

CAMBRIDGE CITY COUNCIL

REPORT OF: Jas Lally
Head of Refuse and Environment

TO: Licensing Committee 25/06/2012

WARDS: All

Outcome of Consultation on the Age Limit & Emissions Policy

1 INTRODUCTION

- 1.1 On 24 October 2011, the Licensing Committee received a report to consider the responses to the consultation on the draft Hackney Carriage and Private Hire Licensing policy that consolidated and reviewed the existing Taxi Licensing policies. The policy resulted from changes to the way in which the service was delivered following the creation of the Customer Service Centre and also the Best Practice Guidance published by the Department for Transport in March 2010 on Taxi and Private Hire Vehicle Licensing.
- 1.2 The Committee resolved to adopt the policy save for the introduction of the requirement for vehicles to meet Euro Standards, which required further consultation.
- 1.3 Consultation on proposed options for an age limit & emissions policy for Hackney Carriages and Private Hire Vehicles took place between 13 February 2012 and 08 May 2012. The options are set out in Appendix A and a background paper that was provided as part of the consultation is attached to the report as Appendix B. The responses received during the consultation period are attached to the report as Appendix C.

2. RECOMMENDATIONS

- 2.1 Members are recommended:
To adopt Option 2 which will address air quality by accelerating the improvement of new vehicles by one year. The policy will therefore be:
"i) A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, but as and from 01 September

2012 a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old AND it meets the Euro 5 standard or higher.

ii) A vehicle licence will not be renewed unless the vehicle is less than 8 years old."

This will only affect those applying for a new vehicle license between 01 September 2012 and 01 September 2013.

3. BACKGROUND

- 3.1 Cambridge City Council's current age policy for Hackney Carriages and Private Hire Vehicles requires that all vehicles are less than 4 years old when first licensed and only permits the renewal of the Licence until the vehicle reaches 8 years old. The purpose of this policy is to ensure that vehicles are reliable, safe and less polluting.
- 3.2 Local authorities are legally required to carry out measures to improve air quality where it is below certain standards and this is currently the situation in central Cambridge. The two air pollutants that are of concern are Nitrogen Dioxide (NO₂) and Particulate Matter (PM). The City of Cambridge was declared an Air Quality Management Area in 2004, based on predicted exceedences of the National Air Quality Objectives (NAQO) for nitrogen dioxide, NO₂. Levels of Nitrogen Dioxide are above the health-based National Objectives in the central part of Cambridge by about 20-25%, although some improvement has been seen in the area near the Bus Station in the last two years. Levels of Particulate Matter are below the National Objectives but any level of Particulate Matter is harmful to health as there is no 'safe' limit.
- 3.3 EU legislation sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health including nitrogen dioxide (NO₂). The UK government has been able to obtain an extension to the 2010 deadline for compliance with NO₂ limit values until 2015. If compliance with the limit values is not achieved then the UK government could be fined, by the EU, for this infringement. The Localism Act 2011 states that central government could require a local authority to make payments in respect of a financial sanction imposed on the UK if acts of the authority may have caused or contributed to the infraction of EU law for which the EU financial sanction was imposed.
- 3.4 Cities rely on good transport systems for continued economic success but growth in transport inevitably impacts on the environment and public health. High quality licensed vehicles with low emissions are therefore essential. With in excess of 500 Hackney Carriages and Private Hire Vehicles licensed by Cambridge City Council, it seems appropriate to

review the age limit policy to improve the licensed fleet and reduce emissions. Improvements in air quality can only be made by improving the standard of vehicles when manufactured (i.e. by moving to a higher Euro Standard). All vehicles deteriorate with age and the extent to which the emissions of relevant pollutants (i.e. NOx and PM) increase with age cannot be measured because it is not possible to test these during an MOT test.

- 3.5 Four options were set out in the consultation paper (Appendix A) and a background paper containing calculations on the effect of replacing the existing fleet with vehicles of a higher Euro Standard was also provided by Cambridge City Council's Scientific Team (Appendix B).
- 3.6 The first option would result in no change to the current age limit policy and no requirement for vehicles to meet any particular Euro Standard. Under the 8-year rule, Euro 3 standard vehicles would be phased out completely in 2013 and Euro 4 vehicles would be phased out by 2017. **The removal of Euro 3 vehicles from the taxi fleet and replacement with Euro 4 vehicles would lead to a 14% reduction in emissions of both PM and NOx. This would lead to a small improvement in air quality over time.**
- 3.7 The second option would not change the current age limit policy but would accelerate the improvement of new vehicles being licensed. As of 01 September 2012, a new vehicle licence would only be granted if the vehicle complies with the Euro 5 standard or higher. This would affect approximately 66 vehicles (based on an analysis of the fleet in 2011). It could have a small improvement in air quality and as Euro 5 Standard became a mandatory requirement in September 2009 (i.e. three years ago), the improvements in air quality would only be accelerated by one year. **Bringing forward the Euro 5 Standard by one year would have the immediate effect of improving emissions of PM by 16% and NOx by 5% this is on top of the 14% improvements as Euro 3 cars are phased out under the normal age restriction in 2013.**
- 3.8 The third option would not change the current age limit policy but would accelerate the removal of Euro 4 vehicles from the fleet, such that as of 01 January 2015, a vehicle licence will not be renewed unless the vehicle complies with the Euro 5 standard or higher. This would affect approximately 310 vehicles (based on an analysis of the fleet in 2011) by 2015. New vehicles being licensed would meet Euro 5 standard by September 2013 under the existing age limit policy. **The removal of Euro 3 and Euro 4 vehicles from the taxi fleet and replacement with Euro 5 vehicles would lead to a 96% reduction in emissions of PM and 40% reduction in emissions of NOx.**

- 3.9** The fourth option would not change the current age limit policy, but as it combines options two and three, there would be an acceleration of one year in new vehicles meeting Euro 5 standards and an acceleration of two years in the removal of Euro 4 standard vehicles from the existing fleet. This would affect approximately 66 vehicles (based on an analysis of the fleet in 2011) in 2012 and it would affect approximately 310 vehicles (based on an analysis of the fleet in 2011) by 2015. **Again, the removal of Euro 3 and Euro 4 vehicles would lead to a 96% reduction in emissions of PM and 40% reduction in emissions of NOx.**

It should be noted that all emission calculations are approximate and based on a 20% representative sample of the taxi fleet.

- 3.10 Officers considered proposing the acceleration of the removal of Euro 3 standard vehicles from the fleet, but this would only affect 39 vehicles, of which 33 are due for replacement when they are next renewed. Replacement of the final 6 Euro 3 standard vehicles would have an imperceptible impact on emissions; they are due for replacement in any case under existing age restriction during 2013.

- 3.11 The Licensing Team records the date of first registration at the time of vehicle license is first issued.

4. CONSULTATIONS

- 4.1 Consultation on the proposals took place between 13 February 2012 and 08 May 2012. In addition to sending information on the consultation to all vehicle licence holders and providing the opportunity to respond in writing, several open sessions were held to explain the proposals and enable comments to be put forward in person.

- 4.2 Six responses were received during the consultation period and these are shown in Appendix C.

- 4.3 The responses refer to emissions from buses and lack of rank space but these issues are beyond the scope of this consultation. There is also a suggestion that all saloon cars should be changed to electric vehicles, but this was not put forward as an option and it would therefore be unreasonable to require this without further consultation. However, the Hackney Carriage & Private Hire Licensing policy does state that the Council would consider applications to license such vehicles.

- 4.4 The responses address the 6 monthly testing of vehicles, which the responder considers is satisfactory. However, these tests do not test for the relevant pollutants and improvements in a vehicle's emission of the relevant pollutants cannot therefore be made during this test. Other responders suggest that the existing age limits will adequately improve the air quality over time and acceleration is unnecessary.
- 4.5 CCLT Ltd who represent 75% of the taxi trade have suggested that the Council should increase the age limit for new vehicles to 5 years and the maximum age limit to 10 years. This will enable Euro 4 vehicles to remain licensed for longer and as vehicles deteriorate over time, this will slow the improvement of air quality.
- 4.6 The National Private Hire Association opposes age limits and the implementation of any policy changes prior to the conclusion of the law commission review in 2013. However, their suggestion that "*more frequent emissions testing, rather than a blanket restriction by way of arbitrary Euro emissions bands, would be more reasonable*" would not lead to an improvement in air quality because emissions tests as part of an MOT do not measure or address the relevant pollutants.

5. OPTIONS

5.1 The Committee may resolve to:

5.1.1 Make no changes to the existing policy and retain Option 1 so

"A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old and a vehicle licence will not be renewed unless the vehicle is less than 8 years old."

5.1.2 Adopt Option 2, thereby accelerating the improvement of new vehicles. The policy will therefore be:

"i) A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, but as and from 01 September 2012 a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old AND it meets the Euro 5 standard or higher.

ii) A vehicle licence will not be renewed unless the vehicle is less than 8 years old."

5.1.3 Adopt Option 3, thereby accelerating the replacement and improvement of older vehicles in the fleet. The policy will therefore be:

"i) A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.

- ii) *A vehicle licence will not be renewed unless the vehicle is less than 8 years old, but as and from 01 January 2015, a vehicle licence will not be renewed unless the vehicle is less than 8 years old AND it complies with the Euro 5 standard or higher.”*

5.1.4 Adopt Option 4, thereby accelerating the improvement of new vehicles and accelerating the replacement and improvement of older vehicles in the fleet. The policy will therefore be:

- “i) A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, but as and from 01 September 2012 a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old AND it meets the Euro 5 standard or higher.*
- ii) *A vehicle licence will not be renewed unless the vehicle is less than 8 years old, but as and from 01 January 2015, a vehicle licence will not be renewed unless the vehicle is less than 8 years old AND it complies with the Euro 5 standard or higher.”*

5.1.5 Adopt an alternative policy.

6. CONCLUSIONS

- 6.1 Cambridge City Council has a duty to ensure that a safe and reliable taxi service is provided, and that licensed vehicles are fit for purpose. Additionally, the Council has a statutory obligation to carry out measures to improve air quality. The adoption of a policy that addresses the emissions from licensed vehicles, in addition to the existing policies, will help to ensure that these obligations are fulfilled.

7. IMPLICATIONS

(a) Financial Implications

Provision is made in the council’s budget for the taxi licensing service, which is run on cost recovery basis. The cost of the implementing the policy will be covered by vehicle application fees. The adoption of any policy that requires the replacement of vehicles will have financial implications for licence holders, but the Council may be fined by Central Government if it fails meet the EU air quality standards.

(b) Staffing Implications

Existing staff resources will implement the policy if adopted.

(c) Equal Opportunities Implications

The resulting improvement in air quality will have health benefits for all residents and those working within Cambridge. However the adoption of the policy may result in some Licence holder being unable to continue working if they are unable to replace their vehicles.

(d) **Environmental Implications**

The adoption of a policy will lead to improvements in air quality.

(e) **Community Safety**

There are no apparent community safety implications other than the improvement in air quality and the resulting health benefits.

APPENDICES

Appendix A

Consultation document

Appendix B

Background paper on the consultation prepared by Cambridge City Council's Scientific Team

Appendix C

Consultation responses

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

- [Cambridge City Council's Hackney Carriage & Private Hire Licensing Policy](#)

The author and contact officer for queries on the report is Robin Grey on extension 7899.

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