

Report of	Meeting	Date
Director of Early Intervention	Licensing and Public Safety Committee	20 July 2016

TAXI LICENSING- IMPLEMENTATION OF VEHICLE EMISSIONS AND NCAP SAFETY RATING CONDITIONS

PURPOSE OF REPORT

1. For the Licensing and Public Safety Committee to agree the consultation and phased introductions of vehicle emissions standards and The European New Car Assessment Programme (NCAP) safety rating standards for Hackney Carriage and Private Hire Vehicle licences.

RECOMMENDATION(S)

2. That the Licensing and Public Safety Committee determine the implementation of conditions to be imposed for vehicle emissions standards and NCAP safety ratings from the following options, and agree the relevant dates from which those options apply:

Option 1

- a) Require all vehicles subject to a grant of a Hackney Carriage or Private Hire Vehicle Licence to meet Condition 21 (Emission standards of Euro 5 or above) and condition 22 (NCAP safety rating of 4* or above) by a date set by Committee; and
- b) Require all existing vehicles to comply with the conditions 21 and 22 by a date set by Committee.

Option 2

- a) Require all vehicles subject to a grant of a Hackney Carriage or Private Hire Vehicle Licence to meet Condition 21 (Emission standards of Euro 5 or above) and condition 22 (NCAP safety rating of 4* or above) by a date set by Committee; except allow those vehicles that have previously been subject to a licence, but where this has lapsed or been suspended, to be treated as existing vehicles and to comply, by a date set by Committee, rather than at the next grant application, (as would be required by Option 1 a), see paragraph 7), and
- b) Require all existing vehicles to comply with the conditions 21 and 22 by a date set by Committee

Option 3

- a) Require all vehicles subject to a grant of a Hackney Carriage or Private Hire Vehicle Licence to meet Condition 21 (Emission standards of Euro 5 or above) and condition 22 (NCAP safety rating of 4* or above) by 2030 as proposed by the Trade represented at the Licensing Liaison Panel, and
- b) Exempt all existing licensed vehicles from the provisions, as proposed by the Trade represented at the Licensing Liaison Panel.

EXECUTIVE SUMMARY OF REPORT

3. In February 2016 the Licensing and Public Safety Committee agreed in principle to the introduction of a minimum of Euro 5 emissions standards for licenced vehicles to preserve and protect air quality and to a minimum standards of 4* NCAP safety rating of vehicles to protect public safety as part of the review of the vehicle conditions.
4. The committee agreed to a considering the best way to implement such changes and over what period those changes should be phased in, at a future Committee Meeting.
5. Officers met with representatives from the trade on 23 June 2016 at the Licensing Liaison Panel meeting and consulted on the phased implementation of vehicle condition 21 (Emission Standards) and condition 22 (Safety Rating). In summary, the trade representatives attending this meeting proposed that all existing vehicles were exempt from the conditions and that the introduction for the grant of vehicles licences was 2030.
6. The minutes of the Licensing Liaison Panel are attached in Appendix 1.
7. Where the licence lapses because no application to renew is made in time or is surrendered (this usually happens where a Hackney Carriage Vehicle is suspended as a result of damage and the proprietor applies for a replacement vehicle to be granted a licence while preserving the plate number) and then an application is made to re-licence the vehicle, this will be subject to a grant application (as there is no existing licence to renew) and therefore **all** the vehicle conditions will be applicable at the time of the application unless otherwise agreed by Option 2 above.
8. NCAP safety ratings were established in 1997, and the scheme updated in February 2009 to provide an overall rating for vehicles. However, any vehicle registered after 1997 does have some form of rating. As each vehicle make and model has its own rating is it difficult to predict how many vehicles will be affected by the requirement to meet the condition.
9. Euro 5 diesel engines were introduced in September 2009, the number of vehicles currently licensed by Chorley Council that predate this are 24 of the 36 Hackney Carriage Vehicles and approximately 100 of the 140 Private Hire Vehicles. These vehicles, and possibly some that postdate 2009 but still do not meet the emission standards, will be affected by the introduction of this condition.
10. This equates to approximately 70% of the fleet, which are likely to be affected by the conditions due to the age of the vehicle (currently registered prior to September 2009 and 7 years old or more).
11. Chorley Council no longer imposes an age restriction on vehicles licenced as Hackney Carriages or Private Hire Vehicles.

Confidential report Please bold as appropriate	Yes	No
--	-----	-----------

CORPORATE PRIORITIES

12. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

13. The vehicle conditions review and consultation took place in 2015 and the updated vehicle conditions were presented to the Licensing and Public Safety Committee on 3 February 2016 along with the consultation comments.

14. There were no comments made with regard to the proposed conditions for a minimum Euro 5 emissions standard (condition 21) or for the minimum of 4* NCAP vehicle safety rating (condition 22).
15. In February 2016 the Licensing and Public Safety Committee agreed in principle to the introduction of a minimum of Euro 5 emissions standards for licenced vehicles to preserve and protect air quality and to a minimum standards of 4* NCAP safety rating of vehicles to protect public safety as part of the review of the vehicle conditions.
16. The committee agreed to a considering the best way to implement such changes and over what period those changes should be phased in, at a future Committee Meeting.
17. The current conditions are as follows:

Condition	Reason for Condition
<p>21. Emissions Standards:</p> <p>a) Hackney Carriage Vehicles waiting on the rank are required to switch off engines (except in extreme weather conditions where heaters would be required for the welfare of the driver) in order to reduce air pollution emissions in the town centre.</p> <p>b) Vehicles presented for licensing as taxis should meet a minimum Euro 5 emissions standard.</p>	<p><i>This proposed condition has been agreed in principle by the Committee. The implementation of the condition will be agreed at a future meeting.</i></p> <p><i>Taxis provide a public transport service and as such are subject to a large number of journeys and high mileage. These vehicles have the ability to impact on the air quality of the district in the same way that any other public transport vehicle does. In the same way that fleet vehicles and public transport vehicles are required to meet a minimum emissions standards, vehicles licenced by the Council should also meet a minimum standard to ensure that the Council is fulfilling its duty in reducing harmful air emissions that impact on public health.</i></p>
<p>22. NCAP Safety Rating:</p> <p>Vehicles presented for licensing as taxis should meet a minimum NCAP European Safety rating of 4 stars.</p>	<p><i>This proposed condition has been agreed in principle by the Committee. The implementation of the condition will be agreed at a future meeting.</i></p> <p><i>The purpose of vehicle licensing is primarily to protect public safety.</i></p>

IMPLICATIONS OF REPORT

23. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	X
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE MONITORING OFFICER

24. The Council has power to impose such conditions on the grant of a hackney carriage vehicle licence as it considers reasonably necessary under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976. The Council has power to impose such conditions on the grant of a private hire vehicle licence as it considers reasonably necessary under Section 48 of the 1976 Act.
25. The proposed conditions are clearly subject to a test of reasonableness. Any conditions should reflect the adopted policy of the Council.
26. Any person aggrieved by the conditions attached to a licence may appeal to the magistrates' court within 21 days of notice of the decision. This appeal period will not therefore be triggered by any decision made by the Licensing and Public Safety Committee but only on the grant or renewal of a vehicle licence with any of the new proposed conditions which may be approved by Licensing and Public Safety Committee.

JAMIE CARSON
DIRECTOR OF EARLY INTERVENTION

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Lesley Miller	5299	June 2016	***