

## **Wiltshire Council**

### **Licensing Committee**

**7 March 2022**

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## **Proposed Changes to Wiltshire Council's Hackney Carriage Licensing Zone Structure**

### **Executive Summary**

Wiltshire Council has a statutory responsibility under the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the Transport Act 1985 to licence and oversee hackney carriage and private hire vehicle services.

Hackney carriages can pick up passengers from a rank or the street without being pre-booked. Hackney carriages in Wiltshire are currently licensed for a specific zone and cannot pick up a fare outside of their zone unless it is pre-booked. Hackney carriages are restricted to working within their zone.

Private hire vehicles licensed in Wiltshire can operate anywhere in the County as their work is pre-booked, their work is not restricted by zone; however, they are not permitted to pick up off ranks or be flagged down in the street.

The existing zones in Wiltshire are geographically placed in the North, East, South and West reflecting the old district council zones. The Council has a legal obligation to offer vehicle owners an inspection at a location within their zone. This means that the Council is currently operating four workshops to facilitate taxi licensing. These workshops are located at Riverway Depot - Trowbridge, Kennet House Depot - Devizes, Parsonage Way Depot - Chippenham and Churchfields Depot - Salisbury. Each workshop is used one day per week and is underutilised.

Wiltshire Council faces unprecedented budget pressures. Managing four vehicle workshops to facilitate taxi licensing is increasing the budget pressure on Highways Operations as the equipment is old and requires increased maintenance. At some point in the future all workshops will have to be brought up to date with relevant equipment renewals.

It is proposed to move to a single licensing zone within Wiltshire, this will allow the Council to centralise all taxi licensing operations at the Kennet House Depot, Devizes, in line with the Fleet Services strategy of relocating from Horton Road depot Devizes to Kennet House to centralise their service. The County currently has a single fees and charges schedule covering the Wiltshire Council area and moving to a single zone will help align all elements of taxi licensing. The Kennet House Depot has been identified as the most appropriate central location within Wiltshire as part of the Council's depot review project. There are efficiencies and potential future savings for the Council in centralising taxi licensing in Kennet House, Devizes and removing the requirement to operate four workshops and associated office space.

There are also benefits to the taxi industry. Moving to a single zone would provide hackney carriage drivers with the ability to work anywhere within the County and would result in a reduction in dead miles and more efficient fuel usage, in line with the Council's carbon reduction commitment.

A single zone would allow Wiltshire Council to move to one workshop, maximising the use of the one workshop and driving savings, reducing costs and future spend.

A single zone would also provide staff efficiencies and reduce non-productive time by reducing officers travelling time which is currently spent travelling to all four geographical areas of the County.

The Kennet House workshop has been refurbished as part of the Councils Fleet and Depot strategies and is available to take on all the taxi licensing work. If the council were to retain its current model of 4 areas and 4 workshops the workshops in Riverway, Churchfields and Parsonage Way are old and outdated and will require refurbishment if they are to continue in their current guise.

A move to a single zone would mean hackney carriage vehicles from the existing North, South and West zones having to travel further for their vehicle inspections. However, this only occurs twice a year so the burden on vehicle owners is not significant. It is anticipated the benefits of working anywhere in the County and the reduction of 'dead' miles would negate the additional distance to attend two appointments per year.

The Council believes this is acceptable and not an unrealistic expectation.

#### **Proposal(s)**

It is proposed that the Licensing Committee considers and approves adopting the proposal identified in section 15.1 of the report.

The proposal is:

**That the Taxi Licensing team consult with the industry on introducing a single licensing zone for hackney carriages in Wiltshire.**

If approved by the Licensing Committee an update report will be provided to the Licensing Committee by 1 September 2022.

#### **Reason for Proposal**

To ensure that the appropriate consultation takes place to ensure;

The Taxi Licensing service operates in the most effective and efficient way for the Council, saving the Council potential future costs.

That the Taxi Licensing is in line with the Fleet Services strategy of centralising services at Kennet House, Devizes.

There are increased options for income generation for hackney carriage licence holders by allowing them to work anywhere within Wiltshire.

Taxi service provision is easier for the public to understand (for example that the public can use any taxi at any time).

**Parvis Khansari**

**Director, Highways, Transport & Waste**

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#### 1.0 Purpose of Report

- 1.1 To provide Wiltshire Council's Licensing Committee with the relevant information to make an informed decision on allowing the Taxi Licensing Team to undertake a consultation on proposed changes to Wiltshire Councils Hackney Carriage Vehicle Licence Zoning arrangements.

#### 2.0 Relevance to the Council's Business Plan

- 2.1 Taxi Licensing is relevant to several areas of the Council's business plan.

- **Growing the economy** – Increasing the area drivers and operators can work in may provide opportunity for new business and employment across Wiltshire. This in turn provides access to goods, services and other businesses throughout Wiltshire. A thriving taxi industry can support all forms of retail and the night-time economy as well as the most vulnerable in society.
- **Building strong communities** – Provision of a centralised taxi licensing process can reduce costs for the Council. Funds saved can be reinvested into other services or more taxi enforcement that will have a direct benefit on Wiltshire residents.
- **Protecting those who are most vulnerable** - Ensuring that the most vulnerable have greater access and choice in relation to taxis and transport within their local area. Providing an opportunity for social inclusion by having the freedom to travel.

#### 3.0 Main Considerations for the Council

- 3.1 Centralising the Taxi Licensing service may not be popular with vehicle owners and new applicants in the North, South and West regions who would now have to travel further for vehicle inspection appointments. The changes will open up competition throughout the County, some operators will view this positively whilst some will see it as a negative. The Council may suffer negative press coverage and reputational damage if the change is implemented. The Kennet House Depot is the most central in the County with equal journey times for all areas. This ensures that the Kennet House Depot can be reached within 1 hour from most areas within the County. Please note that on average each vehicle is subject to two inspections per year.
- 3.2 Budget pressures indicate that the service cannot continue to be delivered in its current form. Existing workshops are only utilised for one day a week which is not cost effective. Any move to a single zone allows the Council to remove the duplication of office space and equipment across three depots and removes the requirement for future spend on taxi licensing at three of the four depots currently used. This further allows the Council to reduce future funding and assisting it to meet its mid-term financial plans.

- 3.3 There are no staff savings as a result of this proposal, however staff will have additional time to focus on the key objectives of licensing which is safeguarding the public and increased enforcement. Additional time created by reduced officer travel will be used to ensure all driver and vehicle documents and checks are up to date such as DBS, Medical, MOT, Insurance and Safeguarding training checks.
- 3.4 The depot review project, led by Property Services, aims to rationalise the number of depots operated by the Council and ensure that each is used effectively. This project allows us to deliver this objective in respect of taxi licensing and is in line with the overall Fleet Services strategy of centralising Fleet at Kennet House, Devizes.
- 3.5 The move to a single use depot in Devizes will improve current health and safety standards. At present in the Riverway, Churchfields and Parsonage Way depots there is no dedicated waiting area and no physical barriers to prevent drivers from accessing the working yard if no staff are present to supervise. Kennet House has a separated waiting facility for taxi drivers that also provides an area where they can view their vehicle being inspected. The move to centralising in Kennet House will remove this health and safety risk for the Council.

#### **4.0 Background**

- 4.1 The Local Government (Miscellaneous Provisions) Act 1976, Section 50(1) currently dictates the Council must have vehicle inspection facilities available in each zone for which hackney carriages are licensed.
- 4.2 The Council currently has inspection facilities in four depots which are used one day a week on average. The Depots are as follows:  
**North** – Parsonage Way Depot, Chippenham (Wednesday)  
**South** – Churchfields Depot, Salisbury (Thursday)  
**East** – Kennet House Depot, Devizes (Monday)  
**West** – Riverway Depot, Trowbridge (Tuesday)

The number of vehicle inspections completed in each area based on two inspections per year at present is shown below.

North – 275

South – 520

East – 190 these vehicles will be unaffected by the change

West - 490

- 4.3 It should be noted that our current inspection facilities at Parsonage Way Depot in Chippenham are unavailable due to the site being used as a COVID 19 testing site. These inspections have been temporarily moved to Kennet House Depot in Devizes. As of January 2022, our inspection facilities in Riverway are also unavailable due to structural issues, an inoperable inspection ramp and vermin control which are causing health and safety concerns. This leaves the service without inspection facilities within the North and West Zones and as such the Council could face legal challenge due to the current zoning requirements.
- 4.4 Currently each inspection facility has a designated area for inspections, including ramp facilities. Ramps require 6 monthly safety inspections at a cost of £1,500 per ramp per annum or £6,000 per annum.

- 4.5 Wiltshire Council became a Unitary Authority in April 2009. The Unitary Authority amalgamated the four former District Councils along with Wiltshire County Council.
- 4.6 Although Wiltshire Council has been a unitary authority since 2009 taxi licensing continues to operate in four separate zones: North, South, East and West based on the old district council areas.
- 4.7 The Local Government Act 1972 Schedule 14, Part II, Para 25 allows the council to merge the existing zones into a single zone that would cover the whole of the Wiltshire Council area.
- 4.8 Following the formation of Wiltshire Council, extensive consultation was carried out with both the public and the taxi trade. From this a unified set of guidelines, policies and procedures for hackney carriage and private hire licensing were approved by the Licensing Committee on 26 May 2010 and introduced across the Wiltshire Council Zones on 1 October 2010.
- 4.9 The consultation in 2010 proposed to amalgamate the existing four tariff structures in to one tariff structure and one zone throughout the council area. However, due to the complications of creating a one tariff structure it was agreed that more consultation should take place on these proposals.
- 4.10 On 3 September 2013 the Licensing Committee agreed at its meeting to further consult on the move to one tariff and one zone across the Wiltshire Council area. A consultation was carried out with the trade from 23 June 2014 for 8 weeks. Following this, the Licensing Committee agreed at its meeting on 8 December 2014 to advertise the proposal for one tariff across the four zones but to retain the existing four zones.
- 4.11 In May 2015 the Council introduced one tariff structure that covered each of the existing zones throughout the council area with the intention of looking to move to one zone for Wiltshire Council in the future.
- 4.12 The Department of Transport (DfT) best practice guidance for taxi licensing was issued in March 2010 and recommended the abolition of zones. This was chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice. For example, if fifty taxis were licensed overall by a local authority only twenty-five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area. Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency and reduce carbon emissions. This is because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.
- 4.13 The Council has a single set of policies and guidelines covering all zones. A single schedule of fares and tariffs is also in operation across Wiltshire. Creating a single licensing zone and licensing vehicles for the whole of the Wiltshire area will bring the above components of taxi licensing into line and standardise taxi licensing across the county.

## **5.0 Safeguarding Implications**

- 5.1 Moving to a single zone and one office does not have any additional safeguarding implications.

## **6.0 Public Health Implications**

- 6.1 The proposal to centralise taxi licensing and move to a single zone across the whole of Wiltshire has potentially positive public health implications as taxis would be more readily available across the County.

- 6.2 A single zone would assist in protecting the vulnerable in our society as there will be less confusion over tariffs and which vehicles can or cannot pick people up. Abolition of zones also promote fuel efficiency and reduce carbon emissions. This is because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone. The health impacts of high emissions/poor air quality are well documented and any reduction of traffic on busy routes and at peak times will play a part in improving the health of the population.

## **7.0 Environmental and Climate Change Considerations**

- 7.1 There are potential environmental or climate change considerations arising from this report proposal. The proposal would reduce the mileage of staff travelling between depots, thus reducing the Council's carbon footprint; however, this would be offset by some vehicle owners and new applicants having to drive further for appointments, it should be noted this occurs only twice per annum. The reduction in staff mileage and the reduced use of office space with associated heating and lighting would reduce the Council's overall carbon footprint. Staff mileage to the depots in a non-Covid environment is approximately 16,500, this is anticipated to drop to 8,600, a decrease of 8000 miles. The impact on the Council's staff carbon footprint would be a reduction of approximately 2 tonnes of CO<sub>2</sub> per annum.

## **8.0 Corporate Procurement Implications**

- 8.1 There are no direct procurement implications arising from this report.

## **9.0 Equalities Impact of the Proposal**

- 9.1 The impact of these proposals is assessed as 'medium' against the council's statutory responsibilities.

The new zone would allow drivers to work anywhere within the County, creating a level playing field for all. Basing the service in Devizes will have a negative impact on some who would have to travel further than others to attend an appointment, however this only occurs twice per annum, so the Council does not consider the move unreasonable. The move would not adversely impact disabled drivers in the South, North and West as whilst they would have to driver slightly further for a vehicle inspection twice a year, as professional drivers the Council do not believe this disadvantages them in any way.

## **10.0 Risk Assessment**

**Risks that may arise if the proposed decision and related work is not taken**

- 10.1 Budget pressures may not allow the current model of delivering the service to continue and sufficient funding may not exist for equipment to be maintained or procured resulting in non-delivery of the service. This could lead to a legal challenge from the industry as the Council is legally required to provide inspection facilities in all zones for which vehicles are licensed.
- 10.2 The Council will continue to deliver the service in a less efficient way by working from multiple locations one day per week.
- 10.3 Three of the existing depots have no safe area for drivers to wait whilst their vehicles are inspected. Any driver unsupervised in a Council yard does not meet the required policies or health and safety measures placed on all council depots and should an incident occur with an unsupervised driver, there is a risk of a potential claim against the Council.

**Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

- 10.3 There is the possibility of negative press coverage and reputational damage as licence holders in some areas view the proposal as a reduction in service as they travel further to fulfil appointments.
- 10.4 Licence holders may migrate to a specific area which may create an oversupply of taxis in one area and an undersupply in others. The Council believe that demand and supply will level out this problem over time, however it does note that the increased options and competition in some areas may have a negative impact on some taxi operators. It is believed that the move will drive up standards in the longer term.

**11.0 Financial Implications**

- 11.1 The recommendation in this report is to go out to consultation with the industry on a single licensing zone for hackney carriages in Wiltshire, the cost of consultation will be minimal and will be met by the Highways Operations Budget in 21/22.
- 11.2 There are potential future savings for the Council by centralising the Taxi Licensing service to a single zone. Any future savings and implications would be detailed in a future report once the results of the consultation have been reviewed and a recommendation is presented.

**12.0 Legal Implications**

- 12.1 The Council's has a legal obligation to advertise the proposed changes for two weeks. There are currently no legal reasons that prohibit the Council implementing the proposed single zone.
- 12.2 There is no legal requirement to consult with the industry, however the Council would want to work with the industry on any change and implementation.
- 12.3 The Local Government Act 1972, Schedule 14, Part II, Para 25 dictates any change to the existing hackney carriage zones would have to be advertised in the local press for two consecutive weeks served, and not later than the date on which the advertisement is first published. This is to be served on the council of every parish or community whose area, or part of whose area, is affected by the resolution or, in the case of a parish so affected but not having a parish council (whether separate or common), on the chairman of the parish meeting to allow the public and drivers to raise objections.

- 12.4 The cost of advertising the proposal would be approximately £5,000, this will be covered by the service area budget.
- 12.5 If the service is moved to a single zone model it should be implemented during the 2022/23 financial year.

### 13.0 Options Considered

- 13.1 The following options have been considered:

#### Leave the existing hackney carriage zones in place (Under the current arrangements)

Benefits	Risks
No costs incurred with carrying out advertising and notification.	Council must have vehicle inspection facilities in each zone. Inspections carried out one day a week in each zone.  Each depot requires inspection facilities which include ramp and workshop facilities, this is not cost effective when only used one day a week. Two of the four workshops are currently out of action and require significant spend to make them fit for purpose. The Council is currently open to a legal challenge for not providing inspection facilities within the zone.
Less travelling time for drivers and vehicle owners, an inspection facility in their local area.	Staff expenses and lost time travelling between depots.
	Does not support the council's business plan for staff to reduce carbon footprint.

#### Move to one zone for hackney carriage licensing throughout the Wiltshire Council area

Benefits	Risks
Long term costs greatly reduced	Cost of advertising proposal
Reduction in staff carbon footprint	Trade may be unhappy with travelling to inspection facilities outside of their current area although , it should be noted on average each licensed vehicle would only have to undertake this twice a year. Drivers in the North have been doing this for a number of months because Parsonage Way is currently being used as a Covid test centre.
Reduction in staff travel time	
Reduction in staff mileage	



Reduction in costs of having to provide a workshop and inspection facilities in each zone	
Reduction of costs involved in maintaining ramps. (4 ramps down to 1 ramp).	
Reduction in dead miles for taxi drivers dropping off outside their current zone	

## 14.0 Conclusion

14.1 Wiltshire Council should undertake a consultation to ensure it has evaluated all options for service delivery in conjunction with industry feedback which will ensure the future sustainability of the taxi licensing function. The consultation will assist in identifying the most efficient and effective service model for both the Council and the industry. Any move to a single zone would reduce the number of offices and workshops used by 75%, saving the Council future spend to bring three workshops to up to date standards. A single zone would also allow drivers to work anywhere within the County, providing them with more flexibility and income earning opportunities. However it is recognised that the public consultation may provide other potential solutions for service delivery for the benefit of the public and the taxi industry.

## 15.0 Proposal

15.1 It is proposed that the Licensing Committee authorises the Taxi Licensing team to undertake a consultation with the industry in relation to implementing a single licensing zone for hackney carriage vehicles across Wiltshire.

## 16.0 Reasons for Proposal

To ensure that the appropriate consultation takes place to ensure;

- The Taxi Licensing service operates in the most effective and efficient way for the Council, saving the Council potential future costs.
- That the Taxi Licensing is in line with the Fleet Services strategy of centralising services at Kennet House, Devizes.
- There are increased options for income generation for hackney carriage licence holders by allowing them to work anywhere within Wiltshire.
- Taxi service provision is easier for the public to understand (for example that the public can use any taxi at any time).

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