

## Appendix 1 – Department for Transport revised guidance and existing policy position

Background		Current Position in Policy / On website
<b>Role of Licensing Authorities</b>		
3. – The Role of licensing authorities	Licensing authorities to ensure that their licensing policy and requirements are proportionate, so that passengers can choose from a wide range of safe services	Taxis/PH are private entities, so unlike buses/trains etc who all receive subsidies, we can try but not ‘ensure’ a wide ranging fleet.
3.7 – Changing licensing policy and requirements	Any changes in licensing requirements should be followed by a review of the licenses already issued	Reviews have never been undertaken previously.  <b>The Licensing Committee is invited to consider whether a review process should be introduced.</b>
<b>Accessibility</b>		
Wheelchair Accessibly Vehicles (WAV)	WAVs should be capable of accommodating at least a reference wheelchair	
	<ul style="list-style-type: none"> <li>- Consider specifying WAV take wheelchairs above the reference size</li> </ul>	<p>We do not specify a size of wheelchair in current policy – no guidance within the consultation as to what size is recommended &amp; what vehicles are available to accommodate such bigger chairs.</p> <p><b>The Licensing Committee is invited to consider whether the policy requires amendment.</b></p>
4.2 Communication Barriers	Disabled people may experience communication barriers when booking taxis. Take relevant actions to provide:	
	<ul style="list-style-type: none"> <li>- A range of booking methods</li> </ul>	Nothing in the policy regarding this.
	<ul style="list-style-type: none"> <li>- Operators to identify a passengers accessibility needs (but does not have to record these)</li> </ul>	<b>The Licensing Committee is invited to consider whether the policy requires amendment.</b>
	<ul style="list-style-type: none"> <li>- Provide hard copy of information</li> <li>- Comply with current accessibility guidance WCAG 2.1</li> </ul>	

	<p>Provide drivers legally exempt from carrying assistance dogs with a card in large print and braille, in addition to statutory exemption notice</p>	<p>We provide the notice (Part 2 – 2.3.7).</p> <p><b>The Licensing Committee is requested to consider whether the policy should be amended to ensure the Council provides large print/braille notices to licence holders.</b></p>
	<p>Consider implement policies at a local level which provide for categories of assistance dogs other than those prescribed in EA 2010</p>	<p>S173 of Equality Act: “assistance dog” means—</p> <p>(a) a dog which has been trained to guide a blind person;</p> <p>(b) a dog which has been trained to assist a deaf person;</p> <p>(c) a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;</p> <p>(d) a dog of a prescribed category which has been trained to assist a disabled person who has a disability (other than one falling within paragraph (c)) of a prescribed kind;</p> <p><b>The Licensing Committee is requested to consider whether a wider definition should be included in the policy.</b></p>
<p>4.7 Assistance for all passengers</p>	<p>All authorities to comply with Public Sector Equality Duty s149:</p> <ul style="list-style-type: none"> <li>- drivers should help passengers to stow mobility aids, pushchairs and luggage.</li> <li>- to ensure that older, younger or disabled passengers leave the vehicle safely.</li> <li>- support customers to use card readers or count change.</li> <li>- relevant staff should complete disability awareness training.</li> </ul>	<p>Currently the policy refers to assistance for disabled Wheelchairs – 2.3.6, luggage Appendix E 1(h)/Appendix F 13(b).</p> <ul style="list-style-type: none"> <li>- Nothing mentioned re leaving vehicle.</li> <li>- No additional training for staff currently required.</li> </ul> <p><b>The Licensing Committee is invited to consider whether these additional requirements should be added to the policy.</b></p>

Enforcing the Licensing Regime		
5.5 – Points based enforcement systems	Licensing Authorities can have a system in place that is separate to DVLA/Courts issue. The consultation recommendation is to increase the duration for points is 3 for drivers and 5yrs for operators	Currently we have a points system in operation. Our points last for a rolling 12mths.  <b>Licensing Committee may wish to consider increasing the duration for points.</b>
Driving Licences		
6.3 – Disability awareness	Drivers should be trained in disability awareness and/have knowledge or skills assessed. The REAL disability equality training programme may provide a foundation for courses.	Not currently covered. <i>Birmingham use <a href="https://www.disability.co.uk/training-for-local-authorities/">https://www.disability.co.uk/training-for-local-authorities/</a> @ £60 (3hrs course)</i> <i>Bluelamp provide training @ £40 (3hrs course - online)</i> <a href="https://www.bluelamptrust.org.uk/disability-classroom-course/">https://www.bluelamptrust.org.uk/disability-classroom-course/</a>  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
6.4 – Driver proficiency	Licensing authorities should require taxi and private hire drivers to undertake training and/or assessment focussed on attitudes and behaviours. Such as IAM Roadsmart and the RoSPA, at first application and renewal. If concerns, due to complaints, it would be appropriate to consider driver undertaking a further course.	Not currently covered. <i>IAM Roadsmart – 3hrs @ Cost to be determined</i> <a href="https://www.iamcommercial.co.uk/driving-for-work/">https://www.iamcommercial.co.uk/driving-for-work/</a> <i>RoSPA – driving courses start at around £1000</i> <i>On line course £25.30 <a href="https://www.rospa.com/shop/products/online-driver-safety-package">https://www.rospa.com/shop/products/online-driver-safety-package</a></i>  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
6.5 – Acceptance of non-uk driving licence	Individuals can drive legally in the UK with non-UK car and motorcycle licence for up to 12mths	We currently require drivers to have held a driving licence issued by the UK or EC/EEC for 12mths which has been registered with DVLA.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>

6.13 – Vehicle condition check	Drivers are always legally responsible for the vehicles condition. A driver should undertake a walkaround check before the vehicle is used. Drivers should be required to retain the vehicle checklist as proof they have been undertaken	Not currently specified in the policy.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
<b>Private Hire Operator Licensing</b>		
7.2 – Disability Awareness	Disability awareness training for all customer facing roles and people managing service delivery	Not currently required –  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
<b>Vehicle Licensing</b>		
8.3 – Pedicabs & Rickshaws	Pedal-powered vehicles in combination with a trailer designed to carry passengers can be licensed as hackney carriages outside of London. Where there is local interest, licensing authorities should make appropriate adjustments to their licensing requirements	Not aware of any interest, but potentially need some guidance in the policy in case of interest – <i>remember as a hackney carriage, will need a full driving licence</i>  <b>The Licensing Committee is required to consider whether guidance is required in the policy.</b>
8.4 – Vehicle age limits	Licensing authorities should not impose age limits for vehicles, they should consider more targeted requirements to meet emissions objectives, safety ratings and increasing wheelchair accessible provision	Current limit is 5yrs old at first registration and max of 10yrs old or 12yrs for hybrid/electric/WAV – Part 2 – Vehicles (2.4) - <i>There is no restriction on considering other aspects ie mileage, as a 3yrs old vehicle with 100,000 miles would potentially be more polluting than an 8yrs vehicle with 30,000 on the clock.</i>  <b>The Licensing Committee is invited to consider and advise as follows:</b> <b>1) Whether to remove either or both restriction</b> <b>2) Whether any other conditions should be added</b> <b>3) Confirmation of any replacement conditions</b>
8.5 – Vehicle safety ratings	NCAP (not for profit) rating looks at <ul style="list-style-type: none"> <li>• Adult occupant protection</li> <li>• Child occupant protection</li> <li>• Vulnerable road user protection</li> <li>• Safety Assist – lane keeping, autonomous braking, seat belt reminders etc technologies.</li> </ul>	Nothing specifically noted in the policy about NCAP rating.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>

	Star rating 1-5, but not all cars have undergone such testing (not necessarily unsafe, but not as safe as those that are better rated)	
8.6 – Environmental considerations	UK is committed to a 2050 net zero target, the short term objective should be to mitigate the harm by setting high Euro emissions ie Euro 6. In the long term, the trade will need to be prepared for the sale of new petrol/diesel cars and the licensing authority should set out their own long term plan	<p>There are Environmental Considerations in the Policy – Part 2 (2.12.1 – 2.12.6) but not Euro 6 specifically.</p> <ul style="list-style-type: none"> <li>- <i>Euro 6 was September 2014 (new approvals) and September 2015 (most new registrations), so if your car was registered after this date it's likely it's Euro 6</i></li> </ul> <p><b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b></p>
8.9 – Accessible Fleet	Licensing authorities should understand the demand for a mixed fleet in its area and assess demand for wheelchair accessible vehicles on a 5 yearly basis and publish its results	<p>The authority enables a mixed fleet</p> <p><b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b></p>
8.11 - Accessibility equipment	Authorities should consider the benefits of requiring additional accessibility equipment, as a minimum require the installation of hearing loops if an internal screen is fitted and investigate options for payment processes more accessible for visually impaired passengers	<p>We don't currently specify this in the policy.</p> <p><b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b></p>
8.12 – Vehicle identification and signage	<p>Ensure greater differentiation between taxis and private hire vehicles – licensing authorities should</p> <ul style="list-style-type: none"> <li>- PHV's &amp; Drivers are free to work with more than one operator and conditions/requirements for an exclusive relationship should be not be implemented or discontinued (where an exclusive relationship exists, a licensing authority should consider permitting the delay of the operator details</li> </ul>	<p>Nothing mentioned in the current policy</p> <p><b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b></p>

8.13 – Passenger capacity	Licensing authorities are responsible for deciding how many passengers a taxi or PHV is to carry given the potential safety risk for passengers in terms of ‘third row’ seats. V5C states the seating capacity of each vehicle	Currently Licensing take the seating capacity from the V5 document.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
8.14 – Carrying children	Children aged 3yrs and over should always count towards the licensed capacity of the vehicle, they must wear an adult seat belt (if an appropriate car seat is not available). Children under the age of three do not need to wear an adult seatbelt when an appropriate car seat is not available	Nothing mentioned in the policy.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
8.16 – Partitions in vehicles	Purpose built taxis are unlikely to have partitions between. The fitting of partitions must not cause the vehicle to be a danger to anyone in the vehicle or road, in compliance with Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986. If a screen is fitted, the front seat should not be included with the seating capacity of the vehicle licence	Nothing in the Policy.  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>
8.17 – In vehicle visual and audio recording – CCTV	CCTV can provide additional deterrence to prevent crime and investigative value when it occurs. CCTV can provide a safer environment for the benefit of taxi and private hire vehicle passengers All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users.	<i>Part 2 – Vehicles 2.8 Driver Safety refers to CCTV not being mandatory, but outlines in 2.8.2-2.8.6) if fitted actions that should be followed.</i>  <b>The Licensing Committee is required to consider whether this requirement should be added to the policy.</b>

8.18 – Emergency Equipment	The Highway Code advises that should a vehicle catch fire, the occupants should get out of the vehicle quickly and to a safe place and not attempt to extinguish a fire in the engine compartment, as opening the bonnet will make the fire flare. The NFCC’s advice is that if it is elected that fire safety training isn’t required, they shouldn’t require the carrying of fire extinguishers	Fire extinguishers is a requirement in the Policy Hackney Carriage byelaws – Appendix F 3(h) and Penalty Point 19 – offence.  <b>The Licensing Committee is invited to consider removing the penalty point offence and therefore enforce the fire extinguisher byelaws (in lieu of amending the byelaws which will require Secretary of State approval).</b>
8.19 – Vehicle Licensing	An annual test for licensed vehicles of whatever age (including vehicles that are less than three years old unless local conditions suggest that more frequent tests are necessary.	Part 2 – Vehicles (2.5 Vehicle Testing) 2.5.2 – that once the vehicle is licence a further full examination and test at a vehicle testing station approved by the Authority at 6 monthly intervals.  <b>The Licensing Committee is required to consider whether this requirement should be amended in the policy.</b>
<b>Taxi fare rates</b>		
10.1 – Legal Powers	Licensing Authorities have the power to set maximum taxi fares for journeys within their area and <b>must</b> do so. There is no power to set fares for private hire vehicles. The setting of fares is an executive function, not a council function	Part 8 – Fares, confirms that we have partially deregulated fares in that proprietors may set their own rates. <i>Our default fare scale is not a maximum fare a separate review will be required as there are regulations to be follow when setting the fare scale.</i> <b>The Licensing Committee is invited to consider changing the fare scale from deregulated to a maximum fare scale.</b>
10.2 Setting taxi fare rates	Maximum fare rates should ensure that taxi tariffs reflect the costs of the trade and should be reviewed following significant changes in licensing and other major costs such as fuel.	Any action will depend upon decision in 10.1 above.
<b>Flexible transport services</b>		
13.	The Department encourages licensing authority, as a matter of best practice to play their part in promoting flexible services to increase the availability of transport to the travelling public.	Nothing mentioned in the policy currently – this is akin to Dial-a-Ride, Call Connect run by Lincolnshire County Council.  <b>The Licensing Committee is invited to consider whether to include questions within the consultation document to ascertain public appetite.</b>

**Shared taxis and private hire vehicles** – advance bookings (separate fares, but lower than individual hirings) - The operator or person taking the booking takes the initiative to match up passengers for pre-booking – akin to Dial-a-Ride/Call Connect

**Shared taxis** - immediate hiring (Licensing Authorities can set up schemes whereby licensed taxis (not private hire) can be hired at separate fares by people at ranks or other locations designated.

**Taxi & private hire vehicle buses** – owners of taxis and private vehicles can apply for a ‘restricted public service vehicle operator licence’. The vehicle owner can then use it to provide a bus service for up to 8 passengers. The route must be registered with the Traffic Commissioner.

For taxi and private hire owners to apply for.