

# Consideration to review Hackney Carriage and Private Hire vehicle Age limits and requirement to meet emissions standards

**Licensing Committee**

**Date: 16 December 2019**

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Author: Licensing Manager  
Wards: All  
Parishes Affected: All

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## **1. Purpose and Reasons**

- 1.1 To consider a change to the current age limits of licensed vehicles and a requirement that all taxis and private hire vehicles meet the Euro 6 emissions standards by 2024. This requirement is linked to the Swindon Air Quality Action Plan (AQAP)
- 1.2 To lower, the age at which vehicles are first licensed from 5 years to 4 years from 1st April 2020 and to ensure that all vehicles first licensed from the 1st April 2020 meet the Euro 6 emission standards. All currently licensed vehicles should meet Euro 6 standards by 2024.

## **2. Recommendations**

The Committee is recommended to:

- 2.1 Agree to an eight week consultation period with the trade the results of which will be considered at a further Licensing Committee.

## **3. Detail**

Background

- 3.1 The Taxi and Private Hire (TPH) fleet are an important part of Swindon's integrated transport system. They are a useful, often vital, component to completing journeys and may form part of a more sustainable longer distance multi modal trip or be used where no convenient alternatives are available. They are demand responsive, providing 24 hours a day service over 7 days per week, throughout the year. They can respond to a wide range of needs and are one of the most flexible elements of the transport system, operating on a fully commercial basis. In Swindon, like most towns, TPH are integral to supporting businesses to thrive by transporting people and goods.
- 3.2 The TPH market locally and nationally is facing tough challenges. Changes to town centres, night time economy and shopping habits have contributed to a decline in passenger numbers coupled with declining standards and outdated business models. Swindon Borough Council is committed to improving the town's transport offer whilst supporting the trade to meet the demands of cleaner air and smarter, safer and cleaner TPH.

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- Safer – more modern vehicles, free from defects that provide passengers and regulators with confidence.
  - Cleaner – we will encourage the uptake of Ultra Low Emission Vehicles (ULEV), consider new dedicated Electric Vehicle (EV) only taxi ranks and subsidised licensing fees.
  - Modern – Approve newer taxis with the latest technology and smoother journeys. Guaranteed to be accessible for all with front facing wheelchair support and easy access ramps. Whether journeys are short or long, provide an experience that meets the traveller's needs.
  - Focussed – drivers will be expected to provide the highest levels of customer care. Assistance getting in and out, help with luggage and shopping or ensuring wheelchair users are anchored appropriately shall be standard practice.
- 3.3 Like many cities and towns within the UK, Swindon is under a legal obligation to improve its air quality. It is important that proposals align with the wider vision for Swindon AQAP. There is a requirement to reduce the level of NO<sub>2</sub> in the air to below 40µg/m<sup>3</sup> as soon as possible in line with EU and UK statutory regulations.
- 3.4 There are currently around 1200 TPH vehicles licensed within Swindon, a mixture of petrol and diesel. Taxis are licensed in accordance with the Town Police Clauses Act 1847 and Private Hire are licensed in accordance with Part II of the Local Government (Miscellaneous Provisions) Act 1976. Other legislation, such as the Equality Act 2010 and Road Traffic Acts have some bearing on licensing as well.
- 3.5 Upper vehicle age limits are currently 15 years of age for purpose- built Hackney Carriages. Once a vehicle reaches this age limit it is will cease to be licensed. This age limit has been in force since 2012.
- 3.6 Vehicle specifications have improved significantly since 1997 when the initial age limit of 10 years was first imposed. This age limit was increased in 2008 to 12 years. It was proposed and agreed in 2012 that as vehicle specifications had improved significantly vehicles were capable of providing a safe and comfortable service beyond the 12-year limit and Committee agreed an extension to fifteen years.
- 3.7 In March 2010 the Department for Transport issued non-statutory 'Best Practice' guidance relating to private hire and hackney carriages. This

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guidance states the following in relation to age limits: - "Age Limits it is perfectly possible for vehicles to be in good condition. Therefore, the setting of an age limit beyond which a local authority will not licence vehicles may be arbitrary and inappropriate. But greater frequency of testing may be appropriate for older vehicles-for example, twice-yearly checks for vehicles over five years old.

- 3.8 There is no proposal to change the upper age limits of currently licensed vehicles at this time although it remains an option. **Purpose built** wheelchair accessible vehicles have annual inspections and between 10 and 12 years two MOT tests and 3 tests from 12 to 15 years after which they will cease to be licensed.
- 3.9 Currently private hire vehicles and hackney **saloon** vehicles can be licensed for 10 years with an annual inspections and in the 6th to 10th year, two MOT tests per annum. These vehicles will cease to be licensed after year 10.

## 4. Alternative Options

- 4.1 The Licensing Committee could decide not to agree to the consultation process to consider the age limit and Euro 6 emissions being met. However, the requirement to reduce NO<sub>2</sub> levels, particularly where Swindon has identified an Air Quality Management Area, is a national issue and improves public safety and confidence in our fleet.

## 5. Implications, Diversity Impact Assessment and Risk Management

### Financial and Procurement Implications

- 5.1 There are no direct financial implications to the Council arising from the report. There will inevitably be a direct financial implication for taxi licensees although the timescale proposed provides adequate lead in period for the trade.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. A declaration has been made by the Secretary of State that the Licensing legislation is compliant with the Human Rights Act.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 All other implications are covered in the body of the report.

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## Diversity Impact Assessment

5.4 A DIA is available on request.

## **6. Consultees**

6.1 The Chief Legal Officer (Monitoring Officer) has been consulted in respect of this report.

## **7. Background Papers**

7.1 None

## **8. Appendices**

8.1 Appendix A – AQAP

8.2 Appendix B – Vehicle Ages current fleet