



# Northumberland

## County Council

### LICENSING AND REGULATORY COMMITTEE

DATE: 24 AUGUST 2021

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### **Hackney Carriage and Private Hire Licensing**

Report of Philip Soderquest, Head of Housing and Public Protection

Cabinet Member: Cllr. Colin Horncastle – Portfolio Holder Community Services

#### **Purpose of report**

To update Members and seek approval for consultation in respect of four areas associated with the licensing of hackney carriages, and/or private hire vehicles and drivers:

#### **Recommendations**

Members note the contents of the report and agree consultation with the relevant bodies and licensed trade in respect of the following areas:

- Review of the Council's Hackney Carriage and Private Hire Licensing Policy
  - Governments statutory taxi and private hire vehicle standards
  - Vehicle emissions
- Hackney Carriage Zones
- Hackney Carriage Tariff.

#### **Link to Corporate Plan**

This report is relevant to the Living and Enjoying priorities included in the NCC Corporate Plan 2018-2021 and recognises 'Responding to Climate Change: A Statement of Intent'

#### **Key issues**

- The original Hackney Carriage and Private Hire Licensing Policy, which sets out the approach the Council will take when exercising its discretion when making decisions about hackney and private hire licensing and associated matters, was adopted in 2010 and has been subject to review and minor amendment over recent years.
- Following the release of new standards by Government, the need for greater consideration of the impact of licensed vehicles on climate emissions, representations from the trade or the need, following the time that has elapsed since previous reviews, it is necessary to consult on aspects of the policy.
- The Government has issued statutory taxi and private hire vehicle standards to licensing authorities outlining how they should carry out their licensing function and

that document, as part of member training/induction has previously been circulated to members for information.

- There is an expectation that the recommendations are implemented by local authorities unless there is a compelling local reason not to. The Licensing section has reviewed the standards and where the Council's policy does not already contain these elements it is proposed to consult the trade on their implementation.
- Prior to the introduction of restrictions in response to the covid pandemic, the Licensing Service intended to conduct further consultation with the licensing trade in respect of proposed changes to vehicle emission standards. Due to the effect of covid restrictions on the trade and difficulties experienced by the Licensing Service this was unable to take place.

Further, consultation is also required on the following matters, which specifically impact on hackney carriage drivers and vehicle owners.

- There are currently 6 hackney carriage licensing zones within Northumberland which were created on Local Government reorganisation in 2009. The Council has the option of removing or retaining these zones.
- The Council is responsible for setting the hackney carriage tariff, which represents, when the vehicle is operated within its licensing zone, the maximum tariff that may be charged.
- The tariff was reviewed in 2018 where the previous 6 different tariffs were merged, and one tariff was created for all Hackney carriage licensed by Northumberland County Council. It is considered appropriate and timely that consultation should be undertaken with the trade on all elements of the tariff and whether there is a wish for amendment.

## **Background**

### Statutory Taxi & Private Hire Vehicle Standards

In July 2020 the Department of Transport issues a document called Statutory Taxi & Private Hire Vehicle Standards. The document recommends that the standards should be put into practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards is to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.

A review of the Council's current policy has been undertaken to highlight areas where changes may be required. A table is attached as appendix A to show these areas.

### Vehicle Emissions

In the light of ongoing concerns in the region about vehicle emissions, the North East Strategic Licensing Group (NESLEG) had been asked to develop a set of standards for vehicles used as Hackney Carriages or Private Hire vehicles.

Discussions amongst the NEPPP member authorities revealed that there was no consistency across the policies that had been adopted. Some had not set emissions or age standards, whilst others, Northumberland included, had used the European Union

Euro Standards, the last of which, Euro 6, was introduced in 2015. All vehicles manufactured after that date for sale in Europe had to meet this higher standard.

The standards, control emissions of harmful gases. These include nitrogen oxide (NO<sub>x</sub>), carbon monoxide (CO), hydrocarbons (THC and NMHC) and particulate matter (PM), which is basically soot from diesel cars. Reducing these pollutants can also mean improved fuel economy and lower CO<sub>2</sub> emissions.

The current Northumberland County Council policy states that 'Existing Licensed vehicles will be allowed to remain licensed until such times as the existing vehicle is no longer licensed or the ownership is transferred to another proprietor'.

The recommendation that was to be pursued, was to prohibit the use of any vehicle that is older than eight years from its date of first registration. Northumberland's current policy includes an exemption for prestigious vehicles that are not used for everyday hire and reward. (In considering if a vehicle is prestigious the Council will have regard to the manufacturer, age, specification, historical value, uniqueness and any other factors that are deemed appropriate.)

NESLEG researched and agreed standards, and these were supported by NEPPP at their meeting on 19th June 2019.

The intention was that the following standards recommended would be consulted on by all 12 North East local authorities.

**New Licences.** A 4 year vehicle age policy with effect from April 2020 for all newly licensed vehicles. This means the EURO 6 emissions standard applies to all new licences.

**Existing Vehicles.** Adopt a maximum 8 year vehicle life with a start date of April 2023. The taxi trade therefore has 2 years to comply. This means that from April 2023 all diesel and petrol engine vehicles will be Euro 6.

Wheelchair accessible vehicles. Existing vehicles will have an extra 2 years added to the age restriction meaning that April 2025 is the compliance date.

'Full electric' and 'zero emission at source' vehicles would be exempt

On 26th February 2020 a report was submitted to the Committee with all responses received in response to the consultation. Due to the level of response the Committee requested that the Licensing Service conduct further discussions with the trade and report back to the Committee.

The introduction of Covid-19 restrictions in March 2020 reduced the ability of the Licensing Team to complete this work due to reduced resources, required changes to procedures and prioritisation of Covid-19 related work. It was also acknowledged that the challenges

faced by the trade at that time were substantial with staffing issues and significant reduction in demand for their services.

### Hackney Carriage Zones

Local Government Reorganisation in 2009 created 6 hackney carriage licensing zones which replicated the former district boundaries. A hackney carriage licensed to ply for hire in one zone may not ply for hire in another zone. The options available to the Council at the time were to retain the zones or remove them all.

The Law Commission commenced a review on Taxi and Private Hire Services in 2012 which recommended Councils have the ability to determine different zones should they wish to. As the Committee at the time preferred the option of two zones and this was not legally possible it was agreed that the current status would remain. The recommendation of the Law Commission was never brought forward. Although the issue of zones has been discussed with the trade several times in the following years it is believed that it would be appropriate to review this matter again.

### Hackney Carriage Tariff

Under the Local Government (Miscellaneous Provisions) Act 1976, Section 65, the Council has the power to determine the charges that may be made in respect of journeys undertaken in a hackney carriage.

There are 4 elements in relation to the setting of a tariff: Timing of the tariffs, flag fall, intervals at which fare increases and extra charges

Following Local Government reorganisation in 2009 hackney carriage licensing was split into 6 zones covering the 6 former districts. Separate tariffs were in place for these 6 zones until a review of the tariffs in 2018.

In 2018 an extensive review of the tariff was conducted. It merged all 6 tariffs into one tariff which covered all of Northumberland. Due to the way the tariffs had been previously formulated it meant that for some zones there was a significant increase while for others it was modest.

A request has been made that we review the Christmas tariff for larger vehicles.

### Implications

<b>Policy</b>	The Authority has the power to introduce the proposed changes into its Taxi and Private Hire Licensing Policy
<b>Finance and value for money</b>	
<b>Legal</b>	
<b>Procurement</b>	

<b>Human Resources</b>	Consultation with the appropriate trade and organisation will require staffing resources
<b>Property</b>	
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
<b>Risk Assessment</b>	none
<b>Crime &amp; Disorder</b>	none
<b>Customer Consideration</b>	Before making changes to policy consultation with those affected should take place.
<b>Carbon reduction</b>	Some of the proposals are aimed at reducing emissions from older vehicles
<b>Health and Wellbeing</b>	The proposals should reduce emissions from older vehicles being used on the road leading to fewer health issues associated with pollution.
<b>Wards</b>	All

**Background papers:**

Statutory Taxi & Private Hire Vehicle Standards July 2020  
Northumberland County Council Hackney Carriage and Private Hire Licensing Policy

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

	Full Name of Officer
Monitoring Officer/Legal	
Executive Director of Finance & S151 Officer	
Relevant Executive Director	
Chief Executive	Daljit Lally
Portfolio Holder(s)	Colin Horncastle

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