

Report of Head of Elections, Licensing and Registration

Report to Licensing Committee

Date: 4 July 2017

Subject: Proposed project to harmonise taxi & private hire vehicle and driver conditions across West Yorkshire

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report updates Licensing Committee on the proposals to align ('harmonise') taxi and private hire vehicle and driver conditions across West Yorkshire and City of York (referred to as WY&Y in this report), to improve passenger safety and respond to the likely changes in air quality standards arising from Clean Air Zones.
- 2 The council has made good progress in improving the safety of the travelling public in Leeds. However, because of taxi and private hire issues which span local authority borders, we will only make further improvements if we work more closely with neighbouring authorities. We also have much to gain on delivering an effective Clean Air Zone if we work more closely with neighbouring authorities.
- 3 The officers and members at the WY&Y licensing group have identified a range of priorities, which if we can deliver them, will improve the safety of the travelling public, and simplify council policy and conditions for our Licensing Committee and its equivalents in neighbouring authorities.
- 4 Officers from the authorities are developing a project for approval by the chairs of the respective WY&Y Licensing Committees (or equivalents), and with the support of the West Yorkshire Combined Authority.
- 5 If approved, the proposed changes would align the following policies across the different authorities:
 - CCTV in vehicles;
 - Convictions policy;

- Vehicle specifications (especially vehicle emissions);
- Driver training;
- Information sharing between authorities; and
- Effective cross-border enforcement.

Recommendations

1. That Members note the information in this report, and endorse the way forward.
2. To seek Members' support for the priority areas identified for harmonising policies and conditions.

1 Purpose of this report

- 1.1 To inform Members of the project on vehicle and driver policy harmonisation being developed by the heads of the respective Licensing Committees (or equivalents), and with the support of the West Yorkshire Combined Authority (WYCA)., Whilst the WYCA itself does not have responsibility for licensing, it is providing support to the WY&Y authorities who do for their individual areas.

2 Background information

- 2.1 Since 2015, officers from the five West Yorkshire Taxi and Private Hire Licensing teams and York, and the chairs of the Licensing Committees (or equivalents) have met to collaborate and share good practice on licensing and enforcement.
- 2.2 The focus of the officers and members groups has been to maintain and improve passenger safety, particularly in light of the safeguarding scandals in other towns and cities in the UK.
- 2.3 Since 2015, Leeds City Council has strengthened its own taxi and private hire licensing functions and has introduced new policies, including a strengthened convictions criteria policy and a safeguarding training requirement for all drivers and operators. The neighbouring authorities have also taken steps to improve or update their policies and conditions.
- 2.4 However, the WY&Y taxi and private hire licensing group have identified that, owing to the prevalence of cross-border working, authorities cannot work in isolation. The group have agreed that the collaboration approach would be more effective if the authorities were to undertake a project to align their policies and conditions, especially relating to passenger safety and vehicle emissions.

3 Main issues

Priorities for harmonisation

- 3.1 The West Yorkshire & York (WY&Y) group has identified six areas where the authorities could or should align their policies so that the conditions are the same.

- CCTV in vehicles;
- Convictions policy;
- Vehicle specifications (especially vehicle emissions);
- Driver training;
- Information sharing between authorities; and
- Effective cross-border enforcement.

The table below summarises the six areas and indicates the opportunities for the WY&Y group to gain by aligning better the relevant policies and conditions.

	Opportunities for harmonisation
CCTV in vehicles	<p>Some WY&Y authorities (including Leeds) currently promote or subsidise CCTV in vehicles. No WY&Y authorities have made CCTV in vehicles mandatory, although 9 authorities, including Rotherham, have done so.</p> <p>Taxi and private hire trade is broadly supportive of CCTV – reduces insurance premiums, reduce bad behaviour, but does come at a cost.</p> <p>Significant data protection implications for authorities as Data Controllers.</p> <p>Opportunity to engage and consult with the trade across WY&Y, and to develop common, simple rules for CCTV, common list of approved installers.</p>
Convictions policy	<p>Some WY&Y authorities (including Leeds) currently have a convictions policy in place, providing guidance to officers/members making decisions about whether to give licences to people who have convictions.</p> <p>Trade is critical that Leeds has a strong line on convictions, but drivers with convictions and refused by Leeds often get licenses to work from other authorities.</p> <p>Opportunity for all WY&Y authorities to adopt the same convictions policy.</p>
Vehicle specifications	<p>All WY&Y authorities currently have conditions on vehicle livery, to clearly indicate vehicles as taxis or private hire, although Wakefield does not require door livery.</p> <p>Opportunity for all WY&Y authorities to adopt the same livery policy.</p> <p>WY&Y authorities have different conditions on the age of vehicles, size of engine, and vehicle emissions.</p> <p>Energy Saving Trust report: the Leeds fleet is 87% diesel, 7% electric/hybrid, 6% petrol, 1% gas and Gas Bi-Fuel. 4% of the diesel fleet is Clean Air Zone compliant (Euro 6) diesel. 100% of the petrol fleet is Clean Air Zone compliant (Euro 4) petrol.</p> <p>Trade is currently aware that Leeds will have a Clean Air Zone, and will provide charging points for electric/hybrid vehicles. Trade likely to be concerned about removal of age extensions for older diesels.</p> <p>Opportunity to engage and consult with the trade across WY&Y, and to develop common approach to reducing the number of older diesels across the region, encourage electric, hybrid and other low emission vehicles across the region.</p>
Driver training	<p>WY&Y authorities provide driver training differently. York does not provide safeguarding training. Bradford does not require literacy and numeracy training.</p> <p>Trade is critical that drivers often have a wait of 6-8 weeks to get on a Leeds training course.</p> <p>Trade is critical that authorities have different driver training, not transferable from one authority to another.</p> <p>Opportunity for all WY&Y authorities to design a common training curriculum and</p>

	Opportunities for harmonisation
	procure a panel of approved training providers across the region.
Information sharing between authorities	<p>Some WY&Y authorities have written to Department for Transport and MPs to lobby for national taxi and private hire licensing database. Leeds is working with a Local Government Association (LGA) project to set up a database of refused and revoked licenses.</p> <p>WY&Y authorities are looking to put in place an arrangement to share information between each other on drivers whose licenses have been suspended, refused and revoked from Jan 2017 onwards. Any such arrangement would be discussed with the Trade.</p> <p>Opportunity for all WY&Y authorities to work to common standards about information sharing, fair processing information to applicants and licence holders who are renewing licences.</p>
Effective cross-border enforcement	<p>All WY&Y authorities have revised their policies and conditions to allow authorised officers from WY&Y authorities to inspect vehicles and check drivers licensed in WY&Y authorities as they would do for vehicles and drivers licensed in their own district.</p> <p>Some WY&Y authorities have written to Department for Transport and MPs to lobby for national taxi and private hire enforcement.</p> <p>WY&Y authorities have agreed to share information between each other on drivers whose licenses have been suspended, refused and revoked from Jan 2017 onwards.</p> <p>WY&Y authorities in the process of finalising staff badges, ticket books, staff training to ensure clear and consistent approach across WY&Y.</p> <p>Trade are currently very critical of local authorities' inability to enforce effectively vehicles working in a district, but licensed elsewhere.</p> <p>Opportunity for all WY&Y authorities to enforce effectively in their districts on any vehicle licensed in WY&Y.</p>

Project leadership

- 3.2 The officer group has explored ways to deliver the project. Initially, it was hoped to use officers from Leeds City Council's PPPU service. However, along with the project management and support from PPPU, there would still be a requirement for a significant commitment in officer time from each authority. Because taxi and private hire licensing functions are ring-fenced, funding would have to be provided through cost savings or reductions elsewhere in each authority. Some authorities said it would be difficult for them to commit to that level of resource..
- 3.3 The group had explored providing project leadership and support from within the licensing teams. However, this option posed a risk to the service continuity for the authorities offering the project resource, especially if the posts could not be backfilled quickly or with sufficient expertise.
- 3.4 The preferred approach is to seek an experienced licensing or leadership professional to lead the project. It may still be necessary to buy in some project support, but at a significantly lower cost.
- 3.5 If successful, we would expect the project leader to complete a brief baselining exercise in August or September 2017, summarising the current position of each authority, and assessing the readiness for change. We would expect the harmonisation project to take between eight and twelve months.

Consultation exercises

- 3.6 The six WY&Y authorities have different governance and consultation models. This means that the consultation on the six priority areas would move at the speed of the slowest, waiting for the consultation to be completed, before moving on to the next consultation.
- 3.6 The aim of the project is for all six WY&Y authorities to harmonise their relevant policies and conditions for the six priority areas, and not allow for local variations. The recommended policy statement will be brought before the Licensing Committee for recommendation for approval. This will, however, require the Licensing Committees and Lead Members for licensing to be prepared to compromise on some details, especially those which do not have a direct bearing on passenger safety or vehicle emissions.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.2 Full consultation and engagement will take place with the trade, staff, passengers and representative groups.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Equality and Cohesion Screening Assessments are carried out on the policies recommended for approval at Licensing Committee which are used to inform decision making.
- 4.2.2 It may be useful to allow age extensions for older wheelchair accessible vehicles. This will be reviewed as part of an Equality & Diversity Impact Assessment.

4.3 Council policies and City Priorities

- 4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan 2013 -17

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs,
- Boosting the local economy
- Generating income for the council

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time
- Improving customer satisfaction

4.3.2 Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds
- Effectively tackle and reduce anti-social behaviour in communities
- Safeguarding children and vulnerable adults:

4.3.3 Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff, who play a part in the lives of children or vulnerable adults.

4.4 Resources and value for money

4.4.1 As this is an information report there are no resource or value for money issues to consider.

4.4.2 However it should be noted that the Taxi and Private Hire Licensing service is cost neutral to the Council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licenses. This means that any additional costs associated with the proposals will be funded via license fees and will not place additional pressure on the council's budget.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications arising from these proposals and they are not subject to call in or publication.

4.6 Risk Management

4.6.2 Consideration will be given to each proposal prior to introduction.

5 Conclusions

5.1 The council has made good progress in improving the safety of the travelling public in Leeds. However, we will only make further improvements if we work more closely with neighbouring authorities. We also have much to gain on delivering an effective Clean Air Zone if we work more closely with neighbouring authorities.

5.2 The officers and members at the West Yorkshire and York licensing group have identified a range of priorities, which if we can deliver them, will improve the safety of the travelling public, and simplify council policy and conditions for our Licensing Committee and its equivalents in neighbouring authorities.

6 Recommendations

6.1 That Members note the information in this report, and endorse the way forward.

6.2 To seek Members' support for the priority areas identified for harmonising policies and conditions.

7 Background documents

None.