

BRISTOL CITY COUNCIL

PUBLIC SAFETY AND PROTECTION COMMITTEE

20 December 2022

Report of: Executive Director, Growth and Regeneration

Title: Consideration of lower age limit in respect of Hackney Carriage vehicles and current global impacts

Ward: Citywide

Officer Presenting Report: Abigail Holman, Licensing Team Leader

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RECOMMENDATION

The committee are recommended to:

- (1) consider the results of the consultation and,
- (2) To make a temporary change to policy concerning the age limit for Hackney Carriage vehicles by removing the current age limit of three and a half years.

Summary

1. A report was brought before the committee on 25 October 2022 outlining the issues around the availability of wheelchair accessible vehicles which meet the current Hackney Carriage Vehicle policy requirements. The issues are outlined below.
2. Hackney carriages play an integral part of the local public transport infrastructure. They provide a flexible form of public transport and play an important role in improving accessibility as the whole fleet is wheelchair accessible.
3. In July 2021 the Council introduced its revised Hackney Carriage and Private Hire Licensing Policy. The policy brought together in a single document the separate vehicle and driver policies and replicated the existing vehicle policy with few changes.
4. The policy in respect of Hackney Carriages details a number of specifications that all new or replacement Hackney Carriages must comply with.

1. *Any vehicle presented for licensing on the first occasion, that is not replacing an existing licensed Hackney Carriage, must be an Ultra-Low Emission Vehicle (ULEV) as well as meeting the specification set out in the remainder of this policy. Vehicles presented for licensing on the first occasion, which are replacing an existing licensed Hackney Carriage (that is not a ULEV), do not have to be a ULEV. Replacements for existing licensed Hackney Carriages that are a ULEV must also be a ULEV.*

Note: A ULEV is a vehicle with tailpipe CO2 emissions of 75 g/km or less

Age Limit Policy

2. *Vehicles presented for licensing on the first occasion shall be EURO 6 or higher standard and less than three and a half years old from the date of registration or, in respect of vehicles that have been imported other than as new into the United Kingdom, less than three and a half years old from the date of manufacture (In the remainder of this policy reference to date of first registration with regard to vehicles which are imported should be construed as date of manufacture).*
5. This means that any application for a Hackney Carriage vehicle which is replacing an existing vehicle must be less than three and a half years old, and may be diesel, petrol, hybrid, or ULEV.
6. A request has been received from trade representatives which requests that the initial age limit for replacement vehicles is reconsidered. A copy of their concerns is included at Appendix A.

Context

7. The policy was originally introduced in 2017 with a number of factors in mind. It was recognised that older more polluting vehicles were adding to the concerns about air quality standards within Bristol and requiring all newly licensed vehicles to meet a higher Euro standard would assist with reducing pollution in the areas of highest concern. Alongside this the Council introduced a maximum age limit for vehicles of three and a half years when they were first licensed, recognising the cost burden that a requirement for a brand-new vehicle would place on the trade.

8. The Department for Transport Best Practice Guidance acknowledges that vehicle licensing policies should support local environmental policies and acknowledges that this is significant in designated Air Quality Management Areas, which in Bristol includes the city centre area.
9. In March 2022 the DFT produced a draft update of their best practice guidance. The Council responded to a consultation on this document and the results have not yet been published. The guidance is non-statutory and the Council is not required to have regard to it, however it has been a useful document to outline best practice in a number of areas. In respect of vehicles age limits and emissions the draft guidance states:

8.28 The frequency of testing required (see 'frequency of vehicle tests' above) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle. The setting of an arbitrary age limit may be inappropriate and counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences; a five-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol fuel car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality

8.29 Licensing authorities should not impose age limits for the licensing of vehicles but should consider more targeted requirements to meet its policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

10. In relation to environmental considerations the draft guidance states:

8.51 Taxis and private hire vehicles that operate predominantly in urban areas can be significant contributors to poor local air quality, if not properly maintained and regularly checked, due to their higher usage. This might suggest that emissions testing for vehicle that use petrol and diesel (including hybrids and range extenders) should be carried out more frequently than the annual MOT vehicle test/inspection.

8.52 Local authorities should carefully and thoroughly assess the impact of vehicle emission requirements to enable the sector to plan for the future. The short-term objective should be to mitigate

the harm from internal combustion engines through the setting of high EURO emission standards e.g. EURO 6 but, in the long-term, the trade will have to transition to zero emission vehicles. Licensing authorities should set out their long-term plan as soon as possible.

8.53 In response to local air quality concerns, many licensing authorities are considering how to support the use of ultra-low or zero emission vehicles given the growing range of vehicles available. As stated in the 'Vehicle age limit' section', greater flexibility regarding the age of vehicles licensed can result in more rapid improvement in air quality than mandating new 'clean' internal combustion engine vehicles.

11. There have recently been worldwide delays on shipping and producing the components that are used in many types of vehicles for a number of reasons. Bristol City Council licensed Hackney Carriages must be wheelchair accessible and have European Community Whole Vehicle Type Approval, which limits the range of vehicles available to applicants.
12. A shortage of electronic chips has curtailed production on vehicles, meaning new wheelchair accessible vehicles have been in limited supply, fuelling demand on the market for second-hand wheelchair accessible vehicles, not just in the taxi trade. Additionally other local authorities have been amending their vehicle policies to move towards emissions-based standards, again increasing demand for certain types of vehicle.
13. All of these factors, combined with the age limit on the age of the vehicle when first licensed, is significantly limiting the number of second-hand vehicles available to applicants.

Other Considerations

14. Clean Air Zone
Bristol City Council is introducing a clean air zone in the city centre area on 28 November 2022. The clean air zone is being introduced to ensure Bristol meets the legal limits on pollution as soon as possible. The clean air zone requires all diesel vehicles to be Euro 6 or better, and all petrol vehicles to be Euro 4 or better, in order not to be charged daily for entry into the area.
15. The current number of licensed Hackney Carriages is approximately 400. Approximately 100 of these are Euro 5 vehicles, most of which are diesel and will not be clean air zone compliant. Around 35 are approaching the upper age limit of 10 years and will need to be

replaced in the next year. Some vehicles are not near their upper age limit, and whilst licence holders are not obliged to replace their vehicle before the clean air zone comes into force, they will of course be charged the daily fee if their vehicle is not compliant.

16. School transport

Bristol City Council provides home to school transport for a large number of students and carers every day. A number of these journeys require a wheelchair accessible vehicle in order to safely transport those students with disabilities, or additional needs. If there were a reduction in licensed vehicles this would put the home to school transport service at risk of having insufficient vehicles to fulfil their obligations. They have already experienced some shortages due to the decrease in taxi and private hire drivers occurring across the country in the aftermath of the pandemic.

17. The Service has conducted extensive research and can verify there is a significant lack of second-hand and new WAV compliant vehicles meeting our specification- this includes speaking with the specialist vehicle converters. If the age limit of 3 ½ is lifted this does increase the availability of second hand, CAZ compliant vehicles. There is no recommendation to increase the upper age limit of 12 years.

Consultation

18. The committee determined on 25 October to undertake a short consultation with licensed drivers, proprietors and operators to seek their views. This consultation took place between 1 November 2022 and 30 November 2022.
19. Ten comments were received in response to the proposal. Eight were in favour of the proposal, and of those four requested the proposal also be extended to private hire vehicles. Two of the overall responses felt it was unfair that the proposal related only to hackney carriage vehicles. They did not express their thoughts on the hackney carriage aspect. A copy of all the responses, anonymised, is attached at Appendix B.

Recommendations

20. Officers request that the committee consider the information received as a result of the consultation as well as that previously presented, and:

Make a change to the policy concerning the age limit for Hackney Carriage vehicles, removing the lower age limit of three and a half years.

All other elements of the policy would remain in force and any vehicle not compliant with the other requirements would be referred to the committee for determination.

The proposed wording would be as below:

Vehicles presented for licensing on the first occasion shall be EURO 6 or higher standard

This replicates the wording in the current policy and simply removes the end of the paragraph referring to the age limit.

The policy would be brought back before the committee for further consideration once the global shortages are resolved.

Appendices – As links or attachments

Appendix A – Request from trade representative

Appendix B – Responses to consultation

Request from Trade Representative

I have a list of drivers that are having difficulty sourcing new or second hand cars and there are many more out there. Cab Direct, our main Taxi retailer, is out of cars and is not taking orders because of a world wide shortage of parts, second hand Wheelchair cars up to three and a half years are scarce.

This is going to have a huge impact on drivers who want to change to **Euro 6** to avoid CAZ charges as the charges are £9 a day. Other drivers have cars coming to the end of life and have to change.

A bit of background information

Hackney carriages built after September 2015 were given a 12 year life to drive taxis as they were **Euro 6**.

Hackney carriages built before September 2015 were given a 10 year life to drive taxis because they were of a lower **Euro 5** standard. This latter group are the vehicles on our list. The owners of these vehicles have had only as little as 7 and half years use for vehicles that have ended up costing them over 30 thousand pounds and now they have to change to avoid charges. You may imagine it's hard to sell these blue painted Cabs on the second hand market as they don't interest buyers and are worth very little.

Many of these drivers may continue to drive through the Caz zone continuing to pollute Bristol's atmosphere so I believe a solution should be looked into to help both our environment and drivers.

I do understand that there is a 4 grand grant but that is not enough to make many taxi drivers change nor does that solve the availability problem.

Drivers that I have come across have stated they have little interest in the LEVC as it will cost over 70k and has an impractical real life electric range of only 45 miles which in turn takes 45 minutes to charge, a full charge is £14 electric that is equivalent to only 32mpg and hardly economical.

They will be forced out of a job if we are made to buy the LEVC. We recently had a fare rise and to keep in competition with app firms we opted to kept our basic meter fares low at £2.20 per mile, LEVC taxis would require London Rates which are currently about £4 a mile and are not something customers would welcome but that is only if the council is even willing to pass those rates.

We are waiting for up to date eclectic Wheelchair Taxis from VW and Peugeot but it will take 18 months for dealers to get them in stock as they are in the early stages. These advanced electric vehicles will have a 200 mile range and take only 30 minutes to charge. These cars will definitely attract drivers and are much cheaper.

The help needed

We ask your help if you could increase the replacement vehicle age limit from 3 and a half years to 5 years, these vehicles will be **Euro 6** compliant. There are many 4 and 5 year old wheelchair cars on the market that have less than 20 thousand miles that would make great cabs. Please do not see this as a lowering of policy standards as it will be helping clean up pollution and give help to drivers that lost money on **Euro 5** cabs. This move will

actually help modernize the fleet by making drivers get rid of **Euro 5** vehicles and move to **Euro 6**. As mentioned the only reason drivers are asking is there is a shortage of cars.

It is more about we have little other choice rather than a money saving one, I really don't want to see more Hackneys leaving the trade. I believe help should be given because the number of hackneys is dwindling, we used to have 802 in 2013, now the number is 354 or less, to lose another 60 or 90 cars is going to greatly affect wheelchair users. Many of these drivers work with booking companies that need our service for disabled customers and there is a reliance on blue cabs as we cover most of the wheelchair work for booking firms in Bristol.

Saif Hussain Chairperson
BBLTA, Bristol Blue Licensed taxi Association

Response 1

It's a valid point, but it's not only effecting hackney carriage, but also most of private hire drivers. I personally welcome the decision to remove the limitation until this problem solved what across-the-board not just for Hackney carriage.

Response 2

Due to a shortage or not even availability of wheelchair accessible new vehicles or even three and half years old vehicle, to suspend the policy will help us to have at least more options to find a car.

Response 3

This would be so welcomed. Getting parts is expensive and so is cars. The sooner this comes in the better.

Response 4

This is unfair on private hire drivers as cars especially petrol and hybrid cars are very expensive especially in these hard times should make both policies same

Response 5

Hi can we please have the private HIRE vehicle license policy amended as it's completely unfair that south Gloucestershire is allowing 5 years from the date of registration also DIESEL were as Bristol policy restrictions don't make any sense for the clean air zone as it is allowing diesel vehicles to enter but not letting us Bristol PRIVATE HIRE drivers purchasing a vehicle as a lot of drivers are facing financial difficulties due to the Rise in south Gloucestershire drivers in Bristol it would be really appreciated thank you.

Response 6

I would like to thank you for considering the recommendation put forward by the Hackney Carriage Representative Team.

This in my idea is very important matter given the current situation surrounding getting hold of new and second-hand vehicles with this particular age limit that would also meet all the other aspects of the vehicle licensing policy.

I would suggest that vehicles registered in late 2015 (65 plate) and newer which would meet the Euro 6 criteria should be considered to replace old Euro 5 vehicles.

I think this would be much more affordable for drivers who want remain as taxi drivers in this difficult financial time.

Euro 6 wheelchair accessible vehicles of 5 years old and newer are very difficult to find and very expensive if and when found.

I therefore think that the best thing the council can help with these drivers is

to extend the age limit from when first licensed to Euro 6 vehicles registered from late 2015 (65 plate).

Response 7

Hi welcome to this decision withdrawal age limitation on hackney carriages it will help us to change the vehicles low emission

Response 8

I would like you to consider the same policy for private hire too as the demand is high following the vehicle shortage . Second hand cars prices are unexpectedly high and new cars have long delivery dates. Very confusing situation and i would request you to please consider the private hire too in this policy.

Response 9

I think this proposal is good but it would be good for private because in Private hire we have same issue as Hackney Carriage drivers. Please do take this into consideration when updating your policy.

Response 10

It is time that Bristol City Council licensing department understands that Hackney Driver's went through a bad time for the last few years and still experiencing difficulties comparing with private hire and other companies in the trade

Firstly we were forced to spray our vehicle blue at our own cost then now we have to pay air clean zone charges which affects a lots of drivers

It would be nice that Bristol City Council licensing office reconsider their decision and allow more time for drivers to replace their existing vehicles when the vehicles reached 12 years old.

We all aware that vehicles under 3.5 years are at the moment difficult to find and it would be unfair to force drivers who have financial commitment to buy new vehicles to be able to honour their financial agreements

It would be a great idea to allow cars over 3.5 years old to be licensed as Hackney carriage otherwise there will shortage of wheelchair vehicles and it will certainly put taxi companies in a very difficult situation to provide service for schools and wheelchair customers

I hope I provided a very clear concern for most taxi drivers and I expect the Bristol City Council licensing office will note of all suggestions and make a satisfactory decision for the trade and all Hackney drivers

I look forward to receiving your help and assistance to sort out these problems in due course