

## **Scrutiny Topic Assessment – Review of CYC Taxi Licensing Policy**

### **Purpose of Report**

1. This report presents information on a proposed scrutiny review of the council's current Taxi Licensing Policy, and asks Members to decide whether or not to proceed with the review.

### **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. Members of the Licensing & Regulatory Committee are fully supportive of a review of the policy to ensure it remains robust and fit for purpose.
3. In August 2010, to support Councillor Gillies with registering the topic, a meeting was held with senior officers to discuss issues around the current policy and the potential scope of this review, resulting in a topic registration form being produced - see Annex A.
4. This topic falls within the remit of this 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.
5. Nationally, each authority sets its own policy based on its own specific requirements. For example, some authorities have previously regulated the colour of taxis – and some of these authorities have since de-regulated. There would therefore be little to be gained by looking in detail at the Taxi Licensing Policy in place elsewhere, instead 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'.
6. The council's Licensing Unit have a deadline of Spring 2011 for reviewing the council's current Taxi Licensing Policy with respect to restrictions on the number of hackney carriage vehicle licences it issues, and would welcome the scrutiny review as a way of achieving the revision of this policy within that timeframe.

### **CYC Current Policy & Associated Issues**

7. The principal aim of a taxi licensing policy is to protect the travelling public and to ensure there is adequate provision accessible to all who require the services.

8. The industry is divided into hackney carriage and private hire. Hackney carriages trade from ranks, can be hailed in the street and accept pre booked work. Private hire vehicles must be pre booked through an operator.
9. In both cases vehicles are licensed with locally determined conditions. Drivers are also licensed and their suitability is also determined against locally set criteria. In York, applicants are issued with guidance notes with the application form, detailing all the requirements of this authority.
10. In respect of licensed vehicle numbers a licensing authority cannot limit the number of private hire vehicles it licenses, and market forces regulate the provision. There are currently 596 licensed private hire vehicles operating in the city. Licensing authorities can however impose a limit on the number of licensed hackney carriage vehicles provided there is no unmet demand for such vehicles.
11. The current policy of this council is to limit the number of hackney carriage vehicle licences it issues. There are currently 176 licensed vehicles and this policy was set in by the Licensing and Regulatory Committee in May 2008 following a survey of unmet demand. At that time, 15 new hackney carriage vehicle licences were issued and it was determined that from the 1<sup>st</sup> July 2009 a further 2 licences would be issued every 6 months and it was agreed that further surveys would be undertaken every three years.
12. In guidance issued to local licensing authorities by the Department for Transport (Best Practice Guidance for Taxi and Private Hire Licensing) it states that it is best practice not to impose any quantity restrictions. 74% of authorities do not have any quantity restrictions.
13. It is the effect of the restriction policy and other issues that led to the Chair of Licensing and Regulatory committee requesting this review.

## **Consultation**

14. It is recognised that if a decision is taken to proceed with a review of the council's Taxi Licensing Policy, any consideration of deregulation would need to be justified to be a proper appraisal of evidence, objectively collated, preferably by use of external consultants. The following parties would need to be involved / consulted as part of the review:
  - Taxi Licence Proprietors
  - Taxi Drivers
  - People on waiting list for a hackney vehicle licence
  - CYC Highways officers
  - CYC Licensing Unit officers
  - CYC Legal officers
  - Police

## **Suggested Way Forward**

15. At this stage, based on the information provided in this report, the Committee have a number of options They may choose to:

- a) Proceed with the review – if this is the preferred option, the Committee will have a number of further decisions to make in regard to the review:
- As the Chair of the Licensing & Regulatory Committee is also a member of this overview and scrutiny committee, it is suggested that the committee as a whole does not carry out the review. Instead, that a Task Group (made up of other members of this committee) be formed to carry out the review and propose any resulting recommendations.
  - Agree a remit for the review – see suggested remit at Annex B
  - Having agreed a remit for the review, this committee may choose to set the workplan for the review or allow the Task Group to agree their own specific methods for carrying out the review
- b) Request a more detailed assessment report on the topic which includes a suggested workplan for the review, before deciding whether or not to proceed with the review.
- c) Agree not to proceed with the review - as officers need to review the council's current policy on the issue of hackney vehicle licences anyway by Spring 2011, rather than carrying out a full scrutiny review of the topic, this committee could be consulted at suitable stages of the officer review, and before the revised policy is finalised and presented for approval to the relevant Executive Member / Executive.

## **Options & Associated Implications**

16. Option A - There are no known Financial, or HR, implications associated with carrying out the suggested review. There will however be some legal requirements to which the Scrutiny will need to have regard, and the scrutiny panel will be advised of these in due course. A focussed remit with fixed objectives increases the potential for a successful scrutiny review, thereby maximising the benefits from the review and justifying the use of resources.
17. Options B & C - It is understood that Members of the Licensing & Regulatory Committee feel of the current policy, in implementation would benefit from an early review, and therefore wish to see that the policy be reviewed as soon as possible.

There are no known HR or other implications associated with not carrying out the suggested review.

## **Risk Management**

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

## Recommendations

19. Having considered all of the information in this report and its annexes, it is recommended that the Committee:
- i. set up a Task Group to carry out a review of the council's Taxi Licensing Policy
  - ii. agree a remit and timeframe for the review
  - iii. instruct the Task Group to agree a workplan for the review

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

## Contact Details

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**Assessment Report Approved**



**Date**

9<sup>th</sup> September  
2010

**Specialist Implications Officer -**

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**Wards Affected:**

All



**For further information please contact the author of the report**

**Background Papers:** N/A

**Annexes:**

Annex A – Topic Registration Form  
Annex B – Suggested Remit For Review