

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 12th June 2018

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WARD(S): ALL

PART I FOR DECISION

REVISED PROPOSED LOW EMISSION STANDARDS AND NEW VEHICLE AGE POLICY FOR SALOON HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

1. Purpose of Report

To update the Committee on the proposals for low emission standards for saloon hackney carriage (taxi) and private hire vehicles in Slough, as part of the Council's draft Low Emission Strategy (LES) with the proposed feasibility for a Clean Air Zone, and proposals for a new Vehicle Age Policy for saloon hackney carriage and private hire vehicles following further consultation.

2. Recommendation(s)/Proposed Action

The Committee is requested to:

- (a) Note the report and comment on the revised proposals for Low Emission Standards and effective dates for all saloon hackney carriage and private hire vehicles, following the consultation.
- (b) Note the responses to the consultation.
- (c) Agree that the revised proposals for low emission standards at **Section 6** be approved.
- (d) Agree any amendments to the revised proposed low emission standards having regard to the responses and alternative proposals received from the consultation.
- (e) Agree that the current Vehicle Age Policy for private hire and saloon hackney carriage vehicles be rescinded.
- (f) Agree the new Vehicle Age Policy at **Section 7** be approved with the effective dates.
- (g) Agree any amendments to the current or proposed new vehicle age policy, taking into account responses from the consultation.
- (h) Note that a separate consultation on Low Emission Standards for Wheelchair Accessible Vehicles and vehicles constructed or adapted to carry wheelchairs used for home to school transport 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 has finalised its draft Low Emission Strategy (“LES”) 2018-2025 produced in line with the Government’s new National Air Quality Plans, published on the 5th May 2017. The draft 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.

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

The revised proposals for low emission standards for all saloon hackney carriage and private hire vehicles will support the Slough Joint Wellbeing Strategy priorities:

Priorities

- Increasing life expectancy by focusing on 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:

- Slough children will grow up to be happy, healthy and successful.
- Our people will become healthier and will manage their own care needs.
- Slough will be an attractive place where people choose to live, work and stay.
- Slough will attract, retain and grow businesses and investment to provide 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 the report and comment on the revised proposals for Low Emission Standards and effective dates for all saloon hackney carriage and	The proposals will support the recommendations of low emission standards for private hire and hackney carriage vehicles as	None	4	Further proposals for all wheelchair accessible vehicles to included vehicle constructed or adapted for

<p>private hire vehicles, following the consultation.</p> <p>(b) Note the responses to the consultation.</p> <p>(c) Agree that the revised proposals for low emission standards at Section 6 be approved.</p> <p>(d) Agree any amendments to the revised proposed low emission standards having regard to the responses and alternative proposals received from the consultation.</p> <p>(e) Agree that the current Vehicle Age Policy for private hire and saloon hackney carriage vehicles be rescinded.</p> <p>(f) Agree the new Vehicle Age Policy at Section 7 be approved with the effective dates.</p> <p>(g) Agree any amendments to the current or proposed new vehicle age policy, taking into account responses from the consultation.</p> <p>(h) Note that a separate consultation on Low Emission Standards for Wheelchair Accessible Vehicles and vehicles constructed or adapted to carry wheelchairs used for home to school transport is to be conducted.</p>	<p>contained in the Council's draft 'Low Emission Strategy' (LES) 2018-2025 which forms part of the Slough Air Quality Action Plan</p>			<p>Home to School Transport will be consulted upon post June 2018.</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 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 as there are no equality issues identified, since the proposals will apply to any proprietor of a private hire or hackney carriage vehicle in similar circumstances. However a full statutory consultation has been conducted on the Council's draft Low Emission Strategy (LES), due to be put before Cabinet for approval in July 2018.

5. Supporting Information

- 5.1 The Committee will be aware that the draft Slough Low Emission Strategy ("LES") 2018-2025 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 finalised draft strategy will be put before Cabinet in July 2018 for formal approval and adoption.
- 5.2 A report was put before the Licensing Committee on 17th October 2017, outlining proposals for low emission standards for all saloon hackney carriage and private hire vehicles following a public consultation as well as consultation with all hackney carriage and private hire licence holders and operators.
- 5.3 For the information of the Licensing Committee the proposals from 17th October 2017 are attached at **Appendix A**.
- 5.4 On 17th October 2017 the Licensing Committee also requested further information and statistics to be put back before the Committee to assist in making a decision on the proposals for low emission standards. Details were provided to the Licensing Committee on 15th February 2018 for information only as well as being supplied to the representatives of the Slough Private Hire Driver Association and Slough Taxi Federation.
- 5.5 The information and statistics have now been further updated taking into account the revised proposals and are detailed in **Section 9** of the report.

6. Revised Proposal

- 6.1 As the Low Emission Strategy ("LES") (*which is due to be put before Cabinet in July for formal approval*), is the Council's overarching strategy to tackle and reduce high pollution emitting transport vehicles, the original proposals have been

further revised in order that the Council can meet its obligations to reduce emission levels as part of the (LES) and Air Quality Action Plan. In addition there are now also further proposals for a new Vehicle Age Policy for all saloon hackney carriage and private hire vehicles, which will encourage licence holders to licence newer low emission vehicles to be compliant with the new proposal as well as being licensed for an extended period of time.

The revised proposals for low emission standards are detailed below.

Proposed Low Emission Standards

Compliance Dates & Emission Standard	Vehicle to be Licensed All Private Hire and Saloon Hackney Carriages
1st September 2019 CAZ* ULEV**	All licensing renewals i.e. renewals of currently licensed vehicles***.
1st September 2019 CAZ* ULEV**	All new vehicles to be licensed by current licence holders i.e. where the current licensed vehicle needs to be replaced ***
ULEV from 1st September 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. Proposed Revised Vehicle Age Policy

7.1 The proposals for a new Vehicle Age Policy for all saloon hackney carriage and private hire vehicles are detailed below.

7.2 From **1st September 2019** the vehicle age policy for all saloon hackney carriage and private hire vehicles be amended from, *under 5 years to maximum of 9 years*, to:

Under 3 years of age from date of first registration and will be licensable up to a maximum of 12 years.

This will apply to all new vehicles being licensed by current licence holders on or after that date; the vehicle must be compliant with the approved Low Emission Standards.

This new Vehicle Age Policy will also to apply to all new applicants for driver licenses wanting to licence a vehicle for the first time from 1st September 2018.

NOTE: This will support the proposals approved by the Licensing Committee on 15th February 2018 for all new drivers wanting to licence a vehicle for the first time as of 1st September 2018.

7.3 The revised formal proposals for low emission standards and new proposed Vehicle Age Policy were subject to a full consultation with all hackney carriage and private hire drivers and Operators between 13th April and 16th May 2018. In

addition meetings were also held with the representatives of the Slough Private Hire Driver Association and Slough Taxi Federation to seek their views on the new proposals.

Consultation Responses

- 7.4 The full responses to the consultation are attached at **Appendix B**.
A copy of the minutes of the meeting with the Private Hire Driver Association and Taxi Federation are attached at **Appendix C**.
A written response and petition from the Slough Taxi Federation of an alternative proposal is attached **Appendix D**.
A written response and petition from the Slough Private Hire Driver Association is attached at **Appendix E**
- 7.5 A summary of the alternative proposals put forward by the Slough Private Hire Driver Association and Slough Taxi Union are attached at **Appendix J**.

8. Wheelchair Accessible Vehicles

All wheelchair accessible vehicles and vehicles constructed or adapted to carry wheelchairs used for home to school transport will be part of a separate consultation, planned for after the June Licensing Committee meeting. A new vehicle age policy is to be agreed, however the proposal as detailed in the above chart is that all vehicles must be ULEV by 1st September 2025.

9. Statistics and information.

- 9.1 The information and statistics have now been updated as of 1st May 2018.
- 9.2 **Appendix F** details the number of currently licensed vehicles that will be non-compliant with the revised proposals on a year by year basis as of 1st September 2019.
- 9.3 The statistics show that there will be a significant impact on all current licensed vehicles in that **as of the implementation date no current licensed vehicle will meet the revised proposals and all vehicles will have to be replaced at the date of renewal**. In addition, any current licensed vehicle that will need to be replaced due to reaching the 9 year vehicle age policy will have to be replaced with a vehicle that meets the revised proposals.
- 9.4 **Appendix G** details the age, number and percentage of the current fleet, together with information on CO2 Ratings.
- 9.5 In summary there are **668 saloon hackney carriage and private hire vehicles in total**, with 67.5% of the fleet being aged between 4 and 8 years and 9.6% being under 3 years of age. The current highest CO2 rating is 271, the lowest being 89 with the average CO2 rating being 129.
- 9.6 **Appendix H** details the age of new vehicles being licensed between the 1st April 2017 and 30th April 2018.
- 9.7 The figures show that 82.2% of vehicles licensed were over 4 years of age at the point of being licenced. The highest mileage being 191,085 miles and the lowest 21miles, with the fuel types being 41 Hybrid, 4 Petrol and 84 Diesel.

10. Incentives and Grants.

- 10.1 The Licensing Committee on 15th February 2018 rescinded the vehicle size policy to allow any size of vehicle to be licensed, as there is now a wide range of low emission/electric vehicles available on the market, these vehicles tend to be smaller than the normal family saloon vehicles that are currently licensed. Since the change in policy there has been significant interest by drivers wanting to licence ULEV vehicles.
- 10.2 The Government has awarded Slough £157,000 and Slough will match this funding to install the Electric Vehicle Charging Point (EVCP) rapid infrastructure to meet the growing demand of electric and plug-in vehicles and this grant was awarded specifically to cater for Electric Taxis and Private Hire Vehicles in readiness for their transition.
- 10.3 As detailed in previous reports, there is a Plug-in Car Grant available of up to £4,500. Further information on this grant is attached at **Appendix I**.
- 10.4 There is also an Electric Vehicle Home Charge Scheme. The key feature of the Electric Vehicle Home Charge Scheme is a grant of a 75% contribution towards the cost of one charge point and its installation up to a maximum of £500 (including VAT) per household/eligible vehicle. The grant is subject to a set eligibility criteria for the vehicle owner, type of vehicle, type of residential premises and approved installer. Further information can be found the GOV.UK website at;
- <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-guidance-for-customers-version-21>
- 10.5 In addition to the vehicle details on Appendix I, there are a number of websites available and easily accessible with extensive information of new and used ULEV vehicles available on the market, examples are:

Next Green Car

<http://www.nextgreencar.com/emissions/ultra-low-emission-vehicles/>

<http://www.nextgreencar.com/emissions/low-emission-cars/>

The Go Ultra Low website

<https://www.goultralow.com/choosing/electric-car-selector/>

Buyacar (Used cars)

<https://www.buyacar.co.uk/cars/economical-cars/low-emission-cars>

- 10.6 Information on the grants available and the above website links are now being provided to those individuals interested in wanting to purchase ULEV vehicles.

11. Additional proposals

- 11.1 To promote the take up of ULEV vehicles the following proposals are being made to be agreed by the Committee for all current licence holders on or after 1st September 2019:

- (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 2019 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.

12. Comments of Other Committees

12.1 On 15th February 2018 the Licensing Committee resolved –

- (a) that it be noted that the main proposals as previously discussed would 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) that the report be noted.
- (c) 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.

12.2 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.

12.3 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.

13. Conclusion

The Committee concluded to:

- (a) Note the report and comment on the revised proposals for Low Emission Standards and effective dates for all saloon hackney carriage and private hire vehicles, following the consultation.
- (b) Note the responses to the consultation.
- (c) Agree that the revised proposals for low emission standards at **Section 6** be approved.
- (d) Agree any amendments to the revised proposed low emission standards having regard to the responses and alternative proposals received from the consultation.
- (e) Agree that the current Vehicle Age Policy for private hire and saloon hackney carriage vehicles be rescinded.
- (f) Agree the new Vehicle Age Policy at **Section 7** be approved with the effective dates.
- (g) Agree any amendments to the current or proposed new vehicle age policy, taking into account responses from the consultation.
- (h) Note that a separate consultation on Low Emission Standards for Wheelchair Accessible Vehicles and vehicles constructed or adapted to carry wheelchairs used for home to school transport is to be conducted.

14. Appendices Attached

- 'A' - Proposals for Slough Low Emission Standards for taxi and private hire vehicles (17/10/2017)
- 'B' - Responses to consultation.
- 'C' - Copy of the minutes of the meeting with the Slough Private Hire Driver Association and Slough Taxi Federation.
- 'D' - A written response and list of signatures from the Slough Taxi Federation of an alternative proposal is attached.
- 'E' - Response from the Slough private Hire Driver Association.
- 'F' - Number of currently licensed vehicles that will be affected by the revised proposals on year by year basis as of 1st September 2019.
- 'G' - Details the age, number and percentage of the current fleet, together with information on CO2 Ratings.
- 'H' - The age of vehicles being licensed from 1st April 2017 to 30th April 2018.
- 'I' - Information on Plug-in Car Grant
- 'J' - Summary of alternative proposals put forward by The Slough Private Hire Driver Association and Slough Taxi Union.

15. Background Papers

- '1' - SBC draft Low Emission Strategy 2018-2025
- '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' - Slough Ultra-Low Emission Taxi Feasibility Study