

2023 Annual Report on Hackney Carriage and Private Hire Licensing (Environmental Services, Robert Smith)

Synopsis of report:

To present the 2023 Annual Report on matters relating to Hackney Carriage and Private Hire Licensing and its operation within Runnymede.

Recommendation(s):

None. This report is for information.

1. Context of report

- 1.1 The Licensing Section is responsible for administering and enforcing the Hackney Carriage (HC) and Private Hire (PH) licensing regime in Runnymede. This report is to enable the Committee to be appraised of developments over the past year and gives an overview of the work undertaken by the Licensing Section.
- 1.2 The annual report includes statistical data from the Council's licensing records. To have some commonality with other reports, unless otherwise stated, the data covers the period 1 April 2022 to 31 March 2023.

2. Report

- 2.1 Detail is included in relation to the following items:

- Statistics
- Suspensions / refusals
- Knowledge test
- Communications
- Enforcement and complaints
- Fees and fares
- New legislation and guidance
- Conditions and requirements
- Future Developments
- Staffing arrangements

Statistics

- 2.2 A chart showing detailed statistical information on the numbers of drivers, vehicles and operators licensed by Runnymede licensed since 2012 (when we started compiling this information) is shown at Appendix 'A'.
- 2.3 Members will note the number of licensed drivers and vehicles has declined over the past 6 years and more recently the speed of the decline has increased since 2017. It does though, appear that the decline has now slowed and we are seeing a levelling out in numbers. There are still more drivers licensed than vehicles and it is likely that as drivers with no vehicles come to the expiry of their current HC or PHV licence they will not renew it, so we do expect driver numbers to reach near parity with vehicles over the next 2 years. The changes in regulations, online app booking systems and the influx

of out of area drivers and vehicles into Runnymede have all contributed to this decline. More recently the pandemic has affected the trade with reduced number of customers during that time although these have now recovered to pre pandemic levels with operators reporting a high demand for their services. Driver shortages are a countrywide problem and not unique to one area. Many drivers have not returned to the trade post pandemic, those who were of an age where they could retire have decided to do so and some drivers have moved on to other jobs.

- 2.4 Members may recall that Runnymede amended the vehicle age policy in 2014 by introducing 'no age limit' along with more stringent standards concerning the condition of the vehicle. The charts below are produced to show age and mileage statistics of taxis and private hire vehicles in Runnymede as of 31 March 2023.

Chart 1- mileage of vehicles

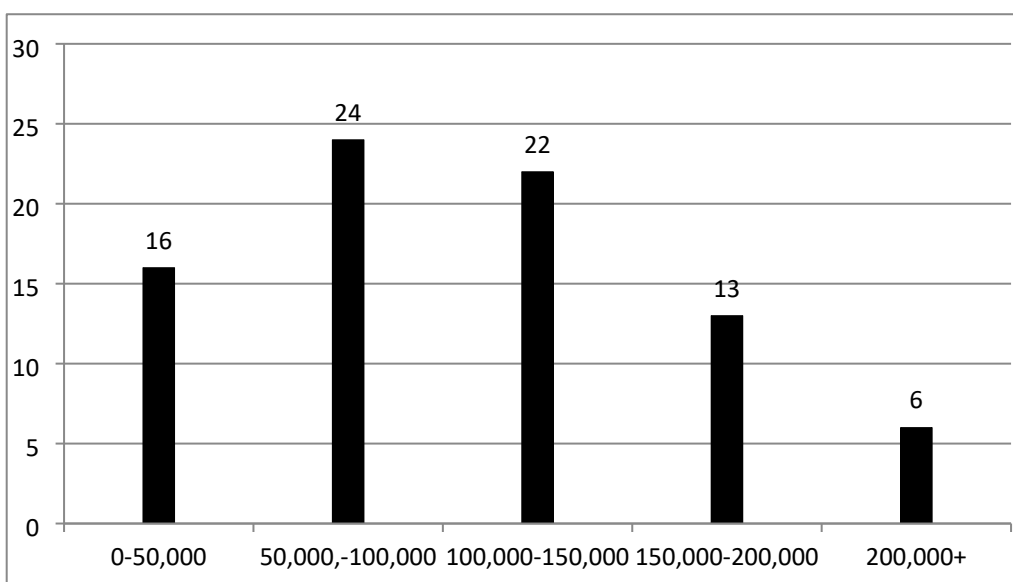
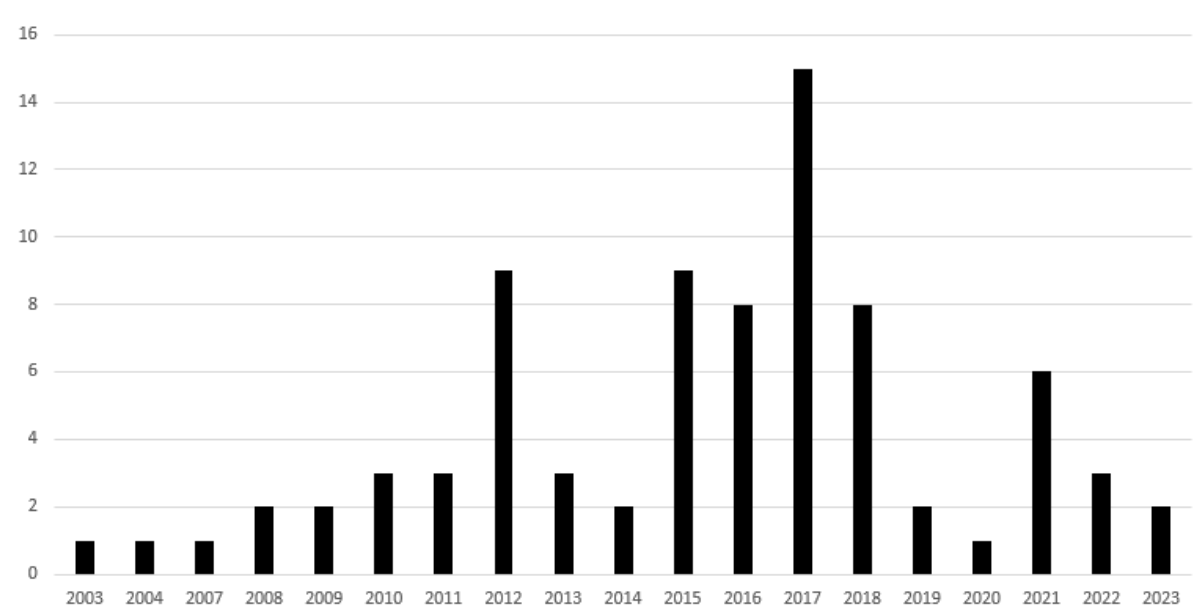


Chart 2 - ages of vehicles

(The number of vehicles is shown on each bar and the scale on the left).



- 2.5 In light of the challenge to reduce vehicle emissions and the introduction of the Ultra-Low Emission Zone (ULEZ) in London and its proposed introduction elsewhere, chart 4, below, has been produced to demonstrate the number of HC and PH vehicles licensed in Runnymede meeting the various Euro engine emission standards.

Chart 3 – vehicle emission standards

Vehicle registered from	Emissions standard	Number licensed
1 January 2001	Euro 3	2
1 January 2006	Euro 4	8
1 January 2011	Euro 5	22
1 September 2015	Euro 6	49

Suspensions refusals and revocations

- 2.6 The Licensing Section assists drivers in keeping track of their documentation by sending them a reminder letter or email 6 to 8 weeks prior to the expiry of their medical, DBS (Disclosure and Barring Service) check, DVLA driving licence check and HC/PH drivers and vehicle licence renewals. Councils are not obliged to remind drivers of these dates but it is a routine, well-practiced procedure, which assists in the smooth running of the licensing regime. This is often followed by a phone call or text to ensure drivers are taking steps to ensure they supply documentation and applications on time.
- 2.7 There were no suspensions, refusals or revocations in this year.

Knowledge test

- 2.8 All new driver applicants are required to pass the Runnymede hackney carriage or private hire knowledge test and all operators are required to pass a test on the conditions and requirements of operators.
- 2.9 The knowledge test is carried out once a month and the fee is payable for the first test and any subsequent resits. The test is in written form although we do make provision for those with difficulty reading or writing. A maximum of six applicants may take the test at the same time.
- 2.10 The current test was brought into operation in January 2014 and comprises three parts: part 1- conditions and regulations which also includes a numeracy

test, part 2 - topographical and part 3 – a route test for hackney carriage driver applicants only.

- 2.11 To maintain relevance, the knowledge test's content is updated at regular intervals to consider new legislation or conditions, as well as new developments within the borough.
- 2.12 It is important to ensure the knowledge test is at the right level to demonstrate applicants have sufficient local knowledge and that it has not become a barrier preventing new driver applications. It is reviewed regularly and on practice small changes are made to update it with the newest information following road layout/name changes or the structure of questions.
- 2.13 All those who apply to do the knowledge test receive a study guide to assist them in preparing for the topographical test (part 2). This test is a simple test of the applicant's knowledge of the local area. This comprises 60 questions which ask for the street name and town of locations or prominent landmarks. In demonstrating they know where these key locations are, we can be confident that the driver has an appropriate level of knowledge about Runnymede.

Communications

- 2.14 Over the past year we have continued to communicate with the trade as much as possible. Our methods and further improvements aimed at reducing costs are described below.
- 2.15 Officers produce a regular newsletter which contains details of events, latest developments in the trade and new legislation. This is emailed to all drivers and operators and placed on Council's web site where there is a page specifically for hackney carriage and private hire news. All drivers and operators have been made aware of the existence of this webpage and encouraged to view it.
- 2.16 Drivers are asked to supply us with their e-mail address; this is the best way to communicate with them and vice versa. We can send group or individual e-mails to all drivers and all operators. We continue to encourage drivers to supply their up-to-date e-mail addresses on application forms.
- 2.17 As referred to in section 2.6, reminder emails are sent to drivers with the necessary information for licence renewal, medical checks, DBS checks, tax conditionality checks and vehicle Mot's etc. We also use texts for general messages. Texting costs approximately 0.1p per text and we can send a text to individuals or groups. This is most useful for making drivers aware of urgent matters as a matter of course and can be used to send an additional reminder if necessary. The use of email notification also keeps costs down and this is reflected in the licensing fees.
- 2.18 Forums where drivers and operators can exchange views with the Licensing Section were re-introduced in October 2013, these are held three times per calendar year although these were put on hold during the pandemic, they have now resumed with the most recent being held on 22 March 2023. The remaining forums for 2023 will be held on 12 July and 25 October.
- 2.19 Despite encouragement, attendance at forums is very low, however those who do attend raise some very valid points and give us some useful feedback which is always very welcome.

Enforcement and complaints

- 2.20 The Licensing Section becomes involved in enforcement activity where necessary.
- 2.21 Transport for London Enforcement Officers have supported us in previous years and last joined us for enforcement days in April 2019. They have been available post Covid but we have met with them in person recently and joint enforcement days will be resumed shortly.
- 2.22 Complaints have been received about Runnymede drivers in the last financial year. A list of these is produced below.
- attitude of driver - 2 complaints from members of the public, 1 x allegation of poor driving and shouted at other driver investigated and lacked evidence, no cctv or independent witnesses. - driver advised. 1x allegation of poor parking on a taxi ramp and shouting at person on foot investigated and lacked evidence, no cctv or independent witnesses. - driver advised.
 - attitude of driver – 1 informal complaint from another Runnymede driver regarding poor use of language by another Runnymede driver - driver advised.
 - misuse of taxi rank - warning given to RBC licensed driver who had parked on a taxi rank in another area.
 - vehicle condition – warning given to Runnymede licence driver for using a hackney carriage without a roof light.
 - vehicle condition – warning given to Runnymede licence driver for using a private hire vehicle without pre book only door signs – driver warned and advised.
 - Use of vehicle – formal interview and warning to Runnymede licensed driver over conditions of use.
- 2.23 Previously there was no scope to recover enforcement costs through taxi licensing fees. Councils can now recover costs of investigating complaints about drivers licenced by that Council only. Fees cannot be recovered in relation to any investigation into drivers licensed by other Councils or drivers who are unlicensed. Officers are recording the amount of time spent on any investigation so that any additional costs can be recovered through the fee structure.
- 2.24 It must be emphasised that enforcement activity does take a considerable amount of time and of course it must be done correctly and meet evidential standards. The Licensing Section must balance the other licensing priorities against enforcement activity to ensure we deliver a service to drivers and operators which does not delay their applications.

Licensing Fees and Fares

- 2.25 Fees and hackney carriage fares are reviewed annually in November of each year. Following review in 2022 changes were made to fees for the period 2023/2024. The fees are shown at Appendix 'B'.
- 2.26 Hackney carriage fares were last increased on 2 July 2022 following some volatility in fuel prices and high inflation rates. It is the Officers' view that the Council must be flexible enough to review fares as and when circumstances dictate. The current fares are shown at Appendix 'C'. A survey to assess the

trades views on another increase was carried out in April this year and only 3 responses were received, 2 for and 1 against.

- 2.27 The fee setting process includes a comprehensive breakdown of fees for each licensing process. In setting the fees we have been transparent in our approach and made all reports and details of the fee setting process available.
- 2.28 It is essential that fee setting for taxi and private hire licensing reflects the true cost of administering/determining applications.
- 2.29 Fee setting will take place again later this year; a report will be presented to this Committee in November 2023.
- 2.30 Over the last few years there has been a reduction in the number of drivers and vehicles which has had a significant impact on the income from taxi licensing. As of 31 March 2023, we have 127 (59%) fewer drivers and 108 (57%) fewer vehicles than we did 5 years ago on 31 March 2018. This equates to an income loss of approximately £51,000 from drivers (this is split over a three-year period as licences are valid for three years) and approximately £27000 from vehicles per year (vehicle licences only being valid for one year) an approximate total of £44,000 per year after considering the driver licence fee being split over three years (all figures are approximate).

New and proposed Legislation and Guidance

- 2.31 In 2020, we saw the publication of Statutory Taxi and Private Hire Vehicle Standards and the subsequent inclusion of many of these in our Hackney Carriage and Private Hire Policy in January 2021.
- 2.32 The Department for Transport best practice guidance for taxi and private hire vehicles was last published in 2010. An updated version was subject to consultation in 2022 and the resulting update is awaited.
- 2.33 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent on 31 March 2022. The Act places new duties on taxi and private hire vehicle (PHV) licensing authorities in England:
- 2.34 The National Register of Taxi Licence Revocations and Refusals (NR3) has been available since 2018. The Register provides a mechanism for licensing authorities to record details where a taxi or PHV drivers' licence has been refused or revoked and allows licensing authorities to check new applicants against the Register. The simple objective of the NR3 was to ensure that licensing authorities could take properly informed decisions on whether an applicant was 'fit and proper', in the knowledge that another authority had previously reached a negative view on the same applicant.
- 2.35 NR3 was developed and promoted to improve public safety and confidence in taxi and PHV licensing. The benefits of sharing this data were widely acknowledged and the Department for Transport (DfT) has recognised the value of NR3, using legislation to mandate its use.
- 2.36 On 31 March 2022, the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent. Statutory Guidance was published on 23 May 2022. From 7 April 2023, the Act places new duties on PHV licensing authorities in England. The Act contains provisions that require licensing authorities to record information relating to drivers' licensing histories (refusals, revocations or suspensions) on a National Register. Furthermore, before a licensing authority in England decides whether to grant or renew a

driver licence, it must search the Register for any entry relating to the applicant.

- 2.37 The Secretary of State has approved the new Register and confirmed that it will be maintained by the National Anti-Fraud Network (NAFN).
- 2.38 The simple objective of the NR3 National Register is to ensure that licensing authorities can take properly informed decisions on whether an applicant is 'fit and proper' in the knowledge that another licensing authority has previously reached a negative view on the same applicant. The NR3 Register provides a mechanism for licensing authorities to establish whether an individual has had a licence refused, revoked or suspended and identifies the licensing authority that took the action.
- 2.39 Whenever a taxi and PHV licensing authority processes a new application or renewal, it is required to check the NR3 Register at a suitably early stage of the process to confirm whether the applicant was subject to a previous licensing decision of which they should be aware. A licensing authority must not base its decision solely on an entry on the database. Every application must be considered on its own merits.

Conditions and requirements

- 2.40 Runnymede's existing hackney carriage and private hire licensing policy was adopted by the Council on 2 March 2021. To date, the policy has proved itself to be of great assistance as it has eliminated many of the grey areas around taxi and private hire licensing. This policy is valid until 31 March 2025.
- 2.41 In April 2018 the online training program concerning of the mandatory training for drivers and operators on safeguarding and recognising child sexual exploitation was made available to the trade. This is a Surrey wide initiative supported by all Surrey Districts and Councils, including Surrey County Council. It was given as free training to existing drivers and operators and it is part of the new licence application process; new applicants must pay £18 to take the training. All drivers and operators who are licensed in Runnymede have completed the training.
- 2.42 Drivers must now, as per our policy, subscribe to the Disclosure and Barring Service (DBS) update service (at a cost of £13 a year). This allows licensing staff to simply check the status of a driver's DBS online, with their written permission. This makes for a simpler cost saving service with little inconvenience for the driver.
- 2.43 On 28 June 2022, the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 (the 'Act') took effect in England, Scotland, and Wales. It amended the Equality Act 2010 by introducing new and amended existing duties for local authorities and taxi and private hire vehicle (PHV) drivers and operators alike. Following consultation this Committee agreed to make it a condition of driver licensing that drivers and operators take an online course to avail themselves of their new duties and responsibilities. This costs £40-45 per person.
- 2.44 One of the benefits enjoyed by the trade in Runnymede is that we do not have an age limit on vehicles, this of course allows those older good condition vehicles to be licensed. However, we do expect vehicles to be in a good safe condition and have a licensing condition in place where if a vehicle has MOT advisories on any tyre, brake, steering, or suspension matters that vehicle will not be licensed.

Hackney Carriage Ranks

- 2.45 To date, the following ranks have been appointed for hackney carriages within the Borough of Runnymede: -

Virginia Water Station Approach	2 - (adjoining Public Car Park)
Egham Railway Station	6 - Egham Station car park
Chertsey Railway Station	2 - Chertsey Station car park
Addlestone Station	2 - Addlestone Station car park
Thorpe Park	3 - Car park

In addition to these ranks, designated drop of and pick up points are available at some supermarkets and the Addlestone One development.

- 2.46 Previous attempts to introduce new ranks in Egham have not been successful due to lack of support from local business, the public and the trade. We are aware of the need for additional ranks, particularly in Egham town centre.
- 2.47 The ranks at railway stations are situated on land belonging to South Western Railway (SWR) who charge for their use. The Council has a contract with SWR which allows the Council to rent the ranks at a very favourable rate. We are fortunate in that the fees charged for these ranks are substantially lower than elsewhere only one other station in the entire SWR region has a similar arrangement.
- 2.48 At all other railway stations bar 2, SWR have contracts with individual hackney carriage proprietors and charge each of them between £600 and £1,200 per year for use of the ranks at one station.
- 2.49 SWR charges per calendar year. In the calendar year 2022 and again 2023 Runnymede Council was charged £5,000 (exc Vat) in total for all ten station car park bays, this amounts to £500 per bay.
- 2.50 For individual hackney carriage proprietors in Runnymede this equated to approximately £145 for each vehicle per year in 2022. This is recovered through the hackney carriage vehicle licence fee and accounts for the difference in fees between hackney carriage and private hire vehicles.

Staffing of the Licensing Section

- 2.51 The Section's current staffing consists of: -
- One full time Senior Licensing Officer who has responsibility for applications in regard to all taxi licensing, The Licensing Act 2003, the Gambling Act 2005 and Scrap Metal Dealers Act 2013.
 - One part time taxi Licensing Officer post working 12.5 hours a week.
 - One full time Licensing Administrator who has responsibility for administering Taxi licensing, the Licensing Act 2003, the Gambling Act 2005 and Scrap Metal Dealers Act 2013.
- 2.52 The administrative staffing component for all licensing functions is one full-time administration post. This is a key position in licensing and one that requires staff with considerable knowledge, common sense, skill and ability.
- 2.53 The Taxi Licensing Officer's post comprises 25 hours a week. This had been shared by two Officers. However, owing to retirement, one half of this post (12.5 hours) has remained vacant since August 2020. With a falling number

of drivers and vehicles there is less income and we must take reasonable steps to make savings where we can.

Future Developments

- 2.54 As stated above, the Department for Transport's best practice guidance for taxi and private hire vehicles has been consulted upon and the definitive version will be subject of a further report to this Committee.
- 2.55 Although some way in the future, this Committee should be aware of the Government's Levelling up White Paper dated 2 February 2022. Page 179 states:

'The UK Government will also explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities. Taxis and private hire vehicles are a key part of local transport systems, so this would allow LTAs to fully integrate these modes into their Local Transport Plans'.

This may require some consideration and be the subject of future reports.

3. Conclusions

- 3.1 Drivers and operators have faced many challenges over the last few years and many have left the trade which creates challenges for the Council and those who remain. It does appear that the number of drivers and vehicles has stabilised over the last few months (Post March 2023).

(For Information)

Background papers

Runnymede Hackney Carriage and Private Hire Licensing Policy
[Hackney Carriage and Private Hire Licensing Policy 2020 to 2025](https://runnymede.gov.uk/hackney-carriage-and-private-hire-licensing-policy-2020-to-2025)
(runnymede.gov.uk)

Levelling up White Paper - the United Kingdom
<https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

Statutory taxi and private hire vehicle standards
[Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/statutory-taxi-and-private-hire-vehicle-standards)

Taxi and private hire vehicle best practice guidance
[Taxi and private hire vehicle best practice guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/taxi-and-private-hire-vehicle-best-practice-guidance)

Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022
https://www.legislation.gov.uk/ukpga/2022/14/contents/enacted?mc_cid=c527961f4e&mc_eid=16b748b104