, some concerns were raised in respect of air quality, the decision of the Committee was that the approach of the Working Group to bring parity for all licensed vehicles was sound.

## **8. LEGAL IMPLICATIONS**

Members should note that if they approve the proposal, then this would mean that the policy is implemented within 4 weeks of the Councils final decision. In light of the concerns raised by the Environmental Health department and the further work to be carried out by Public Health England, if members are minded to decrease the age policy in the future, then a full consultation process will be required in respect of any new proposal with detailed information.

## **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**

Please see the comments made at paragraph 8 of the report.

## **11. OTHER IMPLICATIONS:**

▶ <b>HR &amp; Organisational Development</b>	None
▶ <b>ICT / Technology</b>	None
▶ <b>Property &amp; Asset Management</b>	None
▶ <b>Risk</b>	None

▶ <b>Equality &amp; Diversity</b>	None
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## 12. BACKGROUND DOCUMENTS

Working Group report  
Report to GLC April 2018

## 13. APPENDICES

**N/A**

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