

# North Yorkshire Council

## Executive

17 March 2026

### Review of the Hackney Carriage and Private Hire Licensing Policy

#### Report of the Corporate Director, Environment

#### 1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval from the Executive to adopt a revised Hackney Carriage and Private Hire Licensing Policy.

#### 2.0 BACKGROUND

- 2.1 The Department for Transport's Best Practice Guidance published in November 2023 recognises the need for licensing authorities to have clear policies setting standards for hackney carriage and private hire vehicles, drivers and operators. The guidance supports authorities in reviewing and updating such policies.
- 2.2 On 21 February 2023, the Executive of North Yorkshire County Council resolved to adopt a new Hackney Carriage and Private Hire Licensing Policy and committed to developing a separate Inclusive Service Plan aimed at improving the inclusivity of hackney carriage and private hire services across North Yorkshire.
- 2.3 North Yorkshire Council implemented its first unified Hackney Carriage and Private Hire Licensing Policy on 1 April 2023. Following publication of the updated Best Practice Guidance, and to take account of developments since the policy came into effect, a review is now required.
- 2.4 A revised Hackney Carriage and Private Hire Licensing Policy has been produced and has been subject to comprehensive consultation. [Click here for detail of the previous Executive meeting.](#)
- 2.5 In accordance with section 149 of the Equality Act 2010, North Yorkshire Council must have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.6 The revised Policy reflects the updated Best Practice Guidance and takes account of the draft Inclusive Service Plan, which will be considered separately. The draft policy is attached (Appendix A).

### 3.0 PROPOSALS

#### Wheelchair accessible vehicles and air quality

- 3.1 Research indicates that there is a shortage of licensed wheelchair accessible vehicles (WAVs) in North Yorkshire, and this is supported by comparisons with national data. At present, the Council licenses 60 wheelchair accessible hackney carriage vehicles, which represents one for every 10,250 people in its population. Although WAV provision is typically lower in rural authorities than in urban areas, the national average across rural areas is one wheelchair accessible hackney carriage vehicle for every 8,150 people. North Yorkshire Council would need to license 15 more WAV taxis to reach a similar ratio. The best performing rural authorities in this regard make provision for one WAV taxi for every 2,000 to 3,000 people. North Yorkshire Council would need to license around 200 more WAV taxis to reach a similar ratio.
- 3.2 In accordance with the Regulators' Code (Department for Business Innovation & Skills, Better Regulation Delivery Office), regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Rather than imposing a mandatory WAV requirement on licensed vehicles, the Council previously introduced incentives by waiving the licence fee and by relaxing the age limits in respect of WAVs. This approach is in line with the Department for Transport's Best Practice Guidance (November 2023), which recommends that licensing authorities should incentivise the uptake of wheelchair accessible vehicles where mandating them would be inappropriate. To some extent, this has encouraged the retention of existing WAVs but the total remains very low and this is unlikely to change without further intervention. The waiving of the licence fee remains in place for wheelchair accessible vehicles.
- 3.3 The Council must have regard to DEFRA's Air Quality Strategy when exercising functions of a public nature that could affect the quality of air. It is recognised that WAVs are still predominantly petrol and diesel powered and will have an impact on emissions. There is a need to enhance the number of WAVs available in North Yorkshire whilst mitigating any potential adverse effects on climate change and air quality.
- 3.4 According to the Department for Transport's Best Practice Guidance, licensing authorities should understand the demand for mixed fleets in its area and ensure that, when issuing licences, it has the right mix of vehicles. They should recognise that some designs of wheelchair accessible vehicles may not be suitable for some ambulant disabled passengers. It is therefore not considered appropriate at present to require all licensed vehicles to be wheelchair accessible.
- 3.5 The draft policy (Appendix A) proposes to introduce a requirement for all new hackney carriage vehicle licence applications to be in respect of either a wheelchair accessible vehicle (WAV), a zero-emission vehicle (ZEV), or a hybrid electric vehicle (HEV). Existing licensed hackney carriage vehicles would retain 'grandfather rights' until they are no longer fit for purpose.
- 3.6 This proposal facilitates compliance with the Council's public sector equality duty and its air quality obligations by restricting the types of vehicles allowed. However, it does so in a way that still provides proprietors with multiple options to satisfy the policy objectives while delivering a mixed fleet with broader social benefits.
- 3.7 A hackney carriage vehicle can be hailed by passengers on the roadside, and it can stand on a rank to await the approach of passengers in addition to being pre-booked by telephone. In contrast, private hire vehicles are licensed to perform pre-booked work only, which must be obtained through a licensed private hire operator. On that basis, any accessibility needs can be discussed at the time of booking a private hire vehicle, which will

not necessarily be the case for hackney carriage vehicles. It is perhaps for this reason that 64.5% of all licensing authorities require all or part of their hackney carriage fleet to be wheelchair accessible while only 4.8% of licensing authorities require all or a part of their private hire fleet to be wheelchair accessible.

- 3.8 It is acknowledged that wheelchair users will often pre-book licensed vehicles and therefore an adequate supply of wheelchair accessible private hire vehicles is necessary. At present, 8.5% of the private hire vehicles in North Yorkshire are wheelchair accessible under existing arrangements – slightly above the average of 7.2% across all 'largely rural' areas in England and Wales.
- 3.9 While it is not considered necessary to restrict private hire vehicles to WAVs, ZEVs and HEVs, the revised policy proposes to introduce new obligations on all private hire operators to identify a passenger's accessibility needs prior to taking a booking, to ensure that an appropriate vehicle is provided wherever possible. Further measures are also proposed to encourage (without mandatory requirements) more wheelchair accessible private hire vehicles to be licensed.

#### Other general matters

- 3.10 Further amendments to the Hackney Carriage and Private Hire Licensing Policy are proposed as follows:
- To remove the 10-year age limit on both hackney carriage and private hire vehicles in accordance with Best Practice Guidance and to replace it with a requirement to meet the Euro 6 emission standards. Any vehicles licensed prior to implementation would effectively retain grandfather rights. As the 10-year age limit does not currently apply to WAVs, it is not proposed to impose the Euro 6 requirement on WAVs.
  - To remove the requirement for vehicles under the age of three months to undergo a mechanical test.
  - To make provision for issuing restricted private hire driver licences. This measure is designed to facilitate the application process for those who drive licensed vehicles for the sole purpose of fulfilling school or social care contracts agreed between private hire operators and North Yorkshire Council. Such applicants would no longer need to possess licensing knowledge of unrelated matters such as taxi ranks, meters and fares.
  - To reduce the frequency of driver medical assessments in line with Best Practice Guidance. The proposed arrangements would be consistent with drivers of Large Goods Vehicles (LGVs) and Public Service Vehicles (PSVs).
  - To quantify the minimum luggage space requirements in hackney carriage vehicles for consistency and to remove the minimum luggage space requirements for private hire vehicles, subject to the requirement that private hire operators must identify any accessibility, or luggage needs at the time of booking.
  - To make minor alterations as required for accuracy and consistency.
- 3.11 The proposals in this report incorporate recommendations made by the General Licensing and Registration Committee. In September 2024, a Task and Finish Group (comprising six Members of the Committee) was established to consider the original draft policy in further detail. The findings of the Task and Finish Group are attached (Appendix B) and their recommendations were approved by the General Licensing and Registration Committee on 11 November 2024.
- 3.12 Further analysis of the proposed policy revision is attached (Appendix C).
- 3.13 Mandatory installation of CCTV in vehicles is being considered and will be consulted upon separately in due course once the necessary data has been compiled and analysed with input from all relevant parties. The Council is expected to consult the relevant authorities and interested parties to identify if there are local circumstances which indicate that the

installation of CCTV in licensed vehicles would have a positive or adverse net effect on public safety, taking into account any potential privacy issues. The current policy review focuses primarily on delivering the commitments made by the Executive in relation to inclusive services and on implementing the Department for Transport’s Best Practice Guidance.

#### 4.0 RESULTS OF CONSULTATION AND OPTIONS FOR CONSIDERATION

4.1 The proposed policy contains several general updates, which have attracted minimal response. The proposals to increase the provision of wheelchair accessible vehicles (WAVs) have resulted in significant feedback from the trade, wheelchair users and groups that represent them. Overall, these views oppose one another. Attached are the trade results of the consultation (Appendix D). Attached are the wheelchair user and other results of the consultation (Appendix E). General written responses are also attached (Appendix F) containing further useful views and information to consider.

4.2 In relation to options for increasing the number of WAV taxis, the consultation confirmed that:

- There was overall agreement that it was important or very important that everyone has equal access to taxis.
- There was overall agreement that it was important or very important that there should be enough WAVs to meet the demand.
- When asked to rank the four options, the responses were split as follows:

	Ranking	
	Trade	Wheelchair users and others
All new and replacement taxis to be wheelchair accessible	4th	1st
All new and replacement taxis to be wheelchair accessible until a certain number are licensed	2nd	2nd
All new and replacement taxis to be wheelchair accessible or zero emission vehicles	3rd	3rd
All new and replacement taxis to be wheelchair accessible, zero emission or hybrid electric vehicles	1st	4th

- There was not a strong overall view on whether these options should be applied to private hire vehicles.

4.3 In general, the consultation indicates that the trade considers the proposed hackney carriage vehicle specification to be the best of the options put forward, although some believe the proposal is overly restrictive. Wheelchair users and other respondents generally call for more stringent restrictions being imposed to promote accessibility.

4.4 A review of the effectiveness of the new policy will commence 12 months from full implementation, with further research and consultation, to decide whether any further adjustments are needed.

#### 5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 The Council is committed to protecting communities, safeguarding children and ensuring the safety and wellbeing of the public. The draft policy delivers significant public protection benefits.

- 5.2 The Council is committed to equality, diversity and inclusion. The draft policy seeks to improve the access and availability of licensed vehicles in North Yorkshire.
- 5.3 The Council is committed to ensuring that North Yorkshire is a clean, environmentally sustainable and attractive place to live, work and visit. The draft policy seeks to mitigate any potential adverse impacts arising from hackney carriage and private hire vehicles on air quality.

## **6.0 ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 The Council may consider retaining the existing policy. However, the current shortage of wheelchair accessible vehicles would be highly unlikely to change and any outstanding items from the Department for Transport's Best Practice Guidance would not be implemented.
- 6.2 Alternative options have already been explored to encourage more wheelchair accessible vehicles to be licensed in North Yorkshire by waiving the licence fee and relaxing the age limits on WAVs. However, the number of hackney carriage WAVs in North Yorkshire remains very low and there is no reasonable expectation that this will change without further intervention.
- 6.3 Subsequent to the consultation, further options have been explored and include:
- Applying the same WAV rules to private hire vehicles.
  - Restricting new drivers to WAV vehicles permanently or for a time limited period.
  - Putting restrictions on Private Hire Operators licences requiring that a prescribed number of WAV vehicles be provided.
  - Providing funding to the trade to assist them in providing WAVs.
  - Making no change to current policy in relation to WAVs.
- 6.3.1 For practical and legal reasons none of these options were considered appropriate for recommendation.
- 6.4 The current proposal, however, is considered a more reasonable and proportionate measure to satisfy the Council's public sector equality duty and its air quality obligations without imposing unnecessary regulatory burdens on businesses.
- 6.5 The Fleet Team are currently exploring whether the Council can arrange a bulk deal supply of WAVs to resell or lease to the trade at cheaper than normal market value. Work on this is not yet complete and could be considered and delivered outside of this policy.

## **7.0 IMPACT ON OTHER SERVICES/ORGANISATIONS**

- 7.1 The Council's Integrated Passenger Transport Service (IPT) is responsible for arranging and managing school transport for children across North Yorkshire. The availability of additional wheelchair accessible hackney carriage vehicles would be likely to facilitate these arrangements.
- 7.2 The Council's Environmental Health Service is responsible for monitoring and safeguarding air quality. The relevant officers have been consulted and support the proposals in this regard.

## **8.0 FINANCIAL IMPLICATIONS**

- 8.1 The vast majority of the licensing authority's service costs are recovered by way of licence fees and the service will continue to operate on the same cost-recovery basis in future.

- 8.2 The Council must ensure that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public. The additional cost burden on proprietors has been acknowledged in formulating the proposed policy revisions.
- 8.3 The proposed hackney carriage vehicle specification offers more options to proprietors than in many other licensing authorities across England and Wales (where, for example, wheelchair accessibility is a mandatory requirement for all licensed vehicles) and a reasonable implementation schedule has been proposed to minimise disruption.
- 8.4 Further proposals (including the reduced frequency of medical assessments, the reduced frequency of vehicle inspections, and the removal of the Ten-year age limit on licensed vehicles) will reduce the cost burden currently imposed on licensed drivers and proprietors.

## **9.0 LEGAL IMPLICATIONS**

- 9.1 Any legal implications have been considered and addressed within the draft Hackney Carriage and Private Hire Licensing Policy.
- 9.2 Licensing authorities are expected to consult with any interested parties before making policy decisions. Any such consultation must be undertaken at a time when proposals are still at a formative stage; it must include sufficient reasons for particular proposals; and the responses must be conscientiously taken into account when the decision is taken.

## **10.0 EQUALITIES IMPLICATIONS**

- 10.1 Disability is a protected characteristic within the meaning of the Equality Act 2010. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not, the Council must endeavour to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic and take steps to meet their needs.
- 10.2 A balance must be sought to allow the licensed trade to make a reasonable living from their business whilst also removing or minimising disadvantages suffered by persons who have relevant protected characteristics. The draft policy is considered a reasonable and proportionate approach to ensure that wheelchair users can access taxi services in North Yorkshire.
- 10.3 An Equality Impact Assessment is attached (Appendix G).

## **11.0 CLIMATE CHANGE IMPLICATIONS**

- 11.1 The draft policy takes account of government guidance in respect of emission standards and the need to transition to zero emission vehicles.
- 11.2 A Climate Impact Assessment is attached (Appendix H).

## **12.0 POLICY IMPLICATIONS**

- 12.1 Any policy implications have been considered and addressed within the draft Hackney Carriage and Private Hire Licensing Policy.

### **13.0 COMMUNITY SAFETY IMPLICATIONS**

13.1 Hackney carriage and private hire services play an important role in transporting members of the public safely. Any community safety implications have been considered and addressed within the draft Hackney Carriage and Private Hire Licensing Policy.

### **14.0 REASONS FOR RECOMMENDATIONS**

14.1 The Council has committed to reviewing the Hackney Carriage and Private Hire Licensing Policy with a view to making hackney carriage and private hire services more inclusive and the Council must have regard to the Department for Transport's Best Practice Guidance. A review of the effectiveness of the new policy will commence 12 months from full implementation to decide whether any further adjustments are needed. The recommendation seeks to increase the number of wheelchair accessible vehicles whilst balancing its impact on the trade.

### **15.0 RECOMMENDATION**

15.1 That Executive adopts the revised Hackney Carriage and Private Hire Licensing Policy as detailed in Appendix A, taking account of updates prompted by Best Practice Guidance along with the recommendation put forward by the General Licensing and Registration Committee that all new and replacement hackney carriage vehicles be wheelchair accessible, zero emission or hybrid electric vehicles, with existing licensed hackney carriage vehicles retaining 'grandfather rights' until they are no longer fit for purpose.

#### **APPENDICES:**

Appendix A – Draft Hackney Carriage and Private Hire Licensing Policy  
Appendix B – Task and Finish Group Findings  
Appendix C – Analysis of proposed revision  
Appendix D – Consultation outcome from the licensed trade  
Appendix E – Consultation outcome from wheelchair users and others  
Appendix F – Written submissions in response to consultation  
Appendix G – Equality Impact Assessment  
Appendix H – Climate Impact Assessment

#### **BACKGROUND DOCUMENTS:**

Taxi and Private Hire Vehicle Licensing Best Practice Guidance (Department for Transport)  
Air Quality Strategy (DEFRA)  
Regulators' Code (Department for Business Innovation & Skills, Better Regulation Delivery Office)

Karl Battersby  
Corporate Director – Environment  
County Hall  
Northallerton

Report Author: Simon Fisher, Licensing Service Development Lead; and  
Gareth Bentley, Head of Licensing

Presenter of Report: Simon Fisher, Licensing Service Development Lead; and  
Gareth Bentley, Head of Licensing