

## **Taxi Licensing Update Report**

### **Summary**

1. This report is to advise Members of the current situation relating to the new Hackney Carriage Vehicle Licence allocations.
2. This report also updates Members on of the current situation in relation to the Taxi Licensing Policy.

### **Background**

#### **Hackney Carriage Vehicle Licence Allocations**

3. On 7 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 became available, therefore making ten licences available in total.
4. A second report was agreed by the Licensing and Regulatory Committee on the 10 October 2023. This report asked for officers to contact everyone currently on the hackney carriage vehicle licence waiting list, to see if they would like to submit an expression of interest in relation to one of the available licences. Anyone submitting an expression of interest should be in a position to obtain and submit a vehicle for licensing.

5. Officers undertook Members' instructions and as a result twenty-two positive expressions of interest have been received.
6. The ten highest placed (on the waiting list) positive expressions of interest have now been invited to apply for a hackney carriage vehicle licence. NB. A further hackney carriage licence has since become available – making eleven in total – which officers will also offer as part of this process.
7. To date one vehicle has been licensed and the remaining expected to be in operation by the 8 March 2024.

### **Taxi Licensing Policy**

8. The Council's Taxi Licensing Policy (Policy) was published in January 2017; it was reviewed in 2019 with regard to matters relating to:
  - determining the suitability of applicants and licensees as drivers in taxi and private hire licensing; and
  - driver training requirements.
9. A report was brought to Members on 22 February 2021 with regard to the Department for Transport (DfT) 'Statutory Taxi and Private Hire Vehicle Standards' (the Standards), which were published in July 2020. At paragraph 1.3, it states 'The Department expects these recommendations to be implemented unless there is a compelling local reason not to'. Therefore, Licensing Authorities must have regard to the recommendations when exercising relevant functions or justify why they have departed from them and the reason for that departure.
10. The DfT published the Standards as hackney carriages (taxis), and private hire vehicles are a 'high-risk environment'. For example, links between the trade and child sexual abuse and exploitation have been established in many areas of the country.
11. The main focus of the Standards is protecting children and vulnerable adults; however all passengers benefit from the Standards.
12. The Council already implements a number of the requirements within the Standards in the existing Policy.
13. A report was approved by members on the 4 October 2022, seeking approval for officers to form a working party of Members and representatives of the registered Hackney Carriage and Private Hire Association to formally review the Taxi Licensing Policy. The report

also asked views via formally public consultation. The working party consultation was completed in early 2023.

14. The public consultation was due to start in early August, however this was delayed due to the imminent update from the Department for Transport (DfT) on its 'taxi and private hire vehicle licensing best practice guidance'.
15. On the 17 November 2023, the DfT published the updated 'best practice guidance for licensing authorities in England'. A link to this can be found at the end of this report.
16. As a result of this update, additional amendments have been made to the draft Taxi Licensing Policy, this has now been sent to external specialist licensing Counsel for review prior to the public consultation which will now be undertaken in early 2024.
17. This has now been reflected in the timetable for the revision, consultation and implementation of the Taxi Licensing Policy. The proposed revised timetable can be found at Annex 1.

## **Consultation**

18. As this is an update report there has been no consultation in relation to it. However, the annex contains details of when public consultation will take place in respect of the draft Taxi Licensing Policy.

## **Analysis.**

19. As this is an update report there is no analysis of recommendations.

## **Council Plan.**

20. The updates support the Council Plan priorities for:

- A fair, thriving, green economy for all
- Sustainable accessible transport for all

## **Implications.**

21. The implications arising directly from this report are:

- **Financial** – There are no direct financial implications.

- **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.
- **Legal** – The Council should consult on any changes to its licensing policy that might affect passengers or trade. In accordance with section 177(4) of the Policing and Crime Act 2017, the licensing authority must have regard to the DfT 2020 guidance when exercising its functions. Any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence in the event of a legal challenge to the authority’s practice.
- **Crime and Disorder** – There are no crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

**Risk Management.**

22. There are no known risks involved with this update report.

**Contact Details.**

**Author:**  
 David Cowley  
 Taxi Licensing Manager  
 david.cowley@york.gov.uk  
 01904 552422

**Chief Officer Responsible for the report:**  
 James Gilchrist  
 Director Environment, Transport & Planning

**Report**  **Date** 02/01/24  
**Approved**

**Wards Affected:** All

**Background Papers**

- Taxi Licensing Policy – <https://www.york.gov.uk/downloads/download/54/taxi-licensing-policy>

- DfT Statutory Taxi and Private Hire Vehicle Standards  
<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>
- Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England  
<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>

## **Annexes**

Annex 1 - Amended timescales for review of Taxi Licensing Policy