



AGENDA ITEM: 5

Report for:	Licensing and Health & Safety Enforcement Committee
Date of meeting:	30 July 2024
PART:	I
If Part II, reason:	

Title of report:	Draft revisions to Taxi and Private Hire Licensing Policy – Request to consult upon changes
Contact:	Sally McDonald – Licensing Manager
Purpose of report:	To present draft revisions to the existing Taxi and Private Hire Licensing Policy and seek approval to put the draft revisions out for consultation.
Recommendations	<p>To consider if further revisions are required.</p> <p>To agree that the document containing the draft revisions is put out for consultation for a period of six weeks.</p>
Corporate objectives:	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Building strong and vibrant communities • Ensuring economic growth and prosperity • Ensuring efficient, effective and modern service delivery
Implications:	<p><u>Financial</u> It is expected that the revisions proposed will be cost neutral to the Council, however, any impact will be considered during the fee setting process.</p> <p><u>Value for Money</u> Having the policy in place seeks to increase efficiency of the work in this area by providing guidelines that drivers should follow when working in the Hackney and Private Hire trade. The revisions are intended to give some clarity where previously some areas were not completely clear, and to amend some of the processes where these need bringing up to date with driver’s use of technology.</p> <p><u>Risk Implications</u> The policy seeks to reduce risk to the public and to the Council by having clear requirements for both new applicants and existing</p>

	<p>licence holders, and providing clarity for Officers and members when decision making.</p> <p><u>Equalities Implications</u> An Equalities Impact Assessment was completed when the Policy was initially presented in 2021. This has been revised in line with the proposed amendments, and is available if required.</p>
Consultees:	<p>The existing licensed trade will be consulted with once the draft revisions have been agreed by the Committee. Consultation on the revisions will be carried out directly with the individual licence holders, as well as with the Trade Association. A wider consultation will also be undertaken via 'Let's Talk Dacorum' on the Council's website so that members of the public have an opportunity to respond.</p>
Background papers:	<p>Department of Transport Best Practice Guidance November 2023</p> <p>Department of Transport Statutory taxi and private hire vehicle standards (November 2022)</p> <p>Current Taxi and Private Hire Licensing Policy</p>
Glossary of acronyms and any other abbreviations used in this report:	

1. BACKGROUND

- 1.1. The current Taxi licensing policy went through a formal 12 week consultation exercise following agreement by the Licensing Committee in March 2020. Due to the onset of the Coronavirus pandemic this was substantially extended, and the final results of the consultation were presented to the Committee on 20th April 2021. A high number of responses and a petition containing 114 signatures was submitted, most of these relating to the introduction of an emissions policy.
- 1.2. Officers and the trade have now been working with the policy for 3 years, which has highlighted a number of issues with clarification around some of the phraseology, and presented an argument to change some of the policy requirements following changes to national policy and deadlines.

2. KEY CHANGES

- 2.1. The key changes proposed are as follows:

- 2.1.1. Paragraph 5.8: to amend this paragraph to provide clarity on the removal of grace periods, and confirm that once a licence has lapsed it ceases to exist and therefore cannot be re-instated, meaning the driver will need to re-start the application process from scratch.

2.1.2. Paragraph 10.6: To confirm the requirement for all drivers to be contactable by e-mail, which enables a much swifter and more efficient and cost effective method of communication.

2.1.3. Paragraph 12.1: To clarify as to when knowledge tests are required.

Knowledge Test

2.1.4. Paragraph 12.3: Knowledge tests – currently the knowledge test comprises 86 route and ‘points of interest’ based questions (Sections A and B) and a 20 question section on knowledge of the Councils conditions (Section C). Tests are 2.5 hours in duration, with a pass mark of 66 points for Sections A and B, and 15 for section C. In 2017 proposals were put forward to simplify the Knowledge Test, however, this was not agreed by the Committee at that time. Since then, the use of satellite navigation systems and apps have increased significantly, which has given rise to requests from one of the larger operators in the borough to re-think how these tests are carried out, focussing more on safeguarding, disability awareness and driving ability.

2.1.5. While safeguarding, advanced driving, testing communication skills and disability awareness qualifications were already included in the Policy, changes to the way we carry out written knowledge tests in line with the increased use of satellite navigation technology have been considered, and the proposal for those changes is set out in section 12.3 sections a), b) and c).

2.1.6. A comparison of taxi licensing policy across Hertfordshire and Bedfordshire has been carried out in respect of how each Council provide a knowledge test to prospective drivers. The information is as follows:

Watford Council:

Hackney Carriage applicants: Not allowed to use maps or applications during the test.

Private Hire applicants: Tested on a smaller area and allowed to use paper map/A-Z with less questions asked.

St Albans City Council:

Currently a multiple choice test (apart from routes section) for both Hackney and Private Hire.

Hackney carriage routes – 10 questions

Private Hire routes – 5 questions

The other sections have 5 questions for both Hackney and Private Hire.

Note: St Albans have proposals currently out for consultation to amend their Knowledge Test to the same proposals as Dacorum set out in section 12.3 sections a), b) and c).

Three Rivers District Council:

Currently 30 multiple choice questions over 4 sections. One section is on the policy of which an applicant must score 100%. The other sections require an 80% pass mark.

Luton Borough Council:

Current test is 30 minutes long and comprises 26 multiple choice questions for both Hackney and Private Hire applicants.

Note: Luton BC also offer a Hackney Carriage Airport Licence/Knowledge Test)

East Hertfordshire Council:

Dual drivers must answer 25 topographical questions.

Private Hire 12 topographical questions.

All applications 25 multiple choice questions.

All tests are completed virtually.

Broxbourne Council:

Handwritten test. Their policy states that all applicants must pass a Knowledge test with a provider prescribed by the Council, but no further information provided.

Hertsmere:

New applicants attend a training day, which includes a number of subjects which form the basis of the test, along with routes etc. No details found on number of questions.

- 2.1.7. Looking at the information above, it is apparent that Dacorum currently have the most stringent test. Given that driver applications have declined over the last ten years for a number of reasons (though these are not solely application process related), consideration has been given to changing the format of the test, leaning towards more online training courses, with a less complicated written test, in order to encourage drivers to come to work in the borough. This will also free up valuable resources within the Licensing Team who currently invigilate the 2.5 hour tests, and put the onus onto the applicant to provide evidence of passing the requested courses before sitting any written test.

EMISSIONS

- 2.1.8. Paragraph 19.3 and 19.4: Changes to the Emissions requirements. The current policy requires all vehicles licensed by Dacorum Borough Council as Hackney or Private Hire vehicles to be hybrid/electric standard by 2027. At the time of implementation of the policy, the national deadline was for new vehicles produced to be electric by 2030, but this deadline had since been extended to 2035 by the Government.
- 2.1.9. The draft policy amendment seeks to re-inforce the expectation of a transition to hybrid/electric vehicles, in line with the Government deadline of 2035, rather than the current deadline of 2027 meanwhile ensuring the fleet is operating at a minimum with the current highest clean air standard of Euro 6 or above.
- 2.1.10. As part of the report preparation, the matter was discussed with the Lead Environmental Health Officer (Pollution) at Dacorum Borough Council, who advised that study and research is constantly changing in regards to the wider impacts of moving over to EVs, in terms of the production of particulates, and wider global carbon considerations around the manufacturing process, mining and energy supply. Hertfordshire County Council's Air Strategy lead Matt Clark

had recently spoken in CIEH conferences as well as addressing a parliamentary select committee regarding air quality and referred the Officer to the website 'Emissions Analytic', which has information on testing, analysis and comments on the impact of the mass move to EVs from an air quality and human health perspective. Officers can provide links to the specific sections of relevance and interest if required.

2.1.11. An additional point of note is that in February 2024 concerns from a driver were raised with the Council's Chief Executive concerning the 2027 deadline set out in the policy, due to the cost of replacing vehicles, and in particular wheelchair accessible vehicles – particularly the prohibitive cost of purchase when a diesel wheelchair accessible vehicle could be purchased for half the price.

2.1.12. In the last ten years, taxi numbers, though experiencing minor fluctuations during that period, have gone from 407 licensed vehicles on 7th April 2014 to 273 licensed vehicles as of 1st July 2024. A number of factors may be responsible for this decrease, increased competition following changes to the law which have legalised the sub-contracting of bookings between private hire operators in different areas, the increase in UBER vehicles which are licensed by TfL (and more recently BOLT who have operators in a number of local authorities), and possibly, as mentioned above, the affordability and practicality of purchasing and maintaining an electric vehicle given the mileage that licensed vehicles do in a year.

2.1.13. At the time of writing this report, the current fleet in total is 273 vehicles, made up of 9 all electric vehicles, 4 diesel/hybrids, 28 petrol/hybrids, and 40 Euro 5 standard vehicles (which cannot renew after 1/4/2025) with the remaining 192 vehicles being Euro 6 standard or above.

2.1.14. Going forward, Licensing aim to carry out regular reviews of any changes to the current national deadlines and vehicle costs nationally and improvements to infrastructure locally, engage and consult with the trade (potentially by way of a survey to establish what they feel are the main issues), with a view to a further review of this section of the policy within three years.

2.1.15. The changes proposed have also been considered in line with other local authorities in Hertfordshire and Bedfordshire, who, though in the most part require vehicles to be EURO 6 standard, are not asking for the changeover to hybrids or all electric vehicles within a specified timescale ahead of the current national deadline.

2.2. A comparison of emissions requirements across Councils in Hertfordshire and Bedfordshire has been undertaken as follows:

Watford Council:

Age policy: no vehicle registered before 2006 will be accepted.
As of April 2025 any petrol or diesel vehicle must be EURO 6 and any hybrid/petrol or diesel must be EURO 5.

St Albans City Council:

From April 2022 all vehicles had to be EURO 5. From April 2025 all vehicles whether new or renewals must be EURO 6.

Three Rivers Council:

2022 policy confirms that all newly licensed vehicles must be minimum EURO 5 emissions status.

Luton Borough Council:

Age limit of 5 years and under. EURO 6, diesel, PHEV (plug in hybrids) and BEV (battery electric vehicle) vehicles no more than 7 years old.

East Hertfordshire Council:

From 01/04/2020 all vehicles must be of EURO 6 emission status when being licenced for the first time.

From 01/04/2023 all renewals must be of EURO 6 status.

Broxbourne:

Age policy in place: New vehicles must be under 5 years old.
Offer a lower fee to electric and hybrid vehicles.

Hertsmere Council:

Age policy – vehicles must be EURO 6 and under 6 years old at first application, and will not be renewed once they are 8 years old.

2.3. Along with updating the Knowledge Test, the amendments to these requirements may encourage more applicants to become licensed drivers in the borough.

3. OTHER CHANGES

3.1. The remainder of changes to the policy are minor changes to job titles, correction of minor spelling errors, and checking hyperlinks to ensure they are functioning correctly.

4. CONSULTATION

4.1. The taxi trade will be individually consulted, along with our neighbouring authorities in Hertfordshire and Bedfordshire and the County Council, and consultation with the public will be carried out via publication on the Dacorum Borough Council website.

5. RECOMMENDATIONS

5.1. It is recommended that:

- a) the Committee consider the draft Policy and agree for this to be presented for public consultation for a period of 6 weeks; and
- b) the results of the Consultation to be fed back at a future meeting of the Committee for consideration as to the next steps.