

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 20 JULY 2020

Recommendation from the Environment Overview and Scrutiny Committee on 27 January 2020:-

REVIEW OF THE STANDARD CONDITIONS FOR THE LICENSING OF HACKNEY CARRIAGE VEHICLES

The Committee considered the work carried out in respect of the proposed changes to the conditions applicable to the licensed Hackney Carriage vehicles as well as the revised set of conditions for the licensing of hackney carriage vehicles.

Importantly the proposed changes included the condition that all new vehicles (after 8 years) would be silver Wheelchair Accessible Vehicles (WAVs). The Council was the only district in Hertfordshire and one of seven in the whole Country without WAVs, a situation which opened up the Council to legal challenge.

It was noted that:

- The designated list would be drawn up by the Council and all new Wheelchair Accessible Vehicles (WAVS) would be added to the list and over time the whole fleet would consist of WAVS.
- The specified silver colour of the vehicles and livery would apply to new vehicles only (WAVs) and not the existing fleet. The first crest would be free to drivers and then there would be a nominal charge for replacements.
- The conditions stated that “The Hackney Carriage vehicle must be capable of carrying not less than four passengers plus a person confined to a wheelchair (“four plus one passengers”). Officers agreed to make it clearer as it was a requirement that the new WAVs could carry up to four passengers as well as a person using a wheelchair.
- Members were keen that there would be room on the taxi ranks for the WAVs and that they were affordable to drivers. Officers confirmed that the size of the new vehicles would be no greater than a standard saloon and they could be purchased for £12,000 plus VAT (which was in contrast to some vehicles on the current fleet costing £40,000).
- Members were keen to check a thorough consultation had taken place. Officers confirmed that there were over 1000 consultees and they had just over 500 responses back (nearly 100 from the trade and 400 from the public, of which the majority of the trade were against the new conditions and the majority of the public were for the conditions).

There was a discussion about cross border drivers and Members wanted to know if the Council could impose restrictions and asked Officers to speak to other authorities. Officers said that they appreciated the frustration of the trade. Cross border drivers were in line with the Deregulation Act 2015 and had made it harder for the trade to earn a living. In addition they often did not undergo the stringent process of obtaining a licence that was required in Welwyn Hatfield which put public safety at

risk. The recent guidance from the Department of Transport had also highlighted the issues with deregulation. In essence, however, there was nothing that the Officers could do to prevent cross border drivers.

Members suggested that the Secretary of State for Transport could be written to. The Executive Member (Public Health, Governance and Climate Change) expressed her appreciation of the trades' frustration and the Environment Overview and Scrutiny Committee was in agreement that the Secretary of State for Transport be written to.

Members highlighted that the new conditions would likely improve the business of the drivers, as Hertfordshire County Council required WAVs and the livery would make local taxis easily identifiable for local people who would also feel safer.

The Committee **RECOMMENDS** to the Council:-

- (1) That the revised Standard Conditions for the Licensing of Hackney Carriage Vehicles be adopted.
- (2) That the proposed implementation date for the revised Standard Conditions for the Licensing of Hackney Carriage of 1 April 2020 be adopted.

Update to the Committee record - *The initial recommendation from Environment Overview and Scrutiny Committee was due to be recommended to the Full Council meeting in March 2020. However, owing the Covid 19 pandemic this meeting did not take place and therefore these recommendations were not actioned.*

The revised recommendations are therefore:

- (1) *That the revised Standard Conditions for the Licensing of Hackney Carriage Vehicles be adopted.*
- (2) *That the proposed implementation date for the revised Standard Conditions for the Licensing of Hackney Carriage be agreed by Council.*