

Policy Overview & Scrutiny Committee

GM Minimum Licensing Standards (Vehicles)

Report of Executive Member for Neighbourhoods

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9th November 2021

Executive Summary

This report covers the recommendations on private hire and hackney vehicle taxi licensing policy for Greater Manchester following a consultation in 2020.

Recommendations

That the Policy Overview and Scrutiny Committee:

1. Note the recommendations being submitted to the Greater Manchester Combined Authority; and
2. Make any comments on their content.

GM Minimum Licensing Standards (Vehicles)

1. Purpose of the report

1.1 The purpose of this report is to inform Members of the recommendations of the consultation on Greater Manchester’s Minimum Licensing Standards in relation to licensed vehicles which closed in December 2020.

2. Introduction

2.1 Hackney and Private Hire services are a hugely important part of the transport sector. Collectively, they provide more journeys for residents and visitors than Metrolink or local rail, and they represent a significant part of the economy, employing over 20,000 people across the city region.

2.2 Minimum Licensing Standards (MLS) for all GM local authorities represent a means of achieving a range of shared goals, including:

- improving public safety;
- helping deliver clean air and reducing carbon emissions;
- supporting the locally licensed hackney and private hire trades; and
- complying with the Governments statutory guidance on safeguarding.

2.3 Overall, the GM approach looks to provide:

- the public with safe, visible and high-quality hackney and private hire services
- the hackney and private hire trades with clarity over what the required standards will be over the long term, and through the GM Clean Air Plan, with unprecedented investment to help renew the fleet
- local authorities with the continued regulatory role in relation to driver, vehicle and operator licensing whilst retaining scope to exceed the MLS as agreed locally by elected members.

2.4 Stage one of the process relating to drivers, operators and local authority standards was approved by Oldham’s Licensing Committee on 21 September 2021. It has also been successfully adopted by the other nine GM Authorities.

2.5 The proposed minimum licensing standards for vehicles are outlined below in a table which also indicates the recommendations:

No.	Policy Standard	Recommendation
1.	Vehicle emissions	That vehicles should be at least Euro 6 compliant for diesel vehicles and Euro 4 complaint for petrol vehicles subject to upper age policies. For non-compliant vehicles they will have until 1 st April 2024 to become complaint.
2.	Vehicle age	Private Hire Vehicles may be first licensed up until 5 years old and can be licensed up until 10 with the exception of wheelchair accessible vehicles which can stay on until 15.

		<p>Hackney Carriages may be first licensed as wheelchair accessible vehicles up until 7 years of age and can stay in until 15.</p> <p>Final transitional arrangements are being developed by Officers.</p>
3.	Vehicle colour	<p>That all hackney carriages in Greater Manchester shall be black in colour.</p> <p>A single colour for private hire vehicles remains an aspiration of the MLS programme.</p>
4.	Wheelchair accessible vehicles (WAV)	<p>That all hackney carriages in Greater Manchester shall be wheelchair accessible.</p> <p>That for existing saloon emission compliant hackney carriages they be allowed to stay on the fleet until 10 years of age and then change to WAV.</p>
5.	Vehicle livery	That there be a standard livery across Greater Manchester with the addition of local council logos.
6.	Vehicle testing	That vehicles under three have one test a year and those over three have two. Oldham already goes further than that and specifies that vehicles over eight have three tests a year.
7.	Vehicle CCTV	That members approved, in principle, a policy of licensed vehicles having in car CCTV. That further work on a draft policy be commissioned and consulted on for bringing back before members.
8.	Executive Hire	To adopt a common set of standards in relation to executive vehicles not having to display signage and licence plates.
9.	Vehicle licence conditions	That members approve a common set of GM conditions for vehicle licences.
10.	Vehicle design	<p>That members approve a range of vehicle standards covering:</p> <ul style="list-style-type: none"> • Vehicle conformity • No retrofitting of engines • Emissions technology to be CVRAS accredited • Minimum standard of window tints • No written off vehicles to be licensed • No roof signs permitted on PHVs • No advertising other than Council issued signage on PHVs

3 **Next Steps**

- 3.1 Officers are going to be presenting proposals to the Licensing Committee on the 30th November and will develop of a final policy for publication following the decisions made at that meeting.
- 3.2 The commencement of Stage 3 of the programme will commence in early 2022 and the GM Licensing Network will be publishing plans for its content when finalised.

4 **Legal Services Comments**

- 4.1 Under section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach such conditions to the grant of a hackney carriage vehicle licence as the Council considers to be reasonably necessary. Under section 48(2) of the Act, the Council may attach such conditions to the grant of a private hire vehicle licence as they may consider reasonably necessary. Case law has confirmed that it is not unlawful to have a vehicle age policy, provided that the Council continues to consider each application on its individual merits and does not fetter its discretion. Any person aggrieved by any conditions attached to a hackney carriage or private hire vehicle licence may appeal to the magistrates' court. (A. Evans)

5 **Co-operative Agenda**

- 5.1 The licensing process is in place not only to protect the public but also to support and where necessary regulate businesses within the Borough.

6 **Environmental and Health & Safety Implications**

- 6.1 None

7 **Equality, community cohesion and crime implications**

- 7.1 None

8 **Equality Impact Assessment Completed?**

- 8.1 Yes. Available upon request.

9 **Key Decision**

- 9.1 No

10 **Key Decision Reference**

- 10.1 N/A

- 11 **Background Papers** – Consultation responses available in a report published at www.gmtaxistandards.com

- 12 **Appendices** - None
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