

CAMBRIDGE CITY COUNCIL

REPORT OF: Jas Lally, Head of Refuse and Environment

TO: Licensing Committee

8/10/2012

WARDS: All

AGE LIMITS AND EMISSION STANDARDS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

1 INTRODUCTION

1.1 On 16th March 1998 the Environment Committee resolved to adopt an age policy in relation to Hackney Carriage licensed vehicles as:
All Hackney Carriage Vehicles must be less than 8 years of age. No vehicle will be relicensed after its 8th birthday.

Upon change of vehicle, the new Hackney Carriage Vehicle must be less than 4 years old

1.2 On 9th November 1999 the Environment Committee resolved the adopt the same age policy in relation to private hire licensed vehicles

1.3 On 25th June 2012, the Licensing Committee received a report about age limits and emissions for taxi vehicles and resolved to adopt a policy to address air quality, as follows:

“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 9 years old AND it meets the Euro 4 Standard or higher.

This will only affect those applying for a new vehicle license and those with a Euro 3 standard vehicle after 1st September 2012”

(Appendix A)

- 1.4 At the Committee meeting officers advised that all vehicles registered after January 2005 would meet at least the Euro 4 standard and after September 2009 would meet at least Euro 5 standard and consequently officers believed only six vehicles currently licensed, that were Euro 3 standard, would need to be replaced earlier than expected as a result of the proposed change in policy.
- 1.5 Since the 25th June 2012 further work by officers on the exact Euro standards revealed that many more vehicles registered after January 2005 were Euro 3 standard than previously believed. This discrepancy arose because some manufacturers had either not kept to the original deadlines set by EU legislation or because there had been a longer time delay between manufacture and date of registration. In terms of the taxi and private hire fleet in Cambridge it is now clear that there are 92 vehicle (as at August 15th 2012) classified as Euro 3, and therefore this new policy would require replacement of all these vehicles. Some of these replacements have not been planned for, as the majority of these vehicles would not otherwise have needed to be replaced for another couple of years under the original policy.
- 1.6 As a consequence of this the Director of Environment made an urgent decision on 6th August 2012 to defer the implementation of part ii) of the policy and that a further report go to Licensing Committee on 8th October so that members can consider a revised implementation date in relation to the part of the policy that deals with renewals. (Appendix B)
- 1.7 The revised date needs to allow for vehicle owners, who are going to be affected by this policy, time to put a business plan together in order for them to replace their vehicle with a newer one, earlier than expected under the original policy.
- 1.8 There will be a transitional period between 8th October 2012 and the new implementation date, where a provision needs to be in place to allow the continuation of renewing vehicle licenses.
- 1.9 The hackney carriage and private hire trade have also expressed concern over the policy, and the practicalities of obtaining information to confirm what the Euro standards are of vehicles they are proposing to purchase or replace.
- 1.10 The only accurate way this can be achieved is by obtaining the Certificate of Conformity from the manufacturer. There is a cost to this and it could take up to 3 weeks to obtain it.

- 1.11 On some occasions if the appropriate information is on the V5 logbook, there is a calculation that can be done but this is very resource intense for officers, In essence obtaining accurate information on Euro standards has proven to be very difficult and costly.
- 1.12 As a consequence of this, officers would like members to consider a revised policy in relation to new vehicles that will be licensed.
- 1.13 However, the purpose of introducing such a policy is to improve air quality in the city as part of the Councils air quality action plan and therefore this principle should remain.

2. RECOMMENDATIONS

- 2.1 Members are recommended to adopt a policy to address air quality, as follows:
- i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old and either registered after 1st September 2009 or meets the Euro 5 standard or higher.
The implementation date will be the 8th October 2012*
 - ii) A vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets the Euro 4 standard or higher
The implementation date will be 1st September 2013*
- 2.2 Members are recommended to adopt a policy for renewals during a transitional period between the 8th October 2012 and 1st September 2013 as follows:

No vehicle will be relicensed after its 8th birthday

3. BACKGROUND

- 3.1 Cambridge City Council's previous 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 EU could fine the UK government 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 be made by improving the emission 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. NO_x and PM) increase with age cannot be measured because it is not possible to test these during an MOT test.
- 3.5 The original proposal, was that as of 1st September 2012, a new vehicle licence would only be granted if the vehicle complies with the Euro 5 standard or higher. The Euro 5 standard came into force on 1 September 2009 for the approval of vehicles and on that basis, it was understood that the new policy would affect approximately 66 vehicles, based on an analysis of the fleet in 2011. The drivers affected under the policy have to purchase an Euro 5 vehicle whereas under the age limit only policy a new vehicle of any Euro standard could have been purchased as long as it was less than 4 years old at the date of licensing.

- 3.6 This option was presented to Licensing Committee on 25 June alongside a number of other options with estimates of the potential reductions in relative polluting emissions. Committee agreed upon a policy taking account of feedback from the consultation. The policy is detailed in para 1.3
- 3.7 As the Council began to implement the policy, a series of thorough checks were introduced, to confirm the compliance with the Euro standards of vehicles within the fleet. It became apparent that some vehicle manufacturers had not, in fact, complied with European law by the stipulated dates, or had negotiated exemptions for a period, and that a number of vehicles older than the type approval date for Euro 5 vehicles of 1st September 2009, had not been manufactured to the Euro 5 standard.
- 3.8 Compliance with Euro 3 at the appropriate registration date proved to be even more anomalous.
- 3.9 This information had not been passed onto local authorities, and a number of other local authorities, whom we consulted, had based their assumptions for managing licensed vehicles on the expectation that the law would have been complied with, regarding date of first registration and Euro standard.
- 3.10 As a result some of the figures presented in the June committee relating to the number of affected vehicles in the fleet were inaccurate.
- 3.11 This meant that, instead of there being only 6 remaining Euro 3 standard vehicles by September 1st 2012, there are, in fact 97 Euro 3 vehicles in the licensed fleet as at 15th August 2012 and an expectation that 80 will remain in the fleet at 1st September 2012. A substantial number of these EU3 vehicles would be expected to have a considerable licensable life under the existing 8-year rule some having a further four years. Details on the numbers of EU 3, 4 and 5 vehicles at 1st September 2012 – 2015 under the original policy scenario that no vehicle will be relicensed after its 8th birthday are presented in Appendix C.
- 3.12 It is this element of the newly adopted policy, which has the potential to impact unduly on significant number licensed taxi drivers, or proprietors that led to the emergency decision to suspend implementation of it.

- 3.13 Further detailed analysis has now been carried out on a definitive taxi fleet data set looking at the impact of the policy proposed in this report on both PM10 Particulates and NOx (oxides of nitrogen) the key polluting emissions. The data shows the expected emissions improvements at key compliance dates from 1st September 2012 through to 1st September 2015. All data is presented relative to the baseline data set compiled in August 2012 and is shown in Appendix D.
- 3.14 Also presented are emissions forecasts for the impact of replacing all current Euro 3 vehicles in the fleet with Euro 5 vehicles. These data are included for comparison.
- 3.15 The aim of the policy is to try and improve air quality and reduce the number of Euro 3 from the fleet with all expediency. However this needs to be balanced with the potential significant impact on existing proprietors, and therefore by having 1st September 2013 as the implementation date, this will allow those proprietors affected, time to plan to replace their vehicle earlier than anticipated.
- 3.16 Another issue that has arisen since the resolution at Licensing Committee on 25th June was the difficulty in ascertaining the Euro standard of a vehicle. As previously stated the assumption was that the date of registration, which is readily available, would accord with the Euro standard of that vehicle. Unfortunately, it has now been established this is not always the case.
- 3.17 The information is not readily available and can only be reliably obtained from the Certificate of Conformity, which is held by the manufacturer. To obtain this document would be costly and delay the process of licensing vehicles.
- 3.18 Another reliable way of obtaining the information is if the appropriate data is present on the V5 logbook, Euro standard can be ascertained by using the mass, fuel-type, and emissions of a vehicle as stated on the V5 and comparing them to the emission limits for the appropriate class of vehicle stated in the Euro Standard. A procedure for carrying this out is shown in appendix E. The process is time consuming and impractical for the purpose of implementing this policy.
- 3.19 Representations from the trade have indicated that setting a Euro standard for new vehicles would make the policy unworkable.
- 3.20 The objective of any such policy is to continually improve the fleet of hackney carriage and private hire vehicle in terms of air quality.

However, there is a balance to be had in terms of having a policy that is workable for the trade and officers.

3.21 Officers have analysed the current fleet to ascertain the percentage of vehicles that are registered after 1st September 2009. The data below shows the Euro Standard split for these vehicles at 1st September 2009 (the date of compliance for manufacturer type approval for Euro 5) and as at the 1st January 2011 (the date of compliance for the registration and sale of new types of cars at Euro 5).

Date of 1 st Registration	Total no. of vehicles	No. of EU4 Vehicles	No. of EU5 Vehicles	% EU5 vehicles
After 1 st Sept 2009	88	61	27	31
After 1 st January 2011	31	14	17	55

3.23 Officers have investigated the realistic feasibility to purchasing wheelchair accessible vehicles that have been registered after 1st January 2011. This has proven to be very restrictive in the type of model that is available and extremely expensive. If the policy was that only vehicles registered after 1st January 2011 would be accepted, this would have a negative effect on the number of wheelchair accessible vehicles that would be available.

3.22 Therefore it is practical to continue to improve air quality, albeit by a reduced margin by ensuring a new vehicle can be licensed if it is less than 4 years and either registered after 1st September 2009 or can be shown to meet the Euro 5 standard or higher.

3.23 By mandating a stated compliance date, which can be quickly compared to the date of first registration on a V5 logbook, administration of the policy becomes straightforward for both council officers and the taxi trade.

4. CONSULTATIONS

4.1 The original policy proposals went out to consultation for a 12-week period and included a wide range of options. Comments were received by the trade and were taken into account when the policy was discussed at Licensing Committee on 25th June 2012. This report is to revise the implementation date of part of the policy and amend the policy to ensure it is practicable and workable. Therefore it is not necessary for it to go out to further consultation.

5. Options

- 5.1 Not to accept the recommendation and return to the original policy adopted on 25th June 2012
- 5.2 To adopt different implementation dates to those in the recommendation

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. Actively managing emissions of licensed vehicles in the City forms part of the adopted Air Quality Action Plan. 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. Vehicle application fees will cover the cost of implementing the policy. 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** (if not covered in Consultations Section)
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.

(f) **Consultation and communication**

This report has been discussed with the Chair of Licensing, and representatives of the taxi licensing trade. Once a policy has been adopted, all proprietors, drivers and operators will be written too, to outline the new policy, the implementation dates and arrangements during the transitional period. The existing taxi licensing policy and guide will be amended in light of the decision and uploaded on to the website

(g) **Community Safety**

Cambridge City Council has a duty to provide safe and secure taxi service; this includes setting minimum standards of safety for all travelling passengers, including those with disabilities and mobility issues

8. Appendices

Appendix A Licensing Committee 25th June 2012 – minutes

Appendix B Urgent decision notice by Director of Environment

Appendix C Number of EU 3,4,5, vehicles at 1st Sept 2012-2015

Appendix D Expected emissions improvements from 1st Sept 2012-15

Appendix E Procedure for carrying out calculations to establish the Euro standard

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

Licensing Committee report on 25th June 2012.

To inspect these documents contact Yvonne O'Donnell on extension 7951.

The author and contact officer for queries on the report is Yvonne O'Donnell on extension 7951.

Report file: L/TAXI OFFICE/TAXI/TAXI POLICY/ EURO STANDARDS

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