
**Meeting of Licensing and Regulatory
Committee**

4th July 2008

Report of the Director of Neighbourhood Services

REVISION OF PRIVATE HIRE VEHICLE CONDITIONS

Summary

1. This report proposes a timetable for the introduction of restrictions on vehicle colour, as agreed by this committee on 4th January 2008 and for the introduction of vehicle emission standards for private hire vehicles. It also examines the potential for encouraging lower carbon dioxide emissions from licensed private hire and hackney carriage vehicles.

Background

Vehicle Colour

2. At the meeting of this committee on 4th January 2008 members resolved that "all private hire vehicles licensed by the City of York for the first time shall not be of the colour black". This was to assist in the differentiation from a licensed hackney carriage. Members requested that officers report back on a proposed timetable to implement this change for those black private hire vehicles that are already licensed.
3. As indicated above, members have already resolved that hackney carriages shall have a standard black livery and that private hire vehicles shall not be black in colour. A timetable has been approved for the transition in the hackney fleet but not for private hire vehicles. By the end of May 2009 all hackney carriages licensed by the council will be black and bear the approved door decal. Consultation has been carried out with the private hire trade on a proposed transition directly by the licensing department but also as part of the Halcrow study conducted in relation to hackney carriage provision. The results of those two surveys are presented in Annexes1 and 2.
4. At the time of writing this report there are 49 licensed private hire vehicles, which are black. Their ages and emission standards are set out below:

Registration Year	Number of vehicles licensed	Probable Euro Emission Standard
1995	2	Euro I
1996	1	Euro I
1997	1	Euro II
1998	4	Euro II
1999	6	Euro II
2000	4	Euro II
2001	7	Euro III
2002	4	Euro III
2003	6	Euro III
2004	6	Euro III
2005	3	Euro III
2006	1	Euro IV
2007	4	Euro IV

5. Based on this information members are requested to determine if they wish to apply this requirement to already licensed black private hire vehicles and if so approve a timetable for its implementation.

Options and Analysis

6. Option 1 : Do not apply the colour restriction retrospectively.

This would dilute the effect of policy in relation to hackney carriages from 1st June 2009. It would not place undue financial burdens on vehicle owners. Members should note that if they approve the emissions policy set out later in this report these black private hire vehicles would eventually cease to be licensed.

7. Option 2: Not to re-licence any private hire vehicle which is painted black after 31st October 2009. This was the proposal which was consulted on.

This would align the policy for private hire with that for hackney carriages at the earliest point having regard to the respective licensing years. It would not give the same lead in time for owners to plan a vehicle change as was given to hackney carriages (hackney carriages 2 years, private hire 15 months). It may result in the owner of a newer, less polluting black private hire vehicle replacing

it with an older, less environmentally friendly car. It would mean owners of these vehicles are faced with additional costs.

8. Option 3: Not to re-licence any private hire vehicle after 31st October 2010 which is painted black.

This option would ensure that providing members approve the emission standards set out in this report, no black private hire vehicle would be replaced with a more polluting vehicle. It would mean that from 1st November 2009 there could be up to 31 black phv's for that year. It would give the newest black vehicle a 3 year licensed life. It would mean owners of these vehicles are faced with additional costs.

Private Hire Emission Standards

9. On 8th June 2007 this committee set the following emission standards for hackney carriages and a timetable for their introduction:

Emission Standards
As of 1 st June 2008 all vehicles when presented for re-licensing must meet at least Euro II standards
As of 1 st June 2009 all vehicles when presented for re-licensing must meet at least Euro III standards
No car will be first licensed unless it meets Euro III standards or better after 1 st June 2008
After 1 st June 2009 no car will be first licensed if it is over 4 years old
After 1 st June 2009 no car will be re-licensed after it has reached 8 years old

10. It is proposed that private hire vehicle licence conditions be similarly amended to include emission standards but, given the later date of introduction, the following timescales were proposed and consulted upon:

- From 1st November 2008 no vehicle will be first licensed unless it meets Euro III standards or better (this is for new applications and change of vehicle on an existing licence).
- For the renewal of licence to commence 1st November 2009 all vehicles must meet Euro III standards or better.
- From 1st November 2009 no vehicle will be first licensed if it is over four years old (this is for new applications and change of vehicle on an existing licence).
- For the renewal of licence to commence 1st November 2010 no vehicle will be re-licensed after it reaches eight years old.

11. A similar consultation exercise was undertaken as described in paragraph 3 above and the results are presented at Annex 1.
12. At the time of writing this report the average age of the private hire fleet is 6.9 years. The bulk of vehicles are between 4 and 10 years old with the oldest being 16 years old.

Options and Analysis

13. Option 1: Take no action.

This option would see the council not pursuing its own strategy set out in the Local Transport Plan (LTP). It would create different standards between private hire vehicles and hackney carriages. It would not involve the trade in any additional costs.

14. Option 2: Apply the policy as set out in paragraph 10 above.

This is the policy which was directly consulted upon by the licensing office and would set the same standard for private hire as for the hackney carriage trade.

Although 61% of the private hire trade were opposed to this when consulted by licensing officers, when consulted by Halcrow, 81% thought it was a good idea for hackney carriages.

This would allow the private hire fleet to meet the same standards as hackney carriages. There would be cost to the trade as was the case with hackneys. There is a reduced time scale for introduction of these standards as compared with hackney carriages, i.e. 15 months rather than 2 years and some 200+ owners would likely be forced to change their vehicles by 1st November 2008.

15. Option 3: Apply an extended period for compliance of the proposal consulted on as follows:

- From 1st November 2008 no vehicle will be first licensed unless it meets Euro III standards or better (this is for new applications and change of vehicle on an existing licence).
- For the renewal of licence to commence 1st November 2009 all vehicles must meet Euro II standards or better.
- From 1st November 2010 no vehicle will be first licensed if it is over four years old (this is for new applications and change of vehicle on an existing licence).
- For the renewal of licence to commence 1st November 2011 no vehicle will be re-licensed after it reaches eight years old.

16. It would be unreasonable to introduce a more severe policy than that set out in paragraph 9 and consulted on without further reference to the trade. Members may, however, wish to consider a more relaxed policy or extended period for the introduction of that consulted on.

17. Such an approach would reduce the burdens on the trade but slow down alignment with the hackney trade and meeting the LTP objectives. It would give the private hire trade a similar time to comply with the new standards as was given to hackneys, i.e. 27 months.
18. This option will affect 27 owners who would be forced to change their vehicles by 1st November 2008.

Reduction in Carbon Dioxide Emissions

19. Members of this committee on 2nd November 2007 requested officers to investigate the availability of taxi vehicles which both meet Euro IV and Euro V standards and which also achieve low greenhouse gas emissions (e.g. carbon emissions).

Euro Standards

20. The control of pollutants of local concern (e.g. oxides of nitrogen) is exercised through the application of emission standards measured against Euro standards. The application of a policy has already been approved for hackney carriages and is proposed in this report for private hire vehicles. The policy sees an age limit introduced for vehicles which will ensure that licensed taxis will continue to meet future stricter standards as they are introduced. This is a minimum standard to be applied to all vehicles.

Carbon Dioxide Emissions

21. When petrol, diesel or certain alternative fuels are burnt for energy in an engine the main by-products are water and carbon dioxide (CO₂). Carbon dioxide is not directly harmful to human health but is the most significant of the greenhouse gases contributing to climate change.
22. For a given type of fuel the CO₂ emissions of a car are directly proportional to the amount of fuel burnt. Compared with petrol engines, diesels have significantly lower CO₂ emissions per distance travelled. Liquid Petroleum Gas (LPG) and Compressed Natural Gas (CNG) cars are generally converted from petrol fuelled vehicles and tend to fall between petrol and diesel in CO₂ performance. Hybrid vehicles combine an internal combustion engine with an electric motor. These vehicles offer reduced fuel consumption and consequent reductions in CO₂ emissions.
23. The Government has recently introduced a sliding scale of vehicle excise duty based on CO₂ emissions which provides useful data on which to consider any policy for licensed vehicles in the city.

Vehicles registered on or after 1 March 2001		Diesel Car TC 49		Petrol Car TC 48		Alternative Fuel Car TC 59	
Bands	CO ₂ Emission Figure (g/km) *	12 months rate £	6 months rate £	12 months rate £	6 months rate £	12 months rate £	6 months rate £
Band A	Up to 100	0.00	-	0.00	-	0.00	-
Band B	101 to 120	35.00	-	35.00	-	15.00	-
Band C	121 - 150	120.00	66.00	120.00	66.00	100.00	55.00
Band D	151 - 165	145.00	79.75	145.00	79.75	125.00	68.75
Band E	166 - 185	170.00	93.50	170.00	93.50	150.00	82.50
Band F	186 - 225	210.00	115.50	210.00	115.50	195.00	107.25
Band G	226+	400.00	220.00	400.00	220.00	385.00	211.75

24. It would seem sensible for members to use these bandings in respect of any policy they might apply.
25. It should be recognised that in terms of vehicles that would be suitable for use as a taxi or private hire vehicle there are very few options in the lower bands, consequently, it would not be appropriate to determine any policy which would require vehicle owners to purchase these vehicles.
26. Members may, however, wish to consider giving incentives to those who wish to licence these more environmentally friendly vehicles. Incentives may be in the form of reduced licence fees or relaxed vehicle age restrictions.
27. In London vehicles that produce less than 120gm of CO₂ per kilometre travelled are exempt from the congestion charge, i.e. VED bands A and B.

Options and Analysis

28. Option 1: Take no action.

This would see the council not taking the opportunity to promote the reduction of greenhouse gas emissions in the city.

29. Option 2: Amend the private hire and hackney carriage vehicle licence conditions to state:

All vehicles that meet the current euro standard for vehicle emissions and produce less than 120gm of CO₂ per kilometre travelled are exempt from any vehicle age restrictions, and

Amend the licence fee structure to reduce the vehicle licence fee by 50% for vehicles that meet the current euro standard for vehicle emissions and produce less than 120gm of CO₂ per kilometre travelled.

This option would see the council promoting its corporate priority in reducing greenhouse gas emissions, contributing to meeting local air quality objective levels and supporting policies on reducing vehicle emissions as set out in the Local Transport Plan.

30. Option 3: Provide some other incentive to encourage the use of more environmentally friendly vehicles as hackney carriages or private hire vehicles.

Consultation

31. Details of the consultation undertaken are included in paragraphs 3 and 11 and the results presented in Annexes 1 and 2.

Corporate Priorities

32. An efficient, high quality, accessible taxi service will reduce the dependence on the private car for short journeys in and around the city contributing to making York a sustainable city.
33. Taxis also remain the key transport out of the city late at night. The safe transportation out of the city of those enjoying the late night economy contributes significantly to the reduction of crime, disorder and anti social behaviour making York a safer city.
34. Incentives to promote the use of more environmental friendly taxis will help in the reduction of greenhouse gases in the city.

Implications

Financial

35. Any costs are recoverable through licence fees.

Human Resources (HR)

36. There are no human resources implications.

Equalities

37. There are no equalities implications.

Legal

38. In order to prevent risk of successful legal challenge any conditions attached to a vehicle licence must be reasonable. These conditions are considered reasonable. Members must take all representations into account when making a decision.

Crime and Disorder

39. The clear identification of licensed hackney carriages and private hire vehicles reduces the risk of customers using unauthorised vehicles, which present a risk to the public.

Information Technology (IT)

40. There are no Information Technology implications.

Property

41. There are no Property implications.

Other

42. There are no other implications.

Risk Management

43. Potential risks in implementing the recommendations of this report are those of legal challenge. It is essential that all recommendations are lawful and are reasonable. Legal advice has been taken in making the recommendations which are deemed to meet that criteria.

Recommendations

44. Members are asked to approve:

Vehicle Colour

45. Option 3: Not to re-licence any private hire vehicle which is painted black after 31st October 2010.

Reason: Having regard to the consultation exercise this option provides a reasonable balance between meeting the council's objectives without placing too onerous financial pressures on vehicle owners by giving a longer rollout period than originally suggested.

Emission Standards

46. Option 3: Apply an extended period for compliance of the emission standards as set out in paragraph 27.

Reason: This would see the council's objectives met and provide the trade with more time to comply through the natural cycle of vehicle renewal and responding to comments received through consultation.

Carbon Dioxide Emissions

47. Option 2: Incentivize the introduction of low CO₂ emitting hackney carriage and private hire vehicles by changes to the vehicle licence conditions and licence fee structure as set out in paragraph 38 of this report.

Reason: To meet council priorities and strategies set out in the Corporate Strategy and Local Transport Plan.

Contact Details

Author:

Richard Haswell
Head of Licensing & Safety
Neighbourhood Services
Tel No (01904) 551515

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director
(Neighbourhoods and Community Safety)

Report Approved Date 19/6/08

Specialist Implications Officer

There are no specialist implications.

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Reports to Licensing and Regulatory Committee 8th June 2007, 4th November 2007
and 4th January 2008

Annexes?

Annexes 1 and 2 – Results of consultation.