

Appendices

- A. Current Emissions Policy
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NORTHAMPTON
BOROUGH COUNCIL

TAXI AND GENERAL LICENSING COMMITTEE REPORT

Report Title	Proposed amendment of the Taxi and Private Hire Vehicle Specification and Emission Standards Policy.
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	13 October 2020
Policy Document:	Taxi and Private Hire Vehicle Specification and Emission Standards Policy.
Directorate:	Customers & Communities.

1. Purpose

1.1 To consider an amendment to the current Taxi and Private Hire Vehicle Specification and Emission Standards Policy (“the Emissions Policy”).

2. Recommendations

2.1 That, taking into account the contents of this report, the Taxi and General Licensing Committee (“the Committee”) adopt the proposed amendment to the existing Hackney and Private Hire Vehicle Emission Policy, as set out at paragraph 3.3.4 as **Option 1**.

That, taking into account the contents of this report, the Committee delegates the power to make any further amendments to the Hackney and Private Hire Vehicle Emission Policy to the Environmental Health & Licensing Manager, in consultation with the Chair of the Taxi and General Licensing Committee, as may be required due to unforeseen and exceptional circumstances, as set out at paragraph 3.3.7 as **Option 4**.

3. Issues and Choices

3.1 Report Background

3.1.1 On the 3 May 2018 the Committee agreed to adopt the Emissions Policy as appended to this policy at **Appendix A**.

3.1.2 This policy was agreed after consultation with interested parties including representatives of the taxi trade and allowed for a transitional period with a gradual move towards an improved emission standard licensed fleet. The most significant date during the transitional period is 31st December 2020 (or upon a licensed vehicle’s next

renewal after that date), when all current licensed taxi and private hire vehicles are required to meet the minimum standards detailed at **Appendix A**.

- 3.1.3 Representatives from the taxi and private hire trade have informed the licensing team that the Coronavirus pandemic has had a significant adverse financial impact upon the trade and have requested an extension to the 31st December 2020 date for compliance with the standards as set out at **Appendix A**. This has adversely affected the ability of many licensed drivers to now purchase newer and Emissions Policy compliant vehicles by 31st December 2020.
- 3.1.4 There is currently work underway reviewing all current local taxi and private hire policies in preparation for the creation of the new unitary West Northants Council, which will replace Northampton Borough Council, Daventry District Council and South Northants District Council as the licensing authority for the west of the county. It is likely that a review of the taxi and private hire vehicle specifications, age limits and emission standards will take place, with a view to West Northants Council adopting one policy rather than continuing with three separate policies, which is likely to be unworkable in practice. It has already been noted that there will need to be a lengthy transitional period for any changes to the policies relevant to licensed taxi and private hire vehicles. Any future West Northants Council vehicle policy will still aim to raise standards and will not be a move backwards towards an older and/or poor emission licensed fleet vehicle standards, as required by law.
- 3.1.5 The original policy did allow for an appeals process to a Sub-Committee to consider a departure from the existing Emissions Policy on a case by case basis. The consideration for departure only applied to hackney carriages due to the much higher costs associated with purchasing a newer hackney carriage as opposed to a private hire vehicle.
- 3.1.6 It is proposed that this amendment will apply equally to both hackney carriage (taxis) and private hire vehicles until 31st December 2021 or 31st December 2022, depending upon which option, if any, the Committee decides to choose, and will remove the need for the hackney appeals process.

3.2 Issues

- 3.2.1 The existing Emissions Policy applies a minimum emissions standard to all new vehicle applications with effect from May 2018. This meant that any vehicle licence holder changing their licenced vehicle, or entering the trade and licensing their vehicle for the first time since May 2018, has been required to meet the minimum emission standards. As intended, this has already created a shift over the last 2 years to an improved emission standard compliant fleet.
- 3.2.2 In addition, prior to the pandemic some of the trade have chosen over the last two years to purchase vehicles that would meet the improved emission standard criteria over the forthcoming 5-10 years, rather than the standard which will be mandatory post 31st December 2020. As a result, there has already been a significant shift to an improved fleet and this should be taken into consideration when considering the 1 or 2 year extended period for compliance with the post 31st December 2020 standards that is proposed.
- 3.2.3 A table showing the current licensed vehicle emission standards data is shown at **Appendix E**.
- 3.2.4 It should be noted that the number of licensed vehicles shown in **Appendix E** is approximately 150 less than the numbers of licensed vehicles prior to the pandemic.

Therefore, the emission data may alter accordingly, should those vehicles become licensed again.

- 3.2.5 The Council still has a legal duty to monitor, improve and maintain air quality standards. and the Committee needs to consider that it is still required to improve the air quality for the residents and visitors of Northampton.

3.3 Choices (Options)

- 3.3.1 There are three options, the first two of which take into consideration the need to strike a balance between those licence holders who will not be in a position to change their vehicles by 31st December 2020 due to financial constraints caused by circumstances beyond their control and those who have already invested and made the changes to meet the criteria.

- 3.3.2 The Committee may also decide to take no action and to leave the policy unamended.

- 3.3.3 There are also two options with regard to the proposed delegation of powers to the Environmental Health and Licensing Manager, in consultation with the Chair of the Taxi and General Licensing Committee, to amend the Emissions Policy as a response to exceptional and unforeseen circumstances. These are to either grant the delegation of powers or decide not to do so, which would mean that any future proposed amendments would have to be brought back before the Committee.

- 3.3.4 Option 1 – Approve the amendment to the Emissions Policy as set out at Appendix B.**

This amends the second phase due to apply to existing vehicles from 31st December 2020 to 31st December 2021.

This policy amendment will be monitored and reviewed if necessary.

- 3.3.5 Option 2 – Approve the amendment to the Emissions Policy as set out at Appendix C.**

This amends the second phase due to apply to existing vehicles from 31st December 2020 to 31st December 2022.

This policy amendment will be monitored and reviewed if necessary

- 3.3.6 Option 3 – Agree to make no changes to the Emissions Policy and keep the existing policy unamended.**

- 3.3.7 Option 4 – Agree to delegate the power to amend the Emissions Policy as a response to unforeseen and exceptional circumstances to the Environmental Health & Licensing Manager, in consultation with the Chair of the Taxi and General Licensing Committee, as set out Appendix D.**

3.3.8 Option 5 – Decline to delegate the power to amend the Emissions Policy as set out in para 3.3.7 above.

4. Implications (including financial implications)

4.1 Policy

4.1.1 There may be a loss of income in respect of licence fees if the number of licensed vehicles decreases, due to the current financial difficulties reported as experienced by vehicle proprietors in affording to purchase new vehicles by 31st December 2020, as required by the current Emissions Policy.

4.2 Resources and Risk

4.2.1 None Identified

4.3 Legal

4.3.1 The Local Government (Miscellaneous Provisions) Act 1976, allows the Council to set conditions for the granting of hackney carriage (taxis) and private hire vehicle licences. Any such conditions must be reasonable and based on sound principles and evidence.

4.3.2 The council has a legal duty to monitor, improve and maintain air quality standards. 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 this Directive have been transposed into domestic law through the Environment Act 1995. The Council has a duty under the 1995 Act to prepare a written action plan setting out measures to combat air pollution and to implement that plan.

4.3.3 The existing Emissions Policy assists in implementing this action plan and, despite the recommended amendment to that policy, will continue to do so. The Council has already committed to reducing the level of emissions from hackney carriage and private hire vehicles in the Northampton Low Emissions Strategy 2017 to 2025.

4.4 Equality

4.4.1 There are no equality issues identified as this policy would apply equally to any proprietor of a Hackney Carriage (Taxi) or Private Hire vehicle in similar circumstances.

4.5 Environmental Implications (including climate change issues)

4.5.1 The council has a legal duty to monitor, improve and maintain air quality standards. 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 this Directive have been transposed into domestic law through the Environment Act 1995. The Council has a duty under the 1995 Act to prepare a written action plan setting out measures to combat air pollution and to implement that plan.

4.6 Other Implications

4.6.1 None Identified

5. Background Papers

- 5.1 Northampton Town Low Emission Strategy Consultation
- 5.2 Northampton Borough Council Vehicle Conditions Policy
- 5.31. Local Government (Miscellaneous Provisions) Act 1976.
- 5.43. European Union emission control standards.
- 5.4.1 Department for Transport Taxi & Private Hire Guidance 2010
- 5.4.2 Office for Low Emission Vehicles
- 5.4.3 Northampton Low Emission Strategy 2017 - 2025

Appendix A – Current Emissions Policy

	A. Taxi licensing type and compliance dates	B. Emission standard
1.	<p>All new registrations (i.e. vehicles which have not previously been licensed by the Council)</p> <p>From: 3rd May 2018</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5 +</p> <p>Petrol Euro 5 + (Any vehicle registered from 1st Sept 2009 onwards)</p> <p>Diesel Euro 6 + (Any vehicle registered from 1st Sept 2014 onwards)</p> <p>(will not apply to existing proprietors whose vehicle is taken off the road due to unforeseen circumstances. Existing licensed vehicles that need to be replaced must be either an equivalent, or an improved euro standard)</p>
2.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2020</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 5 +</p> <p>Diesel Euro 6 +</p> <p>(including vehicles adapted with a retrofit to an agreed approved standard & hackneys only may apply for departure from policy)</p>
3.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2025</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 6 +</p> <p>Diesel Euro 6 +</p>
4.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2028</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p>
<p>+ Includes all vehicles that will meet a higher standard than the euro emission standard specified ULEV = Ultra Low Emission Vehicle (<75g/km and 10km zero emission capability)</p> <p>1.NBC will consider & implement incentives to promote the cleanest technologies - less than 75 g/km and at least 10 km zero emissions</p> <p>2.NBC carried out an Ultra-Low Emission Taxi Feasibility Study with potential for infrastructure funding and ULEV taxi (WAV) total plug in taxi grant of £7.5k, including Plug-in Car Grant (office for Low Emission Vehicles)</p> <p>EMISSION STANDARD ADOPTED AT LICENSING COMMITTEE 03.05.2018</p>		

Appendix B – Option 1 - Proposed Amended Policy (Highlighted in Yellow)

	A. Taxi licensing type and compliance dates	B. Emission standard
1.	<p>All new registrations (i.e. vehicles which have not previously been licensed by the Council)</p> <p>From: 3rd May 2018</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5 +</p> <p>Petrol Euro 5 + (Any vehicle registered from 1st Sept 2009 onwards)</p> <p>Diesel Euro 6 + (Any vehicle registered from 1st Sept 2014 onwards)</p> <p>(will not apply to existing proprietors whose vehicle is taken off the road due to unforeseen circumstances. Existing licensed vehicles that need to be replaced must be either an equivalent, or an improved euro standard)</p>
2.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2021</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 5 +</p> <p>Diesel Euro 6 +</p> <p>(including vehicles adapted with a retrofit to an agreed approved standard & hackneys only may apply for departure from policy)</p>
3.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2025</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 6 +</p> <p>Diesel Euro 6 +</p>
4.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2028</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p>
<p>+ Includes all vehicles that will meet a higher standard than the euro emission standard specified ULEV = Ultra Low Emission Vehicle (<75g/km and 10km zero emission capability)</p> <p>1.NBC will consider & implement incentives to promote the cleanest technologies - less than 75 g/km and at least 10 km zero emissions</p> <p>2.NBC carried out an Ultra-Low Emission Taxi Feasibility Study with potential for infrastructure funding and ULEV taxi (WAV) total plug in taxi grant of £7.5k, including Plug-in Car Grant (office for Low Emission Vehicles)</p> <p>EMISSION STANDARD ADOPTED AT LICENSING COMMITTEE 03.05.2018</p>		

Appendix C – Option 2 - Proposed Amended Policy (Highlighted in Yellow)

	A. Taxi licensing type and compliance dates	B. Emission standard
1.	<p>All new registrations (i.e. vehicles which have not previously been licensed by the Council)</p> <p>From: 3rd May 2018</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5 +</p> <p>Petrol Euro 5 + (Any vehicle registered from 1st Sept 2009 onwards)</p> <p>Diesel Euro 6 + (Any vehicle registered from 1st Sept 2014 onwards)</p> <p>(will not apply to existing proprietors whose vehicle is taken off the road due to unforeseen circumstances. Existing licensed vehicles that need to be replaced must be either an equivalent, or an improved euro standard)</p>
2.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2022</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 5 +</p> <p>Diesel Euro 6 +</p> <p>(including vehicles adapted with a retrofit to an agreed approved standard & hackneys only may apply for departure from policy)</p>
3.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2025</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p> <p>Petrol Euro 6 +</p> <p>Diesel Euro 6 +</p>
4.	<p>All licence renewals (i.e. renewal of a licence for a vehicle which was previously granted by the Council)</p> <p>From: 31st December 2028</p>	<p>ULEV</p> <p>Petrol Hybrid Euro 5+</p>
<p>+ Includes all vehicles that will meet a higher standard than the euro emission standard specified ULEV = Ultra Low Emission Vehicle (<75g/km and 10km zero emission capability)</p> <p>1.NBC will consider & implement incentives to promote the cleanest technologies - less than 75 g/km and at least 10 km zero emissions</p> <p>2.NBC carried out an Ultra-Low Emission Taxi Feasibility Study with potential for infrastructure funding and ULEV taxi (WAV) total plug in taxi grant of £7.5k, including Plug-in Car Grant (office for Low Emission Vehicles)</p> <p>EMISSION STANDARD ADOPTED AT LICENSING COMMITTEE 03.05.2018</p>		

Appendix D – Option 4 – Proposed amendment to delegated functions

Table: Delegation of Functions				
	Matters to be dealt with	Sub Committee	Licensing Manager	Licensing Officer
1.	Hackney Carriage Vehicle Renewal – Application to Depart from Policy 1 April 2018 – 31 Dec 2025	√		
2.	Existing Licensed Replacement Vehicle (i.e. those vehicles taken off the road due to unforeseen circumstances) 1 April 2018 – 31 Dec 2020 (To be amended to 2021 or 2022 - if option 1 or 2 agreed)			√
3.	Private Hire Exemption Certificates 1 April 2018 – 31 Dec 2025		√	
4.	Exemptions to the Emissions Policy due to ULEV Vehicle Manufacture Problems and Amendment to the Emissions Policy in Unforeseen and Exceptional Circumstances. 1 April 2018 – 31 Dec 2028		√	

Appendix E – Licensed Vehicles Emission Data

Hackney Carriages	Total Numbers 2020	Total Numbers 2016/2018
Licensed as at 09/2020 & 09/2016	119	150
LEVC Electric/Hybrid	4	0
Petrol/Hybrid Euro 5+ & Diesel Euro 6+	41	3
Euro 1 Diesel	18	
Euro 2 Diesel	4	
Euro 3 Diesel	16	
Euro 4 Diesel	22	
Euro 5 Diesel	14	36
Unknown		111

Private Hire Vehicles	Total Numbers 2020	Total Numbers 2016/2018
Licensed as at 09/2020 & 09/2016	747	709
Petrol/Hybrid Euro 5+ & Diesel Euro 6+	588	182
Euro 2 Diesel	1	
Euro 3 Diesel	13	
Euro 4 Diesel	77	
Euro 5 Diesel	56	116
Euro 4 Petrol	12	18
Petrol Unknown		13
Diesel Unknown		380