



Emissions Strategy for London Taxis

Withdrawal of Approval for Eco-Power Emission Reduction System Approved in PCO Notice 30/07 (13 September 2007)

Following technical advice from the Energy Saving Trust (EST) based on emissions tests, the PCO decided on 28 March 2008 to withdraw the approval granted on 11 September 2007 for the modified Eco-Power Emission Reduction System (which recirculates exhaust gases into the vehicle's exhaust pipe via a heat exchanger but not through the vehicle's engine).

The modified Eco-Power Emission Reduction System referred to above was approved for installation on the following models of taxis:-

- Euro 1 LTI Fairway
- Euro 2 LTI TX1

Taxi owners who have had an Eco-Power system installed need take no immediate action, but are advised of the following:-

1. The PCO will write to these owners in due course advising what action they may have to take. Vehicles should be presented as normal for annual licensing or mid-year inspection at SGS.
2. In accordance with the High Court decision on 22 April 2008, Eco-Power.co.uk Limited has undertaken to compensate any person who, from 30 March 2008, purchased or purchases a modified Eco-Power Emission Reduction System for any loss they may suffer if it is shown that the injunction was wrongly made. Eco-Power will within 14 days furnish the PCO with details of all the purchasers of the modified Eco-Power Emissions Reduction System with a view to enforcing this undertaking in favour of purchasers.
3. If any owner has questions as to whether they are affected by either the contents of this Notice or by Eco-Power's undertaking then please make contact with the PCO on 020 7126 3802 or email your enquiry to emissions@pco.org.uk.

The PCO has no reason to doubt that all remaining approved emission reduction technologies are fit for purpose and will deliver the required standards provided they are fitted in accordance with the manufacturer's specifications to properly prepared and maintained vehicles.

Legal context

On 30 March 2008, Eco-Power obtained a High Court injunction preventing the PCO from publishing the decision to withdraw the approval. That injunction was continued on 7 April 2008 on Eco-Power's undertaking to compensate purchasers of its modified system who suffered a loss as a result of the injunction if it were later found that the injunction was wrongly made.

On 22 April 2008, the High Court discharged the injunction and dismissed Eco-Power's challenge to the decision to withdraw the approval for Eco-Power's modified system. The judge held that the PCO had acted reasonably on the basis of proper expert advice.

The High Court confirmed, in the light of a concession by the PCO, that the approvals granted on 13 June and 16 July 2007 in respect of Eco-Power's original system (which recirculates exhaust gases through the vehicle's engine) remain unaffected. The PCO has no objection to this system being fitted.

A handwritten signature in black ink, appearing to read 'D. Stock', with a large, stylized flourish on the right side.

24 April 2008

**Dave Stock
Head of Service Delivery**

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