



Cambridge City Council Licensing Committee

Date: Monday, 16 September 2024

Time: 10.30 am

Venue: Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ [access the building via Peashill entrance]

Contact: democratic.services@cambridge.gov.uk, tel:01223 457000

Agenda

Member's Licensing & Enforcement verbal update

9.30 to 10.30 AM - **Committee Room One**

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (Pages 3 - 10)
- 4 Public Questions
- 5 Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy (Pages 11 - 162)

Licensing Committee Members: McPherson (Chair), Bird (Vice-Chair), Bick, Blackburn-Horgan, Clough, Griffin, Moore, Pounds, Wade and Young

Alternates: Bennett, Davey and Flaubert

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Further information on public speaking will be supplied once registration and the written question / statement has been received.

LICENSING COMMITTEE

24 June 2024
10.35 am - 12.50 pm

Present: Councillors McPherson (Chair), Bick, Blackburn-Horgan, Clough, Griffin, Moore and Young

Councillor Hossain attended the meeting to address the Committee.

Officers

Environmental Health Manager: Yvonne O'Donnell
Team Manager, Communities: Jo Dicks
Committee Manager: Chris Connor
Meeting Producer: Sarah Steed

FOR THE INFORMATION OF THE COUNCIL

24/9/Lic Apologies

Apologies were received from Councillors Bird, Pounds and Wade.

24/10/Lic Declarations of Interest

No declarations of interest were made.

24/11/Lic Minutes

The minutes of the meeting held on 29 January 2024 and 23 May 2024 were approved as a correct record and signed by the Chair.

24/12/Lic Public Questions

Members of the public asked questions, as set out below.

Question 1

Despite numerous complaints from Taxi wheelchair customers about lengthy wait times, the Council's January report highlighted a significant loss of 27 Wheelchair Accessible Vehicles (WAVS) cars in Cambridge city public hire fleet last year alone. Committee and officers are not addressing this issue at any meetings Could you possibly address the issue during the upcoming meeting?

The Environmental Health Manager responded:

- i. WAV vehicles could still be licensed as a petrol or diesel vehicle.
- ii. Work being done to see what could be done for wheelchair accessible users to access WAVS. Including adding telephone numbers to website and removing age restriction on WAVS.
- iii. The availability of WAVS was not just a Cambridge issue but a national issue.

Supplementary Question

In the January 2023 Committee Meeting, Members discussed sliver car with a green stripe on vehicles meaning that the vehicle was deemed a safe vehicle. Stated that the public were not aware and wanted to know what was being done to promote this in the city.

The Chair of the Committee responded:

- i. Stated it was a great feature and that he promoted this. Stated he would speak to Officers about what more could be done to further promote it.

Question 2

What happens when an electric vehicle breaks down?

The Environmental Health Manager and The Team Manager, Communities, responded:

- i. Vehicle replacements must be like for like, with the type of vehicle already on that plate.
- ii. Since June 2022 if a temporary loan company cannot provide an Electric Vehicle (EV) would allow an Ultra Low Vehicle plug-in (ULV). Window tints did not need to comply as long as the passenger could be seen in daylight.

Supplementary Question

What happens if the insurance company does not have an EV or an ULV?

The Environmental Health Manager responded:

- i. Each case would be looked at on a case-by-case basis. Would speak to loan company and if an EV or ULV could not be obtained, could accept a standard hybrid vehicle

Question 3

Self-charging vehicles are more economical now why not extend the deadline?

The Team Manager, Communities responded:

- i. Standard hybrid vehicles could be less expensive than EV's at the moment.
- ii. The policy in regard to environmental conditions was not based on economic activities. The purpose was to cut pollution and carbon emissions.
- iii. Hybrid and EV running costs were in fact comparable.

Supplementary Question

- i. Would not want to buy an EV that was outside the manufacturer's warranty due to potential running costs. Did not make financial sense for drivers.

The Team Manager, Communities responded:

- i. Comparison of hybrid and EV was undertaken by Officers, prices were comparable.
- ii. South Cambridgeshire Council were also bringing in a policy that all vehicles would need to be ULV or EV by 2028.

Question 4

The report had an error - are people against hybrid?

The Environmental Health Manager responded:

- i. Error had been spotted and corrected.

Supplementary Question

- i. Stated that in the Officer's report, only fourteen vehicles would be affected by policy change, stated that was incorrect and that all saloon vehicles would be affected.
- ii. Stated since January 2024 only twenty-four existing saloon taxi's were replaced with standard hybrid vehicles.
- iii. Stated that UK Government had a target that all vehicles should be zero emissions by 2040, asked why Council did not follow UK Government report.
- iv. Stated that the Council's designated charging points were now more expensive than regular charging points.

The Team Manager, Communities, responded:

- i. There was a price increase at EV charging points due to increase in national electricity prices. When prices increased 18 months ago Council sustained a 25p rate for taxi drivers at Council charging points.

- ii. Had negotiated a competitive set of rates with electricity provider for charging points. Currently was 57p per KW hour.
- iii. Prices were competitive for taxi drivers.

Question 5

In winter EV vehicle batteries frozen, people were stuck in their cars, have you looked into this to see if it is safe enough? If an EV vehicle car breaks down because the battery has frozen or catches on fire and passengers can't get out. Will the council be liable for implementing a policy without looking into health and safety?

The Team Manager, Communities, responded:

- i. Vehicle fires in EV were extremely rare. Swedish agency reported twenty-three fires from 61,000 EV during 2022. That would make is 20 times less likely to have a fire in an EV than a standard vehicle with an internal combustion engine.
- ii. Data from Australian Department of Defence EV Fire Safe and they have reported fewer than 500 EV battery fires ever globally out of 20 million EV worldwide. If it were a risk it would be reflected in insurance premiums, which it was not.
- iii. Cold weather does affect battery performance. It had a 10-20% impact on vehicle range between 0 and -20 degrees.
- iv. Had difficulty finding any credible instances where vehicle batteries had been frozen and people were trapped inside vehicles. The Officer stated he would be happy to look at any evidence presented to him regarding that.

Supplementary Question

- i. If there was no danger for EV why did Cambridge Fire Service issue warning regarding 2 vehicle fires in Cambridge recently.
- ii. Why did scrapyards have a container containing water where all EV had to be put for 48 hours?
- iii. Stated that EV were not safe and not as economical or efficient as a plug in hybrid vehicle.

The Team Manager, Communities, responded:

- i. Stated not familiar with that particular report from Cambridge Fire Service however they had been clear that there was danger from illegally imported electric scooters and batteries for electric bicycles.

- ii. There was significant health and safety governing the production and use of EV cars and the facts do not bear out speaker's statement.
- iii. Scrap dealers had special setup to deal with EV because lithium batteries do present hazards. However, that did not imply EV presented any greater risk.

Cllr Hossain spoke as a Ward Councillor and said the following:

- i. Stated that the charging times for EV were too long for distance the vehicle could cover.
- ii. Stated that prices were not economical.
- iii. Stated that time limits at charging points were not sufficient to fully recharge EV.
- iv. Stated that range of vehicles was less than advertised.
- v. Stated that repair costs were high and not covered by warranty due to being a taxi driver.
- vi. Stated there were not sufficient public toilets in the city.

24/13/Lic Standard Hybrid Vehicle Report

The Committee received a report from the Environmental Health Manager.

In response to Members' questions the Environmental Health Manager and Team Manager, Communities said the following:

- i. In 2016 this Committee took a commitment to ask Officers to investigate what was needed to make a commitment to net zero. That research took place for 2 years.
- ii. A report was brought to Committee in 2018 and the new policy was implemented in 2020. This was phased in over 2 years.
- iii. From 2020 vehicles that were coming to their age limit, had to be replaced by a plug-in hybrid or an EV. Any vehicles within the existing age limit could remain on the fleet.
- iv. The age limit was extended from 9 years to 12 and 15 years for ultra-low and EV's.
- v. Drivers had the lifespan of their vehicle to make the change to make a business decision.
- vi. The Council's aspiration was for all vehicles to be ultra-low or EV by 2028. Considering it for wheelchair-accessible vehicles as well however market does not yet make this feasible. Therefore, were focusing on saloon vehicles.
- vii. If current vehicles live out their current lifespan, there would still be a few vehicles on the fleet not conforming to new standards by 2028.

- viii. Drivers would not be forced to change their vehicles earlier than they thought they would have.
- ix. There were approximately 500 licensed taxis operating within Cambridge City. There were approximately 1400 taxis registered with South Cambridgeshire.
- x. Cambridge City Council had installed 18 EV charging points.
- xi. Currently most South Cambridgeshire vehicles were not EV.
- xii. Utilization of EV charging point network was still low. The most used site was used about 15% of the time. On average the network was used about 5% of the time.
- xiii. There were currently 60 EV apart of the fleet.
- xiv. It was economically advantageous to charge at home as the cost was lower.
- xv. A feasibility study was carried out with the Energy Saving Trust which looked at the location, number of charge points needed and the behaviour of taxi drivers. Drivers were consulted with in 2016 regarding EV charging point locations. That information had been brought to the Committee before policy went into effect in 2018.
- xvi. The taxi trade was a business and need to operate as economically as possible however as a Council were committed to tackling climate change and net zero.
- xvii. 22% of Cambridge City taxis were ultra-low or EV.
- xviii. Planning to pursue a restriction on city centre access for non-electric and ultra-low emission vehicles.
- xix. There were fourteen hybrid vehicles and nineteen petrol or diesel vehicles whose life span would end within the stated timeframe.

Councillor Hossain made the following comments:

- i. Charging points quality was not sufficient. Too slow to charge vehicles.
- ii. The cost needed to be looked at.
- iii. Drivers who could not charge EV at home were at a disadvantage, needed to have higher quality charging points provided.

The Committee:

Resolved by 6 votes to 1 to endorse the recommendations:

- i) Confirmed the decision made on 29th January 2024 and remove the inclusion of standard hybrids within the policy with emissions of less than 120g/km of CO₂ with effect of 30th June 2024.

- ii) Noted that 14 standard hybrid vehicles are affected by the policy from 1 July to 30 June 2026 – the date the trade have suggested to delay implementation.
- iii) Agreed the Environmental Considerations part of the Hackney Carriage and Private Hire Licensing Policy as attached to this report as Appendix A.

The meeting ended at 12.50 pm

CHAIR

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Changes to Hackney Carriage and Private Hire Licensing Policy

To:

Licensing Committee – 16th September 2024

Report by:

Yvonne O'Donnell, Environmental Health Manager

Email: Yvonne.ODonnell@cambridge.gov.uk

Wards affected:

All

1.	Recommendations
1.1	<p>It is recommended that members of the Licensing Committee:</p> <ol style="list-style-type: none"> 1. Approve the minor changes made to the Policy as per the tracked changes in Appendix 1. 2. Agree for officers to go out to consult on the proposed changes to the Policy as detailed in Appendix 2.
2.	Purpose and reason for the report
2.1	<p>In November 2023, the Department for Transport issued the “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England”. This guidance has led to a review of Cambridge City Council’s Hackney Carriage and Private Hire Licensing Policy and the changes that have been detailed in the report. The Guidance has been attached to this report as Appendix 3.</p>
3.	Alternative options considered
3.1	<p>If changes were not made to the Policy, the changes in the November 2023 guidance would not be followed.</p>
4.	Background and key issues

4.1	The “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England”, which was issued in November 2023 has been reviewed by officers and whilst looking at the changes suggested, it was decided the Hackney Carriage and Private Hire Licensing Policy should be reviewed.
4.2	As part of the review, 21 minor changes have been made to the Policy. These can be viewed as tracked changes in Appendix 1.
4.3	They have been classed as minor changes as they are not believed to impact on the taxi trade or the public.
4.4	Section 44 on Change of Circumstances has been added to make it clearer for all parties as to the required time specifications. Drivers are required to report changes in their circumstances.
4.5	After reviewing the guidance and the policy, it is felt that there are 4 changes that could be made to the Policy and that these need to be consulted on. They are further detailed in Appendix 2.
4.6	The first change relates to 15.13 of the Policy and the training of drivers in loading wheelchairs and wheelchair users into Wheelchair Accessible Vehicles.
4.7	The consultation will ask whether training around the use of loading and securing a wheelchair and the user safely, should be made mandatory and if so, what form that would take.
4.8	This is considered a major change to the policy and consultation is required as it there is a potential financial impact to the drivers in terms of the cost of the training. It would also be useful to hear from wheelchair users as to whether they believe there is a need for licensed drivers to have this training.
4.9	The second change relates to 17.1 of the Policy and daily checks of the licensed vehicle.
4.10	The consultation will ask whether daily checks should be made mandatory, how they would be completed and where the records would be held.
4.11	This is considered a major change as proprietors and/or drivers would be required to do a daily check and record the findings of those checks. A consultation will provide the trade’s feeling on such a check as well as helping develop what the check should constitute. Making sure that licensed vehicles are safe to be driven is paramount and a daily check undertaken by drivers could potentially positively impact this requirement.
4.12	The third change relates to 17.7 ii) of the Policy and whether Private Hire Vehicles should

	display operator signs.
4.13	The consultation will ask whether the requirement to display operator signs should be removed and any potential impacts this could have on public safety.
4.14	This is considered a major change as the potential impact it could have public safety when getting into a pre-booked vehicle. The consultation will allow us to get the views of the drivers, operators and members of the public as to the feeling behind a proposed removal of the operator signs on private hire vehicles.
4.15	The fourth change relates to 33.5 of the Policy and the length of time someone has held their DVLA licence before they can apply to become a taxi driver.
4.16	The consultation will ask whether this should be extended from 12 months to 24 months. This change is from an internal review and not mentioned in the guidance.
4.17	This is considered a major change as it will be increase the amount of time a person would have had to hold a relevant driving licence before they could become a taxi driver. It is being considered as it means that an applicant would have had a minimum of two years driving experience as opposed to just one year.
5.	Consultation, engagement and communication
5.1	It is requested that permission is given to go out to consult on the changes proposed to the Policy in Appendix 2.
6.	Anticipated outcomes, benefits or impact
6.1	The changes and proposed changes will bring the Council's Hackney Carriage and Private Hire Licensing Policy in line with the latest issued guidance as well as updating the Policy and making it more clear and concise.
7.	Implications
7.1	Relevant risks
	Financial Implications
7.2	None.

	Legal Implications
7.3	The guidance issued is not legally binding, the guidance is primarily intended to assist licensing authorities, but it is only guidance and does not intend to give a definitive statement of law; any decisions made by an authority remain a matter for that authority.
	Equalities and socio-economic Implications
7.4	Attached as Appendix 4 is an EqlA for the current policy with the minor changes. A further EqlA will be completed following the consultation on 4 potential major changes to the policy
	Net Zero Carbon, Climate Change and Environmental implications
7.5	None
	Procurement Implications
7.6	None
	Community Safety Implications
7.7	None of the minor changes would have any impact on community safety. The policy changes that have been requested to consult on, could potentially impact on community safety and these will be addressed after the results of the consultation, with any further changes to the Policy brought back to future Licensing Committees.
8.	Background documents Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985
8.1	Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy

	Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England
9.	Appendices
9.1	Appendix 1 – Minor changes to the Policy Appendix 2 – Changes to the Policy to consult on Appendix 3 - Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England. Appendix 4 – EqIA
	To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Environmental Health and Licensing Support Team Leader, luke.catchpole@cambridge.gov.uk



Cambridge City Council

Hackney Carriage and Private Hire Licensing Policy

~~September 2023~~ September 2024

Version: 17.18

Date Last Updated: 13 September 2023 September 2024

By: Wangari Njiri Luke Catchpole

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

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PART 1

INTRODUCTION

1.0 SUMMARY

- 1.1 This document sets out Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy on the licensing of Hackney Carriage and Private Hire Drivers and Vehicles together with all Private Hire Operators. This document also sets out the legislative framework administered by the Licensing Authority in respect of such licences, however this Policy is not a comprehensive statement of the law.
- 1.2 This Hackney Carriage and Private Hire Vehicle Licensing Policy must reflect the clear vision of the Council to lead a united city, 'One Cambridge – Fair For All', in which economic dynamism and prosperity are combined with social justice and equality. It is a vision that the Council will share and develop, working with its citizens and partner organisations.
- 1.3 Hackney Carriage and Private Hire Vehicles play a vital and integral part in an integrated public transport system and the importance of a thriving hackney carriage and private hire trade to the growth and prosperity of Cambridge's local economy is recognized; however, the safety and welfare of the public is the over-riding principle that will be considered when matters are dealt with under the Policy.
- 1.4 This Hackney Carriage and Private Hire Licensing policy is intended to put the Council's licensing requirements into context for all parties in a clear and transparent manner.

2.0 AIMS AND OBJECTIVES

- 2.1 In setting out this policy, the Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:
- i) The safety and protection of the public;
 - ii) Vehicle safety, comfort and access;
 - iii) The prevention of crime and disorder;
 - iv) The promotion of environmental sustainability
 - v) Protection of children and adults at risk from harm
- 2.2 The aim of the Policy is primarily to protect the public as well as to ensure that the public have reasonable access to services. The Licensing Authority shall seek to

use its licensing powers to ensure that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required.

2.3 As a guide, in the promotion of the above objectives, the Licensing Authority will consider the following matters:

Safety and protection of the public:

- Consideration of history of convictions and cautions
- Driver conduct and performance
- Knowledge of Cambridge City
- Health and fitness to fulfil the role of a licensed driver
- Vehicle specifications

Vehicle safety, comfort and access:

- Standards of vehicle comfort and appearance
- Location and use of ranks
- Accessibility of facilities
- Number of vehicles available
- Livery

The prevention of crime and disorder:

- Commitment to work with the Police and other relevant agencies
- Planned and unplanned enforcement program to ensure compliance
- Operating rules, conditions, byelaws and fit and proper processes
- Support with local businesses for the dispersal of customers from licensed premises

The promotion of environmental sustainability:

- To encourage the uptake of zero and ultra-low emission vehicles
- To only permit licenses for vehicles that comply with the particular age requirements set out in this policy
- To work with stakeholders and the trade to support the Air Quality Action Plan

The protection of children and adults at risk from harm:

- Safeguarding requirements as set down in this policy
- Co-operation with other agencies to protect children and adults at risk
- Training to cover awareness of Safeguarding
- A robust reporting mechanism for Safeguarding issues
- Determination of fit and proper persons

2.4 The Policy recognises that the licensing function is only one means of securing the delivery of the above objectives. The Licensing Authority will therefore continue to work in partnership with the trade, its neighbouring authorities, the Police, other enforcement agencies, local businesses and local people towards the promotion of the licensing objectives.

2.5 Each application or enforcement measure shall be considered on its own merits, using the policy as a main guideline. Where, and if, it is necessary for the Licensing Authority to depart substantially from its policy, clear and compelling reasons shall be given for doing so.

2.6 This Policy refers to guidance that is available to applicants, drivers and operators to assist them with processes. This guidance is known as the Hackney Carriage and Private Hire Licensing Handbook.

3.0 POWERS AND DUTIES

3.1 This statement of licensing policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended) which place duties on the Council to carry out its licensing function.

3.2 This document sets out the policy that the Licensing Authority will apply when making decisions about new applications and licences currently in force.

3.3 In undertaking its licensing function, the Licensing Authority will also have regard to other relevant legislation including:

- ii) Transport Act 1985 and other associated Road Traffic Acts

- iii) Road Vehicles (Constructions and Use) Regulations 1986.
- iv) Crime and Disorder Act 1998
- v) Environmental Protection Act 1990
- vi) Equality Act 2010
- vii) Health Act 2006 and Smoke-free Regulations 2006/7
- viii) Legislative and Regulatory Reform Act 2006
- ix) Road Safety Act 2006
- x) Human Rights Act 1998

4.0 BEST PRACTICE GUIDANCE

4.1 The Department for Transport (DfT) has national responsibility for hackney carriage and private hire legislation in England and Wales. In formulating this policy, advice contained in the “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England (November 2023)-2010” has been taken into account in order to develop this policy.

Commented [LC1]: Minor change

There is recognition within the Guidance that licensing requirements which are unduly stringent and demonstrate a too restrictive approach may be detrimental to the public interest and could have adverse safety implications.

4.2 Local circumstances and requirements have been taken into account in this policy and the DfT itself recognizes that individual Councils are ~~best placed to “decide for themselves the extent to which they wish to make use of it or adapt it to suit their own purposes”~~ “still responsible for deciding their own policies and making decisions on individual licensing matters applying the relevant law and any other relevant considerations”.

Commented [LC2]: Minor change

5.0 STATUS

5.1 In exercising its discretion in carrying out its regulatory functions, the Authority shall have regard to this policy document and the objectives set out above.

5.2 Notwithstanding the existence of this policy, each application or enforcement measure shall be considered on its own merits. Where it is necessary for the Authority to depart substantially from its policy, clear and

compelling reasons shall be given for doing so.

- 5.3 Nothing in this policy will prevent an applicant or licence holder from requesting that the Licensing Authority considers the individual merits of their case and give reasonable consideration to departing from its policy. Such request may be made to, or before, the Licensing Sub-Committee or Council Officers as deemed appropriate in the circumstances of the case.
- 5.4 This policy will provide the Licensing Authority and Council Officers who are required to administer the licensing function with appropriate guidelines within which to act.
- 5.5 Where applications do not meet the requirements of the policy the Environmental Health Manager has the delegated authority to refuse to grant a licence, refuse to renew a licence or to revoke or suspend an existing licence.
- 5.6 The policy shall be kept under review and revised as appropriate and, in any event, not less than five years from the date of its last adoption.
- 5.7 The policy does not override the legal requirements embodied in any legislation in force at the time of adoption or as may be enacted after the adoption of this policy.

6.0 THE LICENSING REGIME

- 6.1 Some activities are considered to be of such risk to the safety of members of the public that the law requires an approval to be in place, in the form of a licence, to regulate that activity. This is the case with the Hackney Carriage and Private Hire trade who make themselves available for hire to transport members of the public to their chosen destination in return for reward.
- 6.2 The legislation creates three types of licence:
- i) Vehicles (Hackney Carriage & Private Hire)
 - ii) Drivers (Hackney Carriage, Private Hire & Dual Licences)
 - iii) Operators (Private Hire only)
- 6.3 A journey not carried out in accordance with the correct licences is not only illegal; it is likely to invalidate the insurance held by the driver, vehicle proprietor and operator

and could have serious consequences should an accident occur.

7.0 IMPLEMENTATION

7.1 This policy shall take effect from ~~9th July 2018~~ **16th September 2024** and will override and supersede all existing Council policy and guidance in relation to Hackney Carriage and Private Hire Licensing. The Authority expects all licence holders to comply with its terms immediately, but it is acknowledged that certain provisions may place financial obligations on existing licence holders and accordingly the Authority is prepared to permit a transitional period, during which time necessary changes must be made.

Commented [LC3]: Minor change

7.2 The policy will remain effective for a maximum period of 5 years but the Authority will keep the policy under review and will consult where appropriate on proposed revisions, to reflect changes in case law and legislation. The Licensing Committee may make any amendments to the policy.

7.3 References are made in this policy to the "Hackney Carriage & Private Hire Handbook". This is an operational guide that outlines the processes associated with the administration and enforcement of the Licences and is subject to amendment by the Environmental Health Manager.

8.0 PRINCIPLES, PROCESS, DELEGATION AND DECISIONS

8.1 The Licensing Authority aims to provide a clear, consistent and responsive service to prospective and current licence holders, members of the public and other stakeholders, including the provision of advice and guidance. The Licensing Authority will be mindful of the needs of the applicant and licence holder but this will be balanced against the over-riding duty that the Licensing Authority has to protect the safety and welfare of the public.

8.2 The Council has delegated its Licensing function to the Council's Licensing Committee and further delegated authority to the Licensing Sub-Committee and to Officers of the Council who will determine applications and licensing decisions in accordance with this Policy. Whilst officers and the relevant committees/ panel will,

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in the majority of cases, follow the Policy, there may be specific circumstances that require a departure from the Policy. In such circumstances, the reasons for departing from the Policy will be made clear.

8.3 The Licensing Sub-Committee is made up of a selection of Members from the Licensing Committee. Three Members will sit on hearings to deal with new applications, renewals and reviews of licences that are referred directly by officers.

On occasions when three members are not available, hearings can be heard with two members sitting. Members, when determining applications for a licence, renewals or reviews of a licence, will have regard to Hackney Carriage and Private Hire legislation, this Policy and any other relevant legislation, legal case law and other relevant Council policies.

Commented [LC4]: Minor Change

8.4 The Licensing Authority has the power to refuse to grant or renew licences and also to suspend or revoke existing licences in accordance with relevant legislative provisions. Any decision by the licensing authority to refuse to grant or revoke a licence to an individual thought to present a risk of harm to a child or vulnerable adult will be referred to the Disclosure and Barring Service (DBS).

8.5 Any decision to refuse to grant, refuse to renew or suspend an application or any decision relating to this Policy will be determined by Officers through the scheme of delegation. The applicant will have a right of appeal to the Magistrates Court.

8.6 Some decisions regarding breaches of the Enforcement Management System will be determined by the Licensing Sub-Committee having regard to Hackney Carriage and Private Hire legislation, this Policy and any other relevant legislation, legal case law and other relevant Council policies. The right of appeal will be to the Magistrate Court.

8.7 In certain circumstances where there are breaches of the Enforcement Management System may be determined by the Environmental Health Manager having regard to Hackney Carriage and Private Hire legislation, this Policy and any other relevant legislation, legal case law and other relevant Council policies. The right of appeal will be to the Magistrate Court.

8.8 Following the determination of an application by the Licensing Authority, the applicant will receive a copy of the decision in writing. The written decision will be

delivered as soon as is practicable after the decision has been made. This will include information on the right of appeal where appropriate.

- 8.9 Parties aggrieved by a decision of the Licensing Authority have a right of appeal. This must be lodged with the relevant Court in accordance with the relevant statutory provisions.

9.0 FEES

- 9.1 There is a statutory power for the Licensing Authority to charge fees associated with the Hackney and Private Hire licensing regime. The fees charged to applicants should be sufficient to cover the costs of inspecting the vehicles, providing Hackney Carriage stands and administering the regulation of and enforcement work in relation to the Hackney Carriages and Private Hire trades.

- 9.2 The appropriate fee should accompany any application or renewal made.

- 9.3 Licences surrendered prior to their expiry, or licenses that are suspended or revoked shall not be eligible for a refund.

10.0 LICENSING PROFILE

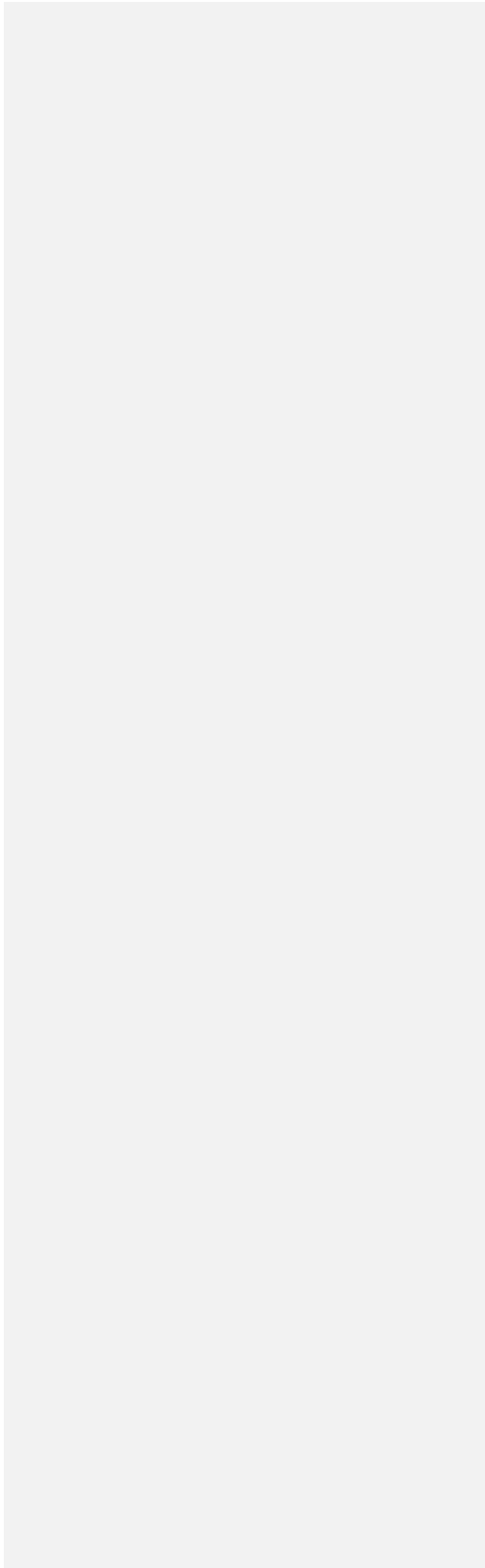
- 10.1 A Hackney Carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to ply for hire. This means that it may stand at ranks or be hailed in the street by members of the public.

- 10.2 Private Hire Vehicles must have no more than 8 passenger seats and must be booked in advance by customers through an operator and may not ply for hire in the street.

- 10.3 Vehicles that are required by an applicant to carry more than 8 passengers for hire and reward fall outside the legislation governing Hackney Carriages and Private Hire vehicles and require a public service vehicle licence. The Licensing Authority has no involvement in the licensing of these vehicles.

PART 2

VEHICLES



11.0 LIMITATION OF VEHICLE NUMBERS

11.1 The current legal provision on quantity restrictions for Hackney Carriages is set out in section 16 of the Transport Act 1985. This provides that the grant of a Hackney Carriage Licence may be refused, for the purpose of licensed Hackney Carriages “if, but only if, the local authority is satisfied that there is no significant demand for the services of Hackney Carriages (within the area to which the licence would apply) which is unmet”.

11.2 In 2014 the Licensing Authority undertook a demand survey which concluded that there was no significant demand for Hackney Carriages that was unmet. Therefore, it applied a limit of Hackney Carriage Vehicles as of 26th January 2015 for a period of three years.

~~In 2017 a further demand survey was undertaken, the results of which concluded that there continued to be no significant demand for Hackney Carriages that is unmet. On 29th January 2018 Members resolved to keep a limit on Hackney Carriage Vehicles for a further period of three years.~~

11.3 The latest demand survey was undertaken in 2022, the results of which concluded that there continued to be no significant demand for Hackney Carriages that is unmet. On 30th January 2023, Members resolved to keep a limit on Hackney Carriage Vehicles for a further period of three years. The current limit is set at 321.

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11.4 Any limit imposed by the Licensing Authority will be subject to the requirements of Part 12 of the Equality Act 2010 and any associated Regulations such that the proportion of the taxi fleet that is accessible to a disabled person complies with any requirement that may be set by Regulations.

11.5 There are no powers for licensing authorities to limit the number of Private Hire Vehicles.

12.0 DEFINITIONS, SPECIFICATIONS AND CONDITIONS

12.1 The main difference between Hackney Carriages and Private Hire vehicles is that Hackney Carriages can be hailed in a public street or hired from a taxi rank.

12.2 Private Hire vehicles must be pre-booked in advance through a licensed Private Hire

Operator and are not permitted to wait on a rank or be booked directly from a public street.

- 12.3 Should a Private Hire vehicle driver accept a fare which has not been pre-booked through an Operator, he is committing an offence and, if caught, will be subject to relevant enforcement action by the Licensing Authority.
- 12.4 Anyone being conveyed in a Private Hire vehicle which has not been pre-booked may not be covered by the drivers insurance. Proprietors are required to ensure that they fully understand their individual insurance policy.
- 12.5 Once a vehicle is licensed as a Hackney Carriage or Private Hire vehicle, every driver of that vehicle, whether it be used for business or pleasure, must possess the appropriate City Council driver licence.
- 12.6 Local Licensing Authorities have a wide range of discretion over the types of vehicle that they can licence as Hackney Carriage or Private Hire Vehicles.
- 12.7 Cambridge City Council will not grant a Hackney Carriage or Private Hire Vehicle Licence for any vehicle that is already licensed by another authority. Obtaining a vehicle licence from another authority will invalidate any vehicle licence granted by Cambridge City Council.
- 12.8 Government guidance suggests that best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Licensing Authorities are encouraged to leave it open to the trade to put forward vehicles of their own choice that can be shown to meet basic criteria. In that way, emerging designs for vehicles can be taken into account.
- 12.9 Licensing Authorities are asked to be particularly cautious about specifying only purpose-built Hackney Carriages, with the strict constraint on supply that implies. There are at present only a small number of designs of purpose-built Hackney Carriages. They are, however, encouraged to make use of the "type approval" rules within any specifications they determine.
- 12.10 The Licensing Authority will only license a vehicle as a Hackney Carriage or a Private Hire Vehicle if it complies with European Whole Vehicle (M1) type approval,

M1 Low Volume Type Approval or UK National Small Series Type Approval and Individual Vehicle Approval (IVA). These approvals related to wheelchair accessible vehicles/ converted vehicles and not saloon vehicles.

12.11 A vehicle will only be licensed as a Private Hire vehicle if it is not of an appearance ~~or design~~ that is considered likely to lead the public to think it is a licensed Hackney Carriage vehicle.

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12.12 The Licensing Authority is empowered to impose such conditions as it considers reasonably necessary in relation to the grant of a Hackney Carriage or Private Hire vehicle licence. Hackney Carriages and Private Hire vehicles provide a service to the public, so it is appropriate to set criteria for the external and internal condition of the vehicle, provided that these are not unreasonably onerous.

12.13 This will also apply to Private Hire vehicles unless they are treated as a “special vehicle”.

12.14 The ‘Hackney Carriage and Private Hire Handbook’ sets out the specification and minimum standards in respect of Hackney Carriages and minimum standards for Private Hire Vehicles. All vehicles presented to the Licensing Authority for licensing and all vehicles whilst licensed must comply with the Authority’s current Hackney Carriage and Private Hire policy, handbook and vehicle testing standards specification.

12.15 The Licensing Authority reserves the right to carry out or require any form of test, examination or assessment as it sees fit to determine the suitability of a vehicle for licensing or to remain a licensed vehicle.

13.0 FARES

13.1 Hackney Carriage drivers may only charge their passengers such fare as is set by the Licensing Authority and published by it in its table of fares. The charges levied by Private Hire operators and drivers are not subject to the Authority’s control and form a private contract between the hirer and the operator.

- 13.2 The Licensing Authority is able to review the Hackney Carriage Table of Fares (“the tariff”) annually.
- 13.3 A table of authorised fares shall be provided to each Hackney Carriage Licence holder, which must be displayed in each vehicle so that it is easily visible to all hirers.
- 13.4 The Licensing Authority is unable to set fares for Private Hire Vehicles.
- 13.5 All Hackney Carriage and Private Hire Vehicles must carry a device that is capable of accepting payment for a journey from credit/debit cards.

14.0 METERS

- 14.1 The meter will be calendar controlled to the current tariff as set by the Licensing Authority.
- 14.2 The taximeter and the operating devices must be sealed by the installer and certificated to confirm that the equipment is compliant. The certificate issued must be available for inspection on the vehicle. Seals must be intact at any time that the vehicle carries a Licence plate except when at an approved installers premises.
- 14.3 Meters are required to meet the Public Carriage Office Specification.

15.0 ACCESSIBILITY AND EQUALITY

- 15.1 Cambridge City Council has a specific Hackney Carriage and Private Hire Disability Access Statement which can be found in the Hackney Carriage and Private Hire Handbook.
- 15.2 All new drivers must attend Accessibility & Equality Training as part of the application process.
- 15.3 The Licensing Authority takes all complaints of discrimination seriously and will have due regard to its duty to eliminate discrimination, along with the provisions of the Equality Act 2010, when considering the fitness of an individual to hold a Hackney Carriage or Private Hire licence (driver, vehicle or operator).

15.4 ~~On 19th March 2018, Members agreed to reduce the percentage of Wheelchair Accessible Vehicles to 50% across the whole fleet in order to encourage the uptake of zero emission vehicles.~~ All new Hackney Carriages (plate 121 to 441) must be wheelchair accessible vehicles.

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The Authority will apply any specification for such vehicles as may be provided by Regulations under the Equality Act 2010 and these will be detailed in the "Hackney Carriage and Private Hire Handbook". There is not the same requirement for private hire vehicles to be wheelchair accessible.

15.5 All new licensed Hackney Carriages must be either side or rear loading. The Licensing Authority will not licence wheelchair accessible vehicles that load from the driver's side (off-side).

15.6 Hackney Carriage licence plates numbered 1 to 121 retain protected "grandfather rights" to use ~~saloon, petrol/ diesel powered style non-wheelchair accessible~~ vehicles.

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15.7 The Equality Act 2010 places certain duties on licensed drivers to provide assistance to any disabled passenger, including wheelchair users and assistance dog users.

~~Assistance dogs are defined as, "not a pet, but a working service dog that has been certified by an organization, that is a full member of Assistance Dogs International (ADI) or International Guide Dog Federation (IGDF), as trained or undergoing training to help a disabled person. To evidence this, either the dog must be wearing an identifying harness/jacket or its owner must be carrying certifying documents.~~

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15.8 Section 167 of the Equality Act 2010 requires Licensing Authorities to maintain and publish a list of designated wheelchair accessible taxis and private hire vehicles. The duties on drivers in section 165 of the Equality Act 2010 apply to drivers of vehicles included in this list.

15.9 Licensed drivers who are unable to carry out the duties imposed upon them under the Equality Act 2010 may apply to the Licensing Authority for an exemption certificate from those duties. The Council must issue an exemption certificate to that licensed driver if they are satisfied that it is appropriate to do so on medical grounds. It is the driver's responsibility to apply to the Council for such an exemption and to

satisfy the Licensing Authority at his or her own cost of the medical grounds. A driver has no defence against these offences even if a medical ground or other physical condition exists, if he has not been issued an exemption certificate.

15.10 It is arguable that different accessibility considerations should apply between Hackney Carriage and Private Hire vehicles in that Hackney Carriages can be hired directly in the street or at a Hackney Carriage stand ("taxi rank"), by the customer dealing directly with a licensed driver. However, Private Hire vehicles can only be booked through a licensed Private Hire operator, ~~normally by telephone or by visiting the Private Hire operator office~~. It is therefore considered particularly vital that an individual with accessibility requirements should be able to hire a Hackney Carriage on the spot with the minimum delay or inconvenience, and requiring that all new Hackney Carriages are accessible assists in achieving that aim.

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15.11 It is important that vehicle drivers, proprietors and operators ensure that licensed drivers carry all passengers in safety and comfort.

15.12 Duties of drivers under the Equality Act 2010, is further detailed within the Hackney Carriage and Private Hire Handbook.

15.13 Drivers should be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers. It is the drivers responsibility to ensure that they understand fully how to use the equipment.

16.0 VEHICLE TESTING

16.1 The Licensing Authority must be satisfied that vehicles which are licensed by them are safe to operate within its area.

16.2 The DfT guidance recognizes that an annual MOT test for licensed vehicles of whatever age is necessary. No vehicle may be used as a Hackney Carriage or Private Hire vehicle unless it has been given a certificate of compliance in respect of a satisfactory test from the approved testing station, and has been appropriately licensed by the Authority.

16.3 Vehicle testing is carried out twice yearly, the Hackney Carriage and Private Hire

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Handbook sets out the specification and standards for vehicle testing and compliance. In addition to this, the Authority will adhere to National Vehicle Standards along with any localised byelaws or conditions as described in the Hackney Carriage and Private Hire Handbook.

- 16.4 The Licensing Authority may appoint a currently registered MOT station as an Appointed Testing Station who will conduct vehicle tests on its behalf. The Authority reserves the right to limit the number of approved garages.
- 16.5 Hackney Carriage and Private Hire vehicles are granted licences for a maximum period of one year. Prior to being granted a licence, each vehicle shall be examined and tested at Cambridge City Council's garage, at which compliance with the requirements is assessed and confirmed by the issue of a certificate of compliance.
- 16.6 It is the proprietor's responsibility to ensure that all testing and application procedures are completed in order for the vehicle to become and/ or remain licensed.
- 16.7 Licensed vehicles that fail an authorised examination and test, and are deemed non-compliant by the examiner, will result in the vehicle proprietor being invited to re-test the vehicle. If an existing licensed vehicle fails, it must not work until a compliance test has been passed.
- 16.8 Proprietors of licensed vehicles are required to inform the Authority as soon as possible, and most certainly within 72 hours, of any accident that causes damage which materially affects the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried. Proprietors must also present the vehicle to the Licensing Authority, for inspection, if requested.
- 16.9 Full details on the accident reporting process can be found within the Hackney Carriage and Private Hire Handbook.

17.0 VEHICLE INSPECTIONS

- 17.1 Licensed vehicles shall be kept at all times in an efficient, safe, tidy and clean condition. Compliance with the vehicle specifications and conditions of Licence is

essential and will be enforced by periodic and/ or random vehicle inspections by authorised officers of the Council. Further guidance on vehicle inspections can be found in the Hackney Carriage and Private Hire Handbook.

18.0 SIGNAGE, LIVERY AND ADVERTISING

18.1 Some members of the public do not distinguish between Hackney Carriage and Private Hire vehicles and do not realize that Private Hire vehicles are not available for immediate hire or are able to be hailed in the street. It is therefore essential that the public are able to easily identify between a Hackney Carriage and a Private Hire vehicle.

~~18.2 Creating a distinctive livery for Hackney Carriage vehicles assists in resolving this difficulty and on 16th October 2017 Members agreed to the addition of a livery requirement for all Hackney Carriage Vehicles.
On 9th July 2018 Members further agreed on the part of the Livery Specification for Hackney Carriage Vehicles along with requirements for Private Hire Vehicles.
Cambridge City Council require Hackney Carriage Vehicles to have a livery.~~

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Further information on the Livery can be found within the Hackney Carriage and Private Hire Vehicle Handbook, including the implementation plan.

~~18.2~~ 18.2 Cambridge City Council licensed vehicles are required to display a City Council issued identity licence plate. This is a key feature in helping to identify vehicles that are correctly licensed by the authority.

Hackney Carriage Vehicles:

- i) Must be silver in colour (as described on the V5 registration document for each vehicle).
- ii) Must have a 'wrap' of two gloss stripes, one placed either side of the vehicle (running horizontally from the headlight to the rear light).
- iii) Must have the stripe '~~Avery 813~~ grass green' in colour and must be fitted along the side of the vehicle and should follow the natural line of the vehicle.

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- iv) Must ensure that the stripe has a break on any part of it, on the front passenger and driver doors, to allow for the positioning of the crests.
- v) For Multi-Seater Vehicles, the stripe must be a thickness of 6 inches (150mm).
- vi) For Saloon Vehicles, the stripe must be a thickness of 4 inches (100mm).
- vii) Must display the Cambridge City Hackney Carriage pale blue identification plate on the rear of the vehicle.
- viii) Must have a 'Taxi' yellow roof sign on the top of the vehicle.

18.4 Roof signs fitted to Hackney Carriage vehicles shall be illuminated at all times when the vehicle is available for hire. The sign bearing the word "TAXI" in black lettering on a yellow background on the front and "Cambridge Licensed Taxi Cab" in black lettering on a red background on the back is at all times to be prominently displayed on the roof of the vehicle except:

- i) when the vehicle is on hire for a wedding
- ii) when it is necessary to accommodate passengers luggage by use of a roof rack
- iii) when the vehicle is being used for social, domestic or pleasure purposes.

18.5 The roof sign can also be removed when the vehicle is undergoing maintenance work or is being cleaned, but must be put back on the vehicle before the vehicle is used again for hire and reward.

18.6 In order to ensure that the crests remain prominent and are not compromised by any other advertising the crests should be a minimum of 9.5 inches in diameter if circular in size and 10 inches width and height if square with no background colour, and attached to both the nearside and offside front doors of the vehicle.

18.7 The Hackney Carriage external licence plate supplied by the Licensing Authority shall be securely fixed to the outside of the vehicle, no temporary fixing is allowed.

Private Hire Vehicles:

- i) Cannot be silver in colour (as described on the V5 registration document for

each vehicle).

- ii) Must display door signs which detail the name and contact information of the Operator fulfilling the booking, along with the notification of 'Private Hire: Pre-booked only'.
- iii) Must display the Cambridge City Private Hire pale green identification plates on the front and rear of the vehicle.
- iv) Do not have a taxi sign or crests.

18.8 Private Hire vehicles are not be permitted to display roof mounted signs or any signs that include the words "taxi" or "cab" or "for hire".

18.9 The Private Hire external licence plates supplied by the Licensing Authority shall be securely fixed to the outside of the vehicle, no temporary fixing is allowed.

Advertising:

18.10 Private Hire Vehicles are not permitted to display advertisements.

18.11 Limited external advertising may be permitted on Hackney Carriage Vehicles, but only on the rear of the vehicle.

18.12 Limited internal advertising may be permitted in Hackney Carriage Vehicles.

18.13 Any permission to display advertising will be subject to the prior written approval of the City Council and must be in accordance with the Advertising Standards Agency code of practice. Advertisements concerning the following subjects will not normally be approved:

- i) Political, ethnic, religious, sexual or controversial subjects
- ii) Escort agencies, gambling establishments or massage parlours
- iii) Nude or semi-nude figures
- iv) Tobacco or alcohol
- iv) Anything likely to offend public taste

19.0 EXEMPTIONS

19.1 The DfT have issued guidance regarding the types of activities that may require

licensing. In general, the following will not be considered to require licensing:

- i) Child minder vehicles
- ii) Care transport workers
- iii) Volunteers
- iv) Ambulances
- v) Courtesy Cars

Each case will be taken on its own merits and the nature of the operation will be taken into account when considering if a licence is required.

19.2 The open display of the identifying licence plates is intended by the licensing legislation in protecting the public and supporting the trade by identifying it as a regulated business. However, there are occasions when the display of such identification is inappropriate on a Private Hire Vehicle and exemptions may be granted where there is sufficient reason.

19.3 Detailed guidance on the Plate Exemption Procedure for Private Hire Vehicles can be found in the Hackney Carriage and Private Hire Handbook.

20.0 STRETCHED LIMOUSINES AND PRESTIGE VEHICLES

20.1 Stretched limousines are elongated saloon cars, which are generally used for Private Hire work and special occasions.

20.2 Most limousines are imported for commercial purposes and are therefore required to take a Single Vehicle Type Approval (SVA) [to be replaced by the Individual Vehicle Approval (IVA)] test. The SVA or IVA Scheme is an Inspection Scheme for vehicles that are not approved to British and European Standards and its purpose is to ensure that these vehicles meet modern safety standards and environmental standards before being used on public roads.

20.3 Any stretched limousines that are offered for private hire do require a licence. Some operators of these vehicles have a wedding car licence insurance policy on the basis that the vehicle will be used largely during daylight hours, once or twice per week.

20.4 Applications to Licence stretched limousines as Private Hire vehicles will be treated on their merits. However, imported stretched limousine type vehicles can:

- i) be granted an exemption from the requirement under the conditions of licence for Private Hire to be right hand drive;
- ii) be authorized as prestige type vehicles; and
- iii) be approved for licensing as Private Hire vehicles subject to the additional conditions detailed in the 'Taxi Guide'

20.5 Proprietors of prestige type vehicles licensed as Private Hire vehicles or Private Hire vehicles used in special circumstances may seek the permission of the Authority to waive the conditions of their licence relating to the display of licence plates, door stickers and driver badges.

21.0 CONTRACT VEHICLES

21.1 The Road Safety Act 2006 requires vehicles used for a contract with an organization or company, for carrying passengers for hire or reward under a contract, to be licensed as private hire vehicles. As a general guide this shall include executive hire, chauffeur services, park and ride for private car parks, airport travel, stretch limousines and novelty vehicles.

21.2 All vehicles with less than 8 passenger seats or fewer that carry passengers for hire and reward must be licensed by the Local Authority. Although there has been some legal debate regarding this particular issue, current case law supports the view that vehicles which are used as 'courtesy cars', i.e. for transporting customers to and from hotel, nightclubs, etc. are being provided for hire and reward in the course of business, irrespective of whether or not a charge is made for such service. They should, accordingly be licensed.

21.3 Those operating 'courtesy cars', e.g. for transporting customers to and from hotels, nightclubs, etc. should have an operator's licence and the vehicles and driver must be appropriately licensed.

21.4 All ambulances registered with the British Ambulance Association will be exempt

from private hire licensing.

- 21.5 Other patient transport services provided by either NHS or Voluntary Services that are registered with the British Ambulance Association will be exempt from private hire licensing.
- 21.6 All other ambulance or patient transport services that are not registered with the British Ambulance Association may be required to conform to private hire licensing requirements. The Licensing Authority strongly recommends that anyone wishing to provide this type of service contact the Council for each case to be considered on its merits.
- 21.7 In relation to Voluntary Sector Transport, the Licensing Authority will assess each individual organisation on its own merits to determine whether or not it will require licensing as a private hire business. Whilst it is clear that the organisation is providing a service, it is less clear that such provision can be defined as operating a private hire business.
- 21.8 When determining whether a vehicle is operating as a Private Hire Vehicle, the Licensing Authority will have reference to the Department for Transport's guidance note "Private Hire Vehicle Licensing" and any relevant case law.
- 21.9 The Licensing Authority will, however, seek to enforce against unlicensed businesses where it can be proven that the business obtains a benefit and the Authority considers that private hire vehicle licensing is necessary.

22.0 WEDDING VEHICLES

- 22.1 Vehicles used wholly or mainly for the traditional purposes of wedding ceremonies are exempt from the requirement to be licensed.

23.0 FUNERAL VEHICLES

- 23.1 Vehicles owned by funeral directors that are used wholly or mainly for the purposes of funerals are exempt from the requirement to be licensed.

24.0 SAFEGUARDING

- 24.1 Cambridge City Council is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all of our licensed drivers, proprietors and operators to share this commitment.
- 24.2 Safeguarding is the process of protecting children and adults at risk from harm, preventing impairment to their health and development, which includes keeping them safe from neglect, and physical, emotional and sexual abuse.
- 24.3 All new hackney carriage, private hire and dual driver, proprietor and operator applicants must attend and pass the mandatory safeguarding training before submitting an application. Further guidance can be found the Hackney Carriage and Private Hire Handbook.
- 24.4 A mandatory refresher of the training will need to be undertaken by all licence holders, and an examination successfully passed, every three years.

25.0 DRIVER SAFETY

- 25.1 The trade provides a valuable service and security for drivers and passengers is of paramount importance. There are a number of ways to reduce risks such as prepayment of fares, driver screens, CCTV surveillance systems and radio link schemes.

25.2 The Hackney Carriage and Private Hire trades are encouraged to build good links with the local police force, including participation in any crime and disorder reduction partnerships.

25.3 The Local Authority have made it a requirement that all licensed vehicles are to be installed with a CCTV system that meets the local authorities specifications.

~~25.2~~25.4 The requirement for CCTV in licensed vehicles will be reviewed every five years.

~~25.3~~ On 16th October 2017 Members agreed to the mandatory requirement for the installation of CCTV in Hackney Carriage and Private Hire vehicles.

~~25.4 Since approval there have been delays in the implementation of CCTV due to difficulties identifying supplier/s, and the Covid-19 pandemic.~~

~~25.5 On 20th March 2023, Members approved:-~~

- ~~1) Any new vehicle licence or renewal of an existing licensed vehicle from 1st September 2023, requires vehicle to be installed with CCTV system.~~

~~25.6 On 24th October 2022, Members approved~~

- ~~1) A review of CCTV in licenced vehicles every 5 years.~~

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25.5 The implementation of CCTV in licensed vehicles serves multiple purposes which will enable the prevention and detection of crime and promote a safe experience for both licensed drivers and the travelling public.

25.6 The key objectives are:

- The protection of licensed drivers.
- The protection of the travelling public.
- To ensure that licensed drivers continue to be 'fit and proper' in line with licence conditions.
- To enable investigations to be fully supported with evidence in a secure and retrievable form.

25.7 The CCTV system installed in any vehicle will comply with the Council CCTV Technical Specification and will remain locked and only accessible by an approved officer of the Licensing Authority.

25.8 The Licensing Authority reserves the right to amend the CCTV specification from time to time as the need arises, having regard to changes in technical standards, case law, national policy or any other circumstances that make it reasonable to amend the current specification.

25.9 Further guidance on CCTV, the associated operational procedures and the safety of drivers can be found in the Hackney Carriage and Private Hire Handbook.

26.0 HACKNEY CARRIAGE STANDS

- 26.1 The purpose of Hackney Carriage stands (known as Taxi Ranks) is to provide the public with a set location where they can hire a licensed Hackney Carriage. Stands can be continual or be for part time use (e.g. night time only ranks).
- 26.2 A list of all public taxi ranks in the city are detailed in the Hackney Carriage and Private Hire Handbook.

27.0 VEHICLE APPLICATION PROCEDURES

- 27.1 The application procedures for a Hackney Carriage or Private Hire vehicle licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook.
- 27.2 The Licensing Authority shall consider all applications on their own merits once the appropriate criteria have been met and the application form and supporting documents are complete. Only then, and if the Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.
- 27.3 The vehicle proprietor is responsible for ensuring that the application process is followed and all necessary steps, documentation and fees are submitted in accordance with the procedure.

28.0 GRANT OF VEHICLE LICENCES

- 28.1 The maximum period for which a vehicle licence will be granted is 1 year. The Licensing Authority may exercise discretion and issue a licence of a shorter duration if it considers this to be reasonable given the individual circumstance.
- 28.2 The responsibility for applying to renew a licence, and to ensure that a vehicle is licensed, rests solely with the licence holder. Application forms, appropriate fees

and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be ~~submitted produced and any necessary appointments shall be arranged on a date~~ prior to the expiry date of the licence. The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.

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28.3 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Renewals must be completed prior to expiry of license. If license expires, the Local Authority will not be able to be renew the vehicle as the license no longer exists. If proprietor wishes to license vehicle, they will be required to begin new application, to gain new license. During this time your vehicle will be unlicensed and will be unable to be used for licensed purposes. In some cases, once a licence has lapsed, vehicles may not be eligible to be re-licensed.

29.0 ENVIRONMENTAL CONSIDERATIONS

29.1 The DfT guidance suggests that authorities may wish to consider how far the vehicle licensing policy can and should support local environmental policies that the Licensing Authority may have. They may also decide to set vehicle emissions standards by promoting cleaner fuels. Local licensing authorities may also wish to note that a review carried out by the National Society for Clean Air and Environmental Protection in 2005 found taxis were more likely than other vehicles to fail emissions tests.

29.2 Cambridge City Council considers that every effort should be made to improve the efficiency of vehicles licensed to operate in the city by reducing the emissions of pollutants such as Nitrous Oxides, Particulate Matter and Carbon Dioxide.

~~29.3 The European Union has introduced stricter limits on pollutant emissions from light road vehicles, particularly for emissions of nitrogen oxides and particulates.~~

~~29.4 In order to limit pollution caused by road vehicles, this Regulation introduces common requirements for emissions from motor vehicles and their specific replacement parts (Euro 5 and Euro 6 standards).~~

NOx and PM emission standards for diesel cars

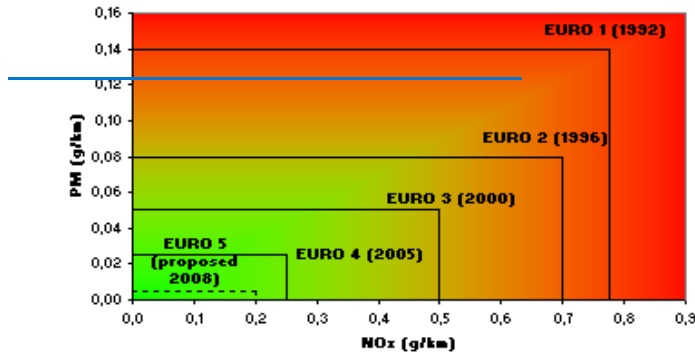


Figure 1— Chart showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards

EURO STANDARD	DATE	NOX (G/km)	PM (G/ km)
Euro 1	July 1992		0.14
Euro 2	January 1996		0.08
Euro 3	January 2000	0.50	0.05
Euro 4	January 2005	0.25	0.02
Euro 5	September 2009	0.18	0.00
Euro 6	September 2014	0.08	0.00

Table 1 – Table showing the implementation dates of successive Euro Standards and the Nox and PM levels for each of those standards.

20.5 Cambridge City declared an Air Quality Management Area in 2004 because of predicted levels of nitrogen dioxide. An Air Quality Management Area (AQMA) is an area identified by Local Authorities where the statutory UK air quality objectives are being, or are expected to be breached up to the end of 2005. AQMAs are areas where levels of air pollution are higher than they should be (as defined by central government).

~~29.6 Levels of nitrogen dioxide in central Cambridge remain above the National Objectives; an Air Quality Action Plan was first adopted in 2005 and a more comprehensive version adopted in 2010. In 2015 the City Council set a policy direction for pursuing a low emission strategy for Buses and Taxis within Cambridge over a period of 10 years.~~

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29.3 The 2015-25 Air Quality Action Plan includes a strategy to reduce polluting emissions to improve poor air quality in Cambridge City and to develop taxi licensing policies to transform the vehicle fleet into a low emission fleet which will lead to a significant reduction in emissions and a significant improvement in air quality, whilst maintaining sufficient levels of access and capacity for travel in the City.

29.4 The following potential incentives and regulatory policies, which are designed to encourage and reward the uptake of Ultra- low emission and electric vehicles within the taxi fleet, were consulted upon and agreed by Members on 19th March 2018:

Item	Option	Rationale	Timeframe/ Implementation
1	Licence Fee Exemption for Zero emission, Vehicles	Full Licence Fee Exemption is available for Zero Emission Vehicles ONLY. The exemption could potentially be for up to 5 years. This is dependent on funding availability.	With effect from 1 April 2018
2	Licence Fee Discount for Ultra-Low Emission Vehicles (not standard hybrids)	50% Licence Fee discount is available for Ultra-Low emission vehicles. The exemption could potentially be for up to 5 years. This is dependent on funding availability.	With effect from 1 April 2018
3	Extended Age Limit for Zero Emission Vehicles	Zero Emission Vehicles can have an age limit of up to 15 years. This is subject to obtaining a Certificate of Compliance every 6 months.	With effect from 1 April 2018
4	Extended Age Limit for Ultra-Low Vehicles (not standard hybrids)	Ultra-Low emission vehicles can have an age limit of up to 12 years. This is subject to obtaining Certificate of Compliance every 6 months.	With effect from 1 April 2018
5	A set date for all new Licensed Saloon Vehicles to be Zero or Ultra-Low Emission	This allows proprietors/ potential proprietors to focus on planning to move to Zero or Ultra Low emission vehicles by a set date.	With effect from 1 April 2020
6	A set date for all Licensed Saloon Vehicles to be Zero or Ultra-Low Emission (Battery electric vehicles and plug in hybrids only)	This allows proprietors/ potential proprietors to focus on planning to move to Zero or Ultra Low emission vehicles by a set date and allows adequate business planning.	By December 2028
7	To reduce the total % of Wheelchair Accessible Vehicles within the	The % of Wheelchair Accessible Vehicles (WAV) to be reduced to 50% within the fleet.	With effect from 1 April 2018

	Hackney Carriage Fleet to 50%	Proprietors will be offered the chance to 'give up' their Wheelchair Accessible Vehicle on the condition it is replaced with a Zero emission saloon vehicle. This will reduce the number of wheelchair accessible taxis from 213 to 163.	
8	A set date for all Wheelchair Accessible Vehicles to be Ultra-Low or Zero Emission as and when the market allows	Further to option 7 (above), currently the market does not provide Ultra-Low or Zero Emission Wheelchair Accessible Vehicles.	By December 2028. Subject to review in 2026
9	To restrict City Centre Access to Ultra-Low and Zero Emission Licensed Vehicles only	This is an important factor in ensuring compliance with the Ultra-Low and Zero Emission criteria. The Greater Cambridge Partnership project considers traffic restrictions on key access routes. This policy is outside the Licensing powers and would only be deliverable with the co-operation of the County Council. However, considering changes that have come into effect regarding access management of the City Centre to Automatic Number Plate Recognition (ANPR) there is the potential that this could be delivered.	By December 2028

29.5 Taxi and Private Hire Handbook, provides further information in regards to Ultra-low and Zero emission vehicles.

29.6 To support the Councils Air Quality Action Plan minimum age limits and Euro Standards will be maintained and new policy incentives to encourage the uptake of zero and ultra-low emission vehicles will be implemented over a ten year period:

- i) a new vehicle licence will not be granted in respect of a vehicle unless it meets the Euro 5 standard or higher.
- ii) a vehicle licence will not be renewed unless the vehicle is less than 11 years old.

- iii) from 1 April 2020 all new licenced saloon vehicles will need to be zero or ultra-low emission vehicles.
- iv) by 31 December 2028 all licensed saloon vehicles will be zero or ultra-low emission vehicles.
- v) by 31 December 2028 all wheelchair accessible vehicles will be zero or ultra-low emission as and when the market allows (this is subject to review in 2026).
- vi) by 31 December 2028, the City Centre will restrict access to zero and ultra-low emission licensed vehicles only.

29.7 To further support the uptake of Ultra- Low and Zero Emission vehicles, on 30 September 2019, Members agreed no maximum age limit for newly licensed Ultra-Low and Zero Emission vehicles.

29.8 With the previous 9-year age limit for petrol and diesel vehicles, this will mean that by 2017/18 all the internal combustion fleet licensed will be to Euro 5 or 6. The extended age allowance for low emission vehicles reflects their low pollution and supports improvements to air quality in Cambridge.

29.9 The term `new` means any vehicle that is being licensed for the first time with Cambridge City Council (i.e. a complete new license) or where a license is issued on a particular vehicle and then surrendered and subsequently an application to license the same vehicle is made.

29.10 Encouraging better maintenance of vehicles could reduce emissions from licensed vehicles further, it is intended that this aspect be tackled through education and promotion.

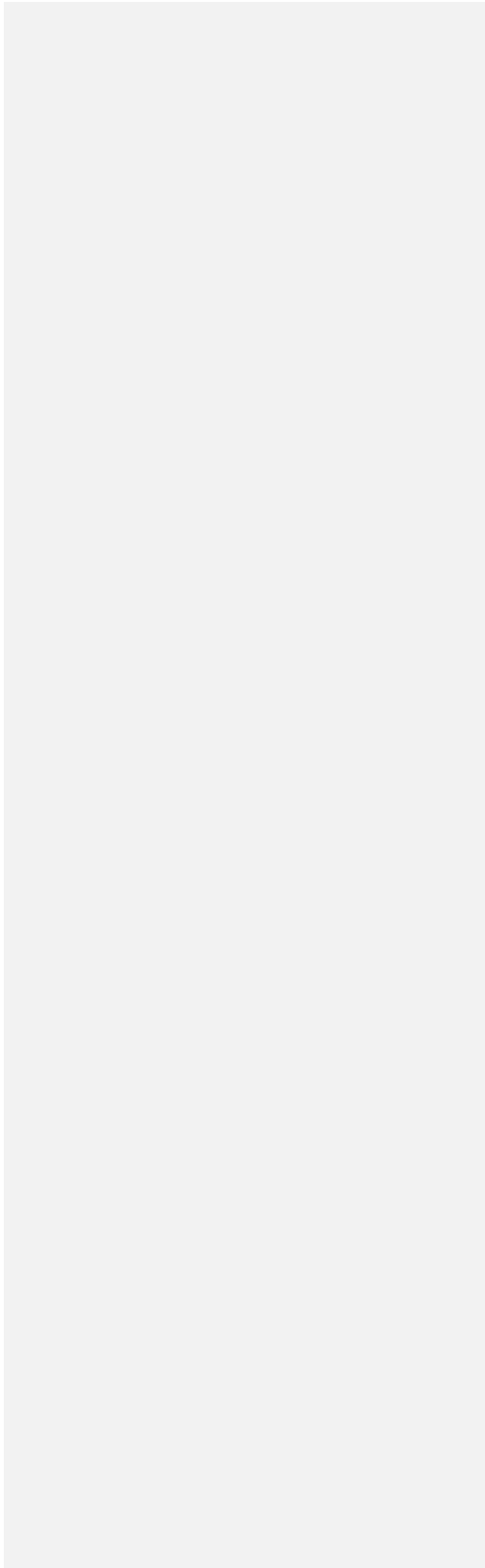
29.11 The Authority recognizes that low emission vehicles can have a positive impact on the environment and any application receives for other low and ultra-low emission vehicles will be considered on its own merits.

30.0 SMOKING

- 30.1 The driver of a licensed vehicle must not smoke in the vehicle at any time, including when the vehicle is being used for social, domestic and pleasure purposes.
- 30.2 The driver of a licensed vehicle shall not permit any other person or fare-paying passengers to smoke in a licensed vehicle.
- 30.3 This also includes a ban in electronic inhaler type cigarettes and 'vaping'.

PART 3

DRIVERS



31.0 GENERAL

- 31.1 The statutory and practical criteria and qualifications for a Hackney Carriage Driver are similar to those of a Private Hire Driver. The sections below therefore, apply equally to Hackney Carriage, Private Hire and Dual Drivers unless indicated.
- 31.2 Licensed drivers provide a public service. The Licensing Authority will not licence anyone to drive a Hackney Carriage or a Private Hire vehicle unless it is satisfied that they are a fit and proper person.

32.0 FIT AND PROPER

- 32.1 There is no definition of 'fit and proper' in legislation nor a fixed legislative process. It is for Cambridge City Council to determine how it wishes to be satisfied that a driver is fit and proper and to this end, the Authority considers a range of documentary evidence, practical criteria and testing mechanisms provided by an applicant in order to be satisfied of this.

33.0 DRIVER LICENCES

- 33.1 The Licensing Authority grants three types of licence in respect of driving Hackney Carriage and Private Hire vehicles (Hackney Carriage Driver Licence, Private Hire Driver Licence and Dual Driver Licence). Applicants granted their first licence will be limited to a maximum period of 12 months and thereafter there is the option of having a licence issued for a minimum of 12 months or a maximum of 3 years.
- 33.2 The Licensing Authority may exercise discretion and issue a licence of a shorter duration if it considers this to be reasonable given the individual circumstances.
- 33.3 The responsibility for applying to renew a licence, and to ensure that all documentation, checks and associated criteria is up to date, rests solely with the licence holder. Application forms, appropriate fees and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be submitted ~~produced and any necessary appointments shall be arranged on a date~~ prior to the expiry date of the licence. The licence fees payable are subject to review and any

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increase or reduction will be published as required by legislation.

- 33.4 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Late or incomplete applications may render a driver being unlicensed for a period of time during which they will be unable to work as a licensed driver.
- 33.5 Applicants shall be over 18 years of age and shall have held a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA) for at least 12 months.
- 33.6 The Authority shall use the services of an appropriate party to access DVLA records in addition to checking the full licenses produced by the applicant.

34.0 ELIGIBILITY TO LIVE AND WORK IN THE UK

- 34.1 Cambridge City Council has a responsibility to ensure that it only issues licences to individuals who have a legal entitlement to live and work in the United Kingdom.
- 34.2 Proof of the right to live and work in the UK must be provided by Driver and Operator applicants in accordance with the Immigration, Asylum and Nationality Act 2006. As part of the new licence application process, individuals will be required to present original documentation for verification and copies will be made and retained on file. The Home Office has produced a list of documents that applicants can provide, further information can be found in the Hackney Carriage and Private Hire Handbook.
- 34.3 If an individual is not a UK national then they will need to obtain permission to live and work in the UK.
- 34.4 EU, EEA and Swiss nationals can not longer use their passport or national ID card as proof of right to work in UK. Referenced nationals will be required to provide the council with a 'Share code' in order for online check be completed.
- 34.5 Individuals may have a permanent or temporary right to live and work in the UK. Licences will not be issued for a period any longer than the length of an individual's

permission to live and work in the UK.

- 34.6 The Licensing Authority work in conjunction with the Home Office to ensure that Immigration Offences are minimized. The Licensing Authority may exercise discretion to grant or renew a licence, or to suspend or revoke an existing licence if an individual is found to be living or working in the UK without the required authorization.

35.0 DISCLOSURE AND BARRING SERVICE (DBS)

- 35.1 A Disclosure and Barring Service Certificate (DBS) is seen as an important safety measure by the Licensing Authority to ascertain whether or not a driver applicant is fit and proper to hold a licence.
- 35.2 Cambridge City Council is an approved DBS registered body and driver applicants can therefore deal with the DBS through the Council and pay the appropriate fee. Cambridge City Council will not accept portability of a DBS.
- 35.3 An enhanced DBS shall be undertaken upon application and all individuals will, at that point, be required to subscribe to the DBS Update Service within the specified timescale of receiving their DBS Certificate.
- 35.4 Every 6 months, officers of the Council will undertake an online check of the DBS Update Service in order to check the applicant's current status and, depending on what is revealed from the online status check, the Council may require an additional DBS check to be undertaken.
- 35.5 All licensed drivers will be required to renew their subscription to the DBS Update Service on an annual basis, before their current subscription ends, should they wish to continue to hold a Cambridge City Council driver's licence.
- 35.6 Where an individual fails to maintain and/ or renew their subscription before it ends; they will be required to apply for a new DBS check and register for the Update Service again.

- 35.7 A Council may require an applicant for a licence under the Town and Police Clauses Act 1847, or under Section 57 of the Local Government (Miscellaneous Provisions) Act 1976, to submit any information that they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence. Cambridge City Council therefore requires any Proprietors or Operators that are not licensed drivers with Cambridge City, to undertake a Basic Disclosure upon application and every 12 months after (if subsequent renewal applications are made).
- 35.8 The City Council requires all licensed drivers to subscribe to the DBS Update Service and to maintain the annual subscription. Licensed drivers will need to retain their DBS certificate once they have subscribed as this will need to be provided to the officer undertaking the online check.
- 35.9 The Rehabilitation of Offenders Act 1974 sets out the period after which a conviction would be regarded as 'spent' and not normally require disclosure of that conviction. However, in 2002 the Act was amended to exclude Hackney Carriage and Private Hire Drivers from the 1974 Act. The driving of Hackney Carriage and Private Hire vehicles is listed as a 'Notifiable Occupation' in relation to which questions may be asked as to the suitability of individuals to be granted a licence.
- 35.10 Applicants must disclose all convictions (including driving convictions), police warnings, and reprimands, ASBOs, cautions, Community Service Orders, Restraining Orders and fixed penalties including those that would previously have been regarded as spent under the 1974 Act.
- 35.11 Existing licence holders must disclose all new convictions (including driving convictions), police warnings, reprimands, ASBOs, cautions, Community Service Orders, Restraining Orders and fixed penalties to the Licensing Authority in writing within 48 hours. Further information on DBS's, relevance of Convictions and Cautions and the Rehabilitation of Offenders Act 1974 can be found in the Hackney Carriage and Private Hire Handbook.
- 35.12 For the consideration of convictions and police cautions recorded against individuals, the Licensing Authority has adopted the policy as set out in the Hackney Carriage and Private Hire Handbook.

35.13 In assessing whether the applicant is a fit and proper person to hold a licence, the Licensing Authority shall consider each case on its own merit. It will have regard to the following factors in assessing the relevance of cautions and convictions:

- i) Whether convictions are spent or unspent
- ii) The nature of the offence or information
- iii) The age of the offence
- iv) The apparent seriousness, as gauged by the penalty
- v) Any pattern of offending

Upon receipt of a disclosure (or any other pertinent information via the DBS Update Service) from the Disclosure and Barring Service, the information will be risk assessed by an Authorised Officer who will consider whether the information received is capable of having real relevance to the issue of whether or not the applicant is a fit and proper person to hold a licence in line with the policy guidance in the Hackney Carriage and Private Hire Handbook.

36.0 CERTIFICATES OF GOOD CONDUCT

36.1 Applicants who have lived out of the UK for any period of time within the five years prior to their application or renewal must obtain a certificate of good conduct from the relevant embassy or consulate covering that period.

36.2 The certificate of good conduct must be authenticated, translated and sealed by the relevant embassy or consulate.

36.3 Any costs associated with obtaining a certificate of good conduct are the responsibility of the applicant or driver.

37.0 DRIVING LICENCE RECORDS

37.1 The Licensing Authority will carry out a check of DVLA records when considering if an applicant or driver is a fit and proper person to be licensed. This is to ensure that the information submitted by the applicant is in accordance with the information held by

the DVLA and so that the the Licensing Authority are aware of any endorsements on the individual's driving licence.

38.0 MEDICAL EXAMINATION

38.1 The DfT recognizes that it is good practice for medical checks to be made on each driver before the initial grant of a licence and thereafter for each renewal. There is general recognition that it is appropriate for Hackney Carriage and Private Hire drivers to have more stringent medical standards than those applicable to normal car drivers because:

- they carry members of the general public who have expectations of a safe journey;
- they are on the road for longer hours than most car drivers; and
- they may have to assist disabled passengers and handle luggage.

38.2 The Licensing Authority acknowledges the importance of a driver's good physical and mental health in protecting the public and requires that all new and renewal drivers must meet the DVLA Group II Medical Standards.

38.3 Medicals are required for all new applicants and every five years thereafter until the age of 60. Whilst Group II Licences are valid up until 45 and every five years thereafter, CCC have a more frequent checking mechanism for medical fitness.

38.4 Medicals are required for all new applicants (including holders of PSV and/ or HGV licences). After the initial medical, subsequent medicals are then required every five years at each of the following birthdays: 25, 30, 35, 40, 45, 50, 55 and 60.

38.5 Once a driver has reached the age of 60 a medical will be required annually thereafter.

38.6 For holders of current PSV and/ or HGV licences, who can produce evidence of a current medical examination, the Council will accept the PSV/ HGV entitlement in lieu of a medical at age 45, 50, 55 and 60.

38.7 Licence holders and applicants must consider the medical conditions as listed in the Hackney Carriage and Private Hire Handbook as the Licensing Authority may refuse to grant an application or revoke an existing licence where an applicant has any of the listed conditions.

38.8 If, once licensed, the drivers medical circumstances change during the period which the licence is held, the driver must notify the Licensing Authority within 7 days. If there is any doubt as to the medical fitness of an individual, the Authority may require the individual to undergo a further medical examination by their GP or an approved practitioner. Each case will be assessed on its own merits and further guidance can be found in the Hackney Carriage and Private Hire Handbook.

39.0 KNOWLEDGE

39.1 Hackney Carriage and Private Hire drivers need a good working knowledge of the area for which they are licensed, because vehicles can be hired immediately, directly with the driver at hackney carriage stands or on the street in the case of Hackney Carriages and by prior booking through a Private Hire Operator in the case of Private Hire Vehicles. Additionally, it is expected that drivers should be able to communicate with their customers and be able to carry out the basic arithmetic associated with the paying of fares.

39.2 In order to commence the new driver application process an applicant must first register to take a Cambridge City Council Knowledge Test and Safeguarding Test. Only once the Knowledge Test and Safeguarding Test has been passed may they continue with the application process.

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39.3 The test can only be attempted three times within 12 months, and then it is recommended that if applicants wish to reapply, they do so after a break of six months. Additional guidance on the Knowledge Test can be found in the Hackney Carriage and Private Hire Handbook.

~~39.4 New driver applicants will be required to obtain a recognised qualification or undertake an English language proficiency course as part of the new driver application process. Although agreed in January 2021, this is currently not in effect. implementation is due April 2022. The Guidance recommends that a licensing~~

authority's test of a driver's proficiency should cover both oral and written English language skills. The Licensing Authority believe that the Knowledge and Safeguarding test's cover this requirement.

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40.0 DRIVING PROFICIENCY

40.1 As licensed drivers are on the road more frequently than most other people, the Licensing Authority has concluded that an additional Driving Assessment (to the DVLA Driving Test) may be the standard of driving competency for the drivers of Hackney Carriage and Private Hire vehicles licensed with this Authority.

41.0 DRIVER APPLICATION PROCEDURES

41.1 An application for a Hackney Carriage, Private Hire or Dual driver's licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook.

42.0 CONDITIONS OF DRIVER LICENCES

42.1 Hackney Carriage Drivers are subject to the Council's Byelaws.

42.2 The Authority considers that the conditions as set out in the Hackney Carriage and Private Hire Handbook are reasonable, necessary and appropriate for all licensed Hackney Carriage and Private Hire drivers.

43.0 CODE OF GOOD CONDUCT

43.1 The Licensing Authority consider that Hackney Carriage and Private Hire trade is the key front line transport service for residents and visitors to Cambridge City and have set down the standards which must be adopted in maintaining a safe, professional and efficient approach to transport members of the public.

43.2 The standards of expected behavior of all licensed drivers are set out in the Hackney Carriage and Private Hire Handbook and should be read in conjunction with

the other statutory and policy requirements set out in this document.

43.3 The code of conduct is in place to enhance the professionalism of, and to promote public confidence in, licensed drivers. Failure to comply with any aspect of the Code of Conduct will not necessarily result in enforcement action. However, breach of the code is an indicator which the Licensing Authority will use to help decide upon subsequent enforcement action.

44.0 CHANGE OF CIRCUMSTANCES

44.1 All Licence holders must inform the Council of any changes in circumstances such as change of address, change of contact number, any criminal offences under investigation whether they have been charged or not, change of medical condition or changes to DVLA licence and convictions as per the specified times lines in the table below. Failure to update the Licensing Authority on changes in circumstances could have an impact on your licence. For ease of reference, please see the list below. Please note that this list is not exhaustive:

<u>Notification</u>	<u>When</u>
<u>Change of Address</u>	<u>Within 7 days</u>
<u>Change of name</u>	<u>Within 7 days</u>
<u>Loss of Drivers Badge</u>	<u>Within 1 working day*</u>
<u>Loss of Vehicle Plate</u>	<u>Within 1 working day*</u>
<u>Loss of paper licence</u>	<u>Within 7 days</u>
<u>Accident damage/ damage to vehicle</u>	<u>Within 72 hours</u>
<u>Change in medical circumstances</u>	<u>Within 48 hours</u>
<u>Any criminal offences under investigation whether you have been charged or not</u>	<u>Within 48 hours</u>
<u>Changes to DVLA licence including accrual of penalty points</u>	<u>Within 7 days**</u>
<u>Any conviction</u>	<u>Within 48 hours</u>

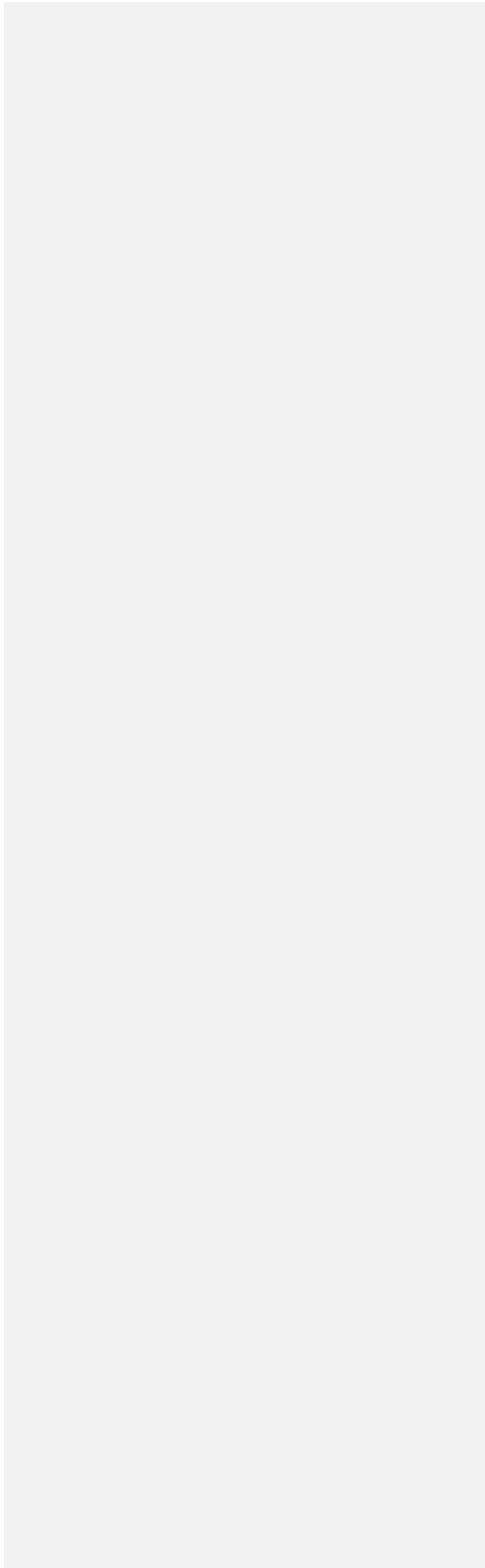
* You must not work as a driver or use the vehicle for work without a licence plate or badge before any replacement(s) are issued.

**** In regards penalty points that are endorsed on the DVLA licence, you are required to inform the Local Authority as soon as you become aware of the offence even if you are planning to appeal the offence.**

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PART 4

OPERATORS



45.0 PRIVATE HIRE OPERATORS REQUIREMENTS AND OBLIGATIONS

- 45.1 Any person who operates a Private Hire service (who is not a Hackney Carriage Proprietor who permits Hackney Carriages to be used for Private Hire) must apply to the Licensing Authority for a Private Hire Operator's Licence. The objective in licensing private hire operators is the safety of the public, who will be using operator's premises, and vehicles and drivers, arranged through them.
- 45.2 A Private Hire vehicle may only be dispatched to a customer by a Private Hire Operator who holds an operators' licence. Such licence permits the operator to make provision for the invitation or acceptance of bookings for a Private Hire vehicle.
- 45.3 A Private Hire operator shall ensure that every Private Hire vehicle is driven by a person who holds a Private Hire driver's licence.
- 45.4 An application for a Private Hire Operator's licence shall be made on the specified application form, be accompanied by the appropriate fee and in accordance with the application procedure set out in the Hackney Carriage and Private Hire Handbook. The Licensing Authority will then decide whether the applicant is a fit and proper person to hold an operator's licence.
- 45.5 All three licences:
- i) Private Hire operator's licence
 - ii) Private Hire/**Dual** driver's licence
 - iii) Private Hire vehicle licence

Must be issued by the same Licensing Authority

- 45.6 Private Hire operators, that are not licensed drivers, are required to produce a Basic Disclosure certificate or (if they have lived out of the UK for anytime in the 5-year period prior to applying for a licence) a certificate of good conduct from the relevant embassy or consulate for overseas applicants. In order to promote the

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objective of public safety, before an application for a Private Hire Operators licence will be considered, the Licensing Authority requires all new Private Hire Operators (who are not already licensed drivers with the City Council) to submit a Basic Disclosure certificate (dated within one month) as part of their application. The applicant(s) will also be required to complete the Safeguarding training.

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- 45.7 All Private Hire Operator renewals (for individuals who are not already licensed drivers with the City Council) are to undertake and submit a Basic Disclosure certificate (dated within one month) every 12 months.
- 45.8 The application procedure for new and renewal Private Hire Operators licences is set down in the Hackney Carriage and Private Hire Handbook.
- 45.9 The Licensing Authority has power to impose such conditions on an operator's licence, as it considers reasonable necessary. These are set out in the Hackney Carriage and Private Hire Handbook.

46.0 INSURANCE

- 46.1 Before an application for a Private Hire Operator's licence is granted, the applicant shall produce evidence that they have taken out Public Liability insurance for premises that are open to the public.
- 46.2 The conditions for Private Hire Operators licences, will require that the operator produce an appropriate certificate of motor insurance that covers every Private Hire vehicle on the operators fleet policy.

47.0 PRIVATE HIRE OPERATOR LICENCE DURATION

- 47.1 Cambridge City Council shall grant Private Hire operator licences for a period of one year from the date of grant or for five years from the date of grant (renewal licences only).
- 47.2 The responsibility for applying to renew an Operator licence, and to ensure that all documentation, checks and associated criteria is up to date, rests solely with the

licence holder. Application forms, appropriate fees and supporting documentation, as set out in the Hackney Carriage and Private Hire Handbook shall be produced and any necessary appointments shall be arranged on a date prior to the expiry date of the licence. The licence fees payable are subject to review and any increase or reduction will be published as required by legislation.

47.3 The Licensing Authority will only accept complete applications comprising of all the necessary information and documentation. Late or incomplete applications may render an operator being unlicensed for a period of time during which they will be unable to work as a licensed operator.

48.0 RECORD KEEPING

48.1 The Local Government (Miscellaneous Provisions) Act 1976 requires Operators to keep records of each booking. Information should include the date and time of the booking, the name of the passenger, how the booking was made, the destination, the name of the driver and the licence number of the vehicle. Records can be kept in a suitable book or on a computer or any other recordable device. If you are using a book the pages must be numbered consecutively.

48.2 ~~As of 25th January 2021, Members agreed an additional condition to operator licenses on which~~ Operators are required to keep the above information for a minimum of 6 months.

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48.3 The Operator shall permit an Authorised Officer of the Council access to records required by their licence, at all reasonable times.

48.4 The operator must hold records of insurance and licence expiry dates of drivers and vehicles. No journeys can be allocated to uninsured or unlicensed drivers and vehicles.

48.5 Operators must register with the Information Commissioners office as a data controller.

49.0 ADDRESS FROM WHICH AN OPERATOR MAY OPERATE

- 49.1 The Licence Authority, when it grants an Operator's licence, will specify the address from which the operator may operate. This will be the premises where the records referred to (as above) are kept and at which the Licensing Authority may inspect them.
- 49.2 The Operator must notify the Licensing Authority in writing of any change of address during the period of the licence, within seven working days.
- 49.3 The operator is responsible for ensuring that appropriate planning consent exists for the use of the operational address to be used for that purpose. The grant of a Private Hire Operator's licence will not imply that planning consent has been given. Proof of planning permission may be required before a licence is granted.
- 49.4 The Licensing Authority will not grant an operator's licence for an operator with an operating base that is outside the district area. However, it is possible to obtain an Operator's Licence for premises within 10 miles of the City Boundary. This is to ensure that proper regulation and enforcement measures can be taken and is in no way intended to be a restraint on trade.

50.0 SUB CONTRACTING

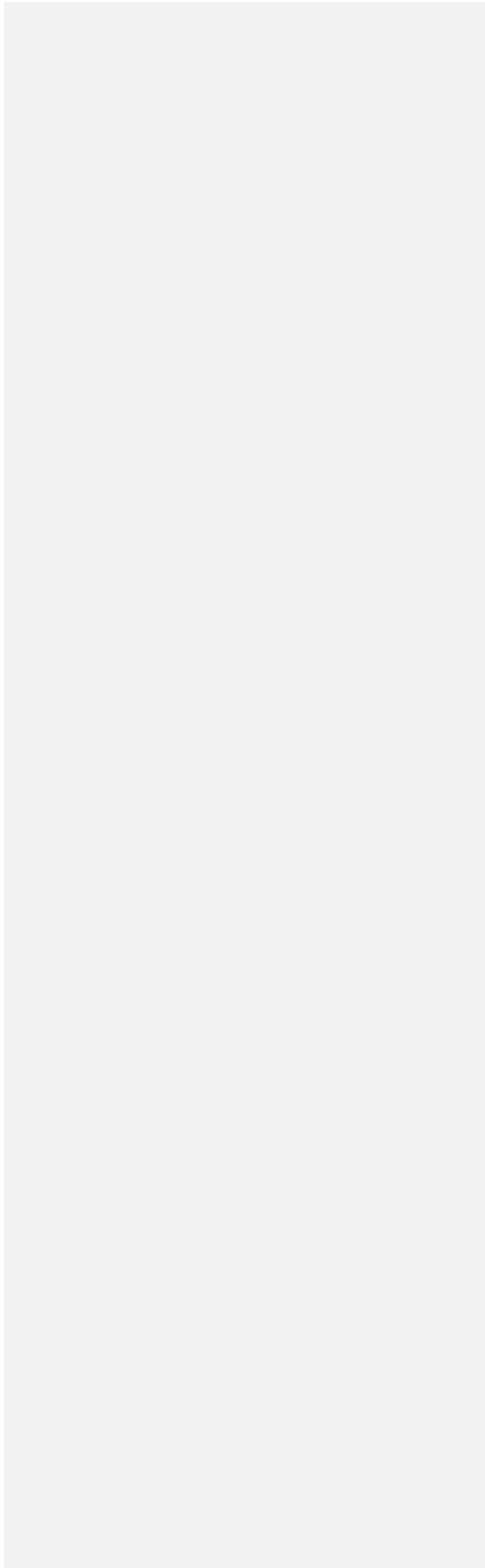
- 50.1 Section 55a of the Local Government (Miscellaneous Provisions) Act 1976, inserted by the Deregulation Act 2015, permits Operators licensed by the Council to sub-contract a private hire booking to another operator licensed by the Council or to any other licensed private hire operator holding a private hire licence granted by another local authority.
- 50.2 Regardless of which operator fulfils a booking, the operator can only dispatch a vehicle licensed by the same Council that licenses the operator and driven by a driver licensed by that same Council.
- 50.3 Operators that accept a booking remain legally responsible for that booking even if they sub-contract the booking to another Operator and should record the booking as usual and note the fact that it was sub-contracted.

51.0 CROSS BORDER HIRING

51.1 In relation to Private Hire vehicles, the Local Government (Miscellaneous Provisions) Act 1976 permits members of the public to contact and book a private hire vehicle through any licensed Private Hire Operator regardless of in which district they are licensed. Private Hire bookings are private contracts between the hirer and the operator and are not a matter for the Licensing Authority to regulate. In this regard, the Act leaves the selection of an Operator entirely to market forces and the freedom of choice to the customer.

PART 5

ENFORCEMENT



52.0 ENFORCEMENT

- 52.1 It is recognised that a well-directed, risk based approach to enforcement activity by the Licensing Authority benefits not only the public but also the responsible members of the Hackney Carriage and Private Hire trades. The DoT accepts that the resources devoted by licensing authorities to enforcement will vary according to local circumstances.
- 52.2 Legislation relating to a Licensing regime and the conditions of licence designed to protect public safety are of no value unless they are correctly enforced by the Licensing Authority. In pursuance of the objective to encourage responsible Hackney Carriage and Private Hire businesses, the Authority shall operate a firm but fair disciplinary and enforcement regime. In order to balance the promotion of public safety with the need to permit individuals to safeguard their livelihood without undue interference, the Authority will only intervene where it is necessary and proportionate to do so, having regard to the objectives set out in section 3.0 of this document. Where defects are such that a vehicle or driver's Licence needs to be suspended, interference with livelihood is inevitable.
- 52.3 The City Council has adopted an Enforcement Management System and any action taken will be in accordance with the Council's Enforcement Policy.
- 52.4 The enforcement management system, as set out in the Hackney Carriage and Private Hire Handbook, will ensure that the Licensing Authority's enforcement effort is reasonable, transparent and well directed.
- 52.5 The aim of the enforcement management system will be to work in conjunction with other enforcement options and provide a formal stepped enforcement plan. The system will be used to record alleged misdemeanors and act as a record of drivers' behaviour and conduct.
- 52.6 Complaints from the public and/ or any routine enforcement that identify significant breaches of conduct will be subject to investigation by Officers. The system will serve as an early warning system to licence holders who fail to meet the Council's required standards and as a consistent and transparent method of enforcement.
- 52.7 The adoption of an Enforcement Management System will not, however,

compromise the Council's ability to enforce breaches of statute in the Courts when necessary.

52.8 The City Council has adopted an enforcement policy in line with the Governments Better Regulation Unit Enforcement Concordat and Regulators Code of Practice. Any enforcement action taken will be in accordance with the Council's Enforcement Policy.

52.9 The Licensing Authority will share information with other agencies in respect of potential illegal activities and enter into joint enforcement operations with other agencies and authorities.

53.0 COMPLIANCE

53.1 Informal action to secure compliance with legislation, conditions and policy will include offering advice, requests for action, verbal advice, guidance notes, the use of written instructions and the undertaking of inspections.

53.2 Formal action to secure compliance with a breach of any condition, law or byelaw will be exercised in accordance with the Enforcement Management system as detailed in the Hackney Carriage and Private Hire Handbook.

54.0 RANGE OF POWERS

54.1 The Licensing Authority may take any of the steps below upon receipt of evidence that an offence has been committed in relation to a Hackney Carriage, Private Hire or Dual Licence. A breach of condition amounts to an offence in this context:

- i) Suspension of the Licence;
- ii) Revocation of the Licence;
- iii) Refusal to Renew;
- iv) Issuing of Warnings.

In relation to an offence committed for breach of a statutory obligation, the Licensing Authority may take one of the following steps in addition to the above:

- i) Issuing of Simple Cautions;
- ii) Prosecution.

Further detail can be found in the Hackney Carriage and Private Hire Handbook.

54.2 All Officers of Cambridge City Council, duly authorised under the Authority's Scheme of Delegation, are responsible for the day-to-day operation of the Hackney Carriage and Private Hire Vehicle Licensing Policy and enforcement of conditions made under the Policy.

55.0 COMPLAINTS, COMPLIMENTS AND COMMENTS

55.1 Members of the public who wish to submit complaints, compliments or comments about licensed drivers and operators can do so via the Licensing and Enforcement Team. All complaints will be dealt with in accordance with the process as described in the Hackney Carriage and Private Hire Handbook.

55.2 Cambridge City Council has a clear complaints procedure to ensure that there is a clear and systematic process by which members of the public can seek redress for any failures in service provision. Further guidance can be found in the Hackney Carriage and Private Hire Handbook.

56.0 WARNINGS

56.1 In respect of minor breaches of licence conditions the Licensing Authority shall issue warnings as appropriate to the circumstances. A Warning may be used for minor, technical or first time transgressions where it may not be in the public interest to prosecute. Further guidance relating to this can be found in the Hackney Carriage and Private Hire Handbook.

57.0 PROSECUTION

57.1 The Licensing Authority will have regard to the Regulators Compliance Code, Code for Prosecutors, DfT Best Practice Guidance and its own enforcement policy when considering whether or not to prosecute a licence holder for a relevant offence.

57.2 The Authority will consider prosecution where:

- the allegation is of a serious or repeated offence
- the Council proposes to issue a formal caution to the licence holder, but the offence is not admitted or the formal caution is not accepted
- there have been repeated breaches of legal requirements
- a particular type of offence is prevalent
- a particular contravention has caused public harm, particularly to the vulnerable or extreme inconvenience

58.0 SUSPENSION OF A LICENCE

58.1 Where a Licence holder has been referred to the Licensing Sub Committee or Environmental Health Manager, the Sub Committee or Environmental Health Manager may order the suspension of the Licence.

58.2 A drivers licence may be suspended with immediate effect, delegated to the Environmental Health Manager, for a hackney carriage, private hire or dual driver where it is in the interests of the public safety to do so as pursuant to Section 52 of the Road Safety Act 2006. The driver may appeal this decision to the Magistrates' Court but this will not affect the suspension starting with immediate effect.

59.0 REFUSAL TO GRANT

59.1 The Licensing Authority have the discretion to decide that a licence will not be granted if the vehicle, driver or operator does not meet the requirements of the policy. There is a right of appeal to the Magistrates' Court.

60.0 REVOCATION OF A LICENCE

60.1 Where the Licence holder has been referred to the Licensing Sub Committee or the Environmental Health Manager, the Sub Committee or the Environmental Health Manager may order the revocation of the licence.

60.2 A drivers licence may be revoked with immediate effect, delegated to Environmental Health Manager, for a hackney carriage, private hire or dual driver where it is in the interests of the public safety to do so as pursuant to Section 52 of the Road Safety Act 2006. The driver may appeal this decision to the Magistrates' Court but this will not affect the suspension starting with immediate effect.

61.0 REFUSAL TO RENEW

61.1 The Licensing Authority have the discretion to decide that, especially in the circumstances where a Licence is due to expire, it would be more appropriate to refuse to renew the Licence, as an alternative to revocation. Drivers have the right of appeal to the Magistrates' Court.

62.0 RIGHTS OF APPEAL

62.1 Any notifications of enforcement actions will include information on how to appeal, where that right of appeal exists. This will include where and within what time period an appeal may be brought.

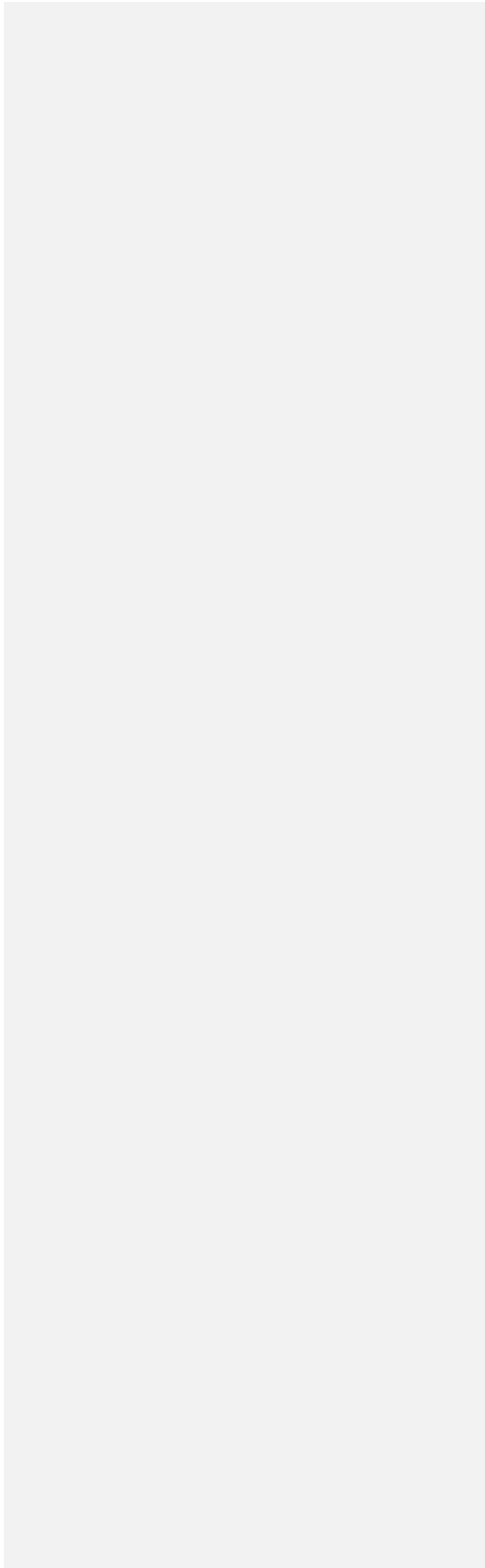
62.2 In general terms, where an applicant is aggrieved by the Council's Licensing Sub Committee or the Environmental Health Manager's decision to suspend or revoke a Licence or attach conditions to a Licence or to refuse to grant or renew a Licence, the applicant has a right of appeal to the local Magistrates' Court. The specific grounds for appeal are detailed in the Hackney Carriage and Private Hire Handbook.

62.3 Any appeal must be lodged at the Court within twenty-one days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

63.0 INFORMATION AND DATA SHARING

- 63.1 In the interests of protecting public funds, the Council reserve the right to use any information or data submitted as part of an application, renewal, administration or compliance and enforcement process for the prevention and detection of fraud and crime.
- 63.2 The Council may share your information internally and we reserve the right to check the information you have provided for accuracy and to detect crime. We may share your information with other statutory/ regulated Authorities or if it is required by law. Other parties may include the Department for Work and Pensions, The Home Office, The Police, the DVLA, HM Revenues and Customs and other local authorities.
- 63.3 The Council provides information to the National Register of Taxi Licence Refusals and Revocations (NR3) on all driver refusals and revocations. The database provides a mechanism for licensing authorities to share details of such individuals and data is retained on NR3 for 25 years. The information provided is limited to: name, date of birth, address and contact details, national insurance number, driving licence number, decision taken, date of decision and date decision effective.
- 63.4 All applications for a new licence or licence renewal will automatically be checked on NR3 database. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific license application and will not be retained beyond the determination of that application.
- 63.5 Any requests from other Authorities for data provided to the NR3 database will only be provided in accordance with this policy and our data protection policies. Further details can be found on our [privacy notice](#) website page.
- 63.6 Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger where there is indication that there is a public protection risk.
- 63.7 Information is passed on at charge, or exceptionally arrest, rather than on conviction, which may be some time after, allowing appropriate measures to be put in place.
- 63.8 Any decision by the licensing authority to refuse to grant or revoke a licence to an

individual thought to present a risk of harm to a child or vulnerable adult will be referred to the Disclosure and Barring Service (DBS).



Appendix 2 – Parts of the Policy to consult on

1. Cambridge City Council’s Hackney Carriage and Private Hire Licensing Policy:

15.13 Drivers should be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers. It is the drivers responsibility to ensure that they understand fully how to use the equipment.

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England:

6.3 Disability awareness

One of the recommendations is:

- Supporting wheelchair users to board, alight and travel is safety and comfort whilst seated in their wheelchair.

Reason for wishing to consult:

This is considered a major change to the policy and consultation is required as it there is a potential financial impact to the drivers in terms of the cost of the training. It would also be useful to hear from wheelchair users as to whether they believe there is a need for licensed drivers to have this training.

2. Cambridge City Council’s Hackney Carriage and Private Hire Licensing Policy:

17.1 Licensed vehicles shall be kept at all times in an efficient, safe, tidy and clean condition. Compliance with the vehicle specifications and conditions of Licence is essential and will be enforced by periodic and/ or random vehicle inspections by authorised officers of the Council. Further guidance on vehicle inspections can be found in the Hackney Carriage and Private Hire Handbook.

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England:

6.13 Vehicle condition check

The driver of a vehicle is always legally responsible for its condition while in use. Licensing authorities should require drivers to conduct a walkaround check as part of

a driver's core role. Drivers can be fined up to £2,500, be banned from driving and get three penalty points for driving a vehicle in a dangerous condition. [Annex 6 of the Highway Code](#) provides information and rules about vehicle maintenance.

A driver should undertake a walkaround check before a vehicle is used. Where more than one driver will use the vehicle during the day's running, the driver taking charge of a vehicle should make sure it is roadworthy and safe to drive by carrying out their own walkaround check.

Drivers should be required to retain the vehicle checklist as proof that they have undertaken the required vehicle check. Drivers should be made aware that they may be subject to sanctions if they are unable to produce this or it is clear that while the form has been completed, the check has not. Further sanctions may result against them, as well as vehicle proprietors, if they are found using a defective vehicle, especially if the condition of the vehicle is such that it is obvious no routine checks have occurred over several days.

Reason for wishing to consult:

This is considered a major change as proprietors and/or drivers would be required to do a daily check and record the findings of those checks. A consultation will provide the trade's feeling on such a check as well as helping develop what the check should constitute. Making sure that licensed vehicles are safe to be driven is paramount and a daily check undertaken by drivers could potentially positively impact this requirement.

3. Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy:

18.7 The Hackney Carriage external licence plate supplied by the Licensing Authority shall be securely fixed to the outside of the vehicle, no temporary fixing is allowed. Private Hire Vehicles:

ii) Must display door signs which detail the name and contact information of the Operator fulfilling the booking, along with the notification of 'Private Hire: Pre booked only'.

Taxi and Private Hire Vehicle Licensing: Best Practice Guidance for licensing authorities in England:

8.12 Vehicle identification and signage

Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign.

This approach enables passengers to be given the clear and consistent message that you should only get in a vehicle that ‘has a taxi sign on the roof’ unless you have pre-booked a private hire vehicle and have received information from the operator to identify it.

A private hire vehicle driver and proprietor are free to work with more than one operator and licensing conditions or requirements that effectively tie a vehicle or driver into an exclusive relationship with an operator should not be implemented or should be discontinued where these are currently imposed. Examples of such policies are a requirement for the private hire vehicle to display the name of the operator under which it is operating by means of a permanent or semi-permanent sign, or to require a driver to advise the licensing authority of the operator who they intend to work for and require notification in advance of any change.

Where an exclusive relationship exists between the vehicle proprietor, driver and operator, a licensing authority should consider permitting the display of operator details in a discreet manner to not undermine the overall objective of enabling the public to differentiate easily between taxis and private hire vehicles. This might, for example, be through small branding on the rear of the vehicle.

Reason for wishing to consult:

This is considered a major change as the potential impact it could have public safety when getting into a pre-booked vehicle. The consultation will allow us to get the views of the drivers, operators and members of the public as to the feeling behind a proposed removal of the operator signs on private hire vehicles.

Cambridge City Council’s Hackney Carriage and Private Hire Licensing Policy:

33.5 Applicants shall be over 18 years of age and shall have held a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA) for at least 12 months.

Reason for wishing to consult:

This is considered a major change as it will be increase the amount of time a person would have had to hold a relevant driving licence before they could become a taxi driver. It is being considered as it means that an applicant would have had a minimum of two years driving experience as opposed to just one year.

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Guidance

Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England

Updated 17 November 2023

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1. Introduction

1.1 Background

The Department for Transport has issued guidance on taxi and private hire vehicle licensing since 2006 to assist local authorities that have responsibility for the regulation of the taxi and private hire vehicle trades. This is updated periodically, considering stakeholder views and changes in the way the sector operates. This best practice guidance is one of [a number of documents intended to assist the operation and regulation of the sector](#) (<https://www.gov.uk/government/collections/licensing-of-taxis-and-phvs-for-local-authorities-in-england>). The objective of the government is to work with licensing authorities to promote the regulation of the sector in a way that enables the provision of safe, accessible, available, and affordable services that meet the wide range of passenger needs by a thriving trade.

In 2020 the government issued, for the first time, [Statutory Taxi and Private Hire Vehicle Standards](#) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) to safeguard the most vulnerable in society. The [Policing and Crime Act 2017](#) (<https://www.legislation.gov.uk/ukpga/2017/3/section/177/enacted>) enabled the Secretary of State to issue these to licensing authorities; though the focus was on the use of their powers to protect children and vulnerable adults over 18 from harm, the measures will increase the safety of all passengers. Licensing authorities must give due regard to the Statutory Standards when setting their taxi and private hire vehicle licensing policies and procedures. This non-statutory best practice guidance complements the statutory standards, covering a range of issues outside the remit of the statutory standards.

Individual licensing authorities are still responsible for deciding their own policies and making decisions on individual licensing matters applying the relevant law and any other relevant considerations. This guidance is primarily intended to assist licensing authorities, but it is only guidance and does not intend to give a definitive statement of the law; any decisions made by an authority remain a matter for that authority.

The [Local Government Association's Councillors' Handbook on taxi and private hire vehicle licensing](#) (<https://www.local.gov.uk/publications/councillor-handbook-taxi-and-phv-licensing-2021>) advises that those responsible for licensing should communicate regularly with their counterparts in neighbouring authorities to ensure critical information is shared and decision-making is consistent and robust.

By working together, local government can make sure that this vital service is safe, respected, and that it meets the needs of all those in their local communities.

This guidance links to relevant documents that licensing authorities may find useful to share with local partners (for example, taxi or private hire vehicle providers).

This version of the best practice guidance replaces all previous versions and will be subject to revision when necessary.

1.2 Terminology

Vehicles licensed under section 37 of the Town Polices Clauses Act 1847 and section 6 of the Metropolitan Carriage Act 1869 are referred to in that legislation as 'hackney carriages'. This term is also used in older regulations. In more recent legislation the term 'taxi' is used.

In this document 'taxi' means vehicles licensed under the aforementioned sections of the above acts only. It does not include private hire vehicles (PHVs).

Vehicles licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976, section 7 of the Private Hire Vehicles (London) Act 1998 and section 5 of the Plymouth City Act 1975 are often referred to as 'minicabs', 'cabs' and even 'taxis'. The term 'private hire vehicle' is used in aforementioned sections of the above acts and so is used throughout this guidance to refer to all such vehicles.

Private hire vehicles include executive cars, chauffeur services, limousines and some school and day centre transport services. One of the overarching objectives of this guidance is to provide greater distinction for the public between taxis and PHVs so that the public is increasingly aware of this. Licensing authorities should adopt this approach in its communications.

1.3 Scope of the best practice guidance

This guidance does not seek to cover the whole range of possible licensing requirements. Instead, it seeks to concentrate on those issues that have caused difficulty in the past or that seem of particular significance. This document will be reviewed and updated when necessary and other specific issues may be added

should the need arise. The law on taxi and private hire vehicle licensing contains many complexities which are beyond the scope of this guidance.

The guidance does not purport to give a definitive statement of the law and any decision made by a licensing authority remains a matter for that authority. Licensing authorities will need to seek their own legal advice on issues that are particularly relevant to them. The department is not responsible for interpreting the law – that is a matter for the courts.

The personal safety of passengers is critical. The government has clearly set out measures that licensing authorities should take to safeguard passengers in the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>). This guidance seeks to reinforce that message by highlighting other measures that should be considered to assist the sector to deliver the range of services the public demand.

Licensing authorities have to consider a range of vehicles and services in the context of private hire vehicle licensing. The department has produced [guidance to assist licensing authorities in deciding which vehicles and services require licensing under the private hire vehicle regime and which fall outside the private hire vehicle definition](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/private-hire-vehicle-licensing-guidance-note) (<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/private-hire-vehicle-licensing-guidance-note>). The guidance sets out the key principles and characteristics which the department considers define a private hire service.

The guidance on whether services might require a private hire vehicle licence stresses that it remains for licensing authorities to make decisions in the first instance and that, ultimately, the courts are responsible for interpreting the law.

2. The role of taxis and private hire vehicles

Taxis and private hire vehicles play a vital part in local transport, connecting residents to the local economy and in enabling businesses and residents to reach wider transport networks. All social groups use taxis and private hire vehicles. Groups that use them the most are low-income young women, amongst whom car ownership is low, and those with mobility difficulties.

The taxi and private hire vehicle sector is entirely demand-led. Though these services are most often associated with journeys for leisure, social and business purposes, they are an important part of the transport network. As discussed in

[section 14 of this guidance](#), they should be considered as part of local transport planning.

Taxis and private hire vehicle services reduce the need for private car ownership, enable key workers to commute when other modes are unavailable, provide door-to-door transport for those that are not able to travel via other modes and assist on meeting the needs for home-to-school transport provision. Taxis and private hire vehicles have a particularly important role in the night-time economy getting people home safely late at night.

3. The role of licensing authorities

As stated in the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) issued by the department to licensing authorities, the primary and overriding objective of licensing must be to protect the public. Licensing authorities should also be aware that, as well as ensuring taxi and private hire vehicle services are safe, the public have a reasonable expectation that the services available will be accessible and affordable.

It is for licensing authorities to ensure that their licensing policy and requirements are proportionate, so that passengers can choose from a wide range of safe services. As indicated above, the primary function of the licensing regime is public safety; however, an unduly stringent regime on other issues may restrict the supply of taxi and private hire vehicle services by putting up the cost of operation, or otherwise restricting entry to the trade. Licensing authorities should recognise that too restrictive an approach can be counter-productive, restricting the licensed trade to such an extent that the public resort to the use of unlicensed, unvetted and uninsured drivers and vehicles.

[Section 17 of the Crime and Disorder Act 1998](https://www.legislation.gov.uk/ukpga/1998/37/section/17) (<https://www.legislation.gov.uk/ukpga/1998/37/section/17>) requires local authorities to consider the crime and disorder implications of all their activities and functions and do all that they reasonably can to reduce crime. Licensing authorities routinely do this by setting licensing requirements that protect passengers, but this duty also extends to considering ways that licensing requirements and policies can reduce crime against drivers. It is the case that drivers are subjected to robbery, verbal and physical assault, this can be racially motivated or aggravated. Licensing authorities must consider ways to protect those working in the trade as well as those that use its services.

Licensing authorities are required under the [Public Sector Equality Duty](https://www.gov.uk/government/publications/public-sector-equality-duty) (<https://www.gov.uk/government/publications/public-sector-equality-duty>) to pay regard to the need to eliminate conduct prohibited by the Equality Act 2010, to promote equality of opportunity and to foster understanding between people who share a protected characteristic and those who do not. It is beyond the scope of this document to identify actions which would demonstrate compliance with this duty, and ultimately only a court can do so definitively. We would however suggest that authorities:

- maintain a body of evidence on the impact of services on people with different protected characteristics and use it to make policy decisions consistent with the duty
- consider how they can actively promote equality, such as by consulting regularly with users, planning strategically to provide services which meet their needs, and by prioritising actions which seek to eliminate discrimination or barriers to equal access
- consider how to demonstrate the consideration given in a manner which promotes public awareness of the authority's inclusive approach to service support and provision

Disability is a protected characteristic under the Equality Act 2010, and disabled people may face particular barriers accessing taxi and private hire vehicle services if authorities fail to regulate services inclusively and to uphold the rights of affected passengers. In our view, an inclusive service accessible to disabled people is one where:

- there are sufficient vehicles meeting disabled people's access needs, to allow them to travel as easily, between the same locations and at the same times, as non-disabled people
- policy decisions are informed by an accurate and up-to-date understanding of the experience and needs of disabled people with a range of visible and less visible impairments
- action is taken proactively to improve the accessibility of the services supported
- disabled people have confidence that services will meet their needs and that, if things go wrong, their concerns will be understood and investigated thoroughly
- if operators and drivers fail in their responsibilities, that appropriate enforcement action is taken to prevent its recurrence and protect other disabled passengers

3.1 The regulators' role

Licensing authorities are required under [section 22\(2\) of the Legislative and Regulatory Reform Act 2006](https://www.legislation.gov.uk/ukpga/2006/51/section/22) (<https://www.legislation.gov.uk/ukpga/2006/51/section/22>), to have regard to the [Regulators' Code](https://www.gov.uk/government/publications/regulators-code) (<https://www.gov.uk/government/publications/regulators-code>).

The code states that:

“ 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. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.”

As with other regulators, licensing authorities' interventions should be focussed on mitigating safety risks for passengers and drivers, and enabling fair competition within the trade by ensuring consistency of regulation and enforcement. Licensing authorities should actively promote inclusivity, equality and independence for disabled people and ensure that they only issue licences to those that are fit and proper to hold one.

A need to intervene might be established through analysing complaints received or consulting with passengers and/or the trade. Licensing authorities should consider the wider impact of interventions and how they affect the delivery of safe, available, affordable and accessible services.

3.2 The objective of regulation and consideration of policies

When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. Ensuring high safeguarding requirements and processes, as set out in the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>), is only one way in which licensing authorities can help ensure the personal safety of passengers.

Ensuring local residents understand the distinction between the taxi and private hire vehicle trades and how each service can be legally engaged is very important.

The key message needs to be that, unless you are hailing a locally licensed taxi in the street or at a stand, you should not get in any other vehicle unless you have

pre-booked it and have received information from the operator to identify it. This messaging can be supported by a policy that makes taxis look distinct from private hire vehicles; this is discussed further in section 8.

In addition to the safety of passengers, regulation should protect equality and enable fair competition. Once a need to intervene is established, licensing authorities should consider whether any policy changes would have unintended negative consequences that might outweigh the benefits of that policy.

For example, if a licensing authority established that the drivers they license have frequent collisions, it may set an objective to reduce these. The authority might try to address this concern by requiring all drivers to have ten years' driving experience on the basis that 'experienced drivers are safer'.

Such a requirement would however prevent an individual under the age of 27 entering the trade. This would be regardless of whether they held an advanced driving qualification. It is probable that such an individual is a safer driver than someone over 27, who passed their driving test 10 years ago but has rarely driven since. While experience is generally useful, individuals should be able to evidence that they meet the objective of the policy rather than an arbitrary criterion.

Licensing authorities should ensure that their various licensing requirements are proportionate to the risk they aim to address or the policy objective they are seeking to achieve. The cost of a requirement, in terms of its effect on the availability of transport to the public, should be at least matched by its benefit. A detailed, quantitative, cost-benefit assessment is not needed in each case, but licensing authorities are urged to look carefully at the costs, financial or otherwise, imposed by each of their licensing policies and of the equality impacts as required by law.

The Competition and Markets Authority provided [guidance to licensing authorities](https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition) (<https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition>) to consider when designing policy or regulations to assess their impact on competition and the interests of consumers. Their [competition impact assessment](https://www.gov.uk/government/publications/competition-impact-assessment-guidelines-for-policymakers) (<https://www.gov.uk/government/publications/competition-impact-assessment-guidelines-for-policymakers>) guidelines are a useful tool in this process.

The guidelines contain 4 tests which help policy makers assess whether their proposals will limit competition:

- Will the measure directly or indirectly limit the number or range of suppliers?
- Will the measure limit the ability of suppliers to compete?
- Will the measure limit suppliers' incentives to compete?

- Will the measure limit the choices and information available to consumers?

Consideration of these questions will help ensure licensing authorities are aware of the restrictions they may be introducing on competition and may encourage them to consider alternative courses of action where possible.

As well as setting licensing requirements and imposing conditions, licensing authorities may introduce byelaws to assist them in the regulation of the taxi sector. The department has provided:

- [a set of model byelaws \(https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance)
- [guidance on the process of making or amending byelaws \(https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-byelaws-guidance-and-the-byelaw-making-process\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-byelaws-guidance-and-the-byelaw-making-process)

3.3 Delivering licensing services

Taxi and private hire vehicle licensing is a statutory function of licensing authorities and it is important they consider how best to deliver this service in a timely and efficient manner.

Enabling those that wish to enter the trade to evidence that they meet the necessary requirements in a timely way will benefit the trade and passengers through greater choice and availability.

As an example, the statutory standards state that licensing authorities “should require taxi and private hire vehicle drivers to undertake safeguarding training”; licensing authorities should consider how this training is provided to avoid unnecessary delays to gaining a licence. This might mean providing training material (hardcopy or online) and requiring the driver to attend an assessment. There should be sufficient availability of assessment slots to enable an applicant to evidence this knowledge in a reasonable time.

During the COVID-19 pandemic, several licensing authorities did not accept new licence applications for a substantial period. Refusing to accept an application makes the licensing authority vulnerable to judicial review and reputational damage. New ways of working were implemented by many licensing authorities, including training via virtual meeting platforms, temporary measures / relaxation of licensing requirements, temporary licences, and self-declarations.

Licensing authorities should learn from the challenges presented by COVID-19 and review their contingency plans to improve the way they administer the system and make sure the statutory licensing function can continue if circumstances make 'normal' procedures and processes impossible.

3.4 Licensing fees

It is essential to a well-functioning taxi and private hire vehicle sector that those administering and enforcing the regime are well-resourced. The licensing model is intended to be self-funding through licensing fees and it is expected that licensing authorities seek to provide a well-resourced system at the lowest cost to licensees. Licensing authorities should regularly review their fees to reflect changes to costs, both increases and reductions.

3.5 Licensing policy

The department recommends that all licensing authorities make publicly available a cohesive policy document or single online page which complies with current accessibility guidance, including [WCAG 2.1 accessibility standard](https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps) (<https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>) to Level AA as a minimum and the [Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps) (<https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>) for digital content, that brings together its key information on taxi and private hire vehicle licensing. This should include, but not be limited to:

- details on how the public can provide feedback on taxis and PHV licensees
- a 'fit and proper' person test
- licence conditions
- vehicle standards
- taxi tariffs
- licensing fees

Licensing authorities should also refer to the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) when compiling this document.

3.6 Consultation at the local level

Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only all taxi and private hire vehicle licensees but also groups likely to be the trades' customers.

Examples are groups representing disabled people, chambers of commerce, organisations with a wider transport interest (for example, local transport user groups and other transport providers), women's groups, local traders, and local multi-agency safeguarding arrangements. It may also be helpful to consult with night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy's activities.

Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas. Licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change. Many areas convene regional officer consultation groups or, more formal, councillor liaison meetings; this approach should be adopted by all authorities.

3.7 Changing licensing policy and requirements

Any changes in licensing requirements should be followed by a review of the licences already issued. If a need to change licensing requirements has been identified, this same need is likely to apply to those already in possession of a licence. That is not, however, to suggest that licences should be automatically revoked overnight. For example, if a vehicle specification is changed, then it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle.

The same pragmatic approach should be taken to driver licence changes - if requirements are changed to include a training course, a reasonable time should be allowed for this to be undertaken or gained. The implementation schedule of any changes that affect current licence holders must be transparent and communicated promptly and clearly.

Licensing authorities must consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, then they should consider doing so. Licensing authorities should record the reasons for any deviation from the policies that are in place.

4. Accessibility

There are around 13.9 million disabled people in the UK, representing 20% of the population, a proportion that is expected to rise as the average age of the population increases. National Statistics published in the current Family Resources Survey showed that the proportion of people in England who reported a disability was 21%. As people age, the incidence of disability increases, with 40% of over 60s and 75% of over 80s being disabled, meaning that disability will become a fact of life for an increasing number of people, which may not always appear obvious.

Disabled people are particularly reliant on taxi and private hire vehicle services, either because they may not have access to a private car, are unable to use public transport, or because the built environment is insufficiently accessible to meet their needs. This can mean that the availability of an accessible, affordable taxi or private hire vehicle service can make the difference that allows them to live their life the way they want to, and ultimately, to fulfil their potential.

The government wants disabled people to be able to travel easily, confidently and without additional cost, and it is important that all transport services play their part in making this a reality.

The way in which people are disabled and the specific barriers they face may not always be obvious. Licensing authorities and providers of taxi and private hire vehicle services must therefore anticipate the needs of people whose access needs may be more apparent, such as wheelchair users and assistance dog owners, as well as those with less visible impairments, including autistic people or those with mental illness.

Every taxi and private hire vehicle passenger is an individual, each with their own unique wishes and requirements, none more than a disabled passenger using services. It is, however, important to recognise that there are certain access barriers which will be familiar to people with similar impairments, which authorities should take time to understand.

4.1 Accessibility barriers

Many disabled people face physical barriers when accessing transport services. This may be because the built environment includes features which are difficult for them to use, such as steps, or it may be because vehicle designs cannot accommodate a particular size of wheelchair. Some barriers to the provision of taxi and private hire vehicle services

- ranks provided with inadequate space to deploy a ramp
- waiting areas lacking seating for people unable to stand for prolonged periods
- inadequate supply of wheelchair accessible vehicles to ensure that every passenger can travel when and where they want to
- vehicle designs which do not accommodate larger or heavier wheelchairs
- private hire vehicles needed to pick up passengers in large or complex car parks, such as at airports or railway stations
- street design which prevents taxis and private hire vehicles from stopping close to destinations

To mitigate these physical barriers authorities must ensure that due regard is given to the Public Sector Equality Duty (PSED) (see [section 149 of the Equality Act 2010 \(https://www.legislation.gov.uk/ukpga/2010/15/contents\)](https://www.legislation.gov.uk/ukpga/2010/15/contents)) when taking decisions concerning the provision of taxi and private hire vehicle services and supporting infrastructure, and that reasonable adjustments are made to remove barriers preventing disabled people from accessing taxi and private hire vehicle services.

Licensing authorities should also do the following:

- consult with disabled passengers regularly on their experience of using taxi and private hire vehicle services, in addition to consulting trade unions and associations representing those providing services, and ensure that their feedback informs service development
- incentivise the uptake of wheelchair accessible vehicles where mandating them would be inappropriate.
- consider specifying that wheelchair accessible vehicles should be capable of carrying wheelchairs larger than the reference size
- work with airports, station operators and other locations where large numbers of passengers use taxi and private hire vehicle services to ensure disabled passengers can always access and exit vehicles safely and easily
- exercise discretion on application of other vehicle requirements if they would prevent suitable wheelchair accessible vehicles from being brought into service where there is unmet demand

4.2 Communication barriers

Disabled people may experience communication barriers when booking taxis or private hire vehicles or completing journeys. These may be related to a sensory impairment, such as blindness or deafness, or due to a cognitive impairment or

autism. Taking time to understand the communication needs of individual passengers can make them feel more confident when using services.

Communication barriers might include:

- inability to book a taxi or private hire vehicle where using a telephone is the only option
- inability to book a taxi or private hire vehicle where the use of an app, inaccessible to visually impaired people, and those with limited or no access to technology, is the only option
- difficulty identifying the vehicle and seeking assistance from its driver
- difficulty communicating with drivers, particularly when conducted through a screen separating the driver and passenger compartments
- inability of some passengers to understand the driver and to provide information necessary for completing the journey
- inability for some passengers to read a meter (if fitted)

To mitigate these communication related barriers, authorities should take the relevant actions provided in the other sections of this guidance and ensure that:

- a range of booking methods are provided, so that people with limited access to certain forms of technology or communication can request a PHV
- operators should identify a passenger's accessibility needs prior to taking a booking, to ensure an appropriate vehicle is provided.
- information provided in hard copy in vehicles and in public places (such as libraries or private hire vehicle offices) is also readily available in alternative accessible formats, including large print, Braille, and Easy Read
- authority websites, including any pages relating to the taxi and private hire vehicle services and procedures for providing feedback and making complaints, comply with current [accessibility guidance](https://www.gov.uk/government/publications/planning-and-access-for-disabled-people-a-good-practice-guide) (<https://www.gov.uk/government/publications/planning-and-access-for-disabled-people-a-good-practice-guide>) and legislation, including [WCAG 2.1 accessibility standard](https://www.gov.uk/service-manual/helping-people-to-use-your-service/understanding-wcag) (<https://www.gov.uk/service-manual/helping-people-to-use-your-service/understanding-wcag>) to Level AA as a minimum and the [Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps) (<https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>) for digital content
- operator websites and digital booking apps comply with the WCAG 2.1 accessibility standard to Level AA and with the principles of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 as a minimum for digital content

4.3 Barriers relating to the carriage of assistance dogs

There are around 6,000 assistance dog partnerships in the UK, supporting disabled people to navigate the built environment, respond to sounds they cannot hear, react to health emergencies, and interact with objects and obstacles. They are often vital for their owners' ability to live independently, confidently and safely, yet 76% of assistance dog owners surveyed for the [2022 Inclusive Transport Strategy Evaluation report \(https://www.gov.uk/government/publications/inclusive-transport-strategy-evaluation-baseline-and-technical-reports\)](https://www.gov.uk/government/publications/inclusive-transport-strategy-evaluation-baseline-and-technical-reports) had experienced a refusal or near-refusal during the preceding year. The main barriers faced by assistance dog owners when using these services include:

- the outright refusal of carriage
- an initial refusal of carriage followed by a protracted argument over an assistance dog owner's right to travel
- the provision of a sub-standard service because of a wish not to carry an assistance dog
- longer waits for booked vehicles due to operators allocating only drivers willing to convey passengers accompanied by assistance dogs
- the charging of higher fares or additional fees
- requiring the assistance dog to travel in a separate compartment to its owner
- the failure of local authorities to prosecute drivers even where sufficient evidence exists, preventing affected passengers from having their legal rights upheld

4.4 Confidence barriers

Many disabled people lack confidence to use public transport services including taxis and private hire vehicles. They may have had negative experiences in the past or read about accessibility issues that others have experienced. Social media now makes it simple for disabled people, and others, to share accounts of being refused carriage or of licensing authorities failing to take decisive action against drivers who discriminate, and this can exacerbate perceptions that such services are not accessible. Confidence related barriers might include:

- the expectation that services will not be accessible, leading disabled people not to travel, or to use other less convenient or safe means
- the fear of confrontations which can ensue when attempting to travel with mobility equipment or an assistance dog
- the fear of being charged too much or taken on a circuitous route

- anxiety linked to mental health or other conditions, exacerbated by previous negative experiences or a fear of not being provided with appropriate assistance
- a lack of confidence in accessibility issues being investigated effectively and drivers facing sanctions where appropriate

To mitigate these confidence-related barriers authorities should take the relevant actions provided in the other sections of this guidance and:

- provide information publicly on the accessibility of taxi and private hire vehicle services, and the action that will be taken if they fall short of reasonable expectations
- always ensure that passengers are kept informed about the progress of investigations into complaints they have made, and that they understand the rationale for any resulting decision on action to be taken
- include in operator and driver facing communications testimonials of passengers who face confidence-related barriers when using taxis and private hire vehicles
- provide handouts explaining how confidence can be undermined by poor service
- support local travel training initiatives to support disabled people to access taxi and private hire vehicle services independently
- invite positive feedback on the accessibility of services, and champion inclusive behaviour, perhaps through communications, awards or other incentives

To assist passengers who would like to raise a complaint, licensing authorities should require operators to provide a driver's private hire licence number and any information relating to a booking upon the relevant licensing authority's request.

4.5 Supporting an inclusive service

Licensing authorities are uniquely placed to ensure that taxi and private hire vehicle services within their jurisdiction actively promote equality and independence for disabled people. By ensuring drivers and operators understand how to provide every customer with the assistance they need, authorities can ensure disabled people can travel with confidence that their needs will be met.

By taking action to ensure there are sufficient wheelchair accessible vehicles to satisfy passenger demand, authorities can ensure that wheelchair users need no longer structure their lives around the times and locations when vehicles accessible to them are likely to be available. And, by taking prompt and robust

action to investigate and prosecute licensees in response to cases of discrimination, authorities can ensure that every operator and driver treats seriously their role in providing an inclusive service. Authorities should ensure those that are found liable for discriminatory treatment towards a disabled person are subject to a fine or the loss and/or suspension of their license as a consequence.

Supporting an accessible service is an integral aspect of licensing authorities' role, therefore, it is important that authorities make the provision of an inclusive service a core strategic aim, and that they consider the factors which can influence the extent to which such services meet the needs of all passengers.

4.6 Inclusive service plan

All licensing authorities should develop and maintain an inclusive service plan (ISP), either as a standalone document or as an integral element of a wider strategy. The ISP should describe:

- the demand for accessible services in their area, from wheelchair users and non-wheelchair users, and from people with both visible and less-visible impairments, and an assessment of the extent to which that need is currently being met
- the authority's strategy for making transport more inclusive generally, and specifically in relation to taxi and private hire vehicle provision
- the steps that the authority will take to improve the inclusivity of the taxi and private hire vehicle services it supports, including timescales for their completion
- the courses or assessments authorities require applicants to undertake - these should be suitable for a range of participants e.g. including older drivers

ISPs should be developed collaboratively with organisations representing the interests of disabled people and people with other protected characteristics. This should be based on accurate and up-to-date evidence of need and usage. To support the production and updating of an ISP, authorities should survey existing and potential disabled passengers at least every 5 years, building an understanding of the extent to which the vehicles and services provided by taxi and private hire vehicle fleets adequately support the needs of all passengers and whether driver training needs are being met.

ISPs should be policy documents first and foremost, intended to demonstrate publicly authorities' commitment to improving accessibility continually. They may, however, also serve to demonstrate to passengers the steps being taken to

improve services. Authorities should consider how the content can be made more accessible to the public. They should in any case always be made available on authority websites and in alternative accessible hard copy formats, consistent with authorities' legal equalities duties.

ISPs should be updated at least every 5 years, to ensure decisions are based on an up-to-date understanding of passenger needs. ISP reviews should align with other periodic aspects of licensing practice and, where possible, the production of the local transport plan.

ISPs should be developed with an awareness of the context facing disabled passengers. Unfortunately, too many disabled people still report receiving inadequate service from taxi and private hire vehicle operators and drivers, or a lack of support from licensing authorities when they report alleged discrimination. In the three years after rules on the carriage of wheelchair users were introduced, over 30% of authorities had not implemented them, denying disabled passengers the right to be treated like anybody else.

Two decades have passed since the law made it illegal for taxis and private hire vehicles to refuse an assistance dog and yet today too many owners report that they continue to be refused carriage. Additionally, disabled people continue to face barriers when using taxis and private hire vehicles, for example from unhelpful drivers, vehicles with too high a step or a lack of handholds or being refused carriage and left waiting at the kerbside.

To ensure decisions taken on the regulation of services are informed by the lived experiences of disabled people, authorities should take steps to ensure that policy makers and staff dealing with the public understand the barriers that disabled people can face when using transport services. Therefore, relevant authority staff should complete disability awareness training.

ISPs should also take into account any authority rules on the specification of licensed vehicles, including the ease with which they can be converted to convey passengers seated in a wheelchair. We understand that there is a particular challenge with some electric vehicles, and authorities should ensure they have considered fully the impact of any decision to require the use of such vehicles before changing licensing requirements.

4.7 Assistance for all passengers

Drivers and operators have specific duties not to discriminate against disabled passengers generally, and passengers in wheelchairs or who are accompanied by assistance dogs specifically. However, they also have general duties not to

discriminate against anybody on account of their protected characteristics and proactively to provide reasonable adjustments that permit disabled passengers specifically to access their services. Although such general duties are enforced by disabled people through the Civil Courts, authorities have a role to play in creating an expectation that every potential passenger should be valued, regardless of any protected characteristic, and that any passenger requiring reasonable assistance is provided with it.

As a matter of course, drivers should help passengers to stow mobility aids, pushchairs and luggage, to ensure that older, younger or disabled passengers leave the vehicle safely away from traffic, and support customers to use card readers or count their change. Authorities can reinforce this through communications and training but could also include relevant requirements in licensing conditions or byelaws, which can be enforced by the authority.

All licensing authorities must comply with the Public Sector Equality Duty (PSED) (see [Section 149 of the Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/section/149) (<https://www.legislation.gov.uk/ukpga/2010/15/section/149>)) when taking decisions concerning the provision of taxi and private hire vehicle services and supporting infrastructure. Licensing authorities must also ensure that reasonable adjustments are made to remove physical barriers preventing disabled people from accessing taxi and private hire vehicle services.

Licensing authorities should provide a straightforward, accessible means of reporting alleged instances of discriminatory behaviour, including a dedicated email address and a telephone number. They should also take proactive steps to investigate allegations, interview passengers, and seek relevant evidence from operators and partner agencies.

Cases should be prosecuted where there is sufficient evidence to identify the driver and substantiate the claims made. The guidance on the assessment of convictions provided with the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) states that where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. Licensees convicted of such offences should be subject to the same standards.

Where a complaint about discrimination is received that will not result in a conviction, licensing authorities should consider a range of outcomes and take appropriate action based on the balance of probabilities. Licensing sanctions should be considered, such as suspension or revocation. The licensing authority must give full consideration to the available evidence before any decision is made and the licensee should be given the opportunity to state their case. Possible outcomes would include no action being taken and the complaint being recorded, a suspension until disability and equality awareness training/assessment is

completed, or revocation of a licence and a refusal to issue another for an appropriate period.

4.8 Assistance dogs

To mitigate barriers relating to the carriage of an assistance dog, authorities must comply with the Public Sector Equality Duty (PSED) (see [Section 149 of the Equality Act 2010 \(https://www.legislation.gov.uk/ukpga/2010/15/section/149\)](https://www.legislation.gov.uk/ukpga/2010/15/section/149)) when taking decisions concerning the provision of taxi and private hire vehicle services. This includes adoption of any policies affecting the carriage of assistance dogs in taxis and private hire vehicles or the investigation and, where appropriate, prosecution of drivers alleged to have discriminated against their owners.

Licensing authorities should:

- remind operators and drivers regularly of their duties under sections 168 to 171 of the [Equality Act 2010 \(https://www.legislation.gov.uk/ukpga/2010/15/contents\)](https://www.legislation.gov.uk/ukpga/2010/15/contents) and of the authority's intention to prosecute those that refuse to comply
- make it simple for passengers to report alleged instances of illegal discrimination relating to the carriage of assistance dogs
- investigate all such alleged instances, and prosecute drivers where sufficient evidence is identified
- where drivers are legally exempt from carrying assistance dogs, provide them with a card confirming this in large print and Braille, in addition to the statutory exemption notice
- invite operators and drivers to meet with assistance dog owners and learn about the role they play
- work with organisations, such as the Guide Dogs for the Blind Association, to produce hand out material which can be provided to operators and drivers
- encourage drivers to accept the carriage of trainee assistance dogs, which can benefit service accessibility by familiarising operators and drivers with the role of respective dogs and by helping the dogs to learn to behave appropriately when travelling by taxi or private hire vehicle
- build relationships with private hire vehicle operators to encourage proactive reporting of drivers alleged to have discriminated against passengers with assistance dogs, and provision of relevant evidence to support the authority's investigation.
- consider implementing policies at a local level which provide for categories of assistance dogs other than those prescribed at s173 of the Equality Act 2010 to travel in vehicles, where this is deemed appropriate

5. Enforcing the licensing regime

This section reiterates the importance of this function as outlined in the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>).

Implementing an effective framework for licensing authorities, to ensure that a full range of information is made available to suitably-trained decision makers who are supported by well-resourced officials, is essential to a well-functioning taxi and private hire vehicle sector. Whilst this helps prevent the licensing of those that are not deemed 'fit and proper', it does not ensure that those already licensed continue to display the behaviours and standards expected.

5.1 Setting expectations and monitoring

Licensing authorities should ensure that licensees are aware of the policies to which they must adhere, are properly informed of what is expected of them, and the repercussions for failing to do so.

The provision of a clear, simple and well-publicised process for the public to make comments and complaints about drivers, vehicles and operators will enable authorities to recognise and promote excellence and target compliance and enforcement activity. This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required.

It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety or due to discriminatory behaviour, or to prosecute drivers in the Magistrates' Court for evidenced breaches of sections 165, 168 or 170 of [the Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents) (<https://www.legislation.gov.uk/ukpga/2010/15/contents>).

Authorities should note that it can be particularly difficult for disabled passengers, including those who are visually impaired, to provide evidence of incidents. They may not, for instance, always be able to identify a driver visually. Authorities should still investigate such reports thoroughly, including taking statements from passengers, drivers and witnesses, accepting video or audio recordings as evidence where appropriate, and seeking evidence from partner agencies and from private hire vehicle operators (where relevant).

Where operators or drivers are prosecuted for Equality Act 2010 offences enabling those affected to give evidence in court may help to strengthen the authority's case, crystallise the harm caused to individuals, and increase complainants' confidence in the enforcement process. It is our view that prosecuting drivers and operators for offences under the Equality Act 2010, rather than relying solely on licensing sanctions, is proportionate to the harm caused by such discrimination and is vital to increasing the confidence of disabled passengers to use services.

We therefore recommend that cases are prosecuted where sufficient evidence exists and doing so would be in the interest of the inhabitants of the area. Blanket policies on not prosecuting offences may be incompatible with authorities' wider equalities duties.

Well-directed compliance and enforcement activity by the licensing authority benefits not only the public but also the responsible people in the taxi and private hire vehicle trades. Indeed, it could be argued that public safety depends upon licensing authorities having effective compliance and enforcement mechanisms in place. This includes actively seeking out those that operate outside the licensing system, not just those who come forward seeking the appropriate licences.

The resources devoted by licensing authorities to enforcement will vary according to local circumstances, including, for example, any difficulties with touting by unlicensed drivers and vehicles (a problem in some urban areas). Licensing authorities will also wish to liaise closely with the police. Multi-agency enforcement exercises (involving, for example, the Department for Work and Pensions) have proved beneficial in some areas.

Licensing authorities often use enforcement staff to check a range of licensed activities (such as premises selling alcohol, market traders etc.) as well as the taxi and private hire vehicle trades, to make the best use of staff time. But it is desirable to ensure that taxi and private hire vehicle enforcement effort is at least partly directed to areas where there is an evening or late-night economy, when problems such as touting and illegal standing or plying for hire tend most often to arise. In formulating policies to address these issues, licensing authorities should be aware of the [Sentencing Council's guidelines](https://www.sentencingcouncil.org.uk/offences/magistrates-court/item/taxi-toutingsoliciting-for-hire-revised-2017/) (<https://www.sentencingcouncil.org.uk/offences/magistrates-court/item/taxi-toutingsoliciting-for-hire-revised-2017/>) that specifically consider taxi touting/soliciting for hire and ensure those considering cases are aware of these and further guidelines on [offences committed for 'commercial' purposes](https://www.sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/fines-and-financial-orders/approach-to-the-assessment-of-fines-2/6-offence-committed-for-commercial-purposes/) (<https://www.sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/fines-and-financial-orders/approach-to-the-assessment-of-fines-2/6-offence-committed-for-commercial-purposes/>).

5.2 Test purchasing

Test purchasing can be a powerful tool in identifying drivers and operators that are not complying with the requirements and standards an authority expects of its licensees; and those that are unlicensed, uninsured and unvetted who are seeking to illegally carry passengers.

This tool can be particularly useful in identifying those who discriminate against disabled passengers, particularly as evidencing ad hoc incidents can be difficult for the passengers concerned. Authorities have used disabled staff volunteers to run such exercises, targeting locations or particular operators linked to complaints about discrimination, with enforcement officers on hand to take evidence to support potential future prosecutions. Publicising the use of such approaches may act as a deterrent to licensees considering refusing carriage to a disabled person.

Licensing authorities should consider seeking legal advice before undertaking any covert test purchasing activity that will or is likely to take place inside a vehicle. This is so that an assessment can be made as to whether the proposed activity is considered to be covert surveillance (either directed surveillance or intrusive surveillance) under the [Regulation of Investigatory Powers Act 2000](https://www.legislation.gov.uk/ukpga/2000/23/contents) (<https://www.legislation.gov.uk/ukpga/2000/23/contents>) (RIPA). More information on directed and intrusive surveillance can be found in the [Covert Surveillance and Property Interference Code of Practice](https://www.gov.uk/government/publications/covert-surveillance-and-covert-human-intelligence-sources-codes-of-practice) (<https://www.gov.uk/government/publications/covert-surveillance-and-covert-human-intelligence-sources-codes-of-practice>).

Test purchase activity does not in general require a covert human intelligence sources (CHIS) authorisation under RIPA as vendor-purchaser activity does not normally constitute a relationship as the contact is likely to be so limited. However, if repeat contact is made with the same driver or operator to encourage familiarity, a relationship may be established for a covert purpose and a CHIS authorisation should be considered.

5.3 Joint authorisation of enforcement officers

Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of compliance and enforcement powers regardless of which authority within the agreement employs the officer and which issued the licence. This will mitigate the opportunities for licensees to evade regulation. Such an agreement will enable other authorities to take action against

vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the [LGA Councillors' handbook \(https://www.local.gov.uk/publications/councillor-handbook-taxi-and-phv-licensing-2021\)](https://www.local.gov.uk/publications/councillor-handbook-taxi-and-phv-licensing-2021).

5.4 The Community Safety Accreditation Scheme

The [Community Safety Accreditation Scheme \(CSAS\)](https://www.gov.uk/government/publications/community-safety-accreditation-scheme-powers) (<https://www.gov.uk/government/publications/community-safety-accreditation-scheme-powers>) is a voluntary scheme under which chief constables can choose to accredit employed people already working in roles that contribute to maintaining and improving community safety with limited but targeted powers. These roles include neighbourhood wardens, hospital security guards, park wardens, shopping mall guards and train guards and local authority enforcement officers.

The scheme creates a framework for public and private bodies to work in partnership with the police, providing additional uniformed presence in communities and capitalising on the skills and information captured by those already engaged with the community.

All schemes are managed, monitored and assessed at a local level by the responsible police force. Main benefits of the scheme include:

- increasing uniformed presence on the streets (CSAS accredited persons wear the uniform of their employing organisation, with an identification badge endorsed by the local police force)
- saving valuable police time in community safety
- promoting partnership working and the two-way exchange of information and intelligence between agencies

For more information about CSAS in your area, please [contact your local police force \(http://www.police.uk/\)](http://www.police.uk/).

5.5 Points-based enforcement systems

To increase compliance with licensing requirements some licensing authorities operate a points-based system, which allows minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches to the licensing committee or other bodies charged with

reviewing). Such systems can provide greater consistency in enforcement and make better use of the licensing committee's time. Authorities that operate a points-based enforcement system should make clear to licensees that these are separate to the 'penalty points' (endorsements) that the courts can put on a motorist's licence. As set out at 5.1, licensing authorities that use a points-based system should ensure that licensees are aware of the policies to which they must adhere, are properly informed of what is expected of them, and the repercussions for failing to do so - the points for specific breaches should be clearly set out.

Where a points-based enforcement system is in operation points incurred should remain on the record for a fixed period. The usual duration of a driver and private hire vehicle operator licence is 3 and 5 years respectively. To ensure that all past behaviour is taken into account when considering whether to grant a new licence, the department recommends that points should remain on the record from the date of the incident for a minimum of 3 years for drivers and a minimum of 5 years for private hire vehicle operators.

It should be noted that reaching a points limit must not result in an automatic action but should be used to trigger a review of the conduct of the licensee and whether further action is necessary to address any concerns. Such action might be undertaking additional training not just a suspension or revocation. Licensing authorities should however consider whether a review is undertaken in situations where points are incurred within a short period but have not reached a review point; for example, a rapid accumulation of points may indicate deteriorating standards or increasingly unsatisfactory conduct.

5.6 Suspension and revocation of driver's licences

[Section 61 of the Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57/section/61) (<https://www.legislation.gov.uk/ukpga/1976/57/section/61>), [section 16 of the Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/section/17) (<https://www.legislation.gov.uk/ukpga/1998/34/section/17>) and section 19 of the Plymouth City Council Act 1975 provide licensing authorities with the ability to suspend or revoke a driver's licence.

Following the High Court's decision in *Singh-v-Cardiff City Council* 2012 EWHC 1852 Admin, the interim suspension (pending investigation or trial) of a licence is no longer practicable. A decision to suspend a licence is a final decision and should not be made before a reasoned determination has been made that one of the above grounds (detailed in the relevant aforementioned act) has been met.

Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state their case. As with the initial decision to license a driver, this determination should be

reached based on probability, not on the burden of beyond reasonable doubt. If a period of suspension is imposed, it cannot be extended or changed to revocation later.

A decision to revoke a licence does not prevent the reissuing of a licence if further information is received that would alter the balance of probability, nor does a suspension prevent a subsequent decision to revoke. The decision to suspend or revoke is based on the evidence available at the time it made the determination. New evidence may, of course, become available later.

New evidence may be produced at an appeal, leading the appeal court to a different decision to that reached by the licensing authority. Alternatively, an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, become the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted and if the licence was revoked, an expedited re-licensing process used.

A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training or following a review of the individual circumstances where the limit of a points-based system is met. In this instance, the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority decides that, based on the information available at that time and on the balance of probability, the driver presents a risk to public safety.

[Section 61\(2B\) Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57/section/61)

[\(https://www.legislation.gov.uk/ukpga/1976/57/section/61\)](https://www.legislation.gov.uk/ukpga/1976/57/section/61) and [section 17\(2\) of the Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/section/17)

[\(https://www.legislation.gov.uk/ukpga/1998/34/section/17\)](https://www.legislation.gov.uk/ukpga/1998/34/section/17) enable licensing authorities to suspend or revoke a taxi or private hire vehicle driver's licence with immediate effect on the grounds that it is in the interest of public safety and provided that the appropriate form of notice is given. In other cases, the suspension or revocation will take effect 21 days after the appropriate notice is given. The department is not proposing to issue any specific guidance on this issue of when immediate suspension or revocation of a licence is appropriate, preferring to leave it to the discretion of licensing authorities as to when the power should be used.

5.7 Suspension and revocation of vehicle licences

[Section 60 of the Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57/section/60)

[\(https://www.legislation.gov.uk/ukpga/1976/57/section/60\)](https://www.legislation.gov.uk/ukpga/1976/57/section/60), [section 16 of the Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/section/16) [\(https://www.legislation.gov.uk/ukpga/1998/34/section/16\)](https://www.legislation.gov.uk/ukpga/1998/34/section/16)

and section 18 of the [Plymouth City Council Act 1975](https://www.legislation.gov.uk/ukla/1975/20/enacted) (<https://www.legislation.gov.uk/ukla/1975/20/enacted>) provide licensing authorities with powers to suspend or revoke vehicle licences.

In addition, licensing authorities have powers to inspect and test taxis and private hire vehicles. If the licensing authority is not satisfied as to the fitness of the vehicle, or as to the accuracy of the taximeter in the case of taxis, they can suspend the vehicle licence and require the vehicle or the taximeter to be made available for further inspection. If the authority is not satisfied as to the fitness of the vehicle or accuracy of the taximeter after 2 months, this can lead to revocation of the vehicle licence - see [section 68 of the Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57/section/68) (<https://www.legislation.gov.uk/ukpga/1976/57/section/68>), [section 9 of the Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/section/9) (<https://www.legislation.gov.uk/ukpga/1998/34/section/9>) and section 26 of the [Plymouth City Council Act 1975](https://www.legislation.gov.uk/ukla/1975/20/enacted) (<https://www.legislation.gov.uk/ukla/1975/20/enacted>) for further details.

5.8 Suspension and revocation of private hire vehicle operator licences

[Section 62 of the Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57/section/62) (<https://www.legislation.gov.uk/ukpga/1976/57/section/62>) provides authorities with wide powers to suspend an operator's licence, section 20 provides a similar power under the [Plymouth City Council Act 1975](https://www.legislation.gov.uk/ukla/1975/20/enacted) (<https://www.legislation.gov.uk/ukla/1975/20/enacted>). Transport for London may, under [section 16\(2\) of the Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/section/16) (<https://www.legislation.gov.uk/ukpga/1998/34/section/16>), suspend or revoke an operator's licence. Additionally, if in the interests of public safety, the suspension or revocation may take effect immediately under [section 17\(2\) of the 1998 act](https://www.legislation.gov.uk/ukpga/1998/34/section/17) (<https://www.legislation.gov.uk/ukpga/1998/34/section/17>). Otherwise, the suspension or revocation takes effect 21 days after the appropriate notice is served.

6. Driver licensing

6.1 Duration of driver licences

The [Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57) (as amended), the [Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/contents) and the [Plymouth City Council Act 1975](https://www.plymouth.gov.uk/sites/default/files/PCCA%201975_1.pdf) set a standard length of 3 years for taxi and private hire vehicle driver licences. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case. For example, where the licence holder's leave to remain in the UK is time-limited, the licensee has requested a shorter duration or the licence is only required to meet a short-term demand. Taxi and private hire vehicle licences should not be issued on a 'probationary' basis.

6.2 Fit and proper test

The [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) sets out the approach licensing authorities should take in respect to the fit and proper test. However, in addition to those checks provided in the statutory standards, as a minimum, the department would expect all applicants to undergo an assessment of their medical fitness. Before making a decision on a person's application for, or for the renewal of, a driver's licence a licensing authority must search the database provided by the National Anti-Fraud Network, the National Register for Revocations, Refusals and Suspensions (NR3S), for entries relating to the applicant.

This requirement to search the database arises under the [Taxis and Private Hire Vehicle \(Safeguarding and Road Safety\) Act 2022](https://www.legislation.gov.uk/ukpga/2022/14/enacted). The responsibilities of licensing authorities to share safeguarding and road safety concerns about taxi and private hire vehicle drivers with each other under this act are outlined in [statutory guidance](https://www.gov.uk/government/publications/taxis-and-private-hire-vehicles-safeguarding-and-road-safety-act-2022).

6.3 Disability awareness

Drivers should be trained in disability awareness and/or have their knowledge and skills assessed. Drivers should also be encouraged, through targeted and general

communications, to uphold the highest standards of customer service. The training or assessment should include but not be limited to:

- the features of an inclusive, high quality service
- appropriate attitudes, behaviours and skills
- assistance that can be provided to all passengers
- the protected characteristics, and related Equality Act 2010 duties
- understanding the different barriers that disabled people face when using taxis and private hire vehicles, and how they might be identified
- the role of taxis and private hire vehicles in enabling disabled people to be independent and the role of drivers and operators in facilitating this
- how to communicate with people with different communication needs
- how to assist people with a range of visible and less visible impairments
- supporting wheelchair users to board, alight and travel in safety and comfort whilst seated in their wheelchair
- the identification and role of assistance dogs
- legal obligations towards disabled passengers and the consequences of not complying with them
- an assessment of the trainee's knowledge and skills

[The REAL disability equality training programme](https://www.gov.uk/government/publications/real-training-introduction-and-all-transport-modes-modules)

[\(https://www.gov.uk/government/publications/real-training-introduction-and-all-transport-modes-modules\)](https://www.gov.uk/government/publications/real-training-introduction-and-all-transport-modes-modules) created on behalf of the Department for Transport, which includes common content for all modes as well as content developed for taxi and private hire vehicle drivers may provide a foundation for the development of courses meeting these requirements and should be considered when assessing disability awareness training needs.

Licensing authorities should encourage drivers to learn British Sign Language, including contributing to related costs.

6.4 Driver proficiency

The [Road Safety Statement \(https://www.gov.uk/government/publications/road-safety-statement-2019-a-lifetime-of-road-safety\)](https://www.gov.uk/government/publications/road-safety-statement-2019-a-lifetime-of-road-safety) published in 2019 stated that:

“ The need to improve road safety does not end with the driving test; nor does it exclude those who drive or ride professionally or as part of their job.”

Licensing authorities should require taxi and private hire vehicle drivers, as professional drivers, to display a higher degree of driving aptitude and diligence than a private motorist. This is considered appropriate and proportionate and is consistent with other elements of taxi and private hire vehicle driver licensing, for example, medical and vision assessments.

The ability to drive a car is tested when obtaining a driving licence. Nevertheless, evidence shows that driving behaviours are a significant contributor to road collisions. Factors such as fatigue, distractions and excess speed contribute significantly to collisions; excess speed alone accounted for 12 percent of all road traffic collisions in 2021 and 25 percent of those that resulted in a fatality. As professional drivers, for whom time is money, an appreciation of the effect of additional distractions and pressures which can negatively influence their driving behaviours is particularly relevant.

Licensing authorities should require taxi and private hire vehicle drivers to undertake training and/or assessment focussed on attitudes and behaviours, such as those provided by IAM Roadsmart and the Royal Society for the Prevention of Accidents (RoSPA), at first application and renewal (typically every 3 years). Where an authority has specific concerns about the driving ability of a driver, for example through passenger complaints, it would be appropriate for the authority to consider whether the driver in question should undertake a practical driving ability training course or assessment to address those concerns.

6.5 Acceptance of non-UK driving licences

Individuals can drive legally in the UK with non-UK car and motorcycle licences for up to 12 months. Some individuals will then be required to (or may wish to) exchange a licence issued by another country. A [tool is available to provide more information on which licences must be exchanged \(https://www.gov.uk/driving-nongb-licence\)](https://www.gov.uk/driving-nongb-licence) as well as the requirements and processes involved.

6.6 Medical and vision assessment

There is general recognition that it is appropriate for taxi and private hire vehicle drivers to have more stringent medical standards than those applicable to normal car drivers because:

- they carry members of the general public who have expectations of a safe journey

- they are on the road for longer hours than most car drivers
- they may have to assist disabled passengers and handle luggage

Licensing authorities should apply the [Group 2 medical required for an entitlement to drive lorries \(category C\) and for buses \(category D\)](#)

(<https://www.gov.uk/guidance/general-information-assessing-fitness-to-drive>). For category C and D licences, the Group 2 licensing entitlements must be renewed every 5 years or at age 45, whichever is the earlier, until the age of 65 when they are renewed annually without an upper age limit. Shorter category C and D licences may be issued for medical reasons.

All initial category C and D licence applications require a medical assessment by a registered medical practitioner (recorded on the D4 form, this does not need to be the applicant's GP). The same assessment is required again at 45 years of age and on any subsequent reapplication. Though it is not a requirement, the DVLA recommends that drivers who submit a medical report with an application or renewal for a Group 2 licence should obtain this from a doctor with access to their full medical records. When conducting medical investigations, the DVLA will write to the driver's GP or consultant if further medical information is required; licensing authorities should do the same.

It is the responsibility of licensing authorities to assess the medical information they receive and decide whether a taxi or private hire vehicle licence should be issued. It is not the responsibility of the medical professional that provides the information to do this. Licensing authorities should seek the same information to inform their decision as required by the DVLA for category C and D licences. It is therefore suggested that [DVLA's medical examination report \(D4\)](#) (<https://www.gov.uk/government/publications/d4-medical-examiner-report-for-a-lorry-or-bus-driving-licence>) is used as a template for licensing authorities to gather relevant information.

Detailed guidance on assessing medical fitness to drive is available in DVLA's [Assessing fitness to drive – a guide for medical professionals](#) (<https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals>).

6.7 Immigration checks

The [Immigration Act 2016](#)

(<https://www.legislation.gov.uk/ukpga/2016/19/contents/enacted>) (section 37 and Schedule 5) amended existing licensing regimes in the UK to prevent illegal working in the taxi and private hire vehicle sector, as drivers and operators.

Licensing authorities are prohibited from issuing a licence to anyone who is disqualified by reason of their immigration status, and they discharge their duty by conducting immigration checks. The Home Office have provided [guidance for licensing authorities \(https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks\)](https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks) on this matter.

Being disqualified from holding a licence by reason of their immigration status means that the person is in the UK illegally, is not permitted to work, or is permitted to work, but is subject to a condition that prohibits them from holding a licence in this sector.

The requirement to check the immigration status of licence applicants is in addition to and does not amend or replace the existing 'fit and proper' test.

6.8 Age limits

It is not appropriate to set a maximum age limit for drivers. Medical fitness to drive should be regularly assessed. Minimum age limits, beyond the statutory periods for holding a full driving licence, also seem inappropriate. Applicants should be assessed on their merits, and to do otherwise may in any case be contrary to the [Equality Act 2010 \(https://www.legislation.gov.uk/ukpga/2010/15/contents\)](https://www.legislation.gov.uk/ukpga/2010/15/contents), unless such restrictions can be justified in the public interest.

6.9 Language proficiency

The [Statutory Taxi and Private Hire Vehicle Standards \(https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards\)](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) recommend that a licensing authority's test of a driver's proficiency should cover both oral and written English language skills. Written proficiency is relevant because this could affect a driver's ability to understand written documents, such as policies and guidance relating to the protection of children and vulnerable adults, and applying this to identify and act on signs of exploitation. Oral proficiency will be relevant in identifying potential exploitation through communicating with passengers and their interaction with others.

Language proficiency will bring wider passenger benefits to those set out in the [Statutory Taxi and Private Hire Vehicle Standards \(https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards\)](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) in terms of the driver's ability to demonstrate an understanding of the desired destination, an estimation of the time taken to get there and other

common passenger requests and for the driver to provide a legibly written receipt upon request.

6.10 Vocational training and assessment

The [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) are clear that all drivers should be required to undertake safeguarding training to understand policies and guidance relating to the protection of children and vulnerable adults to identify and act on signs of exploitation.

Whilst the minimum recommended requirements for safeguarding and disability awareness training could be met by requiring drivers to undertake vocational qualifications, it does not have to be delivered through this route. As set out in [section 3 of this document](#), licensing authorities should be able to demonstrate that any licensing conditions or requirements over and above that recommended by government are justified and proportionate.

Vocational qualifications provide a 'snapshot' of learning as they are awarded based on the curriculum of the course at the time it is taken. The training required of drivers will naturally evolve over time and so a vocational qualification may need to be supplemented with further training and assessment. An example of this is the inclusion of '[county lines](https://www.gov.uk/government/publications/county-lines-protecting-vulnerable-people-from-exploitation) (<https://www.gov.uk/government/publications/county-lines-protecting-vulnerable-people-from-exploitation>)' awareness as part of safeguarding training.

Given the need for driver knowledge and awareness to evolve and the potential need for periodic assessment, licensing authorities should not require applicants for a licence to have obtained a vocational qualification. If drivers and private hire vehicle operators wish to go beyond what is required to obtain a licence as part of their development or business model they can obviously do so, but it should not be a licensing requirement.

6.11 Topographical knowledge

Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired immediately, directly with the driver, at ranks or on the street and so drivers are not able to prepare a route. Licensing authorities should therefore require prospective taxi drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence. The

department's view is that the stringency of the test should reflect the complexity or otherwise of the local geography, in accordance with the principle of ensuring that barriers to entry are not unnecessarily high.

Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger must go through an operator; the operator should gather sufficient information from the passenger to identify the collection and drop-off points, this will enable the driver to check the details of a route before starting a journey and plan or enter it in a navigation system. Given the availability, reliability and ease of use of sat nav systems, licensing authorities should not require any topographical knowledge or navigational tests for private hire vehicle drivers.

6.12 Intended use policies in respect of taxi drivers

Holders of taxi licences are permitted to carry pre-booked fares anywhere in England and Wales, reflecting that taxi drivers may carry passengers beyond the boundary of their licensing authority, the 'compellable area', and seek a return fare to avoid additional miles without a fare. We are aware that a number of licensing authorities have introduced a taxi 'intended use' policy when considering licence applications aimed at reducing the number of taxis working predominantly to carry prebooked fares in other areas rather than plying for hire in their licensed area.

Licensing authorities should require an applicant for a taxi driver licence to declare that they intend to work predominately within the licensing authority's area. The residential address provided by the application should be considered in assessing the likelihood of this declaration being adhered to when assessing an application for a taxi driver licence.

6.13 Vehicle condition check

The driver of a vehicle is always legally responsible for its condition while in use. Licensing authorities should require drivers to conduct a walkaround check as part of a driver's core role. Drivers can be fined up to £2,500, be banned from driving and get three penalty points for driving a vehicle in a dangerous condition. [Annex 6 of the Highway Code \(https://www.gov.uk/guidance/the-highway-code/annex-6-vehicle-maintenance-safety-and-security\)](https://www.gov.uk/guidance/the-highway-code/annex-6-vehicle-maintenance-safety-and-security) provides information and rules about vehicle maintenance.

A driver should undertake a walkaround check before a vehicle is used. Where more than one driver will use the vehicle during the day's running, the driver taking charge of a vehicle should make sure it is roadworthy and safe to drive by carrying out their own walkaround check.

Drivers should be required to retain the vehicle checklist as proof that they have undertaken the required vehicle check. Drivers should be made aware that they may be subject to sanctions if they are unable to produce this or it is clear that while the form has been completed, the check has not. Further sanctions may result against them, as well as vehicle proprietors, if they are found using a defective vehicle, especially if the condition of the vehicle is such that it is obvious no routine checks have occurred over several days.

A [model vehicle checklist is available on GOV.UK landing page for this guidance \(https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance).

7. Private hire vehicle operator licensing

The objective in licensing private hire vehicle operators is, again, the safety of the public, who will be using operators' premises and the vehicles and drivers arranged through them. The [Statutory Taxi and Private Hire Vehicle Standards \(https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards\)](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) sets out relevant safeguarding checks for operators, including criminality checks. In addition, the Department consider it appropriate to ensure that private hire vehicle operators administer their business correctly to be considered 'fit and proper'. Licensing authorities should consider the following as part of their assessment.

7.1 Sources of information

Checking open-source information, cross checking information with bodies such as Companies House and the Office of the Traffic Commissioner can help licensing authorities assure themselves that the company is suitable to be licensed.

7.2 Disability awareness

The licensee and all staff in customer facing roles and people managing service delivery should be trained in disability awareness, or have their knowledge and skills assessed, and be encouraged through targeted and general communications to uphold the highest standards of customer service. Training or assessment should include but not be limited to:

- the features of an inclusive, high quality service
- appropriate attitudes, behaviours and skills
- assistance that can be provided to all passengers
- the protected characteristics, and related Equality Act 2010 duties
- understanding the different barriers that disabled people face when using private hire vehicles, and how they might be identified
- the role of private hire vehicles in enabling disabled people to be independent and the role of operators in facilitating this
- how to communicate with people with different communication needs
- how to assist people with a range of visible and less visible impairments
- the identification and role of assistance dogs
- legal obligations towards disabled passengers and the consequences of not complying with them
- an assessment of the trainee's knowledge and skills

The [REAL disability equality training programme](https://www.gov.uk/government/publications/real-training-introduction-and-all-transport-modes-modules) (<https://www.gov.uk/government/publications/real-training-introduction-and-all-transport-modes-modules>) created on behalf of the Department for Transport, which includes common content for all modes, as well as [content developed for taxis and private hire vehicles](https://www.gov.uk/government/publications/real-training-taxi-and-phv-modules) (<https://www.gov.uk/government/publications/real-training-taxi-and-phv-modules>) may provide a foundation for the development of courses meeting these requirements, and should be considered when assessing disability awareness training needs.

Licensing authorities should require operators to ensure that any digital booking platforms comply with the [WCAG 2.1 accessibility standard](https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps) (<https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>) to Level AA and with the principles of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 as a minimum.

Cases should be prosecuted where there is sufficient evidence to substantiate offences under section 167A or section 170 of the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents) (<https://www.legislation.gov.uk/ukpga/2010/15/contents>), or where an operator has unlawfully discriminated against a passenger or failed to make reasonable adjustments under the same Act. Page 120

7.3 Private hire vehicle operators – duration of licences

The [Local Government \(Miscellaneous Provisions\) Act 1976](https://www.legislation.gov.uk/ukpga/1976/57) (<https://www.legislation.gov.uk/ukpga/1976/57>) (as amended) and the [Private Hire Vehicles \(London\) Act 1998](https://www.legislation.gov.uk/ukpga/1998/34/contents) (<https://www.legislation.gov.uk/ukpga/1998/34/contents>) set a standard length of licence of 5 years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case. For example, the licence holder's leave to remain in the UK is time-limited, the licensee has requested a shorter duration, or the licence is only required to meet a short-term demand. Private hire vehicle operator licences should not be issued on a 'probationary' basis.

7.4 Insurance

It is appropriate for a licensing authority to check that appropriate public liability insurance has been obtained.

7.5 Health and Safety responsibilities

Health and safety law creates duties on businesses where requirements apply to workers in the same way as they do for employees. Guidance from the Health and Safety Executive (HSE) ([Health and safety for gig economy, agency and temporary workers - HSE](https://www.hse.gov.uk/vulnerable-workers/gig-agency-temporary-workers/index.htm) ([https://urldefense.com/v3/ https://www.hse.gov.uk/vulnerable-workers/gig-agency-temporary-workers/index.htm](https://urldefense.com/v3/https://www.hse.gov.uk/vulnerable-workers/gig-agency-temporary-workers/index.htm) ;!!HEBAkwG3r5RD!qyHlgFBDggAjXZaivgVkZPGVEKuKVGfmzgXU-uAJQRInY_io3BvjIMn2MvH-yL2eGIEpTA\$)) outlines the different type of workers and what is expected of businesses who use their services.

In practice, this means establishing effective management arrangements and carrying out an assessment of the risks to workers while they are at work, and to other people who may be affected by their work activities. Any assessment should identify the significant risks affecting workers and others, and, importantly, identify measures to reduce those risks. For example, this includes how to ensure work-related road safety (see [Driving for work](https://www.hse.gov.uk/workplacetransport/drivingforwork.htm) (<https://www.hse.gov.uk/workplacetransport/drivingforwork.htm>) for further guidance), training requirements and the provision and use of any protective equipment. The HSE also provide [guidance for both employers and workers on protecting lone](#)

[workers \(https://www.hse.gov.uk/pubns/indg73.htm\)](https://www.hse.gov.uk/pubns/indg73.htm). This guidance applies to anyone contracted to work for an operator, including self-employed people.

[Secured by Design \(https://www.securedbydesign.com/\)](https://www.securedbydesign.com/) (SBD) is the official police security initiative that works to improve security to provide safe places, including those in which to work. SBD's product based accreditation scheme – the [Police Preferred Specification \(https://www.securedbydesign.com/member-companies/police-preferred-specification-explained\)](https://www.securedbydesign.com/member-companies/police-preferred-specification-explained) - provides a recognised standard for all security products that can deter and reduce crime and includes those for lone workers.

[Devices and apps are available \(https://www.suzylamplugh.org/lone-worker-devices\)](https://www.suzylamplugh.org/lone-worker-devices) to help employers protect lone workers, however they are not likely to be sufficient on their own. Operators must still manage the risks of working alone, including training, supervising and monitoring lone workers as well as keeping in touch with them and responding to any incidents.

In the department's view, although it may not be the role of licensing authorities to enforce Health and Safety legislation, it is reasonable for any breaches of this legislation to be considered as part of the 'fit and proper' test. As stated in this guidance, the primary and overriding objective must be to protect the public.

7.6 Compliance with employment law

It is not within the scope of this guidance to offer an opinion on the employment status of private hire vehicle drivers, nor is it for licensing authorities to decide on these matters: only the courts can make rulings on employment status. The Department for Business and Trade has published [guidance to make it easier for individuals and businesses to understand which employment rights apply to them \(https://www.gov.uk/government/publications/employment-status-and-employment-rights\)](https://www.gov.uk/government/publications/employment-status-and-employment-rights).

In the department's view, where an employment tribunal or a court of law has ruled on the employment status of a driver or drivers working for an operator, whether the operator is complying with that decision in respect of the driver(s) referred to in the ruling, should reasonably be considered by a licensing authority as part of the 'fit and proper' test for a private hire vehicle operator.

8. Vehicle licensing

The legislation gives licensing authorities a wide range of discretion over the types of vehicle that they can license as taxis or private hire vehicles. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

8.1 Specification of vehicle types that may be licensed

Normally, the best practice is for licensing authorities to adopt the principle of enabling as many different types of vehicles as possible to be licensed. Indeed, licensing authorities should set down a range of general criteria, leaving it open to the taxi and private hire vehicle trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way, there can be flexibility for new vehicle types to be readily considered.

Licensing authorities should give very careful consideration to a policy that automatically rules out particular types of vehicle or prescribes only one type or a small number of types of vehicle. For example, the department believes authorities should be particularly cautious about specifying that only purpose-built taxis can be licensed, given the strict constraint on supply that that implies. Nevertheless, purpose-built vehicles are amongst those that a licensing authority could be expected to license. It may also be too restrictive to automatically rule out considering multi-purpose vehicles, provided that the capacity of the vehicle is not more than 8 passengers.

The owners and drivers of vehicles may want to make appropriate adaptations to their vehicles to help improve the personal security of the drivers. Licensing authorities should look favourably on such adaptations, but, as mentioned in the [section of this guidance on partitions in vehicles](#), they may wish to ensure that modifications are present when the vehicle is tested and not made after the testing stage.

8.2 Motorcycles

It is recognised that some licensing authorities may wish to license motorcycles as private hire vehicles. To assist those authorities the department has published [guidance which outlines the standards and conditions which the department considers to represent best practice when licensing motorcycles as private hire vehicles \(http://www.gov.uk/government/publications/licensing-motorcycles-as-private-hire-vehicles\)](http://www.gov.uk/government/publications/licensing-motorcycles-as-private-hire-vehicles).

8.3 Pedicabs

Pedicabs or rickshaws are pedal-powered vehicles in combination with a trailer designed to carry passengers. They include electrically assisted pedal cycles. Pedicabs offer short-distance, zero emission journeys. Outside London, pedicabs can be regulated as taxis. Where there is local interest in providing pedicab services, licensing authorities should make appropriate adjustments to their licensing requirements for drivers and vehicles to accommodate these requests. Under London legislation, pedicabs cannot be licensed as taxis.

8.4 Vehicle age limits

The frequency of testing required (see [frequency of vehicle tests](#)) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle.

The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.

Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

8.5 Vehicle safety ratings

The increasing ability of a car to reduce or prevent injury during an impact is reported as having had the most significant effect on road casualty totals in recent years. Although numbers have remained broadly consistent since 2010, they still indicate [30% fewer fatalities in 2018](#) (<https://www.gov.uk/government/statistics/reported-road-casualties-in-great-britain-annual-report-2018>) than a decade earlier.

[Euro NCAP \(https://www.euroncap.com/en\)](https://www.euroncap.com/en) is an independent, not-for-profit, organisation which is widely recognised by the motor industry and road safety professionals as providing motorists with objective information on the crash safety of passenger cars. The 1-5 star rating helps consumers compare the safety potential of different models and is based on assessment in 4 important areas:

- adult occupant protection (for the driver and passengers)
- child occupant protection
- vulnerable road user protection (pedestrians and cyclists)
- Safety Assist, which evaluates driver assistance (for example, lane keeping and autonomous emergency braking) and occupant status (for example, seat belt reminders and driver monitoring) technologies

Evolving vehicle regulations and consumer information have supported this trend and a 2019 [research paper \(https://cdn.euroncap.com/media/53186/developments-in-car-crash-safety-and-comparisons-between-results-from-euro-ncap-tests-and-real-world-crashes.pdf\)](https://cdn.euroncap.com/media/53186/developments-in-car-crash-safety-and-comparisons-between-results-from-euro-ncap-tests-and-real-world-crashes.pdf) considered differences in real-world injury outcome for occupants in cars rated by Euro NCAP. It concluded that the risk of fatal injury was reduced by 40% for occupants of a 5-star rated car when compared with an equivalent 2-star rated car.

The NCAP star rating system goes beyond type approval and not all new vehicles undergo Euro NCAP tests. A car that just meets the minimum type approval standards would not be eligible for any stars. This also means that a car which is rated poorly is not necessarily unsafe, but it is not as safe as its competitors that were rated better. As of 2021, [Government Buying Standards for transport \(https://www.gov.uk/government/publications/sustainable-procurement-the-gbs-for-transport-vehicles/government-buying-standards-for-transport-2017\)](https://www.gov.uk/government/publications/sustainable-procurement-the-gbs-for-transport-vehicles/government-buying-standards-for-transport-2017) have required that new cars must have a minimum and valid 5-star Euro NCAP safety rating.

[Read more information on the NCAP rating system, how this has evolved and what this means for older vehicles \(https://www.euroncap.com/en/about-euro-ncap/how-to-read-the-stars/\)](https://www.euroncap.com/en/about-euro-ncap/how-to-read-the-stars/).

Licensing authorities should consider the safety benefits to passengers, drivers and pedestrians of vehicles which have received a higher NCAP rating, where these have been assessed, alongside the potential impacts on the availability of vehicles for passengers. Any requirements should be kept under review as the range of vehicles changes.

The UK is committed to a 2050 net zero target. This puts the UK on track to end our contribution to climate change, becoming one of the first major economies to legislate for net zero emissions. On transport, government is phasing out the sale of new petrol and diesel cars and vans, from 2035 all new cars and vans must be zero emissions at the tailpipe.

Where clean air zones are introduced, authorities will already be working to address local environmental considerations under the [Clean Air Zones Framework \(https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england\)](https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england). More widely, licensing authorities, in discussion with those responsible for environmental health issues, will wish to consider how its vehicle licensing policies can and should support any environmental policies adopted by the local authority. This will be particularly important in designated air quality management areas or low/ultra-low emission zones.

Licensing teams should work with council colleagues with air quality and climate responsibilities to ensure taxi and private hire vehicle fleets play their part in work to tackle local emissions. Leading areas cite large-scale change in these fleets needs a longer-term strategy, with a coordinated approach across council teams and local trades, that considers licencing requirements, other supportive policies (for example, try-before-you-buy scheme), and, in the context of moving to a fully zero emission vehicle fleet, a strategy for supporting the installation of electric vehicle charge points.

Taxis and private hire vehicles that operate predominantly in urban areas can be significant contributors to poor local air quality, if not properly maintained and regularly checked, due to their higher usage.

Licensing authorities should carefully and thoroughly assess the impact of vehicle emission requirements to enable the sector to plan for the future. The short-term objective should be to mitigate the harm from internal combustion engines through the setting of high EURO emission standards for example, EURO 6 but, in the long-term, the trade will need to be fully prepared for the end of the sale of new petrol and diesel cars and the need to transition to zero emission vehicles. Licensing authorities should set out their own long-term plan in good time.

In response to local air quality concerns, many licensing authorities are considering how to support the use of [ultra-low or zero emission vehicles given the growing range of vehicles \(https://www.goultralow.com/choosing-an-electric-vehicle/\)](https://www.goultralow.com/choosing-an-electric-vehicle/) available. As stated in the [vehicle age limit section of this guidance](#), greater flexibility regarding the age of vehicles licensed can result in more rapid improvement in air quality than mandating new 'clean' internal combustion engine vehicles.

8.7 Imported vehicles: type approval

It may be that, from time to time, an authority will be asked to license a taxi or private hire vehicle that has been imported independently (by somebody other than the manufacturer). Such a vehicle might meet the authority's criteria for licensing, but the authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either a GB vehicle type approval or an individual vehicle approval.

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above are proportionate to the number of vehicles entering service. Read [further information about these requirements and the procedures for licensing and registering imported vehicles](http://www.gov.uk/importing-vehicles-into-the-uk/overview) (<http://www.gov.uk/importing-vehicles-into-the-uk/overview>).

8.8 Tinted windows

For most cars on the road today, the minimum light transmission for windscreens is 75% and 70% for front side windows. There are no rules for tinting the windows rear of the B-pillar and vehicles are often manufactured with glass in the rear that is darker than the front, especially in luxury, estate and people carrier style vehicles.

There is a significant cost and inconvenience associated with requiring drivers to replace the standard manufacturer or factory specifications for window glass. Some passengers may feel more comfortable in vehicles that do not have very heavily tinted rear windows but there is a lack of evidence to suggest that these are detrimental to public safety. Balancing these factors, the department considers that licensing authorities should not require the removal of windows rear of the B-pillar if they have a minimum light transmission of 30% or above. This should maintain passenger confidence whilst ensuring a wide range of vehicles may be licensed.

The department recognises that a minimum light transmission of 30% for windows rear of the B-pillar might impact on executive hire vehicles, where passengers demand a higher degree of privacy. Some licensing authorities already grant executive hire vehicles plate exemptions, and they could determine that an exemption from the 30% minimum light transmission level for these vehicles is

appropriate. Authorities should be assured that those vehicles are not used for 'normal fares'.

Authorities should carefully consider the views of the public and the trade when considering the acceptance of 'after-market' tinting and should be assured that any after-market window tinting does not negatively affect the safety features of the glass it is applied to.

Read separate guidance about the [rules for tinted vehicle windows](https://www.gov.uk/tinted-vehicle-window-rules) (<https://www.gov.uk/tinted-vehicle-window-rules>).

8.9 An accessible fleet

The physical accessibility of vehicles used to provide taxi and private hire vehicle services is a significant factor in the inclusivity of the overall service provided. Wheelchair accessible vehicles are essential for wheelchair users who are unable to transfer from their wheelchair to the vehicle, or who prefer to travel in their wheelchair.

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.

Licensing authorities should assess the demand for wheelchair accessible vehicles in its area on a 5-yearly basis and publish the results. If demand is not currently met, it should also provide an explanation about how the licensing authority plans to meet this demand. Licensing authorities should consider ways to incentivise an increase in wheelchair accessible vehicle provision. This may consist of licence fee rebates, access to bus lanes where agreed with the local highways authority, relaxation of other licensing requirements where it would otherwise be difficult to source appropriate wheelchair accessible vehicles, priority roadway access and, in the case of taxis, rank access.

8.10 Inclusive vehicle specifications

The design of non-wheelchair accessible vehicles licensed for use as taxis or private hire vehicles can also have a bearing on their accessibility. This guidance advises authorities to adopt the principle of setting down general criteria for vehicles and allowing drivers and operators to demonstrate how their vehicles fulfil

them. When setting minimum criteria for newly licensed vehicles, authorities should consider factors which could influence the accessibility of vehicles to disabled passengers, including:

- the ease with which passengers can enter and leave the vehicle, including the height of steps and the positioning of seats
- the space available for assistance dogs to remain with their owner in the vehicle
- the space available for folded mobility aids in addition to other items of luggage
- the comfort and safety with which disabled people can use them
- wheelchair accessible vehicles (WAVs)

The government's 2022 statutory guidance '[Access to taxis and private hire vehicles for disabled users](https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2) (<https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2>)' recommends that WAVs large enough to accommodate a passenger seated in a "reference wheelchair" should be designated formally as being "wheelchair accessible" for the purposes of section 167 of the [Equality Act 2010](https://www.legislation.gov.uk/ukpga/2010/15/contents) (<https://www.legislation.gov.uk/ukpga/2010/15/contents>).

This reflects the department's view that a vehicle which is only able to accommodate smaller wheelchairs would not be accessible to the majority of wheelchair users. Authorities should also maintain a consistent policy on their support or otherwise for WAVs which wheelchair users enter through the rear door. Many wheelchair users find boarding and travelling in such vehicles can be easier and more comfortable, and authorities should consider permitting their use where this is not already the case.

We have undertaken a review of the reference wheelchair standard and believe that further consideration on its use is required. In the meantime, we suggest that licensed WAVs meet minimum size requirements and any changes in policy will be reflected in future guidance.

For some passengers in wheelchairs, only vehicles which enable them to board, alight from and travel whilst remaining in their wheelchair are accessible and it is important that sufficient vehicles of this category are available throughout the day to provide an acceptable service.

Other wheelchair users may be able to transfer onto the seat of a car, with or without assistance, with the wheelchair stored in the vehicle's boot during the journey. For such passengers, and for some ambulant disabled people, for whom high steps and large open spaces may be difficult to negotiate, traditional WAVs may be challenging to access.

Licensing authorities should adopt policies on the minimum standards for WAVs, noting that some passengers need to use wheelchairs larger and heavier than

the [reference wheelchair \(https://www.gov.uk/government/publications/bus-coach-accessibility-faq/guidance-for-manufacturers-and-operators\)](https://www.gov.uk/government/publications/bus-coach-accessibility-faq/guidance-for-manufacturers-and-operators).

A truly inclusive transport system is one where a mixed fleet is available, where wheelchair users can travel as easily as anybody else, and this means ensuring that there are sufficient suitable vehicles to serve their needs.

Licensing authorities should assess the demand for wheelchair accessible taxis and private hire vehicles within their jurisdiction at least every five years, aligning with the production of the local transport plan where possible, and take appropriate steps to ensure that the supply of suitably accessible vehicles meets the demand for them.

The assessment, targeted proportion, and details of the steps that will be taken to achieve it should be documented in the authority's [inclusive service plan](#).

8.11 Accessibility equipment

Authorities should consider the benefits of requiring additional accessibility equipment to be provided in vehicles beyond that which might be included in a standard vehicle specification, noting that the benefits to disabled customers in terms of their confidence and willingness to travel cannot always be monetised. Authorities should, as a minimum, require the installation of hearing loops in vehicles where an internal screen is fitted, to support passengers who are deaf or hard of hearing to communicate with drivers.

Authorities should also investigate options for making the payment process more accessible for visually impaired passengers. Whilst not widely used in the UK, 'talking' meters are used in other countries, and some payment card readers are more accessible than others. Implementing such interventions could support more disabled passengers to use taxi and private hire vehicle services with confidence.

Licensing authorities should ensure that such modifications are present when the vehicle is tested and not made after the testing stage.

8.12 Vehicle identification and signage

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage will

help the public to distinguish between the two elements of the trade. To achieve this, licensing authorities should seek to differentiate the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

Licensing authorities should not permit roof signs of any kind on private hire vehicles and should require all taxis to display a 'taxi' roof sign/box that can be illuminated when available for hire. Roof signs must comply with the [Road Vehicles Lighting Regulations 1989](https://www.legislation.gov.uk/ukksi/1989/1796/part/II/made) (<https://www.legislation.gov.uk/ukksi/1989/1796/part/II/made>). Permitting any sign/box on a private hire vehicle, regardless of the wording on such a sign, is likely to increase awareness of the vehicle and the likelihood of being mistaken for a taxi.

This increases the success of those illegally standing or plying for hire and may lead to confrontation when private hire vehicle drivers refuse a request for a journey that has not been pre-booked. Having an illuminated sign on taxis and prohibiting them from private hire vehicles will provide a simple way for the public to differentiate between the two services and we encourage all licensing authorities to promote this difference to raise public awareness.

Licensing authorities should not impose a livery requirement on private hire vehicles. The more distinctive a private hire vehicle is made to appear, the greater the chance that this might be confused with a taxi. To assist the differentiation further, licensing authorities which require taxis to be a particular colour should prevent private hire vehicles from being that same colour, unless they are easily identifiable i.e. they are purpose-built vehicles as is the case in many of our cities.

Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign.

This approach enables passengers to be given the clear and consistent message that you should only get in a vehicle that 'has a taxi sign on the roof' unless you have pre-booked a private hire vehicle and have received information from the operator to identify it.

A private hire vehicle driver and proprietor are free to work with more than one operator and licensing conditions or requirements that effectively tie a vehicle or driver into an exclusive relationship with an operator should not be implemented or should be discontinued where these are currently imposed. Examples of such policies are a requirement for the private hire vehicle to display the name of the operator under which it is operating by means of a permanent or semi-permanent sign, or to require a driver to advise the licensing authority of the operator who they intend to work for and require notification in advance of any change.

Where an exclusive relationship exists between the vehicle proprietor, driver and operator, a licensing authority should consider permitting the display of operator

details in a discreet manner to not undermine the overall objective of enabling the public to differentiate easily between taxis and private hire vehicles. This might, for example, be through small branding on the rear of the vehicle.

Restrictions on the use of terms which might lead to confusion among the public are detailed in section 64 of [The Transport Act 1980](https://www.legislation.gov.uk/ukpga/1980/34/section/64) (<https://www.legislation.gov.uk/ukpga/1980/34/section/64>) in respect of roof-signs; to assist the public in differentiating taxis from private hire vehicles, similar restrictions should be applied to all signage on private hire vehicles. Signs which include the word “taxi” or “cab”, whether singular or plural, or any word of similar meaning or appearance to any of those words, whether alone or as part of another word should not be permitted.

Licensing authorities should only exempt the display of a licence plate by a private hire vehicle in exceptional circumstances. ‘Executive hire’ services are licensed as private hire vehicles and licensing authorities should assure themselves that there is sufficient justification to exempt these vehicles from a requirement to display a plate or disc and that there is an effective means to prevent the vehicle being used for ‘normal’ private hire work.

8.13 Passenger capacity

Licensing authorities are responsible for deciding how many passengers a taxi or private hire vehicle is licensed to carry. Whilst the Vehicle Registration Certificate (V5C) issued by the Driver and Vehicle Licensing Agency states the seating capacity of a vehicle, licensing authorities are entitled to restrict the passenger carrying capacity in the interest of convenience and comfort. When considering limiting the passenger carrying capacity on the grounds of comfort, authorities should consider the principles set out in the [Competition and Market Authority’s guidance](https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition) (<https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition>).

Licensing authorities should consider whether there may be a safety risk for passengers in terms of ‘third row’ seats, if passengers must move other seats with which they are unfamiliar to enter or exit the vehicle in an emergency situation. Should these seats be included in the licensed seating capacity, licensing authorities should require operators to advise passengers in advance that some seats have restricted access and so may be unsuitable for those with mobility difficulties.

Given the benefits of seatbelts, the department considers that taxis and private hire vehicles should not be licensed to carry more people than the number of

seatbelts available. Though rear-facing seats do not require a seatbelt, they often are equipped with one. Vehicles that have a designated space for the carrying of a wheelchair should have this space considered in the vehicle's licensed capacity.

8.14 Carrying children

The safest way for a child to travel by car is in an appropriate car seat. It is however unreasonable and impractical for a taxi or private hire vehicle to carry a range of seats to meet the possible needs of all passengers. If the correct child car seat has not been provided, the law allows children to travel in taxis and private hire vehicles, but only if they travel on a rear seat; children under three can travel in a rear seat without a seat belt, and children who are three or older must wear an adult seat belt.

Children aged 3 and over should always count towards the licensed capacity of the vehicle because if an appropriate car seat is not available, they must wear an adult seat belt. Children under the age of 3 do not need to wear an adult seatbelt when an appropriate car seat is not available, so they do not need to count towards the licensed capacity. Licensing authorities should provide advice to licensees on its policy on the carriage of children under three years to provide certainty in terms of overloading and refusal of carriage in such situations.

Further [information on the carriage of children safely in taxis and private hire vehicles has been published by the Royal Society on the Prevention of Accidents \(RoSPA\)](https://www.childcarseats.org.uk/media/1018/carrying-children-safely-in-taxis-coaches-buses-and-minibuses.pdf) (<https://www.childcarseats.org.uk/media/1018/carrying-children-safely-in-taxis-coaches-buses-and-minibuses.pdf>) with the support of the Department for Transport. Drivers and operators should be made aware of this guidance to ensure compliance with the law and to protect passengers.

8.15 Personal security

The personal security of taxi and private hire vehicle drivers and staff must be considered. [Section 17 of the Crime and Disorder Act 1998](https://www.legislation.gov.uk/ukpga/1998/37/section/17) (<https://www.legislation.gov.uk/ukpga/1998/37/section/17>) requires local authorities and others to consider crime and disorder reduction while exercising all their duties. Authorities should ensure that security adaptations (for example, partitions in vehicles) do not prevent drivers from fulfilling their legal obligations towards disabled passengers. For example, whilst front seats may not be included in occupancy numbers or generally used by passengers where security screens are

fitted, some disabled people may require access to the front seat to complete a journey comfortably and safely, thereby reducing the numbers carried in the back.

To emphasise the reciprocal aspect of the taxi and private hire vehicle services, licensing authorities should make available signs or notices which set out not only what passengers can expect from drivers, but also what drivers can expect from passengers who use their service. Two [sample notices have been provided for illustrative purposes \(https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/sample-notices-between-taxi-or-private-hire-vehicle-driver-and-passenger\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/sample-notices-between-taxi-or-private-hire-vehicle-driver-and-passenger) but licensing authorities are encouraged to formulate their own, in the light of local conditions and circumstances.

Licensing authorities should seek to build good links between the taxi and private hire vehicle trades and the local police force, including participation in any community safety partnerships.

The [Health and Safety Executive list the installation of CCTV with visible signage as a successful measure to improve safety \(https://www.hse.gov.uk/violence/index.htm\)](https://www.hse.gov.uk/violence/index.htm). Community safety partnerships are also required to invite public transport providers and operators to participate in the partnerships. Research has shown that anti-social behaviour and crime affects taxi and private hire vehicle drivers and control centre staff. It is therefore important that the personal security of those working in the sector is considered.

Other security measures include guidance, talks by the local police and conflict avoidance training. The department has issued guidance for drivers on staying safe:

- [Staying safe: guidance for taxi drivers \(https://www.gov.uk/government/publications/staying-safe-guidance-for-taxi-and-public-hire-vehicle-drivers/staying-safe-guidance-for-taxi-drivers\)](https://www.gov.uk/government/publications/staying-safe-guidance-for-taxi-and-public-hire-vehicle-drivers/staying-safe-guidance-for-taxi-drivers)
- [Staying safe: guidance for the private hire vehicle trade \(https://www.gov.uk/government/publications/staying-safe-guidance-for-taxi-and-public-hire-vehicle-drivers/staying-safe-guidance-for-the-private-hire-vehicle-trade\)](https://www.gov.uk/government/publications/staying-safe-guidance-for-taxi-and-public-hire-vehicle-drivers/staying-safe-guidance-for-the-private-hire-vehicle-trade)

8.16 Partitions in vehicles

Vehicles used by the trade that are not purpose built are unlikely to have a partition between the front and rear of the vehicle which may provide protection for the driver from assault. Partitions can be made from materials that withstand a knife attack or hard body impact and can be fitted and taken out easily.

The fitting of in-vehicle partitions must not cause the vehicle to be a danger to anyone in the vehicle or on the road, in compliance with regulation 100 of the [Road Vehicles \(Construction and Use\) Regulations 1986](https://www.legislation.gov.uk/ukxi/1986/1078/contents/made) (<https://www.legislation.gov.uk/ukxi/1986/1078/contents/made>). In order that the partition is effective in providing a means to separate drivers and passengers, the front passenger seat should not be included in the seating capacity of the vehicle licence where a partition is fitted. The department has published guidance on the [design and fitting of screens to taxis and private hire vehicles](https://www.gov.uk/government/publications/coronavirus-covid-19-safety-screens-for-taxis-and-phvs/coronavirus-covid-19-safety-screens-for-taxis-and-phvs) (<https://www.gov.uk/government/publications/coronavirus-covid-19-safety-screens-for-taxis-and-phvs/coronavirus-covid-19-safety-screens-for-taxis-and-phvs>) not originally designed to have a screen.

Licensing authorities may wish to ensure that such modifications are present when the vehicle is tested and not made after the testing stage.

8.17 In-vehicle visual and audio recording – CCTV

The [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>) set-out the department's position on this matter - that CCTV can provide additional deterrence to prevent crime and investigative value when it occurs. The use of CCTV can provide a safer environment for the benefit of taxi and private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime
- reducing the fear of crime
- assisting the police in investigating incidents of crime
- assisting insurance companies in investigating motor vehicle accidents

The statutory standards state that 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, including children or vulnerable adults, and taking into account potential privacy issues. Signs in the vehicle are required to highlight the presence of CCTV to passengers and an extra indicator is required to show when audio recording has been activated. The department's view is that CCTV in vehicles can enhance both drivers' and passengers' safety and consideration of the merits of CCTV by licensing authorities must include both aspects.

Licensing authorities should review the [Statutory Taxi and Private Hire Vehicle Standards](https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards) (<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>)

[vehicle-standards](#)) for further information on consideration of mandating CCTV in taxis and private hire vehicles.

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 to attempt to extinguish a fire in the engine compartment, as opening the bonnet will make the fire flare. The National Fire Chief Council (NFCC) recommends that licensing authorities that require fire extinguishers to be provided in vehicles, should ensure that suitable and sufficient training is received by the drivers.

The NFCC's advice is that if a licensing authority elects not to require drivers to undertake training on the safe way to tackle a vehicle fire, vehicles should not be required to carry fire extinguishers and drivers advised to get out and stay out of the vehicle and call 999, rather than attempting to firefight.

8.19 Vehicle testing

Licensing authorities must only license vehicles that are safe. It is therefore appropriate and proportionate that authorities require vehicles to pass rigorous safety checks. There is considerable variation between licensing authorities on vehicle testing, including the related but separate question of age limits. The following can be regarded as best practice.

Frequency of vehicle tests

The legal requirement is that private hire vehicles which are at least three years old, and all taxis, must be subject to an MOT test or its equivalent at least once a year. Local authorities may obtain a designation from the Secretary of State for Transport to issue 'Certificates of Compliance'. The requirements of the test normally include those in an MOT test but may also include another inspection by a licensing officer to ensure the vehicle meets the relevant local requirements for issuing a taxi or private hire vehicle licence e.g. cleanliness of the vehicle inside and outside, correct plates displayed etc.

An annual test for licensed vehicles of whatever age (including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. More frequent tests may be appropriate for older vehicles which may be more prone to mechanical

defects (see [Vehicle age limits](#) or for vehicles owned by proprietors that persistently present vehicles that do not meet the standards required by the authority. More information is also provided in the [Environmental considerations section of this guidance](#).

Monitoring diligence

Licensing authorities should, where possible, obtain details of the test, including failures. Where testing arrangements do not make the sharing of this information possible, the licensing authority should use GOV.UK to [check the MOT record](#) (<https://www.gov.uk/check-mot-history>) of a vehicle to ascertain if any vehicle defects were identified during an MOT. Where licensing authorities designate where a vehicle must be inspected, and the outcome is not recorded on the MOT database, the authority should require the tester to provide them with the outcome of the test.

It is expected that diligent monitoring and maintenance of the vehicle condition by proprietors should result in few if any dangerous or minor defects being detected at on-road compliance checks. A vehicle proprietor should ensure that a vehicle is in a safe and satisfactory condition, frequent failures can be raised with the proprietor and authorities can consider whether they are content that the proprietor is taking sufficient action to monitor and maintain the safety of their vehicles.

Criteria for tests

MOT tests ensure that vehicles comply with roadworthiness and environmental standards which contribute to the government's road safety strategy. It seems appropriate to apply the same criteria to taxis and private hire vehicles. However, taxis and private hire vehicles provide a service to the public, so it is also appropriate to set criteria for assessing the internal condition of the vehicle, for example, wheelchair fixings and restraint straps, though these criteria should not be unreasonably onerous.

Number of testing stations

As the application of the MOT standards is considered appropriate to ensure the mechanical safety of a vehicle it should be accepted that any DVSA approved testing centre is able to conduct this assessment in this respect and that any recent MOT will evidence the fact the vehicle is roadworthy. This approach maximises the testing capacity available to vehicle proprietors and allows licensing authorities to focus their testing capacity on any additional criteria that they consider necessary for taxi and private hire vehicles.

Licensing authorities should ensure that their testing standards are publicised and easily obtainable by applicants for vehicle licences.

9. Quantity restrictions of taxi licences outside London

9.1 Legal powers

The present legal provision on quantity restrictions for taxis outside London is set out in [section 16 of the Transport Act 1985](#) (<http://www.legislation.gov.uk/ukpga/1985/67/section/1>). This provides that the grant of a taxi licence may be refused for the purpose of limiting the number of licensed taxis if, but only if, the licensing authority is satisfied that there is no significant unmet demand for taxi services in their area.

In the event of a challenge to a decision to refuse a licence, the authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

9.2 Impacts of quantity restrictions

The Competition and Markets Authority was clear in its 2017 guidance on the [Regulation of taxis and private hire vehicles: understanding the impact of competition](#) (<https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition>) that:

“ Quantity restrictions are not necessary to ensure the safety of passengers, or to ensure that fares are reasonable. However, they can harm passengers by reducing availability, increasing waiting times, and reducing the scope for downward competitive pressure on fares.”

Most licensing authorities do not impose quantity restrictions. The department regards that as best practice. Where restrictions are imposed, the department would urge that the matter should be regularly reviewed. The matter should be approached in terms of the interests of the travelling public:

- What benefits or disadvantages arise for them because of the continuation of controls?
- What benefits or disadvantages would result for the public if the controls were removed?

- Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?
- Are there alternative ways in which the issue could be addressed?

If alternative measures could be used to achieve the same effect, then the department believes these should be used in preference to quantity restrictions.

It has been observed that where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions.

9.3 Demand surveys

If a licensing authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey. It will be necessary for the licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. To assist in the inclusion of the taxi and private hire vehicle sector in Local Transport Plans these surveys should, where possible, follow the cycle of their production but should be undertaken at least every 5 years.

The following points should be considered when conducting a survey on quantity restrictions:

- waiting time at ranks
- waiting time for street hailing
- waiting time for telephone/online/app engagement
- latent demand (those that would choose to travel by taxi but do not due to excessive waiting times) peak demand (the most popular times for consumers to use taxis should not be discounted as atypical)
- assessments should consider whether the demand for WAVs has been met

The financing of demand surveys should be paid for by the local taxi trade through general revenues from licence fees. Other funding arrangements may call in to question the impartiality and objectivity of the survey process.

9.4 Consultation on quantity restrictions

As well as statistical demand surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups. User groups that typically use taxis (and/or private hire vehicles) the most include people with mobility difficulties, women, older people and those without access to a car. The views of the retail and hospitality sector (including hoteliers, operators of pubs and clubs and visitor attractions) should also be sought and considered, recognising that most taxi (and private hire vehicle) journeys are for leisure and shopping purposes.

The role taxis can play in dispersing the public that have enjoyed the night-time economy should not be ignored. Alongside pre-booked private hire vehicles, taxis may be the only means by which people can return home. Excessive waits for vehicles may lead to conflict among passengers or the increased use of unlicensed, unvetted and uninsured drivers and vehicles, both of which may then result in increased call upon police resources: they should therefore be consulted on any restrictions.

All local transport plans are expected to promote the use of active or public transport - taxis are frequently used for the 'first and last mile' of longer journeys that could be made using public transport. The views of the providers of other transport modes (such as train operators) should also be sought and considered if a quantity restriction is to be imposed.

All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the level at which the number is set should be set out.

9.5 Reviewing quantity restrictions

The department's view is that licensing authorities that elect to restrict taxi licences should review this decision and, if the policy continues, the quantity at least every 5 years and aligned to the production of local transport plans where possible. The department also expects the justification for any policy of quantity restrictions to be included in the local transport plan process where this is their responsibility. Licensing authorities should consider the following questions when considering quantity controls.

Have you considered the government's view that quantity controls should be removed unless a specific case that such controls benefit the consumer can be

made?

Questions relating to the policy of controlling numbers

- Have you recently reviewed the need for your policy of quantity controls?
- What form did the review of your policy of quantity controls take?
- Who was involved in the review?
- What decision was reached about retaining or removing quantity controls?
- Are you satisfied that your policy justifies restricting entry to the trade?
- Are you satisfied that quantity controls do not:
 - reduce the availability of taxis
 - increase waiting times for consumers
 - reduce choice and safety for consumers
- What special circumstances justify retention of quantity controls?
- How does your policy benefit consumers, particularly in remote rural areas?
- How does your policy benefit the trade?
- If you have an accessibility policy, how does this fit with restricting taxi licences?

Questions relating to setting the number of taxi licences

- When last did you assess unmet demand?
- How is your taxi limit assessed?
- Have you considered latent demand, i.e. potential consumers who would use taxis if more were available, but currently do not?
- Are you satisfied that your limit is set at the correct level?
- How does the need for adequate taxi ranks affect your policy of quantity controls?

Questions relating to consultation and other public transport service provision

When consulting, have you included:

- those working in the market
- consumer and passenger (including disabled) groups
- groups which represent those passengers with special needs, children and other vulnerable groups
- local interest groups, e.g. hospitals or visitor attractions
- the police

- a wide range of transport stakeholders e.g. rail/bus/coach providers and traffic
- managers

Do you receive representations about taxi availability?

What is the level of service currently available to consumers (including other public transport modes)?

10. Taxi fare rates

10.1 Legal powers

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. Unlike most licensing functions, the setting of fares is an executive function, not a council function.

10.2 Setting taxi fare rates

Maximum fare rates should be designed with a view to practicality and reviewed regularly, including any variability of the fare rates dependent on time of day or day of the week. Authorities should consider adopting a simple formula for deciding on fare changes as this will increase understanding and improve the transparency of the process for passengers. The Department recommends that in reviewing fare rates, authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers the ability to earn a sufficient income and so incentivise them to provide a service when it is needed. There is likely to be a case for higher fare tariffs at times of higher demand to encourage more drivers to make themselves available or when the journeys are required at anti-social times.

To ensure that taxi tariffs reflect the costs of the trade they should be reviewed following significant changes in licensing fees and other major costs such as fuel. Regular reviews will assist drivers in maintaining their earnings and so continue to attract those seeking to become taxi drivers and provide existing licensees with

greater confidence to remain in the trade and plan for future investment in new vehicles. Regular reviews will also avoid large changes in fares for passengers that infrequent reviews are more likely to result in.

The [Competition and Markets Authority recognised in its 2017 report](https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition) (<https://www.gov.uk/government/publications/private-hire-and-hackney-carriage-licensing-open-letter-to-local-authorities/regulation-of-taxis-and-private-hire-vehicles-understanding-the-impact-on-competition>) the need for licensing authorities to be responsive to patterns of demand, that they:

“ should monitor waiting times and consider adjusting the regulated fare cap to address mismatches between supply and demand. Addressing such mismatches is likely to benefit passengers.”

10.3 Price competition in taxi fares

Taxi fare tariffs are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailing; there would be risks of confusion and security problems.

Licensing authorities should however make it clear that published fares rates are a maximum. The growing use of telephone and electronic means to hire taxis means that passengers may benefit from competition and price comparison among taxi intermediaries. It is perfectly legitimate for taxi intermediaries to advertise discounted fares, such as ‘5% discount from fares.’

11. Taxi ranks and roadside infrastructure

Taxi ranks can provide a useful interchange between modes of transport and a focal point for taxis and passengers at peak periods. There are a number of aspects that should be considered when assessing the number and location of taxi ranks, including how ranks contribute to a wider transport policy and its success in delivering accessible transport as disabled users are less able to seek alternatives.

When providing new taxi ranks or redesigning areas of the built environment in which existing ones are located, authorities should seek to locate ranks as close as possible to transport interchanges and other key destinations that they serve in

order to minimise walking distances for passengers and follow the Department for Transport's [Inclusive Mobility \(https://www.gov.uk/government/publications/inclusive-mobility-making-transport-accessible-for-passengers-and-pedestrians\)](https://www.gov.uk/government/publications/inclusive-mobility-making-transport-accessible-for-passengers-and-pedestrians) guidance and other sources of best practice in accessible street design. As well as the taxi trade, licensing authorities should seek the views of residents and other interested parties such as businesses in the night-time economy and transport hub operators.

The provision of taxi ranks should be subject to regular review. This will help authorities establish whether a change is required to current provision and how to make necessary amendments to ranks for the benefit of the travelling public. The department's view is that, in the absence of regular engagement with the taxi trade on this issue, a review at least every 5 years strikes the right balance between the burden placed on licensing authorities, being responsive to changes in passenger uptake or changing patterns in people flow and, where possible, alignment with the production of local transport plans.

Taxi ranks late at night can become a hotspot for anti-social behaviour. These problems can be mitigated or even solved through a taxi marshal scheme in busy town and city centres. Such schemes can be jointly funded by taxi drivers and licensing authorities. Marshals can help local authorities support their night-time economy by fostering public confidence in taxis by encouraging users to form an orderly queue, eliminating potential flashpoints and moving people quickly and efficiently. It is also an opportunity to prevent the use of unlicensed vehicles plying for hire.

If feasible, a short-term waiting area for drivers of taxis picking up disabled passengers should be considered. This could be an area of the footway with a kerb assigned as a setting-down/picking-up point for people using taxis that have ramps designed for transfer directly to the footway.

Wheelchair access to most taxis is on the nearside, though some taxis load wheelchair users through the rear door or the far side door. Where taxi ranks are being designed or redeveloped, they should be designed to facilitate access into all vehicle types without creating safety risks for either customers or drivers.

Licensing authorities should work with local authority partners to ensure that vehicle priority measures, parking and waiting restrictions do not prevent disabled passengers from being picked up and/or dropped off close to their origin or destination. Taxi and private hire vehicle drivers, operators and those developing cycling infrastructure play a collective role in ensuring vulnerable road users can reach their destinations safely. The need for inclusively designed cycle infrastructure should be considered so that disabled passengers are able to access the kerbside with ease where possible. The [local transport note guidance \(LTN 1/20 \(https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-](https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-1/20)

[120](#))) supports authorities with the delivery of accessible cycling infrastructure, and further advice can be sought from Active Travel England.

Consideration should also be given to how disabled people relying on taxis and private hire vehicles will gain access to the kerbside on roads where access is prevented, such as areas where bus priority is implemented.

Authorities should also work with the operators of facilities served by a high volume of private hire vehicles to ensure that safe spaces are provided for drivers to collect passengers, without requiring them to navigate busy car parks alone.

Where information is provided at taxi ranks, authorities should consider including directions to nearby public toilet facilities.

12. Taxi zones

The areas of some licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire in one zone only. Zones exist for historical reasons, due to local authority boundary changes.

Taxi and private hire vehicle licensing is highly devolved with lower tier local authorities often responsible for administering the regime. The Department recommends the abolition of taxi zones. This would chiefly benefit the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice – for example, if 50 taxis were licensed overall by an authority, but only 25 of them were entitled to ply for hire in each zone. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the authority's area. Abolition of zones can also reduce costs for the authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the authority's area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.

It should be noted that, in 2008, the government made a legislative reform order that removed the need for the Secretary of State to approve amalgamation resolutions made by licensing authorities. Although these resolutions no longer require the approval of the Secretary of State, the statutory procedure for making them – in paragraph 25 of schedule 14 to the [Local Government Act 1972](#) (<https://www.legislation.gov.uk/ukpga/1972/70/contents>) – remains the same.

13. Flexible transport services

It is possible for taxis and private hire vehicles to provide flexible transport services in a number of different ways. Such services can play a valuable role in meeting a range of transport needs, especially in rural areas – though potentially in many other places as well.

The department encourages licensing authorities, as a matter of best practice, to play their part in promoting flexible services to increase the availability of transport to the travelling public. This can be done partly by drawing the possibilities to the attention of the taxi and private hire vehicle trade. It also should be borne in mind that vehicles with a higher seating capacity than the vehicles typically licensed as taxis (for example those with 6, 7 or 8 passenger seats) may be used for flexible services and should be considered for licensing in this context.

The main legal provisions under which flexible services can be operated are:

Shared taxis and private hire vehicles – advance bookings (section 11, [Transport Act 1985](https://www.legislation.gov.uk/ukpga/1985/67/contents)): licensed taxis and private hire vehicles can provide a service at separate fares for passengers sharing the vehicle. The operator takes the initiative to match up passengers who book in advance and agree to share the vehicle at separate fares (lower than for a single hiring). An example could be passengers being picked up at home to go to a shopping centre or returning from the shops to their homes. The operator benefits through increased passenger loadings and total revenues.

Shared taxis – immediate hiring (section 10, [Transport Act 1985](https://www.legislation.gov.uk/ukpga/1985/67/contents)): such a scheme is at the initiative of the local licensing authority, which can set up schemes whereby licensed taxis (not private hire vehicles) can be hired at separate fares by people from ranks or other places that have been designated by the authority. Authorities are required to set up such a scheme if holders of ten per cent or more of the taxi licences in their area ask for one. The passengers pay only part of the metered fare and without pre-booking, but the driver receives more than the metered fare.

Taxi and private hire vehicle buses (section 12, [Transport Act 1985](https://www.legislation.gov.uk/ukpga/1985/67/contents)): owners of licensed taxis and private hire vehicles can apply to the Traffic Commissioner for a 'restricted public service vehicle (PSV) operator licence'. The vehicle owner can then use it to provide a bus service for up to eight passengers. The route must be registered with the Traffic Commissioner and must have at least one stopping place in the area of the authority that licensed the taxi, though it can go beyond it. The bus service will be eligible for Bus Service Operators Grant (subject to certain conditions) and taxi/private hire vehicle buses can be used for local authority subsidised bus services. The benefits that the travelling public have another

transport opportunity opened for them, whilst taxi and private hire vehicle owners have another business opportunity.

14. Local transport plans and strategy

The [Transport Act 2000](https://www.legislation.gov.uk/ukpga/2000/38/contents) (<https://www.legislation.gov.uk/ukpga/2000/38/contents>) as amended by the [Local Transport Act 2008](https://www.legislation.gov.uk/ukpga/2008/26/contents) (<https://www.legislation.gov.uk/ukpga/2008/26/contents>), requires all local transport authorities in England, excluding London, to produce a Local Transport Plan (LTP), having regard to Government policy.

An LTP is a public facing document that sets out the future of transport in the local authority. LTPs should clearly articulate an integrated transport strategy drawn from a robust evidence base and vision for the local area, and also include an implementation plan that list the policies and interventions that will deliver the strategy.

All modes of transport including taxi and private hire vehicle services have a valuable part to play in the provision of local transport, and so licensing authorities are likely to have a role to play in delivering LTPs. The key policy themes for such services could be availability and accessibility. LTPs can cover:

- quantity controls, if any, and plans for their review
- licensing conditions, with a view to safety but also to a good supply of taxi and private hire vehicle services
- how passengers can access services, such as the provision of taxi ranks and safe areas for pick-up and drop-off points
- vehicle suitability and availability for people with disabilities
- vehicle emission standards and the location and capacity of electric vehicle charging infrastructure to support taxis and private hire vehicle to contribute to air quality objectives
- encouragement of flexible services

The [Greater London Authority Act 1999](https://www.legislation.gov.uk/ukpga/1999/29/part/IV/chapter/I/crossheading/the-transport-strategy) (<https://www.legislation.gov.uk/ukpga/1999/29/part/IV/chapter/I/crossheading/the-transport-strategy>) places a similar duty on the Mayor of London. The Mayor must publish a transport strategy to develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within Greater London. As above, taxi and private hire vehicle services have a valuable part to play in overall transport provision.

15. Tax checks in taxi and private hire vehicle licensing

HMRC introduced a tax registration check (tax check) for renewed applications in England and Wales to drive taxis and private hire vehicles and to operate a private hire vehicle business in April 2022.

An applicant who wishes to renew a licence needs to carry out a tax check. The licensing authority must obtain confirmation from HMRC that the applicant has completed the check before being able to consider their renewed licence application.

This aims to address part of the hidden economy by helping applicants for taxi and private hire vehicle driver and operator licences to understand their tax obligations and by making access to the licences they need to trade conditional on completing a tax check.

The rules apply to applications made by individuals, companies and partnerships, including Limited Liability Partnerships. Licensing authorities are required to signpost first-time applicants to HMRC guidance about their potential tax obligations and obtain confirmation that the applicant is aware of the guidance before considering the application.

Where the application is not a first-time application (a renewed application) the licensing body must, before considering the application, obtain confirmation from HMRC that the applicant has completed a tax check.

An applicant can carry out a tax check by providing information to enable HMRC to satisfy itself that the applicant has told HMRC about income earned under the licence. The check verifies that a person has complied with an obligation to notify their chargeability to tax, where such an obligation applied. The check is quick and easy to complete, and HMRC has developed a digital system to facilitate it. Additional help is also available to individuals who are digitally excluded or need extra support.

HMRC has published [guidance for licensing authorities and applicants on how to complete checks \(https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022\)](https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022).

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Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Helen Crowther Equality and Anti-Poverty Officer at equalities@cambridge.gov.uk or phone 01223 457046.

Once you have drafted the EqIA please send this to equalities@cambridge.gov.uk for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, (graham.saint@cambridge.gov.uk or 01223 457044).

1. Title of strategy, policy, plan, project, contract or major change to your service
Hackney Carriage & Private Hire Licensing Policy 2024
2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)
Hackney Carriage and Private Hire Licensing Policy - Cambridge City Council

3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The policy sets out Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy on the licensing of Hackney Carriage and Private Hire Drivers and Vehicles, together with all Private Hire Operators. The policy sets out the legislative framework administered by the Licensing Authority in respect of such licences.

The policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 (as amended) which places duties on the Council to carry out its licensing function.

The policy is intended to put the Council's licensing requirements into context for all parties in a clear and transparent manner. In setting out the policy, the Licensing Authority seeks to carry out the licensing functions with a view to promoting the following objectives:

- i) The safety and protection of the public;
- ii) Vehicle safety, comfort and access;
- iii) The prevention of crime and disorder;
- iv) The promotion of environmental sustainability, and;
- v) The protection of children and adults at risk from harm.

The policy refers to guidance that is available to assist with the processes and is referred to as the Hackney Carriage and Private Hire Licensing Handbook.

The policy was agreed in 2016 and has been regularly updated with changes in policy as agreed by licensing committees.

A review of the policy has taken place and has been in line with statutory guidance.

The latest updates to the policy will be signed off at Licensing Committee on 16th September 2024

4. Responsible Team and Group

Environmental Health Team, Communities Group

5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick all that apply)	<input checked="" type="checkbox"/> Residents <input checked="" type="checkbox"/> Visitors <input type="checkbox"/> Staff
Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):	

6. What type of strategy, policy, plan, project, contract or major change to your service is this?	<input type="checkbox"/> New <input type="checkbox"/> Major change <input checked="" type="checkbox"/> Minor change
---	---

7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>policy recognises that the licensing function is only one means of securing the delivery of the objectives and the Authority will continue to work in partnership with the Taxi trade, neighbouring local authorities, DVLA, the Police, Driver & Vehicle Standards Agency (DVSA) other enforcement agencies (such as DWP and the Home Office), local business and local residents/ visitors.</p> <p>Within the organisation the Licensing & Enforcement Team will continue to work with the Customer Service Centre, Legal Services and the Garage.</p>	

8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?
It will be going to Licensing Committee on 16 th September 2024

9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?



EqIA CCTV July 2023
.docx

-



EqIA - Vehicle age
amendment HC com

-

Secondary sources used to identify equality impacts for this EqIA include:

- [Hate crime, England and Wales, 2022 to 2023 second edition - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/hate-crime-england-and-wales-2022-to-2023-second-edition)
- [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)
- [Taxi and Private Hire Vehicle Statistics: England 2021 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/publications/taxi-and-private-hire-vehicle-statistics-england-2021)

10. Potential impacts

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

(a) Age - Please also consider any safeguarding issues for children and adults at risk

Children and adults at risk – it is a local requirement of the revised Policy that mandatory Safeguarding training be delivered for all licence holders. This also applies to new applicants. There will also be mandatory refresher training three yearly.

Age restrictions are included in applications for drivers, however these follow national guidelines. Persons wishing to be licensed as a taxi driver must have held a full driving licence for 12 months. This prevents 17 year olds from being licensed. However, it also ensures that drivers have had some experience before they take on the responsibility of the safety of fare paying passengers. The council is considering extending the period for which someone needs to have a driving licence to two years, which would prevent 17 and 18 year olds from being licenced. The recommendation being made at committee in September 2024 is to go out to consultation on this and other changes proposed to the policy. The rationale for extending the period to two years is to improve safety for the public. This is because during the first 2 years of holding a drivers license if 6 points is accrued then the license is cancelled and there is a requirement to retake both the driving and theory test. However, there is no notification of this on the license so it would be difficult to determine if the applicant has held a driving license for a full 12 months.

Licensed drivers aged over 60 years are subject to more frequent medical assessments (annually as opposed to five yearly).

As older people are more likely to have disabilities to proposed change to the policy, for which the council aims to go out to consultation for, around disability training may benefit older age groups.

(b) Disability

Individuals with disabilities or impairments – 50 % of the Hackney Carriage fleet is Wheelchair Accessible (WAV) which meets the Equality Act requirement that where vehicles are limited there is a % of WAV.

Anecdotal evidence for the main WAV operator in the area has suggested that by increasing the age limit on licensed vehicles will increase the availability of WAVs as older vehicles will be cheaper to purchase.

In conjunction with the Safeguarding training, an element of equality and accessibility training is included for all licence holders along with a code of conduct which is also applicable to licence holders to ensure good practice.

There are restrictions on having a taxi driver's licence relating to medical fitness. This policy reflects government guidance that the stricter Group 2 licence criteria (for heavy goods and bus drivers) should be applied to taxi drivers. This may lead to the situation where a person who has a car driving licence (based on Group 1 criteria), is refused a taxi driving licence (group 2 criteria) because of a disability or illness.

In relation to recommendations being made for Sept 2024, the council is proposing to make a change to disability training, and will need to go out to consultation on this. The council is looking into providing training to taxi drivers to support them how to practically support people with wheelchairs and mobility scooters to be able to use taxis. The county council already requires this for drivers contracted to do school runs. Not all taxis are wheelchair accessible so the council is considering how best to roll this out.

There are different types of WAVs and wheelchairs and it is ensuring the safety of both the passenger and the driver when manoeuvring a WAV. There are no national specifications and no size fits all. Wheelchairs has evolved got increasingly bigger, but some WAV can still only take the smaller non electric wheelchairs.

This change in policy would be to support drivers to ensure they are able to put a wheelchair passenger into the vehicle safely

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as disabled people. UK statistics show that from 2018/19 hate crime targeted at disabled people rose by 71% by 2022/23.

(c) Gender reassignment

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as transgender people. (that includes but is not limited to many people protected by the Equality Act under the protected characteristic of gender reassignment). UK statistics found that hate crime motivated by prejudice towards someone's transgender identity increased by 11% from 2021/22 to 2022/23. It has continually increased since 2018/19 and from 2018/19 to 2022/23 the increase has been by 110%, which is the largest increase for any group experiencing hate crime.

(d) Marriage and civil partnership

No impacts have been identified specific to this protected characteristic group.

(e) Pregnancy and maternity

No impacts have been identified specific to this protected characteristic group.

(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Licensed drivers and passengers are from many ethnic backgrounds and nationalities, and according to The Department of Transport in 2020/21 44% of taxi and private hire vehicle drivers were Asian or Asian British.

It is a requirement of the Policy that applicants who have lived outside of the UK for a period of six months or more (in the past five years) must provide a Certificate of Good Conduct from their embassy as part of their application. This element supports the mandatory Disclosure and Barring Service (DBS) check which is required upon application and every three years thereafter.

In addition to this, the training which is required to be undertaken by all licence holders and new applicants is delivered face to face and in English. As part of the application process, a multiple choice online ‘written’ test is undertaken, this too is in English.

Language knowledge and ability, and local knowledge may be a barrier to some ethnic communities applying for hackney carriage and private hire licences – however, there is a need for licensed drivers to read road signs, communicate with passengers, and have knowledge of the area, therefore written/oral understanding of English is required.

Practical measures to reduce any negative impact can be put in place such as any training materials available in other formats or for the individual to undertake an additional basic English Language course in order to assist with this.

Language may be a barrier for some ethnic communities in understanding regulations and enforcement issues – assistance can be provided if necessary (in the form of interpretation)

The policy aim is to protect drivers as well as the travelling public

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone’s ethnicity which is most common – accounting for 70% of recorded hate crimes according to UK statistics. Hate crimes recorded relating to hatred towards someone’s ethnicity increased between 2018/19 to 2022/23 by nearly 31%.

(g) Religion or belief

There is no specific evidence at this present time; the policy is fully inclusive to all. No risks have been identified.

However, impacts were raised with the introduction of CCTV and this was specifically picked up in the CCTV in licensed vehicles EqIA: The proprietor of a vehicle is responsible for the cost of the CCTV system. People with Islamic beliefs are not able to borrow money with interest. This means they may not be able to take advantage of financial help from suppliers regarding the purchase of the CCTV equipment. Following officer research, it was found that a number of lending firms are specifically designed for those who cannot borrow in ways that will compromise people's individual beliefs.

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone's religion or belief.

(h) Sex

One objective of the policy is the prevention of crime and disorder. The policy aims to prevent occurrences of sexual harassment and assault which is disproportionately experienced by women. This is done by way of robust checks and balances of drivers before being issued a licenses including enhanced DBS, safeguarding training, prominent livery of Hackney carriage vehicles, CCTV install in vehicles

(i) Sexual orientation

The policy aims to improve safety for the travelling public including groups who could be subjected to hate crime such as that motivated by hatred towards someone sexuality. UK statistics have found that between 2018/19 and 2022/23 this has increased by 71%.

(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on:

- **Low-income groups or those experiencing the impacts of poverty.**
- **People of any age with care experience – this refers to individuals who spent part of their childhood in the care system due to situations beyond their control, primarily arising from abuse and neglect within their families. The term “Care experience” is a description of a definition in law, it includes anyone that had the state as its corporate parent by virtue of a care order in accordance with the Children Act 1989 and amendments.**
- **Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: https://media.ed.ac.uk/media/1_159kt25q).**

The implementation of CCTV in licenced vehicles as a requirement in the policy is a necessary business expense to ensure they comply with policy requirements, in the same way a food business will be required to purchase equipment e.g fridge to ensure they comply on food storage requirements. But if they are on a low income or currently experiencing poverty this could have negative impact.

Close to timeframe of requiring CCTV in licenced vehicles, the council also extended the maximum age limit for vehicles to be licenced by an additional 2 years (to 11 years) that enables licenced proprietors to save additional monies to purchase new vehicle.

11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqIA accordingly.)

There are 4 areas namely :

Increase from 1 year to 2 year to hold a drivers license

Disability training

Door signs

Daily vehicle checks

which are going out to consult after Licensing Committee on 16th September 2024 , which will be going back to Committee in January 2025, when the EqIA will be updated with any further changes if they are approved but changes may have own EqIA/s.

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12. Do you have any additional comments?

The legislation, guidance and policy are for the benefit of all licences and applications that meet the statutory and policy criteria.

The Licensing Authority holds a neutral stance in relation to all matters providing the application criteria are met by the applicant. The only reasons for rejecting an application stem from the statutory and policy requirements of the application process. The only objections that may be considered by the Licensing Authority that may lead to a decision not to grant a licence relate exclusively to aspects associated with the applicant being a fit and proper person in law.

All applications, licence grants and enforcement matters follow the same procedure and policy.

The Hackney Carriage and Private Hire Licensing Policy does not seek to undermine the rights of any individual to apply under the policy for a variety of permissions, or have their application considered on its individual merits. The Licensing Authority will only depart from the Policy if the individual circumstance of any case merits such a decision in the interests of the promotion of the licensing objectives.

13. Sign off

Name and job title of lead officer for this equality impact assessment: Yvonne O'Donnell
Environmental Health Manager

Names and job titles of other assessment team members and people consulted: Luke
Catchpole (Environmental Health and Licensing Support Team Leader) . Helen Crowther
(Equality and Anti-Poverty Officer),

Date of EqlA sign off: 4th September 2024

Date of next review of the equalities impact assessment: January 2025

Date to be published on Cambridge City Council website: 9th September 2024

**All EqlAs need to be sent to the Equality and Anti-Poverty Officer at
equalities@cambridge.gov.uk**