



**LICENSING & APPEALS  
COMMITTEE:**

**4 DECEMBER 2018**

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**Report of: Director of Leisure and Environment**

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**SUBJECT: HACKNEY CARRIAGE AND PRIVATE HIRE STATEMENT OF LICENSING  
POLICY 2018 - VEHICLE AGE / EMISSION REQUIREMENTS**

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Wards affected: Borough wide

**1.0 PURPOSE OF REPORT**

- 1.1 To consider revised vehicle age and emission policy requirements for licensed vehicles within the Hackney Carriage and Private Hire Statement of Licensing Policy.

**2.0 RECOMMENDATIONS**

- 2.1 That the Hackney Carriage and Private Hire Statement of Licensing Policy be amended as necessary to reflect the content of Section 5.0 of this report.
- 2.2 That subject to the approval of 2.1 above, the amendments to the Hackney Carriage and Private Hire Statement of Licensing Policy be added to those previously approved for public consultation by the Licensing and Appeals Committee on 9 October 2018.
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**3.0 BACKGROUND**

- 3.1 Members will recall the report of 9 October 2018 in which several administrative and safeguarding amendments, including changes to the convictions policy, to the Hackney Carriage and Private Hire Statement of Licensing Policy 2018 (the Policy) were approved. At that time, it was also approved that the amendments be subject to public consultation, with any resultant comments being brought back to the Committee for consideration.
- 3.2 Following the Committee's decision, a draft policy has been developed and preparations are in place for the document to be subject to public consultation.

However, throughout this period, the Council has been involved with work that has been progressing across the County in an attempt to formulate policy to reduce licensed vehicle emissions and place an increased emphasis on ultralow and zero emission vehicles. Given the timing of the proposed public consultation, the opportunity exists to consider and, if approved, include these proposed changes in the draft policy prior to public consultation.

## **4.0 ISSUES**

- 4.1 The Council has long maintained a commitment to reduce licensed vehicle emissions and encourage the licensed trade to use more efficient and cleaner vehicles. The current version of the Policy contains a commitment for the Council to consider how the Policy can and should support any local environmental initiatives to reduce emissions, which includes the use of low emission vehicles (and the encouragement of their use), setting vehicle emissions standards or promoting cleaner fuels, as well as ensuring a modern standard of its licensed vehicles. To deliver this aim, the current Policy contains detailed vehicle specifications for both Hackney Carriages (HC) and Private Hire Vehicles (PHV), which includes vehicle age and emissions requirements.
- 4.2 In recent years, there has been an increased interest in, and availability of, ultralow emission (hybrid) and zero emission (fully electric) vehicles. Whilst the infrastructure of suitable electric charging points to deliver a realistic framework for zero emission vehicles is still embryonic, this issue is developing quickly and has gained interest from local authorities across the country and the region, and particularly with colleagues within the public health service of Lancashire County Council. This interest is partly resultant from increased availability of government funding to help provide the infrastructure for zero emission vehicles (including HC and PHV). Furthermore, the Council has received approaches from businesses willing to map the movements of existing licensed vehicles as a means to provide data on the most suitable locations for charging points, should and when these be needed in the future.
- 4.3 As Members will be aware, Officers maintain close links with other Lancashire authorities and routinely attend Health Leads, Chief Environmental Health Officer and operational county meetings. The Council is therefore well placed to support and participate in any initiative that aims to provide a consistent approach to air quality and licensing issues. Accordingly, Lancashire authorities are seeking to develop a consistent approach to licensed vehicle emissions and to make policy commitments aimed to support the adoption of ultralow and zero emission vehicles.
- 4.4 The policy changes outlined in the following section of this report are proposed so that the Council's approach can be similar to other authorities in the County and also support an ambitious aim to reduce vehicle emissions in the Borough. Given the impending pre-approved public consultation on the draft policy, the Committee has the opportunity to consider making timely additional changes to the draft policy and avoid the need to conduct additional consultation.

## 5.0 PROPOSED CHANGES

### *Vehicle emissions*

- 5.1 The Policy requires all licensed vehicles to comply with the current MOT emission standards, which differ depending upon the age of the vehicle. (Members will recall that the Policy currently states that all HC must be no older than 18 years and PHV no older than 15 years).
- 5.2 Members may also be aware that the current emission requirements for all mass produced new cars sold after September 2015 are contained in the Euro 6 emissions standard. This standard builds on previous versions to reduce harmful pollutants from petrol and diesel vehicle exhausts, with different emissions standards for each fuel, which reflects the different pollutants the two fuels produce. For diesels, the permitted level of nitrogen oxide (NOx) emitted has reduced to a maximum of 80mg/km, compared to the 180mg/km level that was required for cars that met the previous Euro 5 emissions standard. In contrast, the NOx limit for petrol cars remained unchanged from Euro 5, as it was already lower at 60mg/km.
- 5.3 The Euro 6 standard only applies to new vehicles sold after September 2015 and so it is a higher standard than is required for older vehicles contained in the MOT testing requirements. Given that the average age of the vehicles licensed by the Council is 7 years, the Euro 6 standard does not apply to a significant number of these vehicles. It is therefore proposed that all licensed vehicles be required to be compliant with the Euro 6 emission standard by 1 April 2022.
- 5.4 In considering this matter, Members should note that this policy requirement would not require licensed drivers to sell their existing car and purchase one that was manufactured after September 2015. This is because a retrofit device is available that would reduce the vehicle emissions to the Euro 6 emission standard, and thereby give drivers the option of a lower cost means to comply. It is understood that the cost of supply and fitting the retrofit device is approximately £500.00.

### *Vehicle age*

- 5.5 The Policy currently requires all vehicles licensed under a new application (i.e. not a renewal application) must be a maximum of 4 years old for a HC and a maximum of 6 years old for a PHV. To support the adoption of the Euro 6 standard from 2015, it is proposed that all PHV licensed under a new application must be a maximum of 5 years old from 1 September 2020. It is not proposed to amend the age for a newly licensed HC given that this will be in line with the Euro 6 standard before 2020.

### *Zero emission vehicles*

- 5.6 The pace of development of zero emission vehicles is increasing, with Government setting a target that will require all new car sales to be zero emission vehicles from 2040. Other local authorities, particularly city authorities, are also setting ambitious targets to reduce licensed vehicle emissions and support the use of zero emission vehicles.
- 5.7 It is therefore appropriate that Members consider the adoption of a similar stance to pave the way for the increased use of zero emissions vehicles in the future. It

is therefore proposed that the Council licence only zero emission HC and PHV under a new application from 1 April 2028, which is the same date proposed for other local authorities in the County.

## **7.0 SUSTAINABILITY IMPLICATIONS**

- 7.1 The proposals have the potential to impact upon many areas within the Community, particularly upon taxi services directly and the Council's ongoing safeguarding and environmental responsibilities to the public within West Lancashire.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 There are no financial implications associated with this report.

## **9.0 RISK ASSESSMENT**

- 9.1 Officers are supportive of ambitious but realistic policy targets for licensed vehicle emissions. The proposals contained in this report are therefore not mandatory, rather they are indicative of the approach the Council aims to take in the future to improve the environment in the Borough and also encourage the licensed trade to use more efficient and cleaner vehicles.
- 9.2 In considering this report, Members should also note that the Policy would routinely be reviewed every five years (or more frequently if Members deemed appropriate) and so any requirements can be amended if the pace of the development of zero emission vehicles or the corresponding infrastructure does not match the Council's policy requirements.

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### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

None.

### **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

### **Appendices**

1. Equality Impact Assessment.

## Appendix 1

# Equality Impact Assessment Form



<b>Directorate: Leisure and Environment</b>		<b>Service: Licensing</b>	
<b>Completed by: Paul Charlson</b>		<b>Date: 09/11/18</b>	
<b>Subject Title: HACKNEY CARRIAGE AND PRIVATE HIRE STATEMENT OF LICENSING POLICY 2018 - VEHICLE AGE / EMISSION REQUIREMENTS</b>			
<b>1. DESCRIPTION</b>			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	No		
Details of the matter under consideration:			
<p><i>If you answered <b>Yes</b> to any of the above go straight to Section 3</i></p> <p><i>If you answered <b>No</b> to all the above please complete Section 2</i></p>			
<b>2. RELEVANCE</b>			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	No	<i>*delete as appropriate</i>	
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to <b>Section 3</b></i>			
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
<b>3. EVIDENCE COLLECTION</b>			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Licensing Authorities, service users, members of the public.		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All sections of the public and businesses use or operate the licences outlined in this report.		

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	No
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	All sections of the public and businesses use or operate the licences outlined in this report.
What will the impact of the work being carried out be on usage/the stakeholders?	The proposed changes will impact vehicle licence holders in having to provide a compliant vehicle.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The proposed changes will be subject to public consultation and any views presented to a future meeting of the Committee.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The proposed changes will be subject to public consultation and any views presented to a future meeting of the Committee.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	None.
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	No actions  <i>If no actions are planned state no actions</i>
<b>7. MONITORING AND REVIEWING</b>	
When will this assessment be reviewed and who will	Once approved the Policy is subject to review at

review it?

a minimum of every 5 years.