

**PROPOSAL FOR THE EXTENSION OF DEADLINES RELATING TO HACKNEY CARRIAGE
AND PRIVATE HIRE LICENSING FOLLOWING THE COVID-19 PANDEMIC**

Executive Summary

Currently there are several deadlines for Taxi and Private Hire Drivers on the horizon that relate to such requirements as vehicle specifications and academic training of the drivers themselves. However due to the severe decline in business as a result of the Covid-19 pandemic and from Government Sanctions (such as closing of licenced premises) and the overall disruption that the world has seen the Licensing Authority is proposing that we extend the deadlines of these requirements to allow a degree of flexibility and fairness to help the drivers.

Recommendations

The Committee is requested to:

RESOLVE That either

- (i) the original deadlines as previously agreed by Licensing Committee are adhered to; **or**
- (ii) the new extended deadlines as proposed by the Licensing Authority are permitted; **or**
- (iii) a series of suitable dates are decided on by the Licensing Authority for the individual sections – ensuring that the balance is met between compliance, progress, passenger safety and some leeway for the drivers as well.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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1.0 Introduction

- 1.1 When it comes to Licensing, the department is primarily tasked with ensuring the safety of the travelling public and it should not be viewed that the department exists solely to give jobs to drivers.
- 1.2 However there are times when the department must be pragmatic and flexible and it also must also bear in mind that Taxi and Private Hire Drivers are a vital part of the town centre economy and of the Borough of Woking as a whole.
- 1.3 Over the last two years, the Taxi and Private Hire trade has seen major disruption as a result of the Covid-19 pandemic. The passenger numbers were severely in decline with many people working from home or self-isolating out of safety but with the added closure of pubs, restaurants, cafes, cinemas, schools and nightclubs for several extended periods the trade has had an incredibly difficult financial year.
- 1.4 It is important to remember that the majority of drivers have applied for and been given a Government Financial Grant to assist them during this challenging time and whilst the evening work and school work has been in decline during the pandemic, the trade nationally has seen an increase in individual daytime taxi use by those members of public who needed to get to work but did not want to utilise public transport such as trains and buses.
- 1.5 Further to this, with many people staying at home during the lockdown, food providers and supermarkets saw an unprecedented rise in online orders and local deliveries resulting in many drivers carrying food or takeaways in order to supplement their finances during the difficult time. (Since the licence is required for 'the transport of passengers or goods for hire and reward' this is entirely acceptable.) Consequently the information we get from the trade is very mixed with some drivers claiming borderline financial ruin, whilst others claiming they are "doing alright" and "getting by."
- 1.6 It is therefore suggested that we examine the various deadlines that are due in the near future and consider extending them by a year to allow the licence holders some extra time to ensure that they can get back on their feet and assist them in returning them to a financially safe status.

2.0 The Academic Qualification "Introduction to the Role of Taxi and Private Hire Driver" (aka 'The BTEC')

- 2.1 In January / February 2018, a decision was made by Woking Borough Council's Licensing Committee to introduce the requirement of a "BTEC" (or similar course) for Taxi and Private Hire Drivers within Woking Borough.
- 2.2 The requirement was introduced with effect from 1st April 2018, and all existing drivers were given three years in which to complete the course.
- 2.3 This meant that current existing drivers had until 31st March 2021 in which to complete the course.
- 2.4 Officially, drivers who have not completed the course should have had their licences suspended, requested to return their badges and cease work.
- 2.5 Naturally during the Covid-19 pandemic it has not been seen as realistic or reasonable to chase people up and take the aforementioned enforcement and so an unofficial extension has already been permitted in that no licences have been suspended as a result.

Proposal for the Extension of Deadlines Relating to Hackney Carriage and Private Hire Licensing following the Covid-19 Pandemic

- 2.6 Currently there are 371 Licenced Private Hire Drivers and 256 Licenced Hackney Carriage Drivers. It should be noted that the number of drivers is down by about 120 as a result of the pandemic, the number of drivers before the pandemic was around the 750 mark. Whilst the number of drivers had been increasing steadily over the last decade, meaning it was going to reach peak numbers resulting in too many drivers for the amount of work available in the area resulting in a natural decline anyway, this could also demonstrate the effect that the Pandemic has had on the trade.
- 2.7 Of the Hackney Carriage Drivers just over 55% have completed the BTEC course (123 drivers).
- 2.8 Of the Private Hire Drivers just over 47% have completed the BTEC course (176 drivers).
- 2.9 Whilst these numbers are disappointingly as drivers have been notified about the course requirement several times and been sent several reminders the deadline of March 2021 was disrupted by the Pandemic. Many drivers have a habit of leaving things to the last minute and in this case the last minute was a year into the Pandemic which effectively cut the three year time to complete the course down to two years.
- 2.10 As previous Committee reports relate the course itself is not a difficult one to complete and the majority of those who have completed have done so with ease, and some drivers and operators have given positive feedback saying how surprised they were with how useful they found the course.
- 2.11 Consequently it is felt that a year's extension (from the date of committee) would be reasonable and a new deadline for the course completion to be set at 5th of October 2022.

3.0 The Euro Emissions Standards for Private Hire Vehicles

- 3.1 Many Licensing Authorities in the UK have a system in place to ensure that older vehicles (which may not be suitable or safe to carry passengers) are phased out. In a number of authorities this manifests itself as an age limit with vehicles ages only being licenced until they are a certain age before having to be replaced.
- 3.2 Nationally these age limits vary from three years to as high as ten years meaning that once a vehicle gets to three to ten years in age (depending on the authority) it must be replaced with a newer vehicle.
- 3.3 **Surrey Heath** – vehicles must be no older than three years when first licenced, and will only be licenced up until they are ten years old.
Waverley - vehicles must be no older than four years when first licenced, and will only be licenced up until they are ten years old.
Guildford - vehicles must be no older than five years when first licenced, and will only be licenced up until they are ten years old.
Spelthorne – vehicles will not be licenced that are older than ten years.
Mole Valley – vehicles must be no older than six years when first licenced, and will only be licenced up until they are nine years old.
Epsom and Ewell – vehicles will not be licenced that are old than six years.
Reigate and Banstead – vehicles must be no older than seven years when first licenced, and will only be licenced up until they are nine years old.
Elmbridge – new policy comes into force December 2021, will only issue licences to vehicles that are ULEV or Euro 6.
- 3.4 In contrast, Woking's Policy of requiring vehicles to meet a Euro Emissions criteria is considerably more accessible with regard to vehicle age.

Proposal for the Extension of Deadlines Relating to Hackney Carriage and Private Hire Licensing following the Covid-19 Pandemic

- 3.5 From 1st April 2008 the lower and upper age restrictions were removed. However, in order to be licensed all (non-exempt) vehicles were required to meet or exceed the Euro Emissions standards.
- 3.6 Euro VI (six) is to be applied to manufacturers from September 2014 and will therefore apply to new and renewal vehicles presented to Woking Borough Council from 8 January 2018. NCAP standard will remain at a minimum of five (5*) which is the maximum achievable at this time but may be improved upon with notice.
- 3.7 The current policy requires vehicles to be Euro Emissions 5 in order to be licenced. The Euro Emissions 5 Standard for vehicles was announced in September 2009, and became a legal requirement for vehicle manufacturers in January 2011. Consequently it has been possible for Private Hire Drivers to use vehicles that are much older and therefore cheaper in order to be licenced. We currently have at least fifty one vehicles that are between eleven and fifteen years old (our oldest currently licenced vehicle being fifteen years and five months old)
- 3.8 Euro Emissions Six standards was announced in September 2014, and became a legal requirement for all vehicle manufacturers in September 2015, meaning that all cars produced from September 2015 onwards must be Euro Emissions 6. As with Euro Emissions 5, though, many manufacturers started producing Euro Emissions 6 cars well in advance of the deadline, and it is possible to get a car that meets the Euro Emissions 6 criteria that is older than six years in age.
- 3.9 Initially Woking's policy required its licenced vehicles to meet the Euro Emissions 6 requirement by 8 January 2018, however, after discussion with the trade it was agreed to extend this to allow them to get extra time out of their Euro Emissions 5 vehicles and the deadline for this has already been extended until 22nd January 2022. This is the current deadline in place by which vehicles that are not Euro 6 will be licenced to. .
- 3.10 As many of Woking's Private Hire Vehicles are advancing in age resulting in us having some of the oldest vehicles in Surrey it is important that if we do allow an extension to the Euro Emissions Six requirement we do not extend it further than needs be.
- 3.11 Aside from the benefits to Woking meeting its Climate Emergency requirements, enforcing drivers to meet these Euro Emissions 6 requirements is also of benefit to them. With many towns and cities around the UK introducing "Ultra Low Emissions Zones" including London the need for these drivers to improve their vehicles is of paramount importance. Driving a vehicle that does not meet London's ULEZ requirements can result in substantial financial penalties. Many drivers in the Woking area rely on the airport jobs (transporting and collecting passengers from the transport hubs such as Gatwick and Heathrow Airports) and may not be aware of the ULEZ zones.
- 3.12 It is therefore proposed that we only extend the Euro Emissions 6 deadline by a one year, bringing the final deadline to 22nd January 2023.

4.0 The ULEV Standards and Wheelchair Accessibility standards for Hackney Carriage Vehicles

- 4.1 It is also proposed to look at extending the ULEV Deadline for Hackney Carriages following the changes that were brought in during 2020, however we are awaiting further discussion on this matter and will hopefully bring it in to the next Licensing Committee meeting in January. The current deadline for the ULEV Policy is 31 March 2022 so a decision can be made prior to that date.

Proposal for the Extension of Deadlines Relating to Hackney Carriage and Private Hire Licensing following the Covid-19 Pandemic

4.2 This should be noted so that Committee members are aware of the potential changes we will be proposing, and are aware that we have not intentionally omitted any possible assistance to Hackney Carriage Drivers.

5.0 Proposed extension dates in summary

5.1 To give drivers a further year to complete the Academic Course, advancing the deadline from 31st March 2021 to **5th October 2022**.

5.2 To give the Private Hire Drivers a further year to ensure their vehicles meet the Euro Emissions Six requirements from 22nd January 2022 to **22nd January 2023**.

6.0 Implications

Finance and Risk

6.1 No implications anticipated.

Equalities and Human Resources

6.2 No implications anticipated.

Legal

6.3 Legal Services have been consulted on this report.

REPORT ENDS