

Report of	Meeting	Date
Chief Executive	Licensing and Public Safety Committee	Wednesday, 4 October 2023

Consideration of Amendment to Hackney Carriage and Private Hire Licensing Policy

Is this report confidential?	No
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Is this decision key?	No
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Purpose of the Report

1. To advise the Committee that a request to make an amendment to the Council's current licensing policy has been received from the trade.
2. For the Committee to determine whether to make such an amendment.

Recommendations

3. To consider the contents of the report and any other comments made,
4. To determine whether to grant an extension to the Euro 5 Emissions requirement in the Hackney Carriage and Private Hire Licensing Policy, and
5. Where an extension is granted, to determine the length of that extension.

Reasons for recommendations

6. There are legitimate considerations put forward by the trade regarding the ability of some licence holders to replace their vehicles in order to comply with the policy requirements as they currently stand.

Other options considered and rejected

7. To not consider the request. This option is rejected as there are legitimate considerations put forward by the trade

Corporate priorities

8. The report relates to the following corporate priorities:

Housing where residents can live well	A green and sustainable borough
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Background to the report

9. When the Private Hire and Taxi Policy was approved by the Licensing and Public Safety Committee in 2017, the policy included new requirements for all vehicles relating to emissions standards. These requirements were contained within the Vehicle Type Conditions section of the policy.
10. Section 21 of the Vehicle Type Conditions states:

21. Emissions Standards:

a) Hackney Carriage Vehicles waiting on the rank are required to switch off engines (except in extreme weather conditions where heaters would be required for the welfare of the driver) in order to reduce air pollution emissions in the town centre.

b) Vehicles presented for licensing as taxis should meet a minimum Euro 5 emissions standard. Require all vehicles subject to a grant of a Hackney Carriage or Private Hire Vehicle Licence to meet this condition from 1st January 2017; except allow those vehicles that have previously been subject to a licence, but where this has lapsed or been suspended, to be treated as existing vehicles, rather than at the next grant application.

c) That where a vehicle is written off due to a none-fault accident, the grandfather rights as described above are honoured and the replacement like for like vehicle of the same make, model and year will be accepted as an existing vehicle; and

d) Require all existing vehicles to comply from 1st January 2024.

Impact of Covid Restrictions and Cost of Living Crisis

11. Throughout much of 2020, the hackney and private hire trade were prevented from working by coronavirus restrictions. Government interventions did see payments to self-employed persons however, anecdotal evidence suggests that these payments may not have fully covered the trade's expenses.
12. In addition to the specific restriction on working in the first lockdown, the number of people using public transport dramatically decreased, with all but essential workers instructed to stay at home. Large sections of travel, namely for work purposes and leisure, were either not permitted or vastly reduced due to the restrictions, further reducing the licensed trade's ability to earn a living.
13. More recently, the Committee will note the rise in the inflation rate throughout 2022 and 2023, further squeezing household incomes and the associated, so called, cost of living crisis.

Trade Request

14. Correspondence was received from a member of the trade which requests that paragraph d of Section 21 of the Vehicle Type Conditions, as set out at paragraph 10 of the report, be amended to state:

d) require all existing vehicles to comply from 1st January 2025.

15. In essence, delaying the coming into force of this policy by 12 months.
16. Correspondence was received from Chorley Taxi Association on 10th September 2023 which is appended as Appendix 1.

Impact

17. The vast majority of the licensed fleet now comprises vehicles which either meet or exceed the Euro 5 Emission standard. A search of the Council's records has identified 8 private hire vehicles and 4 hackney carriage vehicles which do not meet Euro 5 standard.
18. Significantly, every hackney vehicle which currently doesn't meet the policy is a wheelchair accessible vehicle. The Committee will be aware that the cost of replacing wheelchair accessible vehicles is significant and specific representations from the proprietors of these vehicles have been received.

Climate change and air quality

19. The work noted in this report may have a small negative impact on the Council's Air Quality and sustainability targets.
20. In particular if the Committee were minded to move forward the coming into force of this policy, it may impact on the following, bolded, activities:
 - a. **net carbon zero by 2030,**
 - b. energy use / renewable energy sources
 - c. waste and the use of single use plastics,
 - d. **sustainable forms of transport,**
 - e. **air quality,**
 - f. flooding risks,
 - g. green areas and biodiversity.
21. For this reason, the Committee should carefully consider and balance the needs of the hackney carriage and private hire trades and those of the residents of Chorley.

Equality and diversity

22. As highlighted in the body of the report, a significant number of the wheelchair accessible vehicles (WAVs) in the fleet do not meet Euro 5 standards and so would not be suitable to be licensed under the current policy from 1st January 2024. This would drastically reduce the availability of WAVs and would likely impact on ability of wheelchair users to travel.

Risk

23. There is a reputational risk to the Council of failing to properly administer the licensing regime.

Comments of the Statutory Finance Officer

24. There are no financial implications arising within the report.

Comments of the Monitoring Officer

25. The Council can set local policies relating to licensed vehicles within its borough. S21 of the policy has already been through a consultation process and approved by the Licensing & Public Safety Committee. The taxi trade has requested a 12-month delay to the requirement for all licensed vehicles to be Euro 5 compliant to 1st January 2025. There are no national minimal standards for taxis and therefore no negative impacts on the trade, should the request be approved.

Background documents

There are no background papers to this report

Appendices

Appendix	Description
Appendix 1	Correspondence from Chorley Taxi Association

Report Author:	Telephone:	Date:
Nathan Howson (Enforcement Team Leader (Licensing))	Ext: 5665	25 th August 2023