



Report Reference Number: L/20/7

To: Licensing Committee
Date: 8 February 2021
Status: Non-Key Decision
Ward(s) Affected: Whole District
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Lead Executive Member: Councillor Pearson, Lead Member for Housing, Health and Culture
Lead Officer: Alison Hartley, Solicitor to the Council

Title: Proposal to temporarily suspend Section 10.1 (Vehicle age limits) of the Taxi Licensing Policy (“the Policy”)

Summary:

In January 2020, the Policy came into effect, following a public consultation. A maximum vehicle age limit of five years was introduced, for any vehicle being licensed by the Council for the first time. The reason for the age limit was to ensure that licensed vehicles meet emission standards and encouraging the use of low pollutant vehicles. Appendix A of this report shows a summary of the current vehicle age requirements of the Policy.

The Chairman of the Licensing Committee brought it to our attention that due to the financial consequences caused by the COVID-19 pandemic on the taxi trade, drivers may be struggling with the requirement of section 10.1 of the Policy, which states that a vehicle must be under the age of 5 years old when licensed for the first time.

Where a person applies to licence a vehicle that does not meet the requirements within the Policy, the application is currently referred to the Licensing Committee for consideration and determination. In this instance, the Licensing Committee will consider each case on its own merits and can decide to depart from the Policy where it considers it appropriate to do so. Alternatively, members may wish to consider temporarily suspending Section 10.1 of the Policy due to the exceptional circumstances resulting from COVID-19. This would allow officers to licence a vehicle without the need to bring each application to the Licensing Committee and would therefore speed up the process.

Recommendations:

1. The Committee to consider if, for a period of one year, an urgent temporary suspension of Section 10.1 of the Policy should be recommended to the

Executive, to enable applicants to apply to licence a vehicle which is more than 5 years old but less than 12 years old.

2. Reasons for the recommendation

That due to the financial pressures caused by the COVID-19 pandemic the age restriction contained in section 10.1 of the Policy is suspended to support the taxi trade.

3. The Report

Introduction and background

3.1 In January 2020 the Policy came into effect. As part of the Policy the Council introduced a maximum age that a vehicle could be licensed for the first time of 5 years.

3.2 It is not unusual for Councils to introduce age limits, below is an example of age limits in other areas:

Craven: 7 years (1st time licensed) – 12 years (maximum age vehicle can be relicensed)

Hambleton: 5 years (1st time licensed) – 10 years (maximum age vehicle can be relicensed)

Scarborough: 4 years (1st time licensed) - 10 Years (maximum age vehicle can be relicensed)

Harrogate: 5 years (1st time licensed) - N/A

Leeds: 5 years (1st time licensed) executive vehicles 1 year (1st licensed)

3.4 The reason age limits are introduced is to accelerate the introduction of low emission vehicles and to help clean up urban air, particularly, in congested high traffic areas. Section 10.14 of the Policy states that on the 29 February 2016, the Council declared the first Air Quality Management Area (AQMA) in the district, following elevated levels of pollutants measures within Selby Town centre and that vehicles including taxis being a contributor to the poor air quality within the town centre.

3.5 As well as improving air quality, younger vehicles on the fleet improve the look and safety of the licensed vehicle. Licensed vehicles generally cover far more mileage than a privately owned vehicle, which is why the Council also requires additional testing of vehicles.

3.6 Officers have found no evidence that other authorities have temporarily suspended the vehicle age limits in their taxi licensing policy during the

current pandemic. So far during the pandemic the Council has received one application contrary to the Policy.

- 3.7 During the last Policy Review meeting, a Councillor, who also sits on the low carbon working group, raised their concerns over any departure from the Policy, in particular, shared their concerns over the age of the vehicles when the Policy was brought in to reduce vehicle emissions.

4 Legal

- 4.1 There is no statutory requirement to have a taxi licensing policy, however, it is good practice to do so and it provides consistent decision making. The Policy sets out the standard that the Council will use to inform its decisions on application for licences, their renewal and consideration for their continuance.
- 4.2 Suspending a section of the Policy is permitted in exceptional circumstances and full reasons for the decision should be provided.

5. Financial Implications

The Application has no significant financial implications.

6. Policy and Risk Implications

Selby's Taxi Licensing Policy states:

'2. Vehicle Proprietors

'A vehicle cannot be licensed for the first time when it reaches 5 years old'.

5.1 Vehicle proprietor

In relation to both hackney carriage and private hire vehicles, the Council has an absolute discretion over granting the licence and will therefore ensure that both its enquiries and considerations are thorough and robust. Much more is involved than simply looking at the vehicle itself and all considerations are equally applicable on applications to transfer a vehicle as on grant applications.

7.4 Applying for a Vehicle Proprietor Licence

Additional application requirements for HCV's

V5 confirms that the vehicle is adapted to EC Whole type approval (ECWVTA) or confirmation of compliance certificate. (Adapted to a wheelchair accessible vehicle (WAV)).

10.1 Vehicle age limits

The Council will only accept applications to licence vehicles for the first time for

vehicles under 5 years old. Existing licensed vehicles will not be licensed after the age of 12 years. (The age of the vehicle will be taken from the V5 registration document for the vehicle). Existing vehicle proprietors will have 5 years from the date this policy comes into effect to change their vehicles'

10.14 Environmental Considerations

On 29th February 2016 the Council declared the first Air Quality Management Area (AQMA) in the district, following elevated levels of pollutants measured within Selby Town Centre. Vehicles including Taxis are identified as a contributor to the poor air quality within the town centre, but the Council also recognises the importance of their availability to provide transport for Selby's residents.

Emission standards for Taxis will be subject to review, taking into consideration up-to-date emission monitoring results. To determine whether sufficient progress is being made towards achieving the health-based air quality objectives and improving Health and wellbeing of local residents.

Frequent maintenance of vehicles is also recommended, and emissions may also be further reduced by switching off engines whilst stationary or idling, particularly at ranks and stood in traffic.

The AQMA area is along a short stretch of New Street, near Selby Abbey and The Crescent which frequently is subject to high traffic volumes and frequent idling. This area should also be avoided to aid improvement of air quality along the AQMA and alternative routes considered'.

7. Conclusion

- 7.1** That due to the financial pressures caused by the COVID-19 pandemic the age restriction contained in section 10.1 of the Policy is suspended to support the taxi trade.

8. Appendices

- A. Summary of current vehicle age requirements.

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