

GATESHEAD METROPOLITAN BOROUGH COUNCIL

REGULATORY COMMITTEE MEETING

Tuesday, 20 March 2018

PRESENT: Councillor K Dodds (Chair)
Councillor(s): W Dick, M Charlton, B Goldsworthy, R Mullen, B Oliphant, M Ord, N Weatherley, D Bradford and J Green

APOLOGIES: Councillor(s): D Duggan, J Graham, J Kielty, C McHatton and A Thompson

RC168 APOLOGIES

RC169 MINUTES

RESOLVED - That the minutes of the last meeting be approved as a correct record.

RC170 APPEALS AND PROSECUTIONS

The Committee received a report detailing licensing related appeals and prosecutions during the period 6 February 2018 to 2 March 2018.

RESOLVED - that the information be noted.

RC171 SUSPENSIONS AND REVOCATIONS UNDER DELEGATED POWERS

The Committee received a report which detailed suspension and revocations that have taken place during the period 6 February and 2 March 2018.

RESOLVED - that the information be noted.

RC172 AIR QUALITY GRANT: IMPROVING EMISSIONS FROM HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

The Committee received a report on Air Quality Grant, improving emissions from Hackney Carriage and Private Hire Vehicles.

The Council bid for and received Air Quality Grant funding in January 2017 from the Department for Environment, Food and Rural Affairs (DEFRA) to support the development and implementation of a range of measures that would help deliver compliance with UK air pollution targets in the shortest possible time.

One project area was to consider opportunities for improving emissions from Hackney Carriage (HC) and Private Hire Vehicles (PHVs) licensed by Gateshead

Council via changes to licensing policy. This coincided with the Regulatory Committee's wish for a wider review of Vehicle Licensing Policy (including emission standards) which was reported on 14 December 2016.

AECOM were commissioned in June 2017 to undertake a review of Vehicle Licensing best practice as well as an associated consultation with HC and PHV drivers and PHC operators. Learning from the experience and best practice elsewhere will be vital in determining lessons for potential application in Gateshead.

The Council declared an AQMA in April 2005 within Gateshead Town Centre. This was extended to the south along Durham Road in April 2008. This remains in force. The Council were formally notified in February 2011 by DEFRA that they along with Newcastle City Council and North Tyneside, were to be named in the National Air Quality Plan for Nitrogen Dioxide as local authorities where it was anticipated that there would be continuing exceedances of European air quality limits beyond 2020. All three authorities were formally issued with a mandatory direction by DEFRA in July 2017, to introduce a Clean Air Zone (CAZ) and undertake a feasibility study to identify options that will deliver compliance with the legal limits of nitrogen dioxide in the shortest possible time and before 2021.

The DEFRA Direction has provided a pressing need for action to be 'stepped up' to tackle air pollution 'exceedances' in some parts of our area. This includes areas of the A1 in Dunston and Swalwell as well as the Tyne Bridge. The feasibility plan will address the issue of air quality across the whole area, not just the specific exceedance sites identified in the three local authority areas. The plan will also represent the start of a longer term journey towards the vision of low emissions through active travel, greater use of and cleaner public transport and reduced congestion.

It is acknowledged that HC and PHVs provide a vital mode for communities, offering a flexible form of public transport when other modes are unsuitable or unavailable. HC and PHV trips tend to include a high proportion of short journeys concentrated in small areas, contributing significantly to total vehicle miles travelled in an area. This means that in many towns and cities, HC and PHV emissions are a key source of pollutants, especially as many are large, diesel powered saloon cars.

Encouraging the uptake of Ultra Low Emission Vehicles (ULEVs) amongst licensed drivers and operators can be particularly effective in improving air quality, given the long distances travelled in an areas and the amount of idling many HC undertake at ranks.

In order to investigate how other councils are currently addressing licensed vehicle emissions, a review of HC and PHV licensing policies was undertaken. Initially, councils were targeted that were comparable to Gateshead in terms of characteristics, area and population. Over 50 councils in England and Wales were identified and their HC and PHV licensing policies examined. It was clear from the initial review that there are currently few examples of local councils implementing a comprehensive suite of policies to address HC and PHV emissions. However, there were a number of councils whose HC and PHV policy was currently under review and had expressed a desire to introduce further initiatives to reduce licensed vehicle

emissions in the revised policy. This suggests that a number of other councils are in a similar position to Gateshead Council.

Although at the local level there was a general absence of comprehensive policy addressing licensed vehicle emissions, there were examples of initiatives that could be useful to implement. Current initiatives in use by councils include:

- Discounted licence fees (e.g. Wigan Council);
- As of 1 April 2018 no longer issuing licences to diesel vehicles and capping the number of licences (e.g. Bristol City Council);
- Capping the age of vehicles (e.g. City of York Council);
- Clean Air Zones
- Vehicle purchase incentive schemes (e.g. Southampton City Council); and
- ULEV dedicated ranks for HC (e.g. Nottingham City Council)

The Committee were advised that disappointingly, the trade (which includes the majority of PHV operators, PHV and Hackney carriage drivers) have been reluctant to engage with AECOM on this project.

Due to the small sample size, the findings are indicative and caution should be used when interpreting the results.

Two operator interviews have been completed to date; both were conducted face to face. Some initial findings from these include:

- Fleet is replaced on a rolling basis, purchasing vehicles that are six months old or newer. Company policy is to reduce vehicle emissions.
- Electric vehicles are not financially viable due to lack of infrastructure in place, e.g. charging points and increased purchase cost of new vehicles.
- Council contracts are awarded to the cheapest company, so this is not an important factor.
- HC and PHVs should be given greater consideration by Council, in terms of subsidies, use of bus lanes, etc.
- Concern that Council is not supporting smaller private hire companies; potential introduction of legislation for new and renewed licensed vehicles to be ULEVs would result in a loss of drivers.

A total of only 39 driver questionnaires have been returned and completed so far, via a combination of on-street surveys and self-completion questionnaires.

The greatest number of respondents were hackney carriage drivers, who represent a smaller proportion of the overall trade.

Of those drivers who have responded, the results indicate that they don't see a problem with poor air quality, do not consider themselves to be contributing to the problem and don't see a need for change.

As expected, the typical response from drivers licensed in Gateshead reflected someone who has an older diesel vehicle, which travelled relatively long distances

each day. Most were not looking to replace their vehicle soon and didn't consider environmental factors to be a key consideration when replacing their vehicle.

However, a significant proportion said they may consider replacing their vehicle with a ULEV (albeit to secure reduced running costs). Costs unsurprisingly proved to be the dominant factor when choosing a vehicle but licensing factors were reported to be a key determinant.

The solution therefore, would be to take advantage of the willingness of many drivers to consider ULEVs, without adding to the cost of the burden of operating a licensed vehicle. Regulation would appear to be a key means of successfully encouraging a shift to a less polluting HC and PHV fleet.

The Government is also incentivising the uptake of purpose built electric taxis or HC through grants of £3,000 or £7,500 depending on range etc; and that national vehicle specifications are being introduced for these types of vehicles that Councils will effectively be compelled to adopt subject to local policy requirements such as colour, CCTV, etc. The Government will also pay up to 35% of the cost of a standard electric vehicle rather than a purpose built taxi or HC (e.g. the Nissan Leaf which is the Regulatory Committee approved as a PHV in 2015).

The DEFRA Direction will require Gateshead, Newcastle and North Tyneside to look closely at their respective HC and PHV vehicles and Licensing policies to ensure that vehicle emissions are reduced. The North East Combined Authority will also be pushing for consistent emission standards within vehicle licensing policies across the North East local authorities.

The Committee were advised that the next steps are:-

Awaiting final report from AECOM. This should be received by end of March 2018.

That the vehicle emission standards are included in vehicle licensing policy. If, Committee agree, then consideration needs to be given to whether this is completed separately or as part of the wider vehicle licensing review detailed in the December 2016 report. The level of urgency for emission standards to be improved would suggest moving quickly to the next step of going out to public consultation with proposals to amend –

1) the specification requirements, to include reference to electric vehicles being licensed under delegated powers (perhaps specific vehicles within category 1, 2 and 2 in the Government list of vehicles eligible for a plug in grant) and real life emissions testing for non-electrics to ensure that they meet an expected standard; and

2) the upper/lower age policies, with a view to reducing the number of heavy polluting licensed vehicles whilst not reducing the number of licensed vehicles.

- RESOLVED -
- i) That the information be noted
 - ii) That a further report be presented to Regulatory Committee in June 2018 to update councillors as well as confirming the

approach to be taken following discussions between the Chair and Service Director.

RC173 NON CONVICTION INFORMATION - CASE STUDY

RESOLVED – that the information be noted

RC174 POLICY AND DECISION MAKING TRAINING

RESOLVED – that the information be noted

RC175 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED - that the press and public should be excluded from the meeting during consideration of the remaining business in accordance with paragraph 7 of Schedule 12A of the Local Government Act 1972.

RC176 SUMMARY OF REGULATORY COMMITTEE DECISIONS

RESOLVED – that the summaries of decisions from last committee be noted.

RC177 HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING ISSUES (PARAGRAPH 7)

- RESOLVED -
- i) That the Committee were satisfied that applicant RC/05/18 was a fit and proper person to hold a Dual Hackney Carriage and Private Hire Driver Licence with the Council, and that such licence should be for a three year duration.
 - ii) That the Committee were satisfied that applicant RC/08/18 was a fit and proper person to hold a Dual Hackney Carriage and Private Hire Driver Licence with the Council, and that such licence should be for a three year duration.

Chair.....