

Report from the Director – Environment, Transport and Planning

Taxi Licensing - New Hackney Carriage Vehicle Licence allocation update

Summary

1. This report updates Members of the current situation in relation to the new Hackney Carriage Vehicle Licence allocations, and invites members to instruct officers on an approach to meet the unmet demand for hackney carriage vehicles.

Recommendations

2. Members are asked to instruct officers to progress the issuing of ten new hackney carriage vehicle licences in accordance with Option 2.

Reason: To enable officers to make swifter progress in ensuring new vehicles are placed on the roads and meet the unmet demand for hackney carriage vehicles.

Background

New Hackney Carriage Vehicle Licence Allocation.

3. On 7th June 2022, Members of this committee considered a report relating to the unmet demand for hackney carriages and resolved that it be recommended to Executive to make available nine new hackney carriage vehicle licences (two licences that had not been renewed at that time, plus seven additional licences) with immediate effect to bring the total number of licensed vehicles up to 190 as recommended within the unmet demand report. It was further recommended that the vehicles be black in colour, wheelchair accessible and fully electric or plug-in electric hybrid. That resolution was subsequently approved by the Executive (28 July 2022) and Council (20 October 2022), except that in

the process another licence had become available and so making *ten* licences available in total. The committee report from the 7th June 2022 contains important background information and should be read in conjunction with this report (see link below).

4. The Taxi Licensing policy therefore specifies as follows:

‘New hackney carriage vehicle licences will only be issued to the following type of vehicles:

- Black Fully electric wheelchair accessible vehicles
- Black Plug in electric petrol hybrid wheelchair accessible vehicles*

*These vehicles are purpose-built taxis and have CO2 emissions of less than 50g/km and can travel at least 112km (70 miles) without any emissions at all. For the avoidance of doubt, this includes new grants after existing licences are surrendered or otherwise not renewed.’

5. In addition to the London taxi type vehicle (LEVC TXE), there are now a number of vehicles that are on the market which are capable of meeting the above requirements. Examples of vehicles identified by officers as suitable are outlined in Annex 1.

6. The Taxi Licensing team hold a ‘waiting list’ of people wishing to acquire a hackney carriage vehicle licence. The ‘Hackney Carriage waiting list’ currently contains 180 people. This is up from 157 in June 2022.

7. As a result of Members’ approval, the licences were initially offered to the applicants who were at the top of the hackney carriage vehicle waiting list. Although there was some initial interest, it failed to materialise into any new licences being granted. Potential applicants report the initial financial outlay, the limited numbers of vehicles available and concerns with the reliability of the plug-in electric hybrid vehicles already in the fleet as reasons not to take up a licence. It will be recalled that a public speaker has attended the last two Licensing and Regulatory Committee meetings and raised concerns along the same lines.

8. Members are also being invited to instruct officers to set clear time scales to help ensure that the expressions of interest result in new hackney carriage vehicles on the road.

Options.

9. Members are invited to consider the following options:
10. Option 1: Continue the current position and contact in turn each person on the list and ask if they wish to acquire a hackney carriage vehicle licence for a vehicle of the type specified above. The proposed timescale is to confirm interest in acquiring a vehicle within one month of the letter inviting them to confirm their interest being sent, to place an order for a suitable vehicle within two months of the aforementioned letter, and to obtain delivery and licence the vehicle within four months of the letter (unless there is a delay beyond their control, and delivery is in the opinion of licensing officers imminent). Anyone choosing not to take the offer of a licence or otherwise failing to comply with the timescales will be removed from the waiting list and invited to reapply, whereupon they will be put at the bottom of the list.
11. Option 2: Contact everyone on the waiting list simultaneously seeking expressions of interest as to their position if a licence was to be offered, providing details of the type of vehicle specified above, setting out the timetable for application and ask for a response within one month of the letter. Offer the available licences to the ten highest placed persons on the waiting list who respond within the timescale, and confirm they are in a position to submit a vehicle for licensing, according to the requirements. The proposed time frame for those respondents to place an order, obtain delivery and licence the vehicle are the same as detailed in Option 1 above. Anyone who does not express an interest or otherwise fails to comply with the timescales for acquiring a hackney carriage vehicle licence will be removed from the waiting list and invited to reapply, whereupon they will be put at the bottom of the list. Those who express an interest but are unsuccessful because they are not one of the ten highest place respondents will move up the list for future allocations. This will include being offered in due order the licence of any person further up the list who fails to meet the above requirements.

12. Option 3: members instruct officers to take a different way forward.

Consultation

13. Extensive consultation was undertaken in respect of the previous report.

Analysis.

14. Option one will ensure that officers begin to make progress towards putting new hackney carriage vehicles on the road and meet the unmet demand for such vehicles. However, the pace of progress will be slower than Option two. Anyone who remains interested in holding a hackney carriage vehicle licence in future can re-join the list for an application at a later date (when licences are made available).
15. Option two enables officers to make swifter progress in ensuring new hackney carriage vehicles are placed on the roads and meet the unmet demand. Again, anyone who remains interested in holding a licence at a future date can re-join the list for an application at a later date.
16. Analysis on option 3 will depend on Members' instructions.

Council Plan.

17. The decisions taken contribute towards the (draft) Council Plan priorities to provide 'a fair, thriving and green economy for all' and 'sustainable accessible transport for all'.

Implications.

18. The implications arising from the report are as follows:
 - **Financial** – There are no direct financial implications to the council.
 - **Human Resources (HR)** – There are no HR implications.
 - **Equalities** – It is recognised that licensed taxis and private hire vehicles are a particularly important method of transport for people

with disabilities and other vulnerable passengers including school children because of the door-door service they provide. An equalities impact assessment accompanies this report.

- **Legal** - There are two potential avenues of legal challenge. Any decision made by Members may be subject to challenge by way of judicial review. Applicants could appeal against the refusal of a licence to the Courts.

Section 16 of the Transport Act 1985 gives local authorities the power to limit the number of hackney carriage licences provided that the local authority is satisfied that there is no significant demand for taxis which is unmet in its area. Because of its policy of limiting numbers, from time to time the Council must commission an independent study to establish whether there is any significant unmet demand for the service of hackney carriages. The Council will be required to commission a further survey to assess demand in 2024.

- **Crime and Disorder** – There are no direct crime and disorder implications arising from the report.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.

Other – There are no other implications.

Risk Management.

19. The report sets out proposals to expedite the allocation new Hackney Carriage vehicle licences to meet unmet demand and as such there is little risk of successful legal challenge.

Contact Details.

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	Report Approved	✓	Date 02/10/2023

Wards Affected: All.

Background Papers

Licensing & Regulatory Committee Report and printed minutes (7th June 2022)

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=606&MId=13445&Ver=4>

Annexes

Annex 1 - Examples of vehicles identified by officers as suitable

Annex 2 – Equality Impact Assessment