

ITEM 7

www.oxford.gov.uk



To: General Purposes Licensing Committee

Date: 15th June 2009 **Item No:** 7

Report of: Head of Environmental Development

Title of Report: Introduction of Vehicle Exhaust Emission Standards for Hackney Carriages and Private Hire Vehicles

Summary and Recommendations

Purpose of report: To review the criteria of Hackney Carriage and Private Hire Vehicles in respect of vehicle emissions.

Report Approved by:

Finance: Anna Winship
Legal: Daniel Smith

Policy Framework: This report reflects the Council's Vision of improving performance and working with others to deliver shared goals. It specifically contributes to the strategic priority to improve the local environment, economy and quality of life, and the Community Strategy theme of working to create a better living environment. It is consistent with the recent adoption of a Low Emission Zone for Public Service Vehicles.

Recommendation(s): Approve the introduction of revised standards for vehicle exhaust emissions for Hackney Carriages and Private Hire Vehicles.

There are no financial implications from this report.

7.1

Background

1. A major source of air pollution is emissions from road traffic. In an attempt to reduce these emissions and improve air quality, emission standards legislation has been imposed for new vehicles sold in Europe since 1992. These are known as European emission standards (Euro) and give acceptable limits.
2. The limits are set at different levels for different vehicle types and compliance is determined by running a vehicle's engine over a standard test cycle for a set time.
3. There are different standards for petrol and diesel engines but the date of implementation is the same and is shown below.

Euro standard	Date of first vehicle registration (or manufacture)
Pre-Euro	Prior to 1992
Euro I	1992 – 30 September 1996
Euro II	1 October 1996 – 31 December 1999
Euro III	1 January 2000 – 30 September 2006
Euro IV	1 October 2006 – 30 September 2009
Euro V	1 October 2009 onwards

4. Like Passenger Carrying Vehicles (PSV), Hackney Carriage and Private Hire Vehicles are permitted in most areas of the City centre and are contributing to the pollution levels, although small in comparison to busses.
5. The current criteria for licensed vehicles are that they have to pass a Certificate of Compliance (MOT) every 6 months, there is no age limit on a licensed vehicle. In order to lower the emission levels of Hackney Carriage and Private Hire vehicles licensed by this authority it is proposed :-

- all vehicles re-licensed after 1st September 2010 to be Euro 3 compliant
 - all vehicles re-licensed after 1st January 2013 to be Euro 4 compliant.
6. If committee agrees the recommendation the new criteria will start when the vehicle is first re-licensed after the implementation dates above.
7. The current criteria for a new vehicle to be licensed either as a Hackney Carriage or Private Hire Vehicle is that it is not more than 6 years old from date of registration when the licence is first issued. It is proposed that if the recommendation of this report is accepted in order to reduce emissions that the age of a vehicle first licensed is changed to :-
- from the 1st January 2010 all vehicles first licensed are registered after the 1st October 2006 (Euro 4 compliant)
 - from the 1st October 2012 all vehicles first licensed are registered after the 1st October 2009 (Euro 5 complaint).
8. To achieve lower emissions levels on older vehicles that are already licensed, which would not have been registered before the dates in the table above, the fitting of suitable additional equipment could be considered. The Public Carriage Office and other authorities have implemented restrictions on emissions by either the date the vehicle was registered or by the fitting of an 'Emissions Systems'. The PCO have drafted a list of suitable suppliers of such systems in a similar way that they have a list of recommended makes/models of metre's. The other authorities that the Licensing Officer has spoken to that have allowed the use of an Emissions System seem to have adopted the PCO list of suppliers.

9. When a diesel engine is tested at Cowley Marsh depot the VOSA test for the MOT only meets non Euro emissions set before 1997. However the machine can be set to monitor whatever emissions level is required. When a petrol engine is tested the machine allows the make/model/year to be imputed, which makes it easier to test the vehicle to a particular emissions standard.
10. The Licensing Officer does see a possible problem with allowing older vehicles to have an emissions system fitted in that once it is fitted it would be difficult to ensure that the system is still working correctly at subsequent Certificate of Compliance testing (MOT's). If the vehicle is not maintained in a suitable manner the emissions system could fail to ensure that the emissions are up to the correct Euro standard. The same could be said about a vehicle that is manufactured to a particular Euro emissions level but a fully tested and large production vehicle is less likely to fall below an emissions level than a system that is added to the engine at a later date.
11. If the committee decide to permit an Emissions System to be fitted to older licensed vehicles it is recommended that an up to date list from the PCO of companies they have approved be used by Oxford City Council. And that each designated supplier would have to provide an agreed and recognised certificate as to the correct fitting of the system to the proprietor of the vehicle so that a copy can be kept on the licensing file.
12. Some discussion has been held with the taxi trade in respect of the implementation dates including a letter of proposals sent to the proprietors of all licensed vehicles. **Appendix One** copy of letter sent on the 26th November 2008. It should be noted that one of the proposed implementation dates has been changed so that should the committee decide to adopt the report the proprietors of licensed vehicles will have sufficient time to put finances in place to replace a vehicle.

13. All vehicles first registered after January 2000 will already meet Euro 3 standard. This means that currently 14% of the Hackney and Private Hire vehicles licensed will be affected by the first implementation date and will have to be replaced. This percentage could be even lower by September 2010.
14. The Taxi & Private Vehicle Licensing: Best Practice Guidance has been considered when writing the report. Particularly the guidance on Environmental Considerations and Consultation.
15. The changes to the criteria recommended by this report are shown in **Appendix Two**. If the committee decide to adopt Euro emission standards for vehicles it will then have to decide if it will allow the fitting of an 'Emissions System'.
16. In accordance with sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may impose such conditions on the licenses of hackney carriage and private hire vehicles as it considers 'reasonably necessary'.

Name and contact details of author:

Jill Cramer
Taxi Licensing Officer
Environmental Development
☎ 01865 252115
email: jcramer@oxford.gov.uk

Background papers: Taxi & Private Vehicle Licensing: Best Practice Guidance

Appendix One	Letter dated 26th November 2008
Appendix Two	Recommended new vehicle criteria
Appendix Three	Response from COLTA

Taxi Licensing
Ramsey House
10 St. Ebbe's Street
Oxford OX1 1PT

Switchboard: 01865 249811
T: 01865 252115 F: 01865 252244

www.oxford.gov.uk



APPENDIX ONE

26 November 2008

Ref. PP
Your Ref.
01865 252115

Dear Proprietor,

Reduction of Vehicle Emissions

In common with other local authorities around the country, Oxford City Council wishes to address the problem of air quality in the City of which vehicle exhaust emissions have been identified as a principal source.

Emission levels for new vehicles are set by European standards.
All vehicles licensed after 1st January 2000 must comply with Euro 3 standards
All vehicles licensed after 1st January 2005 must comply with Euro 4 standards

It is proposed to put the following before the Council for approval.

- All vehicles re-licensed after 1st January 2010 must be Euro 3 compliant.**
- All vehicles FIRST licensed after 1st January 2010 must be Euro 4 compliant**
- All vehicles re-licensed after 1st January 2013 must be Euro 4 compliant.**

Proprietors of those vehicles who will not meet the standards would need either to replace the vehicle or take other steps to ensure that the vehicle meets the standards, such as having the vehicle modified, although this is not likely to be cost effective for the older more polluting vehicles.

If the Committee agree to the proposals, you will be effected if your vehicle was registered before 1st January 2000, thus more than 10 years old in January 2010.

If you have any comments to make on the above proposals you should do so in writing to the Taxi Licensing Office by 15th December 2008.

Yours faithfully,


Philip Pirouet
Taxi Licensing Officer



7.6

Appendix Two

New criteria for Hackney Carriage and Private Hire Vehicles to be added to the existing vehicle criteria should the committee decide to agree the recommended conditions

Hackney Carriages

- from the 1st January 2010 all vehicles first licensed are registered after the 1st October 2006 (Euro 4 compliant)
- from the 1st October 2012 all vehicles first licensed are registered after the 1st October 2009 (Euro 5 compliant).
- all vehicles re-licensed after 1st September 2010 to be Euro 3 compliant
- all vehicles re-licensed after 1st January 2013 to be Euro 4 compliant.

If an Emissions System is fitted that

- Only companies on an up to date list from the Public Carriage Office can supply an Emissions System. Each approved supplier provides an agreed and recognised certificate as to the correct fitting of the system to the proprietor of the vehicle.
- The proprietor of a licensed vehicle that has a system fitted provide a copy of the certificate issued by the company to the Taxi Licensing Office to be recorded and kept on file.
- If the Council have any concerns at any time as to the effectiveness of an Emissions System fitted to a licensed vehicle that licence may be suspended or revoked by an authorised officer.

Private Hire Vehicles

- from the 1st January 2010 all vehicles first licensed are registered after the 1st October 2006 (Euro 4 compliant)
- from the 1st October 2012 all vehicles first licensed are registered after the 1st October 2009 (Euro 5 compliant).
- all vehicles re-licensed after 1st September 2010 to be Euro 3 compliant
- all vehicles re-licensed after 1st January 2013 to be Euro 4 compliant.

If an Emissions System is fitted that

- Only companies on an up to date list from the Public Carriage Office can supply an Emissions System. Each approved supplier provides an agreed and recognised certificate as to the correct fitting of the system to the proprietor of the vehicle.
- The proprietor of a licensed vehicle that has a system fitted provide a copy of the certificate issued by the company to the Taxi Licensing Office to be recorded and kept on file.
- If the Council have any concerns at any time as to the effectiveness of an Emissions System fitted to a licensed vehicle that licence may be suspended or revoked by an authorised officer.

Appendix Three

A response from COLTA – City of Oxford Licensing Association received 2nd June 2009

Thanks for the report entitled 'Introduction of vehicle exhaust emission standards for hackney carriages & private hire vehicles' which I believe is to be subject to debate by city councillors on June 15th 2009.

Colta have no issues with the requirement for 'all vehicles re-licensed after 1st September 2010' to be Euro 3 or eventually Euro 4 & 5 compliant.

We also have no objection to...

'All vehicles re-licensed after 1st January 2013' to be Euro 4 or eventually Euro 5 compliant, the association recognize the requirement to reduce emissions of licensed vehicles in Oxford.

However, we are suspicious of any attempt which may be construed as setting of maximum age limits of existing licensed vehicles, case law would outlaw any move seen as setting *blanket age* limits of licensed vehicles, any such move would be illegal & we would not support age limits by stealth under the heading of 'exhaust emissions', the *goal* of achieving up to Euro 5 can be achieved without the need to decommission older vehicles that are perfectly serviceable & who's emissions can be reduced with particulate trap exhaust systems as so regularly used by the Oxford Bus Company, some part of who's fleet exceed 10 or 12 years of age.

The *officers* recommendation requiring that 'From the 1st January 2010' & the *officer* recommendation that from the 1st October 2012, all vehicles licensed for the **first time** are registered after the 1st October 2006 & October 2009 respectively (Euro 4 compliant), will only result in proprietors 'holding onto' their older cabs for longer periods where the higher investment required would have a detrimental effect of the turnover of newer cabs, this is particularly relevant in the present downturn where the cab trade are realising up to a 40% reduction in revenue.

Colta therefore suggest that the present six year rule be retained, the requirement to fit 'particulate traps' to vehicles that are re-licensed after September 2010 would have the same effect as forcing newer lower emission cabs onto the trade.

We also have to remain mindful of a proprietor having his cab put beyond use due to an road traffic incident, such an event is traumatic enough, resulting in two or three weeks without income & then also being required to buy a 28 month old cab costing around £25000, whereas a six year old black cab costing £16000 together with a particulate trap costing around £1500

would easily meet with the new emissions regulations.

The introduction of large numbers of newer models of the black cab, would only reduce cab emissions to the required Euro 3, 4 & 5 specification, particulate trap exhausts fitted to the present fleet would have the same effect, it is a well known fact around the trade & throughout taxi licensing establishments that the two new models of the black cab, the TX2 & TX4 are substantially unreliable, so much so that London Taxis International now offer a higher part exchange rate for a 2001 TX1 than they do for a 2005 TX2, in fact, over 1000 of the TX4 models were recently suspended by local authorities (2 in Oxford) & have been recalled after 8 of them caught fire & locked the rear passenger doors, no such 'issues' have been realised with older models of the London style cab.

Section 10 of the officers report appears to conflict with section 9.

Section 9 states, "that Cowley Marsh Engineers may 'set' the emissions monitor to whatever emissions level is required", then the officers 'forsee a possible problem' where 'it would be difficult to ensure that the system (exhaust particulate traps) is still working correctly at subsequent Cowley Marsh emissions tests ? Are they also saying that similar bus systems may not be working once fitted ? Such a claim could bring the whole emission claims of the city into question ?

Colta have no problem with an up to date list of Public Carriage Office suppliers of emission control systems being approved by the city council.

Paragraph 13 appears to suggest that officers have already made up their minds that 14% of vehicles will "have to be replaced" at the first implementation date, if particulate traps are sufficient enough to reduce the emissions of a 10ton 12000cc bus engine in our city then why would they be inadequate when fitted to a 2ton black cab with a 2400cc engine ?

I look forward to this email being attached to the report being submitted to the council meeting scheduled for June 15th 2009.

Regards

Alan Woodward

City of Oxford Licensed Taxicab Association (COLTA)