

Leicester
City Council

MEETING OF THE LICENSING AND PUBLIC SAFETY COMMITTEE

DATE: WEDNESDAY, 8 NOVEMBER 2023
TIME: 5:30 pm
PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Committee

Councillor Singh Johal (Chair)
Councillor Byrne (Co Vice-Chair)
Councillor Pickering (Co-Vice-Chair)

Councillors Adatia, Chauhan, Joannou, Joshi, Karavadra, Kitterick, Pantling, and Whittle

Two unallocated Labour Group places

Members of the Committee are invited to attend the above meeting to consider the items of business listed overleaf.

For Monitoring Officer

Officer contacts:

Tel: 0116 4546350, e-mail: committees@leicester.gov.uk
Leicester City Council, 3rd Floor, Granby Wing, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Information for members of the public

Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings, City Mayor & Executive Public Briefing and Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, from the Council's Customer Service Centre or by contacting us using the details below.

Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at www.leicester.gov.uk or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact: , **Democratic Support Officer on 0116 4546350**. Alternatively, email committees@leicester.gov.uk, or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**.

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Democratic Services staff. Further instructions will then be given.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business on the agenda.

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 18 September have been circulated and the Committee will be asked to confirm them as a correct record.

The minutes can be found on the Council's website at the following link:-
[Agenda for Licensing and Public Safety Committee on Monday, 18 September 2023, 5:30 pm \(leicester.gov.uk\)](#)

4. PETITIONS

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

5. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

6. TAXI VEHICLE AGE POLICY - CONSULTATION PROPOSALS

Appendix A

The Director of Neighbourhood and Environmental Services submits a report to ask the Committee for views on the consultation about the council's permanent age policy for licensed vehicles.

7. ANY OTHER URGENT BUSINESS

Taxi Vehicle Age Policy – consultation proposals

Licensing and Public Safety Committee

Decision to be taken by: Licensing (Hearings)
Sub-Committee

Decision to be taken on/Date of meeting: 08/11/2023

Lead director/officer: Sean Atterbury, Director of
Neighbourhood and Environmental Services

Useful information

- Ward(s) affected: All
- Report author: Rachel Hall, Head of Regulatory Services
- Author contact details: rachel.hall@leicester.gov.uk
- Report version number: 1

1 Summary

- 1.1 The licensing authority is responsible for licensing hackney carriage and private hire vehicles.
- 1.2 Each authority sets its own standards for establishing the safety and suitability of the vehicles that it licenses. In Leicester that includes a maximum age for vehicles when they are first licensed and when they are renewed.
- 1.3 Representatives of the taxi trade have requested a review of the current age policy, with a view to increasing both the entry and the exit age for licensed vehicles.
- 1.4 Following discussions with the trade representatives, the Deputy City Mayor for Housing & Neighbourhoods, the Chair of the Licensing & Public Safety Committee, and officers, the City Mayor has agreed to a temporary relaxation of the existing age policy whilst formal consultation is carried out on the permanent age policy.
- 1.5 The purpose of this report is to ask the Committee for views on the consultation about the council's permanent age policy for licensed vehicles.

2 Determination to be made

- 2.1 Members are asked to comment on the proposed age policy consultation.

3 Scrutiny/Stakeholder Engagement

- 3.1 Following public consultation, the Taxi Strategy includes reference to the vehicle age policy, but implementation has been deferred in order to link this to air quality improvements. Recent developments nationally have delayed the proposed ban on petrol and diesel sales to 2035.
- 3.2 The proposed ban only affects new car sales, and there is expected to be a robust second-hand market for some time. The industry is likely to shift towards hybrid vehicles over this period.
- 3.3 As of the first quarter of 2023 there were 1.2 million hybrid cars registered in the UK, an increase of 34% since the corresponding period in 2022. In comparison, there were 11.6 million diesel and 19.1 million petrol vehicles as of the first quarter of 2023, making hybrids 4% of the total vehicle market.
- 3.4 Recent engagement with taxi trade representatives has highlighted the need for a review of the vehicle age policy. The representatives have explained that the cost of living crisis has reduced their income at a time when used vehicle prices are rising.

- 3.5 This report proposes public consultation on a new vehicle age policy. This will be carried out via the council's website, and will be brought to the attention of the taxi trade and various interested parties by direct email. Publicity will be sought to encourage public engagement.

4 Detailed report

- 4.1 The Town Police Clauses Act 1847 covers the licensing of hackney carriages, and the Local Government (Miscellaneous Provisions) Act 1976 makes provision for councils to license private hire vehicles. Each council sets its own parameters for pre-licensing requirements, in order to be satisfied that a vehicle is suitable to be licensed in the interests of public safety.
- 4.2 The number of hackney carriages has been in decline for some time due to a number of factors, one of which is the cost of buying a suitable vehicle. Trade representatives say that there are very few affordable hackney carriages available on the second-hand market.
- 4.3 Private hire vehicles do not have to meet the same specification as hackney carriages and so licence holders have a wider choice, but also report financial pressures. It is also noted that other licensing authorities have different policies on vehicle age, including Wolverhampton, where there is an upper limit of 11.5 years but no limit on the age of a vehicle being licensed for the first time.
- 4.4 Leicester City Council's current vehicle age policy requires all vehicles being licensed for the first time (ie, not renewals) to be no older than 5 years, and for all vehicles being relicensed (ie, renewals) to be no older than 11 years.
- 4.5 Representatives of the taxi trade have requested a review of the current policy. This is a reasonable request – the policy has not been revisited for a number of years, and it is noted that there are significant pressures on the trade in the current financial climate.
- 4.6 Benchmarking against other licensing authorities is shown at **Appendix A**, and it can be seen that the council's current age policy is not out of step.
- 4.7 Decommission dates for licensed vehicles is shown at **Appendix B**, together with information about the types of fuel used. The hackney fleet is generally older than the private hire fleet and has been unable to move to cleaner fuel types. This is due to a combination of cost and availability.
- 4.8 It is proposed to consult on the council's vehicle age policy. The trade has asked for an extended policy, but it is also appropriate to ask whether the policy should remain the same or even be reduced. Officers suggest that the consultation should include the following options:

Renewal age limit – currently 11 years

- a) Extend the upper age limit by 1, 2, 3 or 4 years
- b) Retain the upper age limit
- c) Reduce the upper limit, with an option for the respondent to say what they think the limit should be
- d) Ask respondents to give reasons for their answers

Entry age limit – currently 5 years

- e) Extend the lower age limit by 1 year
- f) Retain the lower age limit
- g) Reduce the lower limit, with an option for the respondent to say what they think the limit should be
- h) Ask respondents to give reasons for their answers

4.9 There will need to be consideration of the introduction of cleaner vehicles at a later date. Previous attempts to offer funding for the purchase of EV taxis were unsuccessful due to conditions attached to EU grants. These grants have instead been used to deploy solar panels and EV chargers across the city. A number of these chargers are intended for taxi usage as a means of supporting and promoting those that wish to transition to electric vehicles. The feasibility of using licensing as a tool to improve air quality is severely hampered by the deregulation of taxi licensing, as it is highly likely that licence holders will simply switch to an authority that will license their existing vehicles but continue to work in Leicester.

4.10 In light of the current pressures on the taxi industry the City Mayor has agreed that there will be a temporary relaxation of the upper and lower age limits whilst the consultation is carried out. This will temporarily extend the upper age limit to 12 years and the lower age limit to 6 years. Any vehicles over the age of 11 that are relicensed under the temporary policy will be required to undergo an additional inspection at the Vehicle Testing Station, so that they are tested every 4 months instead of every 6 months.

4.11 Once the consultation on the permanent vehicle age policy has been completed the findings will be reported back to Members with a formal recommendation.

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no financial implications arising from the recommendations in this report.

Stuart McAvoy – Head of Finance, 454 4004

5.2 Legal implications

The power for the Council to license a Hackney Carriage/s is contained within Section 37 of the Town Police Clauses Act 1847 and the power to place conditions on the licensing of Hackney Carriages is contained in Section 47 of the Local Government (Miscellaneous Provisions) Act 1976. Section 48 of the same Act provides similar provisions for Private Hire Vehicles

It is for individual licensing authorities to reach their own decisions within their statutory powers on overall policies and individual licensing matters.

Katherine Jamieson, Solicitor, 4541452

5.3 Equalities implications

When making decisions, the Council must comply with the public sector equality duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not.

Protected characteristics under the public sector equality duty are age, disability, gender re-assignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

The report is seeking comments on the consultation for the council's permanent age policy for licensed vehicles, which will be carried out via the council's website and brought to the attention of the taxi trade and various interested parties by direct email with publicity being sought to encourage public engagement. The council need to ensure that the consultation process is fair, accessible and proportionate and publicity is targeted at the relevant stakeholders in a timely manner.

Sukhi Biring, Equalities Officer, 454 4175

5.4 Climate Emergency implications

Transport is responsible for around 25% of carbon emissions in Leicester. Following the city council's declaration of a Climate Emergency in 2019, and it's aim to achieve net zero carbon emissions, addressing transport-related emissions is a vital part of the council's work. This is particularly important in those areas where the council has the greatest level of influence.

In general, older vehicles are likely to have higher carbon emissions per mile travelled, and as such relaxing age standards for the city's taxis is likely to lead to some increase in emissions. As set out within the report however, the deregulation of taxi licensing means that retaining the current age policy may not prevent this impact. Consideration of opportunities to reduce carbon emissions from taxis should therefore take place alongside work on introducing cleaner vehicles more widely, as noted within the report.

Aidan Davis, Sustainability Officer, Ext 37 2284

5.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None.

6. Background information and other papers:

Report presented to Licensing and Public Safety Committee on 15 March 2022

7. Summary of appendices:

Appendix A – benchmarking of age policies

Appendix B – licensed vehicles by decommission year and fuel type

8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

9. Is this a “key decision”? If so, why?

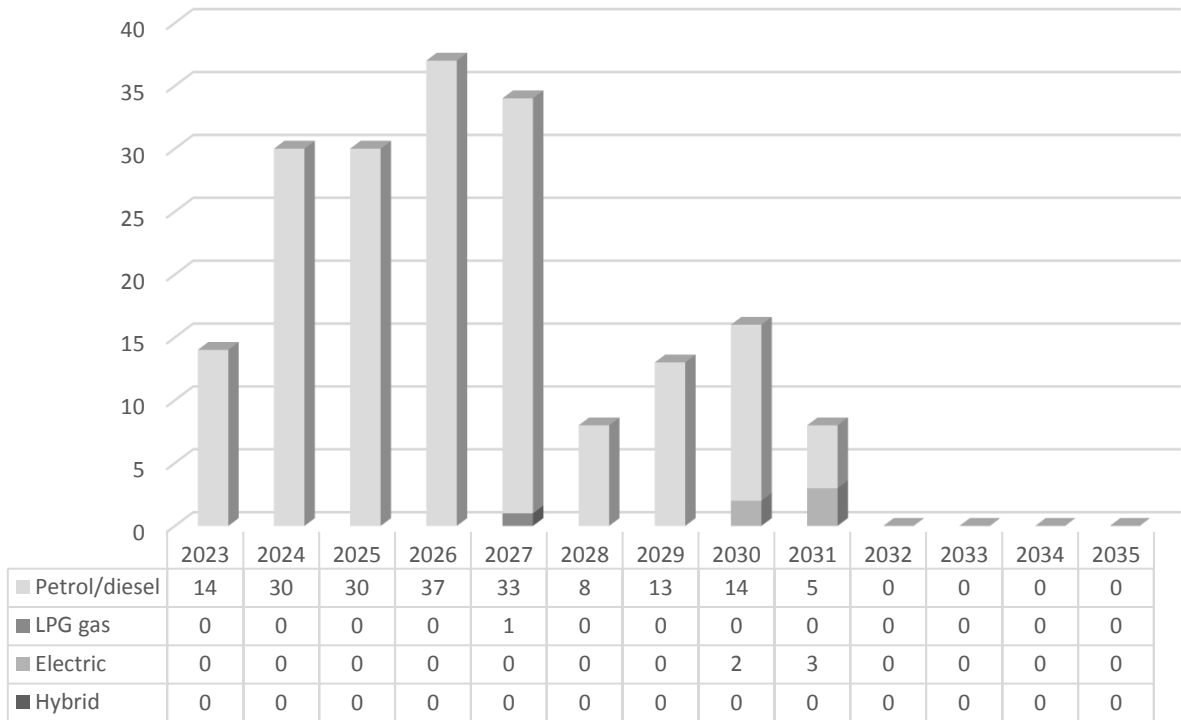
No

APPENDIX A – BENCHMARKING OF VEHICLE AGE POLICIES

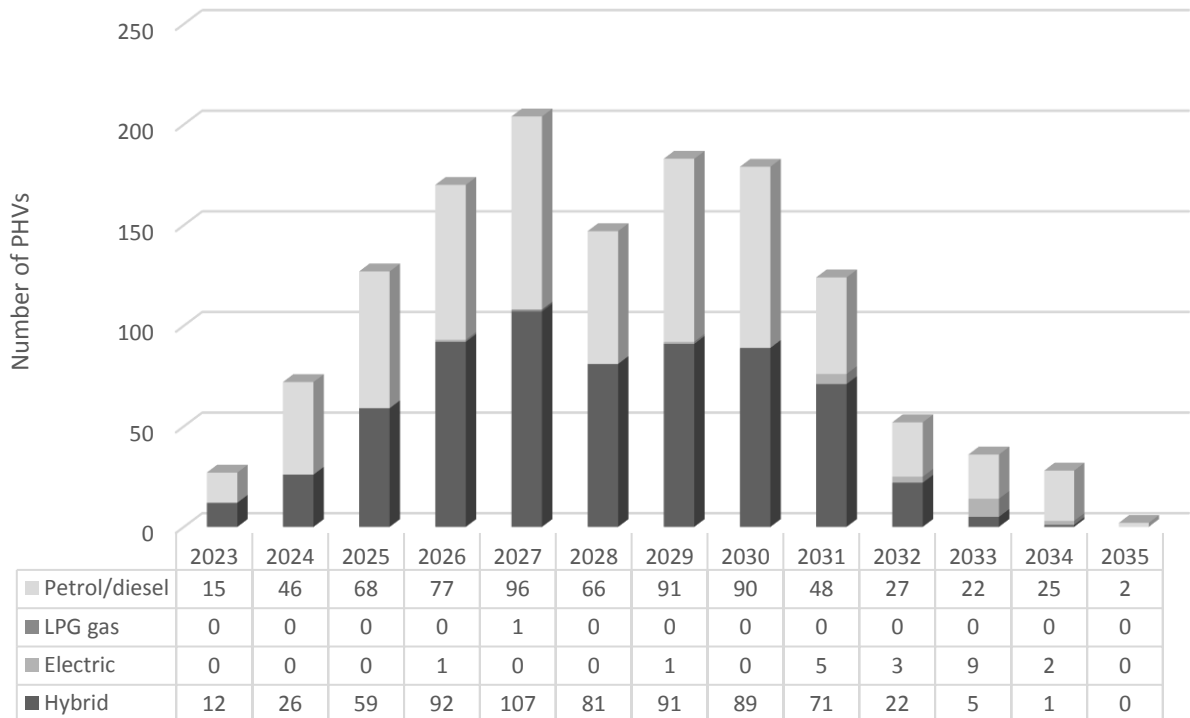
Authority	Max age when first licensed	Max age at renewal	Notes
Leicestershire			
Blaby	5 years	10 years	
Charnwood	Vehicles over 6 years must pass inspection first time	Vehicles over 6 years must pass inspection first time	
Harborough	Saloon – no older than 6 years and no more than 60,000 miles Transit/people carrier – no older than 8 years London style taxi – no older than 10	No apparent limit	
Hinckley & Bosworth	6 years	15 years	Licence ceases if vehicle fails MOT
Melton	6 years	10 years	
North West Leicestershire	No apparent limit	10 years	Vehicles over 6 years must be in exceptionally well-maintained condition OR be an ultra-low emission vehicle
Oadby & Wigston	4 years	9 years	
Other cities			
Coventry	No apparent limit	15 years	
Derby	No current policy	No current policy	From 1 January 2025 max 15 years and all newly licensed vehicles must be Euro 6 Diesel or ZEC ULEV.
Nottingham	Private hire – 4 years Hackney – no apparent limit when first licensed	Private hire – 10 years Hackney – 14 years	Private hire – 1 year licence up to 3 years, 6 month licence over 3 years Hackney – 1 year licence up to 5 years, 6 month licence over 5 years
Wolverhampton	No limit for private hire vehicles, but will only accept new applications for brand new hackneys	Private hire vehicles no older than 11 years and 6 months; no upper limit for hackneys	

APPENDIX B – LICENSED VEHICLES BY DECOMMISSION YEAR AND FUEL TYPE

Decommission year for HCVs including fuel type



Decommission year of PHVs including fuel type



Note: Data from August 2023