

**REPORT TO:** LICENSING COMMITTEE

**DATE:** 22 NOVEMBER 2016

**TITLE:** LICENSED VEHICLE STANDARDS

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**RECOMMENDED that:**

- A** The Licensing Committee approves consultation of stakeholders on the licensing, as set out in Appendix 1 to the report, of single-passenger vehicles for Private Hire use.
- B** The Licensing Committee approves consultation of stakeholders on ceasing to require a new Hackney Carriage vehicle when a new vehicle licence is issued.
- C** The Licensing Committee approves consultation of stakeholders on phasing in a requirement for all licensed vehicles to be Euro 4 compliant on the basis set out in Appendix 1.
- D** The Licensing Committee approves consultation of stakeholders on introduction of replacement vehicle compliance standards as set out in Appendix 1 to the report, subject to any amendments required to account for the Committee's views.
- E** The Licensing Committee, subject to A-D above, receives a report at a future meeting setting out responses to proposed consultation and making recommendations that appear appropriate for changes in licensing policy.

**BACKGROUND**

1. Harlow Council licenses private hire vehicles and Hackney Carriages. The law provides for conditions on vehicle licenses. The Council has adopted standard conditions forming a vehicle compliance standard, designed to ensure that licenced vehicles are safe, suitable, comfortable, presentable and maintained to an acceptable standard.
2. The compliance standard was last considered by the Licensing Committee during 2015. Links to relevant conditions and Committee reports are given under

Background Papers below. From time to time issues arise that might be addressed by changes in the compliance standards. This report sets out several such issues and proposes subject to the Committee's views, consultation on draft replacement standards that might address them.

## **ISSUES**

### **3. SINGLE-PASSENGER PRIVATE HIRE VEHICLES**

Current compliance standards prohibit the licensing of single passenger vehicles for Private Hire use. Neighbouring authorities have licensed small 2 seater vehicles to carry 1 passenger. Such Private Hire vehicles licensed by neighbouring authorities (specifically Smart Fortwo cars) may pick up and set down customers in Harlow provided that the booking has been made through an Operator licensed by the same authority as the vehicle and driver. Reasons that might be advanced for allowing their use include economy in operation, potentially lower prices to the travelling public, lower vehicle emissions per mile, and more efficient use of road space. Reasons that might be advanced for continuing to prevent their use include safety concerns, suitability with regard to lack of space, and versatility with regard to not being capable of fulfilling certain bookings.

### **4. REQUIREMENT FOR NEW HACKNEY CARRIAGE VEHICLE ON ISSUE OF A NEW LICENCE**

The Council currently requires "London Black Cab" type vehicles for Hackney Carriage use, and for many years has required applicants for a new Hackney Carriage licence to provide a brand new vehicle. It appears that the objective of this requirement was gradual introduction to the fleet in use of advances in such areas as comfort convenience and environmental performance of more modern vehicle designs. There was no requirement made regarding then-existing licences, which may be freely transferred to any otherwise-suitable replacement vehicle. The age of vehicles with these licences is not affected by this condition. There are 63 licensed Hackney Carriages now in use, of which 51 licences are unaffected by this condition. This suggests that the requirement has not been very effective in modernising the fleet.

5. A brand new Hackney Carriage vehicle is very expensive in comparison to a typical motor car or a suitable relatively modern second-hand "London Black Cab" style vehicle.
6. Department of Transport Best Practice Guidance to licensing authorities to which the Council should have regard, suggests that specifying the age of vehicles to achieve particular aims is less satisfactory than dealing with specific issues using specific conditions.

## 7. ENVIRONMENTAL PERFORMANCE OF LICENSED VEHICLES

Whilst there are currently no identified breaches of health-based national air quality standards in Harlow, the health effects from emissions, particularly from older diesel-engined vehicles, are well documented and understood. A gradual progression to better environmental standards would contribute to safeguarding air quality in Harlow and so help to protect public health.

8. Tighter emission standards for vehicle type approval have been introduced in the EU since 1993. Euro 3 vehicle standards were introduced in 2000. Euro 4 standards were introduced in 2005. A Euro 3 compliant vehicle might be up to 16 years old, while a Euro 4 compliant vehicle might be up to 11 years old.
9. The Council currently requires vehicles to achieve the MoT test standard for Euro 3 vehicles. If the Council phased in a requirement for Euro 4 compliant vehicles to be used, emission standards would be improved meaningfully without imposing excessive vehicle replacement costs, as suitable second-hand vehicles across a wide range of ages and so costs will be available.

## 10 PROPOSED REDRAFTED COMPLIANCE CONDITIONS DOCUMENT

A revised draft of the Council's vehicle compliance standard is attached at Appendix 1. A number of new or significantly revised conditions appear throughout the document. In addition to the issues discussed above, significant differences from existing standards include:

- Vehicle inspection arrangements.
- Vehicle inspection intervals.
- Arrangements for chauffeured vehicles.
- Taximeter testing arrangements.
- Provision for licensing of Electric Vehicles.
- A prohibition on licensing 'written off' vehicles.
- Tighter standards covering dents, scratches and bodywork condition.
- Phasing in of objective standards for the degree of tinting of 'factory fitted' tinted windows that will be accepted.
- Deletion of the existing requirement for private hire vehicles to show a tyre-tread depth of no less than 2mm.

## PROPOSALS

11. It is proposed that the Council consult stakeholders on licensing of single-passenger vehicles on the basis set out in Appendix 1
12. It is proposed that the Council consult stakeholders on ceasing to require a new Hackney Carriage vehicle when a new vehicle licence is issued

13. It is proposed that the Council consult stakeholders on phasing in a requirement for all licensed vehicles to be Euro 4 compliant on the basis set out in Appendix 1
14. It is proposed the draft replacement compliance standard attached at Appendix 1, subject to amendment to reflect the Committee's views on the issues highlighted in the report, form the basis of consultation with stakeholders proposed above.

## **IMPLICATIONS**

### **Place (includes Sustainability)**

As set out in the report.

Author: **Graeme Bloomer, Head of Place**

### **Finance (Includes ICT)**

None specific.

Author: **Simon Freeman, Head of Finance**

### **Housing**

None specific.

Author: **Andrew Murray, Head of Housing**

### **Community Wellbeing (includes Equalities and Social Inclusion)**

None specific.

Author: **Jane Greer, Head of Community Wellbeing**

### **Governance (includes HR)**

The Council must ensure the proposals follow the correct consultation process in order to minimise any legal challenge.

Author: **Dimple Roopchand Assistant Solicitor for Brian Keane, Head of Governance**

### **Background Papers:**

Department of Transport Taxi and Private Hire Licensing: Best Practice Guide March 2010 <https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>

Report to Licensing Committee 20 January 2015: COMPLIANCE STANDARD FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES TEST STATION TENDER

<http://moderngov.harlow.gov.uk/documents/g519/Public%20reports%20pack%2020th-Jan-2015%2019.30%20Licensing%20Committee.pdf?T=10>

Report to Licensing Committee 24 March 2015 EMISSION CONDITION FOR  
HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

<http://moderngov.harlow.gov.uk/documents/g520/Public%20reports%20pack%2024th-Mar-2015%2019.30%20Licensing%20Committee.pdf?T=10>