

Taxi Licensing Policy Review - Interim Report

Purpose of Report

1. This report presents information gathered in support of this review and asks Members to agree details for carrying out consultation on the issues identified within the report and identify any further information required in support of this 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. 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, a further survey of unmet demand is required in spring 2011 with a view to reviewing the restriction policy on hackney carriage numbers. Officers have welcomed this scrutiny review as a way of assisting with the revision of this 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 that a draft final report should be brought back to them for their consideration at their meeting in March 2011 in order to meet the Licensing Unit's deadline of spring 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

Consultation

6. The Head of Licensing, Bereavement and Registry Services will be present at this meeting to support the work of the Task Group.
7. In addition, The Task Group have already agreed to consult with all the relevant parties at the next meeting of the Task Group e.g.:
 - Taxi and Private Hire Vehicle Licence Proprietors
 - Taxi and Private Hire Drivers
 - Private Hire Operators
(The above are represented by 3 trade organisations)
 - People on waiting list for a hackney vehicle licence
 - Access Groups
 - CYC Highways officers
 - CYC Licensing Unit officers
 - CYC Legal officers
 - North Yorkshire Police

Review Workplan

8. At a meeting held on 15 November 2010, the Task Group agree 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

Information Gathered To Date

9. In support of this review, information has been gathered and comparisons have been drawn with other cities of similar size and type. The comparable cities used and referred to within this report are Oxford, Chester, Cambridge, Nottingham and Brighton & Hove, as these are the cities generally used by Transport Planning as suitable comparators

Objective (i) – Understanding public need & future allocation of hackney carriage licences

Number of Hackney carriages per population

Authority	Population	Restricted?	No. Hackney Carriages	Ratio
Chester	120,000	De restricted	130	1/923
Cambridge	121,000	De restricted	303	1/399
Oxford	149,000	Restricted	107	1/1393
YORK	191,000	Restricted	178	1/1073
Brighton & Hove	256,000	Restricted	520	1/492
Nottingham	301,000	Restricted	411	1/732

10. The total number of Licensing Authorities in England & Wales is 343. As at 03/11/2010, the number of those that restrict hackney carriage numbers is 87 (25.36%) – see list at Annex A.

11. In June 2004 the Department for Transport (DfT) asked 151 of those Licensing Authorities to review their policy of Quantity Control. Of those, 84 decided to retain restrictions. This figure became 87 by virtue of the fact that Sheffield City Council, Derbyshire Dales District Council and Birmingham City Council made a decision in 2008, to change their policy from that of 'unrestricted' to 'restricted'. Information on the reasons why some LAs have or are planning to return to regulation including length of time they were de-regulated, and signs of self-regulation etc if known, are shown in Annex A.
12. Therefore, the total number of Authorities that do not restrict or have voted to remove restrictions at a future date is 256 (74.64%). 68 of those (listed in Annex A) originally restricted their number of hackney carriages but have since removed or given a firm commitment to remove licensing restrictions.
13. It should be noted that some Local Authorities are going from quantity control to quality control on hackneys as they try to raise standards and increase wheel chair assessable vehicles.
14. De-regulation – Benefits & Disadvantages for York
The identified benefits and disadvantages are listed below:

Benefits

- Council not involved in commercial market regulation
- Increases proportion of accessible vehicles
- More accountability with fewer rented vehicles
- Meets DfT objectives
- All can obtain licence / no waiting list
- No disputes over vehicle ownership
- More vehicles for customers
- No further costly surveys required

Disadvantages

- Initial disruption to existing trading patterns
- May lead to additional traffic congestion and pressure on ranks
- Overprovision may lead to deterioration of standards
- Loss of investment value for those who bought a licensed vehicle (Value up to £40k)

Objective (ii) – Taxi Ranks

15. Number of ranks, and number of spaces on ranks

Authority	No. of Hackneys	Rank Spaces	Ratio
Oxford	107	17+6 at railway station	1/ 4.7
Chester	130	90	1/1.4
YORK	178	Full time 34 + station 20 Inc part time 87	1/ 3.3 1/1.3
Cambridge	303	Full time 21 + 25 at station Inc. Part time 13	1/6.6 1/5.14
Nottingham	411	200 (unknown if station included)	1/ 2.1
Brighton & Hove	520	58 (unknown if station included)	1/ 9

16. In York, Hackney Carriage ranks are situated at the following locations (see Map at Annex B):

Full-time Ranks	Spaces	Part-time Ranks	Spaces
Clifton Moor Cinema	3	Clifford Street (for Gallery Nightclub)	4
Haxby	2	Clifford Street (opp. Gallery Nightclub)	4
Queen Street	4	Micklegate (for Ziggys Nightclub)	3
Tower Street	4	Rougier Street 10.30pm – 6am	3
The Crescent (Blossom St)	1	Toft Green (for Tru Nightclub)	4
St. Leonard's Place	4	Duncombe Place – 7.30am – 10pm	8
St. Saviourgate – Rank A	12	St. Sampson's Square 8pm – 6am	8
St. Saviourgate – Rank B (feeder rank)	4	York Racecourse (Race Days only)	12
		Exhibition Square 8pm – 6am	3
		Piccadilly – 11am – 6am is this right?	4

17. Ranks at railway stations are difficult to compare as many stations have dedicated parking for hackneys waiting to go onto the rank ie 'feeder ranks'. In York, vehicles can wait in the overspill car park. Ranks are often on land owned by railway companies who often introduce permit systems to limit the number of taxis allowed to use those ranks. This is true in York where 117 permits are issued.
18. Usage of ranks and info from Halcrow on waiting times at ranks
The following table provides information from February/March 2008 detailing the average delay in minutes at ranks and the level of demand

Rank	Passenger Departures	Taxi Departures	Average Passenger Delay	Average Taxi Delay
Clifford St (Gallery)	4,387	1,880	1.07	3.20
Clifford St (Opp Gallery)	2,700	1,207	0.84	1.57
Railway Station	7,679	5,293	3.80**	7.46
St Saviourgate	5,681	3,509	2.55	5.86
Tower Street	0	18	0.00	5.00
Duncombe Place	1,028	594	2.28	5.68
St Leonard's Place	15	15	0.00	15.00
Piccadilly	5*	0	2.50	0.00
Rougier Street	1,832	932	12.32	1.69
Micklegate	180	72	1.00	0.00
Total	23,685	13,519	3.21	5.42

19. At Piccadilly, the 5* passengers left the rank without obtaining a taxi.
20. At the Railway Station, the figure of 3.80** has been amended to reflect the poor throughput of taxis at the Railway Station rank. It is recognized that passengers are

waiting longer for a vehicle (4.17 mins) but this is not as a result of the restricted policy, more to do with the traffic management layout at York Railway Station.

21. The table below shows totals from February/March 2009 for comparison purposes:

Rank	Passenger Departures	Cab Departures	Average Passenger Delay	Average Cab Delay
Clifford St (Gallery)	1,127	605	0.84	1.46
Railway Station	4,801	2,988	0.94	7.51
St Saviourgate	3,181	2,432	0.70	8.45
Rougier Street	2,102	1,170	0.75	5.25
2009 Totals	11,211	7,195	0.83	6.95
Equiv ranks 2008	19,758	11,613	3.61	5.82

22. Raising Public Awareness of Little Used Ranks

At the last meeting the Task Group questioned how to raise public awareness of little-used ranks in the city centre e.g. Piccadilly, Tower St and Queen St. Officers plan to look at this in the future. It will also require the trade to service the ranks for the public to stand at them and this is something that could be addressed as part of the consultation with Taxi and Private Hire Vehicle Licence Proprietors & Hire Drivers, and Private Hire Operators.

Objective (iii) – Conditions attached to licences: accessibility, emissions etc

23. Officers are awaiting a Government announcement on the quota requirements for number of wheelchair accessible taxis etc. However, in order to gauge feedback from social inclusion groups on the changes / improvements introduced by CYC over recent years, the Task Group may choose to discuss the issues with relevant parties ahead of the Government's announcement at the planned consultation event at the next meeting of the Task Group.
24. Type of Meters In Use In York
At the present time whilst it is a requirement for all hackney carriages to be fitted with a meter to calculate the journey fare, there is no specification in relation to the meter itself. However, following the issue of a European Measuring Instrument Directive, new regulations were introduced in 2006 for the protection of the public. The Measuring Instrument (Taximeters) Regulations 2006 provide standards and specifications that manufacturers have to meet for taximeters produced after 30 October 2006.
25. Some meters can be calendar controlled and locked and sealed by the manufacturers/suppliers so that tariff rates change automatically and cannot be tampered with manually by a driver. In addition, some private hire firms have introduced meters connect to GP mapping.

26. However, some meters can be manually controlled by a driver to change between tariff rates i.e. from tariff 1 to tariff 2. This can and has led to complaints of over charging by some drivers who set an inappropriate tariff rate for either time of day or the day itself e.g. Christmas Bank Holidays, Races.
27. The Task Group may wish to consider addressing this issue in their suggested revisions to the council's policy. For example, Darlington Borough Council state the following in their policy:

'A new specification will apply to taximeters i.e. the taximeter must comply with the Measuring Instruments (Taximeter) Regulations 2006 and must be of the calendar control type which is locked and sealed by and approved manufacturer and supply and or installer.

The specification will initially apply to new vehicle applications only and subsequently will apply to all existing vehicles, both hackney and private hire (where fitted) with effect from.....'

Objective (iv) – Enhanced provision using innovative ways

28. Innovative Vehicles

It is now generally accepted that modern diesel engines are not delivering the levels of Nox reduction that were previously anticipated. Research indicates that overall quantities of Nox emitted have not decreased significantly and that the proportion emitted as nitrogen dioxide (NO₂) has actually increased. As nitrogen dioxide is the main pollutant of concern in York, a policy of encouraging taxi drivers to upgrade their diesel vehicles to newer Euro standards is unlikely to have the desired impact on local air quality and could potentially make the situation worse.

29. At the current time the most appropriate policy for reducing emissions from taxis would appear to be incentivising the use of fully electric and / or hybrid vehicles. There are already a number of mainstream fully electric vehicles available and more to follow shortly. The latter include larger vehicles such as the Nissan Leaf which may be of use to private hire operators in the future. The main issue with fully electric vehicles remains the operating range between charges which may remain a barrier for use as general taxis in York.
30. A fully electric vehicle has no emissions at the point of use, but still gives rise to emissions at the power station (use of a green electric tariff can reduce these emissions). There are fully electric black cab style taxis available but we have limited knowledge of their success elsewhere or how feasible they would be for use in York. At the moment most hybrids are petrol / electric e.g. the Toyota Prius and these vehicles are being successfully used as private hire vehicles. For example, in New York there were 2019 hybrid taxis in operation in 2009 and in London one company use only hybrid vehicles - see www.greentomatocars.com . It should be noted that some operators have looked at using hybrid vehicles but the available vehicles have failed to meet other local licensing requirements such as tinted windows and luggage capacity.

31. Hybrid black cab style vehicles are also in operation in London and still under development – see <http://www.eco-rally.org/evo-electric-plug-hybrid-black-cab> and <http://news.bbc.co.uk/1/hi/england/london/3771679.stm>.
32. However, diesel / electric hybrids are becoming available in other countries and may eventually offer a promising alternative for use as taxis in the UK. Plug in hybrids are also now available where the vehicle can travel almost predominantly on electric but still have diesel capacity to increase the range if needed.
33. Introduction of Low Emission Zone
At the present time efforts to reduce emissions in York are being focused on the development of a Low Emission Strategy (LES) which uses incentives to encourage the uptake of cleaner vehicles and technology. At the present time there are no plans to introduce a Low Emission Zone (LEZ) for all vehicles (including taxis), although the possibility of a LEZ for buses only hasn't yet been ruled out. Any LEZ for buses would be focused on increasing the uptake of hybrid and /or electric vehicles rather than tightening Euro standards. As has already been outlined above, improving the Euro standard of a diesel vehicle does not necessarily lead to a reduction in nitrogen dioxide concentrations and is not something we would wish to endorse at this time.
34. Potentially there is an option to 'enforce' the uptake of electric / hybrid vehicles within the taxi (and general vehicle fleet) by the use of Low Emission Zone (LEZ) style controls requiring the use of hybrid vehicles but this is a long way in the future and unlikely to happen until hybrid vehicles become more accessible and affordable to the general population.
35. In the short term the emphasis should be on doing what we can to promote the use of hybrid, and to a lesser extent electric vehicles. This needs to involve some lobbying of government to try and secure financial assistance for purchase of these types of vehicles by taxi drivers and the provision of as many local incentives as we can. Any ideas on this would be much appreciated
36. Personal Safety
This authority seeks to promote the protection and safety of the public and taxi drivers. To achieve this in relation to driver safety, in 2008 the authority introduced:
 - i. Approved installation of driver shields
 - ii. Amended conditions of tinted windows
 - iii. Adopted DfT guidance on driver safety – see Annex C.
 - iv. Review of crime statistics every 3 months – crime against taxi drivers example attached – see Annex D
 - v. Approved installation of CCTV camera to licensed vehicles subject to certain criteria as outlined below:

'Personal safety – when fitted, a camera lens and equipment should present no impact danger to passengers

 - *The quality of recorded images should be of sufficient quality during all lighting conditions to continually demonstrate their strong deterrent value*

- *Passengers should be aware that they are being recorded. The vehicle will carry appropriate signs, approved by the council, informing the public that camera surveillance is active in the vehicle*
- *Encryption of images stored. The images contained in the recording device may only be downloaded by an authorised officer of the council or police officer. The manufacturer will supply the council with de-encryption software free of charge.*
- *Appropriate activation device*
- *The recording system and memory card or other image memory recording system will be securely stored within the vehicle and away from public access'*

37. Issuing of Receipts & Alternative Payment Methods

All drivers whether hackney or private hire will issue receipts on request. These invariably are hand written. However, technology does exist for receipts to be issued directly from a printer on a meter. This gives clear accountability and would greatly assist in reducing overcharging. It would however be an additional cost to the driver or vehicle owner. It should be noted that not all private hire vehicles are fitted with a meter and some companies operate off mileage charts.

The council places no restriction on drivers installing debit or credit card readers in their vehicles but request that customers are made aware of any surcharges imposed for paying through this route.

Options

38. Having considered the information provided within this report and its associated annexes, Members need to identify:
- the issues to be addressed through consultation
 - the relevant consultees
 - a suitable format for the planned consultation event
 - any additional information required for future meetings

Implications

39. There are no known Financial, HR, Legal, Equalities, ITT or other implications associated with the recommendations in this report.

Corporate Strategy

40. 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

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

Recommendations

42. Members are recommended to agree:

- i. The details of the consultation event including identifying the relevant parties.
- ii. What further information is required in support of the review

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

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Report Approved

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Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Annexes:

Annex A - Lists of Councils who have a) retained quantity controls & b) changed their policy to mainly quality controls

Annex B - Map of York Taxi Ranks

Annex C - Adopted DfT Guidance on Taxi Driver Safety

Annex D - Taxi Associated Crime Statistics for York