

- Employees work with colleagues in Communications to improve information to the public and visitors to the city centre on the locations where Hackney Carriage services are available.
 - Employees establish a Taxi Users Forum
- (ii) Agree the proposed pilot arrangements for vehicle testing requirements and age limits as detailed at Section 4 of the report.
- (iii) Agree the revisions to Private Hire Driver, Vehicle and Operator conditions as detailed at Section 5 of the report.

1.0 Purpose

- 1.1 Last March the Licensing Committee agreed to commission an independent Hackney Carriage Demand Survey to provide a detailed analysis of the current demand for Hackney Carriage services across the city and the ability of the existing fleet to meet that demand.
- 1.2 This paper details the findings of the survey and proposes several revisions to the licensing arrangements for Hackney Carriages following the survey.
- 1.3 The paper also sets out several other proposed revisions to Hackney Carriage and Private Hire licensing requirements following developments from the proposals detailed in the Deregulation Act 2015 and discussions at the recent trade working groups.

2.0 Background

- 2.1 On 25 March 2015 the Licensing Committee agreed to commission a Hackney Carriage Demand Survey. This was previously negotiated through the trade working groups and followed concerns from the trade at the implementation of a previously agreed policy to relax age limits on vehicles applying for new Hackney Carriage licences. On 13 February 2013 the Licensing Committee agreed a series of proposals to incrementally relax the Hackney Carriage new vehicle age criteria and stimulate growth in the fleet.
- 2.2 The relaxations allowed vehicles up to two and then four years of age join the fleet from 1 April 2013 and 2014 respectively. The requirement that all Hackney Carriages are purpose built and wheel chair accessible remained.
- 2.3 The final increment of the revised age criteria was scheduled to come into effect on 1 April 2015.
- 2.4 The policy had a limited impact with only five additional vehicles joining the fleet using the relaxed criteria.
- 2.5 Prior to the implementation of the final increment the trade expressed concerns that the original ambitions of the policy detailed above were no longer relevant and requested that the number of Hackney Carriage licences issued by the council is capped at its current level. In order to introduce a cap on Hackney Carriage licences the council is required to evidence the existing fleet is sufficient to meet existing demand, this must be through an independent Hackney Carriage Demand Survey.
- 2.6 As detailed above the Licensing Committee agreed to commission a survey and this was completed earlier this year. A copy of the survey is attached at Appendix A to this report.

3.0 Proposals following the Hackney Carriage Demand Survey

- 3.1 In consideration of the findings detailed in the Hackney Carriage Demand Survey, Licensing Committee are recommended to agree the following proposals:

- New Hackney Carriage vehicle licences will only be granted to new type approved vehicles
- A further Hackney Carriage Demand Survey be commissioned in three years time.
- CCTV cameras are purchased to assist with the enforcement of Hackney Ranks.
- Employees work with colleagues in Communications to improve information to the public and visitors to the city centre on the locations where Hacknet Carriage services are available.
- Employees establish a Taxi Users Forum to enable taxi service customers an avenue to liaise with the trade and Licensing Services.

3.2 It is proposed that the first item above is introduced with immediate effect.

4.0 Pilot arrangements for vehicle testing requirements and age limits

4.1 In the last ten years the Licensing Committee have agreed to several incremental relaxations in testing requirements and vehicle age limits for Hackney Carriage and private hire vehicles. These relaxations have generally been introduced initially as pilot measures which have been closely monitored and reported back to Licensing Committee.

4.2 These changes have not compromised public safety. The standard of vehicles being licensed and presented to Licensing Services has improved noticeably since the last of these pilot measures was made permanent in 2013.

4.3 Through the trade working groups the trade have requested that the following additional measures are considered by the Licensing Committee:

- That MOT test frequency is revised to allow vehicles that are up to ten years of age to be tested once a year (currently vehicles are tested once a year up to the age of six, then twice a year).
- The private hire age limit for a new vehicle to join the fleet is revised from under 10 years of age to under 12. But that the retirement remains unchanged at no older than 12 years of age.
- That the Hackney Carriage replacement vehicle age is returned to the previous requirement that the new vehicle is no older than the one it replaces rather than the existing requirement that the new vehicle is no older than five years of age. It is also proposed that where a suitable replacement vehicle is identified but this is within 12 months of the upper age limit that this vehicle could be licensed, however it would require an MOT and maintenance report from the Council's Culwell Street depot and approval from a Licensing Section Leader having regard to the exceptional condition criteria already in place.

4.4 As detailed above employees have not identified any problems with previous relaxations in vehicle age limits or testing arrangements. However the Licensing Committee is again only recommended to approve these proposals on a twelve month pilot basis. This will allow employees to properly assess the impact of these changes, particularly through increased roadside patrols in partnership with the Police and VOSA.

4.5 It was the shared view of both the trade and employees that these revisions would represent the final incremental steps in the process of gradual relaxation of vehicle age limits. As whilst public safety may not be compromised, it was universally agreed that saloon vehicles of 15 or 16 years of age should not be licensed private hire vehicles.

5.0 Revisions to Private Hire Driver, Vehicle and Operator Conditions

5.1 The recent cycle of trade working group meetings and developments resulting from the cross border sub-contracting provisions in the Deregulation Act 2015 have identified several proposed revisions to private hire conditions, these are detailed below.

5.2 The following addition is proposed for driver conditions:

- That drivers are required to advise Licensing Services of the operator base at which they intend to work, this must be in writing as prescribed and received prior to commencing work with the new operator.
- Drivers may not change their operator more than once within a 48 hour period.

5.3 The following additions are proposed for operator conditions:

- Where an operator accepts a sub-contracted fare from another operator the journey records must be recorded as in accordance with these conditions. However, operators are also required to record the operator from which the fare was sub-contracted from, the time at which this took place and that the sub-contracted fare was accepted. Please note that these records may be generated digitally.
- Where an operator accepts a sub-contracted fare from an operator licensed in another Licensing Authority area, then within reason, the operator must comply with requests for records of that fare from authorised officers of the Licensing Authority from the area in which the original booking was taken.
- At all times an operator is actively dispatching vehicles there shall be an identified phone number on which the operator (or their nominee) is available for contact by authorised officers of the Licensing Authority and the operators shall provide any information requested regarding journeys that have been dispatched and/or booked through the operator.

5.4 A discussion also took place regarding the use of magnetic door stickers and whether these should be prohibited through the vehicle conditions. No consensus was arrived at by the trade. As such the Licensing Committee are requested to consider this issue.

6.0 Trade Consultation

- 6.1 All of the proposals detailed above have been considered at the recent trade working group meetings.
- 6.2 With the exception of Section 5.4, the trade are supportive of all the proposals detailed in this paper.

7.0 Financial implications

- 7.1 There are financial implications arising from this report. The cost of the CCTV cameras to be installed at taxi ranks is approximately £20,000. This cost will be met from the approved Licensing Services budgets 2016/17. [TK/10062016/L]

8.0 Legal implications

- 8.1 The law governing the licensing of Hackney Carriage vehicles is largely contained within The Town Police Clauses Act 1847, as amended and the Local Government (Miscellaneous Provisions) Act 1976
- 8.2 Hackney Carriage and Private Hire licensing is a non-executive function and it is therefore the responsibility of Licensing Committee to determine the policy and procedures in respect of this matter. {SH/09062016/C}

9.0 Equalities implications

- 9.1 There are equalities issues arising from this report. The establishment of the Taxi Users Forum will allow a range of services users to contribute to policy development.

10.0 Human resources implications

- 10.1 There are no human resources implications arising from this report.

11.0 Schedule of background papers

- (i) Licensing Committee, Future Provision of Hackney Carriage Services, 13 February 2013
- (ii) Licensing Committee, Proposed Revisions to Hackney Carriage and Private Hire Vehicle Criteria, 20 November 2013
- (iii) Licensing Committee, Hackney Carriage Provision, 25 March 2015
- (iv) Licensing Committee, Proposed Revision to Hackney Carriage and Private Hire Vehicle, Driver and Operator Criteria, 22 July 2015