

LICENSING COMMITTEE	AGENDA ITEM No. 4
09 FEBRUARY 2023	PUBLIC REPORT

Report of:	Peter Gell, Assistant Director: Regulatory Services	
Cabinet Member(s) responsible:	Councillor Allen, Deputy Leader and Cabinet Member for Housing, Culture and Communities	
Contact Officer(s):	Gareth Brighton, Licensing & Business Manager	Tel. 864103

TAXI & PRIVATE HIRE LICENSING POLICY AMENDMENT – TAIL-LIFT ENABLED VEHICLES

RECOMMENDATIONS	
FROM:	Deadline date: N/A
<p>It is recommended that the Licensing Committee:</p> <ol style="list-style-type: none"> 1. Consider a revision to Peterborough City Council’s Hackney Carriage and Private Hire Licensing Policy specific to the age requirements of tail lift enabled vehicles existing in trade and for tail lift enabled vehicles being submitted for licensing for the first time. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Licensing Committee following discussions with the licensed Hackney carriage and private hire trade representatives and other key stakeholders.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to enable the Licensing Committee to consider a proposed policy revisions relating to tail lift enabled vehicles taking into account the following:

- The current vehicle requirements outlined in the policy – **Appendix A**
- The proposed requirements for tail lift enabled vehicles - **Appendix B**
- The current provision of tail lift enabled vehicles within the trade and the demand for such vehicles
- The effect of the rising cost of living on vehicles entering the taxi trade
- The views of the private hire trade, the Hackney Carriage trade, PCC’s Passenger Transport Operations Team and the Peterborough Disability Forum
- The implications of the proposed revision on the Council’s 2030 net-zero carbon emission target
- The position of neighbouring authorities in relation to the licensing of tail lift enabled vehicles

2.2 This report is for the licensing committee to consider under its Terms of Reference No. Part 3, Delegations Section 2 – Regulatory Committee Functions:

2.5.2.8 On recommendation by the Licensing Committee all non-statutory policies must be submitted either to Full Council or Cabinet for formal adoption. Thereafter, any minor amendments or modifications, can be adopted by the Licensing Committee.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1 Peterborough City Council's current Hackney Carriage and Private Hire Licensing Policy came into effect on 27 July 2022 after being adopted by Full Council.
- 4.2 The vehicle age requirements detailed in the policy determine that petrol and diesel licensed vehicles will be de-licensed when they reach 10 years of age. Petrol and diesel vehicles being licensed for the first time must be no older than 4 years of age. The full policy requirements for vehicles in trade and newly licensed vehicles are outlined in **Appendix A**. There is no category that relates specifically to tail lift enabled vehicles.
- 4.3 Tail lift enabled vehicles are vehicles that have a mechanical device permanently installed (usually to the rear) that is designed to facilitate the handling persons or cargo from ground level to the level of the vehicle bed, or vice versa. This type of vehicle plays a vital role within Peterborough's integrated transport system and is heavily relied upon by disabled passengers alongside the Council's Passenger Transport Operations Team responsible for fulfilling home to school transport routes.
- 4.4 Historically, the record management system used by the Licensing Team has not recorded if a Hackney carriage or private hire vehicle has been fitted with a tail lift. This has recently been amended and this data is now recorded, however, obtaining an exact figure for the number of tail lift enabled vehicles in trade remains difficult; However, it is understood, tail lift enabled vehicles account for less than 3% of taxi and private hire vehicles currently licensed in Peterborough.
- 4.5 The vast majority of the licensed tail lift enabled vehicles are of diesel or petrol fuel type and therefore cease to be licensed under the current policy when they reach 10 years of age. A number of licensed tail lift enabled vehicles are approaching 10 years of age and are due to be de-licensed in the coming 12 months.
- 4.6 The City Council has a duty to transport eligible children from home (or a suitable pick up point) to their appropriate educational placement to allow attendance during normal school hours. This function is provided by the Passenger Transport Operations Team often by way of contracted services such as taxis and minibuses for individual routes.
- 4.7 Currently there are 34 Tail Lift routes operating Education transport on behalf of Peterborough City Council. The total number of children carried on these routes is 145. Peterborough City Council has a statutory duty under the Education Act 1996 to transport these eligible children to their place of education. Failure to be able to provide suitable vehicles for students who are wheelchair users would mean statutory duties are not met.
- 4.8 The cost of living has been increasing across the UK since early 2021. The annual rate of inflation reached 11.1% in October 2022, a 41-year high, affecting the affordability of goods and services for households and businesses. Both the OBR and Bank of England expect the annual inflation rate to ease in 2023. The OBR expects inflation to slow to 3.8% by Q4 2023.
- 4.9 October 2022 marked the 31st month of consecutive year-on-year growth in the price of used vehicles; with a total average increase of 47% on pre-pandemic (October 2019) prices. This, coupled with the rise in the Bank of England base interest rate to 3.5%, has resulted in a significant increase in the cost of purchasing and financing new and used vehicles.

- 4.10 Peterborough City Council is committed to take action to ensure that current provision of vehicles is not impacted as a result of vehicles becoming de-licensed in the next 12 months and to encourage more vehicles into trade to meet future demand.
- 4.11 **See Appendix B** - By extending the life of tail lift enabled vehicles that are already in the trade from 10 years to 12 years, the near-term pressure on tail lift vehicle provision will be alleviated. In 2024, when these vehicles become de-licensed due to their age, it is anticipated that the rate of inflation will have eased, and businesses will be in a healthier financial position to invest in replacement vehicles.
- 4.12 Extending the age of which tail lift enabled vehicles will be accepted for a new licence from 4 years to 8 years will allow older (and therefore lower cost) tail lift vehicles to be submitted for licensing. By 'bringing down the cost' of a newly licensed tail lift vehicles, it is envisaged that more of this type of vehicle will enter the trade; ensuring that there is provision to meet existing and future demand.
- 4.13 Any vehicle entering the Hackney or private hire trade is required to pass an enhanced safety/roadworthiness test at the council's appointed testing station.
- 4.14 In creating the proposed policy revision, the licensing authority has considered the position of neighbouring local authorities in relation tail-lift enabled and disabled access vehicles operating in their district. If the proposed revision is adopted, Peterborough City Council's position will remain broadly similar to that of its neighbours.
- 4.15 **Huntingdonshire**
The Council has a maximum age policy restricting the maximum age on the grant of a Hackney Carriage and Private Hire vehicle on first DVSA application to five years. There is no upper age limit for when we would no longer licence a vehicle as long as the vehicle meets the relevant criteria. Hybrid/Electric/LPG vehicles will be subject to a maximum age policy of seven years after first DVSA registration. Vehicles originally designed to carry more than 8 passengers but converted to carry 8 passengers or less, and specifically converted to carry wheelchairs will be subject to a maximum age policy of seven years after first DVSA registration.
- 4.16 **South Kesteven**
In order to minimize the emission of atmospheric pollutants and encourage the uptake of zero and ultralow emission vehicles, an application for a new hackney carriage or private hire vehicle licence will not be accepted unless the vehicle is less than 5 years old. The vehicle licence can continue to be renewed until it reaches the age of 10 years.
- To support the provision of disabled accessible vehicles (including purpose built vehicles) and encourage the uptake of hybrid, ultra-low and zero emission vehicles (including plug in hybrid, electric and hydrogen fuel cell), the renewal age for these vehicles is extended to 12 years as long as the vehicle continues to pass the necessary compliance test.
- 4.17 **Fenland**
Best Practice Guidance reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and that the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate. Therefore, at present, we do not intend to implement an upper age limit.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links directly to the following Corporate Priorities:
1. The Economy & Inclusive Growth
 - Environment
 - Homes and Workplaces
 - Jobs and Money
 2. Our Places & Communities

- Places and Safety
- Lives and Work
- Health and Wellbeing

3. Prevention, Independence & Resilience

- Educations and Skills for All
- Adults
- Children

6. CONSULTATION

6.1 The licensing authority has held discussions with key stakeholders in relation to the proposed revision to the licensing policy. These are detailed below:

09 December – Team Manager, Passenger Transport Operations

15 December – Private Hire Federation

22 December – Hackney Carriage Federation

23 December – Little Miracles and Peterborough Disability Forum member

The response from each of these discussions has been overwhelmingly in favour of the proposed revision to the policy.

6.2 It is not proposed to carry out a public consultation for the proposed amendment as it is not considered a major change to the policy.

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 On the 24th of July 2019, at a meeting of Peterborough City Council's Full Council, members unanimously declared a climate emergency and agreed to make the Council's activities net-zero carbon by 2030. The proposed revision to the Hackney Carriage and Private Hire Licensing Policy will not affect the 2030 target as any petrol or diesel tail lift enabled vehicles subject to the proposed change will be required to be de-licensed on, or before, 31 December 2029.

7.2 Recent research undertaken by Scope suggests that four-fifths of disabled people feel anxious using public transport and the coronavirus pandemic has only served to exacerbate this. Alternative accessible-transport solutions such as taxis and PHVs therefore are relied upon by a number of disabled people in the city. It is imperative that the Council works to continue to promote tail-lift enabled vehicles as a transport option in order to ensure that disabled people in Peterborough are able to maintain their independence.

7.3 It is likely that costs of purchasing newer/ more expensive vehicles will be directly passed on to Passenger Transport operation through inflated contract costs and lack of suppliers on what is already an overspent budget.

7.4 The proposed revision will affect less than 3% of taxi and private vehicles currently licensed in Peterborough.

8. REASON FOR THE RECOMMENDATION

8.1 The recommendation is made to ensure that current provision of tail lift enabled vehicles is not impacted as a result of vehicles becoming de-licensed in the next 12 months and to encourage more vehicles into trade to meet future demand.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 The alternative to the proposed amendment is to maintain the status quo. This has been discounted as this will not address the fundamental issue of tail lift vehicle availability in Peterborough.

10. IMPLICATIONS

Financial Implications

- 10.1 There are no financial implications to the proposed policy amendment

Legal Implications

- 10.2 There are no legal implications to the proposed policy amendment

Equalities Implications

- 10.3 The proposed policy amendment will ensure that current provision of tail lift enabled vehicles is not impacted as a result of vehicles becoming de-licensed in the next 12 months. It is also anticipated that the proposed revision will serve to encourage more tail lift enabled vehicles into trade to meet future demand.
- 10.4 On the 24th of July 2019, at a meeting of Peterborough City Council's Full Council, members unanimously declared a climate emergency and agreed to make the Council's activities net-zero carbon by 2030. The proposed revision to the Hackney Carriage and Private Hire Licensing Policy will not affect the 2030 target as any petrol or diesel tail lift enabled vehicles subject to the proposed change will be required to be de-licensed on, or before, 31 December 2029.
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- 10.6 It is likely that costs of purchasing newer/ more expensive vehicles will be directly passed on to Passenger Transport operation through inflated contract costs and lack of suppliers on what is already an overspent budget.
- 10.7 The proposed revision will affect less than 3% of taxi and private vehicles currently licensed in Peterborough.

10.8 CARBON IMPACT ASSESSMENT

The current taxi licensing policy provides clear messaging and certainty to the trade regarding expected minimum emissions standards and replacement vehicle ownership periods. A focused package of vehicle requirements provides incentives for vehicle technologies with ultra-low emissions and largest zero emission range

These vehicle types, when in regular use as private hire and Hackney vehicles will have an overall positive impact on reduction of carbon emissions across the City with an ambition that at the next Policy uplift in 2025 that this will be further enhanced by the City's charging infrastructure enabling regular charging point to be in place for trades such as this to easily access a recharge at a reasonable cost within the City, thus encouraging lower emissions from vehicles.

By extending the life of licensed tail lift vehicles (which are predominantly petrol and diesel fueled) from 10 years to 12 years, there is potential for these higher emission vehicles to remain on the road longer. The proposed policy revision will not affect the Council's 2030 carbon neutral ambitions as any petrol or diesel tail lift enabled vehicles subject to the proposed change will be required to be de-licensed on, or before, 31 December 2029.

The proposed policy amendment will affect less than 3% of taxi and private hire vehicles currently licensed in Peterborough.

11. **BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

11.1 *None.*

12. **APPENDICES**

- 12.1
- The current vehicle requirements outlined in the policy – **Appendix A**
 - The proposed requirements for tail lift enabled vehicles - **Appendix B**