

REGULATORY & APPEALS COMMITTEE – 25 SEPTEMBER 2017

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| Title of paper: | Hackney carriage specification – additional vehicles | |
| Director: | Andrew Errington, Community Protection | Wards affected: ALL |
| Report author: | Angela Rawson, Regional Licensing & Policy Manager Angela.rawson@nottinghamcity.gov.uk 0115 8761749 | |
| Other colleagues who have provided input: | Ann Barrett Ann.barrett@nottinghamcity.gov.uk 0115 8764411 | |
| Relevant Council Plan Key Theme: | | |
| Strategic Regeneration and Development | | <input type="checkbox"/> |
| Schools | | <input type="checkbox"/> |
| Planning and Housing | | <input type="checkbox"/> |
| Community Services | | <input type="checkbox"/> |
| Energy, Sustainability and Customer | | <input type="checkbox"/> |
| Jobs, Growth and Transport | | <input checked="" type="checkbox"/> |
| Adults, Health and Community Sector | | <input type="checkbox"/> |
| Children, Early Intervention and Early Years | | <input type="checkbox"/> |
| Leisure and Culture | | <input type="checkbox"/> |
| Resources and Neighbourhood Regeneration | | <input type="checkbox"/> |
| Summary of issues (including benefits to citizens/service users): | | |
| <p>Members are asked to determine whether the current Hackney Carriage vehicle requirements should be amended to include 4 additional types of vehicle.</p> | | |
| Recommendation(s): | | |
| 1 | <p>That the Council's current Hackney Carriage specification (reflected in the notes at 1.7 of the Supplementary Testing Manual attached at Appendix 2) be amended to include:</p> <ul style="list-style-type: none"> the Nissan Dynamo Electric Taxi; The Ford Tourneo Taxi; Vauxhall Vivaro VX8 Taxi and Ford Procab, but <u>only</u> where they have been converted by a specialist to reach the Reduced Emission Euro 6 Diesel Standard (as described in Appendix 1 to this report), <p>and in all cases only where the vehicle has a first date of registration no earlier than the date of this meeting;</p> | |
| 2 | <p>That the following, in consultation with the Chair, Vice Chair and opposition spokesperson of the Regulatory & Appeals Committee, each be permitted to approve the addition of further vehicles as they become available to the Hackney fleet, provided the vehicle meets the Councils safety specification requirements:</p> <ul style="list-style-type: none"> Director of Community Protection; Head of Licensing, Trading Standards and ASB; Regional Licensing & Policy Manager. | |

1 REASONS FOR RECOMMENDATIONS

- 1.1 Additional models of vehicles licensed as hackney carriages will provide both passengers and proprietors with an increased choice of vehicle to hire/purchase. Whilst 3 of the 4 vehicles do not have London Public Carriage Office approval the Council is entitled to depart from its policy if it has good reason to, and the Council has already done so in the past.

These vehicles are wheelchair accessible and are felt to adequately meet the aims of the Council's specification and the needs and safety requirements of the travelling public so as to enable a departure from the Policy to be justified.

All vehicles can be either be manufactured to our current safety specification or converted so as to be consistent with our current safety specification for Hackney Carriage Vehicles.

The variety of enhanced vehicles will not only aid in improved emissions recorded for the City but also provide a superior alternative for the travelling public.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 a Council may require the hackney carriages it licenses to be of such design and appearance or bear such distinguishing marks as shall clearly distinguish it as a hackney carriage.
- 2.2 In 1990 the Council first introduced its policy requiring all Hackney Carriages licensed by the City Council to be of a type approved by the London Public Carriage Office, wheelchair accessible and British Racing Green in colour. This policy withstood a challenge by way of appeal and was phased in over a number of years with all hackney carriages conforming to this requirement since 1995. This policy was subsequently varied to allow Jubilee Automotive Group Mercedes and Fiats (which are not approved by the London Public Carriage Office) to be licensed as in all other respects these vehicles were felt to meet the aims of the Council's specification ; the needs and safety requirements of the travelling public and the Council; and to be suitable as wheelchair accessible hackney carriages.
- 2.3 Whilst the Hackney trade is an important part of Nottingham's transportation system, vehicles and the fleet have become aged, inefficient and ineffective in a business capacity in the 25+ years since The Council's vehicle Specification and Policy were first introduced. Allowing a wider range of vehicles will increase the prospects for current Hackney Carriage owners to update their vehicles to more efficient models which in turn will provide for a better customer experience together with an improved business return.
- 2.4 The Department for Food and Rural Affairs (DEFRA) recently carried out studies into the air quality in the UK. The analysis showed high levels of pollution Nitrogen Dioxide (NOx) to be the main issue for air quality with the main source being the transportation networks and in particular diesel and petrol vehicles. Nottingham, along with other cities, was identified as showing high levels of pollution exceeding legal limits and have therefore been told by Government to implement a Clear Air Zone (CAZ) before the end of 2019.

- 2.5 The majority of NOx is produced by vehicles therefore a charging scheme is required to be implemented under the CAZ for the most polluting types of vehicle to enter designated areas of the City. Whilst the Scheme is yet to be finalised it is envisaged that a charge will apply to all vehicles below Euro 6 diesel and Euro 4 petrol standards.
- 2.6 Nottingham's Hackney Carriage and Private Hire Trades will be affected by the CAZ because of the age of many of the vehicles. To address this, Nottingham developed the Hackney Carriage and Private Hire Vehicles Strategy 2017-2020 with the aim to not only create a younger and greener fleet of vehicles but also attempt to futureproof the trade by introducing the concept of electrification by the use of Zero Emission Capable Ultra Low Emission Vehicles. Following on from this Strategy further work will be carried out in relation to vehicle specifications and the Council's Hackney Carriage and Private Hire Vehicle Age Policy to meet this aim and this is addressed in another report on this agenda.
- 2.7 The vehicles in Appendix 1 have been inspected by Officers and it is felt that it is possible to exceed current standards whilst providing a wider choice of vehicles both for proprietors and the public. Brief details of the vehicles are contained in Appendix 1 to this report and brochures are available for Committee perusal if required. All vehicles will seat up to 6 passengers and have European Whole Type Approval. Wheelchair bound passengers can gain access via side doors, whilst colour coded handles for visually impaired passengers and an induction loop for those with hearing difficulties are all provided. There is also a full partition separating the driver and passenger compartments for comfort/security of drivers/passengers. For these reasons the vehicles are felt to be acceptable and meet the aims of the existing specification (despite the fact that 3 of the 4 are not approved by the London Public Carriage Office).
- 2.8 In addition to the vehicles listed in Appendix 1 there are a number of models of vehicles either in development or being manufactured but not yet available to the general public, which are also likely to meet the aims of the Council's current specification but which may not gain Public Carriage Office approval. This is particularly the case for ULEV Zero Emission vehicles. For this reason, it would be helpful if Officers as defined in recommendation 2 were given delegated power, in consultation with the Chair of the Regulatory & Appeals Committee, Vice Chair and opposition spokesperson, be permitted to approve appropriate new models as hackney carriage vehicles as they are released.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Retaining current licence requirements - the Metrocab vehicle which is currently included in the Council's specification is no longer manufactured. It is felt that the inclusion of some new vehicle types will therefore maintain a choice of vehicle available for the trade to purchase whilst meeting the needs and safety requirements of the travelling public as well as the duty of the Council relative to managing emissions.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 None.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to require Hackney Carriages licensed by it to be of such design or appearance or to bear such distinguishing marks as it requires to enable them to be clearly distinguished as hackney carriages. This section therefore provides the authority for the Council to prescribe a vehicle specification.
- 5.2 As indicated in the body of the report, the Council's current specification was originally prescribed in 1990. Whilst the Council is entitled to have a policy as to the type of vehicles it will licence it may depart from that policy where there are good reasons to do so. This has happened previously where vehicles met the aims of the Council's current specification (ie were wheelchair accessible, safe, met the needs of the travelling public, etc) but lacked Public Carriage Office approval
- 5.3 If the Committee is satisfied that the vehicles included in Appendix 1 meet the aims of the Council's policy and specification notwithstanding that some will not receive Public Carriage Office approval it may therefore determine that vehicles of the type described be approved as suitable for licensing as hackney carriages.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

- 6.1 Not applicable.

7 EQUALITY IMPACT ASSESSMENT

- 7.1 An EIA is not required because wheelchair bound passengers can gain access via side doors, colour coded 'grab' handles are provided for visually impaired passengers and an induction loop for those with hearing difficulties is available. There is also a full partition separating the driver and passenger compartments for comfort, security and safeguarding.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 9.1 Local Government (Miscellaneous Provisions) Act 1976