

**PROPOSAL: WEST YORKSHIRE COMBINED AUTHORITY PROJECT TO HARMONISE TAXI AND PRIVATE HIRE VEHICLE AND DRIVER POLICY ACROSS WEST YORKSHIRE AND YORK**

**REPORT OF THE ASSISTANT DIRECTOR OF NEIGHBOURHOODS**

**1. Reason for report**

This report updates the Licensing and Regulatory Committee on the progress of aligning ('harmonising') the Hackney Carriage and Private Hire vehicle and driver policies for the West Yorkshire Combined Authority (which consists of Bradford, Calderdale, Leeds, Kirklees, Wakefield and York) referred to as WY&Y in this report in order to improve passenger safety.

**2. Need for a Decision**

The Council has made good progress in improving the safety of the travelling public in Calderdale. However, because of Hackney Carriage and Private Hire issues which span local authority borders, it is necessary that we as a combined authority work with neighbouring authorities to ensure that the travelling public within WY&Y can be confident that the drivers licensed by each authority have been trained to the highest standard and to a standard that is consistent across our region.

The project has reached a stage where we can propose to harmonise policies on which to consult with the public and interested stakeholders. If approved, the proposed changes would align the following policies across WY&Y:-

- A policy on determining the suitability of applicants and licensees as drivers Hackney Carriage and Private Hire licensing. (Appendix 1)
- West Yorkshire Combined Authority Hackney Carriage and Private Hire driver training policy (Appendix 2)

**3. Recommendation**

Members are asked to note the information in this report and resolve that formal consultation be carried out for 8 weeks from 1<sup>st</sup> November 2018 in relation to the two proposed draft policies; namely the Draft Convictions Policy which can be found at Appendix 1 and the Draft Driver Training Policy which can be found at Appendix 2.

**4. Background**

- 4.1 Since 2015, officers from the five West Yorkshire Hackney Carriage and Private Hire Licensing teams and York have been working together on a harmonisation project. The chairs of the Licensing and Regulatory Committees (or equivalent) have met every two months in this period.

- 4.2 The focus of the WY&Y officers and members groups have been to maintain and improve passenger safety, particularly in light of the safeguarding scandals in other towns and cities across the Country. Owing to the prevalence of cross-border working, authorities cannot work in isolation. The group have agreed that the collaboration approach would be more effective if the authorities were to undertake a project to align their policies and conditions more closely.
- 4.3 The areas which the licensing chairs and officers have agreed to work on are:-
- Cross border enforcement;
  - Information sharing between the authorities;
  - Convictions policy;
  - Driver training;
  - Vehicle specification; and
  - CCTV in vehicles
- 4.4 Cross Border Enforcement  
At a meeting on 21<sup>st</sup> March 2016 members resolved that:-
- a. The hackney carriage (taxi) and private hire enforcement powers as set out in the report, be delegated by Calderdale Council to the other West Yorkshire Authorities and City of York Council, as well as being retained by Calderdale Council as a licensing authority be approved;
  - b. Calderdale Council receive similar delegated enforcement powers from other West Yorkshire and City of York Authorities be approved; and
  - c. The Head of Democratic and Partnership Services be given delegated authority to make the appropriate amendments and any consequential changes to the Council's constitution.
- 4.5 Enforcement Officers now have badges, suspension/rectification notices and staff training to carry out enforcement activities in relation to any vehicle/driver licensed within WY&Y to ensure a clear and consistent approach. However, there remains a significant difference in the Enforcement capacity within each area.
- 4.6 Information Sharing  
The original intention was for WY&Y to create an information sharing protocol about drivers who posed a risk. However, a National Register for Taxi/Private Hire Licence Refusals and Revocations has been created and is in the process of being launched throughout the Country. Calderdale has signed up to this as have the rest of the WY&Y Authorities. (LGA Guidance shown at Appendix 3, Guidance on adopting the National Register of Taxi Licence Revocations & Refusals (NR3) issued by the Local Government Association)
- 4.7 Convictions Policy  
Calderdale Council has a convictions/enforcement section within the existing hackney carriage and private hire licensing policy. Each of the WY&Y authorities have a different convictions policy. Therefore, in accordance with the recent Guidance issued by the Institute of Licensing on determining the suitability of applicants and licencees in the hackney carriage and private hire trades (Shown at Appendix 4) a new policy has been created and will replace each authorities existing policy. The proposed draft convictions policy can be found at Appendix 1.
- 4.8 Driver Training  
Calderdale Council provides training that applicants must go through in order to be eligible to become a licensed driver within the authority. The aim is to align the policies in the region. WY&Y recognises that the role of Hackney Carriage and Private Hire Drivers is a professional one and the reason for this policy is to ensure

that the travelling public within WY&Y can be confident that the drivers licensed by each authority have been trained to the highest standard and that it is consistent across the WY&Y region. Each Authority currently has different levels of training and requirements for drivers so a draft policy has been written to cover all areas that WY&Y authorities will expect drivers to cover if they wish to be licensed within the region. The proposed draft driver training policy can be found at Appendix 2.

#### 4.9 Vehicle Specification

WY&Y authorities all have a differing vehicle policy and conditions; the aim is to align the policies as is the proposal for the convictions policy and the driver training policy. It has been acknowledged that due to the significant difference between every authority's current vehicle specifications the matter will need to be addressed at a later date once the convictions policy and driver training policy have been approved and implemented.

#### 4.10 CCTV in Vehicles

This will be looked at by the WY&Y managers once the above matters have been implemented. The aim will be to engage and consult with the trade across WY&Y and to promote, common simple rules for CCTV in vehicles with a common list of approved installers.

### 5. Consultation

Approval to undertake formal consultation in relation to the two draft policies is being sought in this report.

### 6. Financial Implications

The cost of the consultation exercises will be met from within the existing budget.

### 7. Corporate Implications

Directorates and services which may have any impact on the policy, application and process, will be consulted on the draft policies.

### 8. Equality and Diversity

An Equality Impact Assessment will be completed following the consultation exercise.

### 9. Options

Members can;

- a. Resolve to carry out formal consultation from 1<sup>st</sup> November 2018 for 8 weeks;
- b. Resolve not to adopt the combined authority approach and not carry out consultation on the proposed draft policies.

### 10. Appendices

Appendix 1 – Proposed Draft Convictions Policy

Appendix 2 – Proposed Draft Driver Training Policy

Appendix 3 – Guidance on adopting the National Register of Taxi Licence Revocations & Refusals (NR3) issued by the Local Government Association

Appendix 4 – Guidance on determining the suitability of applicants and licensees in the  
hackney carriage and private hire trades

**FOR FURTHER INFORMATION ON THIS REPORT CONTACT:**

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**DOCUMENTS USED IN THE PREPARATION OF THE REPORT:**

Current Hackney Carriage and Private Hire Licensing Policy  
Guidance Issued by the Local Government Association and the Institute of Licensing

**DOCUMENTS ARE AVAILABLE FOR INSPECTION AT:**

Licensing Unit, Town Hall, Halifax. HX1 1UJ