

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee      **DATE:** 17<sup>th</sup> October 2017

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**WARD(S):** ALL

### **PART I** **FOR DECISION**

#### **PROPOSED EMISSION STANDARDS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

1. **Purpose of Report**

To inform the Committee of the responses to the consultation on proposals for low emission standards for hackney carriage (taxi) and private hire vehicles in Slough and the revised proposals, as part of the Council's draft Low Emission Strategy and the proposed feasibility for a Clean Air Zone.

2. **Recommendation(s)/Proposed Action**

The Committee is requested to:

- (a) Note the responses to the consultation.
- (b) Note the report and comment on the revised proposals for low emission standards and effective dates for saloon hackney carriages and private hire vehicles, following the consultation
- (c) Agree that the revised proposals for low emission standards for all saloon vehicles be approved.
- (d) Agree any amendments to the proposed low emission standards and implementation following consultation.
- (e) Agree to approve the additional proposals at Section 8 of the report
- (f) Agree that a separate consultation on Low Emission Standards for Wheelchair Accessible Vehicles is to be conducted.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The European Union Air Quality Directive 2008/50/EC13 sets out the obligations for Member States in terms of assessing ambient air quality and ensuring that Limit Values ("LV") for certain pollutants are not exceeded. In the UK, the requirements of the Directive have been transposed into domestic law through the Environment Act 1995 and subordinate regulation 14.15.

Slough is finalising its draft Low Emission Strategy ("LES") for consultation later this year in line with the Government's new National Air Quality Plans, published on the 5<sup>th</sup> May 2017. The Slough LES forms part of the Slough Air Quality Action Plan and includes measures to reduce emissions from road transport vehicles, the

main cause of elevated levels of Nitrogen Dioxide (“NO2”) and a key contributor to particulate matter (“PM”) concentrations in the Borough. Both NO2 and PM have significant health impacts for the residents of Slough.

The revised proposals in this report once approved will be included in the Slough Low Emission Strategy for taxi and private hire vehicles and will have a significant impact in reducing pollutants and contribute to Councils duty to improve air quality in Slough.

3a. **Slough Joint Wellbeing Strategy Priorities**

The revised proposals for low emission standards to be included in the Slough “LES” will support the Slough Joint Wellbeing Strategy priorities:

Priorities

- Increasing life expectancy by focusing in inequalities
- Improving mental health and wellbeing.

3b. **Five Year Plan Outcomes**

The proposals will contribute significantly to the Five Year Plan with the specific outcomes of:

- Our children and young people will have the best start in life and opportunities to give them positive lives.
- Our people will become healthier and will manage their own health, care and support needs.
- Slough will be an attractive place where people choose to live, work and visit.
- Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents.

4. **Other Implications**

(a) Financial

There are no financial implications of proposed action.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 above	The main threat will be that of some current licensed vehicles having to meet the proposed emission standard requirement. However as vehicles reach the vehicle age limits they will be replaced by vehicles that do meet the emission standards.	As Slough is under a duty to decrease air pollution levels the proposed emission standards will contribute significantly to this. There are no issues of inequalities as the emission standards will apply equally to all taxi and private hire vehicles.

(c) Human Rights Act and Other Legal Implications

1. Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest.

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

2. The Local Government (Miscellaneous Provisions) Act 1976, allows the Local Authority to set standards for the granting of taxi and private hire vehicle licenses.
3. There is a legal requirement to improve and maintain air quality standards. The European Union Air Quality Directive 2008/50/EC13 sets out the obligations for Member States in terms of assessing ambient air quality and ensuring Limit Values (LV) for certain pollutants are not exceeded. The requirements of the Directive have been transposed into domestic law through the Environment Act 1995 and subordinate regulation 14.15.

(d) Equalities Impact Assessment

An Equality Impact Assessment has not been completed at this time as there are no equality issues identified, since the proposals would apply to any proprietor of a hackney carriage or private hire vehicle in similar circumstances.

5. **Supporting Information**

- 5.1 A report was put before the Licensing Committee on 27<sup>th</sup> June 2017 outlining that SBC is finalising its Low Emission Strategy draft (LES 2017-25) in line with the Government's new National Air Quality Plans, published on the 5<sup>th</sup> May 2017. The Slough LES forms part of the Slough Air Quality Action Plan and includes measures to reduce emissions from road transport vehicles, the main cause of elevated levels of NO<sub>2</sub> and a key contributor to PM concentrations in the Borough. Both NO<sub>2</sub> and PM have significant health impacts for the residents of Slough.
- 5.2 There are currently 726 licensed hackney carriages (taxis) and private hire vehicles operating in Slough. The revised chart of current vehicles below, details a breakdown of the fuel types for each category of vehicle.

<b>HACKNEY CARRIAGE</b>	
<b>Total</b>	<b>107</b>
Diesel	98
Petrol	6
Hybrid Electric/Petrol	2
Hybrid Electric/Diesel	1
<b>PRIVATE HIRE</b>	
<b>Total</b>	<b>619</b>
Diesel	527

Petrol	29
Duel Fuel	1
Hybrid Electric/Petrol	62

- 5.3 The previous report detailed that the majority of the journeys taken by taxi and private hire vehicles are short journeys in and around the Slough and immediate neighbouring areas and therefore contribute to overall air pollution. Although the licensed vehicles make up a small proportion of the overall number of vehicles in the Slough area, they do emit a higher proportion of NO<sub>2</sub> and are a key contributor to PM in the area.
- 5.4 Taxi and private hire vehicles can be part of the solution, by showcasing the potential for low emission vehicles and ‘normalising’ their use to the thousands of passengers they carry each year. The Slough Low Emission Strategy will encourage and support taxi and private hire operators to switch to low emission alternatives and consider what policy incentives will support taxi and private hire operators to make the change.
- 5.5 Mr Andrew Whittles (Low Emission Strategies Ltd) who is working with Mr Jason Newman the SBC Environmental Quality Manager prepared a briefing note (**Appendix A**) on the draft Slough Low Emission Strategy proposals, previously put before the Licensing Committee in June 2017, specifically in relation to taxi and private hire vehicles, which detailed the original proposals including implementation dates
- 5.6 The current EU emission standards and implementation dates for both diesel and petrol vehicles, as detailed in the original proposals are attached at **Appendix B**.
- 5.7 A full consultation on the original proposals was conducted between 10<sup>th</sup> July and 28<sup>th</sup> August 2017 by writing to and emailing all current hackney carriage and private hire drivers, vehicle licence holders and operators, as well as being posted on the Council website.
- 5.8 The response to the consultation was fairly low. The individual responses via the Council website are attached at **Appendix C**, a breakdown of the number of responses from each type of responder is attached at **Appendix D** and other individual response received are attached at **Appendix E**.
- 5.9 In summary, those responses from the hackney carriage and private hire trade were supportive of the proposals. However the main views and opinion were the cost of replacing vehicles to meet the criteria and the proposed implementation dates. In light of some of the responses made, the original proposals have been revised and detailed at paragraph 7.2 below.

## 6. Vehicle Age Policy.

- 6.1 The current Vehicle Age Policies for both Private Hire and Hackney Carriage Vehicles are attached at **Appendices F** and **G**. In summary, all private hire vehicles and saloon hackney carriages must be under 5 years of age from first registration to be licensed and can be licensed to a maximum of 9 years of age with 6 monthly testing from 6 years of age. For wheelchair accessible vehicles they must be under 5 years of age from the date of first registration to be licenced and can then be licensed indefinitely, dependant on 6 monthly testing at 14 years.

## 7. Revised Proposals (Saloon Hackney Carriages and Private hire Vehicles)

7.1 The rationale for the revised low emission standards is based on the current age of licenced vehicles, the current vehicle age policy for private hire vehicles and saloon hackney carriages and the implementation dates of Euro emission standards of:

**Euro 6 Diesel (September 2014)**

**Euro 5 Petrol (September 2009)**

**Euro 6 Petrol (September 2014).**

7.2 The below proposals will apply to all saloon hackney carriages and private hire vehicles as well as any temporary replacement vehicle.

<b>Compliance Dates &amp; Emission Standard</b>	<b>Vehicle to be Licensed</b>
<b>1st September 2018</b> ULEV** Standard	All new vehicles to be licensed by new applicants on or after that date. ***
<b>1st September 2018</b> CAZ Standard (Euro 6 diesel / Euro 5 petrol)	All licensing renewals i.e. renewals of currently licensed vehicles.
<b>1st September 2018</b> CAZ Standard (Euro 6 diesel / Euro 5 petrol)	All new vehicles to be licensed by current licence holders i.e. where the current licensed vehicle needs to be replaced ***
<b>1st September 2020</b> CAZ Standard (Euro 6 diesel / Euro 6 petrol)	All new vehicles to be licensed by current licence holders i.e. where the current licensed vehicle needs to be replaced ***
<b>ULEV from 2025</b>	All licensing renewals i.e. renewals of current vehicles and all new vehicles to be licensed.

\*Clean Air Zone

\*\*A vehicle that uses low carbon technologies and emits less than 75g of CO<sub>2</sub>/km from the tailpipe and is capable of operating in zero tailpipe emission mode for a range of at least ten miles.

\*\*\* Any ULEV\*\* Standard vehicle must only be replaced by another ULEV \*\* Standard vehicle.

7.3 The Council will be holding 'Trade' days when vehicle owners can meet with ULEV manufacturers and service providers to discuss opportunities.

7.4 Saloon drivers qualify for a Plug-in Car Grant of (about £4.5k)

## 8. Additional Proposals

8.1 To promote the take up of ULEV vehicles the following proposals are being made to be agreed by the Committee.

(a) That annually, the first 20 fully Electric and Plug-in ULEV vehicles i.e. as at \*\* above, to be licensed on or after 1<sup>st</sup> September 2018 will not pay a licence fee for the first 2 years.

(b) The first 20 Electric and Plug-in ULEV vehicles will receive the first 50 charge events free.

- (c) The vehicle age for saloon vehicles that are fully Electric, Plug-in ULEV i.e. that meet \*\* above, the age limit will be extended from 9 years to 12 years and will apply to all new and existing vehicles that meet the criteria.

## **9. Wheelchair Accessible Vehicles.**

9.1 The proposed setting of low emission standards impacts most on those proprietors of wheelchair accessible vehicles.

- There are currently 50 licensed wheelchair accessible vehicles
- 33 vehicles are over 10 years of age with the oldest vehicle being 20 years of age.
- Only 2 currently licensed vehicles would comply with the revised proposals
- The current vehicle age policy for wheelchair accessible vehicles allows vehicles to be licensed indefinitely subject to twice yearly testing at 14 years

9.2 For the above reasons it is proposed to conduct a separate consultation for wheelchair accessible vehicles and hold meetings with the representatives and proprietors to discuss replacing existing vehicles with ULEV vehicles, Electric vehicles, Plug-in ULEV vehicles and the availability and use of rapid charging units as detailed in (Appendix A).

9.3 The previous report also outlined that the London Taxi Company will be producing a new range extended electric London Taxi which will be on the market later this year. The cost for this new London Taxi will be in the region of £33k with the top up grant (about £7.5k, including the Plug-in Car Grant) available from the Government. In addition, the Nissan eNV 200 electric taxi is also available and qualifies for the Plug-in Car Grant (about £4.5k) and costs around £20k. As Slough completed an Ultra-Low Emission Taxi Study, Proprietors of Wheelchair Accessible vehicles drivers will qualify for the top up Grants, in addition to the Plug-in Car Grant.

## **10. Comments of Other Committees**

On 27<sup>th</sup> June the Licensing Committee resolved -

- (a) That the report on the proposals for low emission standards and effective dates be noted.
- (b) That the proposed low emission standards be approved, subject to consultation.
- (c) That any amendments to the proposed low emission standards and implementation dates prior to consultation be approved.
- (d) That all final proposals after consultation are brought back before Committee for approval.

It was agreed that the consultation would also be published on the Council's website.

## **11. Conclusion**

That the Committee;

- (a) Note the responses to the consultation.
- (b) Note the report and comment on the revised proposals for low emission standards and effective dates for saloon hackney carriages and private hire vehicles, following the consultation
- (c) Agree that the revised proposals for low emission standards for all saloon vehicles be approved.
- (d) Agree any amendments to the proposed low emission standards and implementation following consultation.
- (e) Agree to approve the additional proposals at Section 8 of the report
- (f) Agree that a separate consultation on Low Emission Standards for Wheelchair Accessible Vehicles is to be conducted.

## **12. Appendices Attached**

- 'A' - Original proposals Slough Low Emission Strategy for taxi and private hire vehicles (27/06/2017)
- 'B' - Euro Emission Standards
- 'C' - Consultation responses via Council website
- 'D' - Consultation response – type of responder
- 'E' - Individual Consultation responses.

## **13. Background Papers**

- '1' - SBC Draft Low Emission Strategy
- '2' - Slough Air Quality Action Plan
- '3' - Local Government (Miscellaneous Provisions) Act 1976
- '4' - Office of Low Emission vehicles
- '5' - European Union Air Quality Directive 2008/50/EC13
- '6' - Hackney Carriage vehicle Age Policy
- '7' - Private Hire vehicle Age Policy
- '8' - Policy on minimum sizes of vehicles to be licensed.
- '9' - Slough Ultra-Low Emission Taxi Feasibility Study

## **APPENDIX A**

### **Briefing Note - Slough Low Emission Strategy draft**

#### **Taxi Emission Measures**

SBC is finalising its Low Emission Strategy draft (LES 2017-25) in line with the Government's new National Air Quality Plans, due to be published on the 5<sup>th</sup> May 2017. The LES forms part of the Slough Air Quality Action Plan and includes measures to reduce emissions from road transport vehicles, the main cause of elevated levels of Nitrogen Dioxide (NO<sub>2</sub>) and a key contributor to particulate matter (PM) concentrations in the Borough. Both NO<sub>2</sub> and PM have significant health impacts for the residents of Slough.

The Government expects local authorities to take a lead and use available powers to reduce vehicle emissions where possible, including controlling emissions from taxis. Taxis operate mainly in the urban area where air pollution is greatest and often leave their engines idling on taxi ranks, where members of the public can be exposed.

SBC are looking at the feasibility of implementing a Clean Air Zone (CAZ) in the Borough that will seek to restrict access to the most polluting commercial vehicles whilst also seeking to promote an acceleration in the uptake of ultra-low emission vehicles (ULEVs). In line with the National Air Quality Plan, the introduction of a CAZ will also require minimum emission standards for taxis. Proposed minimum emission standards for taxis in Slough are shown in table 1.

**Table 1 – Proposed emission standard requirements for taxis**

<b>Taxi Licensing Type</b>	<b>Emission Standard &amp; Compliance Dates</b>
All new registrations	Minimum CAZ* Standard (Euro 6 diesel/4 petrol) from 1 <sup>st</sup> January 2018 ULEV** Standard from 1 <sup>st</sup> January 2019
All licensing renewals	CAZ Standard (Euro 6 diesel/4 petrol) from 1 <sup>st</sup> January 2019 WAV*** to comply by 1 <sup>st</sup> January 2020
All licensing renewals	ULEV from 2025

\*Clean Air Zone

\*\*A vehicle that uses low carbon technologies and emits less than 75g of CO<sub>2</sub>/km from the tailpipe and is capable of operating in zero tailpipe emission mode for a range of at least ten miles.

\*\*\*Wheelchair Accessible Vehicle (Hackney Carriage only)

In 2016, SBC undertook an Ultra-Low Emission Taxi Feasibility Study, a pre-requisite for Government funding to support the uptake of ultra-low emission taxis. The study showed that there was interest from the taxi trade in using plug-in vehicles and that at around 3p per mile to run, Slough taxi drivers could achieve significant cost savings by switching from their diesel vehicles. A key issue is the availability of dedicated rapid charging facilities for taxis.

In March 2017, the Government awarded Slough £157,000 to install 7 rapid charging units for charging taxis. These new units will be rolled out over the next 2 years at the following locations:

- Slough railway station – front entrance
- Slough Railway station – rear entrance

- Harrow Market, Langley
- Burnham Railway station
- The Grove car park, town centre
- Burlington car park, town centre
- Church Street, town centre

In order to facilitate a switch to ultra-low emission, plug-in taxis, it is proposed that licensing standards for ULEVs are introduced in line with table 1.

Additionally, incentives to promote the uptake of plug-in taxis will be considered, including:

- Dedicated ULEV taxi ranks at Slough, Burnham and Langley Railway Stations
- Dedicated SMART APP for taxi drivers to book charging facilities
- Discounted charging rates for early adopters
- ULEVs to be prioritised when SBC, and other public services, procure taxi services

SBC will be holding 'Trade' days when taxi drivers can meet with ULEV manufacturers and service providers to discuss opportunities.

## APPENDIX B

### Euro emissions standards for diesel cars

Euro standard	Date	CO	NO2	PM
Euro 1	July 1992	2.72	-	0.14
Euro 2	January 1996	1.0	-	0.08
Euro 3	January 2000	0.64	0.50	0.05
Euro 4	January 2005	0.50	0.25	0.025
Euro 5a	September 2009	0.50	0.180	0.005
Euro 6	September 2014	0.50	0.080	0.005

### Euro emissions standards for petrol cars

Euro standard	Date	CO	NO2	PM
Euro 1	July 1992	2.72	-	-
Euro 2	January 1996	2.2	-	-
Euro 3	January 2000	2.3	0.15	-
Euro 4	January 2005	1.0	0.08	-
Euro 5	September 2009	1.0	0.060	0.005
Euro 6	September 2014	1.0	0.060	0.005