

Overview & Scrutiny Committee

SCRUTINY PANEL
Effectiveness of the enforcement of Licensing
Policy in respect of Taxis and Private Hire

March 2016



NORTHAMPTON
BOROUGH COUNCIL

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Foreword

The objective of this Scrutiny Panel was to investigate the pattern of provision of licensing in respect of taxis and private hire. The required objective was to put forward informed recommendations to all relevant parties on the enforcement of Licensing Policy.

The Scrutiny Panel was made up from members of the Overview and Scrutiny Committee – Councillors Graham Walker (Deputy Chair); Councillors James Hill, Suresh Patel and Brian Sargeant and myself (Chair).

The Panel received both written and spoken evidence from a wide variety of expert advisors. Desktop research was carried out by the Scrutiny Officer. All of which produced a wealth of information that informed the evidence base of this high profile Scrutiny review.

Following the collation of the evidence, the Scrutiny Panel drew various conclusion and recommendations that are contained in the report.

The Review took place between July 2015 and March 2016.

I would like to thank all those people acknowledged below who gave up their time and contributed to this Review.



Councillor Gareth Eales

Chair, Scrutiny Panel 3 - Effectiveness of Enforcement of Licensing Policy in respect of Taxis and Private Hire

Acknowledgements to all those who took part in the Review: -

- Councillors Graham Walker (Deputy Chair); James Hill, Suresh Patel and Brian Sargeant who sat with me on this Review
- Councillor Alan Bottwood, Cabinet Member for Environment, and Councillor Anna King, Cabinet Member for Community Safety, Martin O'Connell, Licensing Sargeant, Northants Police for providing a response to the core questions of the Scrutiny Panel
- Andy Leighton, Community Engagement Manager, Northants Highways, for providing information to support this Review
- Bill Edwards and Louise Faulkner, Senior Licensing Officers, for providing information to inform the Review
- Ian Ellis, Licensing Enforcement Officer, and Bill Edwards, Senior Licensing Officer, for arranging a site visit to the Taxi ranks within the town centre
- Joe Matthews, Chair, Hackney Carriage Association, Kevin Willsher, Chair, Private Hire Association, and Hackney Carriage driver, Charles Fleming, Private Hire Operator, Mr Jadoon, Private Hire Operator, for providing a response to the core questions of the Scrutiny Panel
- A number of Taxi and Private Hire Drivers that attended meetings of the Scrutiny Panel, either addressing it on an agenda item or observing a meeting

EXECUTIVE SUMMARY

The purpose of the Scrutiny Panel was to investigate the pattern of provision of licensing in respect of taxis and private hire

Key lines of Inquiry:

- To review the policies and strategies for licensing
- To assess the effectiveness of the legislation for licensing
- To raise awareness of the licensing and planning framework around the regulation of private hire and taxi licensing
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders.
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

The required outcomes being to put forward informed recommendations to all relevant parties on the enforcement of Licensing Policy.

The Overview and Scrutiny Committee, at its work programming event in June 2015, agreed to include a review of the effectiveness of the enforcement of Licensing Policy in respect of Taxis and Private Hire. The Overview and Scrutiny Committee commissioned Scrutiny Panel 3 to undertake the review. An in-depth review commenced in July 2015 and concluded in March 2016.

A Scrutiny Panel was established comprising Councillor Gareth Eales (Chair); Councillor Graham Walker (Vice Chair); Councillors James Hill, Suresh Patel and Brian Sargeant.

CONCLUSIONS AND KEY FINDINGS

A significant amount of evidence was heard, details of which are contained in the report. After gathering evidence the Scrutiny Panel established that: -

Policies and Strategies for Licensing and the effectiveness of the legislation for licensing

- 7.1 The Scrutiny Panel was concerned regarding the evidence received about private hire vehicles flagging. It felt that there was a need for the introduction of an Enforcement/Committee Sanctions Policy for flagging.
- 7.2 The Scrutiny Panel emphasised that if a Private Hire vehicle (PHV) flags or takes an un-booked fare then they are committing an offence and are also operating without insurance. The introduction of a “pre booked only” sticker for display in the windscreens of private hire vehicles would be useful.
- 7.3 Expected behaviour of Hackney Carriage drivers is covered in the Induction Programme, for example not to retain customers’ telephone numbers. The induction programme also includes:
- School contracts
 - Disability issues
 - Fraud
 - Child Sexual Exploitation (CSE)
- 7.4 The Scrutiny Panel recognised that drivers have a vital role in being alert for signs of child sexual exploitation. The Scrutiny Panel acknowledged that the training that drivers at Northampton undertake in respect of Child Sexual Exploitation (CSE). CSE is incorporated into the induction training for drivers at Northampton. There is a mandatory question that drivers are expected to answer as part of the testing process. The Scrutiny Panel was pleased that investigations are taking place regarding the provision of training on CSE awareness for drivers in the possible form of on-line training or training in DVD format.
- 7.5 Evidence received highlighted that Private Hire vehicles with roof signs could appear to look like a Hackney Carriage vehicle and could be confusing to the public thinking that they are a Taxi. Part II of the Local Government (Miscellaneous Provisions) Act 1976 states that a Private Hire vehicle must not look like a Taxi.
- 7.6 The Scrutiny Panel felt that the test to become a Private Hire driver should be of the same standard to that of a Hackney Carriage driver. An extensive

knowledge test is given too. Private Hire drivers undertake a basic knowledge test.

- 7.7 The Scrutiny Panel was pleased to note from the evidence received that the majority of drivers are happy with the licensing conditions and processes applied to Hackney Carriage and Private Hire. However, the Scrutiny Panel felt that licensing conditions should be reviewed every two years, to take into consideration issues such as changes in legislation.
- 7.8 The Scrutiny Panel noted that a project had been undertaken regarding the current 3 year age limit for hackney carriages when first licensed. It had been found that maintenance and condition of a vehicle was more important than age, for example, an older car could be in better condition and well maintained than that of three years old. It had therefore been agreed by the Licensing Committee to remove the age restriction but for it to be introduced incrementally. From 1 January 2016 there will not be an age limit for first licence of a hackney carriage vehicle.
- 7.9 Some areas of the town are subject to poor air quality due primarily to transport related emissions and work is ongoing to develop a Low Emissions Strategy for Northampton with associated planning guidance. The Scrutiny Panel noted that the recommendations of this strategy are likely to have implications for the taxi trade, particularly in respect of some more polluting diesel engine vehicles and the Scrutiny Panel felt that it is important that work is taken forward to incorporate these considerations into taxi/ private hire vehicle policy.

Licensing Conditions – example of solutions introduction by other Local Authorities

- 7.10 Desktop research indicated that a Local Authority has introduced changes to its licensing regime:
- New and existing drivers attend child sexual exploitation awareness briefings
 - The introduction of a driver penalty scheme

➤ Introduction of a Three Year Driver's Licence

The Scrutiny Panel acknowledged the usefulness of these changes and felt it would be beneficial for there to be an evaluation of the Policy regarding the enforcement of licensing conditions; such as the inclusion of structured enforcement guidelines. The Scrutiny Panel highlighted that consistency is key.

Taxi Marshals

- 7.11 The Scrutiny Panel noted the success of Taxi Marshals in other areas of the country. It further recognised that the introduction of Taxi Marshals could incur a cost, for example, a six month trial period of Taxi Marshals at Nuneaton and Bedworth cost £12,528.

Mechanisms for the exchange of information

- 7.12 The Scrutiny Panel was pleased that discussions are ongoing regarding an information sharing police regarding Northampton Borough Council sharing information regarding DBS checks for the Trade with Northamptonshire County Council in respect of transporting vulnerable people.
- 7.13 Evidence received confirmed that information sharing channels between the Trade, Council and Police is good. Regular meetings are held. It was felt that a joint meeting between Hackney Carriage, Private Hire drivers and the relevant Authorities would be useful.
- 7.14 The Scrutiny Panel felt that a lot of people are not aware of the difference between Hackney Carriages and Private Hire. There is a need for this to be widely publicised and it could assist with the problem of flagging. Articles in the local press during the year would be beneficial.
- 7.15 Evidence received highlighted the need for regular inclusion of key information in NBC publications to customers could have information to explain the rules around taxis or engagement with community groups or

Residents Associations on occasions. Press releases could be used following operations.

- 7.16 The Scrutiny Panel emphasised the need for clearer information about how to complain about problems with taxis/private hire vehicles including flagging, poor service, vehicle maintenance and condition and are made available on the Council's website. A PR campaign using social and conventional media could be put in place to convey positive messages about the benefits of using taxis / private hire vehicles and give information about complaint mechanisms. Existing contacts with the University and College could be used to share information through their information sharing processes.

The Provision and Usage of Taxi Ranks in the borough

- 7.17 Evidence received confirmed that Northampton's taxi trade is of a similar size to other large towns or small cities in the country. The Scrutiny Panel felt that consideration should be given to restricting the number of Hackney Carriage vehicles. An unmet demand survey should be undertaken.
- 7.18 The Scrutiny Panel was concerned regarding the number of rank spaces in the town, approximately 20 for 150 Hackney Carriages. From the evidence received, the Scrutiny Panel considered there is not sufficient rank space in the town during both day and night time. Daytime problems can be experienced with traffic congestion when the rank is full. There is no overflow provision for drivers to wait at a suitable location until space on the rank becomes available. There is no provision at the eastern end of the town centre, for example at the top of Abington Street or on Wellingborough Road. There are some night time flagging "hotspots", such as St Giles Street and the lower part of Bridge Street. The Scrutiny Panel felt additional rank space here would be useful.
- 7.19 Evidence received highlighted the need for signage for Taxi ranks and road markings.

Resources for Taxi and Private Hire Licensing

- 7.20 Evidence received detailed that current levels of resource mean that it is not possible for Licensing Enforcement Officers to monitor compliance at all times and so therefore enforcement has to be undertaken on a targeted basis. Further evidence detailed that Licensing Enforcement Officers are very busy, under pressure and unable to undertake as much licensing enforcement as they would like to do.
- 7.21 The Scrutiny Panel felt that the introduction of Taxi Marshals would be beneficial.

Night time Economy and Highways

- 7.22 The evidence received highlighted the issues around Bridge Street during the night-time economy and the congestion along Bridge Street. Further evidence received highlighted that from a legislative point of view the closure of Bridge Street during the Night Time Economy, except for buses and taxis would not be possible to do under a Temporary Traffic Order (Section 14 of the Highways Act 1980). Northamptonshire Highways is only able to use a temporary traffic order for either works or for a likelihood of danger to the travelling public (i.e. weak bridge, unsafe structure etc.). A Permanent Traffic Order would therefore be required which would have a public consultation. Evidence from Northamptonshire Highways stated that from previous experiences it is likely that objections to this would be received from restaurants, churches in the area. In closing Bridge Street it would require traffic remodelling throughout the town centre to enable traffic to enter and leave the town centre. Currently drivers would be able to enter via St Giles Square but would have no way of exiting the area. Allowing taxis and buses only through may be potentially more hazardous than having a more constant flow of vehicles. Pedestrians in the area may not be expecting vehicles and there would be a zero traffic flow for most of the time. Northamptonshire Highways would raise objections to this if there were Police or Borough Council powers used to close the road.
- 7.23 The Scrutiny Panel supported temporary full closures to traffic of Bridge Street being introduced on specific risk dates as identified by the Licensing

Sergeant, Northants Police such as Halloween, Christmas Eve, New Year 's Eve and New Year's Day, various payday weekends and other celebratory dates.

7.24 At one of its early evidence gathering meetings, the Scrutiny Panel was shown CCTV footage of the night-time economy in the town that highlighted issues incurred with traffic, groups of individuals being in the road and crossing the road after a night out.

7.25 The Scrutiny Panel noted that the Taxi Trade felt it would be useful for Kingswell Street opened up to traffic. It is currently blocked off to traffic by two large plant pots.

RECOMMENDATIONS

The above overall findings have formed the basis for the following recommendations: -

The purpose of this Scrutiny Panel was to investigate the pattern of provision of licensing in respect of taxis and private hire

Scrutiny Panel 3 recommends to Cabinet and the Licensing Committee :

Provision and Usage of Taxi ranks in the borough

8.1.1 Consideration is given to the provision of additional taxi ranks in the town centre:

Abington Street (near to central library), utilising the loading bays for an additional permanent taxi rank. Hours of operation – 10pm to 5am. This would ensure that loading to the nearby shops could take place.

The Parade – A night time rank comprising approximately 12 spaces. Hours of operation - 11pm to 5am. Consideration would need to be given to issuing Hackney Carriage drivers with a key to the barriers. A deposit could be charged and refunded when the key is returned.

Guildhall Road/Derngate - A potential night time rank in the heart of the Cultural Quarter. Hours of operation 11pm to 5am.

Mercers Row – The rank is expanded to both sides of the road

8.1.2 Taxi rank signage is put in situ at the various ranks within the town.

8.1.3 An unmet demand survey for Hackney Carriages is undertaken in order to determine whether the number of Hackney Carriages exceeds requirements and whether a cap is necessary. This survey should also consider the extent of the Private Hire Trade and be undertaken every three years.

Policies and Strategies for Licensing and the effectiveness of the legislation for licensing

8.1.4 A sign for Private Hire Vehicles (PHV) to display “Pre Booked only” is issued to all PHV. The sign must be on display at all times.

8.1.5 The Scrutiny Panel informs Cabinet that it supports the further introduction of Child Sexual Exploitation (CSE) training for all Hackney carriage and private hire drivers at Northampton.

8.1.6 Details of the CSE awareness training is presented to the Licensing Committee regarding its roll out and content.

8.1.7 When approved, the relevant sections from the Low Emissions Strategy for Northampton are included within the licensing Policy for Taxis and Private Hire.

8.1.8 The standard test to become a Private Hire driver is raised.

8.1.9 An evaluation of the Policy regarding the enforcement of licensing conditions takes place and consideration is given to the inclusion of structured enforcement guidelines. Licensing conditions for Hackney Carriages and Private Hire are then reviewed every two years from January 2017.

Information Exchange

8.1.10 At least an annual joint meeting between Hackney Carriage drivers, Private Hire drivers and the relevant Authorities, including NBC Licensing Officers, Northants Highways and the Police, is held.

Raise Awareness of the licensing and planning framework around the regulation of private hire and taxi licensing

8.1.11 Articles are placed in the press regarding the difference between Hackney Carriages and Private Hire; particularly around the Christmas period. Copies of such articles are also forwarded to Community Groups and Residents' Associations.

8.1.12 A PR campaign, using social and conventional media, is put in place to convey positive messages about the benefits of using taxis / private hire vehicles and give information about the complaint mechanisms. Existing contacts with the University of Northampton and Northampton College are used to share information through their information sharing processes.

Taxi Marshals

- 8.1.13 Taxi Marshals are introduced for a trial period of six months. The trial is then evaluated so that the success of Taxi Marshals can be assessed.

Highways

- 8.1.14 Consideration is given to the removal of the two plant pots in sit at the entrance of Kingswell Street in order that it could become a functional road to through traffic.
- 8.1.15 It is recommended to Northamptonshire Highways that double red lines are introduced at Woodhill.
- 8.1.16 Temporary full closures to traffic of Bridge Street are introduced on specific risk dates as identified by the Licensing Sergeant, Northants Police.

Licensing Committee

- 8.1.17 A copy of this report is sent to the Licensing Committee.
- 8.1.18 It is recommended to the Licensing Committee that it re-visits the age limit Policy on Hackney Carriages.

Overview and Scrutiny Committee

- 8.1.19 The Overview and Scrutiny Committee, as part of its monitoring regime, reviews the impact of this report in six months' time.

NORTHAMPTON BOROUGH COUNCIL

Overview and Scrutiny

Report of Scrutiny Panel 3 – Effectiveness of the Enforcement of Licensing Policy in respect of Taxis and Private Hire

1 Purpose

- 1.1 The purpose of the Scrutiny Panel was to investigate the pattern of provision of licensing in respect of taxis and private hire

Key lines of Inquiry:

- To review the policies and strategies for licensing
- To assess the effectiveness of the legislation for licensing
- To raise awareness of the licensing and planning framework around the regulation of private hire and taxi licensing
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders.
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

- 1.2 A copy of the scope of the review is attached at Appendix A.

2 Context and Background

- 2.1 The Overview and Scrutiny Committee, at its work programming event in June 2015, agreed to include a review of the effectiveness of the enforcement of Licensing Policy in respect of Taxis and Private Hire. The Overview and Scrutiny Committee commissioned Scrutiny Panel 3 to undertake the review. An in-depth review commenced in July 2015 and concluded in March 2016.

2.2 A Scrutiny Panel was established comprising Councillor Gareth Eales (Chair); Councillor Graham Walker (Vice Chair); Councillors James Hill, Suresh Patel and Brian Sargeant.

2.3 This review links to the Council's corporate priorities, particularly corporate priority 1 – Northampton Alive, A vibrant town, corporate priority 2 - invest in safer, cleaner neighbourhoods, and corporate priority 8 – responding to your needs.

2.4 The Scrutiny Panel established that the following needed to be investigated and linked to the realisation of the Council's corporate priorities:

Background data, including:

- Presentation to set the scene: "Licensing Policy in the Borough"
- Relevant national and other background research papers, such as:

- [Department for Transport – Taxi statistics \(2013\)](#)
- [House of Commons Library – Taxi and Private Hire Vehicles \(2014\)](#)
- [Department of Transport Best Practice Guidance on Vehicle Licensing](#)

Relevant Legislation:

- The role of the Licensing Authority
- Local Government (Miscellaneous Provisions) Act 1976
- Town Police Clauses Act 1847
- Licensing Policy and Practice
- Licensing Enforcement practice guidelines

Relevant data:

- Statistical data, such as the number of hackney carriage and private hire licences in the borough, number of taxi ranks in the borough and spaces on each rank
- Best practice and successful initiatives in both Northampton and elsewhere

Witness evidence:

Internal

- Cabinet Member for Environment, Northampton Borough Council (NBC)
- Cabinet Member for Community Safety, NBC
- Senior Licensing Officers, Northampton Borough Council

External

- Licensing Sergeant, Northants Police
- Community Engagement Manager, Northamptonshire Highways
- Chair, Taxi and Private Hire Association
- Private Hire Operators

2.5 Hackneys can be waved, hailed or 'flagged' down in the street. They can also be pre-booked. They can wait at an official rank. Private Hire Vehicles (PHV) can only be pre-booked. They cannot be hailed or flagged in the street or approached directly. Bookings must be made through the operator and a record kept. They cannot park up near a pick up point or create an 'unauthorised rank'. PHV's should only be seen if on a job.

3 Evidence Collection

3.1 Evidence was collected from a variety of sources:

3.2 Background reports

[Presentation to set the scene - Licensing Policy in the borough](#)

House of Commons Library – Taxi and Private Hire Vehicles (2014)

A copy of the briefing note can be located [here](#).

Department of Transport Best Practice Guidance on Vehicle Licensing (March 2010)

A copy of the Best Practice Guidance can be located [here](#).

House of Commons Library – Briefing Paper – Taxi and Private Hire Vehicle Licensing (5 August 2015)

This briefing paper sets out the licensing arrangements for taxis and private hire vehicles and their drivers and the enforcement of those licences. The briefing paper looks at some of the issues currently of concern to the industry and licensing authorities.

The present law varies depending where one is. The licensing conditions that are applied to taxis and PHV drivers and the local conditions of vehicle fitness are for each local licensing authority to decide, so can vary considerably from area to area. The briefing note goes on to state that in England and Wales, outside London, taxis are licensed by district councils under *the* “Town Police Clauses Act 1847” or that Act as amended by the “Local Government (Miscellaneous Provisions) Act 1976.” All taxis and their drivers must be licensed. Private hire vehicles (PHVs), sometimes referred to as minicabs, drivers and operators are subject to licensing if a district council has adopted Part II of the 1976 Act (most have) or has similar provisions contained in a local Act. 2

In London, the taxi legislation dates back to the nineteenth century, but the main licence conditions are made under the “London Cab Order 1934”. The minicab trade in London is licensed by regulations made under the “Private Hire Vehicles (London) Act 1998”. The briefing paper reports that in Scotland taxis and PHVs are licensed under Part II of the “Civic Government (Scotland) Act 1982”, as amended. Licensing works in much the same way as in England and Wales. It is emphasised that both the taxi and private hire industries are facing challenges from new technology, and from legislative change, causing concern and anger amongst a number of operators and drivers.

Uber is subject to ongoing legal challenge in UK and other courts and its use by PHV drivers in London has proven deeply controversial.

The briefing paper notes that the legal framework in England and Wales, including London, was reviewed in 2012-14 by the Law Commission, which published recommendations and a draft Bill in May 2014. The Government has yet to publish a response to this and indicate whether it intends to implement the wholesale reform proposed by the Commission. The Coalition Government made minor changes to the law in the “Deregulation Act 2015”.

3.2.1 Background statistics

Taxis and Private Hire Statistics - Northampton

3.2.1.1 As of September 2015, in Northampton, there were:

- 802 Licensed Private Hire Drivers
- 41 Licensed Hackney Drivers
- 127 Combined Drivers
- 53 Private Hire Operators
- 819 Licensed Vehicles

Department for Transport – Taxi Statistics (2013)

3.2.1.2 The Department for Transport's taxi statistics provide information on the number of licensed taxis and private hire vehicles in England and Wales, including the number designed to be accessible for disabled people. Data is derived from the department's survey of licensing authorities in England and Wales, which takes place every 2 years. The last survey was carried out in 2013.

3.2.1.3 The report details that, as of the end of March 2013, there were:

- an estimated 78,000 taxis and 153,000 licensed private hire vehicles (PHVs) in England and Wales, a total of 231,000 vehicles
- an estimated 58% of licensed taxis were wheelchair accessible (100% in London)
- 297,000 taxi or PHV driver licenses in England and Wales This is a total of 231 thousand vehicles which is around one thousand fewer than as the same point in 2011 when the figures were last collected, representing a fall of 0.7%.

3.2.1.4 This is the first reduction in overall licensed vehicle numbers since comparable statistics were first collected in 2005. Growth in vehicles has slowed considerably since the start of the economic downturn. The total number of taxis and PHVs increased 18% between 2005 and 2009 and by 2% between 2009 and 2013. Taxi numbers have been recorded since the 1970s, and grew rapidly following the 1985 Transport Act which amended the circumstances in which a Local Authority could control taxi licences.

3.2.1.5 Further details regarding these statistics can be located [here](#).

3.2.2 Relevant Legislation

Town Police Clauses Act 1847

3.2.2.1 In England and Wales, outside London, taxis are licensed by district Councils under the Town Police Clauses Act 1847 or that Act as amended by the Local

Government (Miscellaneous Provisions) Act 1976. All taxis and their drivers must be licensed. Private Hire (PHVs), drivers and operators are only subject to licensing if a district Council has adopted Part II of the 1976 Act or has similar provisions contained in a local Act.

Local Government (Miscellaneous Provisions) Act 1976

3.2.2.2 The present law varies depending on the locality. The licensing conditions that are applied to Taxis and PHV drivers and the local conditions of vehicle fitness are for each local licensing authority to decide, so can vary considerably from area to area.

3.2.2.3 In England and Wales, outside London, taxis are licensed by district councils under the Town Police Clauses Act 1847 or that Act as amended by the Local Government (Miscellaneous Provisions) Act 1976. All taxis and their drivers must be licensed. Private hire vehicles (PHVs), sometimes referred to as minicabs, drivers and operators are subject to licensing if a District Council has adopted Part II of the 1976 Act (most have) or has similar provisions contained in a local Act.

3.2.2.4 The licensing conditions that are applied to taxi and PHV drivers and the local conditions of vehicle fitness are for each local licensing authority to decide, so can vary considerably from area to area. Licensing authorities are entitled to charge a 'reasonable' fee to cover the costs of administration and issue of a licence

3.3 Core questions

3.3.1 The Scrutiny Panel devised a series of core questions that it put to key witnesses over a cycle of meetings (Copy at Appendix B).

3.3.2 Key witnesses provided a response to these core questions at the meetings of the Scrutiny Panel held on 22 October 2015, 28 November 2015 and 7 January 2016.

3.3.3 Salient points of evidence:

Cabinet Member for Environment and Cabinet Member for Community Safety, Northampton Borough Council (NBC)

- There is a need for clearer information about how to complain about problems with taxis/private hire vehicles including flagging, poor service, vehicle maintenance and condition and are made available on the Council's website. A PR campaign using social and conventional media could be put in place to convey positive messages about the benefits of using taxis / private hire vehicles and give information about complaint mechanisms. Existing contacts with the University and College could be used to share information through their information sharing processes.
- Complaints about poor driving should be referred to the Police Drivewatch Hotline number 0800 174615 as the Licensing Team is unable to take action to deal with matter without independent witnesses.
- Significant work is already carried out to share good practice. Earlier this year around 200 drivers attended a briefing session about Child Sexual Exploitation (CSE).
- All drivers are required to provide an enhanced Disclosure and Barring Service (DBS) check on application and every 3 years thereafter. Drivers are encouraged to sign up to the update service which allows the authority to carry out check on updated information in a timely manner. The Council has guidelines on the relevance of convictions which are used to assess the relevance of any conviction highlighted on the DBS check.
- Formal arrangements are in place for the Police to notify the Council of cases where taxi / private hire drivers are charged with a range of categories of criminal offences under the Police Common Law Disclosure powers. This information is exchanged if it is in the public interest to do so. This system works effectively and information is provided in a timely manner providing evidence to allow the Licensing

Committee to consider appropriate action to assess whether any driver is a fit and proper person and take appropriate action in such cases. There have been some occasions where the Police is not aware that a person is a taxi or private hire driver and do not pass on relevant information.

- Currently, there is probably not sufficient rank space in the town during the day and night time. Daytime problems are experienced with traffic congestion when the rank is full. There is no overflow provision for drivers to wait at a suitable location until space on the rank becomes available. There is no provision at the eastern end of the town centre, for example at the top of Abington Street or on Wellingborough Road. Some night time flagging hotspots such as St Giles Street and the lower part of Bridge Street highlight areas where additional capacity would be useful. Additional Rank space is needed in the town and it is important that this is considered in the early stages of the design of town centre improvements. In view of the important public transport role provided by taxis, opportunities to provide additional space must be considered as part of the planning and design processes.
- The conditions imposed are considered to be relevant fair and proportionate. Enforcement checks carried out indicate that they are being met by the majority of drivers and action is taken on a risk based basis when breaches are found. Current levels of resource mean that it is not possible for enforcement officers to monitor compliance at all times and so therefore enforcement has to be undertaken on a targeted basis.
- Some areas of the town are subject to poor air quality due primarily to transport related emissions and work is ongoing to develop a Low Emissions Strategy for Northampton with associated planning guidance. The recommendations of this strategy are likely to have implications for the taxi trade, particularly in respect of some more polluting diesel engine vehicles and so it is important that work is taken forward to incorporate these considerations into taxi/ private hire vehicle policy.

- The safeguarding of children and vulnerable adults must be properly embedded into the taxi / private hire policy. It is vitally important to ensure appropriate checks are in place to ensure that drivers are fit and proper persons. It is also important to recognise that drivers have a vital role in being alert for signs of child sexual exploitation, some training has already taken place to raise awareness of the issues but this must be maintained and enhanced with clear information being provided about signs to be aware of and reporting mechanisms.

Senior Licensing Officers, Northampton Borough Council (NBC)

- Any education around the taxi and private hire framework has to be sustained.
- Regular inclusion of key information in NBC publications to customers could have information to explain the rules around taxis. or engagement with community groups or Residents Associations on occasions.
- Press releases could be used following operations.
- Communication exchange between the Police and the: Licensing Team is good. Sometimes data disclosure can be problematic but organisations are constrained by legislation and procedures followed. A good relationship exists between responsible Authorities generally.
- Meetings are held between Private Hire Operators and Officers, Hackney drivers and Officers. The Licensing Team provides newsletters and is available by appointment to discuss issues they may have. The situation regarding ranks is not suitable. There are 12 spaces on Mercers Row, a rank on Billing Brook Road that is not used as it is in the wrong location. Hackneys use the rank at the train station and Weston Favell Shopping Centre which is not provided by NBC. There are a couple of other ranks in town that have two spaces and temporary night time ranks which provide about another 10 spaces at night only. Overall NBC provides the equivalent of a permanent rank equipped to take 14 Hackney Carriages which rises to 25 at night. This

is for 147 Hackneys. Illegal ranks” are sometimes created in locations that are known for private hire flagging.

- The provision of taxi ranks does not seem to be taken into consideration when planning town centre changes/improvements. It does not seem to be given the same status as other public transport. For example there is no provision of a rank for the taxis at the bus station, at the top of Abington Street, on Giles Street and there is no feeder rank into the town centre. The development of Black Lion Hill “drop off area” was created without consideration and has created an area for an illegal rank
- “Illegal ranks” are sometimes created in locations that are known for private hire flagging.
- Licensing conditions should be reviewed every couple of years as things change.
- There is a need to look at suitable conditions for Operators and implementing a new Operators course for those coming into the industry and/or for existing Operators, in order to make them aware of their responsibilities and look at feasible action that be can be taken against Operators who fail to comply.
- The introduction of probationary badges would be useful if it was lawful to do so.
- There is a need to limit the number of Private Hire drivers. There are problems with flagging
- There is the need to get the “Green” Policy together so Officers can look at how this can be incorporated into the standards of the taxi and private hire vehicles.
- There is a need for a consistent approach regarding the suspension and revocation of licences and send out a strong message when drivers fail to comply. A zero tolerance approach should be considered for adoption
- Drivers should be promoted as professional workers who have a valuable position to play within the town’s public transport and night-time economy and they need to understand the importance of the role that they are entrusted with.

Chair, Hackney Carriage Association

- The majority of the Trade are aware of their responsibilities and the legislation; the work of the Licensing Committee and the licensing framework.
- The Chair of the Hackney Carriage Association felt that there was limited exchange of information between Agencies and the Taxi Trade. Informal meetings are held with NBC Licensing Officers. There is a need to involve Highways Officers and the Police in these meetings.
- There is an issue with Private Hire flagging, due to this illegal ranks are set up.
- There are 150 Hackney Carriages in Northampton. In 1998 there were around 60. There are a lot of Hackney Carriages but limited rank spaces. The optimum number of Hackney Carriages was felt to be around 120-130.
- The rank in the town centre is problematic due to the buses. Preliminary discussions had been held in respect of moving this rank to the opposite side of the road.
- There is a need for signage so that the public is aware of where the ranks are, particularly in Mercers Row and Marefair.
- The Chair of the Hackney Carriage Association is concerned regarding the abolition of the 3 year age limit for newly licensed Hackney Carriages that will commence from January 2016. There could be a risk of more vehicles being presented for licensing. A restriction on the number of Hackney Carriage Vehicle licences would be useful. Members of the Hackney Carriage Association were in support of capping.
- Roof signs on Private Hire Vehicles are a “magnet” for flagging. Private Hire vehicles with roof signs could appear to look like a Hackney Carriage vehicle and could be confusing to the public thinking that they are a Taxi. Part II of the Local Government (Miscellaneous Provisions) Act 1976 states that a Private Hire vehicle must not look like a Taxi.

Chair, Private Hire Association

- There is a need to ensure the Taxi Licensing Website is up to date, it would be useful for it to contain information regarding good and best practice.
- There is a need to educate the public on the difference between Taxis and Private Hire.
- The Private Hire Association has been running for 12 years and holds a meeting every two months. A number of Private Hire Operators and drivers attend along with representatives from NBC and the Police. More recently representatives from NBC have not been able to attend.
- The Private Hire Association has a very good exchange of information with the Police and NBC.
- There are too many taxis. Some Hackney Carriages undertake private hire work.
- There is a need for more Taxi ranks and an unmet demand survey should be undertaken. Some small towns license all drivers and vehicles as Hackney Carriage.
- Licensing conditions are generally met.
- It would be useful for Kingswell Street to become a functional road. It is currently blocked off by two large plant pots.
- There is a need for a Taxi rank at the bus station and the hospital.

Private Hire Operators

A number of Private Hire Operators attended the meeting of the Scrutiny Panel on 28 November 2015. Key points:

- A lot of people do not appear to know the difference between Hackney Carriage and Private Hire. If this was widely publicised it would help the problem with flagging. An article in the press, particularly around Christmas time would be very useful.

- Drivers and vehicles go through stringent test. There is a need for a positive awareness campaign for Taxis and Private Hire.
- There is a need for more enforcement. Enforcement checks should be at different times on different days. Some Private Hire Operators supported Taxi Marshalls but one Operator did not.
- There are not enough Taxi ranks. There is a need for a rank at the hospital. There is no space for pre- booked private hires to wait at the train station.
- The Licensing Office at NBC should be open for longer hours.
- The press should be used for good news stories.
- Tests that prospective Private Hire drivers take should be more difficult and the number of Hackney Carriages should be restricted. There is also the need to educate some drivers on the tariff system.
- The public should be made aware of the tariff system.
- There is a need for an information sharing protocols for DBS forms.
- Information about the licensing framework is widely available.
- It would be useful if the Council could share information regarding DBS checks for the Trade with Northamptonshire County Council in respect of transporting vulnerable people
- There is a need for more Taxi ranks in the town centre and new ranks should be positioned where most needed, such as outside the bus stations and The Drapery.
- The majority of drivers are happy with the licensing conditions and processes applied to Taxi and Private Hire drivers
- There is a need to address flagging and more enforcement in respect of flagging.
- A joint meeting between Hackney Carriage, Private Hire drivers and the relevant Authorities would be useful.
- Consideration should be given to restricting the number of Hackney Carriage vehicles. An unmet demand survey should be undertaken

- A sign for Private Hire Vehicles to display in their windscreens “Pre Booked only” would be very useful.
- Uber could affect the Trade by 25%.

Licensing Sergeant, Northants Police

- The Licensing Sergeant is based alongside the Licensing Constable for the Northampton area and admin clerks within the Guildhall. They sit alongside the borough’s Licensing Enforcement Team who deal with taxi licensing and support them as both actively as warranted Officers, where appropriate, and as points of liaison with the force. Licensing Enforcement Officers are not able to do anywhere near as much Licensing Enforcement as they would like, or perhaps should, due to lack of resource.
- NBC Licensing Officers have the contact details of the Force’s Information Unit who deal with all disclosures with regard to Taxi drivers. Sharing of information is done strictly under the terms of the Common Law Disclosure Scheme and follows the Force’s Policy on this scheme. There have been frustrations voiced by Local Authorities, including NBC, about some information becoming harder and in some cases impossible to obtain following an old ruling about Notifiable Occupations Scheme whereby any Police information on a taxi driver such as an arrest would be shared automatically was illegal and against the principals of the Human Rights Act. Information is now considered on the basis of a pressing social need and where this outweighs an individual’s right to confidentiality.
- In the main, the contact and liaison between Northants Police and NBC is excellent and where appropriate information is shared suitably and in a timely manner.
- The Licensing Sergeant is aware of the recent efforts in the last year to expand on the number of night-time rank spaces to assist in the management of the night-time economy. These spaces were needed to prevent some of the queues around the Mercers Row area. Some issues have been faced by Police Officers when policing Northampton town centre on a Friday and Saturday night, primarily in Bridge Street. Taxi’s both Hackney who legally

rank on the new night-time rank at the top of the street, and Private Hire, who are illegally ranking, have contributed to a number of issues with obstruction of the highway. This is compounded at the very busy times between 01.00hrs and 04.30hrs on Friday and Saturday nights with large numbers pedestrians moving between and to and from venues.

- The views of a number of Officers have been expressed to the Licensing Sergeant regarding this and some believe that Bridge Street at busy times is a “serious accident” waiting to happen due the mixture of pedestrians who are more often than not under the influence of alcohol, cars and taxis. Others have raised concerns and have experienced difficulties in getting emergency vehicles up and down Bridge Street, having to decamp from their vehicles at the top or bottom of the street to deal with a fight or other incident part way along the street at or near a licensed venue. Recent enforcement activity and prosecution against private hire vehicles seen flagging on CCTV has assisted this but the matter is still an issue.
- The Licensing Sergeant’s own observations are that the closure of Bridge Street between midnight and 05.00hrs needs to be reconsidered for Friday and Saturday nights, bank holiday Sundays, Christmas Eve and New Year’s Eve, or consultation is needed with Highways to consider other traffic calming/pedestrian control measures.
- NBC Licensing Officers do everything they can to enforce the conditions placed on taxi drivers and deal with complaints robustly.
- The Licensing Sergeant is aware of potential improvements to the Council’s webpage regarding information about Taxis and Private Hire
- Some unauthorised ranking goes on, particularly in Bridge Street by the scaffolding hoardings, close to Balloon Bar and NB’s, which causes obstructions and cuts down on visibility for pedestrians and other traffic alike and narrows the road so no two way traffic can pass safely. This combined with the number of pedestrians in the road can cause issues of access for emergency services. Further unofficial ranking goes on outside McDonalds this can assist in taking people away from the area after they have bought their food and are going home.
- The temporary complete road closure of Bridge Street on Boxing Day, New Year’s Day and New Year’s Eve worked very well. Christmas Eve had not

been as busy as expected and therefore the road closure was not used. The road closure enabled the Police to get to incidents quickly and disperse them.

- A complete closure on specific dates that had been identified as “risk” would be more effective and safer, such as Halloween, Christmas period, certain payday weekends and other celebratory events than a permanent closure to all traffic except buses and Hackney Carriage. Currently, around 50% of the traffic along Bridge Street at night consists of Taxis.
- CCTV monitoring in respect of flagging is effectiveness but the process is resource intensive

Community Engagement Manager, Northamptonshire Highways

- From a legislative point of view the closure of Bridge Street during the Night Time Economy, except for buses and taxis would not possible to do under a Temporary Traffic Order (Section 14 of the Highways Act 1980). Highways is only able to use a temporary traffic order for either works or for a likelihood of danger to the travelling public (i.e. weak bridge, unsafe structure etc.)
- In order to progress this Highways would be required to make a Permanent Traffic Order which would have a public consultation. From previous experiences it is likely that objections to this would be received from restaurants, churches in the area.
- One of the more logistical issues is that in closing Bridge Street it would require traffic remodelling throughout the town centre to enable traffic to enter and leave the town centre. Currently drivers would be able to enter via St Giles Square but would have no way of exiting the area.
- From a safety point of view allowing taxis and buses only through may be potentially more hazardous than having a more constant flow of vehicles. Pedestrians in the area may not be expecting vehicles and there would be a zero traffic flow for most of the time. On this basis Northamptonshire Highways would raise objections to this if there were Police or Borough Council powers used to close the road.

4 Site Visit

4.1 On 10 December 2015, between the hours of 1pm and 2pm, representatives of the Scrutiny Panel undertook a site visit of the town centre; with a particular focus on observing the taxi ranks.

4.2 Key points:

George Row – A night time (from 11pm to 5am) taxi rank is in place

Mercers Row - A permanent taxi rank in place (daytime and night-time hours) with space for 12 Hackney Carriages. Often Hackney Carriages can wait around the corner. This was not observed during the site visit. 10 Hackney Carriages were observed on the rank; turnover was fast. Cars were parked opposite the rank on the double yellow lines. Representatives of the Scrutiny Panel spoke with Hackney Carriage drivers. It was noted that occasionally maintenance vehicles obstruct the taxi rank. It would be beneficial for the rank to be expanded to both sides of the road.

Wood Hill - Vehicles displaying a blue disabled badge, were observed parked on double yellow lines, opposite the disabled bay parking. This contributed to congestion.

Bridge Street - Night time taxi rank. Hours of operation 11pm to 5am. Disabled parking is located opposite the taxi rank. Parking opposite the rank can cause congestion during the night time hours.

College Street, off St Katherine's Street - Two Private Hire vehicles, on double yellow lines, were observed parked up.

St Katherine's Street - Three Private Hire vehicles were observed parked up.

The Scrutiny Panel was informed that complaints are received regarding Private Hire vehicles parked up, in the evenings, outside the Park Inn and The Boston.

Bus Station – has the provision of one drop off/pick up bay but no other facilities for Hackney Carriage and Private Hire pick up/drop off.

Outside the Roadmender, Lady's Lane - A night time rank. Hours of operation – 11pm to 5am.

5 Desktop Research

5.1 Desktop research was undertaken regarding changes to the licensing regime at another Local Authority.

Changes to the Licensing Regime at Leicester City Council

5.2 The changes to the licensing regime at Leicester City Council (LCC) include:

- New and existing drivers attend child sexual exploitation awareness briefings
- The introduction of a driver penalty scheme
- Introduction of a Three Year Driver's Licence

Child Sexual Exploitation Briefings

5.3 Leicester City Council's licensed drivers are required to attend a course about child sexual exploitation. The idea is to raise awareness amongst drivers so that they know what to look out for and what to do if they have any concerns. The course was first run earlier in 2015 for drivers who are contracted to do school runs etc. for Leicester City Council, and it has now been extended to include all drivers. The course is delivered by an external trainer at various locations, with a selection of days and times. All drivers are required to take the course within three months of the date their licence is granted / renewed. New drivers are required to pay for the course themselves, which is around £20. The Council is meeting the cost for existing drivers. Licensing Officers at Leicester City Council will follow up any drivers who have not taken the course three months after the date they were licensed, with the possibility of their licence being revoked on the grounds they are no longer fit and proper.

This Policy was introduced on 1 November 2015. Licensing Officers will start following up non-attendance from February 2016. It is a one-off rather than an ongoing requirement at each renewal, although it will continue to be required for any new drivers.

Driver Penalty Points Scheme

5.4 The City Council will record penalty points against drivers of misconduct that is not serious enough in itself to warrant a prosecution. If a driver receives more than 12 points within a three year period, LCC will consider suspending or revoking the driver's licence. The driver will have the opportunity to state their case before any points are added. The Scheme runs separately to the guidelines on convictions and points on a driver's DVLA licence. This scheme was introduced to give a more measured approach to minor offences and misconduct. Leicester City Council has not introduced any new 'offences' – the points scheme deals with breaches of the pre-existing requirements placed on licensed drivers. The points are shown in the table below. This was issued to all licensed drivers in the city of Leicester in October 2015.

	Offence/Breach of Condition	Maximum Points Applicable
1	Providing false or misleading information on licence application form, or failing to provide relevant information.	4
2	Failure to use taxi meter for journeys within prescribed distance	5
3	Refusal to accept hiring without reasonable cause	5
4	Parking a vehicle in contravention of parking restrictions	4
5	Failure to display appropriate plates, or plate improperly secured, or failure to display door signs.	3
6	Failure to wear driver's badge	3
7	Failure to undertake 6 monthly vehicle examination	4
8	Driving a vehicle in an unroadworthy condition (e.g. prohibition notice)	4
9	Failure to notify Licensing Authority of a conviction	4
10	Failure to comply with the drivers' code of conduct.	1

5.5 This Policy was introduced on 1 December 2015. As of 14 December 2015 no points have been given so far. The Licensing Team reports that this is unpopular with the drivers, and the Hackney Trade has carried out a number of protests as a result.

Introduction of Three Year Driver's Licences

5.6 In accordance with the changes from the Deregulation Act 2015, all drivers have to be 3 yearly licensed and operators a five year licence. From 1 October 2015, Leicester City Council introduced a three year driver's licence. The standard duration of a licence is three years unless there are reasons to justify a shorter period. The duration of the a licence offered to drivers is based on the total penalty points on their DVLA licence and penalty points issued under the Council's scheme, or their record of criminal convictions; whichever results in the shorter licence. Three year licences are offered to drivers with:

- A total of less than 3 points on the DVLA licence and City Council penalty points system and
- No criminal convictions relating to drugs, violence, dishonesty or other serious offences in the last ten years.

5.7 Three year licences are offered to drivers with:

- A total of less than 3 points on the DVLA licence and City Council penalty points system and
- No criminal convictions relating to drugs, violence, dishonesty or other serious offences in the last ten years.

5.8 Two year licences will be offered to drivers with:

- A total of 3-5 points on DVLA licence and City Council penalty points scheme and
- No criminal convictions relating to drugs, violence, dishonesty or other serious offences in the last ten years.

5.9 One year licences will be offered to all other drivers,.i.e. those with more than 5 penalty points

5.10 LCC reports that as of August 2015, the proportion of drivers who would be eligible for licences of each duration is as follows:

- Three years (less than 3 penalty points) 77%
- Two years (3-5 penalty points) 16%
- One year (more than 6 penalty points) 7%

5.11 Appendix C details the guidance note that has been issued to all licensed drivers on the newly introduced Policies.

Leicester City Council's approach to flagging

5.12 The offence of illegal plying for hire is often known as “flimping” in Leicester. LCC reports that due to the complexities of what constitutes plying for hire and the requirement in any prosecution to prove beyond reasonable doubt that an offence has taken place, action to deal with illegal plying is usually in the form of a pre-planned operation.

5.13 Licensing Enforcement Officers aim to carry out at least four flimping exercises a year. They are test purchase operations. It is further reported that the exact method of operation has been developed and modified to take account of prosecutions that have been successful and to learn from those that have not. It is highlighted that this results in robust evidence that can be relied upon in legal proceedings.

5.14 LCC goes on to state that many, if not all, insurance policies for private hire vehicles exclude plying for hire. Following successful prosecutions, any

private hire drivers licensed by LCC are reported to the Licensing Enforcement Sub Committee for consideration whether the driver remains a fit and proper person to hold a licence. It is reported that in some cases, the Sub Committee has revoked licences that has been up-held at appeal to the Magistrate's Court.

- 5.15 Two recent enforcement operations detected contraventions by ten drivers and files processed with a view to prosecution.

Taxi Marshals

- 5.16 A number of Local Authorities have introduced Taxi Marshals. Detailed at Appendix D are examples of some of the Taxi Marshal Schemes in operation:

6 Community Impact Assessment

- 6.1 This Scrutiny Review investigated the pattern of provision for licensing, including, taxis and private hire with a focus on the effectiveness of the enforcement of policies. It sought to put forward informed recommendations to all relevant parties on the pattern of provision for licensing.
- 6.2 The Scrutiny Panel, in having regard to the general equality duty, was mindful of the protected characteristics when undertaking this scrutiny activity; so that any recommendations that it made could identify disproportionate and unintended potential positive and negative impacts on any particular sector of the community, including any potential mitigation required. This was borne in mind as the Scrutiny Panel progressed with the review and evidence is gathered.
- 6.3 In order that the Scrutiny Panel obtained a wide range of views, a number of key witnesses provided evidence as detailed in section 3 of this report.
- 6.4 Any recommendations that explored ways of dealing with Licensing Policy would consider impact and potential mitigation as appropriate and relevant

across all protected characteristics. Impact assessments are integral to any reports including actions plans.

- 6.5 Details of the Community Impact Assessment undertaken can be located on the Overview and Scrutiny [webpage](#).

7 **Conclusions and Key Findings**

- 7 After all of the evidence was collated the following conclusions were drawn:

Policies and Strategies for Licensing and the effectiveness of the legislation for licensing

- 7.1 The Scrutiny Panel was concerned regarding the evidence received about private hire vehicles flagging. It felt that there was a need for the introduction of an Enforcement/Committee Sanctions Policy for flagging.
- 7.2 The Scrutiny Panel emphasised that if a Private Hire vehicle (PHV) flags or takes an un-booked fare then they are committing an offence and are also operating without insurance. The introduction of a “pre booked only” sticker for display in the windscreens of private hire vehicles would be useful.
- 7.3 Expected behaviour of Hackney Carriage drivers is covered in the Induction Programme, for example not to retain customers’ telephone numbers. The induction programme also includes:
- School contracts
 - Disability issues
 - Fraud
 - Child Sexual Exploitation (CSE)
- 7.4 The Scrutiny Panel recognised that drivers have a vital role in being alert for signs of child sexual exploitation. The Scrutiny Panel acknowledged that the training that drivers at Northampton undertake in respect of Child Sexual

Exploitation (CSE). CSE is incorporated into the induction training for drivers at Northampton. There is a mandatory question that drivers are expected to answer as part of the testing process. The Scrutiny Panel was pleased that investigations are taking place regarding the provision of training on CSE awareness for drivers in the possible form of on-line training or training in DVD format.

- 7.5 Evidence received highlighted that Private Hire vehicles with roof signs could appear to look like a Hackney Carriage vehicle and could be confusing to the public thinking that they are a Taxi. Part II of the Local Government (Miscellaneous Provisions) Act 1976 states that a Private Hire vehicle must not look like a Taxi.
- 7.6 The Scrutiny Panel felt that the test to become a Private Hire driver should be of the same standard to that of a Hackney Carriage driver. An extensive knowledge test is given too. Private Hire drivers undertake a basic knowledge test.
- 7.7 The Scrutiny Panel was pleased to note from the evidence received that the majority of drivers are happy with the licensing conditions and processes applied to Hackney Carriage and Private Hire. However, the Scrutiny Panel felt that licensing conditions should be reviewed every two years, to take into consideration issues such as changes in legislation.
- 7.8 The Scrutiny Panel noted that a project had been undertaken regarding the current 3 year age limit for hackney carriages when first licensed. It had been found that maintenance and condition of a vehicle was more important than age, for example, an older car could be in better condition and well maintained than that of three years old. It had therefore been agreed by the Licensing Committee to remove the age restriction but for it to be introduced incrementally. From 1 January 2016 there will not be an age limit for first licence of a hackney carriage vehicle.

7.9 Some areas of the town are subject to poor air quality due primarily to transport related emissions and work is ongoing to develop a Low Emissions Strategy for Northampton with associated planning guidance. The Scrutiny Panel noted that the recommendations of this strategy are likely to have implications for the taxi trade, particularly in respect of some more polluting diesel engine vehicles and the Scrutiny Panel felt that it is important that work is taken forward to incorporate these considerations into taxi/ private hire vehicle policy.

Licensing Conditions – example of solutions introduction by other Local Authorities

7.10 Desktop research indicated that a Local Authority has introduced changes to its licensing regime:

- New and existing drivers attend child sexual exploitation awareness briefings
- The introduction of a driver penalty scheme
- Introduction of a Three Year Driver's Licence

The Scrutiny Panel acknowledged the usefulness of these changes and felt it would be beneficial for there to be an evaluation of the Policy regarding the enforcement of licensing conditions; such as the inclusion of structured enforcement guidelines. The Scrutiny Panel highlighted that consistency is key.

Taxi Marshals

7.11 The Scrutiny Panel noted the success of Taxi Marshals in other areas of the country. It further recognised that the introduction of Taxi Marshals could incur a cost, for example, a six month trial period of Taxi Marshals at Nuneaton and Bedworth cost £12,528.

Mechanisms for the exchange of information

- 7.12 The Scrutiny Panel was pleased that discussions are ongoing regarding an information sharing police regarding Northampton Borough Council sharing information regarding DBS checks for the Trade with Northamptonshire County Council in respect of transporting vulnerable people.
- 7.13 Evidence received confirmed that information sharing channels between the Trade, Council and Police is good. Regular meetings are held. It was felt that a joint meeting between Hackney Carriage, Private Hire drivers and the relevant Authorities would be useful.
- 7.14 The Scrutiny Panel felt that a lot of people are not aware of the difference between Hackney Carriages and Private Hire. There is a need for this to be widely publicised and it could assist with the problem of flagging. Articles in the local press during the year would be beneficial.
- 7.15 Evidence received highlighted the need for regular inclusion of key information in NBC publications to customers could have information to explain the rules around taxis or engagement with community groups or Residents Associations on occasions. Press releases could be used following operations.
- 7.16 The Scrutiny Panel emphasised the need for clearer information about how to complain about problems with taxis/private hire vehicles including flagging, poor service, vehicle maintenance and condition and are made available on the Council's website. A PR campaign using social and conventional media could be put in place to convey positive messages about the benefits of using taxis / private hire vehicles and give information about complaint mechanisms. Existing contacts with the University and College could be used to share information through their information sharing processes.

The Provision and Usage of Taxi Ranks in the borough

- 7.17 Evidence received confirmed that Northampton's taxi trade is of a similar size to other large towns or small cities in the country. The Scrutiny Panel felt that consideration should be given to restricting the number of Hackney Carriage vehicles. An unmet demand survey should be undertaken.
- 7.18 The Scrutiny Panel was concerned regarding the number of rank spaces in the town, approximately 20 for 150 Hackney Carriages. From the evidence received, the Scrutiny Panel considered there is not sufficient rank space in the town during both day and night time. Daytime problems can be experienced with traffic congestion when the rank is full. There is no overflow provision for drivers to wait at a suitable location until space on the rank becomes available. There is no provision at the eastern end of the town centre, for example at the top of Abington Street or on Wellingborough Road. There are some night time flagging "hotspots", such as St Giles Street and the lower part of Bridge Street. The Scrutiny Panel felt additional rank space here would be useful.
- 7.19 Evidence received highlighted the need for signage for Taxi ranks and road markings.

Resources for Taxi and Private Hire Licensing

- 7.20 Evidence received detailed that current levels of resource mean that it is not possible for Licensing Enforcement Officers to monitor compliance at all times and so therefore enforcement has to be undertaken on a targeted basis. Further evidence detailed that Licensing Enforcement Officers are very busy, under pressure and unable to undertake as much licensing enforcement as they would like to do.
- 7.21 The Scrutiny Panel felt that the introduction of Taxi Marshals would be beneficial.

Night time Economy and Highways

- 7.22 The evidence received highlighted the issues around Bridge Street during the night-time economy and the congestion along Bridge Street. Further evidence received highlighted that from a legislative point of view the closure of Bridge Street during the Night Time Economy, except for buses and taxis would not be possible to do under a Temporary Traffic Order (Section 14 of the Highways Act 1980). Northamptonshire Highways is only able to use a temporary traffic order for either works or for a likelihood of danger to the travelling public (i.e. weak bridge, unsafe structure etc.). A Permanent Traffic Order would therefore be required which would have a public consultation. Evidence from Northamptonshire Highways stated that from previous experiences it is likely that objections to this would be received from restaurants, churches in the area. In closing Bridge Street it would require traffic remodelling throughout the town centre to enable traffic to enter and leave the town centre. Currently drivers would be able to enter via St Giles Square but would have no way of exiting the area. Allowing taxis and buses only through may be potentially more hazardous than having a more constant flow of vehicles. Pedestrians in the area may not be expecting vehicles and there would be a zero traffic flow for most of the time. Northamptonshire Highways would raise objections to this if there were Police or Borough Council powers used to close the road.
- 7.23 The Scrutiny Panel supported temporary full closures to traffic of Bridge Street being introduced on specific risk dates as identified by the Licensing Sergeant, Northants Police such as Halloween, Christmas Eve, New Year 's Eve and New Year's Day, various payday weekends and other celebratory dates.
- 7.24 At one of its early evidence gathering meetings, the Scrutiny Panel was shown CCTV footage of the night-time economy in the town that highlighted issues incurred with traffic, groups of individuals being in the road and crossing the road after a night out.

7.25 The Scrutiny Panel noted that the Taxi Trade felt it would be useful for Kingswell Street opened up to traffic. It is currently blocked off to traffic by two large plant pots.

8 Recommendations

8.1 The purpose of the Scrutiny Panel was to investigate the pattern of provision of licensing for taxis and private hire

Key lines of Inquiry:

- To review the policies and strategies for licensing
- To assess the effectiveness of the legislation for licensing
- To raise awareness of the licensing and planning framework around the regulation of private hire and taxi licensing
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders.
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

Scrutiny Panel 3 recommends to Cabinet and the Licensing Committee:

Provision and Usage of Taxi ranks in the borough

8.1.1 Consideration is given to the provision of additional taxi ranks in the town centre:

Abington Street (near to central library), utilising the loading bays for an additional permanent taxi rank. Hours of operation – 10pm to 5am. This would ensure that loading to the nearby shops could take place.

The Parade – A night time rank comprising approximately 12 spaces. Hours of operation - 11pm to 5am. Consideration would need to be

given to issuing Hackney Carriage drivers with a key to the barriers. A deposit could be charged and refunded when the key is returned.

Guildhall Road/Derngate - A potential night time rank in the heart of the Cultural Quarter. Hours of operation 11pm to 5am.

Mercers Row – The rank is expanded to both sides of the road

- 8.1.2 Taxi rank signage is put in situ at the various ranks within the town.
- 8.1.3 An unmet demand survey for Hackney Carriages is undertaken in order to determine whether the number of Hackney Carriages exceeds requirements and whether a cap is necessary. This survey should also consider the extent of the Private Hire Trade and be undertaken every three years.

Policies and Strategies for Licensing and the effectiveness of the legislation for licensing

- 8.1.4 A sign for Private Hire Vehicles (PHV) to display “Pre Booked only” is issued to all PHV. The sign must be on display at all times.
- 8.1.5 The Scrutiny Panel informs Cabinet that it supports the further introduction of Child Sexual Exploitation (CSE) training for all Hackney carriage and private hire drivers at Northampton.
- 8.1.6 Details of the CSE awareness training is presented to the Licensing Committee regarding its roll out and content.
- 8.1.7 When approved, the relevant sections from the Low Emissions Strategy for Northampton are included within the licensing Policy for Taxis and Private Hire.

8.1.8 The standard test to become a Private Hire driver is raised.

8.1.9 An evaluation of the Policy regarding the enforcement of licensing conditions takes place and consideration is given to the inclusion of structured enforcement guidelines. Licensing conditions for Hackney Carriages and Private Hire are then reviewed every two years from January 2017.

Information Exchange

8.1.10 At least an annual joint meeting between Hackney Carriage drivers, Private Hire drivers and the relevant Authorities, including NBC Licensing Officers, Northants Highways and the Police, is held.

Raise Awareness of the licensing and planning framework around the regulation of private hire and taxi licensing

8.1.11 Articles are placed in the press regarding the difference between Hackney Carriages and Private Hire; particularly around the Christmas period. Copies of such articles are also forwarded to Community Groups and Residents' Associations.

8.1.12 A PR campaign, using social and conventional media, is put in place to convey positive messages about the benefits of using taxis / private hire vehicles and give information about the complaint mechanisms. Existing contacts with the University of Northampton and Northampton College are used to share information through their information sharing processes.

Taxi Marshals

8.1.13 Taxi Marshals are introduced for a trial period of six months. The trial is then evaluated so that the success of Taxi Marshals can be assessed.

Highways

- 8.1.14 Consideration is given to the removal of the two plant pots in situ at the entrance of Kingswell Street in order that it could become a functional road to through traffic.
- 8.1.15 It is recommended to Northamptonshire Highways that double red lines are introduced at Woodhill.
- 8.1.16 Temporary full closures to traffic of Bridge Street are introduced on specific risk dates as identified by the Licensing Sergeant, Northants Police.

Licensing Committee

- 8.1.17 A copy of this report is sent to the Licensing Committee.
- 8.1.18 It is recommended to the Licensing Committee that it re-visits the age limit Policy on Hackney Carriages.

Overview and Scrutiny Committee

- 8.1.19 The Overview and Scrutiny Committee, as part of its monitoring regime, reviews the impact of this report in six months' time.

Appendices



Appendix A

OVERVIEW AND SCRUTINY

SCRUTINY PANEL 3 – Effectiveness of Enforcement of Licensing Policy in respect of Taxis and Private Hire

1 Purpose/Objectives of the Review

- To investigate the effectiveness of enforcement of licensing, for taxis and private hire vehicles

Key lines of Inquiry:

- To review the enforcement of policies and strategies for taxi and private hire vehicle licensing
- To assess the effectiveness of the legislation for taxi and private hire vehicle licensing
- To raise awareness of the licensing framework around the regulation of private hire and taxi licensing, inclusive of examining the root causes of flagging
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

2. Outcomes Required

To put forward informed recommendations to all relevant parties on the enforcement of Licensing Policy.

3. Information Required

Background data, including:

- Presentation to set the scene: “Licensing Policy in the Borough”
- Relevant national and other background research papers, such as:

- [Department for Transport – Taxi statistics \(2013\)](#)
- [House of Commons Library – Taxi and Private Hire Vehicles \(2014\)](#)
- [Department of Transport Best Practice Guidance on Vehicle Licensing](#)
- Relevant Legislation:
 - The role of the Licensing Authority
 - Local Government (Miscellaneous Provisions) Act 1976
 - Town Police Clauses Act 1847
 - Licensing Policy and Practice
 - Licensing Enforcement practice guidelines
- Relevant data:
- Statistical data, such as the number of hackney carriage and private hire licences in the borough, number of taxi ranks in the borough and spaces on each rank
- Best practice and successful initiatives in both Northampton and elsewhere
- Witness evidence:

Internal

- Cabinet Member for Environment, Northampton Borough Council (NBC)
- Cabinet Member for Community Safety, NBC
- Senior Licensing Officer, Northampton Borough Council

External

- Licensing Sergeant, Northants Police
- Chair, Taxi and Private Hire Association
- Chair, Northampton BID
- Private Hire Operators

4. Format of Information

- Background data
- Background reports and presentation
- Best practice data
- Desktop research
- Evidence from expert external witnesses
- Evidence from expert internal witnesses

- Site visits

5. Methods Used to Gather Information

- Minutes of meetings
- Desktop research
- Site visits
- Officer reports
- Statistical data
- Presentations
- Examples of best practice
- Witness Evidence:-
 - Key witnesses as detailed in section 3 of this scope

6. Co-Options to the Review

None suggested for this Review.

7 Considerations for Community Impact, such as health, equalities and human rights

This Scrutiny Review will investigate the pattern of provision for licensing, including, taxis and private hire with a focus on the effectiveness of the enforcement of policies . It will seek to put forward informed recommendations to all relevant parties on the pattern of provision for licensing.

The Scrutiny Panel, in having regard to the general equality duty, will be mindful of the protected characteristics when undertaking this scrutiny activity; so that any recommendations that it made could identify disproportionate and unintended potential positive and negative impacts on any particular sector of the community, including any potential mitigation required. This will be borne in mind as the Scrutiny Panel progresses with the review and evidence is gathered.

In order that the Scrutiny Panel obtains a wide range of views, a number of key witnesses will provide evidence as detailed in section 3 of this report.

Any recommendations that explore ways of dealing with Licensing Policy will consider impact and potential mitigation as appropriate and relevant across all protected characteristics. Impact assessments will be integral to any reports including actions plans.

NORTHAMPTON BOROUGH COUNCIL

OVERVIEW AND SCRUTINY



Appendix B

SCRUTINY PANEL 3 – EFFECTIVENESS OF ENFORCEMENT OF LICENSING POLICY IN RESPECT TO TAXIS AND PRIVATE HIRE

CORE QUESTIONS – EXPERT ADVISORS

The Scrutiny Panel is currently undertaking a review investigating the effectiveness of enforcement of licensing, for taxis and private hire vehicles

Key lines of Inquiry:

- To review the enforcement of policies and strategies for taxi and private hire vehicle licensing
- To assess the effectiveness of the legislation for taxi and private hire vehicle licensing
- To raise awareness of the licensing framework around the regulation of private hire and taxi licensing
- To assess what mechanisms are in place for the exchange of information between the Council, the Police and licence holders.
- To examine what options are available and any best practice or solutions that other Local Authorities have successfully implemented
- To assess the provision and usage of taxi ranks in the borough

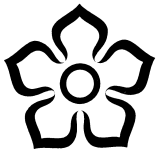
The expected outcomes of this Scrutiny Review are:

- To put forward informed recommendations to all relevant parties on the enforcement of Licensing Policy.

CORE QUESTIONS:

A series of key questions have been put together to inform the evidence base of the Scrutiny Panel:

1. In your opinion how can awareness of the licensing framework around the regulation of private hire and taxi licensing be raised?
2. Please provide details of the mechanisms that are in place for the exchange of information between the Council, the Police and licence holders. How easy do you find it to liaise and obtain information from the Authorities, in your opinion could this be improved? Please supply details.
3. Are you aware of the location and number of taxi ranks in the borough and do you think this is sufficient?
4. What do think of the licensing conditions and processes that are applied to taxi and PH drivers and vehicles; in your opinion are they being met? Do you have any suggested changes?
5. Do you have any further potential options for improvement that you would like to suggest to the Scrutiny Panel, please can you supply details?
6. Do you have further information regarding the effectiveness of enforcement of licensing, for taxis and private hire vehicles, which you would like to inform the Scrutiny Panel?



Licensing Policy Information Sheet

This information sheet provides you with an update on some of the changes which are taking place in relation to taxi driver licensing.

Three Year Driver Licences

From 1 October 2015, when you renew your licence, you may be able to apply for a licence which lasts for three years. This will depend on any points you have on your licence, any convictions you may have, and when your next DBS and medical are due. Further information will be provided in your renewal letter.

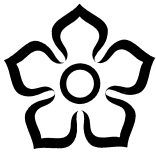
Child Sexual Exploitation Awareness Briefings

From 1 November 2015, there will a requirement for drivers to undertake a child sexual exploitation awareness briefing within three months of renewing their licence. For existing drivers there will be no charge for this. There will be a number of briefings available at different times and on different days of the week. The briefing will last about 3 hours. You will be sent information about how to book on to the briefings with your renewal letter.

Driver Penalty Points Scheme

From 1 December 2015, the City Council may record a number of penalty points against drivers' records if it believes their conduct has been unacceptable. If twelve or more points are recorded against a driver within 3 years, the Council will consider whether action should be taken, for example suspension or revocation of the licence. Authorisation to record points would be given by the Head of Licensing, but any subsequent action could only be authorised by the Licensing Committee. Drivers would have the right to discuss the circumstances of any incident that is being considered before any points are issued. There would also be a right of appeal to the magistrates' court against any decision of the Licensing Committee. The maximum points which could be awarded in any case are listed overleaf.

The City Council is aware that this scheme is unpopular with some drivers. It therefore intends to introduce the scheme for a trial period of 12 months after which time it will review the scheme. It will also monitor the scheme during this trial period, listen to any concerns about the scheme from drivers and consider any recommendations for improving the scheme.



	Offence/Breach of Condition	Maximum Points Applicable
1	Providing false or misleading information on licence application form, or failing to provide relevant information.	4
2	Failure to use taxi meter for journeys within prescribed distance	5
3	Refusal to accept hiring without reasonable cause	5
4	Parking a vehicle in contravention of parking restrictions	4
5	Failure to display appropriate plates, or plate improperly secured, or failure to display door signs.	3
6	Failure to wear driver's badge	3
7	Failure to undertake 6 monthly vehicle examination	4
8	Driving a vehicle in an unroadworthy condition (eg prohibition notice)	4
9	Failure to notify Licensing Authority of a conviction	4
10	Failure to comply with the drivers' code of conduct.	1



NORTHAMPTON BOROUGH COUNCIL

SCRUTINY PANEL 3 - EFFECTIVENESS OF ENFORCEMENT OF LICENSING POLICY IN RESPECT OF TAXIS AND PRIVATE HIRE

BRIEFING NOTE: BACKGROUND DATA – TAXI MARSHALS

1 TAXI MARSHALS

- 1.1 A number of Local Authorities have introduced Taxi Marshals. Detailed below are examples of some of the Taxi Marshal Schemes in operation:

OXFORD CITY COUNCIL - TAXI MARSHAL SCHEME

- 1.2 Oxford City Council (OCC) has implemented a Taxi Marshal Scheme at various Taxi ranks in the City Centre. OCC states that Marshals have proven to be highly effective in towns and cities in reducing illegal 'pick ups', controlling taxi queues, improving the safety of vulnerable persons and dealing with confrontational situations.
- 1.3 OCC reports that confrontation can occur when Private Hire drivers operate illegally by touting for business more commonly known as 'plying for hire', stop to pick up fares in 'no stopping areas' causing obstruction or operate without a valid licence. It is the responsibility of the Taxi Marshals to prevent such activity and report offenders so that legal action may be brought against those persons.
- 1.4 It goes on to report that confrontation may also occur when individuals or groups of people behave in an unsociable manner in taxi queues. OCC notes that this type of behaviour has to be defused quickly in order to prevent violence and public disorder. Such disorder in a taxi queue can result in anything from physical assault to a road traffic accident if not controlled.
- 1.5 The Taxi Marshals work closely with the Licensing Authority, Thames Valley Police and the City of Oxford Licensed Taxicab Association (COLTA), in order to ensure the efficient running of the operation. They are able to communicate any problems that they witness via the Radio-Link scheme to the CCTV Control Room. OCC reports that as Taxi Marshals are the 'eyes and ears' of the Licensing Authority and the Police and can play a vital role in the reduction of crime.
- 1.6 Oxford City Council - Duties of a Taxi Marshal:
- Wear the high visibility jacket provided by Oxford City Council at all times during shift.
 - Have an understanding of the difference between a Taxi (Hackney Carriage Vehicle) and a Private Hire Vehicle, so as to

ensure that only Hackney Carriage Vehicles licensed by Oxford City Council access the rank, and an understanding of the conditions, criteria and regulations regarding the licensing of drivers and vehicles with the Licensing Authority.

- Be responsible for a queuing system on the rank and match passenger number to Hackney Carriage Vehicles (Black Cabs).
- Have an understanding of the local taxi tariff in order to provide advice to the general public.
- Ensure that lone females, vulnerable persons or persons accompanied by children are adequately supervised.
- Advise any Private Hire Drivers of Private Hire Vehicles that may be waiting nearby without a booking to move on, as their actions constitute “plying for hire”, and to note the details of the vehicle make, model, colour and licence plate and if possible the Private Hire Driver badge number in their note pad.
- Prevent conflicts from arising on the rank and between the general public and taxi drivers by ensuring order and providing conflict management.
- Ensure that every driver that pulls up at the rank is displaying his or her Hackney Carriage Driver “badge”, identifying such a person as being licensed by Oxford City Council.
- Pass the details of any Taxi Driver who behaves in a manner that gives cause for concern, to the Licensing Authority or an officer of Thames Valley Police as soon as possible, including name, date and badge number.
- Have an understanding of drivers rights to:
 - (i) Refuse fares where they have a reasonable excuse.
 - (ii) Set the price of a fare prior to departing if the journey takes them beyond the City boundary.
- Have an understanding that when attempting to enter a licensed vehicle, that passengers must:
 - (i) Not be excessively drunk
 - (ii) Not be violent
 - (iii) Not be abusive
 - (iv) Not eat
 - (v) Not drink
 - (vi) Not smoke
 - (vii) Know their destination and relay such information to the driver
 - (viii) Have the required finances to pay for the journey.
- Use the Radio-Link appropriately to communicate with officers of Thames Valley Police and other Security Staff

MANCHESTER CITY COUNCIL - TAXI MARSHAL SCHEME

1.7 Code of Practice for its Taxi Marshal Scheme

Objective of Scheme

Ensure the safety of passengers and their property whilst queuing and on entering taxis.

Ensure the safety of taxi drivers and prevention of damage to vehicles by physical methods or by soiling from food and drink.

To manage taxi rank queues to enable a fair system of boarding to be imposed.

To encourage passengers and taxi drivers to use ranks in the city centre at peak times.

To deter crime and anti-social behaviour at taxi ranks covered by the scheme.

Operation of Scheme

All designated ranks covered by the scheme will operate with Taxi Marshals present continuously between the hours of 22-30 hrs and 04-30 hrs the following day. The contract specifies that this service shall be provided as a minimum every Friday and Saturday throughout the year. Additional service provision may be provided on an 'ad hoc' basis on other dates by arrangement.

Staffing

All Taxi Marshals are required to be in possession of a valid SIA [Security Industry Authority] licence. Minimum levels of staffing have been agreed as follows:

Total Number of Taxi Marshals on duty on a Friday	-	14
Total Number of Taxi Marshals on duty on a Saturday	-	16

Drinks

Passengers to be requested to wait until they have finished open drinks, before entering a taxi, or empty the drink and place the container in the waste bin provided.

Alcohol must be emptied out and not drunk in or around the ranks, in accordance with the alcohol bylaw.

Glass and glass bottles must be put in the bottle bin provided, in accordance with the Council's glass policy.

Food

Passengers to be requested to wait until they finish any open food, before entering a taxi, or place it in the waste bin provided.

Closed food packages are acceptable, but passengers should be requested to leave it closed until they are out of the taxi at their destination.

Fares

Marshals are not to become involved in fare negotiations. Any fare disputes should be reported by the passenger or the driver to the City Council's nominated representative on the next working day.

Operational Problems

Any other problems e.g. refusal to take passengers, wheelchair access, taxi sharing, are not the direct responsibility of the marshals but marshals are expected to offer appropriate advice. Such incidents should be reported as above to the numbers and address provided.

Uniforms and Equipment

Each team of marshals on every rank will be issued with a radio connected to the "nitenet" system. This will enable them to contact each other and request assistance from the City Council CCTV control room, which are also able to access Police assistance. These radios will be provided by the City Council.

Each marshal should be equipped with a pocket book, a personal first aid kit and a torch.

Marshals will wear a 'red team' uniform, which will include the City Council's insignia and the words 'Taxi Marshall' on the back. These will be provided at the Contractors own expense.

Marshal Behaviour

There should be no physical contact, between the marshals and passengers or drivers, other than the minimum required to enable the rank to function.

Marshals will be polite, advisory and non-confrontational in what may be a difficult situation.

Marshals must always summon assistance if problems of a physical nature arise or a situation becomes threatening.

Marshals must not put themselves or the public at risk.

Marshals should be observant at all times and make contemporaneous notes of any incidents or offences.

Marshals will be expected to co-operate with City Council and Police enquiries and investigations and act as reliable witnesses in such cases.

Survey Forms

To be handed to drivers and passengers as requested by the City Council.

EXCLUSEC SECURITY SYSTEMS LIMITED, MANCHESTER

- 1.8 Exclusec Security Systems Limited (ESSL) reports that Taxi Marshals have been proven to be highly effective in towns and cities across the UK in reducing illegal 'pick ups', controlling taxi queues, improving the safety of vulnerable persons and dealing with confrontational situations.
- 1.9 ESSL goes on to state that confrontation can occur when individuals or groups of people behave in an unsociable manner in taxi queues. This type of behaviour has to be defused quickly in order to prevent violence and public disorder. Such disorder in a taxi queue can result in anything from physical assault to a road traffic accident if not controlled.
- 1.10 ESSL states that the Taxi Marshals work closely with the Licensing Authority, Police and other agencies, in order to ensure the efficient running of the operation. Taxi Marshals are able to communicate any problems that they witness via the NiteNet Radio scheme to the CCTV Control Room.
- 1.11 It is reported that all Taxi Marshals employed by Exclusec are vetted to BS7858:2012 and hold a valid SIA license (minimum Door Supervision). In addition, they receive further training including Emergency First Aid, Customer Service, Conflict Management and Physical Intervention.
- 1.12 Exclusec Taxi Marshal Duties include:
 - Ensuring the safety of passengers and their property whilst queuing and on entering taxis.
 - Ensuring the safety of taxi drivers and prevention of damage to vehicles by physical methods or by soiling from food and drink.
 - To manage taxi rank queues to enable a fair system of boarding.
 - To deter crime and anti-social behaviour at taxi ranks covered by the service.
 - To ensure that lone females, vulnerable persons or persons accompanied by children are adequately supervised.
 - To refuse fares where there is a reasonable excuse.
 - To utilise NiteNet Radio (or equivalent) to report any criminal activity including street crime to CCTV Control, Police and the Local Authority.
- 1.13 Exclusec Taxi Marshals undergo the following training:
 - Level 2 Award in Door Supervision (for SIA licensed staff)
 - Conflict Management
 - Physical Intervention Skills
 - Company Induction Programme
 - Level 2 NVQ Certificate in Spectator Safety

- Level 2 Award in Emergency First Aid at Work
- Level 2 Award in Customer Service
- Vulnerable People Training
- Additional Training – as required/requested by client

ST HELIER, JERSEY, TAXI MARSHAL SCHEME – Q SAFE

- 1.14 The reported aim of the Q-Safe scheme is to make the taxi queues at the St Helier Weighbridge taxi rank orderly and safe and to prevent queue jumping by having marshals supervising the queues. St Helier informs that this helps to reduce associated disorder and anti-social behaviour, which in turn helps residents and visitors feel safer.
- 1.15 The Q-Safe taxi marshal scheme was set up following discussions between the Safer St Helier Community Group and the Jersey Taxi Drivers Association. It is funded through advertising in the taxis

DERBY CITY COUNCIL

- 1.16 It is stated that Taxi marshals have been working at key hackney carriage ranks in the City centre on Friday and Saturday evenings between 10.30 pm and 3.30 am since April 2007. Their main role is to assist members of the public to leave the city centre efficiently and safely by managing key hackney ranks, particularly in Friar Gate. Typically, the marshals help some 4000 taxi customers each weekend.
- 1.17 Since the scheme started in 2007, it is reported that Taxi Marshals have had a significant impact in reducing disorder around taxi ranks, working closely with the Police and Taxi Licensing Enforcement Officers. Their value has been recognised by all parties – taxi drivers, customers, police, local businesses and licensing officers. The success of the Taxi Marshals scheme (along with Street Pastors) has recently been further recognised by a prestigious safety award for Derby.
- 1.18 It is reported that the scheme, which has been co-ordinated by the Community Safety Partnership (CSP), has operated using short-term funding streams but these will no longer be available from April 2010 and it is stated that concern was expressed that the scheme would not be able to operate beyond the end of March 2010. In April 2010 it was reported that the annual cost of the scheme was approximately £44k. The scheme is currently still in operation and the Licensing Officer at Derby City Council confirmed that the scheme is jointly funded between the City Council and Derbyshire Police. The Licensing Officer confirmed that the Scheme is run by an external security company.

NUNEATION AND BEDWORTH BOROUGH COUNCIL – TAXI RANK AND MARSHAL SERVICE

- 1.19 Approval was granted by the Licensing Committee on 7 October 2013 for a six month trial period of the Taxi Marshal Scheme. Implementation was delayed due to zoning issues which were subsequently resolved and the pilot commenced on the 8th December 2014.

- 1.20 Taxi Marshals are employed to work between the hours of 23:30 – 04:00 Thursday, Friday and Saturday nights and certain specified days such as New Year’s Eve.
- 1.21 It is reported that members of the Nuneaton and Bedworth Community Safety Partnership (NABSCOP) including Warwickshire Police and the Police and Crime Commissioner were supportive of the introduction of a Taxi Marshal Scheme to reduce the incidence of Anti-Social Behaviour and Violence in the night-time economy.
- 1.22 Funding of approximately £15,000 was secured to operate the Taxi Marshal Service on a trial basis. It is reported that this finance was a commitment from Nuneaton and Bedworth Borough Council, Warwickshire Police and the Police and Crime Commissioner for a pilot project only, with an intention to explore longer term funding commitments based on successful outcomes.
- 1.23 It is further reported that the part-time Taxi Rank and Marshal Service was evaluated by using two strands of data:
- Statistical data provided by Warwickshire Observatory
 - Customer Satisfaction Surveys.
- 1.24 Monthly baseline data was collated from April 2011 to March 2015 for both Anti-Social Behaviour Incidents and Violence against the Person Offences. It was acknowledged that this showed a reduction in the number of both offence types during the evaluated period of December 2014 to March 2015 compared to the previous three years for the same period.
- 1.25 The evaluation also included surveys to licensing premises and the Taxi Trade. 89.3% of respondents from the Taxi Trade felt that the scheme enabled a more efficient collection of passengers.
- 1.26 Funding of the Nuneaton and Bedworth Scheme:
- £15,000 of funding was secured by interested parties; up to the 29 April 2015 expenditure for the Taxi Marshal Service equates to £7,362 which covers a four month period. Should approval for the extension of the pilot to January 2016 be granted, the balance of the earmarked funding of £7,638 is available to be applied to support this extension.
- 1.27 Reported breakdown of funding required to extend the Scheme to January 2016 is as follows:
- | | |
|--|---------|
| Total cost required from May 2015 – January 2016 | £12,528 |
| Minus Remaining Monies | -£7,638 |
| Shortfall to January 2016 | £4,890 |

CASE STUDY – TAXI MARSHAL

- 1.28 A case study, as detailed below, was provided in the Local Government Association Handbook - Taxi and PHV Licensing – Councillors’ Handbook (England and Wales):

Taxi Marshals: Watford Borough Council

Since 2005, taxi drivers servicing the late night economy in Watford, Hertfordshire have benefited from a taxi marshal scheme.

On three nights of the week – and other identified occasions – two taxi marshals work on the Rickmansworth Road rank, getting passengers in an orderly queue. Passengers who are excessively drunk, are eating or smoking, appear to be violent, don’t know their destination or don’t have enough money for their fare are refused carriage.

A third marshal at a remote feeder rank is radioed when more taxis are needed at the main rank.

The scheme is not cheap, and taxi drivers have been reluctant to contribute. Over the years, funding has principally come from licensed premises who make annual contributions, and grants from Hertfordshire County Council – who also fund taxi marshals in five other towns in the county. Money has also been obtained from Watford Borough Council, the Safer Watford Partnership, and from the Home Office’s now-defunct Tackling Violent Crime programme.

An independent study by The Centre for Public Innovation in April 2008 found that: “Stakeholders agreed that the taxi marshal schemes were having a positive impact on both anti-social behaviour and certain crimes – although they were unable to quantify the extent of the impact. They also noted that the taxi marshal schemes played an important role in influencing perceptions of the night-time economies, sending out a clear message that councils were listening and responding to residents’ concerns about the effects of the night-time economies.”

Licensing Manager Jeffrey Leib says: “The scheme is generally welcome by many participants in our night-time economy. We have enhanced drivers’ safety even further with marshals using CCTV and recording passengers’ details before they get into a cab, to reduce the risk of attacks on drivers while en route.”

Author: Tracy Tiff, Scrutiny Officer, on behalf of Councillor Gareth Eales, Chair, Scrutiny Panel 3 Effectiveness of Enforcement of Licensing Policy in respect of taxis and private hire

3 November 2015