



Report to: Licensing and Environmental Health Committee, 6 March 2023

Report of: Head of Worcestershire Regulatory Services on Behalf of Worcester City Council

Subject: PROPOSAL TO REVIEW THE HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE AGE POLICY

1. Recommendation

That Committee:

- 1.1 Notes the contents of the report, and in particular the proposals to incentivise the transition to electric hackney carriage and private hire vehicles by amending the Council's current vehicle age policy.**
- 1.2 Approve the undertaking of an 8-week public consultation exercise, in respect of the following proposals to amend the Council's hackney carriage and private hire vehicle age policy:**
 - i. No upper or lower age limit restrictions are to apply in respect of 'all electric' new and replacement hackney carriage and private hire vehicles.**
 - ii. The current lower age limit for replacement hackney carriage vehicles to be amended from 3 years (currently) to 5 years (proposed).**
- 1.3 Notes that a further report will be presented to this Committee in June 2023 with the outcome of the public consultation exercise, in order for a final decision to be taken in respect of the proposals.**

2. Background

- 2.1 Worcester City Council declared a 'Climate Emergency' in July 2019 and committed to acting with the ambition of making the city carbon neutral by 2030. To support this ambition the Council has developed and published the Worcester City Council Environmental Sustainability Strategy 2020 – 2030, and associated action plans.**
- 2.2 One of the focus areas in the strategy is "Transport" with one of its aims being to work with local taxi operators to facilitate the transition to zero emission taxis and introduce a new licensing strategy to support this.**
- 2.3 The Council is also working with the other Worcestershire District Councils to develop a taxi licensing policy to help encourage the take-up of electric vehicles and to discourage higher-polluting older vehicles. The Chair of each District Licensing**

Committee will be meeting to discuss this topic, with the ambition of establishing a countywide plan to achieve this goal.

- 2.4 This is in line the UK Government's commitment to promoting cleaner motoring, as their aim is to reduce transport emissions by ending the sale of new petrol and diesel vehicles by 2030 and making all passenger vehicle sales zero emission vehicles by 2050.
- 2.5 During its meeting on 12th December 2022, this Committee recommended to Environment Committee, a proposal to exempt taxi licensing fees & charges for 30 hackney carriage or private hire vehicles over the period 2023/24 – 2025/26, where an existing hackney carriage or private hire driver applied to replace their current vehicle with an electric vehicle or where a first-time private hire applicant wished to enter the fleet with an electric vehicle. Funding for this scheme was approved by Environment Committee at its January 2023 meeting.
- 2.6 To further support the transition to electric vehicles, Committee also requested that further work be undertaken by officers to review the current Hackney Carriage and Private Hire Vehicle Age Policy, including engagement with the Worcester taxi trade. A copy of the existing Worcester City Council Hackney Carriage and Private Hire Licensing Policy is included at **Appendix 1**.
- 2.7 At recent taxi forum meetings, discussions have taken place in relation to vehicle age limits, and forum members present at the meetings were in full support of a proposal for no age limits to be applied to 'all electric' vehicles intending to be licensed as either hackney carriage or private hire vehicles. Support for such a proposal has also been confirmed through the undertaking on an online survey of the wider Worcester City taxi trade.
- 2.8 In discussing the original proposal, members of the taxi trade have also requested that consideration be given to further reviewing the policy, by relaxing the lower age limit for new/replacement hackney carriage vehicles from 3 years (current policy) to 5 years. It should be noted that for Private Hire vehicles a lower age limit of 5 years is already in place.
- 2.9 The rationale for this request is that being able to purchase an older vehicle at less cost would allow current vehicle proprietors the opportunity to save money ahead of purchasing an electric vehicle at a future date, which in theory could be sooner than if they had needed to purchase a more expensive vehicle in the short term. At present the Local Government Association indicates that about 10% of the Hackney Carriage fleet nationally is 'all electric'.
- 2.10 All new petrol and diesel vehicles will be banned from sale from 2030, new hybrid vehicles will be banned from sale by 2035. The petrol and diesel car ban only affects sales of new vehicles, so the buying and selling of used cars that are powered by combustion engines after 2030 can continue. This will also apply to existing hybrid vehicles after 2035.
- 2.11 Therefore, the rationale that sits behind the proposal to remove the lower age limit for hackney carriage vehicles, does come with a fair degree of risk given that drivers and operators can (without local policy intervention) continue to purchase and use pre 2030 petrol and diesel vehicles beyond 2030.

- 2.12 Given the council's declaration of a climate change emergency however, coupled with the development of its Environmental Sustainability Strategy (and Action Plan), it is not unreasonable to assume that the Council may wish to consider its taxi licensing policy position at some stage in the future with a view to legislating (through policy) an 'all electric' or 'low emission' fleet by a set date.
- 2.13 Further reasons presented by the trade for a change to the lower age limit included, the current price of second-hand vehicles having increased dramatically in recent years, and many licence holders still recovering financially from the COVID-19 Pandemic.
- 2.14 It should be noted that any change to vehicle age policy would not undermine any other requirement placed on a license holder or their vehicle in respect of condition, internal space and arrangements, safety, signage, cleanliness etc. A vehicle regardless of age would still need to meet these and other criteria to be approved for use. These criteria are listed in within Section 3 of the [Worcester City Council Hackney Carriage & Private Hire Licensing Policy \(September 2022\)](#).

3. Preferred Option

- 3.1 Any substantive amendment to the policy would require a period of public consultation and therefore the preferred option is for this Committee to approve the undertaking of an 8-week public consultation exercise in respect of this proposal, to inform any future decision.
- 3.2 An 8-week public consultation period would enable officers to report back to the next Licensing & Environmental Health Committee in June 2023.

4. Alternative Options Considered

- 4.1 The primary alternative option is that of continuing with the lower vehicle age limit of 3 years for hackney carriage vehicles. This option would ensure in the short term at least, new and replacement hackney carriage vehicles coming into the fleet would be more modern and therefore it is reasonable to assume generally less polluting.
- 4.2 Given the material nature of the proposed taxi policy changes outlined with this report, it is considered necessary for this matter to be reported back to its parent Committee rather than any final decision being taking under delegated powers.

5. Implications

Financial and Budgetary Implications

- 5.1 There are no financial or budgetary implications associated with this report and any work undertaken to progress the recommendations and subsequently the implementation of any policy change can be undertaken by Worcestershire Regulatory Services within existing resources.

Legal and Governance Implications

- 5.2 When considering any application for a Private Hire Vehicle Licence, the Council, in accordance with Section 48(a) (i) (iv) and (v) of the Local Government (Miscellaneous

Provisions) Act 1976 shall not grant such a licence unless they are satisfied that the vehicle is suitable in type, size and design for use as a private hire vehicle.

Under Section 47 of the Act the Council may attach to the grant of a hackney carriage licence such conditions as it may consider reasonably necessary.

Under Section 48 of the Act the Council may attach to the grant of a private hire vehicle licence such conditions as it may consider reasonably necessary.

Risk Implications

- 5.3 Public and stakeholder consultation on any proposals to amend the Council's policies, further informs any final decision taken in respect of this matter. In doing so this minimises the risk of legal challenge if the proposals are subsequently implemented.

Department for Transport "Taxi and Private Hire Vehicle Licensing: Best Practice guidance" further states –

It is good practice for local authorities to consult about any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, or Chambers of Commerce, organisations with a wider transport interest (eg the Campaign for Better Transport and other transport providers), women's' groups or local traders.

Corporate/Policy Implications

- 5.4 The proposals set out within this report seek to further incentivise existing and new hackney carriage and private hire vehicle operators and drivers to transition to electric vehicles.

This links to the theme of 'Enhancing and Sustaining our Beautiful City for Future Generations' within the Worcester City Plan 2022 – 2027. Within this theme the Council is committed to 'combatting the climate change emergency by leading city-wide measures to reduce carbon emissions' and 'improving air quality through a reduction in carbon emissions'.

Equality Implications

- 5.5 No Equality Implications have been identified.

Human Resources Implications

- 5.6 No Human Resource implications have been identified.

Health and Safety Implications

- 5.7 As outlined in the report all other criteria that would be applied to vehicles in respect of physical condition, visual condition, safety, and signage etc will remain unchanged and therefore there are not considered to be any health & safety implications associated with this report.

Social, Environmental and Economic Implications

- 5.8 The removal of age limits in relation to fully electric new/replacement hackney carriage vehicles and new/replacement private hire vehicles may encourage the licensing of electric vehicles, which will contribute to improving air quality. It will also encourage

behaviour change and play a part in the city seeking to become carbon neutral by its target date of 2030.

Conversely however it is reasonable to assume that amending the lower age limit of replacement hackney carriage vehicles from 3 year to 5 years may impact air quality negatively due to older vehicles likely to be less efficient and more polluting.

Enabling operators and drivers to purchase and license older vehicles will financially benefit them in the short term, ahead of being mandated to transition to an electric vehicle by way of a potential future policy change by the council or national legislation. Therefore, for those operators and drivers who would benefit from this relaxation there would be a positive economic impact.

Ward(s): All

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Background Papers: Worcester City Hackney Carriage & Private Hire Licensing Policy (September 2022) [wcc-taxi-and-private-hire-licensing-policy-with-effect-01-09-2022.pdf](#)
(worcsregservices.gov.uk)