

# COMMITTEE Report

**11/06/25**

**REVIEW OF HACKNEY CARRIAGE  
AND PRIVATE HIRE POLICY 2022**

# REGULATORY SERVICES COMMITTEE (WEDNESDAY 11 JUNE)

## PART I

### Review of Hackney Carriage and Private Hire Policy 2022

#### *Following updated guidance / changes to vehicle emissions and age*

#### **(DoF)**

## **1 Summary**

- 1.1 The current Hackney Carriage and Private Hire Policy 2022 ("the policy") is scheduled for its three-year review.
- 1.2 The Policy is in place to assist officers in carrying out its regulatory duties under the Local Government (Miscellaneous Provisions) Act 1976 and Town and Police Clauses Act 147. The Policy is available to applicants, drivers and operators as well as proprietors to assist them with the application processes and what they can expect from the service. It also contains important information relating to the conditions and requirements of Hackney Carriage and private hire drivers, licenced vehicles and operators. It remains a valuable tool for officers in determining taxi licensing applications and dealing with enforcement related matters.
- 1.3 In reviewing the Policy officers have sought to include updated guidance from the Department for Transport (DfT), statutory guidance and changes to vehicle emissions and age criteria, previously discussed at CMT and JLT in 2023 following guidance from Hertfordshire Climate Change & Sustainability Partnership (HCCSP). Another change is the potential use of saloon vehicles for Hackney Carriage purposes, rather than the sole use of 'Black Cabs'. The review also includes other minor amendments to the Policy.
- 1.4 The changes proposed are to form part of a public consultation with key stakeholders and the local taxi trade to enable officers the ability to consider the implications of the changes or whether other changes should be considered.
- 1.5 This report therefore seeks Member support to commence a public consultation on the changes. A review of the consultations received will then be discussed at a Regulatory Services Committee later in the year (see timetable below at 2.22).

## **2 Details**

- 2.1 The Policy in its current form (**Appendix 1**) has been a vital tool for officers to ensure that the trade and public are safeguarded from harm and to assist decisions when seeking to suspend, refuse or revoke licenced drivers.
- 2.2 The proposed changes to the Policy are set out below:

#### ***Updated guidance from DfT:***

- 2.3 The Policy in its current form already incorporates the majority of the updated guidance. The key changes to the Policy include:
  - **Section 20** - The DfT guidance is clear on the necessity of enforcement to maintain high standards of public safety. All enforcement schemes need to be proportionate and transparent

- **Appendix 3 - Standard conditions and Byelaws relating to Hackney Carriage Driver Licences** – Removed the requirement to have a working fire extinguisher as licensees are encouraged not to tackle a fire and to call the fire service.
- **Appendix 4 - Requirements relating to Hackney Carriage and private hire vehicles** - Cap on mileage of vehicle of 150,000 miles maximum
- **Appendix 9 - Conditions relating to a private hire operator** – part 22.1 - The Operator must view a basic DBS certificate (dated within one month of the check) of any staff that have access to booking records or dispatch vehicles.
- **Part 12.1** Operators must ensure that the operator base is smoke-free and that if they allow staff, drivers or members of public smoke inside the premises the licence private hire operator would be liable for further action.
- **Part 13 Basic disclosure check**  
An annual basic disclosure certificate will be required from any person named on the Operator licence. This certificate will be due on or before expiry of the previous year's certificate. Failure to submit a new basic disclosure certificate before the check date will result in a suspension being issued on the licence.

***Updated statutory guidance:***

- 2.4 The statutory taxi and private hire vehicle standards were updated in November 2022 and highlighted that there is evidence to support the view that taxis and private hire vehicles are a high-risk environment and links between the taxi trade and child sexual abuse and exploitation have been established in many areas and other investigations continue.
- 2.5 The guidance emphasises that each licensing authority makes publicly available a policy document that brings together all their procedures on taxi and private hire vehicle licensing; including policies on convictions, a fit and proper person test, licence conditions and vehicle standards.
- 2.6 The guidance also emphasises the importance of the subscription to the DBS update service. It should be noted that the Licensing Authority already adopts the update service.
- 2.7 The guidance also states that licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence.
- 2.8 The Licensing Authority has through regular updates met the statutory guidance and has for many years made the Policy publicly available and will continue to do so.

***Change to vehicle emissions and age criteria:***

- 2.9 HCCSP recognised the need for ambition and consistency in licensed vehicle emissions as part of the county's commitment to protecting the environment, and as part of a contribution towards a phasing out of petrol and diesel car sales. It is therefore sought that all Hertfordshire licensing authorities adopt a consistent standard for both first application and renewal applications for vehicle licences.
- 2.10 HCCSP initially proposed a 'Boilerplate Policy' (**Appendix 2**) which provided suggestions as to what changes could be made to greater align authorities across Hertfordshire. These suggestions and shown side by side with our current policy below.

	Current TRDC Policy		Proposed Boilerplate Policy by HCCSP	
	Age	Emissions	Age	Emissions
<b>New applications</b>	Less than 7 years old If older than 10 years, subject to 3 compliance tests each year.	Euro 5	<b>Less than 5 years old</b>	<b>Euro 6</b>
<b>Renewals</b>	Less than 7 years old If older than 10 years, subject to 3 compliance tests each year.	Euro 5	<b>Less than 10 years old</b>	<b>Euro 6</b>

2.11 Through past discussions it was agreed that the drivers of licenced vehicles would need greater time to meet Euro 6 standards when **renewing private hire vehicles**, with at least a 12-18 month notice period to cover the required consultation and appropriate transitional periods for drivers. There were also concerns that drivers of Hackney Carriage vehicles would need even greater time to meet Euro 6 standards and be no older than 10 years old when renewing their vehicles. It was considered that all **new vehicle applications**, both Hackey Carriage and private hire, could be applied far sooner, i.e. April 2026.

2.12 Following a further review by officers, it is proposed that the following measures could be applied for all Hackey Carriage and private hire vehicles, subject to a full public consultation and review at Regulatory Services Committee later this year:

Suggestions for consultation:

**Emissions:** Must meet or exceed Euro 6 emission standards

	Date effective:
New Applications	1 April 2026
Renewals	1 April 2028

**Age:** Must meet the following:

	Date effective:
New Applications	Vehicle licences will not be granted in respect of vehicles that were first registered (or, in the case of imported vehicles, manufactured) more than <b>5 years prior</b> to the date that the application is made.
Renewals	Vehicle licences will not be renewed in respect of any licensed vehicle that was first registered (or, in the case of imported vehicles, manufactured) more than <b>10 years prior to the date of renewal (or 12 years</b> in the case of purpose-built or fully wheelchair accessible vehicles).

2.13 The above age criteria will also be subject to an 'exceptional condition criteria' to enable a degree of flexibility, subject to individual circumstances. This would include the following requirements:

- 1) The vehicle must not have failed the council's vehicle inspection (where applicable) or standard MOT on any significant item within the previous five years.

- 2) In the previous 5 years any MOT advisory in relation to tyres or brakes has been rectified before the vehicle was retested.
  - 3) The vehicle meets or exceeds the vehicle standards contained within the local authority's policy in relation to vehicle condition.
  - 4) The interior trim, panels, seating and carpets and upholstery are in excellent condition, clean and free from damage and discolouration.
  - 5) The boot or luggage compartment is in good condition, clean and undamaged.
  - 6) Passenger areas are free from damp and any unpleasant odours.
- 2.14 Items 1 & 2 above will only apply for the period the vehicle has been owned by the applicant. Vehicle proprietors should have regard to the MOT history of a vehicle they wish to purchase as it is an indication of how well a vehicle has been maintained by the previous owner and whether there is likely to be significant issues going forward.

Possible implications / considerations?

- 2.15 It is recognised that for the renewal of vehicle licences, drivers will, in some cases, have to purchase new vehicles in the future which will have significant cost implications. As such, for renewals it is proposed that Euro 6 compliant vehicles will not come into effect until April 2028, therefore allowing a sufficient transitional period.
- 2.16 As it stands Three Rivers licences **194 private hire vehicles**. Out of this total, **169** vehicles already meet Euro 6 standards, **25** are below Euro 6 meaning these vehicles would fail to meet the Euro 6 standard if the changes were adopted now.
- 2.17 For Hackney Carriages, out of the **6 licenced vehicles**, **5** are Euro 6 compliant while the remaining **1** is Euro 5 (which is now at the time of reporting 12 years old).
- 2.18 Officers agree that new vehicles for Hackney Carriage and private hire should be required to comply with Euro 6 from April 2026 and it is likely that the majority of vehicles entering the trade for the first time are likely to already meet this standard.
- 2.19 When considering the national drop in taxi drivers and licenced vehicles, it is recognised that imposing new emission/age standards on vehicles may further decrease the local trade further. In respect of Hackney Carriages drivers, officers are already aware that there is local concern that there is a shortage of drivers or willingness to become a driver and a lack of ranks. As a result, a proposed measure put forward by officers is to relax the current vehicle requirements for Hackney Carriages to allow for **saloon vehicles**, whereas currently Hackney Carriage vehicles in Three Rivers must be a purpose-built Hackney Carriage (i.e. black cab) and are all fully wheelchair accessible. The proposed measure means that it would be possible that Hackney Carriage drivers would be able to purchase a less expensive vehicle which is also not wheelchair compliant. Given the concerns over wheelchair accessibility, the limited number of ranks and to not flood the black cab trade, **a cap will be applied, on a first come first serve basis for up to 3 saloon vehicles**.
- 2.20 If the proposed measures are encouraged by the trade, officers will look to adopt them as well as press ahead to look for additional taxi ranks across the district in consultation with Hertfordshire County Council and parking services at TRDC.
- 2.21 As no funding for electric vehicles currently exists, no changes to the Policy are proposed at the current time to promote electric vehicles or introduce a lower vehicle fee to encourage more electric vehicles. However, views of the trade will be sought on this.
- 2.22 The following sets out a work programme for officers to follow in the coming months:

<b>Regulatory Services Committee</b>	<b>Seek member agreement to consult on changes to the Policy.</b>	<b>11 June 2025</b>
Public consultation	Seek views of the trade and relevant bodies / agencies.	June to August
Officers to review public consultation and provide feedback at CMT/JLT	Officer to consider whether to make changes to draft policy.	September 2025
Extraordinary Regulatory Services Committee / or December Regulatory Services Committee	Officers to report back and recommend changes following public consultation and seek adoption of the Policy.	October / December 2025
Full Council	Adoption of the Policy	December 2025

2.23 The changes to the Policy are set out within **Appendix 3**.

### **3 Options and Reasons for Recommendations**

3.1 Following discussion at Committee, there are three options available for Members:

**Option 1:** *Authorise officers to commence a public consultation on the proposed changes to the Policy. Following the expiry of the consultation for the Policy to be brought back to a future Regulatory Services Committee for agreement before adoption at Full Council.*

**Option 2:** Authorise officers to make further changes on the Policy and return to a future Regulatory Services Committee.

**Option 3:** Decide not to adopt the amended Policy.

3.2 Officers recommend that Members adopt Option 1 so the changes to the Policy can be consulted upon and discussed with the trade, thus allowing suitable time to review the responses before considering whether to implement the changes proposed.

### **4 Policy/Budget Reference and Implications**

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

4.2 No performance indicators are affected by the changes.

### **5 Financial Implications**

5.1 It is anticipated that there may be some financial implications from imposing further emission and age restrictions on vehicles, such as a drop in the number of annual renewals and new vehicle licences being submitted. However, at the current time officers are simply proposing the changes and wish to seek the views of the trade first.

5.2 As highlighted above, significant transitional arrangements are proposed to prevent licenced drivers from having to pay out for new vehicles which meet the emission and age requirements when renewing. In addition, the relaxation regarding the use of saloon vehicles as Hackney Carriage purposes is an attempt to boost numbers in order to assist officers with finding new taxi ranks across the district, in consultation with the taxi trade.

5.3 Therefore, it is possible that the changes, if adopted at a later date, could result in a further drop in licenced vehicles, as well as having a knock-on effect on the number of licenced drivers.

5.4 Notwithstanding the above, it is unlikely that the changes would have a significant impact on the volume of applications received, noting that other factors such as the cost of obtaining a licence would still be the primary reason why customers do not wish to renew with the council.

## **6 Legal Implications**

6.1 No legal implications.

6.2 Whilst there is no express statutory requirement for a Licensing Authority to produce a local policy regulating Hackney Carriage and Private Hire, the need to have one arises from public administrative law to enable the Licensing Authority to establish the rationality of its decision-making. Over recent years this Licensing Authority has recognised national best practice to establish and enforce measures to primarily ensure public safety. There is no set statutory timescale to review the Policy, however, local authorities have been strongly advised by the Department of Transport (DfT) to review its policy at least every three years.

6.3 Any public consultation should be consulted on for a minimum of 6 weeks, although best practice suggests 12 weeks.

## **7 Equal Opportunities Implications**

7.1 A Short Equality Impact Assessment (EIA) is attached at **Appendix 4**.

7.2 The assessment accepted that the changes could have an impact on the trade, in terms of availability of wheelchair compliant vehicles; however, mitigation would be built into the Policy to ensure that any impacts are suitably reduced, such as capping the use of saloon vehicles and ensuring transitional arrangements are in place for changes to age and emission standards.

## **8 Staffing Implications**

8.1 There are no staffing implications which would arise from this report.

## **9 Environmental Implications**

9.1 The changes to the emission and age of licenced vehicles seek to tie in with the Hertfordshire Climate Change & Sustainability Partnership (HCCSP) Boilerplate Policy. The Boilerplate Policy seeks greater alignment across Hertfordshire.

9.2 The changes align with the [Corporate Framework 2023-2026](#) which seeks to “take action to mitigate and adapt to the climate emergency” and by reducing emissions this would be a positive step. In addition, the [Council's Climate Emergency & Sustainability Strategy](#) sets out that the council will ‘develop a county wide programme that supports a transition to low-carbon private hire vehicles and taxis.’

9.3 Consequently, the changes would align with the council's strategic aims to ‘achieve net carbon zero and be climate resilient.

## **10 Community Safety Implications**

10.1 There are no community safety impacts which would arise from this report.

10.2 The Policy continues to safeguard the public through the assessment of whether licenced drivers are ‘fit and proper’ to hold a licence with the council.

## **11 Public Health implications**

11.1 There are no public health implications which would arise from this report.

## 12 Customer Services Centre Implications

12.1 The Customer Service Centre will be advised on any public consultation and to sign post customers to our website, 'Have your say' function.

## 13 Communications and Website Implications

13.1 The council's Digital Team will be made aware of the Policy consultation and discussions with take place about how best the consultation can be aimed at encouraging the trade to comment / participate in any future in person events with officers.

## 14 Risk and Health & Safety Implications

14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

14.2 The subject of this report is covered by the Regulatory Services service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response (tolerate, treat, terminate, transfer)	Risk Rating (combination of likelihood and impact)
<b>Reduction in income</b> – lower volume of taxi licence applications	Income reduced which may reduce licensing budget	Officers seek to introduce transitional arrangements to avoid changes taking effect immediately.	Tolerate	2
<b>Decide not to adopt the amended Policy</b>	Updated statutory guidance and best practice not incorporated into Policy. Attempts to improve emission standards delayed.	Officers would recommend against this option.	Tolerate	2

14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> <small>Very High Likelihood (≥80%)</small> <b>Likelihood</b> <small>Very Low Likelihood (≤5%)</small> <b>Remote</b>	<b>Low</b> <b>4</b>	<b>High</b> <b>8</b>	<b>Very High</b> <b>12</b>	<b>Very High</b> <b>16</b>
	<b>Low</b> <b>3</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>9</b>	<b>Very High</b> <b>12</b>
	<b>Low</b> <b>2</b>	<b>Low</b> <b>4</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>8</b>
	<b>Low</b> <b>1</b>	<b>Low</b> <b>2</b>	<b>Low</b> <b>3</b>	<b>Low</b> <b>4</b>
	<b>Impact</b> <b>Low</b> -----> <b>Unacceptable</b>			

#### Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

#### Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

- 14.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

## 15 Recommendation

- 15.1 That Members:

***Authorise officers to commence a public consultation on the proposed changes to the Policy. Following the expiry of the consultation for the Policy to be brought back to a future Regulatory Services Committee for agreement before adoption at Full Council.***

That public access to the report be immediate.

That public access to the decision be immediate.

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## Background Papers

## APPENDICES

**Appendix 1:** Hackney Carriage and Private Hire Policy 2022

**Appendix 2:** HCCSP 'Boilerplate Policy'

**Appendix 3:** Track change version of amended Policy

**Appendix 4:** Short Equality Impact Assessment

