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| Meeting   | Licensing And Regulatory Committee   |
| Date      | 25 September 2020  |
| Present   | Councillors Mason (Chair), Wells (Vice-Chair), Galvin, Hook, Hunter, Melly, D Myers, Norman, Orrell, Pearson, Kilbane And D'Agorne |
| Apologies | Councillors Barker, Cuthbertson And Warters  |

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#### **41. DECLARATIONS OF INTEREST**

Members were invited to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests that they might have in respect of business on the agenda. No interests were declared.

#### **42. MINUTES**

Resolved: That the minutes of the meeting held on 18 March 2020 be amended to state that Members not listed as present at the meeting were unable to attend due to COVID-19 restrictions reducing the number of people able to be in a meeting room whilst observing social distancing.

#### **43. PUBLIC PARTICIPATION**

It was reported that there had been five registrations to speak on Agenda Item 4 'Taxi Licensing Public Consultation - vehicle Licences' at the meeting under the Council's Public Participation Scheme.

Bernie Flanagan (private hire driver and York Resident) noted drivers awareness of responsibilities in relation to air quality. He noted that the policy for York missed out on out of town drivers plying for trade in York and noted the need to see this in terms of the COVID-19 crisis and economic crisis. He expressed concern regarding the affordability of suitable lower emission larger vehicles (8-9 seater). He felt that drivers who had invested in Euro 6 vehicles should be given a longer grace

period and he added that the low emission taxi scheme did not support drivers.

David Hay (York Resident) noted that the COVID-19 impact would turn into a major economic crisis the following year. He expressed concern that there has been no correspondence from the council regarding the changes to the policy. He suggested that the council should lead by example by having its own fleet change to low emission vehicles. He suggested that the questions in the consultation had not been open. He noted the unfair nature of out of town vehicles licenced by other authorities being able to operate in York.

Mags Green (Resident, Private Hire Driver, Member of York Private Hire Association (YPHA) the trade had been hit hard by the pandemic in York and the cost to them as a trade to renew vehicles was a stretch if a proposal agreed the trade would decline, there would be a loss of revenue to the council and this would also be impacted by Wolverhampton licenced vehicles and out of town drivers. She raised concern about wheelchair accessible vehicles were not readily available and she suggested that a grant scheme be made available to help the taxi trade to go green.

Neil Rowley (Resident, Private Hire Driver, Secretary of York Private Hire Association (YPHA) noted the effect of producing electric vehicles and the manufacture of their batteries on global warming. He suggested that the use of electric vehicles penalised drivers taking customers on long distance journeys, and he expressed concern regarding charging infrastructure in the region. He also explained the difficulties that drivers would have in charging their vehicles at home.

The speakers were asked what the impact of the pandemic was on the trade. Mr Flanagan noted that the effect of the pandemic on private hire trade was that business had been decimated. He noted that there were a number of small businesses not eligible for the government support schemes. Mr Rowley was asked and explained that there was a 40-50% loss of business early stages of the pandemic and this was currently 75%.

Ian Clish (York Resident, Private Hire Driver, Member of York Private Hire Association (YPHA) noted that for the foreseeable future there was no stock of 8 seater electric hybrid vehicles to meet the needs of the policy. He noted the mental health and

economic effects on drivers because of COVID-19, adding that to introduce changes now would not be practical. He noted that he was in agreement regarding electric and hybrid vehicles and highlighted that Wolverhampton licensed drivers and out of town drivers also impacted York licensed drivers.

#### **44. TAXI LICENSING PUBLIC CONSULTATION - VEHICLE LICENCES**

Members considered a report that reported back on a public consultation with the trade and taxi users following the resolution to “review the existing policy on the issue of hackney carriage vehicle licences and report back to Members after a public consultation with the trade and taxi users” at Licensing and Regulatory Committee on 16 July 2018. Annex 1 of the report detailed the breakdown of euro standards in existing fleet, Annex 2 detailed the Taxi Incentive Scheme, Annex 3 detailed vehicle types and Annex 4 outlined the results following public consultation.

The Head of Public Protection updated Members on the consultation responses and outlined the two options available which were as follows (Option 1 was the recommended option):

##### Option 1

- i) To continue with the current restriction on numbers of hackney vehicle licences and ask Officers to commission a formal ‘unmet demand’ survey during 2021 to establish whether there continues to be significant demand for taxis which is unmet;
- ii) Recommend to the Council’s Executive that they amend the Taxi Licensing Policy and conditions with regards to the type of hackney carriage and private hire vehicles that will be licensed by the Council in the future as detailed in paragraph 25 a), b), c) and d).
- iii) To include a more detailed review of the use of taxi ranks as part of the unmet demand survey.

##### Option 2

Take an alternative course of action such recommending to the Executive that the current restriction on hackney carriage vehicles be lifted and to keep the existing licensing conditions

with regards to the type of hackney carriage and private hire vehicles that are licensed in future.

The Public Protection Manager and the Head of Programmes and Smart Place were in attendance to answer questions. In answer to questions raised, along with the Head of Public Protection they clarified:

- That there was an electric vehicle public charging strategy by example, the super rapid chargers in Dundee had been very successful with the licensed trade.
- The location of the fast and rapid electric charging points in the city
- That the technology for electric charging was moving very rapidly and the government for the banning of diesel and hybrid cars may come forward
- With regard to the proposed new emissions and age policy (detailed at paragraph 25 of the report), the new hackney carriage vehicles licences would only be issued to fully electric wheelchair accessible vehicles and plug in electric petrol hybrid wheelchair accessible vehicles. From January 2021, new private hire licences would only be issued to fully electric vehicle, plug in electric petrol hybrid vehicles, petrol hybrid vehicles (Euro 6 class or better (less than 7 years old) and wheelchair accessible vehicles – Euro 6 diesel/petrol or better (less than 7 years old).
- There was a need to consult with taxi drivers in terms of what they required in respect of charging facilities, for example what was required in terms of inductive charging
- In relation to out of town drivers, the Home Office had stated that people could leave locked down areas for work.
- In relation to longer journeys, the private charging networks along major roads was robust and was increasing exponentially. Nationally, the network was increasing in quality. Regionally, the council was working with the Local Enterprise Partnership (LEP) and County Councils on locations for electric vehicle charging.
- It was lawful for drive out of town taxis into York and journeys could be subcontracted to a firm from another authority. It was noted that other authorities did have age restrictions on their vehicles.
- Larger low emission vehicles were expensive at circa £50,000 and the charges for these would be passed onto customers.

- With regard to the consultation response, the median response regarding the age of vehicles was 8 years and 7 years was the highest standard and ensured that the vehicles being brought in were Euro 6.
- The trade concerns regarding COVID-19 had been included in the policy which was the reason for the three year lead in time.
- York was a leader in air quality and regarding its own fleet was looking to replace it with lighter vehicles.

[The meeting adjourned from 19:01 until 19:09]

- The Committee could make recommendations to the Executive about looking into the feasibility of providing incentives to the trade. It was noted that there were incentives available from the government for example £5000 towards an electric vehicle and £3000 off a hybrid vehicle.
- Concerning the consultation responses there had been 70 responses from taxi drivers that was 30% of the trade and didn't say how many were in favour of the proposals. The consultation process was outlined to Members.
- In terms of public charging facilities, the authority was confident that charging would be robust and that it would be able to support the fleet post COVID-19.
- Unmet demand surveys could be commissioned as required and a survey had not been undertaken at present as this would not be reflective of the situation.

During debate a number of Members expressed concern regarding the timescales for the policy as a result of the impact of the COVID-19 pandemic.

Cllr Galvin moved an amendment to Option 1 Section 2. This was seconded Cllr Melly. Following a unanimous vote it was:

Resolved:

That Members take into consideration the results of the consultation and other matters highlighted in the report and approve amended Option 1 of this report, namely:

- i) To continue with the current restriction on numbers of hackney vehicle licences and ask Officers to commission a formal 'unmet demand' survey during

2021 to establish whether there continues to be significant demand for taxis which is unmet;

- ii) Recommend to the Council's Executive that they amend the Taxi Licensing Policy and conditions with regards to the type of hackney carriage and private hire vehicles that will be licensed by the Council in the future as detailed in paragraph 25 a), b), c) and d) with a note to Executive to take the current economic situation and impact on the taxi trade into account when implementing the changes.
- iii) To include a more detailed review of the use of taxi ranks as part of the unmet demand survey.

Reason:

- i) To enable the Council to carry out an independent survey on restricting hackney carriage vehicle licences, while taking into consideration the impact of the Coronavirus pandemic in 2020.
- ii) Ensure a more environmentally friendly and modern hackney carriage and private hire fleet in the city in response to the declared climate emergency and continuing desire to improve air quality.
- iii) To better inform any decision around the number and location of ranks.

#### **45. WORK PLAN**

Members considered the committee's work plan for the current municipal year.

Resolved: That the Democracy Officer work with the Chair and Officers to update the work plan and circulate to the Committee.

Reason: To ensure that the committee has a planned schedule of work for the year.

#### **46. URGENT BUSINESS**

The Chair noted the impact of COVID-19 on licensed premises and highlighted the update that had circulated to the Committee.

A member raised concern about the cleanliness of out of town drivers. The Head of Public Protection advised that it was lawful for out of town drivers to travel to York for work. He advised that the Director of Public Health was mindful of the controls in place for licensed vehicles.

Cllr A Mason, Chair

[The meeting started at 5.30 pm and finished at 7.52 pm].

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