

**Cheltenham Borough Council  
Cabinet – 13<sup>th</sup> September 2022**

**Licensed vehicle emission and wheelchair accessibility policy**

<b>Accountable member</b>	<b>Cllr. Martin Horwood, Cabinet Member Customer and Regulatory Services</b>
<b>Accountable officer</b>	<b>Louis Krog, Head of Public Protection</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key/Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	<p>In September 2021, the Leader made a decision to postpone the implementation of the authority's requirement imposing a 100% wheelchair accessible licensed fleet for licensed taxis.</p> <p>In March 2022, the authority consulted on a draft "Licensed vehicle emission and wheelchair accessibility policy". This draft policy set out the authority's approach to implementing a carbon neutral licensed fleet by 2030.</p> <p>This report updates Cabinet on the outcome of the consultation and sets out the next steps.</p>
<b>Recommendations</b>	<p><b>Cabinet is recommended to:</b></p> <ol style="list-style-type: none"><li><b>1. Following consultation and engagement adopt the policy sections outlined in paragraphs 3.3.1 to 3.3.3 of Appendix 3 with immediate effect</b></li><li><b>2. Note the next steps and further consultation as outlined in paragraph 3.2 of the report.</b></li></ol>

<b>Financial implications</b>	<p>None arising directly from this report.</p> <p><b>Contact officer: Andrew Taylor, <a href="mailto:Andrew.Taylor@cheltenham.gov.uk">Andrew.Taylor@cheltenham.gov.uk</a></b></p>
<b>Legal implications</b>	<p>The Climate Change Act 2008 places national targets on the reduction of emissions by 2050. The Council has powers to do anything an individual could, under the power of general competence in the Localism Act 2011. This includes taking steps to reduce Council emissions, which contribute to the local and national targets.</p> <p><b>Contact officer: One Legal, <a href="mailto:legalservices@onelegal.org.uk">legalservices@onelegal.org.uk</a>, 01684 272 691</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>None arising directly from this report.</p> <p><b>Contact officer: Clare Jones, HR Business Partner, <a href="mailto:clare.jones@publicagroup.uk">clare.jones@publicagroup.uk</a></b></p>
<b>Key risks</b>	Risk assessment in Appendix 1.
<b>Corporate and community plan Implications</b>	None arising directly from this report.
<b>Environmental and climate change implications</b>	<p>Cheltenham Borough Council (“authority”) has declared a 'Climate Emergency' and committed to become a net zero carbon council and borough by 2030. In September 2021, the Cabinet Member Customer &amp; Regulatory Services announced the authority’s ambition to transition its licensed Hackney Carriage fleet to a fully carbon neutral fleet.</p> <p>In addition, the authority’s draft Air Quality Action Plan sets out a number of actions, specifically relating to licensed vehicles, that seeks to implement a range of measures to improve emissions from licensed vehicles.</p> <p>This policy implements these plans and strategies.</p>
<b>Property/Asset Implications</b>	None arising directly from this report.

## 1. Background

- 1.1 In September 2021, the Leader of the Council, in consultation with the Chief Executive, made a decision to postpone the implementation of the authority’s requirement imposing a 100% wheelchair accessible licensed fleet for licensed taxis. This decision followed a petition from the licensed trade to review the mandatory wheelchair accessible licensed vehicle policy.
- 1.2 The September decision was also substantially influenced by the Cabinet Member for Customer and Regulatory Services’ ambition to transition the licensed fleet to a carbon neutral, wheelchair accessible fleet by 2030.
- 1.3 In March 2022, the authority consulted on a draft “Licensed vehicle emission and wheelchair accessibility policy”. This draft policy set out the authority’s approach to implementing a carbon neutral licensed fleet by 2030.
- 1.4 This report updates Cabinet on the outcome of the consultation and sets out the next steps.

## 2. Draft Licensed Vehicle Emission and Wheelchair Accessibility Policy

- 2.1 A copy of the draft Licensed vehicle emission and wheelchair accessibility policy is attached at Appendix 2 of this report. This policy sets out the authority’s approach to implementing a carbon neutral licensed fleet by 2030.
- 2.2 The proposed approach is summarised in the tables below:

### Hackney Carriage Vehicles

Euro Emission Standards	Replacement Date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 or 4 Standards	Must be replaced on 2023 renewal date	Must be replaced with: <ul style="list-style-type: none"> <li>- silver WAV manufactured to Euro 6;</li> <li>- carbon neutral WAV; or</li> <li>- Euro 6 plug-in hybrid WAV.</li> </ul>
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with carbon neutral WAV on renewal 2028.
Non-wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Must be replaced on 2026 renewal date in accordance with the requirements set out in paragraph 1.6 of the draft policy at Appendix 2.	By the dates specified, licensed vehicles manufactured to Euro 5 emission standards must be replaced with fully carbon neutral wheelchair accessible vehicles
Non-wheelchair accessible vehicles manufactured to Euro 6	Must be replaced on 2027 renewal date in accordance with	By the dates specified, licensed vehicles manufactured to Euro 6 emission standards must be replaced

standards	the requirements set out in paragraph 1.6 of the draft policy at Appendix 2.	with fully carbon neutral wheelchair accessible vehicles
Wheelchair accessible vehicles manufactured to Euro 5 or 6 standards	Will continue to be licensed in accordance with circumstances prior to mandatory WAV policy cancellation.	<b>WAVs adapted</b> 10 years from the date first licensed but with a maximum permitted licensing period of 2030; or <b>Purpose built WAVs</b> 14 years from the date first licensed but with a maximum permitted licensing period of 2030.  Wheelchair accessible vehicles can only be replaced with another wheelchair accessible vehicle.

### Private Hire Vehicles

Euro Emission Standards	Licence date	Replacement Requirement
Licensed vehicles manufactured to Euro 3 and 4 standards	Must be replaced on 2023 renewal date	<ul style="list-style-type: none"> <li>- A petrol vehicle manufactured to at least Euro 6 Emission Standards;</li> <li>- A Euro 6 plug-in hybrid; or</li> <li>- A fully carbon neutral vehicle</li> </ul>
		Euro 6 WAV/ plug-in hybrid replacement (above) to be replaced with fully carbon neutral WAV on renewal 2028.
Licensed vehicles manufactured to Euro 5 Standards	Must be replaced on 2025 renewal date	<ul style="list-style-type: none"> <li>- A petrol vehicle manufactured to at least Euro 6 Emission Standards;</li> <li>- A Euro 6 plug-in hybrid; or</li> <li>- A fully carbon neutral vehicle</li> </ul>

**2.3** A summary of consultation feedback is attached at Appendix 3 of this report.

**2.4** The main points arising from the feedback are:

**2.4.1** Broad support for the 2030 date;

**2.4.2** The current cost of carbon neutral, wheelchair accessible vehicles;

**2.4.3** The current economic climate and the legacy issues associated with Covid making trading challenging for the licensed trade;

**2.4.4** The fact that the authority should adopt a mixed, carbon neutral fleet rather than focussing

exclusively on wheelchair accessible vehicles;

**2.4.5** Support for implementing a carbon neutral requirement for new licensed vehicles earlier than 2030; and

**2.4.6** Lack of charging infrastructure.

### **3. Reasons for recommendations**

**3.1** The current rules require clarification particularly in relation to licenced vehicle replacements. At the moment, it is still possible for licensed Hackney Carriages to be replaced on a like-for-like basis.

**3.2** The proposed policy changes are necessary to ensure that people with a range of disabilities have access to an accessible licensed fleet;

**3.3** To ensure the authority continues to maintain momentum regarding its ambition to be carbon neutral by 2030;

**3.4** To provide clarity to the licensed trade on a number of issues that were subject to the policy consultation; and

**3.5** To ensure the authority's licensing policies remain effective and relevant.

### **4. Next steps**

**4.1** From the consultation feedback, certain sections of the draft policy require further work to gain a clearer understanding of the issues raised. The authority has therefore launched a further, more focussed, consultation to gain a clearer understanding of these issues. The further consultation is seeking views from people with disabilities and their experiences of using Cheltenham licensed vehicles.

**4.2** A further report will be brought to Cabinet at the conclusion of this consultation and the implications for the wider policy.

**4.3** There are certain sections of the draft policy, at Appendix 2, that Cabinet is asked to approve in the interim. These sections of the policy address more urgent matters as outlined below:

**4.3.1** Sections 1.2 to 1.4 that will phase out the small number of Euro 3 & 4 licensed taxis by 2023;

**4.3.2** Sections 1.10 to 1.11 that will clarify the "Exceptional Circumstances" policy;

**4.3.3** Sections 2.3 to 2.4 that will phase out the small number of Euro 3 & 4 licensed private hire vehicles by 2023.

### **5. Alternative options considered**

**5.1** Cabinet can resolve not to approve the draft policy as outlined in this report. However, the consequence of doing so will mean continued uncertainty around the authority's approach and policies for the licensed trade, officers and service users.

### **6. Consultation and feedback**

**6.1** As outlined in the report.

### **7. Performance management –monitoring and review**

7.1 Not applicable.

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<b>Appendices</b>	<ol style="list-style-type: none"><li>1. Risk Assessment</li><li>2. Draft Licensed Vehicle Emission and Wheelchair Accessibility Policy</li><li>3. Consultation Responses</li><li>4. Climate Change Impact Assessment</li></ol>
<b>Background information</b>	<ol style="list-style-type: none"><li>1. <a href="#">Urgent Decision on the Implementation of the Taxi Wheelchair Accessible Vehicle Policy</a></li><li>2. <a href="#">Survey of disabled people's experiences of using licensed taxis in Cheltenham</a></li></ol>

## Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	If Cabinet does not resolve to adopt the policy, the policy direction will remain unclear and uncertain for the licensed trade.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	
	If Cabinet does not resolve to adopt the policy it risks jeopardising aspects of the authority's ambition to commitment to be carbon neutral by 2030.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	
	If Cabinet does not resolve to adopt the policy, there is a risk that people with disabilities will could be disadvantaged if fewer vehicles are licensed or replaced as wheelchair accessible.	Head of Public Protection	August 2022	2	3	6	Accept	Adopt recommendations	