

Licensing & Regulatory Committee

Report from the Director – Environment, Transport and Planning

Taxi Licensing – New Taxi Licensing Policy

Summary

1. This report seeks Members' recommendation for approval by Council of a new Taxi Licensing Policy.

Recommendations

2. That Members approve Option 1 of this report and recommend to Council that they adopt the draft new Taxi Licensing Policy at the meeting on 21 November 2024.

Reason: To ensure the Taxi Licensing Policy complies with Statutory Standards and Best Practice Guidance (or departures from the policy can be locally justified) thereby aiming to make taxi journeys in York even safer, more environmentally friendly and provide greater customer choice particularly for disabled passengers.

Background

3. The Council introduced its first Taxi Licensing Policy in April 2016 with the existing version being approved by Council in October 2019. It was intended that the policy would be fully reviewed and re-published every 5 years, or sooner if there was significant reason. The existing policy was informed in part by the 'Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England' issued by the Department for Transport in 2010. However, the introduction of Statutory Standards (more details below) and other local considerations has meant the Taxi Licensing Policy has been reviewed several times since.

The Statutory Taxi and Private Hire Vehicle Standards and Best Practice Guidance

4. In 2020 (updated in November 2022), the Secretary of State for Transport issued 'Statutory Taxi and Private Hire Vehicle Standards' (Statutory Standards) using powers under the Policing and Crime Act 2017. The Statutory Standards are primarily aimed at the protection of children and vulnerable adults when using taxis, although it is recognised that the wider travelling public also benefit from them. Despite being released in the midst of the covid pandemic, many of the Statutory Standards have been implemented into our existing taxi licensing policy, such as the requirement to use the NR3S database to share information about drivers who have had their licences refused, revoked or suspended. The Department for Transport (DfT) expects the Statutory Standards to be implemented unless there is a compelling local reason not to. The consultation, particularly where they impose additional burdens on the trade, such as additional DBS checks, was used to help establish whether there are any such compelling reasons not to introduce the remaining Statutory Standards. It will become apparent that officers are recommending the Statutory Standards are adopted.
5. In November 2023, The Department for Transport (DfT) also updated and re-issued the aforementioned 'Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England' (Best Practice Guidance). As with its 2010 predecessor mentioned in paragraph 3, this Best Practice Guidance continues to cover many of the 'other aspects' of taxi licensing policy that have caused difficulty to licensing authorities in the past or that seem of particular significance such as accessibility, driver licencing (including knowledge tests) and vehicle licensing (including environmental considerations and age limits). It will become apparent that whilst officers are largely recommending that that the Best Practice Guidance is followed. Where this is not the case, reasons are given.
6. The Best Practice Guidance is designed to complement the Statutory Standards, however in any situation where there may be conflicting interpretations, the Statutory Standards take precedence. It is important to note that both Statutory Standards and the Best Practice Guidance describe the importance of having a Taxi Licensing Policy setting out all the Local Authority's requirements in one place. It is however noted that whilst the Local Authority must have regard to its adopted policy, it may depart from it where it is considered appropriate to do so.
7. Finally, since the existing policy was adopted there have been changes in legislation in respect of a number of requirements relevant to a Taxi Licensing policy. This includes immigration and right to work, tax checks, safeguarding and equalities requirements. These have been

included in the new policy to ensure there is a comprehensive document covering all the requirements, but as they are legal requirements these matters have not been specifically included in consultation.

Consultation

8. On 4 October 2022, Members approved a recommendation to formally consult on a proposed update to the Taxi Licensing Policy. Officers became aware of imminent changes to the Best Practice Guidance and the consultation began after those changes were published in 2023 (and the pre-election period). The 12-week consultation took place from the 19th April to the 14th July 2024.
9. Some specific interest groups were contacted by officers and invited to participate in the consultation. For example, the holders of hackney carriage vehicle and driver licences, as well as holders of private hire vehicle, driver and operator licences. This was done by direct mailing / emailing and use of the council's website.
10. The council also specifically consulted:
 - Hackney Carriage and Private Hire Associations
 - North Yorkshire Police
 - City of York Council Network Management
 - City of York Council Children Services
 - City of York Council Adult Services
 - City of York Council Public Health
 - York District Hospital
 - Make it York
 - North Yorkshire County Council School Transport
 - Ward Councillors
 - Parish Councils
 - Representatives of disabled people (York Access Forum)
 - Representatives of older people (York Neighbours Organisation)
11. The consultation was also openly available for the wider public to comment via the council website.
12. Feedback was sought on the key policy changes through a series of questions, as well as the opportunity to make any other comments on the

policy overall. However, ten detailed email and written responses were received. These consisted of seven from the taxi trade (including two Associations) and three from other agencies/bodies / members of the public. These responses can be found at Annex 1. A breakdown to the 573 responses from the website survey can be found at Annex 2.

Options.

13. Members are invited to consider the following options:
14. Option 1: take into consideration the representation/comments from the licensed trade and public consultation and recommend that Council approve the draft Taxi Licensing Policy appended to this Report at Annex 3. The policy would take effect upon adoption at the meeting of Council on 21 November 2024 with certain conditions being implemented at a later, specified date as follows:
 - Sections 13.6 & 14.4 (colour of vehicles) and Section 26.3 (euro emissions standards), Officers recommend implementation the day after full Council approval and adoption of the policy, i.e. on 22nd November 2024,
 - The proposed implementation date for Section 26.6 (vehicle renewals, euro emissions standards for existing vehicles) is after 36 months of adoption, i.e. 22 November 2027.
15. Option 2: Option 2: take into consideration the representation/comments from the licensing trade and public consultation and make further amendments to the Taxi Licensing Policy appended to this Report at Annex 3 and recommend that Council approve the amended draft Taxi Licensing Policy at the meeting on 21 November 2024. The policy would take effect upon adoption at the meeting of Council on 21 November 2024 with certain conditions being implemented at a later date to be specified.

Analysis.

16. This analysis focuses on the major policy changes proposed in the new policy.

DBS checks

17. The Statutory Standards set out several new requirements in relation to DBS checks. There were no compelling reasons identified through the

consultation to depart from the requirements and therefore the new policy includes the following:

- The requirement for all driver to subscribe to Disclosure and Baring Service (DBS) online update service to enable all licensed drivers to be checked on a six-monthly interval. In accordance with 6.1 of the Statutory Standards.
- The introduction of a basic DBS check for all vehicle proprietors. In accordance with 7.1 of the Statutory Standards.
- The requirement for private hire operators to demonstrate that they have had sight of a basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy. In accordance with 8.2 of the Statutory Standards.
- The introduction of 5-year licences for private hire operators.

CCTV

18. The Statutory Standards state that 'all licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire users...' It goes on to state that 'imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review' (7.2 of the Statutory Standards). It is also noted that where a licence is granted subject to a CCTV system condition that the local authority assumes the role of 'system operator' (an Annex of the Statutory Standard relating to CCTV).
19. As part of the consultation, it was explained that 'When we look at what we already know, considering the costs, customer privacy and driver responsibilities we do not think we need CCTV cameras in taxis at this time...' Some 57% of respondents strongly agreed or agreed with this position. There were however a number of comments that CCTV could make that passengers and drivers may feel safer, however as the majority of respondents were in agreement that CCTV should not be made compulsory there is not at this time 'an appropriately strong justification and the new policy states that CCTV should remain

voluntary (as is the case with the existing policy). This position will of course be kept under review in accordance with the Statutory Standards.

Vehicle emission standards and legacy rights

20. The Best Practice Guidance states 'Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low' (Best Practice guidance 8.4). An example is given that a five-year-old electric vehicle is likely to be more environmentally friendly than a newer diesel vehicle. Failing to licence the former due to an age limit may therefore result in higher levels of air pollution and may be an unintended consequence of imposing age limits.
21. The Best Practice Guidance goes on to explain the importance of encouraging more environmentally friendly vehicles recognising that 'Taxis and private hire vehicles that operate predominantly in urban areas can be significant contributors to poor local air quality...' (Best Practice Guidance 8.6). Furthermore, it states 'Licensing authorities should carefully and thoroughly assess the impact of vehicle emission requirements to enable the sector to plan for the future. The short-term objective should be to mitigate the harm from internal combustion engines through the setting of high EURO emission standards for example, EURO VI but, in the long-term, the trade will need to be fully prepared for the end of the sale of new petrol and diesel cars and the need to transition to zero emission vehicles. Licensing authorities should set out their own long-term plan in good time' (Best Practice guidance 8.6).
22. Furthermore, the City of York Council has a commitment to become carbon neutral by 2030.
23. To encourage the use of more environmentally friendly vehicles, the consultation proposed vehicles only being licensed if their emission levels are Euro VI or better. Furthermore, it recommended the imposition of an upper age limit i.e. vehicles only being licensed up to ten years old. This is to prevent vehicles continuing to be used after their emission performance has deteriorated (this is largely in line with other local authorities in the region). However, the policy proposed no such age limits for wheelchair accessible vehicles (of Euro VI standard or better) or for more environmentally friendly ULEVs such as plug in electric vehicles. This is to encourage drivers to licence wheelchair accessible and/or more environmentally friendly vehicles in future.

24. In the consultation, 63% of all respondents agreed with this approach. Furthermore, of the 84 respondents to the general survey who identified as being part of the taxi trade, just over half (52%) agreed or strongly agreed with the proposal, whereas 35% disagreed or strongly disagreed. For those who disagreed, the concerns tending to be around the cost of vehicles and that older vehicles are capable of meeting MOT emission standards. Of the 314 respondents who identified as residents, 68% agreed or strongly agreed with the proposal.
25. However following feedback from the Council's Air Quality officers that the wording of the section relating to 'Environmental Considerations' could be improved, particularly to make it clearer that the 10-year limit also applied to petrol/diesel hybrid vehicles (again to encourage transition to the most environmentally friendly vehicles available), the wording was amended slightly and now reads as follows:

Only the following European Standards will be accepted for new private hire vehicle applications, and any subsequent replacement of these vehicles, and all replacement vehicles for both taxi and private hire:

- *a petrol/diesel vehicle (or petrol / diesel hybrid vehicle) with >75g/km CO2) that is Euro VI or better and less than 10 years old.*
- *an Ultra Low Emission Vehicle (ULEV*see definition) including fully electric vehicles (EVs) and Plug-in Hybrid Electric Vehicles (PHEVs) that are Euro VI or better.*
- *any wheelchair accessible vehicle (WAV) that is Euro VI or better. (For the avoidance of doubt, as well as petrol and diesel vehicles that are Euro VI or better, this includes, Euro VI petrol / diesel hybrids / plug-in hybrid electric vehicles (PHEVs) and all fully electric WAVs**)*

**ULEVs are currently defined as having less or equal to 75 grams of CO2 per kilometre (g/km) from the tail pipe. The CO2 count can be ascertained using the following website - <https://www.gov.uk/get-vehicle-information-from-dvla>.*

*** A WAV is a vehicle constructed or converted specifically so that it can accommodate one or more person(s) seated in the wheelchair(s) when travelling on the road.*

26. The consultation went on to ask about 'legacy rights' for existing vehicles. It was proposed that all licensed vehicles which do not currently meet the standards will keep their licence for a maximum of

three years from the date the new policy starts. Again 63% of respondents agreed with the proposal. The dates have now been inserted into the new policy, these being 22nd November 2027, i.e. three years after the Council meeting (if approved)

Tinted windows

27. The Best Practice guidance states that ‘for all cars on the road today, the minimum light transmission for windscreens is 75% and 70% for front side windows. There are no rules for tinting the windows rear of the B-pillar and vehicles are often manufactured with glass in the rear that is darker than the front, especially in luxury, estate and people carrier style vehicles’ It goes on to say, there is a significant cost and inconvenience associated with requiring drivers to replace the standard manufacturer or factory specifications for window glass. Some passengers may feel more comfortable in vehicles that do not have very heavily tinted rear windows but there is a lack of evidence to suggest that these are detrimental to public safety. Balancing these factors, the department considers that licensing authorities should not require the removal of windows rear of the B-pillar if they have a minimum light transmission of 30% or above. This should maintain passenger confidence whilst ensuring a wide range of vehicles may be licensed’. (Best Practice Guidance 8.8)
28. Just over half the respondents (51%) to the consultation said that they would ‘feel safe’ in a taxi/private hire vehicle with tinted windows. Just over 28% said they would ‘feel unsafe’. However, when it came to analysing the results of the 89 respondents who identified as female the results were almost the reverse with only 12% of respondents saying they would ‘feel safe’ and 47% said they would ‘not feel safe’. Comments by respondents identifying as female included ‘Don’t trust them, there is no need for any vehicle to have tinted windows’ and ‘I would prefer to be seen’. There was a fairly even response from respondents who said they had a physical or mental condition lasting 12 months or more, 36% that said they ‘would not feel safe’ and almost 35% saying that they ‘would feel safe’ in the rear of a vehicle with windows to the manufacturers tint. It is also known that finding non-tinted replacements windows can limit the type of vehicles introduced into the fleet (which as highlighted elsewhere is not recommended by the Best Practice Guidance).
29. Given the feedback from female respondents, the new policy follows the wording of the Best Practice Guidance. This will ensure that vehicles with standard tints will be licensable but will not allow blacked out or significantly opaque rear windows.

Hackney carriage vehicle colour, signage/vehicle livery

30. The Best Practice Guidance states that ‘members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage will help the public to distinguish between the two elements of the trade. To achieve this, licensing authorities should seek to differentiate the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator’. It goes on to state ‘To assist the differentiation further, licensing authorities which require taxis to be a particular colour should prevent private hire vehicles from being that same colour...’ Adding ‘Licensing authorities’ private hire vehicle signage requirements should be limited to the authority licence plate or disc and a “pre-booked only” door sign... This approach enables passengers to be given the clear and consistent message that you should only get in a vehicle that ‘has a taxi sign on the roof’ unless you have pre-booked a private hire vehicle and have received information from the operator to identify it.’ (Best practice guidance 8.12)
31. Some 51% of respondents strongly agreed or agreed with the proposal that ‘taxis should be black to help with public safety’. Furthermore, of the 89 respondents who identified as female, over 61% agreed and the comments included ‘people will be able to see it is a taxi just like yellow cabs in New York or black cabs in London’ and ‘too many cars are not recognised, and it is hard to know if safe or not’. One of the detailed written responses identified that the council were successfully challenged in the Magistrates’ Court when this was previously imposed as a condition (circa 2009). However, it is understood that the challenge was only successful due to a lack of consultation surrounding the implementation of the condition, not the condition in itself. There are many cities that regulate the colour of taxis for safety reasons. A number of respondents even questioned whether requiring the colour to be black is distinctive enough. Black is however the ‘recommended’ colour in the existing policy and is therefore most commonly associated with taxis in York. Two thirds of respondents (66.6%) who identified as having a mental or physical condition lasting more than 12 months agreed or strongly agreed that hackney carriages should be black. Given the results of the feedback the new policy therefore recommends that all taxis will be required to be black (and therefore private hire vehicles not black). It is also noted that simply recommending the colour to be black in the existing policy has failed to produce the desired effect of ensuring vehicles are more easily identified as taxis.

32. Consultees were asked 'should licensed vehicles display the licence number, licensing authority and operator details on the vehicle so passengers can easily identify it at any time as a City of York licensed vehicle', some 92% of respondents strongly agreed or agreed with the proposal. Less than 3% disagreed/strongly disagreed. Furthermore, 100% of the respondents who identified as female agreed. The comments received were also almost exclusively supportive e.g. 'this makes sense and there is no reason why they should not' and 'Being able to identify Private Hire vehicles is important. It should be clear that the vehicle must be pre booked with the Operator'. Some 96% of respondents with a mental or physical condition lasting twelve months or more also agreed with the proposal.
33. Given the overwhelming support for the inclusion of more information on vehicles than is recommended by the Best Practice Guidance and is included in the new policy.

Knowledge test

34. The Best Practice Guidance recommends that topographical knowledge tests should be compulsory for hackney carriage drivers who pick up passengers from a rank or may be hailed in the street, but not for private hire drivers who are dealing with pre-booked customers and will have the opportunity to plan the journey in advance using satellite navigation systems (Best Practice Guidance 6.11). However, the council's existing policy includes topographical testing for all new applicant drivers in the knowledge test.
35. The consultation stated 'Applicants for driver licences undertake a knowledge test of the City of York area prior to obtaining a licence. This includes information about safeguarding, equalities, customer service, knowledge of routes around the city and key locations and local licensing conditions'. Over 90% of respondents strongly agreed or agreed with the position. Comments included 'if a driver relies too much on a sat nav then they shouldn't be allowed a licence', and 'this should be done for private hire companies who rely too much on their sat navs'. Over 95% of respondents with a physical or mental condition lasting over 12 months agreed or strongly agreed with the recommendation. Again, given the strength of support for knowledge training including topographical testing for hackney and private hire drivers, the new policy continues to include this requirement despite the recommendations in the Best Practice Guidance that it is not necessary for private hire drivers.

Wheelchair accessible vehicles

36. The Best Practice Guidance recognises that ‘the physical accessibility of vehicles used to provide taxi and private hire vehicle services is a significant factor in the inclusivity of the overall service provided. Wheelchair accessible vehicles are essential for wheelchair users who are unable to transfer from their wheelchair to the vehicle, or who prefer to travel in their wheelchair’. It goes on to state ‘Licensing authorities should understand the demand for mixed fleets in its area and ensure that, when issuing licences, it has the right mix of vehicles. They should recognise that some designs of wheelchair accessible vehicles may not be suitable for some ambulant disabled passengers’. And that ‘Licensing authorities should consider ways to incentivise an increase in wheelchair accessible vehicle provision’ (Best Practice Guidance 8.9)
37. The consultation stated that ‘The policy proposes that operators with over 99 vehicles have a WAV in operation 24 hours a day. If, in exceptional circumstances, where a WAV is unavailable, the operator must notify the council and provide details of the steps being taken to ensure availability’. It is important to stress that this would be a novel approach to encouraging more wheelchair accessible vehicles. It is not an example of a way to encourage more accessible vehicles cited in the Best Practice Guidance. However, over 74% of respondents strongly agreed or agreed with the proposal. Comments included ‘this is a sensible way to increase availability of wheelchair accessible vehicles in York’, and ‘as a wheelchair user, I have found it difficult to pre-book a wheelchair accessible taxi’. A similar number of respondents, just over 71%, who identified as having a physical or mental condition lasting over 12 months also agreed or strongly agreed with the proposal. One of the two respondents who disagreed said that it didn’t go far enough.
38. Furthermore, it is noted that on five occasions in the past year public speakers have spoken at Licensing and Regulatory Committee about the lack of wheelchair accessible vehicles in the city. The new policy therefore includes this provision, which will become a condition on the licence for the largest private hire vehicle operators to comply with (upon renewal of their private operator licence).

Subcontractor bookings

39. The De-Regulation Act 2015 allows private hire operators to subcontract bookings to other operators (even if they are licensed elsewhere). In practice, operators typically subcontract bookings to drivers and vehicles of other authorities in which the operator is also licensed. NB. App based technology also enables private hire operators with licences in other authorities to book drivers and vehicles licensed in other authorities without the need for any physical subcontracting.

Neither the Statutory standards nor the Best Practice Guidelines consider information requirements in relation to sub-contracted bookings.

40. Because Taxi Licensing policies differ between local authorities based on the local circumstances, this can mean that different standards apply depending on where the vehicle driver and operator are licensed. It has been noted that the new policy proposes departing from Best Practice guidance in some instances due to local opinion obtained through consultation. For example, different types of vehicles may be used (which do not match our environmental standards), the driver may have little or no topographical knowledge of the city or have more penalty points on their licence than City of Council would allow.
41. The consultation stated 'Sometimes a taxi operator will need to ask another operator to pick the customer up (this is called subcontracting a booking). Where it happens, we are proposing that operators must provide customers with the details of the replacement driver and enable the customer to change or cancel the booking without charge'. Over 79% of respondents strongly agreed or agreed with the proposal. Comments for the proposal included 'Yes, the customer must be informed to who will pick them up.' and 'I didn't even know this happened, I would definitely want to know if I'm not getting a locally licensed car or driver'. Most of the comments against the proposal concerned not allowing subcontracting to happen, but as stated above, subcontracting across different licensing authorities is lawful.

Other aspects of the policy of note

DVLA Points

42. In relation to applicants, the Statutory Standards state 'multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user' (10.9 of the Statutory Standards)
43. However, there were a number of responses about the proposed points criteria (carried over from the existing policy), particularly from the taxi trade. The current policy recommends that 'drivers who accrue seven or more penalty points, have their licences reviewed for consideration of revocation'. Of the written responses to the consultation, five related to current penalty points criteria for minor road traffic offences. There was a consistent theme in those responses i.e. that the current limit of 7 points is too stringent, and inconsistent with the approach taken in other authorities such as Kirklees.

44. Whilst it is recognised that Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public, it is also accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence should not prohibit the granting of a licence.
45. As a result of the consultation feedback, an amendment has been made to the new policy for Minor traffic or vehicle related offences –

*Offences which **do not involve**: -*

- *loss of life, driving under the influence of drink or drugs,*
 - *driving whilst using a handheld telephone or other device*
 - *injury to any person or damage to any property (including vehicles)*
- a. *Applications for a new hackney carriage or private hire driver licence will not be granted when an applicant has 7 or more points for minor motoring convictions showing on their driving licence.*
- b. *Existing licence holders reaching up to and including 9 points on a DVLA licence for minor motoring convictions will receive a warning and will be required to attend appropriate training and practical driving test using one of the Council's approved testers and at their own cost. (The driver will be given 2 opportunities to pass the test, failure to pass on the second attempt will result in a review of their hackney carriage / private hire drivers licence and it is likely that they will no longer be considered a 'fit and proper' person to hold a licence).*
- c. *Existing licence holders reaching more than 9 points, for minor motoring convictions, and / or who have previously attended training under this policy may have their licence refused or revoked dependent on the individual circumstances of the driver concerned and offences committed. In considering such action, the intention of the policy will be to refuse or revoke a licence unless there are no concerns for public safety. Each case will be considered on its own merits.*

46. This is similar approach by other councils within the North and West Yorkshire Combined Authority regions and would in some way align the policies accordingly. It sets a standard for drivers seeking to be licensed in the first instance, but it enables existing licensed drivers who inadvertently pick up more than 7 points to undertake training and practical testing which demonstrates that they have the ability to drive at an appropriate level of safety.

Carrying Children

47. The Best Practice Guidance recommends that the safest way for a child to travel by car is in an appropriate car seat. It is however unreasonable and impractical for a taxi or private hire vehicle to carry a range of seats to meet the possible needs of all passengers. If the correct child car seat has not been provided, the law allows children to travel in taxis and private hire vehicles, but only if they travel on a rear seat; children under three can travel in a rear seat without a seat belt, and children who are three or older must wear an adult seat belt (Best Practice Guidance 8.14). Officers accept that in certain circumstances in journeys where an appropriate child or booster seat is provided (such as an education contract journey), children are able to be transported safely in the front passenger seat and therefore propose that the following driver condition be added "*Licensed drivers shall not allow any child below the age of 10 years to be conveyed in the front of a vehicle (unless the journey is part of a contract where the appropriate risk assessment has been undertaken and safety provisions are in place)*"

Unmet Demand Surveys

48. The Best Practice guidance states that where local authorities restrict the number of hackney carriage vehicle licences issued, the surveys to establish whether there is any significant unmet demand should be undertaken at least every 5 years (Best Practice Guidance 9.3). There were no general comments in relation to this and it has been adopted in the proposed new policy.
49. The proposed policy is attached at Annex 3.

Council Plan.

50. The decision taken contributes towards the Council Plan priorities to provide 'a fair, thriving and green economy for all' and 'sustainable accessible transport for all'.

Implications.

51. The implications arising from the report are as follows:
- **Financial** – There are no direct financial implications for the council. However, Taxi licensing fees are required to recover costs. Fees are

reviewed annually to ensure that they reflect actual costs to the Council.

- **Human Resources (HR)** – There are no HR implications with the new policy as drafted. It is noted that if the policy were amended to include a compulsory requirement for CCTV in vehicles and the council becoming a ‘system operator’ could require additional resource to perform that function.
- **Equalities** – It is recognised that licensed taxis and private hire vehicles are a particularly important method of transport for disabled people and other vulnerable passengers, including school children because of the door-to-door service they provide. An equalities impact assessment accompanies this report at Annex 4. The policy includes a robust approach to safeguarding including ongoing checks on drivers and compulsory training.

Legal – An up to date policy which clearly states the way in which the Council will undertake its statutory duties assists with robust and consistent decision making thus ensuring fairness and transparency for both the trade and public. However exceptions to the policy may be made in appropriate circumstances. The Council’s taxi licensing policy is subject to judicial review proceedings.

- **Crime and Disorder** – Taxi licensing is governed by legislation which includes some criminal offences for illegal activities. Criminal record checks through the Disclosure and Barring Service (DBS) are also carried out as part of the driver and operator licensing procedure.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.

Other – There are no other implications.

Risk Management.

52. The Council should ensure that they are working towards an up-to-date taxi licensing policy. Failure to do so could lead to reputational risk.

Contact Details.

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	Report Approved	X	Date 30 September 2024

Wards Affected: All.

Background Papers

Department for Transport - Statutory taxi and private hire vehicle standards - Updated 25 November 2022

<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards/statutory-taxi-and-private-hire-vehicle-standards>

Department for Transport - Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - Updated 17 November 2023

<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england>

Data from the Consultation

<https://data.yorkopendata.org/dataset/taxi-licensing-policy-consultation-2024>

Annexes

Annex 1 – Summary of Responses to Consultation.

Annex 2 – Summary of Responses Consultation Survey.

Annex 3 – Draft Taxi Licensing Policy.

Annex 4 – Equalities Impact Assessment.