

TRAFFORD COUNCIL

Report to: Executive

Date: 23rd January 2023

Report for: Decision

Report of: Executive Member for Housing and Neighbourhoods

Report Title

Greater Manchester Minimum Licensing Standards for Taxis

Summary

To propose amendments to the implementation date for the hackney carriage and private hire age and emissions standards for existing Trafford licensed vehicles, which were proposed as part of the Greater Manchester Minimum Licensing Standards project and adopted by Council on the 24th November 2021.

It is proposed that that the compliance date is extended from 1st April 2024 to 1st April 2026, and that there is also a contingency (through a delegated decision) to further extend this compliance date to 1st April 2027 if appropriate.

Recommendations

It is recommended that the Executive note the report and recommends to Council that it approves that:

- (1) The implementation dates for age limits for existing licensed vehicles are amended as per Standard 2 in Table B, within section 6 of this report;
- (2) The implementation dates for emission standards for existing licensed vehicles are amended as per Standard 3 in Table B, within section 6 of this report;
- (3) The decision to further amend the implementation dates for age limits and emission standards for existing licensed vehicles, as per Standard 2 and Standard 3 in Table C, within section 6 of this report, are delegated to the

Corporate Director, Place in consultation with the Executive Member for Housing and Neighbourhoods, where there are further delays to the introduction of the Clean Air Plan and the taxi funding support package, and it would not be appropriate to introduce the implementation dates in Table B of this report.

Contact person for access to background papers and further information:

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Background Papers: None

Relationship to Policy Framework/Corporate Priorities	The Greater Manchester Minimum Licensing Standards for Taxi and Private Hire align with our priorities on Addressing our Climate Crisis and Reducing Health Inequalities.
Relationship to GM Policy or Strategy Framework	The Greater Manchester Minimum Licensing Standards (MLS) for Taxi and Private Hire is a GM wide initiative, led by the Greater Manchester Licensing Managers Network on behalf of the ten districts.
Financial	Revenue and Capital: The Licensing Regime is a self-funded service. There are no financial implications as a result of this report.
Legal Implications:	The policy changes recommended, if agreed by the Council, will be implemented and form the basis on which decisions are made on applications for vehicle licences received by the Council.
Equality/Diversity Implications	The Equality Impact Assessment (EIA) undertaken for the MLS showed that there were both positive and negative impacts of the proposals. The main positives are that it provides for greater protection

	<p>for vulnerable people from harm and should also increase the accessibility of the fleet for disabled persons. The contrary issues are that the higher standards may make access to becoming a driver more costly and therefore may reduce the fleet size and therefore mean that there are less taxis available and people may be more tempted to use non licensed vehicles. There are three ways that this impact can be lessened; namely by ensuring that the drivers have adequate time to adjust to the new standards, that adequate funding support packages are available, and also that we publicise the benefits of taking a Trafford licensed vehicle.</p>
Sustainability Implications	<p>The MLS supports the GM Clean Air Plan which is consistent with and will support delivery of the Council's Carbon Neutral Action Plan and the aims and objectives relating to the Council's Climate Emergency declaration.</p>
Carbon Reduction	<p>The MLS supports the GM Clean Air Plan which is a place-based solution to tackle roadside NO₂ which will have a positive impact on carbon. However, if this proposal is agreed and the date for compliance for emissions is extended to 2026, it will mean that older, more polluting vehicles will be on the fleet for longer.</p>
Resource Implications e.g., Staffing / ICT / Assets	<p>There are no implications for ICT, Assets or Staff as a consequence of this report.</p>
Risk Management Implications	<p>Risk to delivery of the interventions detailed within the new policies and procedures will be monitored and updated as required.</p>
Health & Wellbeing Implications	<p>The basic rationale of the MLS is that it will improve standards of safety for the travelling public and the improvements to the vehicle fleet will support the objectives of the Clean Air Plan in that it will improve health and wellbeing across the borough through improving air quality.</p>
Health and Safety Implications	<p>As set out above the new standards have public safety as a core objective.</p>

1. Background

- 1.1 There are over 1440 licensed drivers, over 840 private vehicle licenses, 117 hackney carriage licenses and 25 vehicle operators in Trafford. An efficient and safe taxi service has a significant contribution to the well-being and economy of Trafford. Minimum Licensing Standards (MLS) for Greater Manchester (GM) raises the profile of the service across the region and aims to encourage the trust and appreciation of GM registered taxis.
- 1.2 This report outlines recommendations to amend the implementation dates for the introduction of age and emission standards for existing licensed vehicles as part of Stage 2 of the project.

2 Introduction

- 2.1 In 2018, GM's ten local authorities agreed to collectively develop a common set of minimum licensing standards for Taxi and Private Hire services that covered the whole of GM. At that time, the primary driver for this work was to improve public safety, but vehicle age and emission standards in the context of the Clean Air agenda also became major considerations.
- 2.2 As licensing is a local authority regulatory function, the work to devise the Standards has been undertaken by the GM Licensing Managers Network, with Transport for Greater Manchester (TfGM) supporting the co-ordination of this work, and alignment with other relevant GM policies, at a GM level.
- 2.3 Throughout the development of a common set of minimum licensing standards and the GM Clean Air Plan, the GM taxi trade has asked for certainty, funding, and sufficient lead in times for these changes. An important element of the overall approach has been to provide clarity and long-term certainty for vehicle owners, so that they are able to plan the upgrade of their vehicles in a way that meets and contributes positively to GM's Air Quality, Carbon and other environmental obligations.
- 2.4 MLS cover four broad areas:
- Drivers;
 - Vehicles;
 - Operators; and
 - Local Authorities.
- 2.5 In 2021 due to the complexity and breadth of the work it was agreed to separate the implementation of the standards into two stages; Stage 1 (Drivers, Operators and Local Authority) and Stage 2 (Vehicles).
- 2.6 The Council adopted all 17 standards contained within Stage 1 of the MLS at its meeting on the 13 October 2021.

- 2.7 In recognition of the significant financial investment required by existing license holders, and having due regard to the impacts of the Covid-19 pandemic on the trade in respect of the stage 2 vehicle standards, Wider Leadership Team (WLT) recommended to local districts that they:
- apply the standards to all new to licensed vehicles with immediate effect as soon as the policy was determined; but
 - allow a transition period for compliance for existing licensed vehicles, provided the local transition arrangements did not go beyond 2024 in line with the deadline for the introduction of the Clean Air Plan.
- 2.8 The Council adopted all 10 standards contained within Stage 2 of the MLS at its meeting on the 24th November 2021. See **Table A** below.

3 Link to the Clean Air Plan

- 3.1 In Summer 2021 GM authorities, following a Government direction, agreed a plan to implement a charging Category C Clean Air Zone for non-compliant Buses, Coaches, HGVs, Taxis, Vans/LGV and Minibuses to achieve compliance with legal limits for nitrogen dioxide on local roads in the shortest possible time and by 2024 at the latest.
- 3.2 A Clean Taxi Fund was secured as part of the GM Clean Air Plan, and comprised significant funding for financial support packages so that Hackney Carriages and Private Hire Vehicles in GM could be upgraded to compliant vehicles.
- 3.3 However, in January 2022 the GM Air Quality Administration Committee considered the findings of an initial review of conditions within the supply chain of Light Good Vehicles which is impacting the availability of compliant vehicles. The Committee agreed that a request should be made to the Secretary of State (SoS) for Environment, Food and Rural Affairs to agree to pause the opening of the next phase of Clean Air Funds to enable an urgent and fundamental joint policy review with Government to identify how a revised policy can be agreed to deal with the supply issues and local businesses' ability to comply with the GM CAP.
- 3.4 The Government subsequently issued a new direction which required a revised plan to achieve compliance with the legal limit value for NO₂ in the shortest possible time and by no later than 2026.
- 3.5 In August 2022 the GM Air Quality Administration Committee agreed to submit the 'Case for a new Greater Manchester Clean Air Plan' to the Secretary of State as a final Case for a new Greater Manchester Clean Air Plan. This plan proposes using the Clean Air funding that the Government has awarded to Greater Manchester to deliver an investment led approach to invest in vehicle upgrades, rather than imposing daily charges.

- 3.6 GM leaders have committed to a participatory approach to the development of the new Plan to ensure that GM's proposals are well-grounded in evidence in terms of the circumstances of affected groups and possible impacts of the Plan on them, and therefore the deliverability and effectiveness of that Plan. This will involve targeted engagement with key stakeholders, as well a public consultation on the new Clean Air Plan proposals.
- 3.6 To date, the Clean Taxi Fund has not been opened, and grants have only been made to a very small number of Hackney Carriage and Private Hire vehicle owners who had already placed orders pending opening of the funds at the end of January 2022, to ensure they are not detrimentally impacted by the decision to pause the opening of the funds.

4 GM Position

- 4.1 The compliance date for the emissions and age compliance standards within stage 2 of MLS was initially proposed as 1 April 2024 for all existing fleets across GM. This date was proposed on the basis that the Clean Taxi Fund was due to open early 2022, and the legal directive at the time was compliance with legal limits for nitrogen dioxide on local roads in the shortest possible time and by 2024 at the latest.
- 4.2 However, at present only seven districts (including Trafford) have fully adopted Stage 2.
- 4.3 In addition, although five districts (including Trafford) have 1 April 2024 as the approved compliance date for existing vehicles, two districts have approved a longer compliance date to 1 April 2026 and 1 April 2027.
- 4.4 There is therefore a variance in the compliance dates between districts, and it is also possible that outstanding districts yet to fully approve the standard for emissions and age compliance may also seek longer transitions in line with the 2026 deadline for the new legal direction.

5 Impact on Taxi Trade

- 5.1 Trafford's existing age and emission's policy for licensed hackney carriages and private hire vehicles states that the whole fleet must be compliant with the standards by 1 April 2024. In order to achieve this aim the policy states that from 1st April 2023 a vehicle licence will not be renewed if the vehicle does not meet the above standards.
- 5.2 As the opening of the Clean Taxi Fund has been paused, the trade have not yet had access to the funding which they would have had to assist in the upgrade to compliant vehicles.
- 5.3 In terms of the impact on the trade, data produced by TfGM shows that in Trafford 32% of the private hire fleet (289 of 916 vehicles), and 89% of the hackney carriage fleet (85 of the 95 vehicles), were not compliant with the age and emission standards as at February 2022.

5.4 Therefore, without a change to the compliance date for these standards in Trafford, a significant proportion of the fleet will be unable to renew their vehicles licences from April 2023.

6 Proposal

6.1 In view of the new deadline for compliance with the clean air legal direction, the ongoing development of the new Greater Manchester Clean Air Plan, and the uncertainty about when the funding support package will be available, the Council is being asked to extend its current timetable for implementing age and emissions standards for existing Trafford licensed vehicles.

6.2 Table A gives a summary of the hackney carriage and private hire vehicle standards adopted by the Council on the 24th November 2021. Table B is a summary of the proposed amendments to the implementation date for Standard 2 Vehicle Age and Standard 3 Vehicle Emissions in relation to existing Trafford licensed vehicles. The proposed change is that the compliance date is extended from 1st April 2024 to 1st April 2026. This will mean that from the 1st April 2025 a vehicle licence will not be renewed if the vehicle does not meet this standard.

6.3 Table C proposes a further amendment to implementation date as a contingency should there be further delays to the introduction of the GM Clean Air Plan and the funding support package. It is proposed that this decision is delegated to the Corporate Director, Place in consultation with the Executive Member for Housing and Neighbourhoods. The proposed change is that the compliance date is further extended to 1st April 2027. This will mean that from the 1st April 2026 a vehicle licence will not be renewed if the vehicle does not meet this standard.

Table A

<p>Standard 1 Accessible Hackney Carriages</p>	<p>To retain the Council’s current standard that all licensed Hackney Vehicles be wheel chair accessible (WAV).</p> <p>To defer the decision on side/rear loading at this time as the consultation response on this specific point was particularly low.</p>
<p>Standard 2 Vehicle Age</p>	<p>To implement the following as the minimum standard:</p> <ul style="list-style-type: none"> • PHV – under 5 years on to fleet and 10 years off • PHV WAV – under 7 years on to fleet and 15 years off • Purpose built HCV– under 7 on to fleet and 15 years off • Air quality metrics and impacts and testing data to be reviewed over the next 2-3 years by the Licensing Network and risks or proposed amendments brought back to Members as necessary

	<ul style="list-style-type: none"> • To remove the exceptional condition (age) test. <p>That the standard be implemented for new to licence vehicles from the 1st January 2022; and that the existing fleet is compliant with the policy standard by 1 April 2024. This will mean that from the 1st April 2023 a vehicle licence will not be renewed if the vehicle does not meet this standard.</p>
Standard 3 Vehicle Emissions	<p>To require licensed vehicles to be compliant with the current Euro emissions standard as follows:</p> <ul style="list-style-type: none"> • For new to licence vehicles from the 1st January 2022; and for the existing fleet vehicles are compliant with the policy standard by 1 April 2024.* This will mean that from the 1st April 2023 a vehicle licence will not be renewed if the vehicle does not meet this standard. • To note the strong ambition to move existing fleets to ZEC as soon as possible <p>*vehicle must also be compliant with the age policy</p>
Standard 4 Vehicle Colour	<p>To retain the Council's current policy standard that all Hackney Carriage Vehicles should be black in colour with the following exceptions:</p> <ul style="list-style-type: none"> • London Style Taxis may be of the manufacturer's colour • Advertising is allowed on London Style Taxis <p>Not to recommend a specific colour requirement for Private Hire vehicles at this stage. A piece of research is to be commissioned to further consider the risks/benefits of this policy. However, single colour for private hire vehicles remains an aspiration of the MLS programme.</p>
Standard 5 Vehicle Livery	<p>To require that all vehicles will:</p> <ul style="list-style-type: none"> • display permanently affixed licence plates on the front and back of the vehicle • display a 'GM approved' sticker on the bonnet <p>To require that all PHVs will:</p> <ul style="list-style-type: none"> • only display stickers provided by the licensing authority (at cost) which will bear the operator name, 'advanced bookings only', 'not insured unless pre-booked' and the licensing authority logo • display those stickers on both rear side doors and the back window

	<ul style="list-style-type: none"> not use any magnetic stickers <p>*Specified design/dimensions and placement on vehicles to be provided</p> <p>That the implementation date for this standard be delegated to the Corporate Director of Place in consultation with the Executive Member for Environment and Regulatory Services with consideration of the need to procure the necessary supplier/materials; to communicate the changes to the trade; and to ensure that processes are in place for a robust implementation of the standard.</p>
Standard 6 Vehicle Testing	To retain Trafford's current standard of requiring vehicles to be tested on first application and every six months thereafter, irrespective of the age of the vehicle. All vehicles to be tested against the DVSA MOT standard plus Trafford's Vehicle Compliance Manual.
Standard 7 CCTV	To approve the drafting of a CCTV policy for further consideration and consultation
Standard 8 Executive Hire	<p>The retain Trafford's current standards including the following conditions:</p> <ul style="list-style-type: none"> Bookings to be confirmed by written contract Payments made in advance of the journey or by invoice afterwards Stipulation on the types of vehicles to be licensed Dress code Business plan shared with licensing authority Vehicles not to be fitted with data heads, radios or meters Exemptions from plates and door signs only to be given when used exclusively for executive hire <p>The standard to apply to new to licence and existing fleet from 1st January 2022</p>
Standard 9 Vehicle Design	<p>The following standards will apply:</p> <ul style="list-style-type: none"> all vehicles conform to the M1 standard (any modified vehicle at M2 standard must have an appropriate test to ensure conformity with single vehicle type approval) No retrofitting of engines into older vehicles will be allowed. LPG conversions will be accepted

	<ul style="list-style-type: none"> • Where retrofit emissions technology is installed it shall be approved as part of the Clean Vehicle Retrofit Accreditation Scheme (CVRAS) • Specification for window tints will be: <ul style="list-style-type: none"> ○ Front windscreen – min. 75% light transmission ○ Front side door glass – min. 70% light transmission ○ Remaining glass or rear side windows (exc. Rear window) - allow manufacturer's tint to a minimum 20% light transmission • No vehicle first being licensed will have been written off in any category and will not be renewed (if previously written off) after 1 April 2022. • No roof signs permitted on PHVs • No advertising other than Council approved signage on PHVs • To defer the decision on swivel seats at this time as the consultation response on this specific point was particularly low. <p>The standards to apply to new to licence and existing fleet from 1st January 2022 with the exception of written off vehicles which will apply from 1st April 2022.</p>
<p>Standard 10 Vehicle Conditions</p>	<p>A set of proposed conditions for Hackney Carriage and Private Hire Vehicles.</p> <p>To implement the standard as proposed with the addition of the DBS requirement for vehicle proprietors who are not licensed drivers.</p> <p>The standard to apply to new to licence vehicles from 1st January 2022; and for existing fleet on renewal of the licence.</p>

Table B

<p>Standard 2 Vehicle Age</p>	<p>To implement the following as the minimum standard:</p> <ul style="list-style-type: none"> • PHV – under 5 years on to fleet and 10 years off • PHV WAV – under 7 years on to fleet and 15 years off • Purpose built HCV– under 7 on to fleet and 15 years off
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	<ul style="list-style-type: none"> • Air quality metrics and impacts and testing data to be reviewed over the next 2-3 years by the Licensing Network and risks or proposed amendments brought back to Members as necessary • To remove the exceptional condition (age) test. <p>That the standard be implemented for new to licence vehicles from the 1st January 2022; and that the existing fleet is compliant with the policy standard by 1 April 2026. This will mean that from the 1st April 2025 a vehicle licence will not be renewed if the vehicle does not meet this standard.</p>
<p>Standard 3 Vehicle Emissions</p>	<p>To require licensed vehicles to be compliant with the current Euro emissions standard as follows:</p> <ul style="list-style-type: none"> • For new to licence vehicles from the 1st January 2022; and for the existing fleet vehicles are compliant with the policy standard by 1 April 2026.[*] This will mean that from the 1st April 2025 a vehicle licence will not be renewed if the vehicle does not meet this standard. • To note the strong ambition to move existing fleets to ZEC as soon as possible <p>[*]vehicle must also be compliant with the age policy</p>

Table C

<p>Standard 2 Vehicle Age</p>	<p>To implement the following as the minimum standard:</p> <ul style="list-style-type: none"> • PHV – under 5 years on to fleet and 10 years off • PHV WAV – under 7 years on to fleet and 15 years off • Purpose built HCV– under 7 on to fleet and 15 years off • Air quality metrics and impacts and testing data to be reviewed over the next 2-3 years by the Licensing Network and risks or proposed amendments brought back to Members as necessary • To remove the exceptional condition (age) test. <p>That the standard be implemented for new to licence vehicles from the 1st January 2022; and that the existing fleet is compliant with the policy standard by 1 April 2027.</p>
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	This will mean that from the 1st April 2026 a vehicle licence will not be renewed if the vehicle does not meet this standard.
Standard 3 Vehicle Emissions	<p>To require licensed vehicles to be compliant with the current Euro emissions standard as follows:</p> <ul style="list-style-type: none"> • For new to licence vehicles from the 1st January 2022; and for the existing fleet vehicles are compliant with the policy standard by 1 April 2027.[*] This will mean that from the 1st April 2026 a vehicle licence will not be renewed if the vehicle does not meet this standard. • To note the strong ambition to move existing fleets to ZEC as soon as possible <p>[*]vehicle must also be compliant with the age policy</p>

Other Options

The Council could decide not to amend the implementation date for the vehicle Standards 2 and 3 in respect of the existing licensed fleet. This would mean that the hackney carriage and private hire trade will be required to provide compliant vehicles as they renew their licences from 1st April 2023. As the funding support package has not yet been agreed, and is not likely to be available until Summer 2023 at the earliest, this will adversely affect many vehicle licence holders with non-compliant vehicles who will be unable to replace their vehicles before their licence is due for renewal.

If the date for compliance for emissions is extended to 2026, older, more polluting vehicles will be on the fleet for longer. However, those with older vehicles will presumably seek to take advantage of the funding support package once it becomes available to help transition to compliant vehicles. The risk therefore should reduce as more vehicles transition to compliant vehicles between 2023 and 2025 – that is if policies are in place requiring the change by a determined date and older vehicles are prevented from continuing to join the fleet.

Consultation

A GM wide public consultation on MLS took place between 8 October and 3 December 2020. A summary of this consultation has previously been provided to members in the report 'Greater Manchester Minimum Licensing Standards for Taxi and Private Hire Stage 1' which was submitted to Council on the 13th October 2021.

Reasons for Recommendation

The primary driver for this work was to ensure public safety and protection, and to improve vehicle emission standards in the context of the Clean Air and the decarbonisation agendas. In addition, by establishing standards around common vehicle specifications, MLS is an important mechanism that permits the systematic improvements to taxi and private hire service across Greater Manchester and their visibility.

The emissions and age compliance date as initially proposed was 1 April 2024 for all existing fleets across GM. This date was proposed on the basis that the Clean Taxi Fund was due to open early 2022, and that the clean air legal directive at the time was for compliance by 2024.

As the opening of the Clean Taxi Fund has been paused, this means that the trade have not yet had access to the funding which would assist with the upgrade to compliant vehicles. The Government have also issued a new clean air directive which required compliance by no later than 2026.

Without a change to the compliance date for these standards in Trafford, a significant proportion of the fleet will be unable to renew their vehicles licences from April 2023. This will detrimentally affect the livelihood of many drivers, as well as the availability of licensed vehicles for the public in Trafford.

The extension to the compliance date will give the trade a longer time period in which to upgrade to compliant vehicles, and the ability to take advantage of the funding support package once it is available.

Key Decision (as defined in the Constitution): No

If Key Decision, has 28-day notice been given? N/A

Finance Officer Clearance

Peter Carr

Strategic Finance Manager

Legal Officer Clearance

Steven Boyle

Head of Legal & Governance



Richard Roe

Corporate Director, Place

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.