



**Notice of meeting of
Taxi Licensing Policy Task Group**

To: Councillors Watt (Chair), Merrett and Vassie

Date: Wednesday, 16 February 2011

Time: 5.00 pm

Venue: The Guildhall, York

AGENDA

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on the agenda.

2. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting held on 19 January 2011.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the committee's remit can do so. The deadline for registering is **5.00pm on Tuesday 15 February 2011**.

4. Taxi Licensing Policy Review - Draft Final Report (Pages 9 - 44)

This report presents information gathered in support of this review and the resulting draft recommendations for the Task Group's consideration.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

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- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	TAXI LICENSING POLICY TASK GROUP
DATE	19 JANUARY 2011
PRESENT	COUNCILLORS WATT (CHAIR), MERRETT AND VASSIE
IN ATTENDANCE	IAN TEMPEST – VISIT YORK

9. DECLARATIONS OF INTEREST

Members were invited to declare, at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda. No declarations were made.

10. MINUTES

RESOLVED: That the minutes of the meeting held on 15 December 2010 be approved and signed by the Chair as a correct record.

11. PUBLIC PARTICIPATION

It was reported that there were no registrations to speak under the council's Public Participation Scheme.

12. TAXI LICENSING POLICY REVIEW - INTERIM REPORT

Members received a report that presented information gathered in support of the review, including feedback on the consultation process that had recently been carried out.

The following additional information was tabled:

- Briefing note on the Duncombe Place taxi rank
- Data on estimated emissions from taxis in York
- Feedback from consultation exercise
- Summary of consultation findings

(i) Impact on Air Quality

Consideration was given to the data provided on emissions from taxis in York. It was noted that the data provided an overview of the age and fuel type of the current taxi fleet and that estimates had been made of the total emissions from the whole fleet, assuming each vehicle travelled a set distance.

Members noted that it would be possible to undertake a detailed study of taxi emissions in York, as detailed in paragraphs 22-26 of the report, and noted the financial costs that this would involve.

It was suggested that that there was a need to carry out more work in respect of air quality in general and that consideration should be given to longer-term ambitions as well as interim targets.

Members noted the comments that had been made by the District Judge following a statutory appeal against the council's conditions for Hackney Carriage Vehicles in respect of emissions. During the case the District Judge had indicated that a vehicle age policy in itself was inappropriate and that any policy should be emissions based.

Consideration was given to the information that had been provided on the Air Quality Strategy that had been introduced in London, as detailed in paragraphs 15 to 20 of the report. Members agreed that a recommendation should be made that the taxi related measures for improving air quality within the GLA Scheme should be implemented in York. It was suggested that a target implementation date of 2021 would enable time to investigate funding streams available to support the policy, including EU funding.

Discussion took place as to the necessary support systems that would need to be put in place. It was noted that it was intended to include proposals regarding the taxi trade within LTP3 and Members requested that they received more information on this issue.

Officers gave details of the database that was currently in place to record information on taxi vehicles. It was noted that a new IT system was to be introduced that would enable data on emissions to be recorded.

Suggested recommendations:

That, in order to reduce the emissions from taxis in the short to medium term, the following European standard should be required for replacement vehicles:

- *For petrol cars – Euro 4 petrol vehicle class*
- *For diesel cars – Euro 5 diesel vehicle class.*

That, in the case of new plates, Members acknowledged the need to increase the number of low emission vehicles and to meet the forthcoming quota to be set by the government for wheelchair accessible vehicles and they agreed that a hierarchy should be established to be applied to licence applications. No additional diesel cars should be added to York's hackney fleet.

That, recognising the need for a longer term vision for the city and its taxi fleet in relation to the council's Air Quality Strategy, the Task Group recommended the introduction of a zero tail pipe emissions

policy similar to the Mayor's Plan for London hackneys and PHVs by 2021.

(ii) Wheelchair Accessible Taxis

It was noted that officers were awaiting a Government announcement on the quota requirements for the number of wheelchair accessible taxis.

Suggested recommendation:

That the policy be amended to reflect the requirement to comply with government policy on wheelchair accessible taxis when this becomes available.

(iii) Meters

Consideration was given to the issue of meters and to the information provided in paragraphs 14-17 of the report.

Suggested recommendation:

That the council's policy be updated to include "A new specification will apply to taximeters i.e. the taximeter must comply with the Measuring Instruments (Taximeter) Regulations 2006 and must be of the calendar control type which is locked and sealed by and approved manufacturer and supplier and or installer. The meter should have the facility to print receipts. The specification will initially apply to new vehicle applications only and subsequently will apply to all existing vehicles, both hackney and private hire (where fitted) with effect from 1 April 2015".

(iv) Livery

Members agreed that the council's policy should *encourage* the taxi fleet to have black livery but they acknowledged that, in view of the legal ruling on this issue, this could be advisory only.

(v) Taxi Ranks

(a) Duncombe Place

Members considered the briefing note on the Duncombe Place taxi rank. It was noted that a number of measures had been put in place to address issues that had previously arisen regarding antisocial behaviour in the area. These had included a Designated Public Places Order in the Memorial Gardens (alcohol restriction), improving street lighting and cutting back bushes and shrubbery in the gardens. Since the introduction of the Designated Public Places Order in March 2007 incidents of crime and antisocial behaviour had reduced by 79%.

Members also noted that taxis can pick up passengers in any street and can be “flagged down” when not already booked. This meant that irrespective of the operation of a taxi rank in Duncombe Place if there were passengers waiting a taxi could lawfully stop and pick them up.

It was noted that Duncombe Place remained a popular rank at all times of day and that it served people leaving the theatre and late night city venues.

Suggested recommendation:

That, on a twelve-month trial basis, the Duncombe Place taxi rank revert to a 24hr operation.

(b) Other Ranks

Members considered whether there were other sites in the city which should have designated ranks. It was agreed that this issue should be taken into account when planning applications for major developments such as the community stadium, the new council offices or large retail outlets were considered.

Suggested recommendation:

That, as part of the planning application process for new public centres, consideration be given as to whether it would be appropriate to have designated bays/ranks for taxis.

(c) Raising Public Awareness of Taxi Ranks

The representative from Visit York requested that consideration be given to ensuring that the sites of taxi ranks were better publicised. He suggested that a map should be produced, indicating the sites of the ranks. The map should be made available on the council’s website, and hard copies provided to Visit York and other organisations.

Suggested recommendation

That information about the sites of taxi ranks in the city be better publicised.

(vi) Training for Taxi Drivers

The representative from Visit York gave details of the tourism course that they offered to taxi drivers. Taxi drivers were important ambassadors for the city and the training enabled them to be more knowledgeable about the history of the city. Around 100 drivers had already completed the course and the intention was to run the course again.

Members agreed that taxi drivers should be encouraged to attend the tourism course offered by Visit York.

(vii) Innovations

Members considered whether there were any innovative ways in which the licensed taxi and private fleet could enhance public transport provision both within the city and in rural communities, including the possibility of taxi buses.

Suggested Recommendation:

That the council be sympathetic towards the introduction of taxi buses for use in rural areas and should work with possible future providers to investigate how such services may be introduced.

- RESOLVED: (i) That a list of recommendations for inclusion in the draft final report be emailed to Members for consideration.
- (ii) That officers working on the LTP3 be requested to prepare a briefing note detailing the proposals in respect of taxi provision.

REASON: To ensure compliance with scrutiny procedures, protocols and workplans.

Councillor J Watt, Chair

[The meeting started at 5.00 pm and finished at 6.10 pm].

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Meeting of the Taxi Licensing Review Task Group

16 February 2011

Taxi Licensing Policy Review - Draft Final Report

Purpose of Report

1. This report presents information gathered in support of this review and the resulting draft recommendations for the Task Group's consideration.

Background

2. This topic was registered by Councillor Gillies as Chair of the Licensing & Regulatory Committee, following a number of recent meetings where the committee made decisions based on the council's current Taxi Licensing Policy, which highlighted aspects of the policy open to interpretation. The Licensing & Regulatory Committee unanimously agreed that the policy was in need of review to ensure it was robust and fit for purpose.
3. In September 2010, the Community Safety Overview & Scrutiny Committee received a feasibility report on the proposed topic informing them that nationally, each authority sets its own policy based on its own specific requirements. Therefore little would be gained by looking in detail at the Taxi Licensing Policies in place elsewhere. Instead it was proposed that the review would be better informed if it were to focus on the Department for Transport's 'Best Practice Guidance for Taxi & Private Hire Licensing'. This authority's guidance for applicants contains the conditions currently applied to vehicle and driver licences.
4. In accordance with the decision of members of the Licensing and Regulatory Committee in May 2008, the committee were informed that a further survey of unmet demand is required in spring 2011 with a view to reviewing the restriction policy on hackney carriage numbers. Officers welcomed this scrutiny review as a way of assisting with their revision of the policy within that timeframe.
5. With that in mind, the Community Safety Overview & Scrutiny Committee agreed to set up a Task Group to carry out this review on their behalf and set a timeframe for the review which would enable the findings to be fed into the Licensing Unit's policy review process. They requested that a draft final report be brought back to them for their consideration at their meeting in March 2011. They also agreed the following remit for the review:

Aim

To ensure the council has an up to date Taxi Licensing Policy which is robust and fit for purpose.

Key Objectives

- i. To consider the future allocation of hackney carriage vehicle licences having regard to the Department for Transport's Best Practice Guidance for Taxi & Private Hire Licensing, in meeting the needs of all potential members of the travelling public
- ii. To examine the provision and usage of taxi ranks in the city
- iii. To examine conditions attached to vehicle licences, in particular with regard to accessibility, emissions, vehicle colour and window tinting
- iv. To look at innovative ways in which the licensed taxi and private fleet may enhance the public transport provision both within the city and in rural communities

Review Workplan

6. At a meeting held on 15 November 2010, the Task Group met for the first time and agreed the following workplan for their review:

Meeting Dates	Workplan
<u>Meeting 1</u> 15 November 2010 5:30pm	<ul style="list-style-type: none"> • Consider scoping report containing information gathered to date and suggested methods for carrying out the review • Receive presentation on 'Overview of CYC Licensing Policy' • Agree workplan and future meeting dates
<u>Meeting 2</u> 15 December 2010	<ul style="list-style-type: none"> • Receive interim report presenting information relating to the review objectives • Identify relevant consultees and a suitable consultation method
<u>Meeting 3</u> 19 January 2011	<ul style="list-style-type: none"> • Receive interim report presenting any additional information required and consider responses from consultation process • Identify suitable recommendations
<u>Meeting 4</u> 16 February 2011	<ul style="list-style-type: none"> • Consider draft final report and agree recommendations
1 March 2011	<ul style="list-style-type: none"> • Presentation of final report to Community Safety O & S Committee

Consultation

7. The Head of Licensing, Bereavement and Registry Services and officers from CYC Licensing Unit supported the work of the Task Group.

8. At the meeting in December 2010 the Task Group agreed to issue a questionnaire to the following relevant parties, inviting them to participate in a consultation exercise:
- Taxi and Private Hire Vehicle Licence Proprietors
 - Taxi and Private Hire Drivers
 - Association of York Taxi Drivers
 - Private Hire Operators
(The above are represented by 3 trade organisations)
 - Applicants on hackney vehicle licence waiting list
 - Access Groups
 - CYC Highways officers
 - CYC Licensing Unit officers
 - CYC Legal officers
 - North Yorkshire Police
 - Chamber of Commerce
 - East Coast Railways
 - Visit York
 - The Garrett Residents Association
 - Dean Court Hotel
9. The questionnaire was drafted and 40 copies were sent out mid December with a closing date of 19 January 2011. 10 responses were received (25% return). In addition, the questionnaire was made available via the council's online consultation facility, generating a further 8 responses. A summary of all the responses is provided at Annex A.

Objective (i) - To consider the future allocation of hackney carriage vehicle licences having regard to the Department for Transport's Best Practice Guidance for Taxi & Private Hire Licensing, in meeting the needs of all potential members of the travelling public

10. At the meetings in December 2010 and January 2011, the Task Group received information in support of the objectives of the review, and comparisons were drawn with other cities of similar size and type. The comparable cities used and referred to were Oxford, Chester, Cambridge, Nottingham and Brighton & Hove, as these are the cities generally used by Transport Planning as suitable comparators.

Information Gathered

11. Number of Hackney carriages per population

Authority	Population	Restricted?	No. Hackney Carriages	Ratio
Chester	120,000	De restricted	130	1/923
Cambridge	121,000	De restricted	303	1/399
Oxford	149,000	Restricted	107	1/1393
YORK	191,000	Restricted	178	1/1073
Brighton & Hove	256,000	Restricted	520	1/492
Nottingham	301,000	Restricted	411	1/732

12. The total number of Licensing Authorities in England & Wales is 343. As of November 2010, this total can be broken down to 256 (74.64%) that do not restrict hackney carriage numbers or have voted to remove restrictions at a future date, and 87 (25.36%) that do restrict hackney carriage numbers.
13. Over the years a number of Licensing Authorities (68) who originally restricted their number of hackney carriages have since removed or given a firm commitment to remove licensing restrictions. Of those, many moved from quantity control to quality control on hackneys as they tried to raise standards and increase their number of wheel chair assessable vehicles.
14. Following a policy review of quantity control by 151 Local Authorities (LAs) in 2004, 67 chose to de-regulate. Following 5 years of de-regulation, this number reduced to 63 when 4 of those LAs chose to change their policy back from that of 'unrestricted' to 'restricted' for the following reasons:
 - Cardiff
 - Hackney numbers rose by 75% from 480 in 2004/5 to 840 in 2008/9
 - Huge numbers of licenses led to a dip in the standards of taxi drivers
 - Sheer numbers of taxis led to what they dubbed as chaotic scenes at official ranks too many taxis waiting - not enough rank spaces etc
 - Police reported illegal ranks springing up around the city hot spots causing crime and disorder
 - Birmingham
 - Hackney numbers rose from 770 licenses in 1997 to 1405 in 2008
 - Research found ample supply of vehicles
 - At less busy times there was an over supply of taxis resulting in congestion at ranks
 - Propose to reduce number of cabs and introduce tougher quantity controls.
 - Sheffield
 - Introduced re-restriction in 2008 following pressure from the trade
 - Research concluded over saturation of the market.
 - To many licensed vehicles for too few jobs
 - Derbyshire Dales
 - Matlock re-restricted in 2008
 - Independent report on taxi licensing recommended restricting the number of hackney carriages serving Derby Dales
 - Currently 78 licensed vehicles.
15. In each of the above cases the Task Group noted that, the Licensing Authorities had found de-regulation had resulted in an over supply of hackneys and an increase in congestion and opportunities for crime and disorder.

Analysis

16. De-regulation – Benefits & Disadvantages for York
The Task Group considered the benefits and disadvantages of restricting hackney carriage numbers in York:

Benefits

- Council not involved in commercial market regulation
- Increases proportion of accessible vehicles
- More accountability with fewer rented vehicles
- Meets DfT objectives
- All can obtain licence / no waiting list
- No disputes over vehicle ownership
- More vehicles for customers
- No further costly surveys required

Disadvantages

- Initial disruption to existing trading patterns
- May lead to additional traffic congestion and pressure on ranks
- Overprovision may lead to deterioration of standards
- Loss of investment value for those who bought a licensed vehicle (Value up to £40k)

Draft Recommendations For Objective (i)

17. In regard to the first objective of this review, the Task Group agreed to recommend:
- i. Not to introduce deregulation, but to continue to limit the number of hackney carriage vehicle licences it issues i.e. 2 licences issued every 6 months, subject to the findings from future 'unmet demand' surveys.

Objective (ii) - To examine the provision and usage of taxi ranks in the city

18. In December 2010, the Task Group received national comparator information on the number of ranks & number of spaces on ranks in cities of similar size and type:

Authority	No. of Hackneys	Rank Spaces	Ratio
Oxford	107	17+6 at railway station	1/ 4.7
Chester	130	90	1/1.4
YORK	178	Full time 34 + station 20 Inc part time 87	1/ 3.3 1/1.3
Cambridge	303	Full time 21 + 25 at station Inc. Part time 13	1/6.6 1/5.14
Nottingham	411	200 (unknown if station included)	1/ 2.1
Brighton & Hove	520	58 (unknown if station included)	1/ 9

19. The Task Group also received comprehensive information on the location and usage of hackney carriage ranks in York:

Full-time Ranks	Spaces	Part-time Ranks	Spaces
Clifton Moor Cinema	3	Clifford Street (for Gallery Nightclub)	4
Haxby	2	Clifford Street (opp. Gallery Nightclub)	4
Queen Street	4	Micklegate (for Ziggys Nightclub)	3
Tower Street	4	Rougier Street 10.30pm – 6am	3
The Crescent (Blossom St)	1	Toft Green (for Tru Nightclub)	4
St. Leonard's Place	4	Duncombe Place – 7.30am – 10pm	8
St. Saviourgate – Rank A	12	St. Sampson's Square 8pm – 6am	8

St. Saviourgate – Rank B (feeder rank)	4	York Racecourse (Race Days only)	12
		Exhibition Square 8pm – 6am	3
		Piccadilly – 11am – 6am	4

20. Usage of ranks and waiting times

The following table shows information from February/March 2008 (provided by Halcrow) detailing the average delay in minutes at ranks and the level of demand

Rank	Passenger Departures	Taxi Departures	Average Passenger Delay	Average Taxi Delay
Clifford St (Gallery)	4,387	1,880	1.07	3.20
Clifford St (Opp Gallery)	2,700	1,207	0.84	1.57
Railway Station	7,679	5,293	3.80**	7.46
St Saviourgate	5,681	3,509	2.55	5.86
Tower Street	0	18	0.00	5.00
Duncombe Place	1,028	594	2.28	5.68
St Leonard's Place	15	15	0.00	15.00
Piccadilly	5*	0	2.50	0.00
Rougier Street	1,832	932	12.32	1.69
Micklegate	180	72	1.00	0.00
Total	23,685	13,519	3.21	5.42

* - At Piccadilly, the 5 passengers left the rank without obtaining a taxi.

** - At the Railway Station, the figure of 3.80 has been amended to reflect the poor throughput of taxis at the Railway Station rank. It is recognized that passengers are waiting longer for a vehicle (4.17 mins) but this is not as a result of the restricted policy, more to do with the traffic management layout at York Railway Station.

21. The table below shows totals from February/March 2009 for comparison purposes:

Rank	Passenger Departures	Cab Departures	Average Passenger Delay	Average Cab Delay
Clifford St (Gallery)	1,127	605	0.84	1.46
Railway Station	4,801	2,988	0.94	7.51
St Saviourgate	3,181	2,432	0.70	8.45
Rougier Street	2,102	1,170	0.75	5.25
2009 Totals	11,211	7,195	0.83	6.95
Equiv ranks 2008	19,758	11,613	3.61	5.82

Analysis

22. The Task Group acknowledged that ranks at railway stations are difficult to compare nationally as many stations have dedicated parking for hackneys waiting to go onto the rank ie 'feeder ranks'. Ranks are often on land owned by railway companies who often introduce permit systems to limit the number of taxis allowed to use those ranks. This is true in York where 117 permits are issued. In York, vehicles can also wait in the overspill car park.
23. Raising Public Awareness of Little Used Ranks
The Task Group recognised that the trade would need to increase their level of service at those ranks that were under used, for the public to have the confidence to stand at them. Officers confirmed they plan to look at how best to raise public awareness of little-used ranks in the city centre e.g. Piccadilly, Tower St and Queen St.
24. Duncombe Place
The Task Group queried the ongoing issues around the use of the rank at Duncombe Place and received a briefing note from officers on the history surrounding its use – see Annex B.
25. The Task Group acknowledged the council's efforts to improve the area adjacent to the rank location through the introduction of the Designated Public Places Order in March 2007, and the improvements to street lighting etc around the boar War memorial gardens. They also noted there was little evidence to substantiate that the use of the rank gives rise to noise disturbance. Finally, they recognised that as a hackney carriage can pick up passengers in any street and can be "flagged down" when not already booked, irrespective of the operation of the taxi rank in Duncombe Place, if there are passengers waiting a taxi can lawfully stop and pick them up.

Draft Recommendations – Objective (ii)

26. In regard to the second objective of this review, the Task Group agreed to recommend:
 - ii. CYC Planning Dept to encourage the siting of new/additional taxi ranks adjacent to major new developments e.g. outside the new stadium or near the new council offices or major retail centres / supermarkets
 - iii. CYC to produce a map showing York's taxi ranks indicating times of use, to raise public awareness of little-used ranks in the city centre. Map to be made available on CYC website and hard copies to be provided to relevant external parties e.g. Visit York
 - iv. For a 12 month trial period, the rank at Duncombe Place to be made available for use on a full time basis.

Objective (iii) - To examine the conditions attached to taxi licences, in particular with regard to accessibility, emissions, vehicle colour and window tinting

Information Gathered

27. Accessibility

The Task Group were informed that officers are currently awaiting a Government announcement on the quota requirements for the number of wheelchair accessible taxis etc. York currently has 41 wheelchair accessible taxis (with a further 2 in the next 3 months) The new government quota is expected to be higher than this.

28. Understanding the Effects of Taxi Emissions on Air Quality

Emissions from a vehicle in terms of g/km depend on its age and the size and type of its engine. The main pollutants are PM10, NOx and CO2. The quantity of emissions over a period of time depends on how far the vehicle travels in a set period and the type of journey i.e. urban, motorway etc.

29. The Task Group received detailed information on a new Air Quality Strategy that has recently been introduced in London. Through a brand new programme of investment, this new strategy seeks to address the particulate air quality problems currently experienced in London and will:

- encourage the uptake of electric vehicles by enabling Londoners to sign up to Source London, a brand new electric vehicle membership scheme tailored to make electric driving an easier choice.
- convert London's bus fleet to hybrid or low emission and;
- clean up London's taxi and Private Hire Vehicle (PHV) fleet by promoting the use of newer, cleaner vehicles

30. From spring this year, the Greater London Authority (GLA) intends to use the taxi and PHV licensing regime to remove the oldest vehicles from the fleet by introducing age limits for these vehicles. From 2012, a rolling 15 year age limit will be set for hackneys so that no hackney over 15 years old will be licensed to operate in London unless by a special exemption. For PHVs, a ten year rolling age limit will be introduced from 2012. This reflects the differential values of the vehicles used for private hire and hackneys and the broader structures and licensing requirements of the two industries.

31. In addition, all new hackneys entering the fleet will be required to meet the Euro 5 emissions standard from 2012. However, this Euro 5 diesel policy will only work for London in the short term as they only provide emission reduction in terms of particulate, and could make the NOx situation worse. In the longer term London will have to address the emissions of NOx as well. To do this, new PHVs entering the fleet from 2012 will be required to meet the Euro 4 standard and be five years old or newer, and the London Authority aim to work with the vehicle manufacturing industry to develop a vehicle suitable for use as a PHV with a 60 per cent improvement in fuel economy by 2015 (based on current levels), and a vehicle with zero tail pipe emission by 2020. The introduction of such vehicles will deliver significant air quality benefits.

32. The GLA will also amend the annual taxi inspection regime from its current form of one combined mechanical and licensing inspection to two MOTs per year, to ensure that taxis are operating as efficiently and cleanly as possible. This will be complemented by a requirement for all new taxi drivers to undertake an eco-driving

course before becoming licensed drivers, which can reduce emissions and help drivers use their vehicles more economically, at no cost to themselves.

33. Finally, the GLA will also seek to eliminate situations where taxi drivers are effectively forced to keep engines running – for example at taxi ranks at stations and while empty running. They plan to achieve this by facilitating additional taxi ranks, suspending stopping and waiting restrictions where possible and encouraging new technologies to enable taxi sharing and electronic hailing.

34. Alternative Technologies

There are a variety of promising propulsion and power technologies which could see hybrid, plug-in electric, full-electric and fuel cell taxis on the roads in the future. As part of the GLA scheme, it is intended to establish a financial incentive that will offer a reduction on the purchase price of qualifying vehicles to taxi drivers. It will be made available to drivers for a limited time and for a pre-defined number of new vehicles meeting strict environmental requirements.

35. Taxi Emissions in York

To undertake a detailed study of taxi emissions in York, officers would need to know as a minimum, vehicle ages, fuel types and have an estimation of mileage over a set period e.g. day, week, year etc - ideally per vehicle, but failing that an 'average' for a taxi in York. Unfortunately for this review, very little information is currently held electronically about hackney carriages and PHVs in York. What is available is held in an access database that doesn't lend itself to detailed investigation. For example, there is no information on the access database about vehicle fuel type or mileages.

36. However, officers were able to provide a broad brush estimate of emissions from York's taxi fleet based on all vehicles in the fleet doing a set amount of mileage per year (this was done for various levels of mileage). They also provided an estimate of emissions of NOx and CO2 in g/km for each of the different classes of vehicle based on Euro standard and fuel type – see Annex C. They also received information on the cost of different types of low emission vehicles and their operating costs.

37. Introduction of Low Emission Zone in York

At the present time efforts to reduce emissions in York are being focused on the development of a Low Emission Strategy (LES) which uses incentives to encourage the uptake of cleaner vehicles and technology. At the present time there are no plans to introduce a Low Emission Zone (LEZ) for all vehicles, including taxis. As has already been outlined above, improving the Euro standard of a diesel vehicle does not necessarily lead to a reduction in nitrogen dioxide concentrations (see paragraph 31 above).

38. One option would be to 'enforce' the uptake of electric / hybrid vehicles within the taxi (and general vehicle fleet) by the use of Low Emission Zone (LEZ) style controls requiring the use of hybrid vehicles, but this would not be possible until hybrid vehicles became more accessible and affordable to the general population.
39. In officers' view, in the short term the council's emphasis should be on doing what it can to promote the use of hybrid, and to a lesser extent electric vehicles. This may

need to involve some lobbying of government to try and secure financial assistance for the purchase of these types of vehicles by taxi drivers and the provision of as many local incentives as possible.

40. Increased Personal Safety

In 2008, in an effort to promote the protection and safety of the public and taxi drivers, the authority introduced:

- Approved installation of driver shields
- Amended conditions of tinted windows
- Adoption of DfT guidance on driver safety
- Review of crime statistics every 3 months – crime against taxi drivers example attached
- Approved installation of CCTV camera to licensed vehicles subject to certain criteria as outlined below:

'Personal safety – when fitted, a camera lens and equipment should present no impact danger to passengers

- *The quality of recorded images should be of sufficient quality during all lighting conditions to continually demonstrate their strong deterrent value*
- *Passengers should be aware that they are being recorded. The vehicle will carry appropriate signs, approved by the council, informing the public that camera surveillance is active in the vehicle*
- *Encryption of images stored. The images contained in the recording device may only be downloaded by an authorised officer of the council or police officer. The manufacturer will supply the council with de-encryption software free of charge.*
- *Appropriate activation device*
- *The recording system and memory card or other image memory recording system will be securely stored within the vehicle and away from public access'*

Analysis

41. In regard to taxi emissions, having acknowledged that air quality is an issue that affects all cities and towns across the country, the Task Group agreed that those who contribute more to the problem i.e. buses, taxis and vans - should be expected to do more to provide the solution.
42. The Task Group considered the measures contained within the Greater London Authority's new Air Quality Strategy. In particular, they noted the planned introduction from 2012 of age limits for hackneys (15 yrs) and PHVs (10 yrs). The Task Group agreed this was a sensible approach to the issue of emissions, but officers informed them of a recent court decision in York in which the Judge upheld the council's policy on emissions but not our policy on having an age limit for the taxi fleet.
43. The Task Group also noted that whilst some low emission vehicles might offer up some CO₂ savings, they were unlikely to help with the NO₂ issue in York because

there is emerging evidence that modern diesel engines contribute more nitrogen dioxide out of the rear of the vehicle than older versions did. This is as a direct result of the engine technology that has been put in place to try and control particulate emissions. They also recognised the trade off between NO₂ and particulate, as petrol vehicles produce less NO₂ than diesel but are less efficient, so increase CO₂ emissions. They therefore agreed that one way to reduce NO₂ emissions in the city centre would be to encourage an increase in the number of hybrid /electric vehicles in use as hackneys / PHVs.

44. In regard to the issue of reducing emissions and increasing accessibility, the Task Group considered how best to achieve the forthcoming quota requirements for wheelchair accessible taxis and agreed it would be necessary to find ways of increasing applications from new drivers with suitable vehicles. However, an examination of the market revealed that, currently, there are no electric, hybrid or petrol wheelchair accessible vehicles on the market. LTI (the manufacturer of London Taxis) does not produce a petrol wheel chair accessible vehicle. However, they plan to release a new Euro 5 diesel vehicle in 2012. Similarly, all of the vehicles supplied by Cab Direct (the leading supplier of taxis in the UK) are diesel. They have stated that the only way to get a petrol one is by specific request at a cost from the manufacturer. The reason for this, is that their vehicles are shipped all over the world, diesel engines last longer and are more economical etc, and diesel throughout the world is cheaper than petrol (apart from in the UK). However, they have said that new more environmentally-friendly emission diesel engines will be available later this year.
45. The Task group recognised that the key to the issue of reducing emissions and increasing accessibility would be the Government's guidelines on the percentage of wheelchair accessible taxis we should have in our fleet. They agreed therefore that the council should give priority to electric or hybrid vehicles, and not accept non wheelchair accessible diesel vehicles.
46. In regard to charging points, the Task Group queried whether there were any plans for the provision of these across the city within the council's third Local Transport Plan (LTP3) – see extract from LTP3 showing the included measures and their implementation plan at Annex D.
47. Finally, in regard to personal safety, having considered the measures previously introduced by the Authority i.e. drivers shields, tinted windows etc, the Task Group agreed those measures were acceptable and no amendments to the policy were required.

Draft Recommendations – Objective (iii)

48. In regard to the third objective of this review, the Task Group agreed to recommend that for the short to medium term:
 - v. To reduce the emissions from taxis, the following European standards should only be accepted for replacement vehicles
 - For petrol cars – Euro 4 petrol vehicle class
 - For diesel cars – Euro 5 diesel vehicle class

- vi. The number of low emission vehicles and to meet the forthcoming quota to be set by the government for wheelchair accessible vehicles, a hierarchy should be applied to licence applications as follows:
 - those applicants with an electric car
 - those applicants with a hybrid car
 - those applicants with a wheelchair accessible diesel car
 - those applicants with a petrol car
 - vii. No additional hackney carriage vehicle licences will be issued to 'non wheelchair accessible' diesel cars.
 - viii. Where there are a number of applicants with cars of the same type (i.e. types shown above) the order they are placed in the waiting list should be based on length of time they have been on the list, in line with the council's current policy.
 - ix. CYC Taxi Licensing Unit to monitor emissions and the number of wheelchair accessible vehicles in York's taxi fleet (Hackneys and PHVs) by revising their annual inspection regime to ensure the gathering and recording of the relevant information, within the new Licensing Unit computer system (once its commissioned)
 - x. Support for the council's current policy in regard to livery of the city's taxi fleet, but in the light of the court judgement, it be made advisory.
49. Finally, the Task Group recognised the need for a longer term vision for the city and its taxi fleet in relation to the council's Air Quality Strategy. They therefore agreed to recommend:
- xi. Subject to the adequate progression with new technologies making the application practical, the introduction of a zero tail pipe emissions policy similar to the Mayor's plan for London for hackneys and PHVs by 2021.

Objective (iv) - To look at innovative ways in which the licensed taxi and private fleet may enhance the public transport provision both within the city and in rural communities

Information Gathered

- 50. Types of Meters In Use In York
At the present time whilst it is a requirement for all hackney carriages to be fitted with a meter to calculate the journey fare, there is no specification in relation to the meter itself. However, following the issue of a European Measuring Instrument Directive, new regulations were introduced in 2006 for the protection of the public. The Measuring Instrument (Taximeters) Regulations 2006 provide standards and specifications that manufacturers have to meet for taximeters produced after 30 October 2006.
- 51. Some meters can be calendar controlled and locked and sealed by the manufacturers/suppliers so that tariff rates change automatically and cannot be

tampered with manually by a driver. Other meters can be manually controlled by a driver to change between tariff rates i.e. from tariff 1 to tariff 2. This can and has led to complaints of over charging by some drivers who set an inappropriate tariff rate for either time of day or the day itself e.g. Christmas Bank Holidays, Races. In addition, some private hire firms have introduced meters connect to GPS mapping.

52. Issuing of Receipts & Alternative Payment Methods

York's current Taxi Licensing Policy states that all drivers whether hackney or private hire will issue receipts on request. These invariably are hand written. However, technology does exist for receipts to be issued directly from a printer on a meter. This gives clear accountability and would greatly assist in reducing overcharging. It would however be an additional cost to the driver or vehicle owner. It should be noted that not all private hire vehicles are fitted with a meter and some companies operate off mileage charts.

53. In addition, the council places no restriction on drivers installing debit or credit card readers in their vehicles but does request that customers are made aware of any surcharges imposed for paying through this route.

54. Finally, the Task Group met with a representative from Visit York who gave feedback on visitors' perspectives on York's taxi fleet. They specifically requested that a map showing the location of taxi ranks be produced so that they can make it available to visitors via the Visitor Information Centre and their website (see draft recommendation iii at paragraph 25). They also suggested that greater clarity be provided on how customers can book a wheelchair accessible vehicle. Finally they informed the Task Group of the training programme they have developed for York's taxi drivers, which has been conducted with the support of the main taxi associations. The programme provides drivers with information on the city's history and its main attractions and has proved very successful, and Visit York plan to continue providing the training in the future.

Analysis

55. In regard to meters, the Task Group considered how best to revise the council's policy to bring it in line with national best practice and considered wording in use in other council's policy e.g. Darlington Borough Council state the following in their policy:

'A new specification will apply to taximeters i.e. the taximeter must comply with the Measuring Instruments (Taximeter) Regulations 2006 and must be of the calendar control type which is locked and sealed by and approved manufacturer /supplier and/or installer.

The specification will initially apply to new vehicle applications only and subsequently will apply to all existing vehicles, both hackney and private hire (where fitted) with effect from.....'

56. The Task Group were pleased to hear that Visit York consider York's taxi fleet to be a key factor in providing a 'quality visitor experience'. They expressed their thanks to Visit York for their work with York's taxi drivers, recognising that the training they provide enable the drivers to act as ambassadors for the city.

Draft Recommendations – Objective (iv)

57. In regard to the fourth objective of this review, the Task Group agreed to recommend that:
- xii. the council be sympathetic towards the introduction of taxi buses for use in rural areas and work with possible future providers to investigate how such services may be introduced.
 - xiii. In regard to taximeters, the policy to include a new specification - *‘the taximeter must comply with the Measuring Instruments (Taximeter) Regulations 2006 and must be of the calendar control type which is locked and sealed by and approved manufacturer/supplier and/or installer’* The application of any GPS system must provide a comparable level of security for the customer.
 - xiv. The new specification to initially apply to new vehicle applications only and subsequently will apply to all existing vehicles, both hackney and private hire (where fitted) with effect from 1 April 2015.
 - xv. The council assist in raising new drivers awareness of the training programme offered by Visit York.

Options

58. Having considered the information provided within this report and its associated annexes, Members may choose to amend and/or agree:
- the information gathered and analysis contained within this report
 - the draft recommendations shown at paragraphs 16, 25, 48, 49 & 57 of this report

Implications

59. **Financial** - There are no financial implications for the council directly arising from this report. However, there may be financial implications for taxi drivers associated with the suggested recommendations in this final report. These include the purchase of newer vehicles, the phasing out of diesel cars and the replacement of meters. This may lead to legal challenge in the future which would result in added costs to the authority.
60. **Legal** - Given the approach that has been adopted for the review and the consultation that has taken place (in line with the DfT Guidance), the recommendations arising from the review are robust, and any legal challenge could therefore be resisted.
61. There are no known HR, Equalities, ITT or other implications associated with the recommendations in this report.

Corporate Strategy

62. This topic falls within the remit of the Community Safety Overview & Scrutiny Committee and supports a number of the aims of the council's Corporate Strategy i.e. to make York a thriving city with a successful economy and a safer city.

Risk Management

63. There is a risk to the council of future legal challenge associated with the recommendations made within this report. In order to mitigate against such challenge and/or be robust in any defence, all licence conditions imposed must be 'reasonably necessary'. In order to satisfy this, any proposals will need to be fully researched and any new requirements will need to be seen as reasonable. Significant proposals should be consulted upon prior to any policy being determined.

Recommendations

64. Members are recommended to agree:

- any required amendments to the wording of this final report
- the draft recommendations (i) – (xv) arising from this review (shown at paragraphs 17, 26, 48, 49 & 57)

Reason: To conclude this review and enable the presentation of this final report to the Community Safety Overview & Scrutiny Committee.

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Report Approved

Date 7 February 2011

Specialist Implications Officer(s)

Legal – Martin Blythe
Senior Solicitor

Financial – Debbie Mitchell
Finance Manager

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Annexes:

Annex A – Consultation Responses

Annex B – Briefing Note on Taxi Rank at Duncombe Place

Annex C – Information on Emissions from York's Taxi Fleet

Annex D – Briefing Note on LTP3 – The Introduction of Charging Points Across the City

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Taxi Licensing Scrutiny Review

Summary of Consultation Findings

Response Rates

40 surveys were issued by post/email with a closing date of 12 January 2011.
10 responses were received resulting in a 25% return.

The survey was also included on the council's online consultation facility, generating a further 8 responses.

Question 1 - Should the Council continue with its controlled growth approach? i.e. the issue of two new hackney carriage vehicle licences every 6 months.

Yes = 9 (50%) No = 5 (28%) Not answered = 4 (22%)

Question 2 - If we continue to limit the number, is the current limit right?

Yes = 6 (33%) No = 8 (45%) Not answered = 4 (22%)

Question 3 - If you think the number should be raised, please state to what number and give reasons why?

- Controlled slow growth; quality not quantity; New hackneys should be high specification, wheelchair accessible and eco-friendly. De-regulation would cause chaotic scenes at official ranks. Illegal ranks would spring up and emission issues would rise
- Should be raised in line with unmet demand surveys x 2
- 6 per 6 months in line with growth of city and its population
- although we maintain there is no unmet demand the Equality Act may mean extra wheelchair accessible taxis will be required above the current level of 41 (23% of total fleet). This level will increase to 43 in Jan 2011. If more are required to satisfy Equality Act, then controlled growth would cause less harm to the trade
- Unable to scientifically comment but two seems very low even to take account of turnover of drivers, unless this is a net increase. Evaluation of a number of factors such as availability of service, working hours of existing drivers and sustained income for existing drivers needs to be taken into account. Perhaps there should be consideration of seasonal or temporary licenses should be considered for events such as race days, Christmas, New Year etc where demand almost always exceeds supply.
- I think about 220 would be about right. It is noticeable that there are still high queues at the ranks so the current level is obviously too low. Also, an increase in Hackney plates does not unnecessarily increase the overall number of taxis on the road as some current private hire drivers will become Hackney drivers

Question 4 - Should the council cease to restrict the number of hackney carriages it licences and let commercial considerations regulate numbers?

Yes = 5 (28%) No = 10 (55%) Not answered = 3 (17%)

Question 5 - The Government is soon to announce a minimum quota for the number of licensed wheelchair accessible hackney carriages. It is anticipated there will need to be a percentage increase in York, if so how should this be achieved?

a) by licensing more additional wheelchair vehicles

Yes = 12 (67%) No = 3 (16%) Not answered = 3 (17%)

b) By enforcing a change of vehicle type within the existing fleet numbers

Yes = 6 (33%) No = 9 (50%) Not answered = 3 (17%)

Question 6 - Has the city got enough taxi ranks?

Yes = 7 (39%) No = 7 (39%) Not answered = 4 (22%)

Question 7 - Are the taxi ranks in the right place?

Yes = 7 (39%) No = 7 (39%) Not answered = 4 (22%)

Question 8 - Do the taxi ranks operate at the right times?

Yes = 2 (11%) No = 5 (28%) Not answered = 11 (61%)

The number of respondents who appear not to have answered this question is high because the question was missed from the online consultation.

However, 1 online respondent having seen the paper version of the form, chose to provide an answer to this question elsewhere on the electronic form.

Question 9 - Please provide any suggestions you have for additional taxi rank locations.

8 (45%) Responses received

- Outside the train station x 4 (possible use of bus stops after 11pm)
- Blake St / Lendal Loop x 2
- On all main roads in and out of the city
- Station Rise vicinity x 3
- University
- New tear drop site
- New stadium
- Blossom St / Micklegate

- Acomb
- Duncombe Place to be open 24/7
- Piccadilly, Queen street & Railways Station to be open to all Hackney Carriages

Question 10 - What incentives from the council do you believe would encourage the taxi trade to move towards using a more eco-friendly vehicle e.g. a hybrid or electric car?

9 (50%) Responses received

- Fee reduction for hybrid/LPG/electric vehicles and ensure all new vehicles are eco-friendly
- Awards towards purchase of such vehicles
- Lower fees
- Financial incentives should be offered if a 'practical for taxi use' vehicle was available
- Substantial cash rewards should be offered and drivers should be given a reasonable time to convert
- Grant licences based upon the condition of meeting certain environmental standards
- Allow a period of time e.g.3 yrs during which time no fee is charged by the council for the licence and provide charging points at each rank
- Provide charging points at each rank x 2
- Priority use of inner city ranks,
- Reduced licensing cost / variation of licence fee. Increased availability of Hackneys particularly those which can be hailed to encourage taxi use rather than PH use, with an eco benefit
- Financial assistance with purchasing such vehicles
- Reduced testing and licensing fees for such vehicles

Question 11- The council receives complaints regarding the supply of accessible vehicles particularly for wheelchair users. Please let us have your views on the availability and suitability of such vehicles in use in the City.

14 (78%) Responses received

- CYC are awaiting quota from Government. Currently 23% of Hackneys are wheelchair accessible, and all licensed vehicles have luggage space to take a folding wheelchair
- Nearly all wheelchair users prefer booking a PH car rather than waiting on ranks x 2
- Incentives could be given to PH drivers to buy wheelchair vehicles i.e. lower licence fees
- See Qu.5 competition through demand
- Currently wheelchair drivers so not pick up passengers in wheelchairs
- Currently 1 in 5 wheelchair vehicles in the Hackney fleet. As most are not on radio circuit they can only be hailed in the street or accessed from a rank

- Are complaints about PH companies or Hackneys? Very few wheelchair accessible vehicles in PH companies
- The elderly and ambulant frequently refuse to travel in a wheelchair accessible taxi as they are harder to get in to
- Don't know about the current level of availability
- Exclude these vehicles from the controlled increase in numbers until an adequate number is reached, to encourage applicants to swap to this vehicle type
- In my previous city (Salisbury) all new cabs had to be accessible and this worked well
- Although number has increased there is increasing confusion about council policy. Many have rear access but this is not now recommended unless escape is possible from the side. However, sideways travel is not safe and turning some chairs can be difficult. Rear facing is safest and used on buses but others are saying forward facing is a requirement. 'London' taxis are normally large enough to turn in of seats are folded up and back against the luggage area. Further discussion is needed
- Issuing new licences would resolve this issue

Question 12 - The council receives complaints of overcharging by drivers often involving the application of incorrect meter tariffs. Please tell us your views on the use of calendar controlled meter and the automatic printing of receipts

13 (72%) Responses received

- Given the technology available and for the protection of consumers we should aim to have all meters in hackneys calendar controlled so tariff rates change automatically and facilities for credit cards and receipts
- Drivers have been reported for mis-use of meters with statements / evidence given but no action against them is ever taken. There should be more enforcement of the rules and penalties
- + point = regulated charges and proof of correct charges being made; - point = cost which might raise fares
- In favour of calendar controlled meters but not auto printing receipts
- We are all in favour of calendar controlled meters; receipt printers would not be practical or affordable. When you consider the number of complaints in relation to journeys, it is not a major problem
- Problem with small minority of drivers in both sectors. In accordance with I.T.A. policy of improving image of trade. I.T.A. favours calendar controlled meters. Demand for receipts is low and 99% of passengers and happy with written receipts. Proposal for receipt printers is not justified either in demand or cost
- At least half if not substantially more of complaints received by PH companies on overcharging are ill founded. No qualms about calendar meters and see no real need for printed receipts and can see no reason why this would reduce overcharging. I do know of drivers who had the ability to print receipts but had reliability issues with the equipment. I also carried a credit card machine for some time but no one would pay the small excess so I withdrew the facility

- I don't believe I have been overcharged. I don't think you need to waste resources looking at this
- Good idea x 2
- All new meters should be of this type, although punitive loading on certain days may be seen as profiteering by visitors. A single year round tariff that reflected effort might be better, combining distance and time anyway such that loading for race days etc became unnecessary
- This could be a problem for blind or partially sighted passengers
- I think this is a very good idea – it would eliminate the possibility of mistakes (or dishonesty) and would give the customer confidence that the tariff is both fair and correct

Question 13 - It maybe that hackney carriages and private hire vehicles can help meet community transport needs in alternative or by innovative ways. Please provide any suggestions you may have?

5 (28%) Responses received

- Local Transport Act 2008 allows for this
- We have not looked at this but would be willing to discuss any ideas with the Council. We are open to opportunities which increase work for us
- There may be some relevance in the already available method of operating 'Taxi-buses' in more rural communities of course. However, in general terms it may well be that the ability to travel by private hire vehicle may be better communicated to the travelling public as a viable option in certain cases. For example many journeys across the suburbs require a us journey into the city centre to change routes and another out again. It may be almost as cheap and a lot quicker to do this journey by private hire "taxi".
- Enabling those with travel concessions to use them at a significant discount or even free might mean that those in inaccessible locations such as villages could access a service rather than running a bus for one or two passengers. This might additionally be extended to those in shift work who could purchase a "season ticket" to dissuade from personal car use just because no public transport exists. Some companies especially in London already do this through use of contracts for taxis for out of hours workers.
- More use of shared minibus type vehicles should be explored. This works on the Continent.

Question 14 - Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.....

15 (83%) Responses received see below:

14 Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.....

① AS PEOPLE TEND TO TELEPHONE PRIVATE HIRE COMPANIES, PERHAPS THEIR NUMBERS OF W.A.V'S NEEDS TO BE ADDRESSED

Re. Q1 THE 6 MONTH ISSUE WAS FOR A 2 YEAR PERIOD, UNTIL 8 HAD BEEN ISSUED THEN AN UNMET DEMAND SURVEY WOULD BE CARRIED OUT, WHICH I AM CONFIDENT WILL SHOW THERE IS NO UNMET DEMAND,

Q5 IT IS NOT CLEAR WHAT THESE %'S WOULD BE. IT MAY WELL BE THAT 23% WOULD BE SUFFICIENT,

WITH THE HISTORY BETWEEN THE TRADE & THE DEAN COURT, I AM AMAZED THAT HE SHOULD BE INVOLVED IN SOMETHING THAT COULD HAVE AN IMPACT OF SO MANY PEOPLES LIVELIHOOD , A

14 Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.....

2 City of York Council is committed to social inclusion and ensuring a wide variety of opportunities is available to disabled residents to enjoy a high quality of life. Without the ability to travel; people with disability are denied access to life opportunities. This access to education, shopping, employment, health care as well as social and family life is significantly improved when journeys become accessible. For this reason the Council considers it important that people with disability have access to all forms of public transport.

Accessibility is therefore an important consideration in respect of vehicles licensed as hackney carriages. Await quota. direction from Government.

3 Please get Dancombe Place closure sorted!

4 I would like to be more involved in the work of S.C.

14 Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.....

5

Q 4

Continue to restrict the number of Hackney Carriages.

York is not suitable for an unrestricted number of Hackney Carriages. Similar towns & Cities as mentioned in your report continue to restrict and so should York.

There is not enough rank space for unlimited Cabs, there is not enough work for them all and standards would fall.

The problems with plates being rented and disputes about ownership happened because the Council over the years allowed it to happen.

Clearer rules about proof of ownership are needed - Insurance, reg. documents should be in the owner name. Other councils manage to regulate Licence and vehicle ownership details without de-restricting numbers.

Please return your completed questionnaire by 12 January 2011 to:

Scrutiny Services
City of York Council
The Guildhall
York
YO1 9QN



14 Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.....

6 The number of taxis goes hand in hand with the number of taxi ranks and number of spaces at each rank. Long established popular ranks will, if numbers were to rise dramatically, attract even greater numbers which will then likely have a knock on effect to the surrounding network.

Current compliance with the Duncombe Place part time rank has been raised as a problem. What practical options for enforcement are in place, or could be put in place, for part time ranks?

There is competing demand for the limited road space in the central area (Bus stops, cycle racks, etc) hence requests for additional ranks should ~~be~~^{not} be viewed in isolation.

Please return your completed questionnaire by 12 January 2011 to:

Scrutiny Services
City of York Council
The Guildhall
York
YO1 9QN



Q14. Your views are important to us - please provide below any further information you want the Scrutiny Committee to consider.

7 Taxi's are just other peoples cars and shouldn't be considered any different. It makes no difference whether I travel as an individual in a taxi or my own car. Keep taxis out of the centre of York and stop them using bus lanes.

8 the current system works, the balance of hackneys to private hire is about right. the problems in the past about plate ownership is caused because over the years the council allowed it to happen, and turned a blind eye to the renting of plates. the proving of ownership is easy (bill of sale, registration document and insurance) other councils can regulate this without de-restricting licences.

9 The city needs to be welcoming to visitors and residents alike and the current gridlock cannot be allowed to continue. Much of this is the way vehicles including taxis circumnavigate the city to allow people a few yards off their journey. Making roads within the inner ring road a pedestrian zone might help reduce cross city traffic, disabled/accessible vehicles might be permitted access but far more stringent control is needed as some put pedestrians in danger by their poor driving.

10 Disabled people all want a good taxi service, but they will only use it when they are confident it will be available when they most depend on it, when their train or flight has been delayed, and it is wet and cold, and the driver will not look for any excuse to get them home or to an unfamiliar destination.

(11)

Item 14 – The ITA views we wish the scrutiny committee to consider

The ITA represents the interests of many independent taxi owners and drivers who work the taxi ranks and most have no connection to any ‘taxi company’. The taxi trade is made up of self-employed individuals working hard to support their families; many have financially committed themselves to the trade.

Many of our views are given in the questionnaire but these are some others we would wish to bring to your attention”. Paragraph 3 of the report states that “each authority sets its own policy based on its own specific requirements. Therefore little would be gained by looking in detail at the Taxi Licensing Policies in place elsewhere.” Having stated this, several comparisons have been made regarding taxi provision in other towns. As a further comparison we have compiled the table below showing taxi provision in surrounding towns and cities.

Taxis per head of population (All restrict taxi numbers)

Council	No/Taxis	Population	Ratio	Taxis/1000 pop.
York	179	191,000	1 per 1067 people	0.94
Harrogate	149	157,900	1 “ 1059 “	0.94
Hull	170	262,400	1 “ 1543 “	0.65
Leeds	537	715,404	1 “ 1332 “	0.75
Bradford	225	506,800	1 “ 2252 “	0.44

To compare York with these towns, using Leeds as the benchmark:

York and Harrogate have 25% more taxis than Leeds

Hull has 13% less taxis than Leeds

Bradford has 41% less taxis than Leeds

It can be seen from Annex A that in general larger towns and cities have a restricted taxi policy and smaller towns and rural areas do not.

We consider that the survey system is the best method available to measure taxi demand and should be retained along with the restricted numbers policy. We feel sure that the Spring 2011 survey will show no unmet demand.

We have shown that York compares very well with taxi provision compared to other local towns and cities but we appreciate that more WAV’s may be necessary to achieve government guidelines regarding the Equality Act. If this is the case then a controlled approach should be implemented until a quota is reached.

We are sure the option of derestriction would be a disaster for the taxi trade and also the City of York and should be dismissed.

A J Davies

For the Independent Taxi Association – York

10-01-11

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Taxi Licensing Task Group

19 January 2011

Report of the Directors of Communities and Neighbourhoods and City Strategy

DUNCOMBE PLACE TAXI RANK - Briefing Note

Summary

1. This briefing note advises on the on-going issues in relation to the use of the Duncombe Place taxi rank after 22.00hrs and the conflict between users, a local business and a residents association.

Background

2. In February 2007 the hours of operation of this taxi rank were reduced from a 24hr operation to 07.30- 22.00 hrs. This decision was taken by the Director of Neighbourhood Services following a series of complaints from the manager of the Dean Court Hotel and the residents committee of The Garret, Duncombe Place. The complaints were of noise and disturbance from those waiting in the taxi queue.
3. At that time there was also significant disturbance in the area caused by young people gathering around the Boar war memorial drinking, playing music and displaying generally antisocial behaviour. These matters were addressed by implementing a Designated Public Places Order in the Memorial Gardens (alcohol restriction), improving street lighting and cutting back bushes and shrubbery in the gardens.
4. The reduction in the hours of the taxi rank was not popular with the taxi trade and the public continued to use the rank as before.
5. On 20th January 2009 the council received a petition signed by 175 members of the local taxi trade. The petition requested that the rank reverted to a 24hour operation.
6. On 16th March 2009 the petition was considered by the Executive Member for City Strategy Advisory panel. After receiving verbal representations and after some debate it resolved "to take no action at the present time with respect to the Duncombe Place taxi rank operational hours.

Legal Position and Compliance

7. The Local Government (Miscellaneous Provisions) Act 1976 makes provision for a local authority to appoint taxi ranks. The process involves consultation with the

highway authority, the police and the publication of a public notice in the local press seeking wider views. Once a rank is established it is protected for the exclusive use of taxis for the hours of its operation. After those hours it reverts to the normal traffic regulations pertinent to the area in which it is located.

8. It should be noted that a taxi can pick up passengers in any street and can be “flagged down” when not already booked. This means that irrespective of the operation of a taxi rank in Duncombe Place if there are passengers waiting a taxi can lawfully stop and pick them up.
9. Parking restrictions in Duncombe Place consist of double yellow lines – no waiting at any time, single yellow lines – no waiting Monday to Saturday from 8am to 6pm and then at 6pm the single yellow lines become evening parking - pay and display from 6pm to 8am Monday to Saturday. During the pay and display period any York resident with a permit (Minster Badge) can park in the pay and display bays without payment. During the hours of operation of the taxi rank taxis can wait in the rank area. After those hours the taxi rank area reverts to double yellow lines. Double yellow lines mean no waiting – they do not prohibit any person setting down or picking up regardless of whether they are a taxi or other vehicle. They do not prohibit any one waiting in that area and calling a taxi or other person to come and pick them up, nor do they prohibit a taxi driving up and down the road and picking anyone up who ‘flags’ them down. Penalty charge notices can be issued to any person who contravenes the parking regulations. Penalty charge notices can be issued to anyone who is found to be waiting on any of the double yellow lines, this would include the taxi rank area outside the hours of operation. However penalty charge notices can only be issued if the Civil Enforcement Officer sees the vehicle and can issue a notice before the driver moves off. The CCTV system cannot be used to issue penalty charge notices as it was not designed for this purpose and its design is such that it cannot be authorised by the Secretary of State to be used for the purpose of penalty charge notices. Officers have to be in uniform to issue penalty charge notices.
10. In order to seek adherence to the operating hours of this rank officers have tried to educate members of the public as to its part time status. Initially signs were displayed on the head of rank post advising of the operating hours. This seemed to have little effect. A larger sign was then displayed in the shelter advising of the location of the nearest alternative rank in St Leonards Place. On the 1st March 2010 an additional late night rank was opened in St Sampsons Square to alleviate the pressure on Duncombe Place. This was indicated by a replacement sign in the shelter. This was again ignored by the public so an “A” board was obtained to put out at 2200hrs to emphasise the rank closure. The “A” board generated a complaint from a taxi driver to City Strategy.
11. The use of “A” boards on the highway is classed as an obstruction of the highway. In York, such obstructions are generally tolerated unless a complaint is made in which case action is initiated to have the board removed. The City Council is likely to open itself up to criticism if it operates a one rule for businesses and another rule for itself.

12. With respect to the drivers themselves. They have been advised and reminded about the hours of operation of the rank many times by taxi licensing officers through newsletters, by individual letters and via liaison meetings with the trade associations. Parking Services have written to the proprietors of all licensed taxis where information has been received that their vehicles have been seen at the Duncombe Place taxi rank outside the hours of operation to remind them of the regulations and that this practice must cease and that failure to do so could result in the issue of a penalty charge notice.
13. Enforcement, however, is not a simple matter. The hours during which the taxi rank is suspended are outside the normal working hours of the Civil Enforcement Officers. To undertake any enforcement during the early hours of the morning poses a number of difficulties. Firstly, the health and safety issues posed for the Civil Enforcement Officers in dealing with any one found contravening the regulations and any member of the public who may object to the enforcement and turning away of taxis. A police presence would be required. Secondly, regular enforcement could not be sustained both in terms of personnel and financial resources (subject to any Officer being willing to volunteer to undertake patrols) and thirdly, effectiveness. A minimum of two Officers volunteering plus the Police would be required and these Officers would have to be paid additional payments. So unless a sufficient number of penalty charge notices could be issued to fund the additional payments there is no existing budget to finance this.
14. Enforcement has been attempted in the past. However, the result was that as soon those waiting at the rank saw the Officers approaching they moved off and alerted all other taxis. Therefore no penalty charge notices could be issued. Whilst this was effective at the time it is not sustainable. Of course no Civil Enforcement Officer can be compelled to volunteer and adjustment to the normal parking rotas would have to be made which would affect coverage throughout the city.

Current Situation.

15. Despite all the actions taken the rank continues to be used into the early hours of the morning. During the last two weeks of September 2010 106 of the 178 licensed taxis were seen using the rank after 2200hrs. As far as travellers are concerned it remains a popular rank at all times of day. It serves people leaving the theatre and late night city venues.
16. Complaints continue to be received from both the Dean Court Hotel and the residents association that taxis are still using the rank after 22.00hrs. The council has little evidence to substantiate that the use of the rank gives rise to disturbance. Indeed comments on Trip Advisor rate the hotel highly for sleep quality. The last complaint received by Environmental Protection was in August 2006 and concerned youths gathering at the war memorial. Since the introduction of the Designated Public Places Order in March 2007 incidents of crime and antisocial behaviour have reduced by 79%. The crime analyst from Safer York Partnership has analysed crime and antisocial behaviour in the area between 1st November 2009 and 31st October 2010. There were 7 incidents of crime (1 after 22.00hrs) and 16 of antisocial behaviour (7 after 22.00hrs).

17. There is a general perception by both the trade and the public that this is the safest night time rank in the city. This is supported by the statistics produced by the Safer York Partnership. The Nightsafe task group acting under the Community Safety Strategy has a current intervention to “develop a transport plan for the dispersal of the night time visitor” and wish to see this rank operating 24hrs.
18. The Community Safety Overview and Scrutiny Committee are currently undertaking a study of taxi licensing issues and are to consider taxi rank provision as part of the scrutiny topic. They have agreed to look at the Duncombe Place rank situation in that process.

Options

19. Despite all the actions taken there is clearly a strong public demand for a rank to operate through the night in this location. The current situation places the council in a difficult situation in that it does not have the resources to adequately enforce the parking consequences of the rank closure at 22.00hrs..

Option 1: Accept the current situation, undertaken ad hoc parking enforcement as and when practical.

This option would see the council appear to be ineffective in delivering its own policy and could lead to adverse publicity and potential complaint to the Ombudsman

Option 2 : Fully resource a late night parking enforcement team to concentrate activity on Duncombe Place.

This option has clear resource implications. It maybe that a short period of fulltime enforcement or intermittent periods would suffice but there is no certainty that would be the case.

Option 3: To amend the current hours of operation of the rank to a later hour to cover theatre and other later night venue departures.

This option would not resolve the enforcement difficulties experienced in dealing with parking enforcement after the rank ceased operation.

Option 4: To revert to a 24hr operation of the rank.

This option would see the late night transport needs of residents and visitors met. It would however inevitably lead to complaints from the Dean Court Hotel and the residents association.

Taxi Licensing Scrutiny Review

Estimated Emissions from Taxis in York

Vehicle type and fuel data has been collected for the taxi fleet in York (inclusive of hackney carriages and private hire vehicles). A total of 750 vehicles have been considered.

Where possible each vehicle has been assigned an emission rate in g/km for NO_x and CO₂ based on information taken from the vehicle registration documents. These figures are representative of the manufacturing standard for the vehicle when it was new, not the in-use emissions for the vehicle which are likely to be considerably higher. In use emissions are dependant on a number of factors including how well the vehicle is maintained, how it is driven and the length and type of journey.

Where data for individual vehicles could not be obtained it has been assumed that the vehicle would have the maximum emission rate allowable for its data of manufacture.

For pre-Euro III vehicles (before January 2000) it has not been possible to obtain NO_x emission rates as there were no limits in place before these dates. In these cases it has been assumed that the vehicles have the maximum allowable Euro III emission level. This is likely to be an underestimate of the true emissions from pre-Euro III vehicles of which there are 35 in the data set.

The requirement to publish CO₂ emission rates for vehicles did not come into force until September 2005. The requirement is only to publish data, not to meet a specific standard. There were 92 vehicles for which no CO₂ data was available. In these cases the vehicle was assigned a figure of 175g/km which was the average emission from the remainder of the vehicles (same figure assumed for diesel and petrol at this stage)

The tables below provide an overview of the age and fuel type of the current taxi fleet. Estimates have also been made of the total emissions from the whole fleet assuming each vehicle travels a set distance. It has not been possible in the timescale available to obtain actual annual mileages for individual taxis.

Fleet composition

Euro standard	Number of vehicles	Number of petrol	Number of diesel	Number of gas conversion	Number of hybrid electric
Pre-Euro 1	1	1	0	0	0
Euro 1	2	1	1	0	0
Euro 2	32	11	21	0	0
Euro 3	358	137	221	1	0
Euro 4	333	58	275	0	0
Euro 5	24	0	23	0	1
Total	750	208	541	1	1

Estimated emissions

The figures in the table below assume that every vehicle in the fleet travels the specified mileages shown per annum so represent a predicted emission for the fleet per year. For a more accurate estimate of emissions annual mileage for individual vehicles is required but this type of information is not currently readily available within CYC.

* Note difference in units – NO_x in tonnes, CO₂ in Ktonnes

Assumed mileage per vehicle per annum (miles)	Estimated NO _x emission from taxi fleet (tonnes)	Estimated CO ₂ emission from taxi fleet (Ktonnes)*
20,000	6.4	4.2
30,000	9.5	6.3
40,000	12.7	8.5
50,000	15.9	10.6

Average emission (g/km) per vehicle type

This table shows the average g/km emission per vehicle for each vehicle class.

Note:

- Higher NO_x emissions from diesel than petrol vehicles
- Trend towards purchase of new diesel vehicles = greater NO_x emissions (of which an increasing proportion is primary NO₂)
- Hybrid vehicles offer a considerable reduction in NO_x and CO₂ emissions per km

	Number of vehicles	Average NO _x emission (g/km)	Average CO ₂ emission (g/km)
Pre-Euro 1 diesel	0	-	-
Pre-Euro 1 petrol	1	0.15 (estimated)	175 (estimated)
Euro 1 petrol	1	0.15 (estimated)	175 (estimated)
Euro 1 diesel	1	0.5 9 (estimated)	175 (estimated)
Euro 2 petrol	11	0.15 (estimated)	175 (estimated)
Euro 2 diesel	21	0.5 (estimated)	175 (estimated)
Euro 3 diesel	221	0.41	167.9
Euro 3 petrol	137	0.27	187.43
Euro 3 gas	1	0.005	161
Euro 4 petrol	58	0.04	188.44
Euro 4 diesel	275	0.285	172.7
Euro 5 petrol	0	-	-
Euro 5 diesel	23	0.231	172.3
Euro 5 electric hybrid	1	0.005	92

Taxi Licensing Scrutiny Review

Extract From Draft LTP3 Implementation Plan Relating To Vehicle Recharging Points

Priority Measure or Intervention	Timescale					
	2011 -12	2012 -13	2013 -14	2014 -15	2015 - 21	2021 - 31
Recharge points at council car parks						
Recharge points at other public car parks						
Other recharge points e.g. at taxi ranks						

The Low Emission Strategy Steering Group is looking into how this can be delivered

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