

Vehicle Emissions and Age Restrictions Policy Options

1.0 Regional policy development

In 2019/20, several of the taxi licensing authorities (councils) in the North East region, meeting as the North East Strategic Licensing Group (NESLiG), considered and agreed a group proposal aimed at unifying licensed vehicle emission and age-related policies.

The proposed policy, developed to support local air quality initiatives and to enhance public safeguards, was intended as a 'foundation' or 'outline' policy for consideration by all North East Authorities, with some councils adopting modifications to allow for local circumstances.

1.1 Taxi Emissions and Age Restriction policy proposals of the North East Strategic Licensing Group - Outline Proposal for Regional Standards at March 2020.

- **New Licences:** An age restriction policy to be adopted with a 4-year vehicle age policy with effect from April 2020 for all newly licensed vehicles. This means the EURO 6 emissions standard applies from April 2020 to all new licences;
- **Existing Vehicles.** Adopt a maximum 8-year vehicle life with a start date of April 2023. The taxi trade therefore has 4 years to comply (3 years from April 2020). This means that from April 2023 all diesel and petrol engine vehicles will be Euro 6;
- **Wheelchair accessible vehicles.** Existing vehicles will have an extra 2 years added to the age restriction meaning that April 2025 is the compliance date. Consequently, it is possible that a relatively low number of wheelchair accessible vehicles will be Euro 5 between April 2023 to April 2020;
- **'Full electric' and 'zero emission at source':** vehicles would be exempt

Tackling air pollution is one of several public health priorities. To combat poor air quality, innovative and bold measures are being taken across the country to ensure the health and wellbeing in communities as well as road users.

Prior to consultation and with the regional licensing authority approach in mind, it was considered that adoption of the following proposed policy requirements will enable Durham licensed vehicles to meet similar, improved standards already required by several other councils in our region. This will help to reduce traffic pollution and improve local air quality: (wording of NESLiG proposals changed to enhance clarity):

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- **New Licences** - From (INSERT DATE POLICY ADOPTED) all new applications for licenced vehicles will only be accepted if the vehicle to be licenced is less than 4 years old from the date of first registration.
- **Existing Vehicles** - Adopt a maximum 8-year vehicle life with a start date of 1st April 2024. This means that from 1st April 2024 all diesel and petrol engine vehicles will be Euro 6 or above; and
- All existing licenced vehicles that are more than 8 years old will not be re-licenced after 1st April 2024.
- **Wheelchair accessible vehicles (WAV)** - Existing licenced WAV's will have an extra 2 years added to the age restriction. This means that all existing licenced WAV's that are more than 10 years old will not be re-licenced after 1st April 2024.
- **Zero emission vehicles** - fully electric and zero emission (at source) vehicles would be exempt from the age restriction / emissions policy.

The situation regarding the taxi licensing policies of other councils in the North East region has been kept under review and at the time of writing, the following list and table sets out the taxi age and emission policies adopted by most of the licensing authorities in our region.

1.2 Regional Council Taxi Policy Comparisons and Contrasts - Overview

- Middlesbrough are taking a report to their CEOs Management Team. Currently they have a 3 / 8-year standard
- Stockton have already consulted and have a 5-years new / 12 years existing standard following an earlier consultation prior to the new regional framework and are not joining of this regional framework
- Birmingham are considering following the Wolverhampton remote licensing approach and have no age policy
- Remote licensing is still considered to bring lower environmental and public health standards to the region
- The LA statutory duty to protect air quality is one of the challenge areas to remote licensing activities
- North Tyneside are adopting the 4 / 8-year standard with a deferred April 2022 date (instead of April 2020)
- Gateshead are in the process of adopting a 4 / 8-year standard
- Sunderland are new to the scheme and will be consulting on a 4/ 8-year standard
- Northumberland are keeping the Euro 5 standard and the Euro 6 standard (in the new framework) is under review
- Darlington are going out to consultation and expect to adopt a 4 / 8-year standard depending on the consultation
- Hartlepool are adopting a well-maintained exemption subject to a definition
- Redcar and Cleveland expect to adopt a 4 / 8-year standard

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- South Tyneside. The Consultation is ongoing and there has been a big response. The closing date for submission is 25th March 2020. The results will be reported to Cabinet and if any policy is adopted our implementation date could be 1st July 2020

Table 1 Regional Council Taxi Policy Comparisons and Contrasts

Council	Vehicle Age 'On'	Vehicle Age 'Off'	Vehicle Emissions
Darlington BC	Less than 4 years old	More than 8 years old except for purpose built wheelchair accessible vehicles (such as London Cabs) which may be licensed up to 10 years of age . No age restriction for zero emission vehicles to encourage the uptake of electric vehicles	
Durham CC	NA	NA	New applications for vehicle licences will only be accepted for vehicles manufactured to the emissions standard "EURO 5" or higher . Existing licensed vehicles will continue to be renewed but may only be replaced by vehicles meeting the criteria outlined above.
Gateshead MBC	When first registered with Gateshead Council as a HC or PH Vehicle, no vehicle shall be more than three years old .	No vehicle more than eight years old will be permitted to continue as a licensed HC or PH vehicle.	
Hartlepool	Less than 4 years old	Vehicle licences will normally only be renewed up to 6 years old (except for purpose built wheelchair accessible vehicles such as London Cabs which may be licensed up to 13 years of age . Vehicles which meet the Council's "exceptionally well maintained" criteria may be licensed for longer periods. There is no age restriction for vehicles	From 1st April 2023, petrol- and diesel-powered vehicles must be Euro Emission Class 6 or subsequent Class . Hartlepool's adopted policy on age limits (adopted earlier this year in response to NESLG discussions). In a nutshell, we retained our previous age policy but

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		<p>that are powered solely by electricity or otherwise can be regarded as being truly 'zero emission at source'</p>	<p>added a requirement that from April 2023 all vehicles needed to be Class 6 for emissions (regardless of how well maintained they may have been otherwise). This will allow well maintained cars to continue to be licensed far beyond being six years old but only where they have a class 6 engine inside them. Cars with older, more polluting engines, will need to be replaced in April 2023 (so we have given them plenty of time to prepare for this).</p> <p>A licence will only be granted to an unlicensed vehicle when it is under four years old (from date of first registration).</p> <p>3.21 Vehicle licences will normally only be renewed up to 6 years old (except for purpose built wheelchair accessible vehicles such as London Cabs which may be licensed up to 13 years of age).</p> <p>3.22 Vehicles which meet the Council's "exceptionally well maintained" criteria may be licensed for longer periods.</p> <p>3.23 For a vehicle to be regarded as being 'exceptionally well maintained' it will be for the vehicle proprietor to demonstrate to the licensing authority that the vehicle has been exceptionally well maintained throughout its lifetime.</p> <p>3.24 Matters to be taken into account when determining whether a vehicle has</p>
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			<p>been exceptionally well maintained will include, but are not limited to: -</p> <ul style="list-style-type: none"> a) History of mechanical checks and the number and nature of any failures b) History of visual appearance checks carried out by licensing officers c) History of spot checks carried out by licensing officers d) Accident history of the vehicle <p>3.25 Applications for an extension of the age policy must be made in writing to the Licensing Team, accompanied by the relevant fee, a minimum of 14 days prior to the expiry of the current licence.</p> <p>3.26 In addition to the above, from 1st April 2023, petrol- and diesel-powered vehicles must be Euro Emission Class 6 or subsequent Class.</p> <p>3.27 Subject to satisfying all other relevant requirements detailed in this policy, there is no age restriction for vehicles that are powered solely by electricity or otherwise can be regarded as being truly 'zero emission at source'.</p>
Middlesbrough	Vehicles in respect of new and replacement applications must be no more than three years of age from the date of first registration on the date of the initial application.	The licence of any vehicle will terminate not more than eight years from the date of first registration. This will be extended to 10 years for London Style Cabs and side loading wheelchair accessible vehicles approved by the Council.	Their current policy is for vehicles to be less than 3 years old when first licensed and for them to be licensed until 8 years old (10 years for a Wheelchair Accessible vehicle).

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			However, they are about to consult on a change to the Policy – 5 years old when first licensed and for them to be licensed until 10 years old (12 years for a Wheelchair Accessible vehicle).
Newcastle CC	No known vehicle emission and age criteria	No known vehicle emission and age criteria	No known vehicle emission and age criteria
North Tyneside MBC	<p>From 1 April 2022 no new vehicle licence will be granted for the vehicle unless it is less than 4 years old</p> <p>All 'Full electric' and 'zero emission at source' vehicles will be exempt from the age standards set out above.</p>	<p>From 1 April 2024 a vehicle licence will not be renewed unless the vehicle is less than 8 years old</p> <p>From 1 April 2025 a wheelchair accessible vehicle licence will not be renewed unless the vehicle is less than 8 years old</p> <p>All 'Full electric' and 'zero emission at source' vehicles will be exempt from the age standards set out above.</p>	<p>The following age standards will be implemented over a four-year period:</p> <p>(i) From 1 April 2022 no new vehicle licence will be granted for the vehicle unless it is less than 4 years old</p> <p>(ii) From 1 April 2024 a vehicle licence will not be renewed unless the vehicle is less than 8 years old</p> <p>(iii) From 1 April 2025 a wheelchair accessible vehicle licence will not be renewed unless the vehicle is less than 8 years old.</p> <p>All 'Full electric' and 'zero emission at source' vehicles will be exempt from the age standards set out above.</p>
Redcar and Cleveland	<p>In the case of an application for the 'Grant' of a vehicle licence, the vehicle shall be under 3 years of age.</p> <p>In the case of an application for the 'Grant' of vehicles of the type known as FX4 (i.e. London type hackney carriage), the vehicle should be less than 6 years of age.</p> <p>In the case of an application for the 'Grant' of vehicles that are</p>	<p>The vehicle shall not be more than 6 years of age in the case of any application for the renewal of a licence unless the vehicle is exceptionally well maintained</p> <p>The vehicle shall not be more than 10 years of age in the case of any application for the renewal of a licence unless the vehicle is exceptionally well maintained</p>	<p>There has been no change to Redcar and Cleveland's policy of 3 years on first licensing and 6 years (except where exceptionally maintained) to come off.</p> <p>The policy review is currently on hold until Covid settles.</p>

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	wheelchair accessible , the vehicle should be less than 6 years of age .	The vehicle shall not be more than 10 years of age in the case of any application for the renewal of a licence unless the vehicle is exceptionally well maintained	
South Tyneside MBC	N/A	N/A	Moving toward a euro standard rather than an age policy. Some form of strategy that will achieve Euro 6 by a certain point. E.g. any car entering the trade by a certain date must be Euro 6 or better . A longer or extended end of life date for existing vehicles will be considered.
Stockton BC	Vehicles in respect of applications for new and replacement hackney carriage and private hire licences after 1 January 2020, shall be no older than five years from the date of first registration, this is for both saloon vehicles and wheelchair accessible vehicles.	Any renewal of an existing hackney carriage or private hire saloon vehicle will only be granted if the vehicle does not exceed the maximum age limit of twelve years . For Wheelchair accessible vehicles the maximum age limit is fifteen years .	
Sunderland BC	Except for those vehicles "exceptionally well maintained" no vehicle over five years old , i.e. from the date of first registration, will be accepted for initial licensing	No vehicle, licensed as a hackney carriage or private hire vehicle, except those vehicles specified in (iii) below, will be accepted for further licensing once it has reached seven years of age from the date of first registration; and no vehicle licensed to carry five or more passengers will be accepted for further licensing once it has reached ten years of age from the date of first registration All vehicles licensed outside of the Council's 'Age Policy' as specified in (a)	

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		(ii) or (iii) above will be subjected to three mechanical inspections per year.	
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2.0 Post-consultation policy development

2.1 Consultation Responses - Over half of all consultation respondents strongly disagreed with the proposals on vehicle emissions and the age of licensed vehicles. However, this was the overriding opinion of the taxi industry with 74% of all responses coming from the licensed trade. This subject elicited many comments and several alternative proposals. Further assessment of this matter has taken place and alternative options are put forward for consideration.

The reasons for disagreement with the proposals are recorded in Appendix 6 which records the results of the consultation including statistical data and information, survey responses, associated commentary and discussion which includes **Table 1 Analysis of Taxi Policy Survey Responses**. Most negative responses came from licensed trade respondents and were associated with the vehicle-age related proposals. Arguments against the proposed vehicle age restrictions were generally based on financial and economic considerations such as affordability, financial pressures, lack of financial support and assistance, and debt. Other subjective and anecdotal contentions along the lines of 'a well-maintained old car may perform better and be less polluting than a poorly maintained new car' and similar were also put forward and do carry some weight of argument.

Several respondents also considered that faced with financial pressures, drivers and vehicle owners may be forced out of the trade, be less inclined to maintain their vehicles and would adversely affect business growth, vehicle availability and public safety. The additional pressures resulting from the Coronavirus pandemic, regional and national lockdown restrictions were cited in some responses and Covid restrictions have clearly compounded the situation facing the taxi trade.

Some respondents, in addition to their criticism of the proposed vehicle-age policy also put forward alternatives for consideration. Typically, these proposed alternatives either removed the vehicle age policy altogether or extended the compliance time periods and/or vehicle ages linked to the policy and proposed greater frequency of testing for older vehicles.

2.2 Air Quality Considerations – The Regional Licensing Group had requested all North East of England local authorities to consider their position on adopting common emissions standards for licenced taxis within their authoritative areas. Durham County Council (DCC) had supported this request, and the Licencing Policy was due for review in 2021. It was agreed the standard proposed would form the basis of the consultation exercise, scheduled to be carried out in 2020. In preparation for this, further

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evidence about how Durham's licenced taxi fleet's emissions contribute to overall pollution levels within the City would be useful in terms of providing members more information to inform their decisions.

Durham County Council's Pollution Control Team frequently receives enquires about the significance of taxi vehicular emissions from Members and the public. It was considered that conducting a study could help assess whether future work or more target interventions are necessary in this area. A report was therefore commissioned that addresses and responds to Action 16 of the revised Durham City Air Quality Action Plan, "*To assess the significance of taxi vehicular emissions in Durham City*". The information within this report and its conclusions was intended to be of value when undertaking the next review (in 2020) of the Air Quality Action Plan. It could also inform future taxi policy development plans. DCC commissioned AECOM to perform the study.

The following is an extract from the report - **Durham Taxi Emissions Assessment for Durham County Council; Project number: 60607188; September 2019**

1. Conclusions and Recommendations

1.1 *This assessment is a determination of the contribution of the Durham licensed taxi fleet to overall traffic emissions in Durham, using previous dispersion modelling undertaken for the Local Plan commission to inform its findings. The assessment has used ANPR data collected from A690 Leazes Road – Milburngate Bridge.*

1.2 *Based on this assessment the following conclusions have been made:*

- *The ANPR data collected is considered representative of the Durham area as it has been collected on two separate 24 hour occasions, outside of the school holidays, to collect both weekend and weekday data.*
- *The taxis recorded by ANPR comprised up to 23% of the overall licensed taxi fleet in Durham and the taxi trips comprised up to 6% of the overall trips recorded by the ANPR.*
- *The taxis recorded by ANPR are considered representative of the composition of the overall licensed taxi fleet.*
- *The taxi trips recorded by ANPR comprised 4% of the emissions of all vehicle trips captured by ANPR.*
- *Using Durham's Local Plan, the inferred contribution of taxis captured by ANPR to the overall NO₂ annual mean concentration around Milburngate Bridge can be considered to be approximately 1 µg/m³. To put this into a bit more perspective, 'background' (i.e. at locations away from the roads) NO₂ concentrations in Durham city centre are*

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approximately 15 µg/m³, and concentrations measured at locations close to the bridge have been approximately 45 µg/m³.

- 1.3 *Whilst the study reveals a relatively modest contribution of emissions from taxis to overall emissions and NO₂ concentrations it should be noted that due to the high volume of short city centre trips, a relatively small number of vehicles contribute to the 4% figure quoted above. Given that there is currently no age restriction policy on DCC licenced vehicles there is a risk that the contribution from taxis may increase if the taxi fleet, which is predominantly relatively old Euro 5 diesel, does not improve.*
- 1.4 *Therefore, measures to improve the licenced taxi fleet should be encouraged to prevent emissions from this sector increasing in future. Adoption of a regional common emissions standard would support this recommendation.*

2.3 Department of Transport Taxi and Private hire Vehicle Licensing Best Practice Guidance 2010 - Taken from the guidance *‘Local licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how far their vehicle licensing policies can and should support any local environmental policies that the local authority may have adopted. This will be of importance in designated Air Quality Management Areas (AQMAs)., Local authorities may, for example, wish to consider setting vehicle emissions standards for taxis and PHVs.*

However, local authorities would need to carefully and thoroughly assess the impact of introducing such a policy; for example, the effect on the supply of taxis and PHVs in the area would be an important consideration in deciding the standards, if any, to be set. They should also bear in mind the need to ensure that the benefits of any policies outweigh the costs (in whatever form).’

The Best Practice Guidance states the following in relation to vehicle age constraints: **Age Limits.** *It is perfectly possible for an older vehicle to be in good condition. So, the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.*

2.4 An alternative approach – Currently, Durham County Council does not operate an age policy for licensed vehicles. Our current policy is based solely on vehicle emissions and manufacture criteria and requires that new applications for vehicle licences will only be accepted for vehicles manufactured to the emissions standard “EURO 5” or higher. Existing licensed vehicles will continue to be renewed but may only be replaced by vehicles meeting the criteria outlined above. This is clearly out of date and requires revising in order to prevent emissions from this sector increasing in future. Referring to the extract from the Durham Taxi Emissions Assessment for Durham County Council; *‘Given that there is currently no age restriction policy on DCC licenced vehicles*

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there is a risk that the contribution from taxis may increase if the taxi fleet, which is predominantly relatively old Euro 5 diesel, does not improve’.

It is possible to update and improve our current emissions standards policy without invoking age limits per se that may be deemed as being *arbitrary and inappropriate*.

Taking into consideration the above matters including the arguments against the proposed vehicle age restrictions, the following policy based solely on emission standards is proposed as an alternative policy to replace the previous proposals on vehicle emissions and the age of licensed vehicles:

Proposed: Vehicle Emissions and Manufacture Criteria

A. New Applications (Newly Licensed Vehicles)

- (From the date of adoption of the new policy) New applications for vehicle licences will only be accepted for vehicles manufactured to the emissions standard “EURO 6” or higher.

B. Renewal Applications (Existing Vehicles / Continued Licensing)

- After the 31st March 2022, we will no longer accept renewal applications for licensed vehicles meeting Euro 4 or lower (From Manufacturing emission standard January 2006; 16 years old)
- After the 31st March 2023, we will no longer accept renewal applications for licensed vehicles meeting Euro 5 or lower (From Manufacturing emission standard January 2011; 13 years old)

3.0 Available Options

- 3.1 Keep the existing Vehicle Emissions and Manufacture Criteria policy (out of date and requires improving) – **not recommended**
- 3.2 Adopt the policy proposal that was consulted on as in 1.1 above, Taxi Emissions and Age Restriction policy based on the proposals of the North East Strategic Licensing Group (this policy is generally opposed by trade respondents; contains arguably arbitrary and inappropriate vehicle age limits, and may not accord with Department of Transport best practice) – **not recommended**

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- 3.3 Adopt a revised policy based on improved Vehicle Emissions and Manufacture Criteria as detailed in 2.4 An alternative approach, above. (does not include an age policy) – **recommended**.
- 3.4 Adopt a policy that is different to any of the above – **unable to recommend**