

Taxi Licensing Policy Review - Interim Report

Purpose of Report

1. This report presents information gathered in support of this review including feedback on the consultation process recently carried out.

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 agreed the following workplan for this 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 • Receive presentation on 'Overview of CYC Licensing Policy' • Agree suggested workplan and future meeting dates
<u>Meeting 2</u> 15 December 2010	Receive interim report presenting information relating to specific areas of policy that officers believe would benefit from scrutiny within the general scope of the review Identify: <ul style="list-style-type: none"> • relevant consultees and any issues to be addressed through consultation at the next meeting • any additional information required
<u>Meeting 3</u> 19 January 2011	Receive interim report and carry out consultation with relevant parties Based on information gathered: <ul style="list-style-type: none"> • suggest any innovative ways in which the licensed taxi and private fleet may enhance the public transport provision both within the city and in rural communities • identify best practice and requirements specific to York to be addressed as part of the revisions to the council's Taxi Licensing Policy, to inform the work of the Licensing Unit
<u>Meeting 4</u> 16 February 2011	Consider draft final report containing suggested recommendations
1 March 2011	Presentation of final report to Community Safety O & S Committee

Consultation

7. The Head of Licensing, Bereavement and Registry Services will be present at this meeting to support the work of the Task Group.
8. At the last 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
 - 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 sent out mid December with a closing date of 19 January 2011.

Information Gathered

10. At their meeting in December 2010, the Task Group received information in support of each objective of the review (shown at Annex A), 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.
11. The Task Group identified a number of issues from the information presented and requested further information.
12. Reasons For Re-Regulation
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 a small number of LAs chose to change their policy back from that of 'unrestricted' to 'restricted'. The Task Group queried why they had chosen to do so – see below :
 - 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.
 - Too 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.
13. In each case, de-regulation appears to have resulted in an over supply of hackneys and an increase in congestion and opportunities for crime and disorder.
 14. Taxis - Impact On Air Quality & Understanding What Effect The Introduction of Cleaner Vehicles Might Have
 Air quality is an issue that affects all cities and towns across the country, and it is recognised that whilst everyone needs to play their part to take the steps to improve air quality, those who contribute more to the problem - buses, taxis and vans - should be expected to do more to provide the solution.
 15. For example, in London a new Air Quality Strategy has been introduced which through a brand new programme of investment, 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
 16. 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.
 17. In addition, all new hackneys entering the fleet will be required to meet the Euro 5 emissions standard from 2012. Similarly, new PHVs entering the fleet from 2012 will be required to meet the Euro 4 standard and be five years old or newer. The aim is 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.

18. 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.
19. 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.
20. Further details of the GLA scheme, its associated environmental criteria and terms and conditions will be announced later in 2011.
21. Taxi Emissions in York
Emissions from a vehicle in terms of g/km depend on its age and the size and type of its engine. 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.
22. To undertake a detailed study of taxi emissions in York, officers would ideally 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, 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.
23. One option would be to produce a list of registration plates which officers could then use to obtain data on engine size and fuel type from the DVLA. As there would be 740 records to process, this is likely to be a costly option in terms of officer time, and there will be charge £2.50 per plate for retrieving this information from the DVLA (total £1,850).
24. Getting an estimate of average mileages will be more difficult and might have to involve the co-operation of some drivers to record their mileages over several weeks, which could prove difficult and inaccurate. Alternatively, officers could search through paper based inspection sheets to look at difference in mileages between inspection dates, although this would incorporate the drivers personal mileage too.
25. If it was possible to compile all this information then officers could provide an estimate of emissions from York's taxis in tonnes per annum for the main pollutants (PM10, NOx and CO2), and show how reductions could be met in these totals by replacing specific numbers of vehicles with alternatives. However, this option would

prove time consuming, so it may be difficult for officers to complete this work within the timeframe set for this review.

26. A less accurate alternative approach would be to model the emissions from taxis i.e. making some broad assumptions about the numbers of taxis on the network at any one time, assuming they have a similar fuel type and age profile to the rest of the vehicle fleet based on national statistics or local counts. Then doing a comparison by running the model again assuming some of the vehicles are replaced with electric/hybrid vehicles. This is a much less accurate approach but can be achieved more quickly and may suffice the Task Group's needs.
27. Cost of Different Types of Low Emission Vehicles & Operating Costs
Information on some low emission vehicles is shown at Annex C (all of which are conventional diesel vehicles). It is recognised that whilst these vehicles might offer up some CO₂ savings, they are unlikely to help with the NO₂ issue we have in the city 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. There is always a trade off between NO₂ and particulate, as petrol vehicles produce less NO₂ than diesel but are less efficient so increase CO₂ emissions. One way to reduce NO₂ emissions in the city centre would be to encourage an increase in the number of hybrid or electric vehicles in use as hackneys / PHVs. Information on the running costs of such vehicles is currently being sourced, for the committee's consideration.
28. 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 referred to above, 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. Examples of electric cars are shown at Annex D.
29. Feedback From Consultation Exercise
34 copies of the questionnaire were issued with a closing date of 12 January 2011, and a small number of responses have been received to date. In addition, the questionnaire was made available online via the CYC online consultation facility. A table detailing the responses received will be made available at the meeting.

Options

30. Having considered the information provided within this report and its associated annexes, Members may choose:
- to proceed with a detailed study of taxi emissions in York (as detailed in paragraphs 23-25 above)
 - to proceed with the alternative approach detailed in paragraph 26 above
 - not to proceed with a study of taxi emissions in York

31. In relation to possible recommendations arising from this review, Members may choose to:
- consider whether any of the taxi related measures for improving air quality within the GLA Scheme, would be suitable for implementation in York.
 - Identify issues from the consultation responses that it may be possible to address through this review

Implications

32. Financial - There are implications associated with undertaking a detailed study of taxi emissions in York, as detailed in paragraphs 23-25 above. Each scrutiny review has a research budget of £500 so if a decision was taken to proceed with the detailed study, a request for additional budget would need to be made to Scrutiny Management Committee. This process would take time and may affect the Task Group's ability to complete the review within the agreed timeframe.
33. HR - There are implications associated with carrying out the work associated with studying taxi emissions in York. The modelling work detailed in paragraph 26 would involve less officer time than that required for the more detailed study outlined in paragraphs 23-25.
34. There are no known, Legal, Equalities, ITT or other implications associated with the recommendations in this report.

Corporate Strategy

35. 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

36. There are no known risks associated with the recommendations made within this report.

Recommendations

37. Members are recommended to:
- i. agree how they wish to proceed in regard to the study on emissions from York's taxi fleet:
 - ii. identify what further information is required in support of the review
 - iii. identify some draft recommendations arising from this review.

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

Contact Details

Author:

Melanie Carr
Scrutiny Officer
Scrutiny Services

Tel No. 01904 552063

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Legal, Governance & ITT

Report Approved

Date 12 January 2011

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Annexes:

Annex A – Information Gathered Previously In Support of this Review

Annex B – Adopted DfT Guidance on Taxi Driver Safety

Annex C – Information on Low Emission Vehicles & Operating Costs

Annex D – Information on Electric Vehicles