

GM Clean Air Charging Authorities Committee

Date: 26 January 2022

Subject: GM Clean Air Plan – update to the temporary exemption qualification date for GM-licensed hackney carriages and private hire vehicles

Report of: Simon Warburton, Transport Strategy Director, TfGM

Purpose of Report

In the GM Clean Air Plan Policy, non-compliant GM-licensed hackney carriages and private hire vehicles licensed with a GM local authority as of 3rd December 2020 are eligible for a temporary exemption to the Clean Air Zone charges until 1 June 2023. This report sets out the background and context to inform the proposal to amend the exemption qualification date for GM-licensed hackney carriages and private hire vehicles from 3rd December 2020 to 26th January 2022.

Recommendations:

The Clean Air Charging Committee is requested to:

1. Agree that the GM Clean Air Plan policy is updated to amend the temporary exemption qualification date for GM-licensed hackney carriages and private hire vehicles from 3rd December 2020 to 26th January 2022.
2. Note that any vehicle licensed after this date will not qualify for an exemption.

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Equalities Impact, Carbon and Sustainability Assessment:

The GM CAP is a place-based solution to tackle roadside NO₂ which will have a positive impact on carbon.

Risk Management

Initial risk register set out in Clean Air Plan OBC (March 2019).

Legal Considerations

Amending or removing the criteria for exemption qualification date will not adversely affect the trade and extending the exemption to all GM Licensed vehicles as of the committee decision can be clearly communicated to the trade, therefore this policy amendment does not require further consultation activity.

Financial Consequences – Revenue

Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central Government.

Financial Consequences – Capital

Initial Financial Case set out in Clean Air Plan OBC (March 2019), with all development and delivery costs to be covered by central Government.

Number of attachments to the report: 0 (zero)

Comments/recommendations from Overview & Scrutiny Committee

Not applicable.

Background Papers

- 18 November 2021, report to the AQAC: GM Clean Air Plan – GM Clean Air Funds assessment mechanism
- 18 November 2021, report to the CACC: GM Clean Air Plan – GM Clean Air Plan Policy updates
- 13 October 2021, report to AQAC: GM Clean Air Plan – Operational Agreement for the Central Clean Air Service

- 13 October 2021, report to CACC: GM Clean Air Plan – Showmen’s Vehicle Exemption
- 13 October 2021, report to CACC: GM Clean Air Plan – Clean Air Zone daily charge refund policy
- 13 October 2021, report to CACC: GM Clean Air Plan – A628/A57, Tameside – Trunk Road Charging Scheme
- 21 September 2021, report to AQAC: GM Clean Air Plan – Clean Air Zone: Camera and Sign Installation
- 21 September 2021, report to AQAC: GM Clean Air Plan – Bus Replacement Funds
- 25 June 2021, report to GMCA: GM Clean Air Final Plan
- 31 January 2021, report to GMCA: GM Clean Air Plan: Consultation
- 31 July 2020, report to GMCA: Clean Air Plan Update
- 29 May 2020, report to GMCA: Clean Air Plan Update
- 31 January 2020, report to GMCA: Clean Air Plan Update
- 26 July 2019, report to GMCA: Clean Air Plan Update
- 1 March 2019, report to GMCA: Greater Manchester’s Clean Air Plan – Tackling Nitrogen Dioxide Exceedances at the Roadside - Outline Business Case
- 11 January 2019, report to GMCA/AGMA: Clean Air Update
- 14 December 2018, report to GMCA: Clean Air Update
- 30 November 2018, report to GMCA: Clean Air Plan Update
- 15 November 2018, report to HPEOS Committee: Clean Air Update
- 26 October 2018, report to GMCA: GM Clean Air Plan Update on Local Air Quality Monitoring
- 16 August 2018, report to HPEOS Committee: GM Clean Air Plan Update
- UK plan for tackling roadside nitrogen dioxide concentrations, Defra and DfT, July 2017

Tracking/ Process

Does this report relate to a major strategic decision, as set out in the GMCA Constitution

No

Exemption from call in

Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency? No

GM Transport Committee Not applicable

1. Background

- 1.1. The Government has instructed many local authorities across the UK to take quick action to reduce harmful Nitrogen Dioxide (NO₂) levels following the Secretary of State issuing a direction under the Environment Act 1995. In Greater Manchester, the 10 local authorities, the Greater Manchester Combined Authority (GMCA) and Transport for Greater Manchester (TfGM) are working together to develop a Clean Air Plan to tackle NO₂ Exceedances at the Roadside, herein known as Greater Manchester Clean Air Plan (GM CAP).
- 1.2. The core goal of the GM CAP is to address the legal requirement to achieve compliance with the legal Limit Value (40 µg/m³) for NO₂ identified through the target determination process in Greater Manchester in the “shortest possible time” in line with legislation and Government guidance.
- 1.3. The Secretary of State issued a direction to the 10 local authorities in Greater Manchester in March 2020 that requires them to take steps to implement the local plan for NO₂ compliance, so that compliance with the legal limit for nitrogen dioxide is achieved in the shortest possible time, and by 2024 at the latest, and so that exposure to levels above the legal limit for nitrogen dioxide are reduced as quickly as possible.
- 1.4. An eight-week statutory consultation on the GM CAP proposals took place in Autumn 2020. A report that set out the Greater Manchester Final Clean Air Plan and policy following a review of all the information gathered through the GM CAP consultation and wider data, evidence and modelling work has been agreed by the ten GM Local Authorities.
- 1.5. This includes the GM Clean Air Plan Policy¹, that outlines the boundary, discounts, exemptions, daily charges of the Clean Air Zone as well as the financial support packages offered towards upgrading to a compliant vehicle, including the eligibility criteria to be applied.

¹https://assets.ctfassets.net/tlpgbvy1k6h2/2VNncClzejAvGh3CrVn0oo/827368f3971b13b9d79525c7c7a60094/GM_Clean_Air_Plan_Policy_following_Consultation.pdf

2. Temporary exemption for GM-licensed hackney carriages and private hire vehicles

2.1. The GM Clean Air Plan policy was developed with policy principles underpinning the policy design, they included:

- The policy should provide, where possible, parity with other impacted vehicle owners.
- The policy should support the GM minimum licensing standards for hackney carriage and private hire vehicles and align where possible.
- The policy should provide, where possible, encouragement for out of towners to licence with a GM authority and all those licensed with a GM authority to remain licensed with that authority.

2.3. A temporary exemption for non-compliant GM-licensed taxis and private hire vehicles was agreed following the 2020 consultation. This was put in place to support those with GM licensed vehicles on 3 December 2020 (the closing date of the consultation) to upgrade their vehicles by providing them with a longer lead in time to upgrade their vehicle. The policy currently states:

Hackneys and Private Hire Vehicles (PHVs), which are licensed to one of the 10 GM Authorities as of the 3rd December 2020 are eligible for a temporary exemption until 31st May 2023. After 31st May 2023, non-compliant vehicles will be charged.

2.4. The rationale for this exemption is:

The evidence from the COVID-19 impacts analysis shows major impacts on the GM taxi trade. This exemption recognises GM licenced hackneys and private hire vehicles require time to recover from the financial effects of COVID-19 and to invest in upgrades to compliant alternatives before a charge is applied.

2.5. The rationale for the exemption still stands, however, the exemption's eligibility requirement to have a vehicle licensed on 3 December 2020 has not been widely understood by the trade and there is an assumption that all GM-licensed vehicles will be eligible for the temporary exemption.

2.6. Extending the exemption to all GM Licensed vehicles as of the committee decision can be clearly communicated to the trade. Any vehicle licensed after this date would not qualify for an exemption.

2.7. It is recommended that the GM Clean Air Plan Policy is updated to amend the temporary exemption qualification date. The revised wording would be:

Hackneys and Private Hire Vehicles (PHVs), which are licensed to one of the 10 GM Authorities as of the 26th January 2022 are eligible for a temporary exemption until 31st May 2023. After 31st May 2023, non-compliant vehicles will be charged.

2.8. Though this may lead to a small increase the number of non-compliant vehicles with a temporary exemption, it is not expected to risk Greater Manchester delivering its legal duty to achieve compliant levels of nitrogen dioxide in the shortest time possible and by 2024 at the latest.

3. Recommendations

3.1. The recommendations are set out at the front of the report.