

## **Wiltshire Council**

### **Licensing Committee**

**17 October 2022**

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

**Cabinet Member: Cllr Dr Mark McClelland – Transport, Waste, Street Scene And Flooding**

#### **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. The Riverway and Parsonage Way workshops have been temporarily closed due to infrastructure issues. Both workshops will require investment if they are to reopen.

On 7 March 2022 Licensing Committee gave approval for a consultation with the industry on proposals to create a single licensing zone for hackney carriages in the Wiltshire Council area.

Following completion of the industry consultation and evaluation of the results 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 for hackney carriages 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 facility management savings for the Council in centralising taxi licensing in Kennet House, Devizes and removing the requirement to invest in the 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.

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 Council's 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 four areas and four workshops the workshops in Riverway, Churchfields and Parsonage Way are old and outdated and will require refurbishment at significant costs to the Council 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 a realistic and acceptable expectation.

### **Proposal**

It is proposed that the Licensing Committee authorises the Taxi Licensing team to implement a single licensing zone for hackney carriage vehicles across Wiltshire and that all licensed vehicle inspections are undertaken from Kennet House Devizes.

If approved by the Licensing Committee the single licensing zone will come into effect on 1 January 2023.

### **Reason for Proposal**

- (i) To ensure that the Taxi Licensing service operates in the most effective and efficient way for the Council, saving the Council future workshop refurbishment

costs. Reducing the future funding requirement and assisting the Council in meeting its mid-term financial plan.

- (ii) To bring Taxi Licensing in line with the Fleet Services strategy of centralising services at Kennet House, Devizes.
- (iii) To provide greater options for income generation for hackney carriage licence holders by allowing them to work anywhere within Wiltshire.
- (iv) To make the taxi service provision easier for the public to understand e.g. they can use any taxi at any time.

**Sam Howell**  
**Director, Highways & Transport**

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#### Purpose of Report

1. To provide Wiltshire Council's Licensing Committee with the relevant information to make an informed decision on allowing the Taxi Licensing Team to implement a single licensing zone for Hackney Carriages within the Wiltshire Council area.

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

2. 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.

#### Main Considerations for the Council

3. The Taxi Licensing Team undertook a consultation with the trade on proposals to introduce a single licensing zone for hackney carriages between 6 May and 10 June 2022. Response rates were very low with only 34 responses being received, 23 via the questionnaire sent directly to all drivers and vehicle owners and 11 through the Council's consultation portal. For information, the number of licensed hackney carriage drivers at the time of consultation was

681, with 531 licensed hackney carriage vehicles. Questionnaires were sent directly to every driver and vehicle owner. The response rate equates to 5% of drivers.

4. Of the 34 responses, 28 were received from drivers and 6 from operators. Responses varied significantly between areas; a summary of driver responses is shown below:

Drivers	North	South	East	West	Overall
	6	14	4	4	28
Yes	4	3	3	3	13
No	2	11	1	1	15
Yes	67%	21%	75%	75%	46%
No	33%	79%	25%	25%	54%

The 28 driver responses indicate that of all licensed drivers (681), 1.9% of drivers supported the proposals and 2.2% were against the proposals. Of the 6 responses received from operators 5 were against the proposals and 1 supported them. It is clear that the South responders were against the proposals whilst those in other areas generally supported them.

5. 12 public responses were received via the consultation portal, 9 supported the proposals stating they believed it provided greater flexibility and efficiency and 3 were against the proposal.
6. Responses from the trade represented 192 vehicles or 36% of licensed hackney carriages. It should be noted that 3 large operators accounted for 153 or 80% of the vehicles represented and those operators were against the proposals. Two were based in the South and one in the West.
7. Of the vehicles represented, 4% were in favour of the proposal and 32% against with 64% not proving a response. A breakdown on the results is shown below:

HC vehicles by Area 31 May 22					
	N	S	E	W	Overall
	107	221	68	135	531
Vehicles Represented					
Yes	17	1	4	1	23
No	6	129	1	33	169
	23	130	5	34	192
Response rate	21%	59%	7%	25%	36%
Yes	16%	1%	6%	1%	4%
No	6%	58%	1%	24%	32%

8. The reasons for not supporting the proposals were placed into four broad categories:
- (i) Distance, cost and travelling time to the inspection site – 9

- (ii) Drivers not knowing the area they are working in – 6
  - (iii) Overload of taxis in certain areas – 3
  - (iv) Difficulty with the knowledge test – 3
9. Given the low response rates to the consultation it was difficult to draw accurate conclusions. Feedback indicates that larger operators do not support the proposals, this may be due to the additional fuel costs of sending larger numbers of vehicles further for inspection. It is hoped this would be offset by greater income earning opportunities and flexibility of working but operators do not believe that being able to work across the entire authority area rather than just one zone is an advantage.
  10. Drivers were evenly split, with 46% of responders supporting the proposal and 54% against. When the numbers for the South are taken out 71% of responders supported the proposal and 29% were against. The South were very much against the proposal with 79% of the South responses not supporting the proposal.
  11. 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 one hour from most areas within the county. Please note that on average each vehicle is subject to two inspections per year.
  12. It is proposed to retain the workshop facilities at Churchfields Depot as a back-up site. This workshop will be used by Fleet for inspecting Housing Service vehicles but in an emergency could be used for taxi inspections. The proposal, therefore, allows the Council to remove the duplication of office space and equipment across two depots and removes the requirement for future spend on taxi licensing at two of the four depots currently used.
  13. 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 are 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.
  14. The depot review project, led by Highway Operations, aims to 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.
  15. The move to a single use depot in Devizes will improve current health and safety standards and customer experience. At present, in the Riverway, Churchfields and Parsonage Way depots there is no dedicated waiting area. Kennet House has a separated waiting facility for taxi drivers that also provides an area where they can view their vehicle being inspected.

## Background

16. 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.
17. 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:** 292  
**South:** 534  
**East:** 196 (these vehicles will be unaffected by the change)  
**West:** 488

18. It should be noted that our current inspection facilities at Parsonage Way Depot in Chippenham are unavailable due to the site being modernised to a salt store. 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 and an inoperable inspection ramp. 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 or a considerable investment in facilities.
19. Wiltshire Council became a Unitary Authority in April 2009. The Unitary Authority amalgamated the four former District Councils along with Wiltshire County Council.
20. 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.
21. 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.
22. 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.
23. 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.

24. 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 keep the existing four zones.
25. In May 2015 the Council introduced one tariff structure that covered each of the existing zones throughout the council area with the intention to take this a step further and move to one zone for Wiltshire Council in the future.
26. 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 potentially 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 due to taxis being able to 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.
27. 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.

### **Safeguarding Implications**

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

### **Public Health Implications**

29. 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. 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.

## **Environmental and Climate Change Considerations**

30. There are potential environmental or climate change considerations arising from this report proposal. It will 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.
31. The proposal would reduce the mileage of staff travelling between depots, thus reducing the Council's carbon footprint; however, this would be offset by licensed 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 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 8,000 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.

## **Corporate Procurement Implications**

32. There are no direct procurement implications arising from this report.

## **Equalities Impact of the Proposal**

33. The impact of these proposals is assessed as 'medium' against the Council's statutory responsibilities.
34. 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.

## **Risk Assessment**

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

35. Budget pressures may not allow the current model of delivering the service to continue and sufficient funding may not exist for equipment to be replaced 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.
36. The Council will continue to deliver the service in a less efficient way by working from multiple locations one day per week.
37. Three of the existing depots have no safe area for drivers to wait whilst their vehicles are inspected, which requires considerable investment to provide and ensure health and safety requirements are met.

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

38. 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.
39. 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 believes 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.

## **Financial Implications**

40. There are no staff savings under this proposal. The only additional costs associated with the implementation of a single zone relate to advertising the proposals, a cost of approximately £5,000. At present, this cost is unbudgeted; however, there is currently a small underspend on the overall budget and so can be covered.
41. There are future opportunities to utilise the workshop for other activities in the Council by centralising the Taxi Licensing service to a single zone. This allows the Council to deliver the service from one location instead of four and removes the future funding improvement requirements.
42. The Riverway Depot's workshop requires considerable investment, there are structural issues with the roof and the building itself is unusable. Under the emerging Depot Plan the Riverway buildings are proposed to be demolished in 2026. This short time period results in the repairs being unjustifiable and the building has been closed for safety reasons. Whilst costs have yet to be established the repairs are estimated to be over £0.05 million for the repair. The Parsonage Way Depot has been converted to a salt store and the workshop will require investment to re-establish the facility. Due to the taxi operation requiring a separate area from the salt store, the workshop has remained closed. The emerging Depot Plan post 2030 is proposing a new site in the North. This would include a workshop if required, but this would have considerable capital implications at that time.
43. The depot review programme has identified the level of usage of each taxi inspection area cannot justify the cost of the equipment required to maintain four workshops. It would be far more efficient and cost effective to work from a single depot/workshop.

## **Legal Implications**

44. The Council has a legal obligation to advertise the proposed changes for two weeks. There are no legal reasons that would stop the Council implementing the proposed single zone.

45. There is no legal requirement for the Council to consult with the industry; however, the Council has undertaken an informal and non statutory consultation with the industry on the proposal. As advised above the low level of response received from the industry makes it very difficult to draw accurate conclusions.
46. 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.
47. The cost of advertising the proposal would be approximately £5,000; at present this is not covered by the service area budget.
48. If the service is moved to a single zone model it should be implemented during the 2022/23 financial year. This will allow the Council to communicate and work with the industry in relation to the proposals.

### Options Considered

49. The following options have been considered:

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

<b>Benefits</b>	<b>Risks</b>
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. Two of the four workshops are currently out of action and require significant spend to make them fit for purpose
Less travelling time for drivers and vehicle owners, an inspection facility in their local area.	Staff lost time travelling between depots.
	Does not support the Council's Business Plan expectation for staff to reduce their 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 likely to be unhappy with travelling to inspection facilities outside of their current area but it should be noted on average each licensed vehicle would only have to do this twice a year. It should also be noted that drivers in the North and West have been doing this for at least six months as the Parsonage Way and Riverway workshops are currently out of action.
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 in dead miles for taxi drivers dropping off outside their current zone	

### Conclusion

50. To ensure the future sustainability of the taxi licensing function it is more cost effective for Wiltshire Council to deliver the service from a single location. A backup site in Churchfields will be retained but not used to day-to-day taxi inspections. The move to a single zone will reduce the number of offices and workshops used by 75%, saving the Council future spend to bring two workshops to up to date standards. The proposals will allow drivers to work anywhere within the county, providing them with more flexibility and income earning opportunities.

### Proposal

51. It is proposed that the Licensing Committee authorises the Taxi Licensing team to implement a single licensing zone for hackney carriage vehicles across Wiltshire and that all licensed vehicle inspections are undertaken from Kennet House Devizes.

### Reasons for Proposal

52. To:
- (i) Ensure that the Taxi Licensing service operates in the most effective and efficient way for the Council, saving the Council future workshop refurbishment costs. Reducing the future funding requirement and assisting the Council in meeting its mid-term financial plan.
  - (ii) Bring Taxi Licensing in line with the Fleet Services strategy of centralising services in Kennet House Devizes.

- (iii) Provide greater options for income generation for hackney carriage licence holders by allowing them to work anywhere within Wiltshire.
- (iv) Facilitate the taxi service provision easier for the public to understand e.g. they can use any taxi at any time.

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### **Background Papers**

The following unpublished documents have been relied on in the preparation of this report:

None

### **Appendices**

None