Classification Open / Closed	Item No.

Meeting:	Licensing and Safety Committee
Meeting date:	5 November 2026 - Licensing and Safety Committee 11 November 2026 - Full Council
Title of report:	Amendment of transitional arrangements for existing Hackney Carriage and Private Hire vehicles in respect of age policy.
Report by:	Executive Director (Corporate Core)
Decision Type:	Council
Ward(s) to which report relates	All

Executive Summary

1. This report seeks approval to amend the Council's current transitional arrangements relating to age policy for existing licensed private hire vehicles.

2. The Council previously approved transitional arrangements allowing vehicle proprietors operating non-compliant private hire vehicles additional time to replace those vehicles with compliant alternatives. The current arrangements require vehicle proprietors to replace non-compliant vehicles by 4 January 2027.

3. In developing the recommendation, officers considered a range of alternative options, including maintaining the existing compliance deadline and introducing a shorter extension period. Following assessment of the available evidence, funding timescales and likely impact on affected vehicle proprietors, officers consider the recommended option represents the most proportionate means of achieving compliance whilst supporting the licensed trade and maintaining the Council's air quality objectives.

Alternative Options

4. Maintain existing 4 January 2027 deadline and do not make any changes to policy.

5. Extend transitional period for a shorter period of time.

Recommended Options

6. It is recommended that the Licensing and Safety Committee considers and adopts the following amendment to the existing Age Policy compliance arrangements and recommends approval by Full Council:

7. For existing proprietors of licensed private hire vehicles which do not meet the Council's adopted age policy:

   - To permit a vehicle proprietor whose private hire vehicle licence falls due for renewal after 4 January 2027 and whose vehicle does not meet the required age policy to apply to renew that vehicle licence. Where the vehicle successfully passes the Council's compliance testing requirements, a vehicle licence may be granted subject to a condition requiring the vehicle to be removed from service and replaced with a compliant vehicle no later than 31 May 2027.
   - To delegate authority to the Head of Public Protection, Licensing Unit Manager and/or Deputy Licensing Officer to take appropriate enforcement action, including suspension, revocation or refusal to renew a licence, where a proprietor fails to comply with the condition requiring replacement of a non-compliant vehicle by 31 May 2027, having regard to the circumstances of each individual case and the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976.

8. To recommend the proposed amendment to Full Council for approval.

Reasons for Recommendation(s)

9. The extension will support affected vehicle proprietors in achieving compliance with the Council's adopted age policy whilst maintaining the Council's commitment to improving standards in the Private Hire Fleet.

Key considerations

10. This is a Council Function that is delegated to the Licensing and Safety Committee by the Council's Constitution. This paper is in the public domain.

Community impact / Contribution to the Bury 2030 Strategy

11. The proposals support the Council's commitment to improving the standards of the private hire fleet by the replacement of older non-compliant vehicles with younger, cleaner and more environmentally sustainable alternatives.

12. The proposal does not alter the Council's adopted age policy but extends the transitional period to allow affected proprietors a reasonable opportunity to obtain a younger compliant vehicle.

13. The proposal contributes to the Council's environmental objectives by supporting the continued delivery of cleaner transport services and younger vehicles from licensed vehicles operating throughout the borough.

Equality Impact and considerations:

14. Under Section 149 of the Equality Act 2010, the Council must have due regard to the need to:

    - Eliminate discrimination, harassment and victimisation.
    - Advance equality of opportunity between persons who share a protected characteristic and those who do not.
    - Foster good relations between persons who share a protected characteristic and those who do not.

15. Officers have considered the Public Sector Equality Duty and reviewed the Equality Impact Assessment undertaken when the original policy was adopted.

16. The proposed amendment extends an existing transitional arrangement and is not expected to create any disproportionate adverse impact on persons sharing protected characteristics. The proposal may have a positive impact by increasing opportunities for affected licence holders to access external funding to support vehicle replacement.

17. Officers are satisfied that the amendment does not introduce any material change requiring a further Equality Impact Assessment at this stage. Officers have considered the Public Sector Equality Duty under section 149 Equality Act 2010. The proposal is not expected to have a disproportionate adverse effect on persons with protected characteristics. The extension may provide a positive benefit to affected licence holders by increasing the opportunity to purchase a compliant vehicle and comply with licensing requirements. Officers previously completed and have reviewed the Equality Impact Assessment for the original policy and no adverse impacts are noted.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Opportunity: The proposal will allow eligible proprietors additional time to purchase a compliant vehicle and replace non-compliant vehicles.	The proposed extension aligns the compliance deadline of the non-compliant emission standard vehicles that has been extended until the 31 May 2027. This will be reported to

	full Council on the 11 November 2026.
Risk: Potential challenge to the Council's decision-making process.	The report sets out a clear evidence base, legitimate policy objectives and a proportionate approach to achieving compliance, reducing the likelihood of successful challenge.
Officers will continue to monitor vehicle compliance rates throughout the transitional period.	

Consultation:

18. The matter was discussed with representatives of the licensed trade through the Trade Liaison Group on 7 September 2026. Trade representatives expressed concerns regarding the proximity of the current compliance deadline and the practical difficulties associated with obtaining replacement vehicles.

19. Officers have considered these representations in preparing this report.

Legal Implications:

20. The Council has powers under the Local Government (Miscellaneous Provisions) Act 1976 to licence private hire vehicles and attach conditions to vehicle licences where considered appropriate and reasonably necessary.

21. The proposed amendment affects approximately 10 vehicles, representing around 1.4% of the licensed private hire fleet. Officers consider that the limited scale of the proposal, together with the retention of a fixed final compliance date, demonstrates that the measure is proportionate and does not undermine the Council's wider policy objectives.

22. The proposed amendment does not remove or weaken the Council's adopted age policy. Instead, it provides a temporary extension to the existing transitional arrangements previously approved by Full Council to facilitate compliance with those standards.

23. The Council must exercise its licensing functions reasonably, proportionately and in accordance with public law principles. Officers consider the proposed amendment to be proportionate having regard to:

    - The relatively small number of affected vehicles. Current records identify 10 non-compliant private hire vehicles operating under the transitional arrangements.
    - The Council's continuing commitment to improving vehicle standards.

24. Members are advised that vehicle licences may constitute possessions for the purposes of Article 1 of the First Protocol of the European Convention on Human Rights. Any interference with those rights must pursue a legitimate aim and be proportionate. Officers are satisfied that the proposed arrangements meet these requirements.

25. Where enforcement action becomes necessary following 31 May 2027, each case will be considered on its individual merits and in accordance with the Council's adopted enforcement policies and statutory powers.

26. Officers consider that the proposal strikes an appropriate balance between the public interest in maintaining vehicle standards and environmental objectives, and the legitimate interests of existing licence holders in securing a reasonable opportunity to comply

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Financial Implications:

27. The licensing regime is self-funded through the fees and charges levied by the Council. The proposals contained within this report do not give rise to any direct financial implications for the Council. The availability of external grant funding may assist vehicle proprietors in achieving compliance and reduce financial pressures within the licensed trade.

28. The proposal may assist in maintaining the viability of local licensed businesses by reducing immediate replacement costs and supporting continued participation within the Bury licensed trade.

29. The proposal may also reduce the risk of vehicle proprietors seeking licences in neighbouring authorities where different implementation arrangements may apply.

Report Author and Contact Details:
Mr M Bridge
Licensing Office
3 Knowsley Place
Duke Street
Bury
Telephone No: 0161 253 5209
Email: m.bridge@bury.gov.uk

Background papers:

Licensing and Safety Committee report and Minutes - 5 June 2025

Full Council Report and Minutes - 16 July 2025

Licensing and Safety Committee Report and Minutes - 8 October 2026

These documents are included as background papers because they establish the original transitional arrangements and delegated authority framework which this report seeks to amend

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
CO_2	Carbon Dioxide
EIA	Equality Impact Assessment
EV	Electric Vehicle
HC	Hackney Carriage
PHV	Private Hire Vehicle
PSED	Public Sector Equality Duty
ULEV	Ultra Low Emission Vehicle
ZEZ	Zero Emission Zone (where referenced)
EVCP	Electric Vehicle Charging Point
DEFRA	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
LGA	Local Government Association

Introduction

30. Members may recall a report considered by the Licensing and Safety Committee on 5 June 2025 regarding amendments to transitional arrangements for existing Hackney Carriage and Private Hire Vehicles in respect of age policy.

31. The Committee resolved to permit the renewal of certain non-compliant vehicles subject to conditions requiring replacement by a specified date and delegated appropriate enforcement powers to officers. The decision was subsequently ratified by Full Council on 16 July 2025.

32. The Committee also delegated authority for amendments linked to non-compliant vehicles in respect of age.

33. Officers consider that the significance of extending the compliance deadline warrants consideration by Licensing and Safety Committee and Full Council to ensure transparency and democratic oversight.

Current Data

34.

Date	**Non-Compliant *Age policy* Vehicles**	**Total PHV Fleet**	**% Non-Compliant *Age policy***
Oct 2026	10	708	1.4%

35. The number of non-compliant vehicles in respect of age is a small number of the private hire fleet which demonstrates that vehicle proprietors have been updating their vehicles to comply with the Council's recently amended policy from 10 years up to 12 years from date of registration.

Issues

36. On 8 October 2026 the Licensing and Safety Committee approved revised transitional arrangements for vehicles affected by the emissions standards policy, extending the compliance deadline to 31 May 2027. Officers consider that proprietors affected by the age policy are in materially similar circumstances, namely that they are subject to an existing transitional arrangement and may require additional time to secure funding and acquire a compliant replacement vehicle. To ensure consistency, fairness and equitable treatment across the licensed trade, officers consider it appropriate that equivalent transitional arrangements apply

37. Officers recognise that vehicle proprietors of non-compliant vehicles in respect of age have also been benefiting from the transitional arrangements therefore it is considered the transitional period should be extended to those vehicle proprietors who owned vehicles that are not complaint with the age policy.

38. The number of non-compliant private hire vehicles currently operating under the transitional arrangements is:

Non-Compliant *Age policy* Private Hire Vehicles	% Total Fleet	**Compliant** *Age policy* Private Hire Vehicles	% Total Fleet
10	1.4%	698	98.5%

39. Officers support extending the compliance deadline to 31 May 2027. This would provide sufficient opportunity for eligible proprietors to purchase compliant vehicles and complete vehicle transfer and licensing requirements.

40. Whilst delegated authority exists to make amendments linked to the age policy, officers consider that the significance of extending the compliance deadline warrants consideration by Licensing and Safety Committee and ratification by Full Council to ensure transparency and democratic oversight.

Greater Manchester Benchmarking

41. Officers have reviewed the position across the Greater Manchester licensing authorities in relation to age policy, implementation timescales and transitional arrangements.

42. The comparison demonstrates that whilst all authorities continue to support the objectives of improving air quality and reducing vehicle emissions, approaches differ in respect of implementation dates, exemptions, funding arrangements and transition periods.

43.

Authority	**PHV Maximum Age (Standard Vehicle)**	**WAV PHV Maximum Age**	**Emissions Standard**
Bury	12 years	17 years	Euro 4 Petrol / Euro 6 Diesel
Bolton	Historically age-restricted; Council moved toward emissions-based standards.	Emissions-based approach.	Euro 4 Petrol / Euro 6 Diesel proposed city-region standard.
Manchester	12 years	17 years	Euro 4 Petrol / Euro 6 Diesel
Oldham	12 years	15 years	Latest emissions standard required for new/replacement vehicles.
Rochdale	Normally 5 years at application stage unless exceptional condition demonstrated.	Case-by-case policy.	Euro 4 Petrol / Euro 6 Diesel.

Salford	Further verification required from current licensing policy.	Further verification required.	GM Minimum Licensing Standards adopted
Stockport	Further verification required from current vehicle standards document.	Further verification required.	GM Minimum Licensing Standards adopted.
Tameside	12 years (existing policy retained).	15 years	Euro 4 Petrol / Euro 6 Diesel (GM MLS).
Trafford	10 years	15 years	Euro 4 Petrol / Euro 6 Diesel
Wigan	12 years	17 years	Euro 4 Petrol / Euro 6 Diesel
** Information obtained from respective Council open source web page.*			

44. Based on a comparison of Greater Manchester licensing authorities, our policy remains broadly aligned with the regional position and, in several areas, is consistent with the most commonly adopted standards. The majority of Greater Manchester authorities, including Bury, Manchester, Tameside and Wigan, permit standard private hire vehicles (PHVs) to remain licensed up to 12 years of age, while Trafford applies a more restrictive 10-year limit. For wheelchair accessible vehicles (WAVs), several authorities, including Bury, Manchester and Wigan, allow licensing up to 17 years, whereas Oldham, Tameside and Trafford apply a 15-year limit. Across the region there is also a high degree of consistency in emissions requirements, with most authorities adopting or aligning to a minimum standard of Euro 4 for petrol vehicles and Euro 6 for diesel vehicles under the Greater Manchester Minimum Licensing Standards. While some authorities have moved towards emissions-based approaches or retain local variations, the overall benchmarking demonstrates that our policy sits within the established Greater Manchester framework and is neither significantly more permissive nor more restrictive than the majority of neighbouring licensing authorities.

Revised Proposal

45. The proposed arrangements are set out below:

46. By 4 January 2027

- Application submitted for renewal of an existing **non-compliant** *age policy* vehicle licence.

- Vehicle presented for compliance testing.
- Vehicle licence renewed subject to a condition requiring replacement with a compliant vehicle by 31 May 2027.

47. Between 15 September and 31 May 2027

- Proprietor applies for support funding where eligible.
- Proprietor purchases a compliant replacement vehicle.
- Vehicle change application submitted.
- New vehicle presented for compliance testing and licensing.

48. After 31 May 2027

- Any proprietor who has not complied with the licence condition requiring vehicle replacement may be subject to appropriate enforcement action.
- Officers shall determine any enforcement action on a case-by-case basis, having regard to the circumstances of the individual case and the Council's statutory powers.

49. Revised proposal to deal with non-compliant Private hire vehicles

<u>Flowchart for the issuing of a licence and vehicle change</u>

4 January 2027

Application to renew non-compliant *age policy* vehicle

Vehicle is presented to one of the Council's authorised testing stations

Vehicle Licence of the non-compliant vehicle issued **with new condition**

Vehicle proprietor purchases new compliant vehicle

Vehicle Change application to licence a compliant vehicle is submitted. Payment of application fee and cost of vehicle compliance test fee

New Vehicle is presented to one of the Council's authorised testing stations.

<u><31 May 2027</u>

Provided Vehicle passes – **Vehicle licence issued** for the remainder of the original licence period

31 May 2027

Licence Suspended due to not replacing non-compliant Vehicle before the 31 May 2027

Vehicle not changed

Vehicle Change application to licence a compliant vehicle is submitted. Payment of application fee and cost of vehicle compliance test fee

Vehicle is presented to one of the Council's authorised testing stations

Provided Vehicle passes – **Vehicle licence issued** for the remainder of the original licence period

Due to legislation requirements if vehicle not changed within the two-month period, vehicle **licence is revoked**

Alternative Options

50. **Option 1:** Maintain the existing 4 January 2027 compliance deadline and make no amendments to the current policy arrangements.

51. This option would retain the existing policy position and support earlier achievement of full fleet compliance with the Council's adopted age policy. However, officers consider this option may place a proportion of affected vehicle proprietors at a disadvantage It may limit the ability of eligible proprietors to secure replacement vehicles and complete the associated licensing processes prior to the compliance deadline. As a result, this option is not recommended.

52. **Option 2:** Extend the transitional arrangements for a shorter period than proposed.

53. A shorter extension period was considered. However, officers consider that a shorter timeframe may not provide sufficient opportunity for affected proprietors to source suitable replacement vehicles and complete vehicle testing and licensing requirements. A shorter extension may therefore fail to achieve the intended objective of supporting compliance whilst maintaining confidence within the licensed trade. This option is not recommended.

54. **Option 3:** Approve the proposed extension to 31 May 2027 (Recommended).

55. Officers consider the recommended option represents a balanced and proportionate approach. It maintains the Council's commitment to improving the age of vehicles and achieving compliance with adopted age policy whilst providing affected proprietors with a realistic opportunity to access available support funding and replace non-compliant vehicles. The proposal does not alter the required age policy and retains a clear final compliance date supported by appropriate enforcement powers.

Recommendations

56. It is recommended that the Licensing and Safety Committee approves the proposed amendment and recommends adoption by Full Council.

57. For existing proprietors of non-compliant *age policy* private hire vehicles:

- To permit renewal of a non-compliant *age policy* vehicle licence after 4 January 2027 subject to a condition requiring replacement with a compliant vehicle by 31 May 2027.
- To delegate authority to the Head of Public Protection, Licensing Unit Manager and/or Deputy Licensing Officer to take appropriate enforcement action where the licence holder has failed to comply with that condition.

Conclusion

60. The Council remains committed to improving the age of the vehicle ensuring licensed vehicles operating within the borough meet adopted age policy.

61. The proposed amendment represents a reasonable, proportionate and evidence-based response to those circumstances. The proposal maintains the Council's vehicle age policy objectives whilst providing proprietors with a realistic opportunity to achieve compliance.

62. Members are therefore recommended to approve the amendment and refer the matter to Full Council for final determination.