

Licensing Committee

GM Minimum Licensing Standards – Stage 2 Proposals for Vehicles - **UPDATED REPORT**

Report of Executive Member for Neighbourhoods

Officer contact: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

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Executive Summary

This report asks Members to approve the recommendations, following consultation, on the Greater Manchester Minimum Licensing Standards for Private Hire and Hackney vehicles. These are appended to this report.

Recommendations

That Members agree:

- 1) Note the endorsement of the Stage 2 proposed outlined in Appendix 1 by the Greater Manchester Combined Authority.
- 2) That all new to licence vehicles to be compliant with the new emissions standards as outlined in Appendix 1.
- 3) That existing private hire licensed vehicles which are not compliant with the new emissions standards begin to transition to replacement vehicles with a deadline for doing so being the 1st April 2024.
- 4) To note the strong ambition within Greater Manchester to move existing fleets to zero emission capable (ZEC) as soon as possible.
- 5) To implement the standard that all hackney vehicles (HCV) are to be a purpose built wheelchair accessible vehicles (WAV) and begin to transition to that position.

- 6) That all existing non wheelchair accessible hackney carriages will cease to be licensed at age twelve with no vehicle being licensed beyond 31 December 2029.
- 7) That all existing non emission compliant wheelchair accessible hackney carriages will cease to be licensed at age fourteen with no vehicle being licensed beyond 31 December 2029.
- 8) That any new or replacement hackney carriages being licensed from 1st December 2021 must be purpose built, wheelchair accessible and emissions compliant.
- 9) Endorse the GM definition of a purpose built hackney carriage to be “A purpose built Hackney Carriage is a vehicle that has been manufactured and sold by the relevant Manufacturer as a Hackney Carriage. A vehicle that has been manufactured and registered, but subsequently converted is not considered to be purpose built. Whilst vehicles converted by an approved company post manufacturing process may be permitted onto the fleet, it does not meet the definition of purpose built”.
- 10) To implement a policy that all hackney carriage vehicles will be black in colour when next changed and that private hire vehicles maybe any colour.
- 11) To approve a revised policy on vehicle age limits as follows:
 - Private Hire Vehicles (PHV) – under 5 years on to fleet and 10 years off
 - PHV WAV – under 7 years on to fleet and 15 years off
 - Purpose built HCV WAV – under 7 on to fleet and 15 years off
- 12) That in relation to vehicle livery, that a common vehicle livery be agreed as detailed in Appendix 1.
- 13) That the Council retains its current vehicle testing policy of testing vehicles once a year until the age of three, two tests a year thereafter until age eight and for vehicles above eight to have three tests a year.
- 14) To approve the drafting of a mandatory CCTV policy for further consideration and consultation.
- 15) To retain the Council’s current policy on the licensing of executive hire vehicles.
- 16) To implement a change to policy concerning vehicle design and licensing requirements as detailed in Appendix 1.
- 17) To implement revised private hire and hackney vehicle licence conditions as detailed in Appendix 1.

- 18) Approve that the decisions made at the meeting come into effect on the 1st December 2021 unless stated otherwise.
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1. Purpose of the report

- 1.1 The purpose of this report is to inform Members of the recommendations of the Greater Manchester Licensing Network following their consultation on Greater Manchester's Minimum Licensing Standards 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, and
- 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 The proposed minimum licensing standards for vehicles cover the following nine areas:

- Emissions
- Age
- Colour
- Hackney carriages
- Testing of vehicles

- CCTV
- Executive hire
- Vehicle design and licensing requirements; and
- Licence conditions

3 Consultation Findings & Responses

- 3.1 A consultation on the GM Minimum Licensing Standards took place between October and December 2020. In total nearly 1700 responses were received with 59% of responses being from the public, 21% from private hire drivers and 14% from hackney drivers. A presentation was given to Members on the findings at a previous meeting.
- 3.2 In relation to vehicle standards 88% of the public responses were supportive whilst CCTV and accessible vehicles were all supported by the public. Overall, only 23% of hackney and 24% of private hire drivers agreed. This figure changed when the drivers leased vehicles (37% and 22% respectively).
- 3.4 During the consultation 34 members of the public made specific comments that more accessible vehicles were needed as did 6 hackney carriage drivers. Some members of the public shared how they often encounter difficulty in booking wheelchair accessible vehicles due to their lack of availability.
- 3.5 In contrast, the Oldham Taxi Owners Association were against proposals for moving towards a wheelchair accessible hackney fleet citing the varying needs of customers together with the costs of purchasing such vehicles. The Association, however, was less concerned with the vehicles all becoming black.
- 3.6 Overall findings on the timetable for implementation of whatever policy is finally agreed was positive with 84% of the public agreeing and looking forward to improved standards. Most drivers (76%) disagreed with the timetable, but this reduced to 56% when they rented or leased a vehicle.
- 3.7 Whilst the principles of the GM proposals and recommendations are proposed for adoption in Oldham it is felt that a longer lead in period for converting the existing hackney carriage fleet to purpose built, emission compliant wheelchair accessible vehicles is required taking into account the economic impact of having to convert to purpose built vehicles. A longer transition period is therefore recommended in this report with all hackney carriages converting over to purpose built wheelchair accessible vehicles by the 31st December 2029. In doing so it should be noted that, due to the age policy, vehicles will begin to reach their maximum age in a staggered phase over the next eight years.

4 Recommendations

- 4.1 Attached to this report at Appendix 1 are the recommendations encompassing the reasons for the proposals, feedback from the consultation and considerations.
- 4.2 The Greater Manchester Combined Authority endorsed these proposals at its meeting on the 29th October 2021.
- 4.3 When the proposals were discussed with Members at the Policy Overview and Scrutiny Committee on the 9th November 2021, they made two recommendations:
- That the Licensing Committee raised its concerns about out of area licensed vehicles working in Oldham at GM level; and
 - That Officers be asked to discuss how more wheelchair accessible private hire vehicles can be brought on to the Oldham fleet.

5 Legal Services Comments

- 5.1 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)

6 Co-operative Agenda

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

7 Environmental and Health & Safety Implications

- 7.1 None

8 Equality, community cohesion and crime implications

- 8.1 Some groups will be affected by policy proposals

9 Equality Impact Assessment Completed?

- 9.1 Yes

10 Key Decision

10.1 No

11 Key Decision Reference

11.1 N/A

12 Background Papers

12.1 The consultation document and findings can be found at www.gmtaxistandards.com

13 Appendices

13.1 Appendix 1 – Proposals and Recommendations
