

**REPORT OF Cllr David Lancaster, Lead Member for Environment,
Neighbourhoods and Community Safety**

TO Cabinet

ON

14th December 2021

**TITLE: Adoption of GM Minimum Licensing Standards for Taxi and
Private Hire - Stage 2**

RECOMMENDATIONS: That the City Mayor approves the proposals for Greater Manchester Minimum Licensing Standards for hackney carriages and private hire vehicles as they relate to licensed vehicles, as a key decision, whilst retaining existing local standards in respect of hackney carriage colour policy and licensed vehicle testing, as set out in the report.

EXECUTIVE SUMMARY:

Following extensive consultation, the proposal to adopt minimum licensing standards (MLS) in relation to the regulation of the hackney carriage and private hire sectors across Greater Manchester was split into two phases.

The first phase, Stage 1, addressed standards relating to the licensing of drivers, operators and arrangements for how local authorities fulfil their functions. A decision to approve Stage 1 was made by Cabinet on 28 September 2021. All 10 Greater Manchester authorities have formally approved the Stage 1 proposals for adoption.

This second phase, Stage 2, sets out final officer recommendations for licensed vehicle standards.

The primary objectives of Minimum Licensing Standards are:

- to deliver improved standards to driver, vehicle and operator standards in order to provide the public with safe, visible and high-quality taxi and private hire services
- to achieve a greater level of consistency across GM taxi and private hire licensing regulation including licensing authority service delivery. GM local authorities are seeking to agree a more consistent approach to licence fee setting (this references approach, not standardised fees) and approach to compliance and enforcement activity

These outputs will also assist with:

- the broader transport programme, to improve and integrate the transport system as a whole
- achievement of GMs clean air and carbon reduction objectives

Full details of the proposals are contained in the report attached as appendix 1, which also incorporates district data for Salford. This detailed report setting out final recommendations was presented to the Greater Manchester Combined Authority on 29 October 2021 and the proposals were endorsed.

The final recommendations for Stage 2 have been developed in collaboration with the nine other Greater Manchester authorities, following careful consideration of consultation feedback. Further informal briefings have taken place with the City Mayor, Lead Member, Chair of Licensing Panel, other relevant Executive Members and members of the Licensing Panel. Further informal consultation and briefing to trade representatives and sharing of information with licensees has also taken place.

Overview of standards

Stage 2 contains 10 standards for vehicles relating to:

- 1) Emissions
- 2) Age
- 3) Colour
- 4) Wheelchair accessibility
- 5) Livery
- 6) Testing
- 7) CCTV
- 8) Executive hire
- 9) Design
- 10) Licence conditions

Post consultation amendment to proposals

In recognition of the financial investment required by existing licence holders and in the context of the ongoing impact of the pandemic, a number of amendments have been made to the standards as initially proposed. Most notably are the following:

- Not to recommend a date at this stage by which licensing authorities will require vehicles to be Zero Emissions Capable (ZEC) in recognition of the significant risk this poses to licensing authority business models in the absence of national standards to this effect, or legislative reform preventing 'out of area' working, as well as noting the continued development of the electric vehicle charging network and electric vehicle market.
- To extend the age limit standard for wheelchair accessible vehicles (WAVs) to 15 years (in recognition of the general higher cost of this vehicle type) with a commitment to review air quality metrics and impacts over the next 2-3 years and review the policy if necessary.
- Not to recommend a specific colour requirement for private hire vehicles at this stage due to a lack of evidence supporting the public safety rationale for such a policy balanced against the risks to potential business loss in GM; to commission a piece of research to further consider the risks/benefits of this policy.

Notable Salford specific considerations

Salford City Council currently has higher standards than some Greater Manchester authorities; some of the standards proposed are already in place, and some of the proposals are lower than standards currently in place in Salford. Adoption of the recommended proposals as minimum licensing standards across GM will benefit Salford licensees and service users in achieving higher standards and a greater level of consistency across GM.

▪ Vehicle age

Salford's current vehicle age policy for non-wheelchair accessible private hire vehicles is up to 10 years of age. Current policy for wheelchair accessible private hire vehicles and hackney carriages in Salford is up to 13 years of age. All licensed vehicles must be less than 4 years of age when first licensed.

Salford must make a local decision as to whether to retain this higher standard, or to align with the standard being proposed across Greater Manchester, which is:

- Allowing non-wheelchair accessible private hire vehicles up to the age of 5 years of age on to fleet, and to remain on fleet up to 10 years of age
- Allowing wheelchair accessible private hire vehicles and hackney carriages up to the age of 7 years of age on to fleet, and to remain on fleet up to 15 years of age.

Officers recommend aligning with the GM proposal for the following reasons:

- Following discussions with the GM licensing manager network it is deemed unlikely GM local authorities will seek to have a tighter age policy than that proposed
- A risk of displacement of licensees to other authorities if a tighter age policy is retained
- It does not impact on public safety - all vehicles would still need to pass a compliance test to come on to and remain on fleet. Having an appropriate coming on to fleet age policy ensures a mixed age fleet and supports a good quality of vehicle on fleet.
- After a significant period of challenge during the pandemic, it will benefit licensees who own or purchase a wheelchair accessible vehicle; it may positively increase the number of wheelchair accessible vehicles on the private hire fleet.
- It allows wheelchair accessible vehicles to stay on fleet for an additional two years, extending vehicle lifetime, which supports those vehicle owner's financially with business planning toward vehicle replacement and as a result will support the future transition for these licensees to electric vehicles, which currently have a more expensive initial outlay.

▪ Vehicle testing

Salford's current testing policy requires all licensed vehicles to be tested twice a year, which is a higher standard than the minimum standard proposed for GM; the proposal requires all vehicles over the age of three years to be tested twice a year. Salford must make a local decision as to whether to retain the higher standard or align with the minimum standard being proposed across Greater Manchester.

Officers recommend the retention of current Salford testing policy on the basis that some vehicles below the age of three years fail their compliance test on safety grounds and as such there is a sound public safety rationale to retain the current position.

During the 6-month period of January - June 2021, 93 vehicles below the age of 3 years were tested of which 19 vehicles tested did not meet the vehicle compliance test requirements, presenting 38 faults. 10 of these faults related to public safety, including defective lighting and tyres. There is a sound public safety rationale to retain current Salford policy of testing all licensed vehicles twice a year, ensuring high standards of safety for both

licensees and service users. Appropriate Members and trade representatives have been briefed on the officer recommendation to retain the current position and there has been either support or no challenge to this recommendation.

- **Emissions**

Salford currently has 920 licensed vehicles; 824 private hire vehicles and 96 hackney carriage vehicles. The proposed emissions policy is consistent with the Clean Air Zone emissions standards, which aligns with current Salford policy for new to licence vehicles.

A proportion of the existing fleet is not compliant with this emissions standard, and under the proposed policy these vehicles will need to come off fleet by 01/04/2024. Owners will naturally want to ensure that vehicles are compliant with the Clean Air Zone by 01/06/2023, which marks the end to the temporary exemption to Clean Air Zone charging for vehicles licensed within Greater Manchester before 3 December 2020, after which they will be charged when driving within the Clean Air Zone.

There are currently approximately 400 vehicles on fleet which are diesel with a first registration date before September 2015 (from which date all diesel vehicles were generally of a Euro 6 emissions standard); as such a significant number of these vehicles may be non-compliant with the Clean Air Zone Euro 6 emissions standard requirement.

However, subject to funding criteria, these vehicle owners will be able to apply for Clean Air Zone funding toward vehicle upgrade. There will be a number of non-compliant vehicles owned by fleet owners who will not be able to apply for funding for all of their vehicles due to clean air funding criteria, such as a cap for funding of up to 5 vehicles per owner.

It is important to note however that between now and April 2024, approximately 200 of these 400 vehicles would meet Salford's existing maximum age policy by the date for which licensees need to ensure their vehicles are emissions compliant (01/04/2024) and a further circa 140 of these vehicles will be within 12 months of Salford's existing maximum age policy, with the remainder moving close to existing maximum age caps. As such, these vehicle owners would naturally be preparing for vehicle replacement. Positively, as referenced, there is vehicle upgrade funding available to owners of non-compliant licensed vehicles who meet the funding criteria.

Summary of final recommendations

The summary table below outlines the initial proposal and the final recommendation for each standard, with the detailed considerations behind each recommendation outlined in Appendix 1. Commentary on the current standard in Salford in relation to each proposal is provided in order to show how significant the change is for Salford. Positively, much of what is being proposed for implementation across GM is already in place or is similar to current policy in Salford.

| | Standard as Proposed for Consultation | Final Recommendation |
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| 1 | <p>Emissions</p> <ul style="list-style-type: none"> i. New vehicles being licensed from 1 April 2021 will be required to meet the standards approved following this consultation ii. From April 2021, existing licensed vehicles will begin transitioning to comply with the standards approved following consultation iii. Transition periods will be determined by each district having considered existing local policies and impacts on the trade with an expectation that all vehicles will be compliant by 1 April 2024 (non-compliant vehicles will still be liable to pay the Clean Air Zone charge subject to any exemptions permitted under the Clean Air Plan) – this will be that all licences due for renewal from April 2023 onwards will need to have a compliant vehicle attached to be compliant by 1 April 2024. iv. From 2025 all <u>new to licence</u> would need to be Zero Emissions Capable (ZEC*) v. From April 2028 onwards all vehicle licences would need a ZEC vehicle attached to the licence. | <p>To require licensed vehicles to be compliant with the current emissions standard as follows:</p> <ul style="list-style-type: none"> • For all <u>new to licence</u> vehicles – from the date policy is determined in district • For <u>existing fleets</u> – to begin transitioning as soon as the policy is in place and to complete transitioning by 1 April 2024* • To note the strong ambition to move existing fleets to ZEC as soon as possible <p>*must also be compliant with age policy standard</p> |
| | <p>Salford current standard:</p> <p>The final recommendation is consistent with current policy for new to licence vehicles.</p> <p>A proportion of the existing fleet is not compliant with the required emissions standard (which aligns with the clean air zone emission standard) and these vehicles will need to come off fleet by 01/04/2024. However, by the 2024 date most of these vehicles will have met current maximum age policy or be approaching maximum age and as such these licensees will naturally be preparing for vehicle replacement. Existing GM licensed non-compliant vehicles will be subject to the Clean Air Zone charge from 01/06/2023 and as such it is expected that licensees will want to upgrade their vehicle before this date. Funding to support vehicle upgrade is also available through the Clean Air Zone funding package for non-compliant licensed vehicles, subject to funding criteria.</p> | |

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| <p>2</p> | <p>Vehicle Age</p> <p>It was proposed that all licensed vehicles are under 5 years old at first licensing and no more than 10 years old.</p> <p>Views sought on consideration of a different age policy for electric and wheelchair accessible vehicles (WAV).</p> | <p>To implement the following policy:</p> <ul style="list-style-type: none"> • PHV – under 5 years on to fleet and 10 years off • PHV WAV – under 7 years on to fleet and 15 years off • HVC – under 7 on to fleet and 15 years off • Air quality metrics and impacts and testing data to be reviewed over the next 2-3 years by the Licensing Network and risks or proposed amendments brought back to Members as necessary <p>That the above policy be implemented for new to licence vehicles as soon as the policy takes effect. That existing fleets begin transitioning and are compliant with the policy by 1 April 2024</p> <p>To remove exceptional use or beyond the age limit (or similar) policies where they currently exist.</p> |
| <p>Salford current standard:</p> <p>Salford’s current vehicle age policy for non-wheelchair accessible private hire vehicles is up to 10 years of age. Current policy for wheelchair accessible private hire vehicles and hackney carriages in Salford is 13 years. All licensed vehicles must be less than 4 years of age when first licensed. The final proposal differs in that non-WAV will be permitted on to fleet up to the age of 5 years, and WAV will be permitted on to fleet up to the age of 7 years and remain on fleet up to the age of 15 years. Officers support alignment with proposal for reasons set out in executive summary above.</p> | | |

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| <p>3</p> | <p>Colour</p> <p>It was proposed that all private hire vehicles should be white in colour and hackney carriages should be black with the following exceptions:</p> <ul style="list-style-type: none"> • London style taxis which may be of the manufacturer’s colour; • To allow advertising on some hackney carriages; • Executive hire (for example chauffeur services) | <p>To retain the policy standard that all Hackney Carriage Vehicles should be black in colour with the following exceptions:</p> <ul style="list-style-type: none"> • Purpose built taxis may be of the manufacturer’s colour • Advertising is allowed on London style taxis <p>Officers propose that Salford retains its current slightly tighter standard that all Hackney Carriage vehicles will be black except for London style Hackney Carriages that may be of the manufacturer’s colour, rather than permitting other colour vehicles in respect of any purpose-built Hackney Carriage vehicle. This position is already established and assists with vehicle recognition of Hackney Carriages for use in Salford.</p> |
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| | | Not to recommend a specific colour requirement for Private Hire vehicles at this stage. A piece of research is to be commissioned to further consider the risks/benefits of this policy. However, single colour for private hire vehicles remains an aspiration of the MLS programme. |
| | <p>Salford current standard:</p> <p>Currently all Hackney Carriage vehicles must be black except London style taxis which may be of the manufacturer's colour. This is the position Officers recommend retaining in Salford.</p> | |

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| 4 | <p>Hackney Carriages</p> <p>It was proposed that all licensed hackney carriages should be wheelchair accessible vehicles (WAV), and that there is a consistent approach to makes and models of vehicles that will be accepted onto fleets as Hackney Carriages.</p> <p>It was also posed for consultation whether a purpose-built HC vehicle should be side or rear loading.</p> | <p>To retain the standard for all licensed Hackney Vehicles to be WAV.</p> <p>To allow those with currently licensed non-WAV Hackneys transition periods (as jointly agreed by districts).</p> <p>To defer the decision on side/rear loading at this time as the consultation response on this specific point was particularly low.</p> |
| | <p>Salford current standard:</p> <p>The final proposal, for all licensed Hackney Carriage vehicles to be WAV is consistent with existing Salford policy.</p> | |

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| 5 | <p>Vehicle Livery</p> <p>It was proposed that all vehicles will:</p> <ul style="list-style-type: none"> display permanently affixed licence plates on the front and back of the vehicle display a 'GM approved' sticker on the bonnet <p>It was proposed that all PHVs will:</p> <ul style="list-style-type: none"> only display stickers provided by the licensing authority (at cost) which will bear the operator name, 'advanced bookings only', 'not insured unless pre-booked' and the licensing authority logo display those stickers on both rear side doors and the back window not use any magnetic stickers | To implement the standard as proposed. |
| | <p>Salford current standard:</p> <p>Whilst this proposal will refresh livery design and incorporate a new bonnet sticker to promote GM minimum licensing standards, Salford's existing livery is clear and prevalent, with front and back licence plates, and operator and advanced booking only stickers for private hire vehicles. Use of the Salford City Council logo on signage will also be retained.</p> | |

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| 6 | <p>Vehicle Testing</p> <p>It was proposed that all vehicles more than 3 years old will be tested at least twice a year and that all vehicles will be tested against the DVSA MOT standard as a minimum. (This will be at cost to the vehicle licence proprietor/driver).</p> | <p>To implement the standard as proposed.</p> <p>To take immediate effect for all fleets as soon as the policy is in place.</p> <p>In addition to the adoption of the minimum standard across GM it is proposed that Salford will retain our current standard that all licensed vehicles are tested twice a year.</p> |
| | <p>Salford current standard:</p> <p>Salford's current testing policy requires all licensed vehicles to be tested twice a year.</p> <p>Officers recommend the adoption of the proposal as a GM minimum standard but also the retention of the current higher Salford testing policy in respect of vehicles below the age of 3 years on the basis that Salford test data shows that a proportion of these vehicles fail their compliance test on safety grounds and as such there is a sound public safety rationale to retain the current position for the benefit of licensee and passenger safety.</p> | |

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| 7 | <p>CCTV</p> <p>It was proposed that all licensed vehicles are fitted with mandatory CCTV to a standard yet to be determined.</p> | <p>To approve the drafting of a CCTV policy for further consideration and consultation.</p> |
| | <p>Salford current standard:</p> <p>Salford Licensing service currently permits licensees to install CCTV in licensed vehicles subject to them complying with data privacy and management considerations, however we do not currently mandate CCTV in licensed vehicles. Officers support the drafting of a CCTV policy for further consideration and consultation.</p> | |

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| 8 | <p>Executive Hire</p> <p>It was proposed that the following conditions apply to executive hire vehicle (e.g. chauffeur driven) policies</p> <ul style="list-style-type: none"> • Bookings to be confirmed by written contract • Payments made in advance of the journey or by invoice afterwards • Stipulation on the types of vehicles to be licensed • Dress code • Business plan shared with licensing authority • Vehicles not to be fitted with data heads, radios or meters • Exemptions from plates and door signs only to be given when used exclusively for executive hire | <p>To implement the standard as proposed.</p> |
| | <p>Salford current standard:</p> <p>The proposal is consistent with current policy.</p> | |

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| <p>9</p> | <p>Vehicle design</p> <p>It was proposed that:</p> <ul style="list-style-type: none"> • all vehicles conform to the M1 standard (any modified vehicle at M2 standard must have an appropriate test to ensure conformity with single vehicle type approval) • No retrofitting of engines into older vehicles will be allowed. LPG conversions will be accepted • Where retrofit emissions technology is installed it shall be approved as part of the Clean Vehicle Retrofit Accreditation Scheme (CVRAS) • Specification for window tints will be: <ul style="list-style-type: none"> a) Front windscreen – min. 75% light transmission b) Front side door glass – min. 70% light transmission c) Remaining glass (exc. Rear window) min. 70% light transmission • No vehicle first being licensed will have been written off in any category and will not be renewed (if previously written off) after 1 April 2021. • No roof signs permitted on PHVs • No advertising other than Council issued signage on PHVs • The question was also posed whether a swivel seat should be required in a Hackney Carriage vehicle | <p>To implement the standard as proposed with the following amendments:</p> <ul style="list-style-type: none"> • No advertising other than Council <i>issued</i> signage on PHVs <p>Is changed to:</p> <ul style="list-style-type: none"> • No advertising other than Council <i>approved</i> signage on PHVs <p>To remove the minimum light transmission specific for point c) remaining glass and specify:</p> <ul style="list-style-type: none"> • Remaining glass or rear side windows (exc. Rear window) - allow manufacturer's tint to a minimum 20% light transmission <p>To amend the start date for non-renewal of licences with vehicles that have been previously written off to 1 April 2022</p> <p>To defer the decision on swivel seats at this time as the consultation response on this specific point was particularly low.</p> |
| <p>Salford current standard:</p> <p>The proposal is largely consistent with current Salford policy. The most significant deviation to current policy is the final recommendation which permits tints with 20% light transmittance on rear windows as opposed to the current 70% light transmittance requirement. The rationale for this relates to the increase in use of manufacturer fitted tinted or privacy glass and is further explained in the appended report.</p> | | |

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| <p>10</p> | <p>Vehicle Licence Conditions</p> <p>A set of proposed conditions for Hackney Carriage and Private Hire Vehicles were set out as part of the consultation. The conditions cover a comprehensive set of expectations with regards to the livery, condition, fares and the responsibilities of the proprietor.</p> | <p>To implement the standard as proposed with the additional requirement (as recommended by the DfT's Statutory Guidance for Taxis and Private Hire Vehicle Licensing):</p> <ul style="list-style-type: none"> • DBS check requirement for vehicle proprietors who are not licensed drivers. |
| <p>Salford current standard:</p> <p>The proposal is consistent with current Salford policy.</p> | | |

BACKGROUND DOCUMENTS:

- 10 Sept 2021, report to GMCA: MLS Update and Stage 1 Recommendations
 - 25 June 2021, report to GMCA: MLS Update
 - 31 July 2020, report to GMCA: MLS Consultation
 - 29 May 2020, report to GMCA: Clean Air Plan Update
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KEY DECISION: YES

KEY COUNCIL POLICIES: Salford City Council Taxi Licensing Policy

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS

An equalities impact assessment has been developed and is provided as appendix 2

ASSESSMENT OF RISK: Low

LEGAL IMPLICATIONS Supplied by: Barbara Gora, Manchester and Salford Shared Legal Services

The Licensing Authority Salford City Council has the right to amend its Taxi Licensing Policy.

FINANCIAL IMPLICATIONS Supplied by: Tim Cook

Each of the ten Greater Manchester Licensing Authorities committed a contribution of £5000 towards the development of Minimum Licensing Standards.

PROCUREMENT IMPLICATIONS Supplied by: N/A

HR IMPLICATIONS Supplied by: N/A

CLIMATE CHANGE IMPLICATIONS Supplied by: Tim Cook; extract from GM report to GMCA:

LINK TO CLEAN AIR PLAN

An important element of the overall approach is to provide clarity and long-term certainty for vehicle owners, so that they are able to plan the upgrade of their vehicles in a way that meets and contributes positively to GM's Air Quality, Carbon and other environmental obligations.

This will also help ensure that applicants to the Clean Taxi Fund, secured as part of the GM Clean Air Plan, will have a clear understanding of what locally licensed vehicle requirements will be over the longer term, for example in terms of emissions, age and other criteria, so they can determine the best use of the available funds given their specific circumstances. Note that only those vehicle owners who have licensed their vehicle with one of the GM local licensing authorities (in the 12 months prior to the scheme commencing) will be eligible for Clean Taxi Funds to support upgrade.

OTHER DIRECTORATES CONSULTED: N/A

CONTACT OFFICER: Tim Cook

WARDS TO WHICH REPORT RELATES: Citywide