

REPORT TO: LICENSING COMMITTEE

Date of Hearing: 02 June 2015

Report of: Assistant Director Environment

Type of Application: To seek the introduction of an amendment to the policy relating to hackney carriage vehicles being issued a plate on the first occasion by the Licensing Authority.

Legislation: Local Government (Miscellaneous Provisions) Act 1976

Is this a Key Decision?

No

Is this an Executive or Council Function?

Licensing is a Council function delegated to the Licensing Committee

1. What is the report about?

1.1 The report seeks to introduce an amendment to the current policy relating to hackney carriage wheelchair accessible vehicles being issued a plate on the first occasion by the Licensing Authority.

2. Recommendations:

2.1 The Licensing Committee are recommended to adopt the provisional conditions below and require that from June 17 2015:

- Any Euro 5 wheelchair accessible vehicle (WAV) presented for licensing to the Council on the first occasion as either a new application or as a transfer, shall have no more than 3,000 miles recorded upon the vehicle's milometer.
- This requirement does not apply to any ultra low emission vehicle (ULEV).

3. Reasons for the recommendation:

3.1 Leading up to and following the resolution passed by the Licensing Committee on 16 March 2015, representations from the trade pointed to the potential for the enhanced standards being undermined by new applications utilising older Euro 5 WAVs up to 4 years old (nationally, it was mandatory for all new passenger cars and light duty vehicles to meet Euro 5 emission standards from January 1st 2011). In effect, such applications could take advantage of the 'window of opportunity' necessarily formed by the unavailability of Euro 6 side access WAVs until Autumn this year.

3.3 Officers consider that the pragmatic proposals contained in this report will help maintain and protect the enhanced standards and quality desired by Licensing Committee and address the concerns of the trade.

3.5 Public safety will be enhanced through the implementation of this recommendation to ensure that any vehicle licensed is suitable, safe and fit for the purpose.

4. What are the resource implications including non financial resources.

4.1 There will be no resource implications in implementing the recommendations.

5. Section 151 Officer comments:

There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 The Licensing Authority has a statutory duty to ensure that public safety is not compromised when considering the issue of licences and to ensure that any vehicle licensed is suitable, safe and fit for the purpose. It is felt that the proposals contained in this report will enhance public safety without significantly increasing the burdens on existing or prospective hackney carriage vehicle proprietors.

7. Monitoring Officer's comments:

8. Report details

8.1 The Licensing Committee on 16 March 2015 resolved that the Council ends its current policy of restricting the number of hackney carriage vehicles with effect from 17 June 2015, and couple this with the introduction of an enhanced set of quality controls as set out in Appendices A-F of the circulated report in order to prevent any negative impact (if any) which may arise as a result of any potential growth in the number of Hackney carriage licences, and to improve standards of the Hackney taxi fleet further.

8.2 Lower emissions vehicles to benefit improved air quality was one of the key quality objectives, achieved through the condition for attaining either Euro 6 standard or above (i.e. ultra low emission of no more than 75g/km CO₂). However, due to the absence of any Euro 6 side accessible WAVs until Autumn 2015, it was necessary to accept Euro 5 side accessible WAVs in the interim. In order to discourage any prospective applications taking advantage of this interim period to introduce older Euro 5 side accessible WAVs of up to 4 years old, and which would not be required to be upgraded to Euro 6 until 2020 (by which time they would be 9 years old), it is necessary to close a potential loophole.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Approving this amendment and closing this loophole will contribute to a healthy and safe city and assist the primary aim of taxi licensing which is to protect public safety.

10. What risks are there and how can they be reduced?

10.1 Formulating a hackney carriage vehicle policy that protects public safety should lead to a positive impact on creating a vibrant city to live, work and visit. The higher quality standards were coupled with the decision not to maintain the policy of restriction, in order to prevent any negative impact (if any); the amendment to policy in this report will assist in this prevention.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 There are no specific impacts on equality and diversity groups. In terms of health and wellbeing, closing down the potential entry for older vehicles that would not otherwise be required to be upgraded until 2020, should benefit health in terms of lower emissions, and safety in terms of vehicles that are newer and less worn-out from use.

12. Are there any other options?

12.1 Members could maintain the current policy requirement, but this may encourage prospective applicants to seek a cheaper, older vehicle that would neither benefit the existing nor future Hackney fleet and its passengers.

Assistant Director Environment

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275