

Appendix 1 – Decisions from Licensing Committee (16 February 2024) following Department for Transport Consultation response and further decisions required following the public consultation.

Background		Current Position in Policy / On website	Decision Made – Including Consultation Plan
Role of Licensing Authorities			
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.	<p>Change to Policy</p> <ul style="list-style-type: none"> - Changes in licensing requirements will be followed by a review of the licenses already issued <p>No consultation to take place</p>
Accessibility			
Wheelchair Accessibly Vehicles (WAV)	WAVs should be capable of accommodating at least a reference wheelchair		
	<ul style="list-style-type: none"> - Consider specifying WAV take wheelchairs above the reference size 	We do not specify a size of wheelchair in current policy – no guidance within the consultation as to what size is recommended & what vehicles are available to accommodate such bigger chairs.	<p>No Changes</p> <p>No Consultation</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"> - A range of booking methods 	Nothing in the policy regarding this.	<p>No Changes</p> <p>No Consultation</p>
	<ul style="list-style-type: none"> - Operators to identify a passengers accessibility 		<p>No Changes</p> <p>No Consultation</p>

	needs (but does not have to record these)		
	- Provide hard copy of information		No Changes No Consultation
	- Comply with current accessibility guidance WCAG 2.1		No Changes No Consultation
	Provide drivers legally exempt from carrying assistance dogs with a card in large print and braille, in addition to statutory exemption notice	We provide the notice (Part 2 – 2.3.7).	Change to Policy - SKDC to issue a card in large print and braille, in addition to the statutory exemption notice, to drivers legally exempt from carrying assistance dogs No Consultation
	Consider implement policies at a local level which provide for categories of assistance dogs other than those prescribed in EA 2010	S173 of Equality Act: “assistance dog” means— (a) a dog which has been trained to guide a blind person; (b) a dog which has been trained to assist a deaf person; (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; (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;	No Changes No Consultation
4.7 Assistance for all passengers	All authorities to comply with Public Sector Equality Duty s149: - drivers should help passengers to stow mobility aids, pushchairs and luggage.	Currently the policy refers to assistance for disabled Wheelchairs – 2.3.6, luggage Appendix E 1(h)/Appendix F 13(b). - Nothing mentioned re leaving vehicle.	Addition to Policy No Consultation

	<ul style="list-style-type: none"> - to ensure that older, younger or disabled passengers leave the vehicle safely. - support customers to use card readers or count change. - relevant staff should complete disability awareness training. 	<ul style="list-style-type: none"> - No additional training for staff currently required. 	
Enforcing the Licensing Regime			
5.5 – Points based enforcement systems	<p>Licensing Authorities can have a system in place that is separate to DVLA/Courts issue.</p> <p>The consultation recommendation is to increase the duration for points is 3 for drivers and 5yrs for operators</p>	<p>Currently we have a points system in operation. Our points last for a rolling 12mths.</p>	<p>Change to Policy</p> <ul style="list-style-type: none"> - Points system to change, increasing the duration of points from 12 months to 3 years for drivers and 5 years for operators <p>No Consultation</p>
Driving Licences			
6.3 – Disability awareness	<p>Drivers should be trained in disability awareness and/have knowledge or skills assessed.</p> <p>The REAL disability equality training programme may provide a foundation for courses.</p>	<p>Not currently covered.</p> <p><i>Birmingham use</i> https://www.disability.co.uk/training-for-local-authorities/ @ £60 (3hrs course) <i>Bluelamp provide training @ £40 (3hrs course - online)</i> https://www.bluelamptrust.org.uk/disability-classroom-course/</p>	<p>Addition to Policy</p> <p>No Consultation</p>
6.4 – Driver proficiency	<p>Licensing authorities should require taxi and private hire drivers to undertake training and/or assessment focussed on attitudes and behaviours.</p> <p>Such as IAM Roadsmart and the RoSPA, at first application and renewal.</p>	<p>Not currently covered.</p> <p><i>IAM Roadsmart – 3hrs @ Cost to be determined</i> https://www.iamcommercial.co.uk/driving-for-work/ RoSPA – driving courses start at around £1000 On line course £25.30 https://www.rospa.com/shop/products/online-driver-safety-package</p>	<p>Consult on proposed Addition to Policy</p> <ul style="list-style-type: none"> - Drivers to undertake training and/or assessment focussed on attitudes and behaviours

	If concerns, due to complaints, it would be appropriate to consider driver undertaking a further course.	The Licensing Committee is required to consider whether this requirement should be added to the policy.	Licensing Committee recommendation 10 May 2024:
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 12mth.s	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.	No Changes No Consultation
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. The Licensing Committee is required to consider whether this requirement should be added to the policy.	Addition to Policy – Some Consultation <ul style="list-style-type: none"> - Introduction of required daily vehicle checks (no consultation) - Points to be given if not completed (consultation on number of points – 6, 3 or 0pts)
			Licensing Committee recommendation 10 May 2024:
Private Hire Operator Licensing			
7.2 – Disability Awareness	Disability awareness training for all customer facing roles and people managing service delivery	Not currently required	Addition to Policy <ul style="list-style-type: none"> - Disability awareness training for all customer facing roles and people managing service delivery No Consultation
Vehicle Licensing			
8.3 – Pedicabs & Rickshaws	Pedal-powered vehicles in combination with a trailer designed to carry passengers can be licensed as	Not aware of any interest, but potentially need some guidance in the policy in case of interest –	Addition to Policy

	hackney carriages outside of London. Where there is local interest, licensing authorities should make appropriate adjustments to their licensing requirements	<i>remember as a hackney carriage, will need a full driving licence</i>	- Provision to be included in policy re. pedicabs and rickshaws No Consultation
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> The Licensing Committee is invited to consider and advise as follows: 1) Whether to remove either or both restriction 2) Whether any other conditions should be added	Consult on proposed Change to Policy - On first registration, vehicles should be registered after September 2015 (to ensure Euro 6 compliance) Consultation Required - 4 wks
			Remove See above Licensing Committee recommendation 10 May 2024:
8.5 – Vehicle safety ratings	NCAP (not for profit) rating looks at <ul style="list-style-type: none"> • Adult occupant protection • Child occupant protection • Vulnerable road user protection • Safety Assist – lane keeping, autonomous braking, seat belt reminders etc technologies. Star rating 1-5, but not all cars have undergone such testing (not	Nothing specifically noted in the policy about NCAP rating.	No Changes No Consultation

	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	There are Environmental Considerations in the Policy – Part 2 (2.12.1 – 2.12.6) but not Euro 6 specifically. <ul style="list-style-type: none"> - <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> 	In alignment with 8.4
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	The authority enables a mixed fleet	No Changes No Consultation
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	We don't currently specify this in the policy.	Addition to Policy <ul style="list-style-type: none"> - Add recommendation to policy No Consultation

8.12 – Vehicle identification and signage	Ensure greater differentiation between taxis and private hire vehicles – licensing authorities should - PHV's & 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	Nothing mentioned in the current policy	No Change No Consultation
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.	No Change No Consultation
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.	Addition to Policy - Children aged 3 years and over should always count towards the licensed capacity of the vehicle - DO NOT CHANGE re. seatbelts No Consultation
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.	Nothing in the Policy.	No Change No Consultation

	If a screen is fitted, the front seat should not be included with the seating capacity of the vehicle licence		
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>	No Change No Consultation
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.	Change to Policy - Removal of the penalty point offence and therefore enforcement of the fire extinguisher byelaws No Consultation
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.	No Changes No Consultation
Taxi fare rates			

<p>10.1 – Legal Powers</p>	<p>Licensing Authorities have the power to set maximum taxi fares for journeys within their area and most 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</p>	<p>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></p> <p>The Licensing Committee is required to consider whether this requirement should be added to the policy.</p>	<p>Consult on proposed Change to Policy</p> <ul style="list-style-type: none"> - Introduction of maximum fare scale <p>Consultation Required</p> <p>Licensing Committee recommendation 10 May 2024:</p>
<p>10.2 Setting taxi fare rates</p>	<p>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.</p>	<p>Any action will depend upon decision in 10.1 above.</p>	<p>As above</p>
<p>Flexible transport services</p>			
<p>13. Flexible transport services</p>	<p>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. 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</p>	<p>Nothing mentioned in the policy currently – this is akin to Dial-a-Ride, Call Connect run by Lincolnshire County Council.</p> <p>The Licensing Committee is required to consider whether this requirement should be added to the policy.</p> <p>For taxi and private hire owners to apply for.</p>	<p>No changes to policy planned – Consult on Levels of Interest</p> <p>Question included in consultation regarding usage and desire.</p> <p>Licensing Committee recommendation 10 May 2024:</p>

	<p>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.</p> <p>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.</p>		
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