

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	PRIVATE HIRE VEHICLE AND HACKNEY CARRIAGE CONDITIONS		
DATE OF DECISION:	24 May 2018		
REPORT OF:	SERVICE DIRECTOR - TRANSACTIONS AND UNIVERSAL SERVICES		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
Report of Service Manager for Licensing seeking adoption of amended conditions for both Hackney Carriages and Private Hire Vehicles licensed by Southampton City Council. The principal change increases the age limit for Hybrid and Electric vehicles and updates the conditions to reflect present practice.	
The Sub-Committee is requested to consider and determine this report.	
RECOMMENDATIONS:	
(i)	That the Licensing Committee consider the revised 'Policy and conditions' documents attached at Appendix 1 and 2 for Hackney Carriages and Private Hire Vehicles together with the suggested amendments in paragraph 14 below and adopts them as policy and conditions.
REASONS FOR REPORT RECOMMENDATIONS	
1.	Sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 provide for Licensing Authorities to attach to the grant of a licence for either a hackney carriage or private hire vehicle such conditions as they may consider reasonably necessary.
2.	<p>SCC's Clean Air Strategy 2016-2025 outlines ways in which the Council will address air quality issues in the city which includes promoting sustainability as a priority. This is to be achieved by:</p> <ul style="list-style-type: none"> • Encourage the uptake of low emission technology and vehicles • Implementing schemes to support taxi operators, other business and public services in reducing the emissions related to their activities. <p>The Clean Air Strategy also details the intention to introduce a Clean Air Zone in the city by 2019, this recommendation will support the taxi trade through this transition by:</p>

	<ul style="list-style-type: none"> • Strengthening the business case for choosing a low emission vehicle: and • Supporting taxi owners who already operate low emission vehicles.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	To only adjust the policies to effect the change with regards the ages of vehicles was considered but misses an opportunity to update the documents to bring them up to date with present practices.
DETAIL (Including consultation carried out)	
4.	<p>Both hackney carriages and private hire vehicles currently have two categories of vehicle. This is addressed in Section 3 of the relevant vehicles policy and conditions.</p> <ul style="list-style-type: none"> • Category A vehicles are in addition to other requirements either purpose built hackney carriages or wheelchair accessible vehicles • Category B vehicles include any vehicle otherwise licensable (other than a Category A vehicle) under the various conditions imposed by this Council.
5.	<p>Section 4 of the policy and conditions restrict the ages of the vehicles as follows</p> <ul style="list-style-type: none"> • Category A vehicles to 12 years of age when licensed or relicensed • Category B vehicles to 9 years of age when licensed or relicensed.
6.	Sections of both trades have recognised the benefits of using hybrid vehicles, including the reduced impact on poor air quality. SCC have secured a £258,880 grant from Defra to finance an incentive scheme which encourages the taxi trades to move towards cleaner vehicles including electric and hybrid vehicles.
7.	There are presently no all-electric vehicles licensed by this authority, however there are 158 hybrids licensed. All of these vehicles presently fall under Category B vehicles and therefore cannot be older than 9 years at the time of being licensed or renewed.
8.	The proposed change is to place hybrid and electric vehicles into category A. This will extend the life of these vehicles by 3 years making these vehicles a more attractive proposition for a potential proprietor. Firstly, Pure electric vehicles have fewer components that require maintenance and wear-and-tear on tyres and brakes is reduced on plug-in vehicles due to regenerative braking which supports the need for a longer working life. Secondly, a higher up front cost that can be incurred when choosing a plug-in vehicle for charging infrastructure supports the need for a longer working life to strengthen the business case.
9.	It is also proposed to amend the private hire vehicle condition to allow an all-electric vehicle to be licensed to carry 3 passengers instead of the minimum of 4 presently required. This is to encourage the take up of an all-electric vehicle, presently it is only smaller vehicles that are available as all-electric that do not have a very restrictive price. These smaller vehicles are not suitable for carrying 4 passengers. It is anticipated these vehicles will be of interest to the section of the trade that predominantly deal with school and social services contract runs.

	It is considered not to be appropriate to allow these vehicles to be licensed as hackney carriages because of the ad-hoc nature of how they obtain business, whereas the private hire trade manage their work through an operator who has a duty to send an appropriate vehicle for the task in hand.
10.	Additionally the documents have been updated to reflect current practices and set up within Southampton City Council.
11.	<p>The remaining significant changes are summarised as follows:-</p> <ul style="list-style-type: none"> • At 2.3.1 the removal of a pro rata charge for Hackney Carriage licences for less than 6 months as the fee covers the cost of the processing and administration of the licence, the bulk of which is the issue of the licence. • 3.3.1 the removal of the requirement to have an engine producing 68bhp and replace it with having an engine producing 50kW or greater as this caters for the modern electric vehicles as well as the more traditional engines. • Update of advertising conditions in sections 6 and 7 to reflect changes within the Council structure. • Removal of section 7.5 allowing CAB CHARGE to be displayed in a window of a Hackney Carriage • Section 8.7 for Private Hire Vehicles to display either a phone number or domain name on approved door stickers.
12.	The proposed changes were consulted upon from 22 nd January 2018 to 15 th April 2018. All taxi licence holders were notified and the Council's Consultation webpages provided details of the consultation and how to respond.
13.	<p>There have been 3 responses to the consultation. One from an individual involved with restricted private hire business, another with both private hire business and hackney carriage licences and a hackney association.</p> <p>A summary of the points they raise and the comments of officers are attached as appendix 3.</p>
14.	<p>As a result of the consultation responses officers suggest the following changes to the draft documents</p> <ul style="list-style-type: none"> • 6.1.2 in both documents be changed to allow advertising on the rear windows using perforated film to ensure vision is maintained. Suggested wording is contained in appendix 3 • The reference to 120 miles in 15.1 of the private hire conditions be changed to 112km
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
15.	None.
<u>Property/Other</u>	
16.	None.

LEGAL IMPLICATIONS	
Statutory power to undertake proposals in the report:	
17.	Sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976.
Other Legal Implications:	
18.	None
RISK MANAGEMENT IMPLICATIONS	
19.	The changes proposed with regards electric vehicles support the work being carried out to improve air quality in the city. The changes proposed will not have a significant impact on the strategy but do support it. A failure to adopt the report recommendations could weaken the overall strategy.
POLICY FRAMEWORK IMPLICATIONS	
20.	None

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Tracked changed Hackney Carriage policy and conditions
2.	Tracked changed Private Hire Vehicle policy and conditions
3.	Summary of consultation feedback

Documents In Members' Rooms

1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None