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**TITLE: TAXI LICENSING POLICY - UPDATE**

**COMMITTEE: LICENSING COMMITTEE**

**DATE: 4 SEPTEMBER 2023**

**AUTHOR: SENIOR LICENSING OFFICER**

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1.0 ISSUE

1.1 To consider updates to the Taxi Licensing Policy for consultation with key stakeholders.

2.0 RECOMMENDATION(S)

2.1 That Members consider the report and:

- instruct Officers to consult with all key stakeholders on the proposals detailed in section 4 to this report, the results of which to be considered at a subsequent Committee meeting.

3.0 BACKGROUND

3.1 The Council has responsibility for licensing hackney carriage vehicles and drivers, and private hire vehicles, drivers and operators within the Council's district boundary. The main powers to control these licensable activities are granted by:

The Local Government (Miscellaneous Provisions) Act 1976  
Town Police Clauses Act 1847

3.2 In 2017 the Council's Licensing Authority amalgamated a number of documents to create a Hackney Carriage and Private Hire Licensing Policy (the "Policy"). The current version of the policy came into effect on 11<sup>th</sup> November 2022.

3.3 The hackney and carriage and private hire policy sets out East Cambridgeshire District Council's requirements under the controlling legislation, and provides a solid framework to assist all parties including Officers, Members, applicants and licence holders, and members of the general public.

3.4 The current policy allows non-substantial amendments to be made without consultation. A non-substantial amendment is anything that is not a substantial amendment. A substantial amendment is defined as an amendment that:

- will have a significant financial impact on licence holders or the public, or
- will have a significant procedural impact on licence holders or the public, or

- may not be perceived by the trade or the public to be consistent with the published objectives detailed in section 1.2.2 of this policy.

3.5 Since 2017 minor amendments have been made to the initial policy, both at officer and Member level, but none have been considered to be substantial, and therefore, no consultation exercise has been necessary. Following a review of the policy, officers have identified a small number of amendments that they would like to make to the existing policy, some of which are considered to be substantial, and therefore, cannot be dealt with under delegated powers. These are set out in section 4 below.

#### 4.0 PROPOSALS

The following paragraphs set out the three major amendments, and the reasons for the proposed change.

##### **Proposal 1**

4.1 Increase of base model price of executive vehicles at point of manufacture from £35,000 to £50,000 – Part 2 section 2.23.1 (pg14) and Appendix A section 36.1 (page 39).

4.1.1 This amendment is being tabled to ensure that the executive exemption remains fit for purpose. This increase is considered necessary to ensure that this area of licensing remains exclusive, and reflects the increasing costs of all vehicles since the £35,000 figure was set in 2017. Without this increase it is likely that a much larger number of vehicles may be eligible for an exemption from displaying plates and drivers from displaying badges whilst driving the vehicle, which would undermine the principles of the executive exemption.

##### **Proposal 2**

4.2 Requirement for all new petrol and diesel vehicles (including petrol & diesel powered hybrids and LPG conversions) to be Euro 6 compliant – Appendix A section 3.1 (page 31).

4.2.1 Whilst pollution levels remain relatively low across the district, compared to other districts of a similar size, the benefits of clean running, efficient vehicles cannot be denied. A large number of Licensing Authorities across the UK have in recent years been considering the impact of their taxi fleets on their local environment, and their local population whilst they go about their daily lives. A number of Authorities have introduced strict low emission and zero emission vehicle policies, but whilst this may be considered desirable, the practical limitations would make such a policy unfeasible at this time. The proposal to require all petrol and diesel vehicles including diesel and petrol powered hybrids and LPG converted vehicles to meet the Euro 6 standards is considered to be a measured step towards achieving lower NOx, HC and particulate pollution levels, whilst gently moving licence holders towards newer greener vehicles, at a pace that is both feasible from an economic and technological point of view.

4.2.2 Generally, all vehicles manufactured from 1<sup>st</sup> January 2015 are Euro 6 compliant. Our records show 52% (99) of our licensed vehicles are currently Euro 6 compliant, leaving 92 vehicles ranging from Euro 3 to Euro 5. The tables shown below break this down further.

*Table 1 – Current fleet numbers*

Euro Rating – Cars (Saloon, Hatchback, Estate and MPV)		
Euro Rating	Date of introduction	Number of licensed vehicles
Euro 3	01/01/2001	2
Euro 4	01/01/2005	11
Euro 5	01/09/2009	79
Euro 6*	01/09/2015	99

\*Some manufacturers introduced Euro 6 towards the end of 2014.

*Table 2 – Emission levels comparison*

Euro 3 Emissions Limits (Petrol)			Euro 3 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	2.3 g/km	V.1	CO (g/km or g/kWh)	0.66 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.15	V.3	NOx (g/km or g/kWh)	0.25 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.50 g/km
V.5	Particulates (g/km or g/kWh)	N/A	V.5	Particulates (g/km or g/kWh)	0.05 g/km
Euro 4 Emissions Limits (Petrol)			Euro 4 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.08	V.3	NOx (g/km or g/kWh)	0.25 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.30 g/km
V.5	Particulates (g/km or g/kWh)	No Limit	V.5	Particulates (g/km or g/kWh)	0.025 g/km
Euro 5 Emissions Limits (Petrol)			Euro 5 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.06 g/km	V.3	NOx (g/km or g/kWh)	0.18 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.23 g/km
V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only)	V.5	Particulates (g/km or g/kWh)	0.005 g/km and 6.0x10A11/km

Euro 6 Emissions Limits (Petrol)			Euro 6 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.06 g/km	V.3	NOx (g/km or g/kWh)	0.08 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.17 g/km
V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only) and 6.0x10A11/km (Direct Injection Only)	V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only) and 6.0x1QA11/km (Direct Injection Only)

Table 3 - Potential emission savings per annum

Euro Rating – Cars (Saloon, Hatchback, Estate and MPV)						
Euro Rating	Number of licensed vehicles	Based on 30,000km a year average	Current		Euro 6	Savings
Euro 3	2	60,000	CO (.66g/km)	39,600g	30000g	9,600g
			NOx (.50g/km)	30,000g	4,800g	25,200g
			Particulates (.5g/km)	3,000g	300g	2,700g
Euro 4	11	330,000	CO (.50g/km)	165,000g	165,000g	0
			NOx (.25g/km)	82,500g	24,000g	58,500g
			HC+NOx (.25g/km)	99,000g	56,100g	42,900g
			Particulates (.025g/km)	8,250g	1,650g	6,600g
Euro 5	79	2,370,000	CO (.50g/km)	1,185,000g	1,185,000g	0
			NOx (.18g/km)	426,600g	189,600g	237,000g
			HC+NOx (.23g/km)	545,100g	402,900g	142,200g
			Particulates (.005g/km)	11,850g	11,850g	0

### **Proposal 3**

4.3 Introduce a 2-year deadline for all existing Euro 3 and a 5-year deadline for all existing Euro 4 and 5 petrol and diesel vehicles (including diesel and petrol powered hybrids and LPG conversions) to be Euro 6 compliant – Appendix A section 3.2 & 3.3 (page 31).

4.3.1 This proposal will limit the length of time existing non-Euro 6 vehicles may be considered suitable for licensing. The effect of this amendment will be to establish an irrefutable ground for refusing a renewal application where the existing licence expires beyond two or five years from this proposal taking effect. During this grandfather rights period, where an existing vehicle is written off, or is replaced for any reason of non-compliance, this shall be permitted, but any replacement vehicle must be of an equivalent Euro emissions level and CO<sub>2</sub> rating per km, and be no older in age than the vehicle it replaces.

### **Proposal 4**

4.4 Amendment to the rules regarding land line phones at operator bases – Appendix F, section 21 (page 66).

4.4.1 At present all Private Hire operator bases where bookings are accepted must have a land line phone installed at this base location. In modern times whilst the law states that bookings must be made through a licensed operator base, the reality is that most bookings are made via broadband internet connections and VOIP telephones (handsets/phones using an internet line), which for some smaller operators are forwarded onto mobile phones and PDA equipment, as their operator bases are not locations where the public can enter. The proposed amendment will provide greater flexibility to operators, whilst ensuring that booking records can still be accessed, and are being made lawfully, and any customer has a number to contact in order to speak to the operator.

### **Proposal 5**

4.5 Invite comments on any part of the current policy in force at this time.

4.5.1 This proposal is being put forward in the interests of open regulation, to give all key stakeholders the opportunity to comment on any part of the current policy. Any comments would be brought before a future Licensing Committee for Member consideration of the comment.

## **5.0 CONCLUSION**

5.1 The current hackney carriage and private hire licensing policy creates a fair and transparent framework for all parties.

5.2 The proposals set out in this report tie into the Council's Corporate Plan of creating a Cleaner, Greener East Cambridgeshire, whilst striking a fair balance between environmental considerations, and the difficulties faced by the trade both economically and technologically. An additional benefit of proposals 2 and 3 is that newer vehicles benefit from better safety standards, and more passenger/driver comfort than older vehicles.

5.3 The proposal to invite comments on the policy as a whole, demonstrates that the Council is a Council that believes in open regulation.

## 6.0 FINANCIAL IMPLICATIONS

6.1 If the proposals in this report are adopted the only financial impact will be on those who apply for a new vehicle licence, or to renew an existing non-compliant vehicle licence once the transitional period has ended. It will have no financial impact on new or existing drivers.

6.2 The requirement to obtain a Euro 6 vehicle will restrict the purchasing of second-hand vehicles to vehicles being no more than 8 years of age at this point in time, which may have an impact on the purchase cost of a suitable vehicle when compared to the purchasing of a 10+ year old vehicle. However, research suggests that this additional cost will be minimal, and will potentially be recovered by having a longer period of earning potential as a licensed vehicle.

6.3 If proposal 3 came into effect, existing licence holders would have 5 years to replace their vehicle. In 5 years' time it is very likely that more Euro 6 vehicles will be available, and the initial cost of purchase will be on an equivalent level to current costs.

6.4 Licence holders and stakeholders will be invited to make Members aware of their concerns via a public consultation. Due to this it is envisaged that any financial concerns from the trade will be raised during this process, and can be considered by Members at a subsequent Committee meeting.

6.6 Officer time will be required to deal with the consultation exercise, and Member time will be required to consider any comments received. These costs will come out of the Licensing Department budget.

6.7 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community if Members follow the Officer recommendations.

## 7.0 APPENDICES

7.1 Appendix 1                      Equality Impact Assessment (EIA)

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**Background Documents****Location****Contact Officer**

The Local Government (Miscellaneous Provisions) Act 1976

Room SF208  
The Grange,  
Ely

Stewart Broome  
Senior Licensing  
Officer  
(01353) 616477

Town Police Clauses Act 1847

[RAC Euro-emissions guide](#)

[East Cambridgeshire District Council Hackney Carriage and Private Hire Licensing Policy 2023.](#)





**EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)**

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

<b>Name of Policy:</b>	Hackney Carriage and Private Hire Policy
<b>Lead Officer (responsible for assessment):</b>	Stewart Broome
<b>Department:</b>	Licensing
<b>Others Involved in the Assessment (i.e. peer review, external challenge):</b>	
<b>Date Initial Screening Completed:</b>	22/8/2023

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

A framework to assist members of the public, Officers and Committee Members with regards to controlling hackney carriage and private hire driver, vehicles and operators in the district.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

Persons who wish to drive members of the public for hire and reward purposes

- (c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

Yes, previous consultation in 2017 and working with the policy

- (d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics? (please tick all that apply):

<b>Ethnicity</b>	<input type="checkbox"/>	<b>Age</b>	<input type="checkbox"/>
<b>Gender</b>	<input type="checkbox"/>	<b>Religion or Belief</b>	<input type="checkbox"/>
<b>Disability</b>	<input type="checkbox"/>	<b>Sexual Orientation</b>	<input type="checkbox"/>
<b>Gender Reassignment</b>	<input type="checkbox"/>	<b>Marriage &amp; Civil Partnership</b>	<input type="checkbox"/>
<b>Pregnancy &amp; Maternity</b>	<input type="checkbox"/>	<b>Caring Responsibilities</b>	<input type="checkbox"/>

**Please explain any impact identified:** i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

This policy affects all applicants and licence holders equally.

- (e) Does the policy affect service users or the wider community?

YES

- (f) Does the policy have a significant effect on how services are delivered?

NO

November 2013

(g) Will it have a significant effect on how other organisations operate?

NO
NO
NO

(h) Does it involve a significant commitment of resources?

(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

**Signatures:**

**Completing Officer:** Stewart Broome **Date:** 22/8/2023

**Head of Service:** Liz Knox **Date:** 22/8/2023