

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Refuse & Environment

TO: Licensing Committee

21/7/2014

WARDS: All

TAXI AGE POLICY ANOMALY

1. INTRODUCTION

- 1.1 This report identifies an anomaly in the administration of a small number of taxi licences regarding the policy on the age of vehicles when licences are renewed and seeks the agreement of Members to a limited waiver to the policy to address it.

2. RECOMMENDATION

- 2.1 Members are recommended to agree a waiver of the age policy as set out in paragraph 23.8 of the taxi policy, which will enable officers to approve applications to renew the licences for those 7 vehicles identified as caught by the anomaly and whose vehicles are due to expire between 1st September 2014 and 1st December 2014, without the need to hold a hearing of the Licensing Sub-Committee for each case.
- 2.2 Members are also recommended to authorise the Head Refuse and Environment to waive the age policy for any other vehicles that are caught by the anomaly, but have not yet been identified as doing so.

3. BACKGROUND

- 3.1 The Council licences vehicles as hackney carriages (“taxis”) and private hire vehicles to carry passengers and has the ability to set policy regarding standards in certain areas, consistent with legislation governing their licensing.
- 3.2 The Council’s policy in relation to the age of vehicles which will be licensed is set out in Section 23 of the Hackney Carriage and Private Hire Licensing Policy, which is attached as Appendix A.
- 3.3 Section 23 was adopted by Licensing Committee on 8th October 2012, having taken into account information about the Council’s duty to conform to air quality standards in the city and Government guidance related to vehicle emission standards, with objective being to remove from the fleet of licensed taxis those with poorer emissions, on the basis of their age. Minutes attached as Appendix B.
- 3.4 The second part of paragraph 23.8 of the policy refers to 1st December 2014 as being the start date from which a vehicle licence will not be renewed unless the vehicle is less than 9 years old and meets Euro 4 standard or higher. It also refers to a

transitional period between 8th October 2012 and 1st December 2014, when no vehicle will be relicensed after the 8th anniversary of its first registration.

- 3.5 Both references to 1st December 2014 had, in the report presented to Committee, been referred to as 1st September 2014 and officers had believed that this was the date which had been agreed by Committee. However, the agreed minutes of the meeting indicate that 1st December 2014 had been agreed and at a subsequent meeting, the minutes were agreed and signed as such.
- 3.6 Following the adoption of the policy, the Licensing Team wrote to all vehicle proprietors whose renewals were affected by the policy, to inform them as to how the decision would affect them and indications were given to proprietors as to when their vehicles could continue to be licensed, based on the date of 1st September 2014. This was to assist proprietors to plan for replacement of aging vehicles which would be excluded under the policy.
- 3.7 It was realised by officers in May 2014 that, as a consequence of the misunderstanding regarding the dates in the policy a small number of drivers had been incorrectly advised. Examination of vehicle records indicates that 7 vehicles where proprietors had been advised that they could renew for an additional year would, in fact, breach the policy if renewed. The proprietors of 2 vehicles had been incorrectly advised that they could not renew, when the policy would have allowed them to do so.
- 3.8 Officers feel that it would be unfair for proprietors who had been advised that they could renew suddenly to be told that their applications were refused. The implication would be that each proprietor so affected would have the right to have their application determined by Members at an individual Sub-Committee hearing, with the time, expense and uncertainty which that would entail.
- 3.9 Officers are, therefore, proposing that Members agree to a waiver of the policy as set out in paragraph 23.8, which will enable officers to approve applications to renew the licences for those vehicles identified as caught by the anomaly and whose vehicles are due to expire between 1st September 2014 and 1st December 2014, without the need to hold a hearing of the Licensing Sub-Committee.
- 3.10 Drivers affected by this proposal have been advised of the situation and support the approach being suggested.
- 3.11 Vehicles licensed under this waiver would, in all other respects, need to comply with the Council's regime of testing and inspection as regards their roadworthiness, physical condition and the CO2 emission test for the emission standard applicable for their vehicle.

4. LEGISLATIVE PROVISIONS

- 4.1 The Local Government (Miscellaneous Provisions) Act 1976 provides the power for the Council to undertake licensing functions in respect of Hackney Carriages and Private Hire Vehicles, including the setting of standards for vehicles licensed by it, in respect of their specification, age and condition.

5. IMPLICATIONS

- a) **Financial Implications**

None

(b) **Staffing Implications**

None

(c) **Equal Opportunities Implications**

None

(d) **Environmental Implications**

Nil

(e) **Procurement**

Nil

(f) **Consultation and communication**

The outcome of Members decision will need to be communicated to drivers affected

(g) **Community Safety**

None

BACKGROUND PAPERS:

None

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Report file: M:\LICENSE/04 – Other Licences\ Committee Reports

Date originated: 20/06/2014

Date of last revision: 2/07/2014

23 ENVIRONMENTAL CONSIDERATIONS

- 23.1 The Authority considers that every effort should be made to improve the efficiency of vehicles licensed to operate in the city by reducing the levels of CO2 emitted.
- 23.2 Government guidance suggests that authorities may wish to consider setting vehicle emissions standards by promoting cleaner fuels. It also states that local licensing authorities may wish to note that a review carried out by the National Society for Clean Air and Environmental Protection in 2005 found taxis were more likely than other vehicles to fail emissions tests.
- 23.3 The European Union has introduced stricter limits on pollutant emissions from light road vehicles, particularly for emissions of nitrogen oxides and particulates.
- 23.4 In order to limit pollution caused by road vehicles, this Regulation introduces common requirements for emissions from motor vehicles and their specific replacement parts (Euro 5 and Euro 6 standards).

NOx and PM emission standards for diesel cars

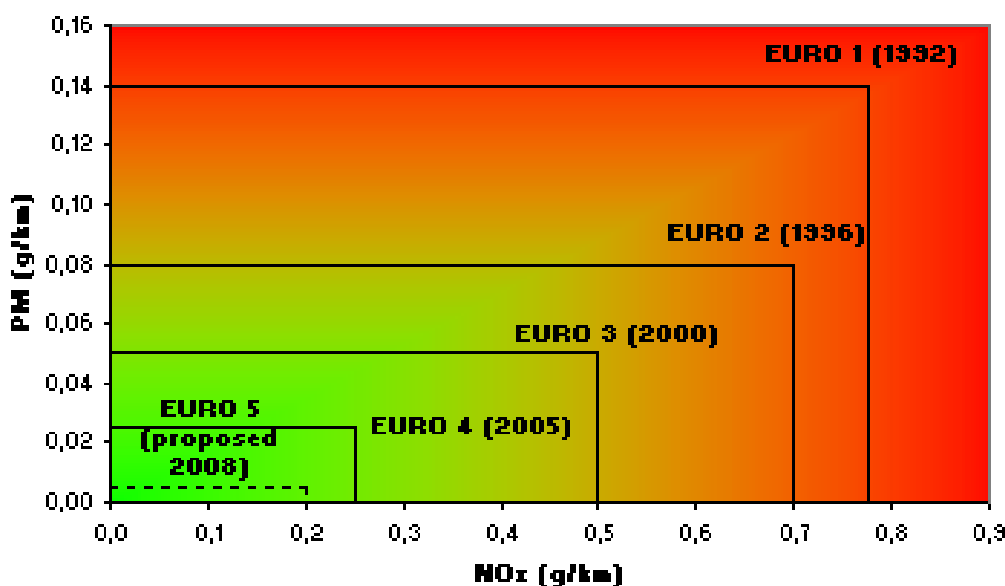


Figure 1 – Chart showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards

Euro Standard	Date	Nox (G/km)	PM (G/km)
Euro 1†	July 1992		0.14
Euro 2	January 1996		0.08
Euro 3	January 2000	0.50	0.05
Euro 4	January 2005	0.25	0.025
Euro 5	September 2009	0.180	0.005
Euro 6	September 2014	0.080	0.005

Table 1 – Table showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards.

- 23.5 Cambridge City has declared an Air Quality Management Area in 2004 because of predicted levels of nitrogen dioxide.
- 23.6 An Air Quality Management Area (AQMA) is an area identified by Local Authorities where the statutory UK air quality objectives are being, or are expected to be breached up to the end of 2005, AQMAs are areas where levels of air pollution are higher than they should be (as defined by central government).
- 23.7 Levels of nitrogen dioxide in central Cambridge remain above the National Objectives; therefore an Air Quality Action Plan was first adopted in 2005 and a more comprehensive version adopted in 2010.
- 23.8 To support the Councils Air Quality Action Plan:
- (i) a new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old, and as and either registered after 1st September 2009 or it meets the Euro 5 standard or higher.
- As from 1st December 2014
- (ii) a vehicle licence will not be renewed unless the vehicle is less than 9 years old and it meets Euro 4 standard or higher.
- For renewals there will be a transitional period between 8th October 2012 and the 1st December 2014 where no vehicle will be relicensed after the 8th anniversary of its first registration
- 23.9 With the 8-year age limit this will mean that by 2017/18 all the fleet licensed will be to Euro 5 or 6 and accelerate the improvements in the fleet
- 23.10 The term `new` means any vehicle that is being licensed for the first time with Cambridge City Council (i.e. a complete new license) or where a license is issued

on a particular vehicle and then surrendered and subsequently an application to license the same vehicle is made.

23.11 Encouraging better maintenance of vehicles could reduce emissions from licensed vehicles further, it is intended that this aspect be tackled through education and promotion.

23.12 Any application received for an electric or hybrid vehicle will be considered on its own merits.

Licensing Committee	Lic/5	Monday, 8 October 2012
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- iv. ~~To approve the extension of Pitch number 17 from 6 months to 8 months and bring it in line with all other 8 month seasonal pitches.~~

12/28/LICF Emission Standards for Taxi Vehicles

Mr David Wratten spoke on behalf of CCLT and explained that 34 vehicles would need to be removed from the fleet early as a result of the policy adopted by the committee in June 2012. An extension to the deadline to December 2014 for phasing out Euro 3 vehicles was requested. The committee were advised of the financial implications for individuals if being required to replace vehicles early.

The Chair clarified with Mr Wratten the number of affected vehicles. It was noted that due to the nature of adapted vehicles there was often a lag time between a vehicle being constructed and registered.

The committee received a report regarding emission standards for taxi vehicles.

The committee made the following comments on the report and letter circulated by Mr Wratten.

- i. The Air Quality Action Area was adopted in 2004, and the adopted policy was designed to support this.
- ii. It was noted that in the event of the vehicles being removed from the fleet, they were still eligible to be licensed as private hire vehicles in South Cambridgeshire and were likely to continue to operate in the city.
- iii. Sympathy was expressed for the owners of the affected vehicles. The relative impact of Euro 3, 4 and 5 was explained to the committee.
- iv. The assertion that the 34 vehicles were a small part of the trade was challenged.
- v. The importance of giving drivers proper notice and not imposing changes, which have retrospective implications, was highlighted.

Following discussion it was agreed to amend the recommendations to (changes marked as strikethroughs and red text)

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~~ **1st December 2014**

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~~ **December 2014**

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~~ **the 8th birthday anniversary of its first registration.**

In response to a question from the committee, Mr Wratten explained that the trade would try and support the vehicles affected by the revised policy, but it was unclear at this stage what this would involve.

Resolved (Unanimously) to adopt a policy to address air quality.

- 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 1st December 2014
- 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 December 2014.
- iii. During a transitional period between the 8th October 2012 and 1st October, no vehicle will be re-licensed after the 8th anniversary of its first registration.