

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

21 NOVEMBER 2018

ALL WARDS

**PROPOSALS FOR A MEDIUM TO LONG-TERM
EMISSION STANDARD AND AGE POLICY
FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

1 Summary

- 1.1 In October 2017 your Committee approved an emissions policy for hackney carriage and private hire vehicles that is consistent with the introduction in 2020 of a Clean Air Zone. It requires all licensed vehicles to meet the minimum emission standards of Euro 4 for petrol engines and Euro 6 for diesel engines.
- 1.2 In order to achieve compliance, drivers of vehicles that do not meet the standard must change their vehicle or install an approved retrofit device (where suitable devices exist). Whilst there is a wide choice of compliant vehicles available to private hire drivers, the availability of compliant hackney carriage vehicles is far more restricted.
- 1.3 This report considers the medium to long-term emission standards and age policies for licensed vehicles. It sets out suggestions to deal with hackney carriage vehicles in particular and proposes that officers should consult on the suggested recommendations contained in this report.

2. Recommendations

and 2002 are not achieved and to prepare an action plan detailing remedial measures to tackle the problem.

3.7 Birmingham is currently non-compliant in a number of areas of the city centre. The pressing urgency is that the Government issued the UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations in July 2017 which identified Birmingham as one of the areas experiencing the greatest problem with NO₂ exceedances. Birmingham has responded to the Government's UK Plan by announcing the introduction of a Clean Air Zone (CAZ) with effect from 2020.

3.8 **Health & Social Care Overview and Scrutiny Report.** On 12th September 2017 Birmingham's Health & Social Care Overview and Scrutiny Committee published its report 'The Impact of Poor Air Quality on Health'. It identified that in Birmingham up to 900 deaths per year are linked to man-made air pollution. In adults air pollution is linked to heart disease, diabetes, asthma, obesity, cancer and dementia. In children it is linked to still births, infant deaths, low birth weight, organ damage and premature death. In high pollution areas children are four times more likely to have reduced lung function when they become adults. Taxi and private hire drivers are three times more exposed to pollution than anyone else. The report's first recommendation says:

There is now clear and compelling evidence that poor air quality has an impact on general population health and child development. The evidence also shows that diesel vehicle emissions are the most prevalent and impactful source of health-affecting air pollution in Birmingham. The City Council needs to demonstrate leadership and take ownership of this issue by developing a strategy to address this effectively, with particular emphasis on selected priority hotspot zones where the risk of public exposure is highest.

3.9 The most harmful types of pollution are nitrogen oxides and particulates (PM_{2.5} and PM₁₀). Both pollutants are mainly created by road transport. The largest source is emissions from diesel cars and vans. Just fewer than 40% of cars in the UK now use diesel fuel.

3.10. The conclusion of the Scrutiny Report is copied below:

The impact of poor air quality on health and the need to take action urgently to tackle the problem is becoming increasingly clear. The evidence demonstrates that poor air quality is a major public health issue. In Birmingham, Public Health estimate that poor air quality causes approximately 900 premature deaths a year. It is rapidly becoming clear that exposure to air pollution is associated with a much greater public health risk than had previously been understood and evidence about associated adverse health effects is emerging all the time.

There is also growing recognition that air quality is a major cross-cutting issue. It has a wide impact and any effective response to the issue will require a joined-up approach across a number of

Private Hire Diesel vehicles Euro 5 or below		
Compliant	818	19%
Private Hire Petrol Vehicles Euro 4 or above		
Compliant	152	3.5%
Private Hire Diesel Vehicles Euro 6		
Totals	4,321	100%

4.4. **Hackney Carriage** - Breakdown of Compliant / Non-Compliant Vehicles

Hackney Carriage	Number	Percentage
Non-Compliant		
Hackney Carriages Eligible		

5. Mitigation for Drivers Affected by the Emissions Policy

5.1 The following mitigation has already been put in place to support drivers whose vehicles do not meet the new emission standards.

Policy	Comments
LPG Retrofit Scheme	65 Hackney Carriage vehicles have been fitted with LPG conversions to make them compliant with the emissions standard. The cost was funded by the Department for Transport as a national pilot. The effectiveness of the project has now been assessed and approved by the CVRAS as a recognised retrofit solution for hackney carriage TX models. Earlier this year the Department of Transport set up a Clean Vehicle Retrofit Accreditation Scheme (CVRAS) to provide independent evidence that a vehicle retrofit technology will deliver the expected pollutant emissions reductions and air quality benefits. Only approved conversions under the CVRAS scheme will be recognised in a CAZ.
LPG Retrofit scheme	The Licensing and Public Protection Committee resolved in October 2017 to allow hackney carriages that have been retrofitted with the LPG conversion to remain licensed until 31 December 2025 irrespective of their age.
Engine size of vehicles	In September 2018 The Licensing and Public Protection Committee approved the removal of the policy requirement for private hire vehicles to have a minimum engine size, enabling vehicles with smaller engines to be licensed, including electrically powered vehicles, thus widening the pool of vehicles available to drivers.

<p>who would like to transfer from hackney carriage to private hire to do so more easily</p>	<p>report is a flow diagram to explain how the opportunity to acquire a dual badge operates in relation to hackney carriage drivers depending on when their licences expire.</p>
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5.2 The following mitigation is under consideration specifically for hackney carriage vehicles and owners.

Policy	Comments
<p>Birmingham City Council is bidding to the Government's Clean Air Fund to pay for a package of measures to assist hackney carriage drivers:</p> <p>We are asking for funds to enable BCC to buy 50 new ULEV hackney carriages. 10 of the 50 would be offered on short leases to drivers as a try before you buy scheme to help drivers to make a purchasing decision. 40 of the 50 would be for short term rental, on possibly hourly rates, and could be targeted at older drivers nearing retirement to address the fact that they are less likely to be in a position to be able to purchase</p>	

levels of emissions have come about through advances in technology over time.

- 6.2 Under our current age policy for vehicles we will not grant a new licence to a private hire vehicle that is more than 8 years old or to a hackney carriage

8. Comparison with London's Emissions Policy for Private Hire and Hackney Carriage Vehicles

8.1 In London the emissions standards for private hire vehicles are regulated by Transport for London via statutory instrument under the Greater London Authority Act 1999 and the Private Hire Vehicles (London) Act 1998. The Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2015 came into force on 1st November 2015 and set out the minimum vehicle emission standards for private hire vehicles. There is an absolute age policy of 10 years for private hire vehicles in London. A vehicle must be no older than 5 years to be licensed for the first time and it must be at least Euro 4.

Date	Standard
1 st January 2018 to 31 st December 2019	

9. Consultation

- 9.1 Extensive consultation was conducted during 2017 lasting 14 weeks which produced 775 responses. The responses were considered and reflected in the policy that was agreed in October 2017.
- 9.2 During the summer of 2018 the Council engaged in widespread consultation with the general public on the impact of the Clean Air Zone. This included five 2-hour

12. Public Sector Equality Duty

12.1 Under the Duty we must have regard to the need to:

Eliminate unlawful discrimination, harassment, and victimisation and other conduct prohibited by the Act

Advance equality of opportunity between people who share a protected characteristic and those who do not

Foster good relations between people who share a protected characteristic and those who do not.

12.2 We recognise that there will be financial consequences for large numbers of drivers and vehicle owners if they are required to replace their vehicles or to retrofit engines to achieve compliance with emission standards, however, these consequences arise because of the fact that they are licensed drivers and owners and are not attributable to a protected characteristic.

12.3 We have identified in paragraph 5 mitigation measures aimed at reducing the impact of these policies on drivers and by enabling a limited number of currently licensed hackney carriages to continue to work between 2020 and 2025 we will be protecting the rights of people with disabilities, and especially those who use wheelchairs.

12.4 An Equality Analysis will be completed to accompany the final proposals when they are put before this committee in February 2019 to assist the Committee to make its decision.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT