

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 15th February 2018

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WARD(S): ALL

PART I FOR DECISION

UPDATE ON PROPOSED EMISSION STANDARDS FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

1. Purpose of Report

To update the committee on the proposals for low emission standards for hackney carriage (taxi) and private hire vehicles in Slough, as part of the Council's draft Low Emission Strategy (LES) and the proposed feasibility for a Clean Air Zone, as well as proposals for all new applicants wishing to licence a private hire vehicle for the first time.

2. Recommendation(s)/Proposed Action

The Committee is requested to:

- (a) Note that the main proposals as previously discussed will be put back until 6th June 2018 to allow for further engagement with the hackney carriage and private hire trade bodies and their representatives.
- (b) Note the report and comment on the revised proposals only for **all new applicants** wishing to licence a private hire vehicle for the first time, and the effective date, as at **Section 6** of the report
- (c) Agree that the proposals, as set out in Section 6 of the report, for all new applicants wishing to licence a private hire vehicle for the first time be approved.

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 has finalised its draft Low Emission Strategy ("LES") in line with the Government's new National Air Quality Plans, published on the 5th 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 draft LES has now been subject to a full public consultation which closed on 5th February 2018.

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

The proposals for low emission standards for all new applicants 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 from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
(a) Note that the main proposals as previously discussed will be put back until 6th June 2018 to allow for further engagement with the hackney carriage and private hire	The proposals will support the recommendations of low emission standards for private hire vehicles as contained in the Council's 'Low Emission Strategy' (LES)	None	4	Further proposals for all currently licensed and replacement hackney carriage and private hire vehicles have been consulted on and will be put before the Licensing

<p>trade and their representatives. (b) Note the report and comment on the revised proposals only for all new applicants wishing to licence a private hire vehicle for the first time, and the effective date, as at Section 6 of the report (c) Agree that the proposals for all new applicants wishing to licence a private hire vehicle for the first time be approved.</p>				<p>Committee on 6th June 2018 following further engagement with the relevant trade representatives</p>
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(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 Members 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, as **the proposals would apply to all new applicants wishing to licence a vehicle for the first time from the effective date.**

5. Supporting Information

- 5.1 A report was put before the Licensing Committee on 17th October 2017, outlining proposals for low emission standards for all hackney carriage and private hire vehicles following a public consultation as well as consultation with all hackney carriage and private hire licence holder and operators.
- 5.2 For the information of the Licensing Committee the proposals from 17th October 2017 are attached at **Appendix A** of this report.
- 5.3 The proposals are detailed in the Low Emission Strategy (“LES”) which has now been subject to full public consultation which closed on 5th February 2018.
- 5.4 On 17th October 2017 a number of representatives addressed the Licensing Committee and in light of some issues raised by the Committee and the trade representatives the Committee resolved as at Point 10.1 of the report.
- 5.5 The additional information been requested by the Licensing Committee on 17th October 2017 has been compiled and copies have served on all the members of the Slough Private Hire Driver Association and the Slough Taxi Union.
- 5.6 The additional information will be included fully in the report on the final proposals for 6th June 2018, however copies will be available at this stage for information only if the Committee require them.
- 5.7 In light of the possible financial impact on the current vehicle licence holders a decision has been made for the main proposals, other than those for new applicants, be put back until 6th June 2018. This will allow for further engagement with the hackney carriage and private hire trade to promote the take up of ULEV vehicles, the grants available towards the cost of purchasing ULEV vehicles, provide information on varying types of vehicles available to be licenced that will comply with the final proposals and of costs involved, as well as engagement with trade manufacturers at trade days
- 5.8 In addition a £74k bid has been submitted to the Government to lease 4 plug-in taxis (including 2 disabled access vehicles) to be made available to the trade in Slough to demonstrate the benefits of these vehicles over an 18 month period

6. Proposals of this Report. Effective date 1st September 2018

1. From **1st September 2018** - All new vehicles to be licensed for the first time as a private hire vehicle by a new applicant for a private hire driver licence must be to ULEV**Standard.
2. ULEV **Standard means, A vehicle that uses low carbon technologies and emits less than 75g of CO2/km from the tailpipe and is capable of operating in zero tailpipe emission mode for a range of at least ten miles.
3. That all vehicles must be under 3 years of age from the date of first registration at the time of first being licensed.
4. Any ULEV**Standard vehicle once licenced by a new applicant must only be replaced by another ULEV**Standard vehicle under 3 years of age.
5. New applicants will not be permitted to have a vehicle currently licensed by Slough Borough Council, transferred to them after the effective date, unless the

vehicle is of the required ULEV**Standard and is under 3 years of age from the date of first registration.

7. Comments of Other Committees

7.1 On 17th October 2017 the Licensing Committee resolved:

- (a) That the Licensing Officers come back to the next meeting with a breakdown of vehicle age for private hire cars and saloon hackney vehicles.
- (b) That the Licensing Officers provide projected figures of PH and SC vehicles that would be non-compliant with the LES for 2021, 2022 and 2023 at the next meeting.
- (c) That an Extraordinary Meeting be arranged to consider the matters above.

7.2 On 27th June 2017 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.

8. Conclusion

The Committee concluded to:

- (a) note that the main proposals will be put back until June 2018 to allow for further engagement with the hackney carriage and private hire trade bodies and their representatives.
- (b) note the report and comment on the revised proposals for all new applicants wishing to licence a private hire vehicle for the first time, and the effective date, as at **Section 6** of the report
- (c) agree that the proposals for all new applicants wishing to licence a private hire vehicle for the first time be approved.

9. Appendices Attached

- 'A' - Original proposals Slough Low Emission Strategy for taxi and private hire vehicles (17/10/2017)

10. Background Papers

- '1' - SBC 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
- '7' - Policy on minimum sizes of vehicles to be licensed.
- '8' - Slough Ultra-Low Emission Taxi Feasibility Study

APPENDIX A

Revised Proposals (Saloon Hackney Carriages and Private hire Vehicles) from Licensing Committee on 17th October 2018

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.

Compliance Dates & Emission Standard	Vehicle to be Licensed
1st September 2018 ULEV** Standard	All new vehicles to be licensed by new applicants on or after that date. ***
1st September 2018 CAZ Standard (Euro 6 diesel / Euro 5 petrol)	All licensing renewals i.e. renewals of currently licensed vehicles.
1st September 2018 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 ***
1st September 2020 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 ***
ULEV from 2025	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 CO₂/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 1st 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.