

**Report of** Taxi & Private Hire Licensing Manager

**Report to** Licensing Committee

**Date:** 4 December 2018

**Subject:** Taxi & Private Hire Licensing – Review of vehicle conditions to encourage ultra low emission vehicles

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Summary of main issues

- 1 This report seeks committee members' awareness, discussion and decision on the proposed new vehicle policies and conditions arising as a result of the Vehicle Conditions ULEV (Ultra Low Emission Vehicle) Working Group.
- 2 The working group has met three times in October to consider ways in which vehicle conditions could be revised to encourage transition to ULEVs, to maintain public safety and improve air quality and public health. The group has recommended several comparatively minor changes to existing policies, which are detailed in the accompanying delegated decision report. More significant changes to the council's vehicle conditions policies will be considered in a wide ranging vehicle conditions working group and consultation in 2019.
- 3 The views of licensing committee members are sought before the revised policies and conditions will be implemented as delegated decision.

## Recommendations

1. That committee members note the purpose and content of the information in this report.
2. That committee members consider the summary of discussion of the working group and make any further recommendations to the policies and conditions.

## 1 Purpose of this report

- 1.1 To inform committee members of the recommendations of the Vehicle Conditions (ULEV) Working Group for changes to council's existing vehicle conditions to encourage high emission vehicles to be replaced by ULEVs, in line with the council's Clean Air Zone priorities.
- 1.2 To highlight to committee members of some of the likely areas where the council's current vehicle policies and conditions should be reviewed by a vehicle working group and consulted upon and policies updated following receipt of any comments or objections.

## 2 Background information

- 2.1 Leeds City Council has responsibility for licensing Hackney Carriage (taxi) vehicles, drivers and proprietors, Private Hire and Executive vehicles, drivers, and operators within the city. The council's primary focus is the safety of the travelling public.
- 2.2 The council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which governs the licensing of Private Hire Vehicles, Private Hire Operators and drivers. The adoption of this act also encompasses the adoption of the Town Police Clauses Act 1847, which governs the licensing of Hackney Carriages.
- 2.3 The council's policies and conditions are set and reviewed by the council's Licensing Committee. The council's policies and conditions apply to all drivers, vehicles and operators who hold the relevant licenses issued by the council. The council's Taxi & Private Hire Licensing team are responsible for making decisions relating to the application of the policies and conditions, under the council's scheme of sub-delegation.
- 2.4 Committee members will be aware that the UK taxi and private hire industry is rapidly changing in the UK, although much taxi and private hire law has changed little since the 1970s. In order to continue to keep the travelling public safe, the council's policies and conditions also need to keep pace with new developments, particularly the rise of cross border working (drivers and vehicles licensed in one area and working predominantly in another), the growth in use of smartphone apps enabling customers to book and pay for journeys. The council has a plan to review and consult on each of the specific policies and conditions after either three or five years, to make sure they remain up to date and effective.
- 2.5 In October 2017, Licensing Committee approved a plan to review the many (more than 40) policies and conditions relating to taxi and private hire licensing in the following themes:
  - Update and simplification of **driver** policies and conditions (12 driver policies, conditions and guidance);
  - Update and simplification of **vehicle** policies and conditions (11 vehicle policies, conditions and guidance);

- Update and simplification of **operator and proprietor** policies and conditions (5 operator/proprietor policies, conditions and guidance);
- **Safeguarding and safety** policies and conditions (15 policies, conditions and guidance);
- **Harmonisation** of some policies and conditions across West Yorkshire and City of York to narrow the gap between different authorities and for more effective cross-border enforcement;
- Development of a **Clean Air Zone** for public health reasons in Leeds and its implications for taxi and private hire vehicles; and
- Update and simplification of taxi and private hire licensing **application and renewal forms** in preparation for development of online forms and paper free case management systems.

2.6 The Vehicle Conditions (ULEV) Working Group met three times in October 2018. The remit of the working group was to consider areas where the existing vehicle policies and conditions could be revised and relaxed in a short timescale to encourage uptake of ULEVs and support the council's Clean Air Zone.

### 3 **Main issues**

3.1 No major changes to the vehicle policies and conditions are recommended. The areas of discussion which generated possible major changes to policies and conditions lie outside of the remit of a delegated decision, and will need a larger working group and detailed consultation, both of which are likely to take place early in 2019.

3.2 A number of comparatively minor changes are recommended.

- Removal of 1400cc minimum engine capacity for ULEVs;
- Extend age at first licensed for ULEVs to 7 years and fewer than 120,000 miles;
- Extend age at which last licensed for ULEVs to 12 years; and
- Temporary extension for up to six months for vehicles reaching maximum age limit November 2018 to -April 2019.

## 4 **Corporate Considerations**

### 4.1 **Consultation and Engagement**

4.1.1 As a proposed delegated decision, the council does not plan to consult on these proposals. The council will advertise the proposed changes on the council website, and to current licence holders and applicants.

4.1.2 The council plans to implement the revised policies immediately, following discussion at December Licencing Committee.

## **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 Equality and Cohesion Screening Assessments are carried out on the policies agreed at Licensing Committee and policy changes made under the scheme of sub delegation. An Equality Impact Assessment Screening report is attached.

## **4.3 Council policies and City Priorities**

4.3.1 Taxi & Private Hire Licensing policies contribute to the following aims:

### **Best Council Plan**

#### **Towards being an Enterprising Council**

#### **Our Ambition and Approach**

**Our Ambition** is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

**Our Approach** is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

#### **Our Best Council Outcomes**

Make it easier for people to do business with us.

#### **Our Best Council Objectives**

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs;
- Boosting the local economy; and
- Generating income for the council.

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time; and
- Improving customer satisfaction.

4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds;
- Effectively tackle and reduce anti-social behaviour in communities;
- Safeguarding children and vulnerable adults:

4.3.3 Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

#### **4.4 Resources and value for money**

4.4.1 The Taxi and Private Hire Licensing service is cost neutral to the council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licences. While the Act does not specify enforcement as part of the service, UK law is commonly interpreted to include enforcement in the setting of fees.

4.4.2 These arrangements mean that if proposals are associated with additional costs, they will be funded via licence fees and will not place additional pressure on the council's budget. Conversely, it also means that the council will not run a significant budget surplus.

4.4.3 The proposed revised policies will have a resource and capacity implication, requiring the council's Taxi and Private Hire Licensing team to inspect around 400 vehicles which would be eligible for a temporary extension. The team are planning to increase the number of vehicle examiner posts in line with the Clean Air Zone, which would require around 3000 high emission vehicles to be replaced.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no legal implications arising from this review.

#### **4.6 Risk Management**

4.6.1 The delegated decision report identified risks and mitigating actions.

### **5 Conclusions**

5.1 The report has addressed the recent working group review of vehicle policies and conditions. The report has summarised the findings and recommendations of the working group, which have been included in a delegated decision report.

5.2 The report has provided details of discussion and proposals for where the council's vehicle policies and conditions should change, and where there was discussion, but it is recommended that the policies do not change until following a wide ranging working group and consultation in 2019.

## **6 Recommendations**

- 6.1 That committee members note the purpose and content of the information in this report.
- 6.2. That committee members consider the summary of discussion of the working group and make any further recommendations to the policies and conditions.

### **Appendix 1 List of delegates attending and contributing to Vehicle Conditions (ULEV) Working Group**

### **Appendix 2 Equality & Diversity Cohesion and Integration Impact Assessment**

## **Appendix 1 List of delegates attending and contributing to Vehicle Conditions (ULEV) Working Group**

Cllr Mary Harland  
Cllr Billy Flynn  
Cllr Hannah Bithell

Mile Utting, Chairman, Streamline/Telecabs Hackney Carriage Association  
Mr Vasim Akhtar, Unite the Union  
Mr Ahmad Hussain, Chairman of LPHDO  
Mr Adil Hamid, Treasurer, LPHDO  
Mr Christopher Woodrow LLB (Hons), Licensing Consultant, a2z licensing  
Ms Joy Fisher, Disability Hub rep  
Mr Mohammed Shazad, Director, Eurocabs Hackney carriage Association  
Mr Ghulam Nabi, Secretary, Eurocabs Hackney Carriage Association  
Marvyn Hurst, Easy Travel

Andrew White, Taxi & Private Hire Licensing Manager, Taxi & Private Hire Licensing  
Alison Calvert, Management Support Officer, Taxi & Private Hire Licensing  
Martino Deplacido, Operations Manager, Taxi & Private Hire Licensing