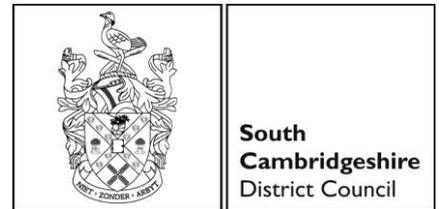


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6 November 2019

To: Chairman – Councillor Anna Bradnam
Vice-Chairman – Councillor Eileen Wilson
Members of the Licensing Committee – Councillors Dr. Shrobona Bhattacharya,
Nigel Cathcart, Graham Cone, Clare Delderfield, Peter Fane, Jose Hales,
Geoff Harvey, Steve Hunt, Peter McDonald, Deborah Roberts, Heather Williams
and Alex Malyon

Quorum: 4

Dear Councillor

This is a supplement to the previously-published agenda for the meeting of **LICENSING COMMITTEE** on **MONDAY, 11 NOVEMBER 2019**, containing those reports which had not been received by the original publication deadline.

Yours faithfully
Liz Watts
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

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Agenda Item 4



**South
Cambridgeshire**
District Council

REPORT TO: Licensing Committee

11th November 2019

LEAD CABINET MEMBER: Cllr Bill Handley – Environmental Services & Licensing

LEAD OFFICER: Mike Hill – Director of Housing, Health & Environmental Services

Hackney Carriage and Private Hire Licensing Policy and Conditions

Executive Summary

1. The Licensing Committee is requested to recommend to full Council the approval and adoption of a new Taxi Licensing Policy for Hackney Carriage and Private Hire vehicles, drivers, proprietor's (vehicles) and operators following a public consultation.

Key Decision

2. This is not a key decision. Notice of the decision was published in the October 2019 Forward Plan.

Recommendations

3. That Licensing Committee recommends to Full Council the approval and adoption of the revised policy at Appendix A from 1st January 2020.

Reasons for Recommendations

4. In order to adopt any changes of policy or conditions there is a requirement to consider the views submitted from any consultation of those who may be affected either directly or indirectly from the changes proposed.
5. This is a brand-new policy, updated to address the Council's Business Plan 2019-2024 and to increase protection of the public, improve air quality and support small local businesses. There are significant changes to the layout of the policy, and it is recommended that the policy is viewed as a completely new document.
6. The policy has been reviewed and updated to ensure complete legal compliance.

Details

7. The Local Government (Miscellaneous Provisions) Act 1976 Part II and the Town Police Clauses Act 1847 creates a statutory duty for Local Authorities to licence Private Hire and Hackney Carriage vehicles, drivers and operators. In carrying out this function the Licensing Authority has a duty to ensure that public safety is paramount whether it is to prevent direct danger to the passenger from the driver of the vehicle or danger to the passenger and other members of society from the vehicle itself.
8. Under current legislation the Licensing Authority has the powers to introduce policies and conditions that it considers reasonably necessary to provide a service that is accessible and safe and promotes the safety of the travelling public. Too restrictive an approach can work against the public interest and could have safety implications by encouraging illegal operations or forcing the trade to licence elsewhere where conditions are less onerous, thereby losing regulatory control over drivers and vehicles working in our area. The provision of a service to the public should be accessible and safe.
9. The consultation on the draft policy took place between 8th July to 23rd September 2019 via consultation document on the website and sent out to key stakeholders. Additionally, a successful and very well-attended public and trade consultation event was undertaken in the Council Chamber on the 29th and 30th July 2019 with in excess of 150 people visiting over both days. In total 54 consultation responses were received from individuals, businesses, Councillors, Cambridge City Council and trade associations on behalf of drivers and operators.
10. A wide range of views have been submitted with a number of suggestions to be considered for any final policy. All consultations responses are attached as Appendix B. A summary of all the responses collated into the relevant section are attached as Appendix C
11. An online petition was received in September 2019 rejecting the policy item on company door signs being mandatory. The petitioner has indicated that he will attend this Licensing Committee and Full Council on 28th November to present this. A copy of the petition can be seen at Appendix D and copies of signatures are available on request.
12. A Licensing Committee workshop was held to consider the comments made at the consultation, taking on board the views of the trade, officers and members. The policy at Appendix A reflects the consultation responses and member workshop views.
13. All proposed changes to the policy are set out in Appendix C along with a summary of consultation comments. Issues of particular note and consideration by Licensing Committee include:
 - CCTV in vehicles
 - Private Hire Vehicle Plate Exemption
 - Introduction of ultra-low and zero emission vehicles for all new vehicle licences from 2021
 - Introduction of ultra-low and zero emission vehicles for all renewed vehicle licences from 2028
 - Vehicle Age policy

CCTV

14. There continues to be a number of concerns relating to CCTV with a strong resistance to its installation in plate exempt vehicles (chauffeur work) and also in relation to the cost being a barrier to entry. Officers have looked in to the overall cost of purchase and have come to an indicative price that meets the ICO (Information Commissioner Office) regulations at around £350 to £600.
15. Licensing Committee has previously considered these issues as part of the adoption of the 2018 policy, further consultation with the trade has taken place as part of this process. The policy at Appendix A proposes to implement the requirement for all vehicles (including plate exempt) to install CCTV to provide a consistent approach to safeguarding. Operators and drivers of plate exempt vehicles delivering executive and chauffeur style business models are resisting installation of CCTV on the grounds of protecting the privacy of pre-booked contract-based clients.
16. Members are asked to consider and agree a way forward on this matter.

Plate Exemption Policy

17. Particular responses made around plate exempt executive vehicles that from time undertake localised “normal” Private Hire work highlighting that whilst chauffeur style work is the primary focus, there is still an occasional local need, particularly in rural areas where the transport network is reduced, to serve local people in a normal PH style which subject to approval has been reflected in the policy.
18. The 2018 policy provides for plate exemption for vehicles engaged ‘primarily’ in executive/chauffeur-based work. This enables plate exempt vehicles to undertake occasional non-plate-exempt private hire work. As a result, applications for plate exempt vehicles has noticeably increased due to the ambiguity of this policy wording. The new policy at Appendix A replace the word ‘primarily’ with the word ‘solely’ to clarify the grounds on which vehicles can be plate exempt. However, this has the effect of preventing plate exempt vehicles from being used for occasional ‘typical’ private hire work. Small operators and drivers are concerned that this means that they will lose money and be unable to provide occasional services to local residents which may keep their business trading.
19. Possible solutions for this include operators having pre-signed contracts in place for regular but occasional local customers or maintaining at least one non-exempt vehicle.

Introduction of ultra-low & zero emission vehicles for all new vehicle licences from 2021

20. As part of the SCDC Business Plan ‘Green to the Core’ commitments, the new policy introduces a requirement for all new vehicles to be ultra-low or zero emission with effect from 1st October 2021. This will have a significant impact on improving air quality across the district and Cambridge City.
21. Everyone recognises the contribution this policy change will make to improving the health of residents and children. Additionally, this policy change aligns South Cambridgeshire and Cambridge City providing consistency of approach for local businesses across the boundary.

22. However, concerns were raised that this policy is being introduced too quickly and that there are not enough charging points in South Cambridgeshire, there is only limited availability of expensive ultra-low or zero emission vehicle that are unsuitable for use as taxis due to their relatively low mileage range.
23. For information Cambridge City Council has already introduced this policy but from April 2020. Cambridge City recently consulted on changing this date to April 2021 but members have decided against this.

Introduction of ultra-low & zero emission vehicles for all renewed vehicle licences from 2028

24. Similarly, as part of the SCDC Business Plan 'Green to the Core' commitments, the new policy introduces a requirement for all renewed vehicles to be ultra-low or zero emission with effect from 1st October 2028. This will allow current licence holders adequate time to plan for this change. Again, this will have a significant impact on improving air quality across the district and Cambridge City.

Vehicle Age Policy

25. The vehicle age policy has been amended to encourage use of ultra-low and zero emission vehicles.
26. The policy introduces an upper age limit of 7 years for the renewal of all other vehicles licences. There have been many consultation comments requesting an extension to this age limit to allow current compliant vehicles to be fully utilised.
27. It is proposed to increase this age limit from 7 years to 9 years. This will assist with current hire purchase agreements entered into by current proprietors and enable them to complete these agreements.

Appeals against Officer Decisions

28. The previous policy included provision for appeals against officer decisions to be heard by a Licensing Sub-committee. This is not a legal requirement but has been an extra step introduced by South Cambridgeshire District Council, with associated extra costs of officer and committee time. The new policy proposes to remove this route of appeal to licensing Sub-Committee and adopt the formal legal appeal route via Magistrates Court. This will reduce costs to the Council and speculative appeals against officer decisions.

Considerations

29. In recommending the proposed draft policy and conditions, consideration has been given to the views of those that responded to the consultation, Department of Transport Best practise on Taxi & Private hire vehicle licensing, Local Government Association guidance, Institute of Licensing model convictions policy as well as policies currently in force with neighbouring authorities and the need to promote public safety. In addition, the policy has been reviewed by a leading legal expert on taxi licensing law.

30. The adoption of a comprehensive policy alongside more specific conditions will allow the authority to maintain high standards throughout the trade and will set expectations of conduct both to existing licence holders and prospective license holders. The overarching aim of any policy or conditions is to ensure that protection of the travelling public is paramount in any decisions taken by this authority
31. In preparing any policy, consideration must be given to the risks and benefits of adopting a policy that is too onerous to encourage take up by new applicants and existing trade.

Benefits

A strict policy and conditions will contribute to those people applying for and holding a licence with South Cambridgeshire District Council meeting stringent standards that will help contribute to a higher professional standard and safety of the travelling public.

Risk

A licensing policy and conditions that are too onerous may encourage the trade to go elsewhere where conditions are lower to obtain a licence and return to work in the South Cambridgeshire district. In such cases this authority would have no powers to enforce or regulate such activities.

Setting entry standards that are disproportionate or too onerous may lead to persons deliberately operating illegally due to the difficulty and cost of being licensed against the risk of being caught and the possible fines imposed by any court.

Options

32. Members may agree one of the following options
 - Agree the proposed policy as recommended
 - Reject the proposed policy.
 - Amend the proposed policy.

Implications

33. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

Financial

34. There are no significant financial implications. Taxi licensing remains chargeable on a cost recovery basis.

Legal

35. Any applicant for a licence or any existing licensee affected by a decision resulting from the introduction of new policies or conditions has a right of appeal to a Licensing sub-committee or a Magistrates Court

Staffing

36. There are no significant implications

Risk Management

37. There is a risk to the implementation of CCTV by the policy date. This is due to continued uncertainty as to the date by which taxi CCTV standards will be implemented by the Information Commissioner's Office. If required Licensing Committee will be asked to review the implementation date.

Equality and Diversity

38. An equalities impact assessment will be completed before the policy is considered for decision by Full Council.

Climate Change

39. Promotion of environmentally friendly vehicles will contribute to the reduction of harmful gasses in the atmosphere.

Consultation responses

40. All existing licence holders were consulted seeking their written views and comments on the proposed changes. In addition we also sought views from:-
- (a) Hackney Carriage drivers and proprietors
 - (b) Private Hire drivers and proprietors
 - (c) South Cambridgeshire Private Hire operators
South Cambridgeshire DC Councillors
 - (d) Parish Councillors
 - (e) Neighbouring authorities
 - (f) General Public

Effect on Council Priority Areas

Growing local businesses and economies

41. This policy supports local businesses in our villages by supporting local garages to undertake Certificate of Compliance tests twice a year on all licensed vehicles.
42. Additionally, the policy requires operators to be based in the district. This encourages local business opportunities.

Housing that is truly affordable for everyone to live in

43. This policy ensures that South Cambridgeshire residents have access to sufficient local transport options in our rural district

Being green to our core

44. This new taxi licensing policy promotes improved air quality and reduces environmental impacts through the introduction of ultra-low and zero emission vehicles.

Background Papers

Local Government (Miscellaneous Provisions) Act 1976
Town Police Clauses Act 1847
DFT Taxi & Private Hire Vehicle Licensing – best practise guidance
Local Government Association Convictions guidance

Appendices

Appendix A: Hackney Carriage and Private Hire Policy
Appendix B: Consultation Responses
Appendix C: Hackney Carriage and Private Hire Policy Consultation Feedback Summary
Appendix D: Online petition

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South Cambridgeshire District Council

Hackney Carriage and Private Hire Licensing Policy

December 2019

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1. Introduction

1.1 Definitions

Applicant	Person or business who has submitted an application for either a grant or renewal of a licence.
Assistance Dog	<ol style="list-style-type: none">a. a dog which has been trained to guide a blind person;b. a dog which has been trained to assist a deaf person;c. a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;d. a dog of a prescribed category which has been trained to assist a disabled person who has a disability (other than one falling within paragraph (c)) of a prescribed kind;
Authorised Council Officer	A Council officer who is authorised by the Council to exercise powers and duties conferred by legislation.
Badge	Issued to all licensed drivers and must be worn at all times when working as a licensed driver.
Byelaws	Locally adopted laws applicable to Hackney Carriage drivers. Breach is a criminal offence.
Conditions	Conditions of licence applied by the Council to a driver's licence, an operator's licence or a vehicle licence.
Controlled District	Boundary area of a local authority which has adopted the provisions of the Local Government

(Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847.

Date of First Registration	The date of first registration on the vehicles V5 log book issued by DVLA.
DBS	Disclosure & Barring Service.
DfT	Department for Transport.
Door Signage	Council issued door signage which must be affixed to the rear doors of all licenced vehicles.
Driving licence	Full GB driving licence issued by DVLA or, EEA driving licence or, acceptable equivalent as defined by DVLA or appointed agency.
DVLA	Driver and Vehicle Licensing Agency.
DVSA	Driver and Vehicle Standards Agency (which replaced VOSA in 2014).
Fare Card	A card which must legally be displayed in Hackney Carriage vehicles that are fitted with a taximeter which indicates the maximum authorised fare to be charged for distance travelled, waiting time and soiling charge and the licence plate number.
Hackney Carriage Vehicle	A vehicle licensed under the 1847 Act commonly referred to as a taxi.
ICO	Information Commissioners Office.
IoL	Institute of Licensing.
LGA	Local Government Association.
Legislation	Law which has been enacted by a legislature or other governing body.
Licensing Authority	The licensing function within South Cambridgeshire District Council.

Licensing Committee	The committee which determine licensing matters as set out in the Council constitution.
Licensed Driver	A driver licensed under the 1847 Act to drive a Hackney Carriage vehicle or under the 1976 Act to drive a Private Hire vehicle.
Licence Plate	The plate that licensed vehicles must display showing the licence number, maximum number of persons to be carried, expiry date, vehicle registration number, and make and colour of vehicle.
Licensed Vehicle	Vehicle licensed under 1847 Act as a Hackney Carriage or licensed under the 1976 Act as a private hire vehicle.
Operator	The business which invites and accepts bookings for private hire work.
Private Hire Vehicle	A vehicle licensed under the 1976 Act.
Proprietor	Registered owner or part owner of a vehicle.
PSV	Public Service Vehicle.
Road Traffic Acts	Including all associated legislation.
Taximeter	Device used for calculating the fare to be charged for the journey by measuring distance travelled plus any time waiting. Fitted in all hackney carriage vehicles and some private hire vehicles.
The 1847 Act	The Town and Police Clauses Act 1847 and the provisions within.
The 1976 Act	The Local Government (Miscellaneous Provisions) Act 1976 and the provisions within.
The Council	South Cambridgeshire District Council.

The Equality Act	Equality Act 2010 which has legislation specific to disabled people
This Policy	This policy document.
WAV	Wheelchair Accessible Vehicle.

1.2 Policy Purpose, Status and Scope

- a) The purpose of this policy is to inform and guide The Council when administering its responsibilities within the legislative framework of the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, (as amended).
- b) It has traditionally exercised these responsibilities by way of conditions, by-laws, guidelines and procedures which have been developed and adopted over the years.
- c) It is widely considered best practice to create a unified policy that brings together all of these procedures and documents in one overarching policy.
- d) This policy does not override the legal requirements embodied in any primary or secondary legislation in force at the time of adoption, or as may be enacted after the adoption of this policy.
- e) Where there are any subsequent changes made to the applicable legislation, or its interpretation by the courts that conflict with this policy, the conflicting elements shall not apply and will be amended at the earliest opportunity.
- f) The legislation places a duty on the Council as the Licensing Authority for licensing Hackney Carriage and Private Hire vehicles, drivers of those vehicles and operators of those vehicles. The Licensing Authority understands the importance and responsibility it has in ensuring that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that drivers are fit and proper to undertake the role.
- g) The primary focus when administering its functions are public safety, safeguarding and wellbeing. In exercising its discretion in carrying out regulatory functions, the Council will have regard to this policy.
- h) In formulating this policy, consideration has been given to local circumstances and requirements and the DfT best practice guidance. Every decision, application and enforcement action will be considered on its own merits.

- i) The Council may depart from this policy if merited but will provide clear and detailed reasons for doing so.
- j) This policy is not a comprehensive statement of the law; applicants should always obtain their own legal advice if they are unsure of the requirements of legislation.
- k) In setting out this policy, the Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:

i) Safety and protection of the public:

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

ii) Vehicle safety, comfort and access:

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

iii) The prevention of crime and disorder:

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

iv) 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 improve Air Quality across the District

v) The protection of children and adults at risk from harm:

- Safeguarding requirements as set down in this policy
- Cooperation 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

1.3 Consultation and Revision

- a) The Council will consult with stakeholders prior to the adoption of this policy, and for the further continuation and development of the policy.
- b) The Council will keep the policy under review and will consult where appropriate on proposed revisions. Appendices and sections of the policy may be updated and amended by the licensing committee after consultation without the whole policy being consulted upon.
- c) Minor editorial changes to ensure content is up to date and do not affect the ethos of the policy will be delegated to officers, such changes may be to change web addresses, postal addresses, contacts etc.

1.4 Implementation

- a) This policy shall take effect from 1st December 2019 and will override and supersede all existing Council policy and guidance in relation to Hackney Carriage and Private Hire Licensing.
- b) Once adopted this policy will be kept under review and revised as appropriate and in any event not less than every five years. The Council expects licence holders to comply with its terms and conditions.

1.5 The Licensing Regime – General Overview

- a) The principal legislation is the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The purpose of taxi licensing is detailed in the DfT “Taxi and Private Hire Licensing – Best Practice Guide” para 8 which states:

“The aim of local authority licensing of the taxi and PHV trades is to protect the public.”

- b) Vehicles used for hire with the services of the driver, which accommodate a maximum of up to eight passengers, drivers of those vehicles and operators of private hire vehicles are regulated by the above legislation.

- c) Vehicles which accommodate more than eight passengers are classed as Public Service Vehicles (PSV) and are not covered by the legislation or this policy. The Council has no involvement in the licensing of PSVs; they are the responsibility of The Traffic Commissioner.
- d) Any person who carries out, hackney carriage or private hire activities without the correct licences, would be breaking the law and would likely not have valid insurance. This can have serious consequences for all parties involved, if an accident or incident occurs.
- e) The legislation creates three types of licence:
- Vehicles (Hackney Carriage & Private Hire)
 - Drivers (Hackney Carriage and Private Hire)
 - Operators (Private Hire only)
- f) A Hackney Carriage vehicle and the driver must be licensed by the same local authority. Private Hire vehicle, driver and operator must be licensed by the same authority. This does not prohibit the Private Hire Operator subcontracting a booking to another operator licensed by a different local authority.
- g) The legislation places a duty on the local authority to only license those who are considered to be 'fit and proper' to hold that licence. (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
- h) The term 'fit and proper' is not defined in legislation, but it may be useful to think of a person being considered as "safe and suitable".
- i) The legislation allows local authorities to set their own conditions, requirements and application processes. This means that each local authority's requirements and conditions can be different.
- j) The aim of the legislation and the licensing regime is to ensure that the public are protected and have reasonable access to these services.
- k) Public safety is paramount and has a wide scope; it includes public safeguarding, protecting vulnerable persons and public wellbeing.
- l) To achieve the aim of the legislation and to meet the obligations of the Acts, South Cambridgeshire District Council has adopted this policy which will promote well-run, safe and responsible businesses.

- m) Other general law is also applicable such as the Highway Code, Road Traffic Act, Health and Safety at Work Act, Health Act 2006, Equality Act 2010, etc. This is not a definitive list and not all applicable legislation is enforced or regulated by the Council e.g. Road Traffic Act 1991. South Cambridgeshire District Council expects licence holders to ensure that they keep up to date and comply with all applicable legislation.
- n) Both Hackney Carriage and Private Hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no “spent” convictions for applicants for drivers’ licences and that any and all criminal convictions can be taken into account by the local authority in assessing safety and suitability. In relation to private hire operators and hackney carriage and private hire vehicle proprietors, the Hire Court has determined that spent convictions can be considered. In all cases this will be in accordance with the Councils Previous Convictions Policy, but only relevant spent convictions should be considered by the decision maker.

1.6 Information Sharing

- a) The Council works in partnership with many other enforcement agencies such as the Police, HM Revenue and Customs, Home Office, DVSA, Department of Work and Pensions, Benefit Fraud etc.
- b) The Council will share information with other departments or regulatory bodies where appropriate.
- c) The Council is legally required to provide information if requested, pursuant to a criminal offence, or to detect fraud, or immigration offences.
- d) The legislation also requires local authorities to maintain a public register.
- e) The Council will work with neighbouring authorities and report to them any relevant matters that relate to their licence holders.

1.7 National Register of Refusals and Revocations

- a) The Local Government Association (LGA) has launched a national register of Hackney Carriage and Private Hire licence refusals and revocations called NR3, which is being introduced within the National Anti-Fraud Network. It is a shared service that allows Council’s to share information about revocations and refusals.
- b) The process of assessing whether an applicant or licensee is ‘fit and proper’ may vary between authorities but there is widespread consensus on the need to increase consistency and set national minimum standards for the ‘fit and

proper' test at a suitably high level. This would help prevent individuals who have had a licence revoked by one authority from applying to another area and securing a licence - assuming the second authority was aware of the earlier revocation.

- c) It is essential for this Local Authority to maintain control and knowledge of all its applicants to ensure that the public have confidence in the safety of our licensed Hackney Carriages and Private Hire Vehicles.
- d) This Local Authority has subscribed to the national register of Hackney Carriage and Private Hire driver licence refusals and revocations, the 'national register of refusals and revocations' or NR3.
- e) The register will allow licensing authorities to record details of where a hackney carriage or PHV drivers' licence has been refused or revoked and allow licensing authorities to check new applicants against the register. For the avoidance of doubt, NR3 does not extend to vehicle or operator licensing decisions.

1.8 Decision Making

- a) Each application and enforcement action will be determined on its own merits.
- b) Determination of applications will be made in accordance with this policy and the Council's constitution. Officers have delegated powers to make decisions, but may also refer certain matters to the Licensing Committee if appropriate. 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, case law and other relevant Council policies.
- c) Enforcement actions will be in accordance with this policy, the Council's enforcement and inspection policy and the Regulators' Code 2014.
- d) 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.
- e) Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that a condition has been attached to a licence which is not reasonably necessary may appeal to the Magistrates Court within 21 days of being given the decision.

- f) The Licensing Sub-Committee is made up of a selection of Members from the Licensing Committee. Three Members will make up the panel for hearings to deal with new applications, renewals and reviews of licences that are referred directly by officers.
- g) 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.

1.9 Immigration Act

- a) The Council has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.
- b) The Council takes this responsibility seriously and has checks in place to ensure compliance with the Act and will liaise where required with relevant Home Office departments. If however, a licence has been issued incorrectly for whatever reason, the licence ceases to have effect if the person does not have the right to work in the UK.
- c) Any licence which has expired due to the person's immigration status must be returned to the Council within 7 days.
- d) A licence may be suspended or revoked, or its renewal refused if, since the grant of the licence there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.
- e) Proprietors and operators also have an obligation to ensure that they only use, as their staff, persons who have the right to work in the UK. Failure to observe this obligation, or to provide due diligence checks, will be subject to enforcement action by the appropriate Home Office department, which may result in a civil penalty or imprisonment. In these circumstances action may also be taken by the Council against the licence.
- f) If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the currency of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provisions) Act 1976.

1.10 Policing and Crime Act 2017

- a) The Council will give full regard to any guidance issued by the Secretary of State regarding the protection of children, and vulnerable individuals who are

18 or over, from harm. The Council will also consider any future guidance issued by the Department of Transport.

- b) If any changes to any parts of this policy or any related appendices are required when the guidance is released, they will be amended at the earliest opportunity.

1.11 Fees

- a) There is a statutory power for the Licensing Authority to charge fees associated with the Hackney and Private Hire licensing regime to recover costs of inspecting vehicles, providing Hackney Carriage stands and administration and issue of licences in relation to the Hackney Carriages and Private Hire trades.
- b) The appropriate fee should accompany any application or renewal made.
- c) There will be no refund issued for any licence surrendered prior to expiry, suspended or revoked.

2 Hackney Carriage and Private Hire Drivers

2.1 General

- a) 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.
- b) Taxis are used by almost everyone in our society, but most frequently by vulnerable groups e.g. children, elderly, disabled people and the intoxicated. A taxi driver is in a position of trust and responsibility to protect a passenger who places themselves, and their personal safety in their hands. They also have responsibilities to other road users and the general public.
- c) The statutory and practical criteria and qualifications for a Hackney Carriage driver are similar to those of a Private Hire driver. The sections below apply equally to Hackney Carriage and Private Hire unless otherwise indicated.
- d) This Licensing Authority issues two types of licences for drivers, a Hackney Carriage Driver licence and a Private Hire Driver licence. These are two separate licences and therefore if any person wishes to hold both a Hackney Carriage and Private Hire driver licence they are required to submit two separate applications.
- e) New Private Hire and Hackney Carriage driver licences will be issued for one year with a renewal application for a further two years subject to checks (please see Hackney Carriage and Private Hire Handbook for further details). Thereafter licences will be renewed every three years (subject to exceptions as determined by this Licensing Authority).
- f) It may be considered necessary by the Licensing Authority to issue a licence for a lesser period e.g. the applicant's right to work is of a shorter or limited duration.
- g) If a licensed driver fails to renew before the expiry of the licence, they will be required to apply as a new driver and meet all the requirements as set out in this policy and Hackney Carriage and Private Hire Handbook. They will not be able to drive a hackney carriage or private hire vehicle until a new drivers licence has been issued.
- h) It is the responsibility of the driver to ensure they apply for their renewal with all relevant supporting original documentation in good time, with a

recommendation that the submission is not less than eight weeks before expiry.

- i) Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another.
- j) In the circumstance that a licence holder has multiple licences with other authorities it is their duty to inform South Cambridgeshire District Council and to additionally advise each authority of any changes in this respect.
- k) South Cambridgeshire District Council will share and obtain any relevant information with other authorities regarding conduct of licence holders and will take into account this information as appropriate.
- l) If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the currency of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provisions) Act 1976.

2.2 Fit and Proper

- a) This Local Authority will only license drivers that it considers are 'fit and proper' to hold a licence, and that the applicant is not disqualified by reason of their immigration status. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- b) Applicants should be aware that we will not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- c) In any of these circumstances staff members have the right to refuse to process the application.
- d) Any person exhibiting any of the above behaviours will be subject to enforcement and may have the application refused or licence revoked.
- e) The Council will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed.

- f) Applicants and existing licence holders are required to share information held about them by various bodies e.g. DVLA, police, home office etc.
- g) The Council can request any information on the applicants that it deems to be relevant to determine their fit and proper status. This may include checking a driver's prior history with this or any other Council, using intelligence from the police or any other regulatory authority as appears relevant.
- h) Consideration of suitability includes character and patterns of behaviour and is not limited to incidents which occur whilst the driver is 'on duty'. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk will also be considered when assessing their fit and proper status. Any matters that occur whilst the person is using their licence (driving, operating or in connection with their vehicle) will be considered as aggravating factors, and the fact that they did not occur in this way will not be regarded as mitigating factors.
- i) The onus is on the applicant or licensed driver to satisfy the Council that they are and remain 'fit and proper'.
- j) Applicants will be required to undertake and provide an enhanced DBS, (including a check of both the Adult and Childrens barred lists), statutory declaration listing all criminal convictions and other matters detailed on the application form, medical health check to the DVLA group 2 standard as a minimum, and share information held by DVLA, upon new and renewal applications.
- k) Additional information may be sought as part of the process if considered appropriate in individual circumstances.
- l) Applicants for both new licences and renewals, who fail to report or declare an offence, or other relevant matters, will bring in to question their suitability to hold a licence. Failure to report or declare an offence prevents the authority from taking into account that information in protecting public safety. It is also a breach of this Licensing Authority's Code of Conduct and will be taken into account as part of the consideration of the applicant's suitability and their fit and proper status.

2.3 Data Request/ NR3

- a) When an application is made to this authority for the grant of a new, or renewal of, a taxi driver's licence, this Local Authority will check the NR3.
- b) NR3 was commissioned by the LGA as a voluntary register. Licensing authorities will be responsible for adding basic details of drivers who have had applications for a licence either refused, revoked or suspended.
- c) Details contained on the register will be limited to information that will help to identify an individual to a certain degree of accuracy but will not give a reason why actions were taken. It will be up to individual authorities to follow up on any searches they make which come back with a match
- d) This Authority will make and then retain a clear written record of every search that is made of the register. This will detail: -
 - i) the date of the search;
 - ii) the name or names searched;
 - iii) the reason for the search (new application or renewal);
 - iv) the results of the search; and
 - v) the use made of the results of the search (this information will be entered to the register at a later date)
- e) If any match is discovered (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the authority that entered those details (the first authority) for further information about that entry. That request will also include details of this authority's data protection policy in relation to the use of any data that is obtained as a result of this process.
- f) When this authority receives a request for further information from another authority, a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.
- g) This Authority will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request and therefore we will conduct a Data Protection Impact Assessment. This will consider how the other authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the

end of that period. It is expected that if the second authority has adopted a policy similar to this, that should be a reasonably straightforward process.

- h) For this database to serve its purpose of protecting the public and the trade from unacceptable drivers obtaining licences in other districts, unscrupulous drivers will not be allowed to circumvent the provisions by surrendering their licence ahead of any revocation or non-renewal decision being made.

2.4 Drivers Licences

- a) All licensed drivers are required to prominently display their driver's badge whilst working as a licensed driver. Failure to comply is an offence under the 1976 Act and local byelaws. Please see the Hackney Carriage and Private Hire Handbook
- b) Drivers are reminded that the driver's badge remains the property of South Cambridgeshire District Council; all expired and revoked badges must be returned to the Council.
- c) It is important that private hire drivers notify the Council of any significant changes which occur after their licence has been granted. This includes but is not limited to changes in name, address, email address or telephone number, change of immigration status etc. This also includes any health changes which may affect their driving ability, all convictions, cautions, reprimands, warnings and DVLA penalty points currently shown on the licence or any other matter which may bring in to question their fit and proper status.
- d) In order to be eligible to apply to be a licensed driver with this authority an applicant must have held a valid full driving licence for a minimum of 12 months. Therefore, the minimum age a person could be eligible to apply is 18 years old. There is no maximum age, so long as the applicant still meets the full criteria.

2.5 Eligibility to Live and Work in the UK

- a) The Licensing Authority has a duty to ensure that it only issues operators' and drivers' licences to individuals who have a legal entitlement to live and work in the UK.
- b) No licence can be legally issued unless the Licensing Authority receives proof of their right to work in the UK.

- c) Proof of the right to live and work in the UK must be provided by Driver and/or Operator applicants in accordance with the Immigration Act 2016. As part of the licence application process, individuals will be required to present original documentation for verification and copies will be made and retained on file.
- d) The Home Office has produced a list of documents that applicants can provide, further information can be found in the Handbook. A link to the Home Office guidance can be found here: www.gov.uk/topic/immigration-operational-guidance
- e) Applicants with a restricted right to work in the UK may be issued with a time or hours restricted licence, no licence will be permitted to expire beyond the licence holder's right to work expiry date.
- f) This Authority will work in conjunction with the Home Office or its appointed agents to ensure immigration offences are minimised.
- g) This Authority will refuse to grant or renew a licence and will suspend or revoke an existing licence if an individual is found to be living or working in the UK without the relevant authorisation. Under s53A(6) Local Government (Miscellaneous Provisions) Act 1976 a licence ceases to be in force if the person to whom it was granted becomes disqualified by reason of the person's immigration status from driving a hackney carriage.
- h) If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the currency of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provisions) Act 1976.

2.6 References

- a) Applicants are required to provide two referees, at least one from a professional person (e.g. accountant, solicitor, magistrate), who has known the applicant for at least three years.
- b) It is the responsibility of the applicant to provide the name and contact information so that the Licensing Department can make contact with the referee.
- c) It is the responsibility of the applicant to pay any costs to the referee (if applicable)

- d) Please see the Hackney Carriage and Private Hire Handbook for further details.

2.7 Disclosure and Barring Service (DBS), Convictions, Cautions and other Related Matters

- a) An enhanced DBS certificate is a mandatory requirement as part of the application for a Hackney or Private Hire drivers licence and is an important element used by this Authority to ascertain whether or not the person is fit and proper to hold a licence.
- b) In considering 'fit and proper', the Council will take into consideration any prior convictions and cautions. Therefore, all applicants for new and renewal licences are required to undertake and submit an enhanced DBS check. This check will detail all criminal convictions and cautions including those that are spent, and any other relevant matters held by the police.
- c) All licensed drivers will be required to subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence.
- d) This authority will undertake an annual online check of the DBS Update Service for the applicant's current status.
- e) It is the Council's prerogative to require the licensee to obtain an additional enhanced DBS check if a new certificate is required at any time.
- f) Where an individual fails to maintain their subscription before expiry they will be required to reapply for a new enhanced DBS check and register for the Update Service. Failure to do so will result in suspension of the licence until they have complied.
- g) Due to the role of a hackney carriage or private hire driver, the Rehabilitation of Offenders Act 1974 does not apply and there are no spent convictions. All convictions will be taken into consideration in determining the application.
- h) In instances where convictions, cautions, reprimands or warnings appear on a DBS, the cause/motive/mitigating circumstances may not taken into consideration, however as each application is determined on its own merits, the applicant will be afforded the opportunity to state their case as part of the application.

- i) Further information can be found in the Relevance of Convictions/Cautions in relation to taxi licensing section this policy.
- j) Where there is a public protection risk, the police will pass information under Common Law Police Disclosure (CLPD) to the Licensing Authority to allow immediate action to be taken to protect public safety regardless of whether there has been a conviction.
- k) South Cambridgeshire District Council drivers' licence holders must notify the Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding.
- l) If it comes to the attention of the Council that a licensed driver has failed to notify the Council of relevant matters which occur during or after the licence has been issued, enforcement action will be taken.

2.8 Overseas Criminal Record Check

- a) Applicants who have resided outside of the UK for 3 months or longer, since the age of 18 years, in the last five continuous years will be required to submit an overseas record check which has been authenticated by each embassy of the country of residence.
- b) This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission.
- c) Further information can be found in the Hackney Carriage and Private Hire Handbook.

2.9 DVLA

- a) The applicant must be authorised to drive a car in the UK (e.g. held a full driving licence issued by a state in the European Economic Area) for a minimum of one year.
- b) Consideration of penalty points and driving offences will be made in accordance with the relevance of convictions/cautions in relation to taxi licensing. Further information can be found in the Relevance of Convictions/Cautions in relation to taxi licensing section this policy.

- c) As part of the application, (both new and renewal), officers of the Council will undertake an online DVLA check for the applicant's current status and any endorsements. The Council can request that an additional DVLA check is performed at any point during the lifetime of the licence and failure to provide permission may result in enforcement action being taken.

2.10 Medical Requirements

- a) Due to the length of time an occupational driver (hackney carriage and private hire) spends at the wheel, it is appropriate to have more stringent medical checks and standards than those applicable to non-professional drivers.
- b) The DVLA, The Royal Society of Medicine and the DfT recommend and consider it best practice for licensed drivers (Hackney Carriage and Private Hire) be subject to the DVLA group 2 medical requirements..
- c) To ensure that public safety is protected, the Council requires all applicants to obtain and submit a group 2 medical report with their application for new licences and renewals.
- d) The group 2 medical assessment must be completed by a registered medical practitioner who has access to the applicant's full medical records (i.e. own GP) and licensed to practice in the UK
- e) The medical assessment must be no older than three months at the time of submission with the relevant application.
- f) If the medical assessment is not completed by the applicants own GP, and the Council is not satisfied with the medical assessment provided (i.e. the applicants medical records have not been accessed) a second medical opinion will be required, to be obtained at the applicants cost but with a registered medical practitioner nominated by the Council.
- g) The Council can require an interim medical report from the Councils nominated RMP at any time, at the Councils expense.
- h) A group 2 medical report must be submitted with all new applications and every three years upon renewal. Upon reaching the age of 65 years a medical will be required annually.
- i) Applicants must pay any fees to the registered medical practitioner for completing the medical and report.

- j) The Council can require a second medical opinion, as deemed necessary, to be obtained at the applicants cost but the with Registered medical Practitioner nominated by the Council.
- k) The Council can require an interim medical report from the Councils nominated Registered Medical Practitioner at any time, cost to be borne by the Council.
- l) Licensed drivers must notify the Council and their medical practitioner of any deterioration in their health which may affect their ability to drive or complete their tasks as a licensed driver. The Council expects licensed drivers to be responsible and not continue driving following any deterioration in their health, or any health problems which could endanger the lives of the general public.
- m) If a licensed driver is involved in an accident in which s/he is injured, they must ensure that they are fit prior to returning to hire and reward work; this is for the safety of the driver and the general public. All accidents, however minor, must be reported to us using the accident report form.

2.11 Driving Proficiency and Assessment Test

- a) Additional checks are required to determine the suitability of the applicant. In addition to the DVLA driving test this Licensing Authority determines that an approved Council driving test as outlined in the Hackney Carriage and Private Hire Handbook is successfully completed before the first application, or before any renewal if not already obtained.
- b) Successful applicants will be issued with a certificate which will remain valid for 12 months. This must be presented as part of the Hackney Carriage and/or Private Hire driver application.

2.12 Competency Test

- a) In order to be a licensed driver a new applicant must first complete and pass the Private Hire or Hackney Carriage Competency Test which should have been completed no more than 12 months prior to application.
- b) Existing drivers may be required to undertake the Competency Test as determined by this Local Authority.
- c) Any applicant found to be cheating on the test will be refused to re-take the test within 1 year of that date. This will also influence the outcome of the Licensing Authority decision in determining any future applications, as this

action will go towards a consideration of suitability and their 'fit and proper' status, and any further application is likely to be refused.

- d) See the Hackney Carriage and Private Hire Handbook for further details.

2.13 Safeguarding

- a) This Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b) Safety, security and welfare apply to the public, passengers and licensed drivers and proprietors and operators must consider these factors when determining what safeguarding measures should be in place.
- c) All new applicants for Hackney Carriage and Private Hire driver, proprietors of Hackney Carriage and Private Hire vehicle and Operator licences will be required to attend and successfully pass a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate. There is no limit for the number of attempts to complete the test, to be borne at the applicant's own expense, however no licence will be issued until the applicant provides a certificate showing they have passed the safeguarding course.
- d) All existing licensed drivers, proprietors and operators will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.
- e) As part of the Hackney Carriage and Private Hire driver application process all renewal applicants will be required to submit a current safeguarding certificate, no older than 3 months. It is the duty of the applicant to ensure that they have completed the course and passed the test in sufficient time before applying for a renewal licence. There is no limit for the number of attempts to complete the test, to be borne at the applicant's own expense, however no licence will be issued until a certificate is produced.
- f) See the Hackney Carriage and Private Hire Handbook for further details.

2.14 Council Byelaws

- a) In addition to primary legislation, Hackney Carriage drivers are also subject to requirements and restrictions by way of Byelaws which can be found in the Hackney Carriage and Private Hire Handbook.

2.15 Service Expectations

- a) The Council and the travelling public expect licensed drivers to provide good customer service and behave in a civilised and courteous manner. They are expected to be clean and smart in their appearance. The vehicle must also be clean, presentable and roadworthy.
- b) Drivers must be aware of and comply with the legislation, byelaws and conditions applied to their licences by this Council and other appropriate legislation. Drivers who fail to observe these requirements may be subject to prosecution and enforcement action which could lead to suspension or revocation of the licence. Licensed driver conditions are shown in the Hackney Carriage and Private Hire Handbook.
- c) Drivers must not operate any equipment which may distract them whilst driving.
- d) Drivers are reminded that it is illegal to hold a phone or sat nav whilst the vehicle engine is running. Drivers must not cause annoyance to passengers during the journey by playing music without the consent of the passenger/hirer, or constantly talking on a hands-free mobile phone.
- e) Drivers must be aware of their obligations under the Equality Act to provide a service and assistance to passengers with mobility problems, or disabilities and to take assistance dogs, without extra charge.
- f) Drivers without an exemption who refuse or fail to take assistance dogs may be prosecuted by the Council and may also be subject to enforcement action by the Council including suspension or revocation of the licence.
- g) This Council condemns discriminatory behaviour which is harassing, racist, religiously motivated, homophobic, sexist, or in any way offensive to disability or gender. Complaints of this nature are taken particularly seriously. The Council does not have any power over passengers who use licensed vehicles but will give support to the trade where possible. Drivers who experience any of the above behaviour should report it to the police.

- h) Licensed drivers are responsible for their own safety, the safety of their passengers and other road users. They have a duty to take regular rest periods. Licensed drivers must not drive if they are taking medication which impairs their judgement or driving ability.

2.16 Complaints against Drivers

- a) In the interests of public safety, this Authority has a duty to ensure that licensed drivers remain 'fit and proper' as well as 'safe and suitable' and will intervene where appropriate. Complaints made to the Council are investigated, recorded and monitored and enforcement action may be taken as appropriate and necessary.
- b) Similarly, the accumulation of several complaints could highlight that there is cause for concern. Each case will be considered on its individual merits. The licensee may be asked to attend the Council offices to determine an appropriate course of action that reflects South Cambridgeshire District Councils Corporate Enforcement Policy.

2.17 Assistance Dog Exemption Certificate

- a) Drivers may apply for an exemption certificate if, for health reasons, they are unable to take assistance dogs.
- b) Drivers who wish to apply for an exemption certificate must provide written documentation signed by a registered health practitioner giving the reasons why they should be exempted from transporting assistance dogs.
- c) Drivers who have been issued with an exemption certificate must inform proprietors or operators that they have the exemption to avoid any unnecessary distress or delay to passengers.
- d) The certificate must also be on display in the vehicle.

2.18 Environmental impacts - Idling Offence

- a) Drivers are reminded that it is an offence to leave a vehicle engine running whilst stationary unless waiting in traffic.
- b) Rule 123 of the Highway Code states: "You must not leave a vehicle's engine running unnecessarily while that vehicle is stationary on a public road." Doing this may incur fixed penalty fine under the Road Traffic (Vehicle Emissions) Regulations 2002.

2.19 Monitoring of Licensed Drivers – Penalty Points Enforcement System

- a) This Local Authority has in place a Penalty Point Enforcement System that assesses the severity of a complaint, the accumulation of complaints, and the timeframes in which they are received. This does not mean that sanctions or enforcement action will automatically be applied. Each incident, complaint, breach or infringement against a driver will be considered on the individual circumstances of each case and as an accumulation.
- b) When making enforcement decisions, Authorised Officers take the Penalty Point Enforcement System into account. Any departure from this must be fully considered, exceptional, capable of justification and must be endorsed by a duly authorised Head of Service under the Council's constitution and scheme of delegation or other officer as is consistent with the Council Constitution before the decision is implemented.

2.20 Driver Application Procedures

- a) An application for a Hackney Carriage and/or Private Hire licence must be made on the specified application form, be accompanied by the appropriate fee and the required original documentation and in accordance with the full procedure as set out in the Hackney Carriage and Private Hire Handbook.

2.21 Fees and Charges

- a) The licence fees applied by this Local Authority are set on a cost recovery basis. They are regularly reviewed, and any increase or reduction will be published and consulted upon as required by the legislation.

2.22 Conditions

- a) 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 Private Hire Drivers.
- b) This Licensing Authority has the power to attach conditions to Driver, Vehicle and Operator licences as deemed suitable by an officer of The Council or Licensing Committee which is determined on an individual basis.
- c) The standard conditions are as set out in the Hackney Carriage and Private Hire handbook. Any requirements of legislation that affects the operations being carried out under the terms of a licence shall be regarded as if they are conditions of that licence.

2.23 Surrender of Hackney Carriage and Private Hire Driver licence

- a) This Local Authority will not accept a surrender of a Hackney Carriage or Private Hire Driver licence. The licence remains current, even if the driver returns his or her badge and paper licence to this authority, the licence still remains in force.
- b) There is no right of appeal against any decision not to accept the surrender of a driver's licence, and the only challenge to this would be to be judicial review.
- c) An inability to surrender a driver's licence will not impact upon the honest driver. There is no continuing liability.

2.24 Renewal of Hackney Carriage and Private Hire Driver Licence

- a) If the licence renewal is not applied for before expiry of the existing licence, a new application is required.
- b) If the application is submitted before expiry of the licence, the existing licence expires and cannot be used until the renewal is determined. The applicant will not be permitted to drive until a new licence is issued.

2.25 Code of Conduct

- a) 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 may result in enforcement action.
- b) Please see Appendix A for the code of conduct.

3 Hackney Carriage and Private Hire Vehicles

3.2 General

- a) The main difference between Hackney Carriage and Private Hire vehicles is that a Hackney Carriage can be hailed in a public street or hired from a taxi rank.
- b) Private Hire vehicles must be pre-booked in advance through a licensed Private Hire Operator; they cannot stand or ply for hire.
- c) Should a Private Hire licensed driver accept a fare which has not been pre-booked through an Operator they are committing an offence, will be subject to relevant enforcement action by this Licensing Authority, and the Council within whose district the offence was committed (if different).
- d) Anyone being conveyed in a Private Hire vehicle which has not been pre-booked may not be covered by the driver's insurance.
- e) Once a vehicle is licensed as either a Private Hire vehicle or a Hackney Carriage vehicle it always remains a licensed vehicle until that licence is suspended, revoked or expires. This means that these vehicles may not be driven by anyone other than a South Cambridgeshire District Council Private Hire or Hackney Carriage Driver even when the vehicle is considered 'off duty'. Any insurance policy which provides insurance for a licensed vehicle may become void if the vehicle is driven by an unlicensed driver.
- f) This Licensing Authority will not grant a Hackney Carriage or Private Hire Vehicle Licence for any vehicle that is already licensed by another authority.
- g) Vehicles which accommodate more than 8 passengers cannot be licensed as a Hackney Carriage or Private Hire vehicle.
- h) Local Licensing Authorities have a wide range of discretion over the types of vehicle they licence as Hackney Carriage and Private Hire vehicles.
- i) A vehicle will only be licensed as a Private Hire vehicle if it is not of an appearance or design that resembles a hackney carriage licenced by this Council and is therefore considered likely to lead the public to think it is a South Cambridgeshire District Council licensed Hackney Carriage vehicle.
- j) This Licensing Authority has set conditions applicable to the vehicle requirements, internal and external specifications, of the vehicles it will

license. These can be found in the Hackney Carriage and Private Hire Handbook.

- k) There is a separate set of conditions applicable for Limousine and speciality vehicles, licensed as private hire vehicles, which can be found in the Hackney Carriage and Private Hire Handbook.
- l) This Licensing Authority has set these conditions as the minimum standards to ensure that the public travel in safe, comfortable and roadworthy vehicles. All vehicles must also conform to the type approval and construction and use regulations.
- m) Whilst each application will be determined on its own merits, it is unlikely that the Licensing Authority would license a vehicle which did not meet the licensing standards and specifications. Where an application is refused, a right of appeal exists. This is to the Magistrates Court if the application was for a private hire proprietors' licence, and to the Crown Court if the application was for a hackney carriage proprietors' licence.

3.3 Non-driver Proprietors

- a) Vehicle proprietors (both Hackney Carriage and Private Hire) must ensure that the vehicle is maintained to an acceptable standard at all times and
- b) Vehicle proprietors (both Hackney Carriage and Private Hire) must ensure that the vehicle is not used for illegal or illicit purposes.
- c) As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.
- d) All new applicants for proprietors of Hackney Carriage and Private Hire vehicles will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate. There is no limit for the number of attempts to complete the test, to be borne at the applicant's own expense, however no licence will be issued until a certificate is produced.
- e) All existing licensed vehicle proprietors will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is earlier. Failure to do so may result in suspension of the vehicle licence until successful completion of the test.

- f) A basic DBS certificate is a mandatory requirement as part of the application for a non-driver proprietor vehicle licence and is an important element used by this Authority to ascertain whether the person is 'fit and proper' to hold a licence. This certificate for all new and renewal applications must be dated within 1 month.
- g) The DBS check will last for 1 year.
- h) South Cambridgeshire District Council licence holders must notify the Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding.

3.4 Limitation of Vehicle Numbers

- a) The legal provision on quantity restrictions for Hackney Carriages is set out in the Transport Act 1985, Section 16. Any limit imposed needs to comply with Part 12 of the Equality Act 2010 and any associated regulations in respect of the proportion of the taxi fleet accessible to disabled persons.
- b) South Cambridgeshire District Council has not set a limit for the number of Hackney Carriage vehicles it will licence. There is no provision for the Council to limit the number of Private Hire vehicles it licenses.

3.5 Appearance

- a) Vehicles must be safe, comfortable, the passenger compartments must be clean and dry including upholstery, without rips or tears or sharp protrusions. Proprietors, drivers and operators must ensure that the vehicles they utilise meet the expectations of this Council and the travelling public.
- b) The exterior of the vehicle must be reasonably clean to ensure that passengers can board and alight the vehicle without getting dirty. Drivers are also reminded to ensure that the licence plate, registration plate and all other identifying features remain clean and visible.
- c) Any vehicle which has suffered damage that materially affects the safety, performance, appearance, or the comfort of the passenger must not be used for hire and reward purposes, until the vehicle has been suitably repaired.

3.6 Smoking

- a) All licensed vehicles must comply with the requirements of the Health Act 2006 and display 'No Smoking' signs. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time. For the avoidance of doubt, the Council also forbids the smoking of electronic cigarettes and vaping, whether by the driver or passengers.

3.7 External Signage and Livery

- a) This Licensing Authority must ensure that the travelling public are aware of the type of vehicle they are using. Some members of the public do not distinguish between Hackney Carriage and Private Hire vehicles and do not realise that Private Hire vehicles are not available for immediate hire and must not be hailed in the street.
- b) It is essential that the public are able to easily identify between a Hackney Carriage and a Private Hire vehicle and the identification features are as follows:

3.6.1 Hackney Carriage Vehicles

- a) Any new vehicle licensed by the Council as a Hackney Carriage can only be white in colour. All existing Hackney Carriage vehicles must be compliant by 31st March 2021.
- b) All Hackney Carriage vehicles must display the South Cambridgeshire District Council white identification plate on the rear of the vehicle.
- c) The licence plate must be securely fixed to the bracket which should be bolted or screwed to the outside rear of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised Council officer or police officer. Magnetic fittings are not allowed.
- d) Hackney Carriage vehicles must affix permanently on the front and rear external passenger and driver doors in a prominent location, South Cambridgeshire District Council issued door signage. See Hackney Carriage and Private Hire Handbook for details.
- e) The vehicle must be fitted with a roof sign not exceeding 500mm in length and 120mm in height and bearing the word "TAXI" in black lettering illuminated in

yellow and no other lettering to the front. The word "TAXI" and the wording "SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL" in black lettering, illuminated in red or yellow and no other lettering to the rear. Any exceptions to the above must be presented to this Licensing Department for approval before purchase of a vehicle.

- f) Any alternative signage must not be displayed except with the written authority of the Licensing Officer.
- g) A vehicle remains a Hackney Carriage vehicle until the licence is suspended, revoked or expires and it is the responsibility of the driver and/or proprietor to ensure door signage and licence plate is in place at all times and in all part of England and Wales. Failure to do so will result in enforcement action being taken.

3.6.2 Private Hire Vehicles

- a) All licensed Private Hire Vehicles must display permanently the yellow Council issued licence plate on the rear of the vehicle, except where a plate exemption certificate has been issued.
- b) The licence plate must be securely fixed to the bracket which should be bolted or screwed to the outside rear of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised Council officer or police officer: magnetic fittings are not allowed.
- c) The vehicle must display permanently on the driver and front passenger door in a prominent position the name and telephone number of the Operator fulfilling the booking, except where a plate exemption certificate has been issued. Please see the Hackney Carriage and Private Hire Handbook for specified signage format.
- d) Private Hire vehicles must affix on the rear external passenger doors in a prominent location, Council issued door signage, except where a plate exemption certificate has been issued.
- e) Private Hire vehicles are not be permitted to display roof mounted signs or any signage that include the words "taxi" or "cab" or "for hire".

- f) All expired Vehicle licence plates must be returned to the Licensing Authority.
- g) Any alternative signage must not be displayed except with the written authority of the Licensing Officer.
- h) A vehicle remains a Private Hire vehicle until the licence is suspended, revoked or expires and it is the responsibility of the driver and/or proprietor to ensure door signage and licence plate is in place at all times and in all parts of England and Wales. Failure to do so will result in enforcement action being taken.
- i) Private Hire vehicles must not stop or wait on ranks for any reason. If a private hire driver accepts a fare which has not been pre-booked through a licensed operator, they are committing an offence and enforcement action will be taken.

3.8 Age of Vehicle

- a) As an incentive for the uptake of zero and ultra-low emission vehicles and to recognise the South Cambridgeshire District Council's recognition of the global climate and health emergency action plan to deliver a zero-carbon future for South Cambridgeshire, it is required that:-
- b) A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.
- c) A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 9 years old.
- d) To incentivise investment in ULEV and Zero Emission Vehicles, this rule will be extended as follows
- e) A vehicle licence will not be renewed for an Ultra-low emissions vehicle unless the vehicle is less than 12 years old.
- f) A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old.

3.9 Insurance

- a) It is the responsibility of proprietors, operators and drivers to ensure that they are properly insured at all times. Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that

company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid criminal offence.

- b) Applications for a new or renewal of a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver hackney carriage or private hire reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is maintained at all times. It is considered best practice for proprietors and or drivers to keep copies of expired insurance policies for a reasonable period of time in case of any retrospective claims i.e. 3 months minimum. An original insurance certificate must be provided with an application, or if an electronic version, it must be supplied by the insurance company to taxis@scams.gov.uk
- c) It is the responsibility of the driver to inform and supply this Licensing Authority with proof of valid insurance for each operator that they work for.

3.10 Safety Equipment

- a) All licensed vehicles must have a suitable first aid kit containing appropriate first aid dressings and appliances. This equipment must be in date and carried in such a position in the vehicle as to be readily available and visible for immediate use in an emergency. This item must be clearly marked with the licence plate number.
- b) All vehicles must have an efficient fire extinguisher which shall be carried in such a position as to be readily available for use. Please see the Hackney Carriage and Private Hire handbook for further specification.
- c) All vehicles must have a warning triangle carried in the vehicle to ensure the safety of the driver and passengers in the event of an accident, and drivers must understand the guidelines for the use of such devices and use the warning triangle in those circumstances.

3.11 CCTV

- a) The key objects 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.

- b) The installation of CCTV in licensed vehicles can be both a deterrent to would-be troublemakers and a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents. If fitted correctly, it can assist the police and insurance companies with their investigations and must be recording at all times when working as a licensed vehicle.
- c) All Hackney Carriage and Private Hire vehicles must be fitted with an approved CCTV system no later than 30th November 2020.
- d) If fitted correctly, it can assist the police and insurance companies with their investigations and must be recording at all times when working as a licensed vehicle.
- e) Drivers, proprietors and operators must notify the Council prior to installation. They must be registered with the ICO (Information Commissioners Office) if required and comply with all aspects of data protection and CCTV codes of practice, including clear signage that the vehicle uses CCTV. Further information can be found on the following link <https://ico.org.uk/>.
- f) CCTV must be professionally installed to ensure no interference with other equipment, in such a manner that it does not increase the risk of injury or discomfort to the driver and passengers, or affect any other safety system or in any way breach the motor vehicle construction and use regulations. It must be regularly checked and maintained, be clearly visible and the vehicle must display the required signage.
- g) 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.
- h) Audio recording
 - i) CCTV systems must not normally be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances.
 - ii) Audio recording must be active in any of the following circumstances:
 - iii) An unaccompanied child (i.e. under 18) or vulnerable adult is being carried in the vehicle

- iv) Where the driver and/ or the passenger are involved in a dispute or the driver or the passenger feels threatened by the behaviour of a passenger.
 - v) Activation of audio recording must be triggered by the driver and/or the passenger by pressing a switch / panic button.
 - vi) Audio recording will continue until such time as the switch/panic button is pressed again.
 - vii) This switch/panic button will activate/deactivate audio recording independent of the driver's/ passenger's audio activation switch/ panic button.
 - viii) Once activated (by either passenger or driver), the audio recording must continue for an uninterrupted period until it is deactivated.
 - ix) There must be an indicator located within the vehicle that is clearly visible to the passenger and clearly shows that audio recording is taking place.
 - x) At the end of journey when the passenger leaves the vehicle, audio must be deactivated before another passenger enters the vehicle.
- i) Image security
 - i) Images captured must remain secure at all times. The captured images must be protected using approved encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner's Office (ICO) that the encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent.
 - ii) System protection access codes for "data controllers" will also be required to ensure permanent security.
 - j) Retention of CCTV images
 - i) The CCTV equipment selected for installation will only have the capability of retaining images within its own hard drive
 - ii) Images must not be downloaded onto any kind of portable media device (eg CDs or memory sticks) for any purpose other than retention of data in the event of investigations.

- iii) CCTV equipment selected for installation will include an automatic overwriting function, so that images are only retained within the installed system storage device for a period of 28 days from the date of capture.
- k) Use of information recorded using CCTV
- i) The data controller (being the Council) is responsible for complying with all relevant data protection legislation. The data controller is legally responsible for the use of all images including breaches of legislation.
- ii) Data will only ever be downloaded on occasions: -
- where a crime report has been made involving the specific vehicle and the Police have formally requested that data
 - when a substantive complaint has been made to the licensing authority regarding a specific vehicle / driver and that complaint is evidenced in writing (and cannot be resolved in any other way)
 - where a Data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.
- l) Requests for data
- i) Requests may be made by the police or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or exceptionally other appropriate bodies, to the “data controller” to view captured images. The data controller is responsible for responding to these requests. Police or other law enforcement agencies should produce a standard template request form, setting out the reasons why the disclosure is required. Alternatively, a signed statement may be accepted. A fee may be made for any information provided.
- ii) All requests will only be accepted in writing and specify the reasons why disclosure is required. Please see the handbook for details.
- iii) Under the Data Protection Act, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a ‘subject access request’. Such requests must only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm

they are in fact the person in the recording). A fee may be made for any information provided.

- m) Further guidance on CCTV can be found in the Hackney Carriage and Private Hire Handbook.

3.12 Dashcams

- a) Use of dashcams is not permitted in licensed vehicles due to:
- no provision of an audio switch/ panic button
 - insufficient data retention
 - the device is portable and therefore easily stolen
 - the data is not encrypted and therefore accessible to anyone
- b) If a vehicle is found to be using dashcams, enforcement action will be taken.

3.13 Vehicle Testing

- a) The vehicle must have an MOT certificate and a Certificate of Compliance that is no older than 1 month at the date of application for both new and renewal.
- b) The Certificate of Compliance will be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.
- c) Failure to produce the certificate will result in enforcement action which may include suspending of the licence.
- d) The Hackney Carriage and Private Hire 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.
- e) Full details on the Certificate of Compliance process can be found in the Hackney Carriage and Private Hire Handbook.

3.14 Vehicle Inspections

- a) Licensed vehicles must at all times, be kept in a safe, tidy and clean condition.
- b) Compliance with the vehicle specifications and conditions of licence are essential and will be enforced by periodic and/or random vehicle inspections by authorised officers of the Licensing Authority.

3.15 Accidents

- a) Proprietors and drivers of licensed vehicles are required to inform this Authority as soon as possible and in any event 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. Failure to report an accident may result in suspension or revocation of both vehicle and driver licences.
- b) The driver involved in the accident must provide details to this Licensing Department of how, where and when the accident occurred. The damage to the vehicle may be required to be assessed by an officer, the vehicle and/or evidence of the damage and/or repair work must be presented to this Licensing Department on request. If it is felt necessary, a vehicle suspension notice will be issued.
- c) Drivers, proprietors and operators are advised that the Council may be contacted by insurance companies to verify an accident damage report and details provided.
- d) Full details on the accident reporting process can be found within the Hackney Carriage and Private Hire Handbook.

3.16 Taximeters

- a) All Hackney Carriages licensed by this authority are required to have a working taximeter fitted in the vehicle; some Private Hire vehicles are also fitted with a taximeter. Where a taximeter is fitted, it must be calendar controlled, must not be set at a higher fare than the current maximum fare as agreed by the Council. The taximeter must be sealed by an authorised person.
- b) Where a journey starts and finishes within the South Cambridgeshire district, if a vehicle is fitted with a taximeter, it must be used when conveying passengers.

- c) The fare demanded cannot be more than that shown on the taximeter. If a fare has been quoted and agreed and is less than the fare shown on the taximeter, the quoted lesser fare must be charged.

3.17 Accessibility

- a) The aim of the Council is to provide an accessible public transport system where people with disabilities have the same opportunities to travel as other members of society. The Council expects that proprietors, drivers and operators give full consideration to ensure they provide a service to all members of society without discrimination. The Council will keep a register of all wheelchair accessible vehicles (WAV).
- b) The Council is committed to social inclusion and ensuring a wide variety of opportunity is available to all residents to enjoy a high quality of life. It is recognised that making door to door journeys easily and on-demand is crucial to social inclusion for all members of society.
- c) All Hackney Carriage vehicles must be WAV's to ensure that disabled people are able to hire the vehicle on the spot with the minimum delay or inconvenience.
- d) New vehicles will need to comply with this immediately, and for those vehicles currently licensed as a Hackney Carriage they will have to comply by 31st March 2021. Failure to do so will result in the vehicle licence being revoked, or not renewed.
- e) The Equality Act 2010 places certain duties on licensed drivers to provide assistance to people in wheelchairs and to carry them safely. There are similar requirements on drivers in relation to the treatment of passengers with an assistance dog. Neither drivers nor operators of licensed vehicles can make any extra charge or refuse to carry such passengers. It is a criminal offence to breach any of these requirements.
- f) 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 or physical grounds. Even if a medical ground or other physical condition exists, a driver has no defence against the offence of failing to provide assistance to people in wheelchairs contrary to s165 Equality Act, if he has not been issued an exemption certificate.

- g) The Council encourages all Private Hire operators to include WAV's amongst their fleet and to ensure that no additional costs are levied by them or their drivers, for conveying disabled passengers or assistance dogs.
- h) Private Hire vehicles fitted with a tail lift for wheelchairs must provide a valid Lifting Operations Lifting Equipment Regulations (LOLER) certificate of compliance to prove that the tail lift has been tested and checked to the required standards. It must be retested every six months as per Health and Safety Executive (HSE) requirements.
- i) When a vehicle has been modified post manufacture to provide access or special facilities for disabled passengers, the vehicle must meet the relevant standards as defined in the Hackney Carriage and Private Hire Handbook. Prior to the first licensing of the vehicle, the proprietor and/or driver must produce certification that the vehicle meets the required standards.
- j) It is important that vehicle drivers, proprietors and operators ensure that licensed drivers carry all passengers in safety and comfort, and that they do not allow wheelchair passengers to travel sideways in their wheelchair. Therefore drivers must be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers. It is the driver's responsibility to ensure that they understand fully how to use the equipment and then do so.
- k) 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).

3.18 Exemptions

- a) The DfT issue guidance regarding the types of activities that may require licensing. In general, the following are not currently considered to require licensing.
 - Child minder vehicles
 - Care transport workers
 - Volunteers
 - Ambulances
 - Courtesy Cars

- Funeral Vehicles - There is no requirement for a vehicle to be licensed as a private hire vehicle if it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a funeral director for the purpose of funerals.
 - Wedding Vehicles - There is no requirement for a vehicle to be licensed as a Private Hire Vehicle while it is being used in connection with a wedding.
- b) Should DfT guidance change, this authority will reserve the right to amend the information and guidance within the policy

3.19 Speciality Vehicles and Limousines

- a) Limousine and speciality vehicles are generally used for special occasions such as anniversaries, stag and hen parties, prom nights, etc. and may be specialist, or stretched vehicles.
- b) Limousine and speciality vehicles used for the purpose of hire and reward are required to be licensed as Private Hire vehicles, with a seating capacity for 8 passengers or less, and all bookings must be made via a licensed operator.
- c) These are specialist types of vehicles with their own set of conditions in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these specialist conditions, then these specialist conditions shall prevail. The conditions can be found in the Hackney Carriage and Private Hire Handbook.
- d) The Council strongly recommends that anyone wishing to purchase and license a speciality vehicle or limousine, contacts the licensing team prior to purchase, to ensure that the vehicle will meet the conditions applied. Each application will be determined on its own merits.
- e) Proprietors of prestige type vehicles licensed as Private Hire vehicles or Private Hire vehicles used in special circumstances may seek the permission of the Council to waive the conditions of their licence relating to the display of licence plates and door signage.

3.20 Private Hire Vehicle Notice of Exemption

- a) The Council recognises that there is a specialist market for the use of unmarked hire and reward vehicles.
- b) The type of work which would be considered for the grant of an exemption could be termed 'executive style'. Such work includes but is not limited to: –
- c) contracts with senior personnel of large companies to carry managing directors or their clients
- d) contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business;
- e) the carriage of the bride and/or groom to a wedding (but not guests)
- f) Such customers will expect these vehicles to be prestige high specification vehicles and will also expect the driver to be smartly dressed either as a chauffeur or in a business suit with collared shirt and tie.
- g) The ability to exempt a vehicle from displaying the licence plate only applies to Private Hire vehicles, it does not extend to Hackney Carriages which must display their plates at all times.
- h) Prestige high specification Private Hire vehicles which carry out contract work such as executive bookings etc. may apply for an exemption licence, which exempts that vehicle from the requirement to display the standard licence plate and door signage.
- i) The driver must carry his Private Hire Driver badge with him so that it is immediately available upon request.
- j) The vehicle will be issued with a licence plate, which must be kept within the vehicle at all times.
- k) A certificate of exemption and internal vehicle notice will also be issued by this Authority and must displayed in a prominent place, visible to all passengers.
- l) It is expected that vehicles which have been issued with an exemption certificate will solely undertake executive chauffeur work.
- m) Exempted vehicles found to be carrying out standard private hire work will be subject to enforcement action and the exemption certificate may be revoked.

- n) Exempted vehicles must not display any advertisements, signage, logos, or insignias advertising the operating company inside or outside the vehicle.
- o) Operators and proprietors who wish to apply for an exemption certificate must complete the application form, pay the required fee and provide sufficient supporting documentation to establish that the vehicle will be solely used for executive bookings.
- p) There are extra conditions applicable to exempted vehicles, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these extra conditions, then these extra conditions shall prevail. The extra conditions can be found in the Hackney Carriage and Private Hire Handbook.
- q) If an exemption certificate has been issued but the vehicle will no longer be utilised solely for executive type bookings, the exemption plate and certificate must be surrendered and returned to the Council. If the vehicle is still licensed, it must then display the plate and door stickers as required by the conditions for private hire vehicles. There will be a fee for the replacement plate and door stickers.
- r) The types of work that will not be considered for the grant of an exemption include but is not limited to: -
- Council 'school contract' work;
 - Journeys to airports, seaports or railway stations, unless part of a journey covered by an exemption
 - Theatre journeys or sporting events unless stipulated on the exemption
 - 'Hen' and 'Stag' nights.
- s) Each application for exempt status will be considered on its own merits and there is no right of appeal against a decision by the Local Authority to refuse to grant under s75(3) Local Government (Miscellaneous provisions Act) and the only direct means of challenge would be judicial review. Full details of the process for obtaining an Exemption can be found in the Hackney Carriage and Private Hire Handbook.

3.21 Required Information for Passengers

- a) Members of the public who have cause for concern, or who wish to complain about a journey in a licensed vehicle, will need some information about the driver or vehicle they used in order to progress their complaint or report their concern.
- b) Exempt vehicles do not display a licence plate and therefore members of the public may have no information about the driver or operator prior to getting into a licensed vehicle. If they have a problematic journey, they may ask the driver for information.
- c) Whilst licensed drivers are required to wear their licence badge, which contains their information, a passenger may feel it too confrontational to request to see the driver's badge, especially if they have had a difficult journey.
- d) In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, the Council has determined that certain information must be displayed inside all licensed vehicles, in the form of a Council issued Internal Vehicle Notice. Please see Hackney Carriage and Private Hire Handbook for further information.
- e) Licensed drivers who work for more than one operator must have an internal vehicle notice for each operator that they work for.

3.22 Advertising

- a) The Council will not permit any advertising which it considers inappropriate, therefore all advertising, (except for the operator name and telephone number), on or in vehicles must be approved prior to being placed on or in the vehicle.

3.23 Contract Vehicles

- a) The Road Safety Act 2006 requires vehicles used for a contract with an organisation 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.

- b) All vehicles with less than 8 passenger seats that carry passengers for hire and reward must be licensed by the Local Authority. 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.
- c) 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.
- d) All ambulances registered with the British Ambulance Association will be exempt from private hire licensing.
- e) 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.
- f) 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.
- g) 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.
- h) 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.
- i) 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.

3.24 Hackney Carriage Stands (Known as Taxi Ranks)

- a) A Hackney Carriage stand is a location reserved exclusively for Hackney Carriages to wait a hiring. A Hackney Carriage can lawfully be hired from any point on the street when it is either stationary (standing) or cruising in response to a hailing (plying).

- b) Details of Taxi Ranks in South Cambridgeshire can be found in the Hackney Carriage and Private Hire Handbook.

3.25 Vehicle Application Procedures

- a) The application procedures for a Hackney Carriage or Private Hire vehicle licence must 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.
- b) The Licensing Authority will 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 this Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.
- c) 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.

3.26 Grant of Vehicle Licences

- a) The maximum period for which a vehicle licence will be granted is 1 year. This Licensing Authority may exercise discretion and issue a licence of a shorter duration if it considers this to be reasonable given the individual circumstance.
- b) This Licensing Authority will only accept complete applications including all the necessary information and documentation.
- c) If a renewal application has not been received at the end of the vehicle's licensed period, the vehicle cannot be used for hire and reward purposes.
- d) Any vehicle which has not renewed within the expiry of the licence, will be classed as unlicensed, and will be required to apply as a new vehicle and meet the required age and specification criteria for a new vehicle.
- e) It is the responsibility of the vehicle owner to ensure that renewal applications, paperwork and mechanical tests are carried out in a timely manner to avoid the vehicle becoming unlicensed.

3.27 Transfer of Ownership of the Vehicle

- a) It is possible to transfer a South Cambridgeshire District Council vehicle licence to another driver/proprietor. The required notice must be given, providing full details of the new owner of the vehicle within 14 days. An application form is provided for this purpose, please see the Hackney Carriage and Private Hire Handbook for details.
- b) Compliance with all requirements of the vehicle licence remain the responsibility of the current licence holder and any requirement for enforcement action will be taken against him/her until the new licence has been issued in the new proprietor's name. It is therefore advisable to action this as soon as possible. Failure to do so with 14 days is a criminal offence.
- c) A driver/proprietor who fails to give such notice, without reasonable excuse will be subject to enforcement action. There is an administration charge for this process to cover the cost of issuing an amended licence. Where the vehicle is changed, this will be treated as a new application.
- d) See the Hackney Carriage and Private Hire Handbook for the application process.

3.28 Environmental Considerations

- a) In March 2017 there were 290,900 licensed Hackney Carriage and Private Hire vehicles in England and Wales and 23,353 in Scotland.
- b) While this is a relatively small proportion of the 31.3 million licenced cars in Great Britain at the end of 2017, Hackney Carriage and Private Hire vehicles have a disproportionate impact on air quality impacting human health. This is due to the relatively high mileage they cover. Emissions produced by these vehicles not only have an impact on the health of the local population (almost all Hackney Carriage and Private Hire vehicles are fuelled by diesel) but also on Hackney Carriage and Private Hire drivers who may be exposed to poor air quality for 8-12 hours a day.
- c) The Government aspirations are that by 2040 every new car in the UK will be an Ultra Low Emission Vehicle (ULEV) and is facilitating this through a range of measures including financial support to help consumers meet the upfront purchase costs of ULEVs, through the Plug-in Car Grant, and investment in the creation of a national charge point network.

- d) South Cambridgeshire District Council has committed to reduce the environmental impacts of vehicles licensed to operate in the district by reducing the emissions of pollutants such as Nitrous Oxides (NOx), Particulate Matter (PM) and Carbon Dioxide (CO2).
- e) This Local Authority is developing an action plan to deliver a zero-carbon future for South Cambridgeshire by assessing the current levels of carbon and committing to an action plan to meet our 2050 zero-carbon pledge.
- f) This plan includes installing electric vehicle charging points across the district and incentives for taxi operators and drivers to make the move to electric vehicles.
- g) AQMAs are areas where levels of air pollution are higher than they should be (as defined by central government). Cambridge City was declared an Air Quality Management Area (AQMA) due to its predicted levels of nitrogen dioxide breaching the statutory UK air quality objectives. These levels of nitrogen dioxide remain above the National Objectives and the City Council's low emission strategy for Buses and Taxis within Cambridge over a period of 10 years aims to address this.
- h) It is the intention of the South Cambridgeshire District Council policy to align with Cambridge City Council in respect to environmental considerations.
- i) See below for the rationale and implementation dates for new and renewal Hackney Carriage and Private Hire vehicle licence applications.

Policy	Rationale	Implementation
A set date for all Hackney Carriage and Private Hire vehicles licensed for the first time by the Council 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 st December 2021
A set date for all Hackney Carriage and Private Hire vehicles licensed by the Council 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 and allows adequate business planning.	With effect from December 2028

- j) Maintaining the vehicle to a good standard may reduce emissions. This will be enforced through twice yearly vehicle testing as part of the Certificate of Compliance and this Local Authority will perform test emissions as part of its enforcement activities.
- k) The Authority recognises 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.
- l) Vehicle purchase subsidies are available for electric vehicles, dependent on the emissions. OLEV have different levels of Plug In Car Grant for different vehicles.
- m) For further details of grants and incentives available see the Hackney Carriage and Private Hire Handbook.

4 Operators

4.2 General

- a) The legislation requires that any person, who in the course of business makes provision for the invitation or acceptance of bookings for a Private Hire vehicle, must be licensed as a Private Hire operator.
- b) Any individual, partnership, company or other body that advertises the services of a private hire vehicle, provided with a driver, for hire and reward, is required to be licensed as an operator.
- c) The acceptance of bookings may be provided for by a variety of methods, such as, in person, by telephone, text, email, internet, smart phone app, in writing, or by any other communication means.
- d) The legislation requires the authority to only license operators who are considered to be 'fit and proper' to hold an operator's licence and who are not disqualified by reason of their immigration status.
- e) All work undertaken by Private Hire vehicles and drivers, must be pre-booked via a licensed operator. All three licences (Private Hire vehicle, Private Hire driver and operator) must be issued by the same local authority.
- f) Operators can only utilise drivers and vehicles that are correctly licensed by the same authority that issued the operators' licence. Operators, who fail to ensure that the drivers and vehicles they utilise have valid licences may be subject to enforcement action as deemed appropriate by this Authority.
- g) New operators licences will be issued for one year with a renewal application for up to a further five years subject to checks. See Hackney Carriage and Private Hire Handbook for further details.
- h) There is no provision within the legislation to transfer an operator's licence. If an existing operator sells or otherwise transfers their business (whether or not including any assets) to another person, partnership or limited company, the new person must make a new application for a private hire operators licence. They will be subject to the 'fit and proper' test and be assessed by this Authority for suitability, have to demonstrate their right to remain and work in the UK and any new premises must be within this district.

- i) Licensed operators may accept bookings and may subcontract these bookings, but only to another licensed operator. However, the operator who accepted the initial booking remains responsible for that booking.
- j) Operators are required by law to keep a record of bookings and records relating to each and every vehicle operated by the operator, the contents of recording these records are detailed in the conditions attached to the operators licence. Breach of this condition is a criminal offence which result in prosecution and a criminal conviction, as well as action against the operator's licence. Records of bookings must be made before the commencement of the journey. All such records must be made available to an authorised officer for inspection. Further information can be found in the Hackney Carriage and Private Hire Handbook.
- k) The Licensing Authority has power to impose such conditions on an operator's licence, as it considers reasonably necessary.
- l) These are set out in the Hackney Carriage and Private Hire Handbook.

4.3 Fit and Proper

- a) This Local Authority will only license operators that it considers are 'fit and proper' to hold a licence, and that the applicant is not disqualified by reason of their immigration status. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- b) Applicants should be aware that we will not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- c) In any of these circumstances staff members have the right to refuse to process the application.
- d) Any person exhibiting any of the above behaviours will be subject to enforcement and may have the application refused or licence revoked.
- e) The Council will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be, or remain licensed.
- f) Applicants and existing licence holders are required to share information held about them by various bodies e.g. DVLA, police, home office etc.

- g) The Council can request any information it deems may be relevant to determine their fit and proper status. This may include checking an applicant's prior history with this or any other Council, using intelligence from the police or any other regulatory authority as appears relevant.
- h) Consideration of suitability includes character and patterns of behaviour and is not limited to incidents which occur whilst the operator is 'on duty'. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk will also be taken into account when assessing their fit and proper status. Any matters that occur whilst the person is using their licence (driving, operating or in connection with their vehicle) will be considered as aggravating factors, and the fact that they did not occur in this way will not be regarded as mitigating factors.
- i) The onus is on the applicant or licensed operator to satisfy the Council that they are and remain 'fit and proper'.
- j) Applicants will be required to undertake and provide a Basic DBS, together with a statutory declaration listing all criminal convictions and other matters detailed on the application form.
- k) Additional information may be sought as part of the process if considered appropriate in individual circumstances.
- l) Applicants for both new licences and renewals, who fail to report or declare an offence, or other relevant matters, will bring in to question their suitability to hold a licence. This deliberately prevents the authority from taking into account that information in protecting public safety. It also shows a blatant breach of conditions and will go toward consideration of suitability and their fit and proper status.

4.4 Eligibility to Live and Work in the UK

- a) The Licensing Authority has a duty to ensure that it only issues operators' licences to individuals who have a legal entitlement to live and work in the UK.
- b) No licence can be legally issued unless the Licensing Authority receives proof of their right to work in the UK.
- c) Proof of the right to live and work in the UK must be provided by Driver and/or Operator applicants in accordance with the Immigration Act 2016. As part of

the licence application process, individuals will be required to present original documentation for verification and copies will be made and retained on file.

- d) The Home Office has produced a list of documents that applicants can provide, further information can be found in the Handbook. A link to the Home Office guidance can be found here: www.gov.uk/topic/immigration-operational-guidance
- e) Applicants with a restricted right to work in the UK may be issued with a time or hours restricted licence, no licence will be permitted to expire beyond the licence holder's right to work expiry date.
- f) This Authority will work in conjunction with the Home Office or its appointed agents to ensure immigration offences are minimised.
- g) If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the currency of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provisions) Act 1976.

4.5 Safeguarding

- a) This Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b) Safety, security and welfare apply to the public, passengers and licensed drivers. Proprietors and operators must consider these factors when determining what safeguarding measures should be in place.
- c) All new applicants for Private Hire Operator licences will be required attend and successfully pass a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate. There is no limit for the number of attempts to complete the test, to be borne at the applicant's own expense, however no licence will be issued until a certificate is produced.
- d) All existing licensed operators will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.

- e) As part of the Private Hire operator application process all renewal applicants will be required to submit a current safeguarding certificate, no older than 3 months. It is the duty of the applicant to ensure that they have completed the course and passed the test in sufficient time before applying for a renewal licence. There is no limit for the number of attempts to complete the test, to be borne at the applicants own expense, however no licence will be issued until a certificate is produced.
- f) See the Hackney Carriage and Private Hire Handbook for further details.

4.6 Application

- a) An application for a Private Hire Operator's licence must 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 supporting documents must be the originals, not photocopies or photographs. The Licensing Authority will then decide whether the applicant is a 'fit and proper' person to hold an operator's licence.

4.7 Renewal of Operator Licence

- a) If the licence renewal is not applied for before expiry of old one, the existing licence expires and a new application is required.
- b) If the application is submitted before expiry of the licence, the exiting licence expires and cannot be used until the renewal is determined.

4.8 Fees and Charges

- a) The licence fees applied by this Local Authority are set on a cost recovery basis. They are regularly reviewed and any increase or reduction will be published and consulted upon as required by the legislation.

4.9 References

- a) To ensure that those involved in the operation of the business are 'fit and proper' to operate a business, applicants are required to provide two referees,

at least one from a professional person (e.g. accountant, solicitor, magistrate), who has known the applicant for at least three years.

- b) It is the responsibility of the applicant to provide the name and contact information so that this Licensing Department can make contact with the referee.
- c) It is the responsibility of the applicant to pay any costs to the referee (if applicable)
- d) Please see the Hackney Carriage and Private Hire Handbook for further details.

4.10 Disclosure and Barring Service (DBS) Disclosures

- a) A basic DBS certificate is a mandatory requirement as part of the application for an Operator licence and is an important element used by this Authority to ascertain whether or not the person is 'fit and proper' to hold a licence. This certificate for all new and renewal applications must be dated within 1 month.
- b) Although enhanced DBS certificates cannot be demanded by the Council for operator licences, we are happy to accept them, and we are happy to accept DBS update service certificates.
- c) In considering 'fit and proper', the Council will take into consideration any prior convictions and cautions. Therefore, all applicants for new and renewal licences are required to undertake and submit a Basic DBS check. This check will detail all live criminal convictions.
- d) It is the Council's prerogative to require the licensee to obtain an additional Basic DBS check if a new certificate is required at any time.
- e) Although the role of a private hire operator is not covered by the Rehabilitation of Offenders Act 1974, the High Court decision in *Adamson v Waveney BC* make it clear that the Council can take spent convictions into account when considering an application for a private hire operators licence. All convictions must be revealed on the application form and accompany Statutory Declaration and will be taken into consideration in determining the application.
- f) In instances where convictions, cautions, reprimands or warnings appear on a DBS, the cause/motive/mitigating circumstances may not taken into

consideration, however as each application is determined on its own merits, the applicant will be afforded the opportunity to state their case as part of the application.

- g) Further information can be found in the Relevance of Convictions/Cautions in relation to taxi licensing section this policy.
- h) Where there is a public protection risk, the police will pass information under Common Law Police Disclosure (CLPD) to the Licensing Authority to allow action to be taken to protect public safety regardless of whether there has been a conviction.
- i) South Cambridgeshire District Council private hire operators' licence holders must notify the Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding.
- j) If it comes to the attention of the Council that a licensed operator has failed to notify the Council of relevant matters which occur during or after the licence has been issued, enforcement action will be taken.

4.11 Overseas Criminal Record Check

- a) Applicants who have resided outside of the UK since the age of 18 years of age or for the last five continuous years will be required to submit an overseas record check which has been authenticated by each embassy of the country of residence.
- b) This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission.
- c) Further information can be found in the Hackney Carriage and Private Hire Handbook.

4.12 Suitability of Premises

- a) When considering an application for a new operator's licence, consideration will be given to the location, the vicinity, facilities, and parking arrangements.
- b) Applicants should ensure that they obtain any necessary planning consents relating to the use of the premises in connection with the operation of the business. Where planning permission is required, operators must comply with

any condition attached to such permission. Whilst any breach of planning legislation will be enforced by the planning department, it may also be used in consideration of an operator's 'fit and proper' status.

- c) If the property is a Council or Housing Association property or rented privately, any applicants should seek written permission from the landlord to operate a private hire business from the premises.
- d) The Council will not grant a licence to an operator whose premises are located outside South Cambridgeshire. This is to ensure that proper regulation and enforcement measures may be taken by the Council and is in no way intended to be a restraint of trade.

4.13 Operator's Responsibilities and Obligations

- a) Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator. Further information is contained within the Hackney Carriage and Private Hire Handbook.
- b) If an operator subcontracts a booking to another licensed operator, both operators must keep a record of the booking. The operator who accepted the initial booking remains fully responsible for that journey even though it has been subcontracted to another licensed operator. The initial operator must record what checks they made to ensure that the operator they passed the booking onto is correctly licensed.
- c) Regardless of which operator fulfils the booking, the operator can only dispatch a vehicle licensed by the same authority that licenses the operator and driven by a driver also licensed by that same authority.
- d) Operators need to be aware of their obligations when it comes to data protection. Where databases containing personal information, such as records of bookings and CCTV, they are required to be registered with the Information Commissioners Office (ICO). Further information can be found on the following link;

<https://ico.org.uk/for-organisations/register/>

- e) Operators must make customers fully aware of any the fare and any additional charges which may be applied, e.g. for waiting time and for

cleaning a soiled vehicle. These additional charges must be clearly displayed in the operator's office and on their website, if they have one.

- f) Operators are responsible for ensuring that the vehicles utilised are clean, fit for the purpose of the booking and comply with the conditions applied by this Council. It is expected that operators have a planned maintenance programme in place for all vehicles it utilises. The testing requirements applied by this Council are to confirm a level of safety and quality, rather than to highlight what maintenance needs to be carried out.
- g) This Local Authority encourages all Private Hire operators to include wheelchair accessible vehicles amongst their fleet. They must ensure that no additional costs or charges are levied by them or their drivers for conveying disabled passengers or assistance dogs.
- h) Operators and/or proprietors, who provide Wheelchair Accessible Vehicles must ensure that the driver is appropriately trained to load, unload and convey passengers in a safe and secure manner. This training, if not part of the original licensing requirements, must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- i) Operators must ensure that the drivers they utilise are 'fit and proper' to carry out the bookings and are appropriately trained for their role. Operators should be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness. A copy of this policy must be included with all applications.
- j) Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

4.14 Insurance

- a) Operators must ensure they have all the correct insurances in place for the vehicles and drivers they utilise.
- b) Those who provide a waiting area for clients must provide evidence that they have valid public liability insurance.

4.15 Cross Border Hiring

- a) The customer has the choice of which operator they book through. This means that the customer may choose an operator licensed by a neighbouring authority, known as cross border hiring.
- b) The legislation permits cross border hiring for bookings across other authorities and the Council has no jurisdiction over these private hire contracts.

4.16 Sub-Contracting

- a) 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.
- b) 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.
- c) Operators that accept an initial 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.

4.17 Radio Systems

- a) Applicants who intend to operate a radio system will be required to provide proof of their licence from Ofcom as part of the application process.

4.18 Operator's Complaint Policy

- a) Customers have a right to complain if the service provided by the operator fails to meet expectations. It is the responsibility of operators to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention by this Local Authority.
- b) Complainants must be dealt with in a respectful, timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and to maintain a record of complaints received.
- c) A copy of the operator's complaints policy and procedure must be produced as part of all new and renewal applications.

- d) The complaint records must detail specific information, be monitored, and be made available to authorised officers upon request. The specified information to be recorded must include the following information as a minimum:
- The name of the complainant and how they can be contacted
 - The date the complaint was made and the time and date of the journey,
 - If the booking was subcontracted, the details of the licensed operator who fulfilled the booking and any action taken by the subcontractor regarding the complaint or concern
 - The name of the driver and vehicle being reported,
 - The nature of the complaint or concern,
 - The date by which the proprietor will respond to the complaint, which must not exceed 72 hours from time of receipt,
 - The action taken, if any, by the operator to resolve the complaint or concern.
- e) Operators must also inform the complainant that they can further their complaint to this Authority if they remain dissatisfied with the outcome of their complaint.
- f) If an operator is made aware of any information or complaint reflected in the relevant convictions section of this policy, they must notify this Licensing Department immediately and provide details of the actions taken by the operator.
- g) Operators must ensure that persons hiring a vehicle are aware of a complaints policy either by digital notification given before the commencement of the hiring or by way of a notice in the vehicle.

5 Enforcement

5.2 General

- a) As all licence holders are considered to be 'fit and proper', they are expected to fully understand the conditions and requirements placed on them by this Authority and other applicable legislation.
- b) The Council will take comprehensive and appropriate action against licence holders upon receipt of evidence that an offence has been committed. An offence may be, but is not limited to, a breach of the legislation or condition imposed on a licence, byelaw, or this policy.
- c) The Council will undertake overt and covert targeted enforcement operations as well as ad hoc compliance checks on licence holders. These operations and compliance checks may be inside and outside normal office hours and may involve partner agencies.
- d) Some breaches of legislation will be enforced where appropriate, by other partner agencies, e.g. the Police, DVSA, the Home Office etc.
- e) Every enforcement action taken by this Local Authority will be determined on the individual circumstances, will be in accordance with this policy, the Council's Enforcement and Inspection policy and the Regulator's Code 2014.
- f) Where an applicant or licence holder is aggrieved by the Council's decision to refuse an application, revoke or suspend a licence, or impose conditions on a licence, the applicant or licence holder has a right of appeal to the Magistrates Court within 21 days of being given that decision.
- g) This Local Authority will communicate regularly with licensing committees and officers in neighboring Councils to ensure critical information is shared and that there is a consistency and robustness in decision-making.
- h) It is recommended by the LGA that all Councils have a robust system in place for recording complaints in order to monitor a driver and their suitability. This Local Authority has therefore developed a Penalty Points Enforcement System as seen later in this policy.

5.3 Compliance

- a) 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.

5.4 Range of Powers

- a) There are a range of sanctions and actions which may be taken by the Council, e.g. prosecution, suspension, revocation, refusal to renew, formal written warning, caution, verbal warning, advisory letter, note on records and no action. The course of action will depend on the severity of the offence committed, the evidence available and the risk to public safety.
- b) Prosecutions will be taken where it is in the public interest.
- c) The Council will revoke or suspend or refuse to renew a licence where the licence holder has committed offences that could put public safety at risk.
- d) Where an applicant or licence holder is aggrieved by the Council's decision to refuse an application, revoke or suspend a licence, or impose conditions on a licence, the applicant or licence holder has a right of appeal to the Magistrates Court within 21 days of being given that decision.

5.5 Complaints, Compliments and Comments

- a) 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.

5.6 Warnings

- a) 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.

5.7 Suspension or Revocation of a Licence

- a) The Council may suspend, revoke or refuse to renew a Driver's Licence in the following circumstances:
 - i. there has been a conviction/caution for an offence involving dishonesty, indecency or violence or there has been a conviction or caution for an offence under or a failure to comply with the relevant legislation

- ii. that since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty
 - iii. any other reasonable cause
- b) Action against a drivers' licence can be imposed with immediate effect if "the interests of public safety require the suspension or revocation of the licence to have immediate effect". As public safety is the paramount consideration in relation to hackney carriage and private hire licensing, the council will consider immediate action whenever the actions of the driver need to be examined.
- c) The Council may suspend, revoke or refuse to renew an Operator's Licence in the following circumstances:
 - i. there has been an offence under or non-compliance with the Relevant Legislation;
 - ii. any conduct on the part of the Operator which renders him unfit to hold a licence;
 - iii. any material change since the Licence was granted in any of the circumstances of the operator on the basis of which the licence was granted;
 - iv. that the operator has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty
 - v. any other reasonable cause
- d) Generally, a suspension will be imposed because there is a problem which needs to be addressed and overcome. Once that has been achieved, the suspension can be lifted. However, in relation to both drivers and operators licences a suspension can also be imposed as a punishment. In these circumstances it will be for a fixed period.
- e) The Council will also have due regard to:
 - i. s.17 of the Crime and Disorder Act 1998 which states 'without prejudice to any other obligation imposed on it, it shall be the duty

of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.”

- ii. The Department for Transport’s Taxi and Private Hire Vehicles: Best Practice Guidance which recognises the need for criminal record checks as an important safety measure and contemplates that a particularly cautious view will be taken in relation to offences of a violent or sexual nature.

5.8 Refusal to grant a Licence

- a) This Licensing Authority has 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 (unless it is a refusal to grant a hackney carriage proprietors licence where the appeal is directly to the Crown Court).

5.9 Rights of Appeal

- a) Where an applicant is aggrieved by the Licensing Authority’s decision to suspend, refuse to renew, revoke a Licence or by conditions attached to a Licence or to refuse to grant or renew a Licence, the applicant has a right of appeal to the Magistrates' Court, and a further right to appeal to the Crown Court. The specific grounds for appeal are detailed in the Hackney Carriage and Private Hire Handbook.
- b) Any appeal must be lodged at the Magistrates Court within 21 days of the applicant receiving written notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

5.10 Information and Data Sharing

- a) The Council may process the information provided to prevent and detect fraud in any of our systems and may supply information to other departments within this Licensing Authority and externally to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the Governments National Fraud Initiative.
- b) We may share personal data with Local Partner Authorities, Police, Legal, Courts, Internal/External audit, Disclosure and Barring Service, HM Revenue & Customs, Driver & Vehicle Standards Agency, Customs and Border Agency as required.

5.11 Penalty Point Scheme

- a) This Policy will be fully considered by an authorised officer when determining the manner on which any breach of legislation or the requirements of this Policy are dealt with.
- b) The Penalty Points Scheme will operate without prejudice to this Licensing Authority's ability to take other action under appropriate legislation or as provided for by this policy.
- c) The Penalty Points Scheme outlined identifies a number of breaches of conditions, byelaws and/or statutory provisions and indicates the number of points to be invoked should the breach be proven and by whom.
- d) Where it is decided that the use of the Penalty Points Scheme is appropriate, the points will be issued in accordance with the schedule, as detailed in the Hackney Carriage and Private Hire Handbook.
- e) The imposition of penalty points against a driver who is an employee will not necessarily result in the additional imposition of points to his/her employer or operator. However, this Licensing Authority will issue penalty points to drivers, proprietors, driver/proprietors and operators for a single contravention if the circumstances warrant it, i.e. the breach is one against all these licences and it is considered joint responsibility is held.
- f) Points issued to a proprietor, operator or driver will be confirmed in writing if the completion of enquiries into the contravention or upon discovery of breach.
- g) The licence holder may be asked to attend a hearing before the Licensing Sub-Committee if 12 or more penalty points are imposed on an individual licence and are still valid. Appropriate action will be taken in accordance with this policy and may include suspension or revocation of the driver's licence. The licence holder may be permitted to continue working until a decision has been made.
- h) When issued, the penalty points will remain "live" for the period specified in the schedule as detailed in the Hackney Carriage and Private Hire Handbook.
- i) A driver will always have the right to be represented at any meeting, either legally or otherwise, and to state any mitigating circumstances they deem necessary.

- j) Should a driver, operator or proprietor wish to dispute the imposition of points made by an officer, then they have the right to appeal. Appeals will be made to the Licensing Sub-Committee, who may quash or uphold the officer decision as they deem appropriate. A decision notice will be provided following such an appeal hearing, which will provide the reasons for the decision. Appeals must be made in writing within 21 days of the imposition of the penalty points. When considering the appeal, all matters will be considered.

6 Relevance of Convictions / Cautions in Relation to Taxi Licensing

6.2 Introduction

- a) For the purpose of this policy the term conviction is interpreted as including conviction, caution, reprimands, warning or where relevant information is received.
- b) Convictions, cautions, reprimands or warnings do not necessarily mean that an application will be refused, or a licence will be revoked. Also, where an applicant does not have any convictions or cautions, the applicant must still be deemed 'fit and proper' by the Licensing authority. Each case is treated on its own merits.
- c) Drivers have a duty to disclose all convictions or cautions.

6.3 Scope

- a) This policy applies to the grant, revocation, suspension or renewal of Operator's Licences ("Operator's Licences") and Licences to drive hackney carriages and/or private hire vehicles ("Driver's Licences") issued by South Cambridgeshire District Council ("the Council").

6.4 Purpose

- a) The purpose of the relevance of convictions/cautions as outlined in this policy is to facilitate the Council's duties and responsibilities in determining the impact of convictions and cautions on the grant or renewal of Driver's, vehicle proprietors and Operator's Licences in accordance with the legislative considerations set out below.

6.5 Licensing Legislation

- a) The Council licences drivers, vehicles and operators under the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 ("the Relevant Legislation").

6.6 Grant and Renewal of Licences

- a) Sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 prescribe that the Council shall not grant a Driver's or Operator's Licence unless satisfied that the applicant is 'fit and proper' for that purpose.
- b) Whilst the relevant legislation is not specific as to what will constitute a fit and proper person for the purpose of determining whether to issue a Licence, it is commonly accepted that any history of offending will be a relevant

consideration. The overriding aim of the licensing authority is to protect the public.

6.7 Immigration Act 2016

- a) The legislation also adds immigration offences and penalties to the list of grounds on which operator and private hire and hackney carriage driver licences may be suspended or revoked by this authority. Where licences expire, or are revoked or suspended on immigration grounds, the licence must be returned within seven days. Failure to return the licence within seven days is a criminal offence.

6.8 Assessment of Applications

- a) The Council will not prevent a person who have previous criminal convictions and/or cautions making an application for a licence and will consider the application on its own merits subject to the application of this policy. In particular, having a criminal record will not necessarily be a bar from obtaining a Licence. Each case will be decided on its own merits.
- b) The fact that no convictions/cautions are revealed does not mean that applications will automatically be granted. In some cases, the applicant's history may be such that they can never be deemed a 'fit and proper' person to hold a licence with this Authority. This Local Authority retains absolute discretion as to whether or not a Licence will be granted, having regard to the licensing legislation as outlined at section 1.2 above and all information obtained and observations made during the relevant application process.
- c) Careful consideration of the evidence provided will be given if an applicant has on more than one occasion been arrested, charged, but not convicted of a serious offence, which suggests on the balance of probabilities that they could pose a danger to the public. Consideration will be given to refusing the application. In assessing the action to take, the safety of the travelling public must be the paramount concern.
- d) It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material, particularly in giving information required on the application form. Where an applicant has made a false statement, false declaration or omitted to include information on their application for the grant or renewal of a licence, the licence will normally be refused.
- e) The Council is also entitled to use other records and available information when determining applications. This may include information held by the Council or other Licensing Authorities and information disclosed by the Police

under the Home Office scheme for reporting offences committed by notifiable occupations or with the Home Office regarding immigration offences. Anyone on the Disclosure and Barring Service (DBS) Barred List will be refused a licence. Any licence holder who is subsequently included on the DBS Barred List will have their licence revoked.

6.9 Impact of Convictions, Cautions, Reprimands or Warnings

- a) Each application will be assessed and in each case the information provided will be considered in relation to the particular circumstances and shall take into account one or more of the following (non-exhaustive) factors:

6.8.1 Level of Responsibility

- i. This Authority will consider the level of independence afforded to the Applicant. An Applicant who works alone with minimal supervision will be considered a greater risk than one who works in a group and/or is closely supervised.

6.8.2 Date of Offence(s)

- i. This Authority recognises that historic offences may have less relevance than recent offences. As a general rule, a pattern of unrelated or similar offences over a period of time will be considered more serious than an isolated minor conviction.

6.8.3 Attitude of the Applicant

- i. This Authority will look for evidence that the applicant has been rehabilitated and has demonstrated a determination not to re-offend.

6.8.4 Mitigating Circumstances

- i. This Authority may ask applicants about offence(s)/convictions so that the context can be considered. Due consideration will also be given to any references provided.

6.8.5 Sentence Imposed

- i. This Authority will consider any sentence imposed as an indication of the Court's view of the seriousness of the offence.

6.8.6 Rehabilitation

- i. This policy prescribes the minimum periods of rehabilitation which will ordinarily need to have elapsed before an application can be approved. These minimum periods will be considered in conjunction with the general considerations outlined above, as well as with

reference to any additional information provided or observations made during the disclosure procedure.

- ii. Representatives of this Authority tasked with deciding whether or not to approve an application have absolute discretion as to the application of the minimum periods of rehabilitation. This will apply both in favour of granting an application prior to the expiry of a rehabilitation period (for example where exceptional circumstances exist) or in declining an application before or after the expiry of a rehabilitation period (for example where there is evidence of any recent, persistent or habitual offending history).
- iii. Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a 'fit and proper' person to hold a licence.

6.10 Right of Appeal

- a) Applicants have a right to appeal against decisions made in pursuance of this policy in the following circumstances:
 - i. Refusal to grant or renew an Operator's, Vehicle or Driver's Licence
 - ii. Suspension or revocation of an Operator's, Vehicle or Driver's Licence
 - iii. The imposition of conditions which may have been placed on the grant of an Operator, Vehicle or Driver's Licence
- b) When an officer makes a decision under delegated powers, that is the decision of the authority, and the rights of appeal against that decision are clearly detailed within the legislation (generally to the magistrates' court, followed by the Crown Court unless it is a refusal to grant a hackney carriage proprietors licence in which case the appeal is directly to the Crown Court). The authority has no further role in that decision, and is functus officio in relation to that decision.
- c) Suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes this statement that is so and an explanation why, the

suspension or revocation takes effect when the notice is given to the driver Local Government (Miscellaneous Provisions) Act 1976, s 61 (2A) & (2B)).

- d) Suspension or revocation of the licence of an operator takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the operator.

6.11 Updating and Repeat Checks

- a) South Cambridgeshire District Council licence holders must notify the Licensing Authority in writing within 72 hours of any cautions, convictions, warnings or other matters that might affect their continued fitness and propriety, and therefore suitability to retain their licence, including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding and attendance at any speed awareness course.
- b) Persons wishing to renew their Licence must obtain and provide updated Disclosure Documents with their renewal application.
- c) It is important that the licensing authority receives relevant information as quickly as possible in order to take appropriate and proportionate action to protect public safety. Therefore, as per guidelines set out by the Local Government Association (LGA), all drivers and new applicants must register for the DBS update service and to nominate the licensing authority to receive updates.
- d) If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.

6.12 Breaches of Policy

- a) Applicants are prohibited from driving a Private Hire or Hackney Carriage vehicle or performing the duties of an Operator without first having obtained a relevant Licence for this purpose.
- b) Persons who have previously been granted a Driver's or Operator's Licence which has been suspended or revoked are prohibited from continuing to drive or perform the duties of an operator unless they have submitted an appeal to the magistrates court or subsequently to the Crown Court in accordance with the legislation.

6.13 Cautions and Convictions Definitions

- a) The previous convictions policy in Appendix B offers a general guide to the decision which might be taken where cautions or convictions are disclosed.

Appendix A – Code of Conduct

1. Conduct of Driver

The driver must:-

- (i) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle
- (ii) at no time cause or permit noise emitted by any equipment in the vehicle that may be considered a source of nuisance or annoyance to any person, whether inside or outside of the vehicle
- (iii) drive with care and due consideration for all other road users and pedestrians
- (iv) obey all Traffic Regulation Orders and directions at all time
- (v) not consume alcohol or misuse drugs (legal or illegal) immediately before or at any time whilst driving or being in charge of a Hackney Carriage or Private Hire vehicle
- (vi) shall not drive for hire or reward any unlicensed vehicle
- (vii) should be aware that we will not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication
- (viii) at all times be clean and respectable in dress and person and behave in a polite and orderly manner
- (ix) afford all reasonable assistance with passengers' luggage
- (x) not without the express consent of the passengers play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle
- (xi) not drink or eat in the vehicle during the course of a hiring without the express consent of the passengers

2. Drivers' Dress Code

- (i) In order to raise the profile of the licensed trade, drivers should operate at all times in a professional manner and conform to good standard of dress and personal hygiene.

3. Passengers

- (i) The driver shall not convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the license for the vehicle.

- (i) The driver shall not allow any lone person, to be conveyed in the front of any licensed vehicle unless agreed with the operator at the time of booking.
- (ii) No child under 12 may be carried in the front seat beside the driver.
- (iii) At all times the driver shall ensure compliance with regulations regarding seat belt and restraints.
- (iv) The driver shall not, without the consent of the booked passengers, convey or permit to be conveyed any other person in that vehicle.
- (v) Third party insurance cover must be in place during the licence period in the event of all passengers' personal injury.
- (vi) The driver shall ensure when dropping off vulnerable passengers at night that they wait until they can confirm that the person is safe before driving off.
- (vii) Drivers will ensure the passenger has pre booked before setting out.

4. Driving and Vehicle Standards

- (i) Drivers are expected to understand and follow the Official Highway Code.
- (ii) Drivers must not perform manoeuvres that endanger the safety of other road users or passengers.
- (iii) Drivers must have respect for, and demonstrate courtesy to, all other road users.
- (iv) Drivers must not obstruct the highway or park in a dangerous position, including over ranking or parking contrary to all traffic regulations such as double yellow lines or no stopping signs.
- (v) Drivers must, where possible, give as much room to cyclists and other vulnerable roads users as you would give a car.
- (vi) Drivers are required to notify the Council immediately of any damage to their vehicle that could give rise to any concerns about the safety or road worthiness of that vehicle, for example as a result of a collision.
- (vii) Drivers must make their vehicles available for inspection at any time, if asked by an identified officer of the Council at the rank, at the Council or in the reasonable course of their duties.

- (viii) Drivers must make themselves available for interview by a recognised officer of the Council if invited to do so at an appointed time by letter, email or telephone and attend that appointment unless they have reasonable grounds for not doing so.
- (ix) Drivers have a duty to report any other issues that may be of concern to us.

5. Driving Responsibilities – Highway Code

- (i) Driving when you are tired greatly increases your risk of collision. To minimise this risk you must take the necessary precautions.
- (ii) You must not leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while that vehicle is stationary on a public road. Generally, if the vehicle is stationary and is likely to remain so for more than a couple of minutes, you should apply the parking brake and switch off the engine to reduce emissions and noise pollution.
- (iii) You must not drive dangerously, without due care and attention or without reasonable consideration for other road users.
- (iv) You must not drive on or over a pavement, footpath or bridleway except to gain lawful access to property or in the case of an emergency.
- (v) Be considerate to all types of road users.
- (vi) Avoid distractions when driving.
- (vii) You must always exercise proper control of your vehicle, it is illegal to use a hand-held mobile phone, or similar device, when driving.
- (viii) You should drive slowly and carefully on streets where there are likely to be pedestrians, cyclists and parked cars.
- (ix) When passing a cyclist or pedestrian (or another vulnerable road user) drivers should give at least as much space as would be required for a car.
- (x) Give way to people walking who have already started to cross the road.
- (xi) Assess your vehicle's length and do not obstruct traffic.
- (xii) Do not cut in on people cycling or encroach on the cycle waiting area.
- (xiii) On a roundabout, watch out for and give plenty of room to, people walking or cycling.
- (xiv) Keep pedestrian and cycle crossings clear.

- (xv) Give way to anyone still crossing after the signal for vehicles has changed to green.
- (xvi) The most vulnerable road users are pedestrians, cyclists, motorcyclists and horse riders. It is particularly important to be aware of children, older and disabled people, and learner and inexperienced drivers and riders.
- (xvii) Check before opening your door.
- (xviii) You should not park on the pavement.

6. Responsibility to Residents

- (i) To avoid nuisance to residents when picking up or waiting for a fare, a driver shall:
- (ii) Not sound the vehicle's horn between 2330 hours and 0700 hours
- (iii) Keep the volume of any sound reproducing equipment (e.g. radio) to a minimum
- (iv) Switch off the engine if required to wait

7. Insurance

- (i) It is the responsibility of drivers to ensure that they are always properly insured
- (ii) If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid an inadvertent criminal offence.

8. Taxi Ranks

- (i) Private Hire drivers must not stop/wait on ranks for any reason. If a private hire driver accepts a fare which has not been pre-booked through a licensed operator, they are committing an offence and enforcement action will be taken.

9. Touting or Soliciting

- (i) The driver shall not while driving or in charge of a Private Hire Vehicle:-
- (ii) tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle.

- (iii) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or accept an offer for the immediate hire of that vehicle while the driver of that vehicle is on a road or other public place.

10. Lost Property

- (i) The driver shall immediately after the end of any journey, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- (ii) If the driver finds any items left within vehicle, or if an item is handed in to them, the driver must do their best to identify customer and return item to original owner.
- (iii) The driver should contact the operator with information of found item within 24 hours. The operator must then follow their lost and found procedure.

11. Receipts

- (i) The driver shall if requested by the hirer or passenger of a licensed vehicle, provide a receipt for the fare paid.

12. Competency Test

- (i) Existing drivers may be required to undertake the Competency Test as determined by this Local Authority.

13. Fare to Be Demanded

- (i) The driver of a Private Hire vehicle shall not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a meter and there has been no previous agreement as to the fare, any fare greater than that shown on the face of the taximeter for journeys that begin and end within the district.

14. Mobile Phones

- (i) Drivers must not use/ hold a phone or sat nav. whilst the vehicle engine is running.

15. Non-payment

- (i) The driver shall not attempt to detain passengers in the vehicle following a non-payment, to prevent possible allegations of kidnap, assault etc.

16. Safeguarding

- (i) All existing licensed drivers will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is earlier. Failure to do so may result in suspension of the licence until successful completion of the test
- (ii) As part of the Hackney Carriage and Private Hire driver application process all renewal applicants will be required to submit a current safeguarding certificate, no older than 3 months
- (iii) It is the duty of the applicant to ensure that they have completed the course and passed the test in sufficient time before applying for a renewal licence. There is no limit for the number of attempts to complete the test, to be borne at the applicants own expense, however no licence will be issued until a certificate is produced

17. Smoking

- (i) Drivers must not smoke or allow someone to smoke in a licensed vehicle at any time.
- (ii) For the avoidance of doubt, the Council also forbids the smoking of electronic cigarettes and vaping, whether by the driver or passengers.

18. Animals

- (i) All drivers are obliged to carry passengers with guide, hearing and other assistance dogs unless they have been granted a medical exemption from the Council.
- (ii) Drivers without an exemption who refuse or fail to take assistance dogs may be prosecuted by the passenger and may also be subject to enforcement action by the Council including suspension or revocation of the licence
- (iii) No additional charge will be made for doing so.
- (iv) When carrying such passengers, drivers must allow the assistance dog to remain under the physical control of the owner.

- (v) A driver may not carry an animal owned by him, or in his custody, or that of the proprietor of the vehicle or its operator.

19. Prompt Attendance

- (i) The driver of a Private Hire Vehicle shall, if he or she is aware that the vehicle has been hired to be in attendance at an appointed time and place or he or she has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless unavoidably delayed or prevented.

20. Deposit of Licence

- (i) If the driver is permitted or employed to drive a Private Hire Vehicle of which the proprietor is someone other than the driver, he or she shall before commencing to drive that vehicle deposit his or her license (or clear copy) with that proprietor for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his or hers.

21. Change of Address

- (i) The holder of a Private Hire driver's licence shall, within seven days, notify the Council in writing of any change of address.

22. Convictions

- (i) Drivers must notify the Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding imposed on him or her during the period of the licence.

23. Renewal Applications

- (i) If a licensed driver fails to renew before the expiry of the licence, they will be required to apply as a new driver and meet all the requirements as set out in this Hackney Carriage and Private Hire Policy

- (ii) It is the responsibility of the driver to ensure they apply for their renewal with all relevant supporting original documentation in good time, with a recommendation that the submission is not less than eight weeks before expiry to ensure continuity of the licence.

24. Multiple Licenses

- (i) In the circumstance that a driver licence holder has multiple licences with other authorities it is their duty to inform South Cambridgeshire District Council and to additionally advise each authority of any changes in this respect.

25. DBS Update Service

- (i) All licensed drivers will be required to subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence
- (ii) This authority will undertake an annual online check of the DBS Update Service for the applicant's current status
- (iii) Where an individual fail to maintain their subscription before expiry they will be required to reapply for a new enhanced DBS check and register for the Update Service. Failure to do so will result in suspension of the licence until they have complied.

26. Driver Badge

- (i) The driver shall display any badge provided by the Council in such a manner as to be plainly visible to customers using the vehicle
- (ii) The driver shall upon the expiry (without immediate renewal), revocation or suspension of his or her licence forthwith return to the Council the driver's badge issued to him or her by the Council when granting the licence
- (iii) The badge shall remain the property of the Council

27. Vehicle Licence Plate Exemption

- (i) The vehicle exemption certificate must be kept with the vehicle at all times.
- (ii) The exemption certificate must be produced on request by any person travelling in the vehicle.
- (iii) The driver, unless he or she is a holder of a Private Hire Vehicle Operator's Licence, shall upon the expiry (without immediate renewal), revocation or suspension of his or her licence forthwith

return to the Council all vehicle licence exemption certificates issued to him or her by the Council.

- (iv) The licence exemption certificate shall remain the property of the Council.

28. Conveyance of Dead Body

- (i) If the driver shall knowingly convey in the vehicle any dead body he or she shall, immediately thereafter, notify the fact to the Environmental Health Officer of the Council.

29. Health and Medical Conditions

- (i) The driver hereby licensed shall within 7 days or as soon as practicable thereafter disclose to the Council in writing any medical condition which he would likely to adversely affect his/her ability to drive as a Private Hire and Hackney Carriage Driver during the period of the licence.
- (ii) A group 2 medical report must be submitted with all new applications and every three years upon renewal, then annually when the applicant reaches 65 years

Important: Failure to comply with the code of conduct may prompt enforcement actions and may incur penalties

Appendix B - Previous Convictions Policy

1. Once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. This Licensing Authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
2. Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
3. As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.
4. Generally, where a person has more than one conviction, this will raise serious questions about their safety and suitability. The licensing authority is looking for

safe and suitable individuals, and once a pattern or trend of repeated offending is apparent, a licence will not be granted or renewed.

5. Where an applicant/licensee is convicted of an offence which is not detailed in this guidance, the licensing authority will take that conviction into account and use these guidelines as an indication of the approach that should be taken.
6. These guidelines do not replace the duty of the licensing authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by these guidelines, the authority must consider the matter from first principles and determine the fitness and propriety of the individual.

7 Drivers

- 7.2** As the criteria for determining whether an individual should be granted or retain a hackney carriage driver's licence are identical to the criteria for a private hire driver's licence, the two are considered together.
- 7.3** A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.
- 7.4** As stated above, where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a safe and suitable person.
- 7.5** In relation to single convictions, the following time periods should elapse following
- 7.6** completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted.

8 Crimes resulting in death

- 8.2** Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

9 Exploitation

- 9.2** Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or

children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

10 Offences involving violence

10.2 Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

11 Possession of a weapon

11.2 Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

12 Sex and indecency offences

12.2 Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.

12.3 In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

13 Dishonesty

13.2 Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

14 Drugs

14.2 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

14.3 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

15 Discrimination

15.2 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

16 Motoring convictions

16.2 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

17 Drink driving/driving under the influence of drugs/using a hand-held telephone or handheld device whilst driving

17.2 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

17.3 Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

18 Other motoring offences

18.2 A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

18.3 A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any

offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

19 Hackney carriage and private hire offences

19.2 Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

20 Vehicle use offences

20.2 Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

21 Private Hire Operators

21.2 A private hire operator (“an operator”) does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others or used by the operator or their staff for criminal or other unacceptable purposes.

21.3 As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person.

21.4 Operators must ensure that any staff that are used within the business (whether employees or independent contractors) and are able to access any information as described above are subject to the same standards as the operator themselves. This can be effected by means of the individual staff member being required by the operator to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the licensing authority’s overall criteria, that will lead to the operator’s licence being revoked.

21.5 As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those applied to drivers, which are outlined above.

22 Vehicle proprietors

- 22.2** Vehicle proprietors (both hackney carriage and private hire) have two principal responsibilities.
- 22.3** Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times.
- 22.4** Secondly, they must ensure that the vehicle is not used for illegal or illicit purposes.
- 22.5** As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person to be granted or retain a vehicle licence.
- 22.6** As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.

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Consultation Comments

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1. Overall Proposed Policy	
A. Resident	I welcome those new proposals. Public safety should not be compromised.
B. Driver	Totally ridiculous and unnecessary, if implicated, South Cam won't get any taxi renewal instead majority will get licenced via the City or other councils and work via the Cross boarder rules. You need to listen seriously to the trade, otherwise no one would bother getting their vehicles licensed via SCDC
C. Driver	I am pleased to learn SCDC are now taking public and driver's safety seriously. New proposal will significantly improve.
D. Driver	Firstly, we do realise that the licence conditions have to be laid out in a manner to cover most eventualities for most cases but from what we have read there does not seem to be very much flexibility to accommodate different business models. To this point I refer to the fact that in our case, being a local family business of just 2 cars and 25 years experience with SCDC, some of the conditions would be detrimental to our business and more importantly disliked by our customers.
E. Vehicle Owner	I support the proposals.
F. Resident	Hello, I wish to express a concern. I frequently use multi seater taxis. Ones licensed by Cambridge usually have a conference sitting. But South Cambs licensed vehicles are without conference sitting. It's very uncomfortable getting in. Seats have to be pushed forward to allow access and in an event of accident customers could be trapped.
G. Driver	I would like to make couple of general points before going onto specific Changes to Policy. The government is introducing new National Standards for our industry next year so I find it strange that SCDC is introducing a raft of new policies before then. Would it not be expedient to await the new standards? Operators and drivers face the prospect of yet further changes to policy in less than a year together with the additional costs. The additional costs for all drivers as the proposals stand. CCTV - £350. 2nd CoC/year - £80. Safe Guarding Courses – Price TBA. Exterior Signage - ???. Age of Vehicle – could potentially cost some drivers some £1000s.
H. Operator	The policy has been devised for large operators in an urban environment and in many ways is not suitable to apply to all size operators in all areas of the region.

	<p>A "one size fits all" approach is entirely inappropriate and has not been sufficiently thought through.</p> <p>It will have an extremely detrimental effect on small operators in rural parts of South Cambridgeshire and potentially disadvantage many residents, who rely on these smaller operators in the absence of public transport. SCDC should be supporting small rural businesses and trying to ensure that all its residents are provided with the transport options they need - not just concentrating on the large urban areas of the district.</p> <p>Many parts of the proposed policy will mean that operators (particularly smaller ones) will have to put their costs up, this will mean that customers look for cheaper alternatives - including unlicensed operators, which could put residents of South Cambridgeshire at risk</p>
I. Driver	Many private hire drivers in Cambridge area are constantly on the road for many working hours. Could there be a limit of for example no more than 10 hours for each driver on the road which is safer for everyone?
J. Resident	I am so please to see SCDC taking these necessary steps to ensure driver and public safety is up to speed locally and nationally. I am also thankful to learn environmental consideration is given.
K. Operator	I found the consultation on Monday the 29th July very interesting.
L. Cllr	<p>Section 1.2 .xi sets out the basic objectives as:</p> <ul style="list-style-type: none"> • The safety and protection of the public • Vehicle safety, comfort and access • The prevention of crime and disorder • The promotion of environmental sustainability • Protection of children and adults at risk from harm. <p>These are all important aims. However it is not clear how much of the policy fits into this framework; there seems to be a good deal of mission creep in the development of the document; there are policies which do not further any of these goals, and there are attempts to fulfil some of them which I think are misplaced.</p> <p>This section needs to take into consideration the GDPR, eg 'where appropriate' needs refining as to precisely what kinds of information may be shared. If CCTV is to be installed this becomes particularly critical.</p>
M. Cambridge City Council	<p>I would like to thank you for the opportunity to respond to South Cambridgeshire District Council proposed Hackney Carriage and Private Hire Licensing Policy.</p> <p>During discussions with licensing team members, there has been consensus support for the proposed policy. The proposed changes fall in line with many of Cambridge City Councils current Hackney Carriage and Private Hire policies. With the two neighbouring authorities working at harmonising their policies, it provides a transparent Hackney Carriage and Private Hire service within Cambridge City, an area</p>

	<p>where many of those licensed with South Cambridgeshire District Council frequent.</p> <p>Cambridge City Council seeks to promote the following objectives that impact on the Hackney Carriage and Private Hire trades:</p> <ul style="list-style-type: none"> • The protection of the public; • The establishment of professional and respected hackney carriage and private hire trades; • Access to an efficient and effective public transport service; and • The protection of the environment <p>The above Cambridge City Council objectives are similar to those of South Cambridgeshire District Council, who promote the following objectives:</p> <ul style="list-style-type: none"> • The safety and protection of the public • Vehicle safety, comfort and access • The prevention of crime and disorder • The promotion of environmental sustainability • Protection of children and adults at risk from harm <p>The proposed policy demonstrates South Cambridgeshire District Council aim to promote the above objectives</p>
N. Driver	I agree with all three proposals.
O. Driver	The cost to drivers over the last few years is rapidly escalating, will the council agree to a price freeze when these new regulations are in force? Costs are stated as recovery, I can't see that all I've paid you so far this year is 0% profit.
P. Driver	In favour of the majority of the proposals within the policy
Q. Drivers	<p>Dear Licensing Team</p> <p>I am writing to you in response to your consultation on proposed changes to Taxi licencing on behalf of The South Cambridgeshire Executive Operators Group.</p> <p>We are a newly formed group representing operators in the executive and chauffeur profession and our aim is to promote better communication and understanding between the licencing team and our members. Currently we represent 18 executive/chauffeur operators utilising over 150 licenced vehicles and drivers which places the group as a majority voice in this sector. We are affiliated to the LPCHA to assist with legal and procedural advice, the group is open to any operator that</p> <ol style="list-style-type: none"> 1. Holds a SCDC operator's licence, 2. Operates a fleet of only plate exempt vehicles with no street hire,

	<p>3. Is a member of the LPHCA.</p> <p>Our current members are: Airport Lynx Blue Rose Cars Business Drive Cambridge Business Chauffeurs Cambridge Chauffeurs Cambridge Premier Chauffeurs Cambridge City Cars Cambridge Connections Carlton Executive Cars Executive Car Service Grafton Executive Cars Kenway Chauffeur Services Merlin Executive Cars Milton Executive Cars RJM Cars SilverStar Chauffeur Service Voyager Executive Cars Windrush Executive</p> <p>To begin with we would like to reassure the licensing team that the group is fully behind having sensible regulations of a high standard that are correctly and fairly enforced.</p> <p>We don't want to have rogue operators competing against us without being accountable to a standard that their passengers should expect, public safety is an important issue and by working together to improve the standard of private hire in the area will only increase public confidence in the trade and increase our business in turn.</p> <p>There are many things in the new consultation which we wholeheartedly support such as more frequent safety checks on licenced vehicles, the drive towards lower emission vehicles and sensible safeguarding and awareness training, in reality our concerns are reasonably limited.</p> <p>We found it difficult to form a full opinion on the consultation as the handbook that was referenced on many occasions is not yet available to view; as a result it is only the broad issues we can comment upon.</p>
<p>R. Drivers</p>	<p>South Cambridgeshire District Council (SCDC) has produced a decent consultation and endeavoured to engage with the trade in an open and transparent manner.</p> <p>The documentation is well indexed and easy to follow however there are some considerable problems therein, which for potential</p>

responders are confusing at best and quite perplexing if you are not very familiar with previous policy.

Timing of the policy review

A key point to make at the outset is regarding the timing of the policy review and the potential policy introduction date. With government ministers considering National Standards, CCTV and consulting on replacing existing Department for Transport (DfT) Best Practice Guidance with Statutory Guidance, alongside your policy having been updated in 2018, it seems very odd to be proposing to introduce new policy in December 2019, especially as December is the busiest time for the industry and passenger trips.

Reference to a handbook not yet finished

Your proposal document well-over 40 times refers to the Hackney Carriage and Private Hire Handbook for details, without actually saying what the handbook is or how or where it can be obtained. As many, including the LPHCA, are looking at the online documentation, this renders it impossible to form a considered opinion on many matters in the consultation proposals without sight of this handbook.

At your Taxi Policy Consultation Event, I sought a copy of the handbook, only to be advised it was not ready prior to the consultation, which of course renders swathes of the consultation impossible to comment on in a 'learned' manner.

I mentioned that I had been given a copy of policy dated 2017 and referred to my not seeing or being able to access the referenced Handbook. Jane Jackson your Resource Team Leader subsequently kindly sent me the most current policy document in a series of PDFs, dated 2018 and advised that 'This policy replaces all previous Handbooks'.

This of course, with the timing issues referenced previously, makes bringing in major new policy, completely inappropriate as the consultation is undermined without the handbook it refers to throughout.

Notwithstanding the aforementioned, I have read the existing (2018) policy, which appears to be fairly sound and this could be a basis to work from but the consultation process without the handbook it refers to, is with respect, flawed.

In light of this alone I do not believe SCDC has consulted effectively enough to bring in serious policy changes in December 2019, without further consultation and trade discussion.

Proposed way forward

As mentioned in the overview we will be forthright with our responses as well as constructively critical and our response is sent in the spirit of being helpful and collaborative. To this end, I have responded on the primary matters of concern, that I have identified from the proposals and feedback from the trade, alongside my own knowledge of what has worked well elsewhere. These are set out below and were forwarded then discussed as part of our meeting with SCDC on 4th September.

- Signage in/on Private Hire Vehicles
- CCTV

	<ul style="list-style-type: none"> • Vehicle Ages • Emission requirements • Exemptions • The Wider Consultation (Covered above)
<h2 style="margin: 0;">2. Environmental Issues</h2>	
<p>A. Resident</p>	<p>I strongly support this proposed policy change. The health of residents of South Cambridgeshire, and especially children, is currently being adversely affected by air pollution and this policy will help to tackle it. It is also a sensible step to take in meeting the council's commitment to achieve zero net emissions, which for a low lying community seeking to take a lead in tackling this pressing issue is also of vital importance.</p> <p>I believe that setting standards that are consistent with Cambridge City Council is an obvious step to take given the increasing level of integration of these communities and the cooperation between councils that is needed to facilitate this. I hope that the council will use this as an opportunity not only to meet the higher standards of Cambridge City Council but to push them to increase their own standards.</p> <p>I am a frequent taxi user as I have a visual impairment and I understand that these proposals may increase the cost of this for me and other residents. For the reasons I outline above, I believe that this is a cost worth paying. However basing this policy around regulatory alignment between South Cambridgeshire and Cambridge City will also have benefits that could help to defray this cost, such as making it easier for operators to move between the two councils.</p> <p>Investment in the infrastructure of charging points will also be very helpful in this respect and I am glad to see the council taking this long term approach</p>
<p>B. Driver</p>	<p>We agree that the move towards lower emissions and electric cars is the way forward but at the moment electric vehicles that are available are not really suitable for type of work we do, mainly due to recharge times. We are hopeful this is evolving during the next couple of years</p>
<p>C. Operator</p>	<p>I think it is very unwise for a nation to solely rely on one source of energy for it transportation.</p> <p>And, there should be far more charging points available NOW. I do not see any new construction tacking place around the M25 for these sites. There should be 1000's now, en-route to the airports to accommodate the business sector.</p> <p>Dear licencing,</p> <p>Please read the link below as it indicates the actual real issues with current EV's. And this car had 300 mile capacity. EV's at the moment are only good for the taxi trade doing short trips around town!</p>

	<p>But...the driver will be loosing money when the car is being charged and not working.</p> <p>Also, should the public not be subject to the same requirements?</p> <p>Also is attached are letters of concern from some of my corporate clients. These proposed policies will have a massive effect on local industry with EV's and CCTV.</p> <p>Kind regards Colin Odell PINSTRIPE CORPORATE TRAVEL https://www.independent.co.uk/life-style/electric-car-volkswagen-e-golf-london-cornwall-drive-a9056226.html</p>
D. Driver	<p>Not agree with the policy to be changed</p> <p>If you want to reduce pollution don't give any more license and give at least 3 -4 years notice for changing the cars etc.</p>
E. Driver	<p>Environmental Conditions – Whilst not objecting to this policy in theory worried as to how drivers are to move to Zero emission vehicle with the distances to major airports and ports?</p>
F. Cllr	<p>3.25: Environment. As I understand it ULEV definitions refer solely to CO2 emissions.</p> <p>Why do we not work on a more general requirement for all emissions, since the ULEV definition anyway looks pretty unworkable (there are virtually no such vehicles on the market, and it is not clear what their NOx and PM emissions are). In a rural District like South Cambridgeshire the lack of charging points makes ZEVs unfeasible in the middle-distant future (beyond the life of this document?).</p> <p>Or are we really committed to ensure that there is a network of rapid charging points which adequately covers the whole District by December 2021, so that a driver is able to make multiple trips from, say, Gamlingay to Bartlow or indeed to other rural parts of Cambridgeshire?</p>
G. Driver	<p>"I am very concerned about the proposal for electric vehicles. I have been a taxi driver for approximately 25 years, but I live in a first floor flat so would be unable to charge a vehicle.</p> <p>Unless there was an appropriate amount of charging points available that I could charge a vehicle overnight, and within distance of my home, I could no longer do the job"</p>
H. Operator	<p>This section does NOT distinguish between taxi/private hire and Chauffeur vehicles who do NOT operate in Cambridge - EV's for the Executive Chauffeur business will not work!</p> <p>There are no equivalent electric vehicles available. We need a 500 mile capacity battery with a very fast charge 1, 2 hours at the most. As it stands now we would have to have 2 cars for every driver which means appx. 4-500% rise in prices to our clients. This policy would put</p>

	our business in serious jeopardy !!! Please see letters of protest from my clients on separate email.
I. Driver	<p>I'm in agreement that low emissions is a good thing, but such a fast unthinking change will be very harmful to the drivers jobs and financial future.</p> <p>Will the council be publishing its proposals for environmental savings at Camborne?</p>
J. Driver	Will all bin trucks and council works vehicles be electric/hybrid in the same time frame?
K. Drivers	<p>To promote the use of electric vehicles, drivers should be able to licence electric vehicles up to the age of 7 and or perhaps only accept 3 years on petrol/Diesel cars, as this will be more cost effective and a greater number of drivers will purchase a 2 / 3 year old vehicle in 2025</p> <p>Giro emission vehicles are too expensive at the moment at the cost of around 40K SCDC will be putting drivers into hardship and out of work.</p> <p>From 2021 around 72 electric cars will be produced however all of these will be brand new and will simply price the drivers out of the market, this is why it needs to be postponed until at least 2025with an age of 7 years.</p> <p>It is too early for electric cars they do not have the range this is why it needs to be postponed</p> <p>Infrastructure is not there, there are not enough charging points, and the council owned charging double price for electricity of those who are owned by garages such as service stations. It may be free for the council to install these by outsourcing but drivers will have to pay double for electricity that they charge.</p>
L. Drivers	<p>If the reason is for lower emissions then there is already a well used and researched European standard for this. We would recommend that all vehicles should comply with Euro 6 emissions standards at first test and for renewals by a date to be determined to allow for owners that have entered into financial commitments on the strength of existing policy.</p> <p>If the reason is for safety or structural integrity then again a more efficient European standard is available in the form on NCAP ratings, we would recommend only 5 star be permitted.</p> <p>The two parameters above would make a much clearer and understandable policy.</p> <p>We also have concerns regarding ULEV & Ultra Low emission vehicles. While there is certainly a need to try to reduce carbon emissions, two things are clear</p> <p>Firstly there are not enough charging points in the South Cambridgeshire area to cope with the proposed rise in PH vehicles.</p> <p>Secondly some studies have shown that when taking into account the style of electric production in the UK and the production of the</p>

	batteries that a modern blue efficiency diesel car could be less harmful to the environment overall.
M. Operator	Smaller operators should be able to source the appropriate vehicle at the right price for their business. The discounts being offered to purchase low carbon/electric vehicles are not lucrative enough to enable small operators to benefit.
N. Operator	Setting a date for the implementation of all zero carbon or ultra low vehicles prior to the installation and proven effectiveness of sufficient charging points throughout the district is "putting the cart before the horse."
O. Driver	<p>Is the authority planning on installing taxi only fast charge stations?</p> <p>With my current work rate I would be unable to spend hours of the day on charge, if only 50% of the taxis switched to electric there wouldn't be enough points in the city and surrounding areas, i think you are pushing us into a technology where the current infrastructure is not fit for our needs.</p> <p>A range of 300 miles is not good enough, will the authority ignore complaints about late cars/no shows due to lack of electric?</p>
P. Driver	<p>Make all licensed cars electric and hybrid only from 2021!</p> <p>Create a car loan scheme for private hire and hackney drivers so we can change our cars easily because it's hard to get 5 years hire purchase on toyota cars for example and monthly payments very high £500! and not everybody could afford a hybrid for 20 grand or to part exchange diesel cars with good offer!</p> <p>With the council help we could change our cars easily within a year! That would be a massive improvement on cambridge roads!</p>
Q. Driver	Support the transition from petrol,/diesel car with a viable scheme and support us with a lot of places to charge the new electric cars
R. Driver	It's a great idea about green cars etc and ultra low emissions. I'm pleased about that.
S. Cambridge City Council	We are in support of the introduction of Zero and Ultra Low Emission vehicles. Air quality and climate change are high priorities for Cambridge City Council. The Harmonising of the two councils in respect to environmental considerations, will further support a more environmentally sustainable future for the city.
T. Operator	We support the Council's timeframes for requiring new licensed vehicles (end of 2021) and previously licensed vehicles (2028) to be ULEV or zero-emission. We think this is a fair period of time for drivers to transition and will also allow for the infrastructure to be put in place to support charging of vehicles. It is encouraging to see a Council be progressive and ambitious in this regard and align its licensing conditions with broader sustainability goals.
U. Operator	<p>There is a very, very limited market place of vehicles ULEV/Electric vehicles that meet the current specification to be a taxi. Many are not large enough and simply do not meet current taxi criteria. Batteries take up much space meaning luggage/shopping conveyance is difficult or impossible (and therefore airport transfer service cannot be provided).</p> <p>ULEV/Electric vehicles still do not have the mileage range to successfully act as taxis and cover all facets of service provision expected by public.</p>

	<p>ULEV/Electric vehicles are generally cost prohibitive (even taking fuel saving into account) and there is – as yet – no particular viable second-hand market for such vehicles. This may change after 2021 (so in 2022 onwards) when several manufacturers are due to enter the market with new ULEVs/Electrics for the first time. Even then, we will not know the true effect of market forces – they are not easy to predict.</p> <p>There are currently nowhere near enough charging points in Cambs (and the wider country) to make this viable yet. So infrastructure is missing.</p> <p>The charging points that do exist locally are governed by an agreement between a supplier and the joint SCDC /City partnership which has somehow transpired to mean that the company involved have a ‘monopoly’ on pricing for charging and these are currently set very high compared to the wider market. Panther Taxis have questioned this in the past and continue to do so – our drivers with ULEVs are finding these charging points expensive and ‘shying away’ from using them. Charging is currently unregulated by Govt – this needs to change. Many drivers live in flats and some in sheltered housing arrangements and do not therefore have the option/facility to charge at home.</p> <p>City council are currently reviewing their own plan & time span for sensible implementation to ULEVs/Electrics due to feedback from their sector of the trade and they are likely to push back implementation dates for the reasons outlines above.</p> <p>CRUCIAL: there are no electric WAV vehicles available at market except the London style TX1 which – besides being very expensive - is obviously a Hack and so cannot be used in the private hire sector. Current proposed rules will mean that the current.</p> <p>Panther Taxis are fully in favour of a move towards Ulev/Electric vehicles and have embraced the environmental plans for the area as well as investing time and money into being a responsible Operator in this arena – HOWEVER: expectations about what can be achieved and how quickly have to be weighed sensibly against what is available in the market place and how quickly the technology is really advancing so that implementation is practical; cost effective and NOT to the detriment of service provision or the ability of individual drivers and Operators to provide that service inclusively.</p>
<p>V. Drivers</p>	<p>Environmental considerations</p> <p>Understandably Local Authorities are rightly looking at all possible ways to improve ‘Air Quality’ as soon as possible. The LPHCA has regularly been attending the Joint Air Quality Unit (JAQU) sessions with the Department for Transport and DEFRA.</p> <p>As part of JAQU’s strategy a national database is being created by government to help Local Authorities determine whether taxis and PHVs meet the particular emission standard for their vehicle type in Clean Air Zones (CAZs) in major cities in England & Wales.</p> <p>To complicate matters, some cities are opting in and others opting out, furthermore the government has delayed the introduction of the database until at least July 2020.</p> <p>The principle of improving Air Quality by Euro Standards and Fuel Type and the associated harmful particulates is sound and in London</p>

this has trumped determination by age.

Manchester like SCDC, also sought to tie in standards policy with air quality requirements but has now postponed doing so and the following statement was issued by John Garforth, JP, MIOL Chair – GM Licensing Network.

In 2018, Greater Manchester's 10 local authorities agreed to collectively develop, finalise and implement a common set of minimum standards for Taxi and Private Hire services licensed in Greater Manchester. The proposed standards have four areas of focus: driver standards, vehicles standards, operator standards and local authority standards.

Greater Manchester Leaders have consistently stated that these standards must align with the Greater Manchester Clean Air Plan proposals and support the requirements to tackle air pollution across the region.

The 10 local authorities are awaiting feedback from government on some elements of those proposals, most notably the funding available to support vehicle upgrades – including taxis and private hire vehicles (PHVs).

With this uncertainty, and the lack of clarity around the Government's intention to legislate for national minimum licensing standards for taxis and PHVs in the future, there will be no consultation on the proposed Greater Manchester common minimum standards this autumn, however we will continue to engage with the trade on the development of both Clean Air Plan and common minimum standards.

What is clear is that many regional and Local Authorities are determining their standards for taxi & Private Hire via Euro Standards and Fuel Type and not by age. This in our view is not only sensible but Best Practice.

With National Standards now being discussed by Ministers and cited as a priority Post-Brexit at DfT meetings I have recently attended and with Low Emissions Standards coming into place, it would seem sensible to make taxi & PHV licensing policy going forward based on defined standards rather than criteria like age of vehicles.

The taxi and PHV industries will need to transition into more environmentally friendly vehicles in a cost effective and achievable manner, especially for specialist vehicles as used by Chauffeurs and Executives, as well as accessible / special needs vehicles, which as previously mentioned are far more expensive.

Infrastructure, vehicle availability, scrappage schemes and grant money, all needs to be determined to enable a smooth transition and the avoidance of supply shortages.

In summary, it is not in our view timely to introduce age limits or be too prescriptive with new regulations at local level until government has determined new national standards, which we believe in most cases should be 'absolute' and not minimum.

3. Drivers	
A. Operator	<p>2.14 Service Expectations i. The Council and the travelling public expect licensed drivers to provide good customer service and behave in a civilised and courteous manner.</p> <p>This is a very sensible principle, and an example as to why we have very clear Community Guidelines that both riders (customers) and drivers agree to when joining the app.</p>
B. Cllr	Drivers. 2.1.iii states that the qualifications for both categories are similar 'unless otherwise indicated'. i cannot see any such indication in this section, and the differences should be clearly spelled out here at 2.1.iii
C. Drivers	To many drives need a limit
D. Operator	This section does NOT distinguish between taxi/private hire and Chauffeur drivers who do NOT operate in Cambridge
E. Driver	<p>Most if not all SCDC PHV and HCV predominantly work in Cambridge compromising cities safety measures.</p> <p>I would suggest an English test to add.</p>
F. Driver	Rules about license are ok. But there should be mandatory English test for new drivers. For the safety of public
G. Driver	References – To what end? Suggest leaving as is
H. Driver	If I knew better english then I would have a better job
I. Drivers	<p>New private hire drivers and operators licences are being restricted to one year as a blanket policy.</p> <p>The LPHCA has advised us that this is contrary to the requirements of the 2015 Deregulation Act. This seems unfair to new applicants that they be penalised for no reason other than they are starting out, we should be encouraging entry to the trade not discouraging.</p> <p>We believe clauses should be added to some regulations to allow the licensing officer discretion in exceptional circumstances, this could include vehicle accidents or family bereavements.</p>
J. Driver	Probation period is good. Some bad men want to be taxi drivers.
K. Driver	Probation Periods – No issues
L. Operator	2.9Viii – Could this be amended to accidents 'where injury to a person and/or damage to a vehicle has been caused' – just to avoid over-

	<p>burdensome admin. We are led to believe that an Accident reporting form will be available on SCDC website – if this is the case, it is welcomed.</p> <p>NB – this same point could be applied to section 3.12i (Accidents) where injury could be added to the term ‘causes damage that materially affects the safety, etc. etc’ This would then make accident reporting efficient and ‘uniform’ under both sections in the policy and the same form could be used.</p> <p>Note: no mention of how to report or a form in the 3.12 section but assume handbook would/could point to the same form.....</p>
3.1 DBS	
A. Drivers	<p>DBS update service, if you have not renewed each year you will lose your licence if you change your debit or credit card you must go online to do this.</p> <p>The council will be checking your DBS each year We are proposing to council, if there any driver failed to update his/her DBS on time or laps, notice them to subscribe this service within reasonable time period</p>
B. Driver	<p>Having a update service is good but there is a chance of missing the annual payment due to change in card detail as they use credit or debit card for direct debit instead of using bank details. Card replacement can effect it and loosing the licence won't be helpful in feeding the family</p>
3.2 Safeguarding	
A. Drivers	<p>drivers who have poor written English be able to take the safeguarding test verbally like CCC allow their drivers to do?</p> <p>Will this test be every three years and what is involved?</p> <p>We are suggesting to this proposal- instead of doing exam/ Test, it may be benefit to implement 2-3 hour work shop. If needed any to support council, Cambridge Driver Association we will be available to support. Each driver should be attending the test/ workshop once, if they require more information can be done as an update workshop knowledge test</p> <p>This should not include existing drivers, existing drivers should be exempt</p>
B. Driver	<p>Safeguarding. There should be regulations to ensure that when a PHV is booked the client is urged to ensure, before entering the vehicle, that the driver knows both the client's name and the destination; and that the driver will give this information unasked when meeting the client.</p>

	This is far better safeguarding than any amount of livery, CCTV or other external devices.
C. Driver	In favour of safeguarding training - need a clear way of reporting for drivers. Make provision in training for those with limited English and/or those with poor written skills.
D. Driver	I do not know english, so an exam will be very difficult for me.
E. Operator	We commend South Cambridgeshire for making safeguarding training mandatory for drivers, operators and proprietors. We believe that safeguarding is everyone's responsibility. It is the action we take to promote the welfare of vulnerable individuals and protect them from harm. Drivers are in a good position to spot the signs that someone might need help. We recognise that not all councils offer mandatory safeguarding training, which is why we have partnered with Barnardo's and created a bespoke training that all drivers choosing to join the Uber platform across the UK watch: https://www.uber.com/en-GB/drive/resources/safeguarding-tips/ We also have additional safeguarding training that drivers can voluntarily undertake once they have completed 60 trips. Drivers have a unique view of the areas in which they work, and might see and hear things that others do not. That is why we have worked with the Salvation Army and Unseen to raise awareness of modern day slavery, helping drivers understand the signs to spot and how they can report concerns: https://www.uber.com/en-GB/drive/resources/modern-day-slavery/ Asides from safeguarding training, we also regularly provide information and insight to drivers on other safety topics. For example, we recently produced a podcast on County Lines with the National County Lines Coordination Centre. We have posters from the Home Office about County Lines in many of our offices. And the Daily Mail wrote favourably about our work "smashing" county lines in an article in February of this year.
F. Operator	Panther are fully in favour of implementing training for both current and new drivers and operators etc. on the basis that awareness is vital in the modern era and there is always something to learn from such training. Based on previous experience, it is vital that the training is not too cryptic and completely unambiguous in order to serve non-English drivers and that more than anything - the reporting process is clear/easy/effective NOT burdensome and can be anonymous. Reporting is an area where we would like to see an across trade process (so city and SCDC have same procedure) as this would aid understanding and make it simpler for drivers who are licensed with both authorities and cross over from time to time. Please make provision on the test part for drivers who struggle with written English/dyslexia etc. – there are more of them out there than is

	<p>sometimes realised. Finally on this, Panther would be happy to try and work with council to help/facilitate/contribute towards provision of facilities for getting our substantial fleet through this training in larger groups if required.</p>
3.3 Competency Test	
A. Drivers	This should not include existing drivers, existing drivers should be exempt.
B. Driver	Knowledge test should not include existing drivers who are already serving the community.
C. Drivers	The content of the competency test should be made available to operators and drivers so training can be given Executive Private Hire Service.
D. Resident	Drivers need to have a good geographical knowledge and cannot be sat nav dependent. Unfortunately i see many who are reliant on sat nav. I suggest a robust knowledge test.
4. Operator	
A. Operator	<p>Panther agree that Operators should take some responsibility and that they should have relevant complaints policy/s.</p> <p>Panther further advocate that there should be a clear, unobstructed path for complainants to utilise and that each operator must be able to facilitate written; electronic; telephone and in-person verbal complaints at all times of operation – so 24/7 in most cases; and that the ability to (and necessary information) to facilitate this should be made clear to the travelling and wider public as much as possible, certainly within vehicles and on websites</p>
B. Driver	Not agree.
C. Operator	<p>Uber recommends that the following information be mandatory for an operator to provide upon a pre-booked journey;</p> <ul style="list-style-type: none"> ● Vehicle make/model ● Vehicle registration mark (VRM) ● Driver's name ● A way to contact the driver allocated to the booking <p>4.16 Operator's Complaint Policy</p> <p>i. Customers have a right to complain if the service provided by the operator fails to meet expectations. It is the responsibility of operators</p>

	<p>to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention by this Local Authority.</p> <p>li. Complainants must be dealt with in a respectful, timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and to maintain a record of complaints received.</p> <p>We fully agree with the proposed Operator's Complaint Policy. For help and support there are a number of ways that customers can contact us. Typically, customers will reach out to us via the in-app help functionality. However customers are able to send emails or call us 24/7. All of this information can be found here: t.uber.com/uksupport We have a number of policies covering many and various issues, these can be found here https://www.uber.com/en-GB/legal/policies/feedback-policy/en/</p> <p>Asides from our feedback policy, other specific policies include:</p> <ul style="list-style-type: none"> • Refund policy • Zero tolerance policy <p>We have looked at the data submitted by customers in relation to trips undertaken in South Cambridgeshire licensed vehicles in the last three months. Across all trips undertaken by South Cambridgeshire licensed drivers in the last three months, 97% were rated 5 stars (the highest possible rating) . Only 0.001% of trips were not rated at all by customers.</p> <p>Customers reached out to Uber across 1.25% of all trips undertaken by South Cambridgeshire licensed drivers over the last three months; all of these inbound requests were handled by our customer services team without any unnecessary burden on the Local Authority, unless where required to pass on information as set out in licensing conditions.</p>
D. Driver	Uber will take over, stop sucking up the Panther.
E. Driver	Operators need to enforce more and take responsibility. Cambridge is flooded with SCDC PHVs. And now SCDC HCV are driving with hire sign on
F. Vehicle Owner	Operators need to take more responsibility in managing and enforcing.
G. Resident	Over 90% of all SCDC phv drivers seem to work in Cambridge. Not here to cover work but to prodomently work in Cambridge, undermining cities stringent policies and clogging up the streets.

	Operators need to play an active role in enforcing and keeping hire cars out of city.
H. Driver	Operated need make sure drive have enough work before taking more drivers.
I. Cllr	<p>One thing I miss is any understanding of the difference between, say, Panther and my local firms with 1 and 2 persons.</p> <p>I suggest we think about a different r´egime for companies with fewer than 5 employees allowing them to specialise and freeing them from burdensome and useless requirements.</p>
J. Operator	This section does NOT distinguish between taxi/private hire and exempt Chauffeur Operators
K. Enforcement Officer	<p>Section 4.10.iv Operator premises This allows operator premises licensed with SCDC before 1 October 2017, to be up to ten miles outside of the district.</p> <p>This can cause issues with enforcing outside of the district and therefore needs to be addressed.</p> <p>This is also the opinion of James Button who provides licensing training and legal advice to local authorities, usually via the Institute of Licensing. Since 1 October 2017 the authority has refused all operator applications whereby the premises is outside of the district. However, we still have a number of operators who have a licence, and are in general located within the Cambridge City boundary.</p> <p>In order to address this issue, I suggest it is proposed that all operators who fall into this category are advised at the next operator licence renewal they have 12 months to ensure they have an operator premises that is within the district.</p> <p>If at the next renewal this has not happened, the licence renewal is refused. In the interests of fairness and to ensure that the trade is able to offer their opinion, I also propose that a further consultation takes place, so that members will be able to make an informed decision on the response.</p> <p>Operator Licence Fee Currently the council charges an operator a fee dependent upon the number of vehicles it intends to use and pass out work to.</p> <p>This is illegal, and although may have been introduced some time ago, can only assume that the person involved in its approval was not totally aware of the legislation or was poorly advised.</p> <p>So that the council is acting correctly I propose as soon as possible we introduce a single fee charge for all operators, regardless of how many they vehicles they have, or pass work out to. I think it also prudent that we anticipate a response from the trade, particularly from so called, "One man bands" who only operate a single vehicle and will be charged the same as a large multi-vehicle operator.</p>
L. Driver	<p>Note you require Operators to be inclusive and offer WAV service</p> <p>YOU MUST CHANGE PROPOSED VEHICLE RULES ER, who again - have not undertaken a WAV job since been in Cambridge and never have any available on their APP - ONE rule for them and different rules for others - needs addressing.</p>

M. Driver	More should be done to check Fit & proper status of some Operators.
5. Vehicles	
5.1 Age of Vehicle	
A. Operator	<p>We really welcome this proposed change to licensing conditions as it is likely to help drivers to better manage the current more limited availability, and higher capital cost, of zero and ultra-low emissions vehicles.</p> <p>This policy helps drivers recover the increased cost of these vehicles over a longer period.</p> <p>Additionally, due to having fewer moving parts than petrol and diesel vehicles, zero emission vehicles experience less wear and tear and can therefore be expected to have longer operational lives than fossil fuel powered alternatives. In theory the lifetime of a zero emission car should be ten years or more (as Nissan for example have a battery guarantee for ten years).</p>
B. Drivers	<p>We do not believe that excluding vehicles by age is necessary.</p> <p>If a vehicle is safe and fit for purpose then it should be allowed to be licenced, if the reasoning is for roadworthiness then there is already a compliance test in place to ascertain that.</p>
C. Driver	Remove the 7 years renewal
D. Driver	I don't think its fare to change the duration of an existing vehicle already registered with south cambs to 7years . as a driver we purchased the vehicle by accepting the old rules and regulations. i believe all vehicles which are already registered should be allowed to be used thorough out its life span. and new rules and regulations should only be applied to new vehicles.
E. Cambridge City Council	<p><i>3.6 Age of Vehicle</i></p> <p><i>i. As an incentive for the uptake of zero and ultra-low vehicles within the Hackney Carriage and Private Hire Licensing Policy and to comply with the South Cambridgeshire District Council's recognition of the global climate and health emergency action plan to deliver a zero-carbon future for South Cambridgeshire, it is required that:-</i></p> <ul style="list-style-type: none"> <i>• A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.</i>

	<p>• <i>A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 7 years old.</i></p> <p><i>ii. To incentivise investment in ULEV and Zero Emission Vehicles, this rule will be extended as follows</i></p> <p><i>iii. A vehicle licence will not be renewed for an Ultra-low emissions vehicle unless the vehicle is less than 12 years old.</i></p> <p><i>iv. A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old. “</i></p> <p>Cambridge City Council Licensing team are in support of having a maximum age for newly licensed vehicles. It is known that many older model vehicles emit higher emission levels as compared to newer vehicles.</p> <p>A limit on the age for new Petrol and Diesel vehicles supports in reducing the amount of harmful emissions being disbursed by the South Cambridgeshire District Council taxi fleet.</p> <p>In regards to Ultra-Low and Zero emission vehicles, Cambridge City Council recently went out for consultation regarding removing the 4 year max for newly licensed Ultra-Low and Zero emission vehicles. Officers will be attending the Licensing Committee on 30 September 2019 with this recommendation.</p> <p>One of the defining factors of the maximum 4 year age limit for newly licensed vehicles was emission levels, however this is no longer relevant for Zero and Ultra-low emission vehicles. We hope South Cambridgeshire District Council will take this into consideration when finalising their policy.</p> <p>Licensing team members also support the age limits for petrol and diesel vehicles, to be renewed up to the age 7 years old.</p> <p>We currently have a 9 year age limit but understand South Cambridgeshire District Council may consider this approach to support the take up of Ultra-low and Zero emission vehicles.</p> <p>Older vehicles are harder to maintain and are known to produce more harmful emissions as compared to their younger equivalents. In the long run this will promote the use of newer and more environmentally cleaner vehicles amongst the South Cambridgeshire District Council taxi fleet.</p> <p>Furthermore, we are in support of the Ultra-low vehicles being renewed up to the age of 12 years and 15 years for zero emission vehicles. These vehicles contain less moving parts which require maintenance and should be less prone to wear and tear as compared to conventional vehicles, for this reason.</p>
<p>F. Driver</p>	<p>The proposed 7 years age limit for vehicle renewal will place untold hardship on drivers. I will implore between 8 – 10</p> <p>Kindly rethink the proposed 7 year maximum age for vehicles. I will plea 8 - 10 years for vehicle licence renewal.</p>

G. Driver	Remove the 7 years at renewal and increase years to all other conditions.
H. Driver	<p>The age limits on the vehicles are also questionable and although we understand the general reasoning behind the rules, I think there are other things to consider. For example to have a condition that a newly licensed vehicle can only be up to 4 years old, but then (assuming it is a low emission type) can be used for up to 12 years or longer if fully electric,</p> <p>In our opinion is not a very accurate method of assessing its safety and suitability. For example, if I buy and licence a brand new car, after 5 years it has maybe covered over 250,000 miles. The vehicle can, in theory carry on for another 7 years and maybe another 200,000+ miles in use, assuming it passes it council safety checks.</p> <p>However if at the 5 years point I want to replace that vehicle with an identical one that is already 5 years old but has only driven 15-30,000 miles, I would not be allowed to, because it is too old at 5 years old! NOT because it is more worn out.</p> <p>Perhaps a mileage limit would be more appropriate which then gives licence holders the benefit of being able to buy a 5,6 or 7 year old 'good' car at a better price, as long as it meets emission requirements etc and it is still within an overall age limit of 12 years.</p> <p>We think it also important a vehicle has no history of major accident damage. Accident damage can be found and is MORE likely on a newer second hand vehicle due to it's perceived market value.</p>
I. Driver	<p>Age of Vehicle – No issue as I change my vehicle every 2/3 years and pay cash.</p> <p>Could be an issue to those many drivers who have loans/ finance/ HP agreements on their vehicles.</p>
J. Driver	No consideration for drive who are struggling can't afford buy new car. Cambridgeshire standard already very high.
K. Driver	<p>But to change a rules about vehicle age that's bit dangerous.</p> <p>As the the moment there is no vehicle max age and now to change it so significantly it's bit too much.</p> <p>What about people who have cars on lease/bank loan for say period of 4-5 years and their cars and after new rules they will have 3 years left on loan but they won't be able to continue to work due to a new restrictions</p>
L. Cllr	<p>Surely the state of the engine is much more important than the chronological age in establishing the appropriateness of the vehicle.</p> <p>Specify some emission test results (and not just CO2) instead</p>
M. Driver	Will there be a period to allow for those not in a position to immediately replace a vehicle that is already 7 years old or not?
N. Driver	<p>Vehicle Age - I have recently invested a significant amount of money in an (Euro 6) executive 8 seater vehicle.</p> <p>I anticipated this new vehicle would last up to nine years until I plan to retire.</p> <p>If this new policy comes in (maximum age 7 years) then I am likely to have to retire earlier than anticipated.</p>

	<p>I would suggest that the new policy should be for newly licensed vehicles and that existing licensed vehicles were allowed up to 9 years old</p>
O. Driver	<p>Strongly disagree with 7 yr rule being proposed - especially for current vehicles - drivers have purchased and financed with current no upper age limit rule in place - it would be wrong to change this and will cause hardship if adopted.</p> <p>Finance plans are often 4 years long - this does not work hand-in-hand practically with 4 year age rule which I think should still be 5 years anyway.</p> <p>Agree with extended upper age limits for ULEVs and Electrics but there are very few of these vehicles - that can be practical as a taxi - on the market at the moment and some are very cost prohibitive.</p> <p>I am in favour of trade having a plan for cleaner air etc BUT much longer integration period is required. 7 years must be replaced with at least 9 or 10 in line with city and maybe then decrease as time moves on BUT this rule in its current proposed form will severely adversely affect drivers currently - some will be forced to leave trade - also WAV service will be severely reduced as there are no electric WAVs on market that meet PHV criteria.</p> <p>THIS RULE NEEDS REVISING BADLY - 7 years must be removed. Further: not enough charging points yet and those that are out there in Cams are expensive.</p>
P. Drivers	<p>Vehicle age 7 years Unacceptable for drivers who have recently purchased 4 year old vehicles would not have paid off the finance prior to the vehicle being too old.</p> <p>So therefore we would like put proposal no vehicle age limit just extra compliance test is acceptable and keep the old policy as long vehicle is safe and road worthy the car should be allowed to licensed.</p>
Q. Drivers	<p>Don't need vehicle age limit extra compliance test is acceptable keep the old policy as long vehicle is safe and road worthy the car should be allowed to licensed .</p>
R. Driver	<p>AGE LIMIT OF THE CAR: As you are aware that the private hire trade is not as good as it used to be and by giving the age limit we will need to change it even though the car is healthy and passing MOT.</p> <p>Buying a new car on finance is another burden on the weak shoulders of the driver, who is already suffering from the low income due to multiple reasons.</p> <p>Most of us can not afford a new car and for the very reason Extra compliance test is acceptable.</p>
S. Operator	<p>Vehicle age - proposed to be under 4 years old for a new licence.</p> <p>This means smaller operators are forced to source more expensive cars. Vehicles can be far more than 4 years old and still be in pristine</p>

	<p>condition.</p> <p>It is likewise wrong to refuse to renew licences on diesel cars older than 7 years.</p>
T. Driver	<p>I have bought a car and plated it with you just this month, it is under 4 years old to comply with the current regulations, it will be over 7 years old before I have paid it off.</p> <p>It can't be right that after agreeing to financial contracts drivers are now expected to break these for new regulations, surely an exception of a grace period of 2 years should be applied to all renewals who are still paying off cars unless the authority is planning grants or a buy back scheme to help people who will be forced to default on payments such as myself</p>
U. Operator	<p>Section 3.6 Age of Vehicle:</p> <p>It is our opinion that this is the one sections proposed in the policy that demands a rethink as it is unfair and unworkable in its current proposed form. It is not too dramatic to say, using our experience as a large operator and knowledge of drivers economical and personal circumstances that this policy - if adopted in its current form - would lead to a significant number of drivers leaving SCDC and probably the trade and would definitely have a detrimental effect on service provision across areas such everyday rush hours/schools transport AND would wipe-out our Wheelchair access service very quickly.</p> <p>It is no exaggeration to say that this policy needs re-thinking immediately and if adopted, would be disastrous.</p> <p>Panther Taxis would be more than happy to contribute to any further debate/consultation/working party that might be convened to discuss this matter. In the meantime, please try to take account of the following:</p> <ul style="list-style-type: none"> • Current lower age limit of less than 4 years at first point of licensing actually makes little environmental sense and never has – Panther was not in favour of the previous move from 5 years to 4 years. • Proposed upper age limit to 7 years for petrol/diesels is disastrous for many reasons: • It is grossly unfair on current drivers who have based their business plans on the current rules – nearly all will be adversely economically affected, many to the point of leaving the trade. • Many drivers have taken out 4 year finance plans on vehicles and will now get little or even no period of paying no finance which - over the course of a vehicle life/taxi economic cycle - such a break in finance is vital to them making a success of the trade. • Many drivers are now looking to buy cars (due to affordability) just prior to them being 4 yrs old (since the introduction of that rule) meaning that a vehicle would have to be delicensed before the end of an affordable finance plan lasting 4 years – this clearly/obviously won't work. • If adopted in current proposed form drivers who would have been looking to change their vehicle in three/four years' time will now need to change – in too many cases – in the next 1-2 years or so (and possibly as early as four/five months' time). NOR FAIR On DRIVERS • This will ultimately and definitely lead to a reduced service (through diminished taxi numbers) in all areas of service provision including Education transport and Social services work at a time when the demand is at an all-time high as is growth in this region.

	<ul style="list-style-type: none"> • WAV service will be wiped out within a year or two under these age rules – this is not scaremongering. • Given the above, 7 year rule should clearly go and current rule be kept or 10 year upper age limit be implemented. This needs to the case to avoid severe driver backlash over unfairness (effect on their livelihoods) and in order to maintain service levels for all. • If councillors insist on reducing upper age limit this should NOT unfairly effect current drivers/their plans and should be phased in over time, although 7 years is still too short a time for economically viable financial planning for drivers. • In any event Panther would propose that ULEV/ELECTIRC vehicles should be allowed to be licensed for first time up to 7 years old and that both types should have an upper age limit of 15 years (although not many will go for this long). This affords the driver flexibility when first entering the ULEV/ELECTRIC market and also provides the incentive the policy is trying to promote. • Apart from being grossly unfair on current drivers in its proposed form, the move towards ULEVs and Electrics is also currently flawed: <ul style="list-style-type: none"> • <i>There is a very, very limited market place of vehicles ULEV/Electric vehicles that meet the current specification to be a taxi. Many are not large enough and simply do not meet current taxi criteria. Batteries take up much space meaning luggage/shopping conveyance is difficult or impossible (and therefore airport transfer service cannot be provided).</i> • <i>ULEV/Electric vehicles still do not have the mileage range to successfully act as taxis and cover all facets of service provision expected by public.</i> • <i>ULEV/Electric vehicles are generally cost prohibitive (even taking fuel saving into account) and there is – as yet – no particular viable second-hand market for such vehicles. This may change after 2021(so in 2022 onwards) when several manufacturers are due to enter the market with new ULEVs/Electrics for the first time. Even then, we will not know the true effect of market forces – they are not easy to predict.</i> • <i>There are currently nowhere near enough charging points in Cambs (and the wider country) to make this viable yet. So infrastructure is missing.</i> • <i>The charging points that do exist locally are governed by an agreement between a supplier and the joint SCDC /City partnership which has somehow transpired to mean that the company involved have a ‘monopoly’ on pricing for charging and these are currently set very high compared to the wider market. Panther Taxis have questioned this in the past and continue to do so – our drivers with ULEVs are finding these charging points expensive and ‘shying away’ from using them. Charging is currently unregulated by Govt – this needs to change. Many drivers live in flats and some in sheltered housing arrangements and do not therefore have the option/facility to charge at home.</i> • <i>City council are currently reviewing their own plan & time span for sensible implementation to ULEVs/Electrics due to feedback from their sector of the trade and they are likely to push back implementation dates for the reasons outlines above.</i> • <i>CRUCIAL: there are no electric WAV vehicles available at market except the London style TX1 which – besides being very expensive - is obviously a Hack and so cannot be used in the private hire sector. Current proposed rules will mean that the current.</i> <p>THE ABOVE POINTS IN ITALICS CAN ALSO BE APPLIED AS A RESPONSE TO POLICY PROPOSAL POINT 3.25: ENVIRONMENTAL CONSIDERATIONS.</p>
V. Drivers	<p>In section 3.6 Age of Vehicle you state:</p> <p><i>i. As an incentive for the uptake of zero and ultra-low vehicles within the Hackney Carriage and Private Hire Licensing Policy and to</i></p>

comply with the South Cambridgeshire District Council's recognition of the global climate and health emergency action plan to deliver a zero-carbon future for South Cambridgeshire, it is required that:-

- A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.*
- A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 7 years old.*

ii. To incentivise investment in ULEV and Zero Emission Vehicles, this rule will be extended as follows

iii. A vehicle licence will not be renewed for an Ultra-low emissions vehicle unless the vehicle is less than 12 years old.

iv. A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old.

This policy proposal, whilst well intended I do not believe will achieve the objectives you seek in i. above.

The regulatory impact will in my view be extremely disproportionate on different companies and different drivers in several ways for many reasons. The proposal presumes that 'age of', is better than 'condition of' and / or 'specification of' vehicles as the way forward.

I do not believe this will achieve the objectives you seek to achieve in i, as there are in my view many unforeseen consequences that a thorough regulatory impact assessment will highlight.

Age requirements

Age is a flawed method of determining the suitability and condition of a vehicle, so we are surprised that this method is being utilised, especially as SCDC already has in place, as set out in section 3.10 Vehicle Testing the following:

- i. The vehicle must have an MOT certificate and a Certificate of Compliance that is no older than 1 month at the date of application for both new and renewal.*
- ii. The Certificate of Compliance will be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.*

As a former qualified mechanical engineer and operator of thousands of vehicles I can assure SCDC that the above policy is the right way to determine fitness and suitability of a vehicle, not age. It is the condition of a vehicle, not the age of the vehicle that is important and your Certificate of Compliance (COC) system that you already have, is in our view the correct measure.

A well-maintained older vehicle will mechanically almost certainly be in far better shape than a poorly maintained newer vehicle. Your COC deals with this aspect fully, without needing tick-box 'age-based' criteria.

You will be aware that primary regulation already permits more frequent testing for older vehicles, which is a far better option than a

	<p>blanket age policy that could refuse or fail a perfectly suitable vehicle. Importantly, specialist vehicles as used by Chauffeurs and Executives, as well as accessible / special needs vehicles are far more expensive.</p> <p>Some will have been purchased for a lengthy lifetime of work, often at great cost, in some instances over a long ‘payback’ period for the operator or the driver.</p> <p>To enable owners of such vehicles to transition into their next vehicle they will need to repay outstanding payments and earn the money to do that, so they can move into the next generation of environmentally friendlier vehicles, which we will cover below.</p> <p>SCDC is not alone in believing that integrating taxi and Private Hire licensing into it’s Air Quality Improvement strategy is prudent. There are however considerable issues in transitioning for both taxis and PHVs. If age limits are brought into the equation this is further complicated and we assert that Air Quality standards are a far more reliable basis for taxi and PHV than age limits.</p>
5.2 Wheelchair Accessible Vehicles	
A. Operator	<p>3.14 Accessibility/WAVs</p> <p>i. The council has expectations that Panther agree with fully. Panther has always, and continues to provide a flexible and inclusive WAV service which we are very proud of.</p> <p>However, we are also aware that we are pretty much the only such providers in this area. In particular, despite Uber being granted a long-term license by SCDC it is our belief (and we have extensive evidence) that they do not provide any WAV provision in the area.</p> <p>To be blunt, Panther hope that SCDC officers will be good to the policy word and will check this out to see whether such provision is made by Uber without discrimination – a good starting point would be to try and book such a vehicle on the Uber App- good luck! Maybe Uber could be asked how many WAV jobs their system shows they have completed since the grant of their license some 2-4 years ago.</p> <p>Panther are keen and happy to continue to provide a WAV service BUT please see our comments in italics, under Section 3.6 of this response as we will not be able to provide such a service for much longer if 3.6 is adopted in its current form.</p>
5.3 Private Hire Plate Exemption	
A. Operator	<p>Panther is only in favour of Exemptions being offered to vehicles/operations where it is determined beyond doubt that the work is ‘speciality or executive’ and that this can be verified by the fact that bookings can/are only accepted with at least 48 hours advanced notice – unless this can be proved/verified and in all other instances, exemptions should be forbidden.</p>

	<p>For clarity and fairness, companies need to decide whether they are solely providers of such work only (pre-booked executive) and NOT traditional taxi work (ASAP bookings and small journey pre-books with 24 hours,) or whether they are in fact a traditional private hire company providing these services (in which case they have a plate like the rest of us – they cannot be both and should NOT be taking straight away phone bookings or providing an App for such bookings.</p> <p>Panther would expect SCDC officers to be regulating this effectively, not least to negate current issues in this area where Exemption companies can somehow reap the benefit of both worlds.</p>
B. Vehicle Owner	<p>There is a gap for clients who wish to travel in a Chauffeur driven cars for one off occasions such as a special events e.g airport for a wedding anniversary. Clients shouldn't have to have a contract for a one off journey. Some clients want to go places driven in luxury without plates. Don't make it hard for them. Sometimes, clients want to be driven to the airport in unmarked cars otherwise they wouldn't ask.</p> <p>Plate exempt drivers shouldn't need to display their A4 plate exemption certificate and the other document within the vehicle. It goes against displaying signage and looks unprofessional in a chauffeur driven car.</p>
C. Driver	<p>PH Vehicle Exemptions – Why are the law abiding many who have been operating for some years being penalised because of the actions of the few who you wish to prevent “abuse of the policy by drivers who do not want signage”.</p> <p>Why are these cowboys not weeded out at time of application?</p>
D. Driver	<p>Some of my passengers are still travelling with me !</p> <p>And some have gone back to there birth country and some has sadly died</p> <p>But things move on and new passenger have replaced the ones I have lost ! and that's how it revolves !</p> <p>And to get new passengers they need to get to know you ! and to get to know you (driver) they have to get them in the car ! and refusing people don't pay the bills and put food on my table and have speacial family times !</p> <p>I try to cater for all who want my style of work !</p> <p>In fact I feel you are discriminating customers and dictating to me to choose who's worthy to travelling in a particular style Most importantly REFUSING people my type of service will be restricting my trade and this will eventually CEASE my employment !</p> <p>There is so much more Executive drivers do for his or her customers and I could go on writing for ever to explain the difference between Executive and Taxi but like I said at the beginning of my letter that maybe you have no NDERSTANDING or you CHOOSE to ignore the great efforts we do for the public BUT you do have a choice to learn and recognise the difference !</p>

	<p>Like customers ! They also have a choice too between a Taxi or a Executive style of travel</p> <p>My feeling inside is I am a bit upset at this whole situation but very passionate about the service I bring to people and it feels like I am not being taken seriously by the South Council considering the awkward hours I put in conquering all kinds of weather conditions and traffic issues !</p> <p>There's one word that is used a lot and that's CHOICE and after all thats what we all try to give to the public Maybe to cut out false operators it maybe a good idea to go to the larger taxi companies in Cambridge i.e Panther or A1Cabco and see how many operators drivers are also employed as a standard taxi driver !</p> <p>From what I understand is that a taxi company i.e Panther or A1Cabco will not employ a driver who works for Uber YET will employ someone who holds a operators license and mixes his very few private jobs with they're Employees work !!!</p> <p>What's the difference I would love to know ???If the operators has enough work to keep himself employed then why is he still working for a larger taxi company i.e Panther or A1Cabco If he hasn't enough work to go it alone then he needs to be employed with a larger taxi company i.e Panther or A1Cabco to become SOLEY a taxi driver ! You can't do both because these guys do possibly 15/20% private work for which they'd say it's vip but really it isn't And possibly 80% Taxi company work from who they are employed by i.e Panther or Cabco that there's a hidden agenda here for Cambridge's larger Taxi companies)</p> <p>I apologies for my grammar as it probably isn't the best but my Executive Service I give is ! Kind regards</p>
E. Operator	I Think there is a need for Private hire drivers that only carry out company work should have an executive Licence (exemption certificate, no signage ,No cctv and the coc test every 12 months after the first year on new vehicles,)
F. Cllr	<p>3.17: Exemptions. I could not believe this section when first I read it. It is surely and manifestly discriminatory to use terms such as 'senior personnel', and 'stars', and to allow any organisation to determine that junior staff must travel in inferior vehicles. I hope that to all PHV operators every customer is special, and deserves 'prestige' service.</p> <p>Therefore all PHVs should be regarded as exempt vehicles, and their drivers instructed accordingly.</p>
G. Operator	<p>The proposal to remove the word "primarily" from private hire vehicle exemption work will have a very serious impact on options for travel for many residents in very rural areas - many of them among the most isolated and vulnerable.</p> <p>Currently, some small operators such as ourselves, have an exemption on some/all of our vehicles.</p>

	<p>This means we have cars without signage, as desired by our mainly corporate clients. As a small business, we are currently able to supplement our income and make our business viable by offering some local journeys for residents who have very few other transport options in rural areas.</p> <p>Many of these residents are isolated and vulnerable. For example, we transport a lady with early stage Alzheimers to a community coffee morning and other activities, which she would not otherwise be able to access. She would not be able to phone for a taxi each time - she recognises the car and the driver and she and her family highly value the service we can currently provide.</p> <p>As a small business, it would not be viable for us to restrict one of our cars for "local" badged service - we need the flexibility that we have at the moment, of our vehicles being completely interchangeable in case of breakdown, servicing etc.</p> <p>We are not abusing the policy because we do not want signage, we are maximising our asset use and providing a local service at the same time.</p> <p>If you implement this restriction, it is extremely likely that we will move to executive travel only and this will disadvantage the many local rural customers for whom we provide a valuable service.</p>
H. Driver	<p>Policy is great for a normal taxi or private hire but for plate exempt drivers, this policy is discriminatory!!</p> <p>You are discriminating against those passengers who want to be driven in plate exempt cars like my clients but are not CEO's, Directors etc.</p> <p>It's also discriminatory to small businesses like mine where I don't have a majority of senior clients</p>
I. Driver	<p>Executive Car Operators and Drivers should not be lumped in with Taxis and general PH Vehicles</p> <p>The policy in general feels like an attack on Plate Exempt companies and an attempt to deny Plate Exemption wherever possible.</p>
5.4 MOT/ Certificate of Compliance (COC)	
A. Driver	Remove the 2 MOT
B. Cambridge City Council	<p>We are in agreement with the requirement that all licensed vehicles requiring two yearly Certificates of Compliances. Hackney Carriage and Private hire vehicles are used regularly and are likely to experience greater levels of wear and tear, as compared to family or company vehicles.</p> <p>These vehicles are on the road for several hours throughout the day and can be driven by different drivers. Requiring two yearly Certificates of Compliances, promotes public safety, as vehicles are ensured to be maintained to high levels.</p> <p>Cambridge City Council employ a two yearly Certificate of Compliance, and have found this beneficial in ensuring our licenced vehicles</p>

	are fit for purpose.
C. Vehicle Owner	<p>Two MOT a year will enable mine and public safety.</p> <p>On average a member of public may do about 10k a year.</p> <p>A taxi may do 50k a year. Two mot is necessary and I support it.</p>
D. Driver	<p>CoC – Why twice yearly?</p> <p>How will this improve safety for clients? Executive Car operators maintain their vehicle to a much higher standard than the general taxi industry.</p>
E. Resident	Two mot a year is absolutely a must. Drivers work excessive hours and do a lot of mileage- what can be more important than driver and public safety.
F. Driver	<p>Garages; testing- you should keep more than one garage available for testing - this is best practice - would NOT want Page 4 of 7 to see you follow City model of one (their own) garage monopolizing.</p> <p>However, those accredited garages need training/regulating in order that testing is consistent AND things like door sign failures are failed. Still see too many Ubers without correct door signage providing that testing is currently inconsistent.</p>
G. Operator	CoC testing already exists to ensure that vehicles are fit for purpose. It is proposed to make COC testing 6 monthly. We consider that this is another completely unnecessary additional expense that will impact most on smaller businesses.
	<p>Panther would like more information on how 6 monthly COC's are to be 'produced' to council before commenting further in detail but we are OK with the notion of 6 monthly testing whilst not being especially in favour for any particular reason.</p> <p>Again, not least for best practice purposes, we would not want to see a monopoly on vehicle testing being restricted to one garage/provider but would hope SCDC retain the use of outsourcers for this with a number of approved testing garages.</p> <p>Within this, Panther would like to SCDC have a strategy for better education of testers (maybe be annual workshops or the like) so that standards are uniform and rules are applied consistently.</p> <p>Bearing in mind 6 monthly testing and the date on certs/MOT's/plates Etc. that get affected by this, that SCDC will be able to provide a quicker turnaround on physical plate provision as this has got to nearly 2 weeks in the recent past and will not be acceptable in a twice yearly regime.</p>

5.5 Safety Equipment	
A. Operator	<p>Safety Equipment.</p> <p>ii. Fire Extinguisher:</p> <p>Need to specify what counts as 'efficient' otherwise there will be confusion among drivers and testers.</p> <p>Follow city council with minimum 1KG ?</p>
5.6 Door Signage/ Licence Plate	
A. Drivers	<p>Signage in/on Private Hire Vehicles (including branding)</p> <p>The LPHCA has a long-standing belief and much evidence that there should be very little signage on Private Hire Vehicles for proven safety reasoning, including the confusion of the travelling public.</p> <p>Furthermore, the fact that Private Hire Vehicles (PHVs) are just that - Privately Hired Vehicles, is often lost on many.</p> <p>It is a fact that the more signage you put on a PHV, the more it looks like a taxi and the more the public are confused, especially in licensed areas where traditional London style taxis are not utilised and the same vehicle can be licensed for taxi or PHV usage.</p> <p>For this reason, regulatory signage on PHVs should be discreet, and the number plate should be the primary thing that a passenger looks for, not a licensing plate, door stickers, branding or other identifiers.</p> <p>As the London Private Hire Car Association, we worked very hard with the Public Carriage Office in London on appropriate signage on PHVs, prior to licensing in 1998. We spent 2 years with other trade bodies agreeing to 'hologrammed' screen discs front and back that contain all the licence details, which very importantly can be seen from the outside of the vehicle.</p> <p>With government currently constructing a taxi and PHV database that will carry that information in real time there will be even less reliance on such a disc.</p> <p>We know that horrendous sexual attacks, robberies and assaults have taken place when unsuspecting members of the public have been lured into danger by false signage on vehicles that are not-purpose built like London taxis.</p> <p>Branding</p>

After many years of success with the screen disc system in London the question of what branding as opposed to regulatory signage could be allowed on PHVs was asked. It was resolved that almost no company branding would be permitted other than on the rear of vehicles, to ensure that PHVs were not hailed and mistaken as publicly hireable taxis.

Rear windscreen signage that meets light and opacity regulations was agreed upon, alongside MOGO number plate type attachments and approved sign-written company branding (all rearward facing). This has worked very well and there is no evidence to suggest otherwise, most importantly PHVs are far less likely to be mistaken as being taxis and members of the public are not likely to be confused

Disc System and even greater safety

The disc system has been in place for over 15 years now in London and we estimate that well over 1 million have been issued (at the vehicle licensing point).

In addition to the fact that new government vehicle database is coming online, Transport for London (TfL) have regulated that Private hire operators must provide a booking confirmation to a passenger before their journey starts.

The operator is expected to request passenger contact information and offer to provide a booking confirmation for all bookings.

All operators must (at a minimum) be able to provide a booking confirmation to passengers via email, text (SMS and MMS) message and phone (regardless of what booking channels the operator offers).

The booking confirmation must contain, as a minimum:

- The vehicle registration mark
- The first name of the driver
- The driver's private hire licence number, as shown on the ID the driver is wearing
- Where the passenger can receive it, a photo of driver

Where the customer books in person or by landline phone, a photo must be provided if the customer requests confirmation through a communications channel that can provide an image, for example an email or smart phone.

All this negates the need for confusing and in some cases very dangerous signage on vehicles that we know can be copied and used to confuse unsuspecting members of the public.

From the Chauffeur and Executive perspective many corporates do not wish to have the company their staff are travelling with identified for
aesthetical and security reasons.

Prosecution for false signage and badges

LPHCA research has revealed that in April this year (2019) a bogus cab driver used stickers to trick potential customers into thinking he was in a legitimate private hire vehicle. He also stuck no-smoking signs in the front windows of a dark-blue Vauxhall Zafira.

Fortunately, he was caught by council licensing officers and prosecuted by Southampton Magistrates' Court.

In 2017 'fake' South Cambridgeshire taxi drivers' badges were seized in an investigation which involved police in Buckinghamshire following the discovery of a fake taxi drivers badge purporting to be issued by you - South Cambridgeshire District Council. This prompted a police investigation into fraudulent taxi licences and a South Cambridgeshire vehicle plate was also seized.

False signage and badges have often been used to aid and abet criminal activity and with modern technology, police and enforcement teams can now check in real-time, as they do with road tax nowadays.

With the DfT & DEFRA taxi & PHV database being constructed, which will identify the registered keeper, the licensing they authority, date of licensing, etc., alongside the customers ability to check in real time with the company booked with, anything other than basic signage is unnecessary.

We know that the more you put on a PHV the more likelihood there is of illegal activity, including touting, bogus cabs and far worse. Some naively believe that putting 'pre-booked only' on doors helps but this does not help tourists or others who don't understand written English, it only serves to confuse. Council crests can be copied, as can branding and magnetic door signs, which can easily be removed by a criminal for potentially very sinister use.

Executive & Chauffeur Vehicles Signage

The case for discreet signage on executive vehicles is even more compelling because such vehicles are not corporate work or executive business that may have emanated by recommendation or website promotion.

Street bookings are a rarity for Executive & Chauffeur Vehicles and in some cases never happens. The more discerning customers that utilise such specialist services in nearly 100% of cases book such vehicles well in advance.

If SCDC adopted the successful London signage model it could also be utilised by the wider Private Hire Vehicles you licence that has been so effective in the capital. Executive & Chauffeur Vehicles in London and in general all PHVs have accepted the Screen Disc option alongside the new operator requirements as the norm and it works well because it is discreet.

With government constructing the new Private Hire and taxi vehicle database, not only will safety improve because passengers with smart devices will be able to check in real-time, alongside the police, licensing & compliance officers, who will also have access to all the required details too.

	<p>Our response to signage and branding is that 'less is more', so please seriously consider the London Screen Disc and branding model not only for Executive Vehicles but for all PHVs that you licence. The public will be less easily confused and much safer.</p> <p>All the Executive drivers I have spoken to in SCDC have said that the plate exemption you currently utilise should not be radically changed unless a screen disc option comes into place.</p> <p>Finally, I think it useful to point out that vehicles especially for executive use, nowadays for very good business and environmental reasons, work for multiple companies. It is therefore not a good idea to tie vehicles or drivers to companies, especially as this can compromise their self-employed status. Working for multiple companies, increases the earnings potential and has considerable environmental benefits as drivers that are available to multiple operators have reduced dead mileage.</p> <p>Executive & Chauffeur Vehicles Signage Position – Improve what you already have for Chauffeur & Executive, consider screen discs and far less signage more widely on PHVs, so they are not confused as taxis.</p>
<p>B. Operator</p>	<p>3.5.2 Private Hire Vehicles</p> <p>iii. The vehicle must display permanently on the driver and front passenger door in a prominent position the name and telephone number of the Operator fulfilling the booking, except where a plate exemption certificate has been issued.</p> <p>Based on discussions with the licensing team, our understanding is that this part of the policy has been set in an effort to ensure that members of the public are able to make complaints directly to an operator.</p> <p>Where local authorities require external door signs with an operator's name and contact information, this information is often used as a means of contacting the operator for a number of different reasons: most commonly to make a booking, very rarely to make a complaint.</p> <p>It would therefore be very confusing to customers to be pointed to a phone number from which they are unable to book a vehicle.</p> <p>As is noted in Section 4.1.iii of your revised policy that is currently out for consultation:</p> <p>The acceptance of bookings may be provided for by a variety of methods, such as, in person, by telephone, text, email, internet, smart phone app, in writing, or by any other communication means.</p> <p>We hope that the policy on door signs could also reflect this sensible and future-proofed section of your policy—or indeed that the Council might choose to review fully its operator signage policy.</p> <p>Uber Britannia Limited holds a large number of operator licences in England and Wales. Many councils choose not to have operator</p>

signage for a number of reasons outlined below.

There are other councils with similar policies to South Cambridgeshire in relation to door signs, however they have all either formally or informally granted Uber, as an app-based operator, an exemption to this condition—reflecting the same position as yours in Section 4.1.iii, namely that there are different ways of accepting bookings.

As Uber's bookings are taken via the app, these councils take the reasonable view to allow us to put the URL (website address) in lieu of a telephone number.

You can see this on door signs we have for Bolton, Bristol, Sefton and Southampton among others

Moreover, many other councils have actually taken their policy in the opposite direction, removing the requirement for a telephone number from their livery requirements.

As described by a senior licensing manager at Southampton City Council (in an email to me on 5 August 2019, which he has given permission for me to share):

"In 2015 we decided to alter our conditions on the display of a telephone number. When we examined the policy we realised that it was an unfair condition to force the display of a number as not all vehicles are booked this way. Additionally there is no way we could enforce the fact that the number would be answered. Therefore if we were ever challenged by an applicant on this there would be a high risk of the policy being overturned as the justification was weak."

"Instead we require the phone number or web domain (that could be an email address). This has proved successful and we have had no complaints from the public regarding not being able to contact an operator in the event they wish to complain."
[Emphasis added]

Brighton and Hove City Council removed the requirement for operators to have a telephone numbers on the external livery in 2018, allowing instead for an operator name and/or phone number:

"[Permitted door signs]...should be 30cms by 46cms in size with white lettering, containing only the words "PRIVATE HIRE" and "PRIOR BOOKING ONLY" and a single telephone number or; company name of the operator (as approved by the Director)... If door signs are displayed a roof sign must also be displayed showing the same single telephone number or; company name/logo matching the door sign on the vehicle on the front and back of the roof sign."
[Emphasis added]

(Section 150.5

[https://phantom.brighton-hove.gov.uk/Published/C00000116/M00009219/AI00070116/\\$20181120101423_017981_0061188_BlueBook5thEdition3.docxA.ps](https://phantom.brighton-hove.gov.uk/Published/C00000116/M00009219/AI00070116/$20181120101423_017981_0061188_BlueBook5thEdition3.docxA.ps).

pdf).

And New Forest District Council explicitly state the exact opposite of that which is set out by South Cambridgeshire:

The operator shall not cause or knowingly permit there to be displayed:-

3.1 In and from his premises or on or from any Private Hire Vehicle operated by him or on any advertising material provided by him or on his behalf the word "Taxi" or "Cab" whether in the singular or plural, or any word of similar meaning or appearance whether alone or as part of another word, unless that operator is also the proprietor of a Hackney Carriage licensed by the Council, or;

3.2 In respect of any Private Hire Vehicle operated by him the words "For Hire" or any words of similar meaning or appearance or any telephone number or address, or any numbers or words which appear to be or resemble a telephone number or address.

[Emphasis added] (PART J Licence Conditions Relating to Private Hire Operators p27:

<http://www.newforest.gov.uk/CHttpHandler.ashx?id=12542&p=0>)

Uber's view is that it is possible for passengers to be able to identify Private Hire vehicles without additional livery. At Uber, we have shown how technology can raise public safety standards. We also believe that technology has in many respects usurped the safety benefits of traditional elements of signage and that some of these elements can be revised to better serve and protect both passengers and drivers. The requirement for high visibility signage on vehicles can also act as a deterrent for new drivers entering the industry, especially those that are looking to work on a part-time or infrequent basis.

It is worth noting that following Northern Ireland's Department of Infrastructure change of their conditions on vehicle signage (moving from high visibility operator signage to more discreet signage), Uber observed a drop in the number of passengers attempting to get into the wrong vehicle.

Signage abets plying-for-hire

Plying-for-hire is a challenge to the industry that negatively impacts drivers, passengers, operators and enforcement officers. Not only does it create friction between the hackney and private hire trades, it represents a safety risk to vulnerable passengers.

Highly visible signs on private hire vehicles, which identify them as such may have the unintentional effect of increasing the incidence of plying-for-hire, in that passengers may assume that the trip is legal and legitimate due to the presence of the signage.

If passengers have been provided with the aforementioned driver/vehicle details, there should be no reason to require operator-branded signage to assist with the identification of the vehicle.

Furthermore, it is much harder for a bad actor to reproduce a car's make/model or vehicle registration mark than it is to have an operator's door sign fraudulently printed.

Uber would recommend that the consultation consider the signage requirements for Transport for London's Private Hire vehicle conditions

	<p>. TfL’s more discreet signage requirements appear to correlate with a reduction of plying-for-hire cases.</p> <p>Liaising with enforcement</p> <p>There are clear reasons why enforcement agencies need to readily identify whether a vehicle is a licensed Private Hire vehicle. Technology is making this process more efficient and comprehensive. Today, many agencies are using apps themselves to allow both officers and members of the public to check this data for themselves in real time. For example the Dublin driver check app allows anyone to check whether a vehicle and driver are appropriately licensed.</p> <p>A similar online licence checker has been launched for TfL-licensed drivers, vehicles, and operators. Importantly, the unique identifiers for these databases and systems are: the vehicle registration mark, plate number, and if known, the driver’s badge number. It is the vehicle registration mark, which is most useful to differing agencies and provides greater access to information for officers – as opposed to the driver call sign which is currently a requirement for signage, and delegated by each operator.</p> <p>As is covered in Section 5.4 of your policy (Complaints, Compliments and Comments), members of the public are able to leave feedback with the council. In Section 4.16 (Operator’s Complaints Policy) it is duly set that operators should process feedback from customers “without unnecessary regulatory burden or intervention by this Local Authority.”</p> <p>To this end, we propose that should the council still require a telephone number for complaints made by members of the public to be put on door signs, it could be the council telephone number and incorporated into the South Cambridgeshire door signs, not that of an operator.</p> <p>We therefore recommend that the Council review its livery policy. If operator signage is still considered important, we strongly recommend that it should be rephrased to require ‘contact information’ on operator door signs, such as a telephone number or website URL or email address.</p>
C. Driver	<p>Remove the extra stickers all over the vehicle.</p> <p>A round small one works very well in London, maybe adopt that style.</p>
D. Driver	<p>For example I refer to all signs required for the vehicles, many of our customers find them very intrusive and unnecessary for the private trips they want to make.</p> <p>A Private hire car that fits our business model, which is providing a private and discreet service, without any signs, is cherished by our clients! A typical ‘Mrs Jones’ who may be going to the hospital or doctor discreetly or visiting friends and does not want public knowledge of it and to state that ‘Executives, managing directors, and pop stars can be taken in privacy is elitist and discriminatory</p>
E. Driver	<p>Door Signage – Has exactly the opposite effect to the argument for justification you are putting forward.</p>
F. Driver	<p>If possible at all to make the yellow magnetic signs smaller.</p>

	Could the stickers be similar to the London area taxis - i.e. small sign on the rear big window?
G. Driver	Door stickers important for safety.
H. Driver	I do not reject company door sign.
I. Driver	<p>I don't agree personally with the amount of signs that we have to show on our cars. I've got nothing against displaying a plate underneath my reg plate on the back of the car.</p> <p>We also display our company logo with "clearly visible PREBOOKED ONLY"</p> <p>I don't agree with that new half moon crest yellow sign as it's bit pointless as it's copied info from back of the car.</p> <p>And that new internal signage is also bit too much. It's same over and over.</p>
J. Cllr	<p>3.5: Livery. The easiest way to ensure that 'the public are able to easily identify between a Hackney Carriage and a Private Hire vehicle' is to remove all livery from the latter category.</p> <p>It serves no useful purpose (see 1.2.xi).</p> <p>The livery demands for Hackneys should not go beyond what is necessary to ensure the goals of 1.2.xii.</p>
K. Cllr	<p>It is appropriate that a PHV should be identifiable as such both by passengers and the public but it is not clear that a Licence Plate is the best option.</p> <p>However the requirements of 3.5.2.iii and iv serve no useful purpose</p>
L. Driver	<p>Signage - I do not like the idea of signage. I do a variety of contract work plus some executive work for SCDC Licenced chauffeur companies who hold plate exemption.</p> <p>When doing this work it would be preferable not to display all the door signs and internal signs. Could this signage NOT be required when working for a plate exempt company?</p>
M. Driver	<p>Strongly in favour of having internal signage and phone number on external door sign.</p> <p>This is a safety & Safeguarding necessity and I not Uber are able to flout this currently.</p> <p>SCDC crests should be allowed to be removable for Private Hires who wish to do occasional Exec work through their operator where the</p>

	<p>customer requires the vehicle to look less like a taxi.</p> <p>Otherwise in favour of rule that states signage should be in place at all times.</p>
N. Driver	Operators should have office and phone number available 24/7 for customers to utilize to take complaints - again, one rule for Uber, different current rule for everyone else
O. Drivers	Door sign are affecting our income, and the biggest reason it was not consulted by driver only the taxi licensing authority went back of the drivers and got agreed with private hire operators as far we aware just one big company who dictates the drivers not to work with other company even though legally you can .and taxi licensing authority have helped this company to achieve this.
P. Drivers	<p>It is our opinion that signage on Private Hire vehicles overall is unnecessary and only confuses the public when trying to identify a public hire vehicle such as a hackney carriage, it therefore increases the risk of criminal activity by impersonation.</p> <p>However the SCEOG is exclusively made up of operators who use vehicles that have been afforded an exemption from displaying this signage.</p>
Q. Cambridge City Council	<p>We support the requirement of operators name and contact telephone numbers to be displayed on the front passenger and driver doors.</p> <p>Cambridge City Council have also recently considered this and are in support of operator name and telephone number being a requirement within the policy. Cambridge City held a consultation from 1 August to 31 August 2019 and will be taking the recommendation to Licensing Committee on 30 September 2019 for final decision.</p> <p>We understand that our objectives include the protection of public and understand that council offices are only open Monday to Friday during core hours, and are closed on weekends and bank holidays. If an issue is to rise regarding a driver or vehicle during this time, it leads to a delay in complaints/ concerns being addressed.</p> <p>However, if members of the public are able to make contact with an operator, a service which works 24 hours 7 days a week, concerns and complaints may be addressed sooner, promoting public safety.</p>
R. Operator	<p>Section 3. Hackney Carriage & Private Hire Vehicles:</p> <p>3.5.1iii & 3.5.2ii. Panther would like to see different size plates and brackets routinely/properly offered to SCDC drivers at the point of application if possible in order that they can make informed decisions about how best to fix the plate to their vehicle.</p> <p>There is an increased regularity of drivers having difficulty properly fixing the plate on whilst maintaining proper/safe access to the boot area and/or without covering nullifying the reverse/parking sensors. Maybe plate 'style/size' options could be added to the vehicle application form.</p>

	<p>Panther are vehemently in favour of signs being on display permanently and -crucially - with the operator’s phone number clearly displayed. In our opinion this is a major safeguarding point as it enables (again crucially) non-passengers to instantly report any safeguarding/perceived safeguarding issues as sometimes these are time critical.</p> <p>At Panther we have more than several examples of issues being averted due to the ability of non-passengers to report them quickly via an operator door sign with phone number. It is also the case that the police have regularly utilised the phone number being on the doorsign in issues where instantaneous action required. Within this, and to further aid safeguarding and safety (including driver safety) it is our strong belief that all operators should also be in a position to ‘man’ the advertised phone number 24/7 365 days a year or at least during all hours of their operation</p>
<p>5.7 Internal Vehicle Notice</p>	
<p>A. Operator</p>	<p>Providing information to passengers</p> <p>One of the most evident ways we have improved safety is via the information we provide passengers in their app. Before their vehicle arrives, the passenger has access to the make, model, colour and vehicle registration mark of the car; the driver’s name, picture and the parties’ anonymised contact details are exchanged. Furthermore, the passenger has the ability to see where their vehicle is in real time via the map on their phone.</p> <p>These features allow a passenger to more accurately identify and connect with their driver than by relying on recognising the branding from the vehicle’s signage.</p> <p>Our technology also includes features for passengers and drivers with additional needs—from VoiceOver iOS to easy ways of sharing trip details with others: https://accessibility.uber.com/ . This means that those with limited vision or hearing are still able to receive this information.</p> <p>Given that every private hire journey is pre-booked, all operators should be able to provide these specific driver/vehicle details (via phone, text, email, app) before every journey (with the potential exception of driver picture and live map). As a requirement, this would enhance the information provided to passengers and improve public safety</p> <p>3.18 Required Information for Passengers</p>

	<p>i. Members of the public who have cause for concern, or who wish to complain about a journey in a licensed vehicle, will need some information about the driver or vehicle they used in order to progress their complaint or report their concern.</p> <p>It is noted that this section is focused on required information for passengers , however the first point focuses on members of the public. It would be helpful if the final policy (and wording) could align to make it clear what is required information for passengers, and what (if anything) is required information for members of the public.</p> <p>Through Uber, passengers are given up-front information about the driver (his or her name and accompanying photograph, badge number and licensing authority) as well as the vehicle (registration number, make and model) as soon as the driver has agreed to provide transportation services for the passenger via the app.</p> <p>In the interests of promoting public safety, passengers are able to share trip details with loved ones even before the trip has started. Passengers are able to provide feedback about the trip before, during or after the trip has ended, with the details of the driver and vehicle tagged so that it is straightforward for our teams to process.</p> <p>This feedback can be both positive and negative. The driver’s licence number and licensing authority is available to be seen in the receipt after the trip has been completed.</p>
<p>B. Vehicle owner</p>	<p>What you MUST remember is clients are sent emails AND texts of all drivers details should they require them, unlike a normal taxi.</p>
<p>C.</p>	<p>What is new to us is the inclusion of an internal notice (previously these details were allowed to be given electronically). Most drivers are self-employed and often work for several operators, the internal notice contains the information of the operator as well as the vehicle so it can be misleading to passengers. It would not be practical to keep swapping multiple notices throughout the day, the potential for error is enormous and these notices could get lost or stolen.</p> <p>It is our opinion that this notice should be changed for plate exempt vehicles to a tamperproof disc similar to that used by Transport for London that would permanently be affixed to the windscreen.</p> <p>The notice would contain the licence number, vehicle details and the address of the licencing office, we believe it is important that the operator details are not given here as they are not permanent to the vehicle.</p> <p>It is really important that complaints are directed to the council, operators may try to hide the complaint and protect a driver from repercussions which is not in the interests of public safety. Situations where a passenger in a private hire vehicle does not know the operator are generally very rare and even rarer in an executive vehicle.</p> <p>In any event, the notice would contain the licence number, the proprietor of that vehicle is duty bound to keep records of the driver at the time and operators are bound to keep details of the journey so tracing a complaint would not be difficult</p>

D. Driver	We private hire work as pre booking service for which the passenger is already aware of the service provider and private hire company have the details of the driver then why it is mandatory to have internal sign, external signs should be enough.
E. Driver	Plus people booking journeys have my contact details confirmed (ie landline, mobile phone, email, and website) when the booking was made and I can be contacted if needed.
F. Cllr	I trust the information mentioned in 3.18.iv will be visible from all seats but kept discreet
G. Operator	Panther are in favour of the internal signage for the intended reasons and believe this should include plate exempt vehicles too. Internal signage MUST in our opinion, include information on the operating company under which the vehicle is conducting the job/its services.
H. Drivers	Internal signage in PHVs is also a bad idea, as it can be fraudulently copied and used to entice a passenger into a vehicle and a potentially dangerous situation. With 'self-destruct on removal' screen discs, the practice of issuing things like a licensing information card, that can easily be replicated, removed by passengers and I understand, in the main gets stored in the glove box anyway, is negated
5.8 CCTV	
A. Driver	The proposed CCTV regulations are regarded in a similar way and would be seen as intrusive to customer privacy. We do not operate a service type that is involved with bookings late at night from people we don't know coming back from night clubs or similar.
B. Driver	CCTV – the proposed introduction for all vehicle is completely inappropriate for Executive Car Operators and drivers. We are not Taxis or "Mini Cabs".
C. Operator	CCTV, my concern is that my cars are private hire only and my clients know me and my drivers for the last 20+ years on repeat business contracts. My car is under a BMW lease agreement for a 3 year contract with a full warranty and no modifications are permitted. I can understand the need for cctv in taxis.
D. Operator	Uber supports the ICO guidelines and, where councils require CCTV in licensed vehicles, takes the view that this is a matter with which only vehicle proprietors must be compliant (and therefore it is the responsibility of the proprietor to notify the council that the equipment

	<p>has been installed).</p> <p>There is no need for an operator to play a role in this, other than to ensure that current and prospective drivers are aware of the requirement for their vehicle. This will reduce additional administrative steps for both the council and operators.</p>
E. Driver	<p>About CCTV it's fantastic idea but...</p> <p>First of all it's a breach of data protection rules.</p> <p>Second of all what would be the cost?</p> <p>And will council cover the costs of installation as we know it won't be cheap. Also cost of maintenance etc.</p> <p>Another thing we've heard about "panic button" and that's bit weird idea.</p> <p>Are you gonna have to damage some of our car interior?</p> <p>And as we know some cars installation will cost more then the others. How that's gonna work?</p> <p>The whole installation of CCTV might be interfering with car manufacturer warranty - it might void it. Also some recording device must be installed which will take some of our space out.</p> <p>Another thing some feedback from customers have been collected and all business customers said that they're discussing business matters and don't want to be recorded.</p> <p>So CCTV has to be decided very very careful.</p>
F. Drivers	<p>3.9: CCTV. I do not see that CCTV meets the objectives of 3.9..ii.</p> <p>GDPR further restricts its usefulness, as attempts by cyclists to use CCTV footage from Stagecoach demonstrate.</p> <p>It would be worth consulting the Cycling Campaign here. Internal CCTV will be extremely unpopular with the travelling public who are likely to want to have confidential conversations in the car.</p>
G. Driver	<p>CCTV - I have concerns about the use of CCTV within a vehicle and would like to know more information on the proposed system before it becomes a requirement.</p> <p>Plus I have concerns on the cost of fitting a secure system</p>

	I do like the idea of having a dash cam fitted for recording outside the vehicle as a protection and an aid for my Insurance company .
H. Operator	CCTV in Chauffeur Exempt vehicles are totally unnecessary, it will not add to any public safety as WE DO NOT DRIVE ANY OF THE PUBLIC only business account customers who will find this intrusive into their privacy. Please see letters of objection from some of my clients sent separately by email to licencing.
I. Enforcement Officer	CCTV - As an officer for the authority I'm aware of the increasing number of driver's who have fitted or intend to fit, dashcams to their vehicles. Due to the number of hours licensed drivers spend on the road it is quite understandable that they wish to protect themselves against false allegations if their vehicle is involved in an accident. Some of the cameras fitted view from the front outward, another may be fitted at the rear of the vehicle viewing outward. However, some of the cameras are also viewing inwards from the front and recording passengers during the journey and as they enter and exit the vehicle. This recorded footage may be of children, or vulnerable persons which may include inebriated female passengers who may be economically dressed. The cameras may be situated in such a position that captured footage would reveal more of the passengers than they would feel comfortable with. I believe that some drivers are fitting these systems to be used as internal vehicle CCTV, and that having their system of choice fitted will preclude them from having the council approved system fitted later. What the drivers are not aware of is that these systems are also recording audio which is specifically not allowed by ICO (Information Commissioners Office) unless it is attached to some form of "Panic button", which of course these systems do not support. Although a driver can go into the settings manual and turn off the audio, in some systems it is reactivated when the camera is turned off and then back on again. Drivers also seem unaware that they should register the use of any such system with ICO to ensure compliance. There is also a question on the security of any captured footage, which are generally held on removable and rewritable media such as a USB flashcard. This means that there are no control measures in place to stop footage being viewed by the driver and distributed on social media. I would therefore suggest that the council make it as part of the policy that we do not allow dashcams to be fitted to any of our licensed vehicles. If drivers/proprietors wish to have a system that records the external journey, either front and/or rear, it should be incorporated into the council approved CCTV system as and when a system or systems have been approved as meeting the requirements.
J. Driver	In favour of CCTV but drivers will find it difficult to joining ICO and will not understand it. It must be cost effective for driver though £ 400 max.

K. Drivers	<p>CCTV is good things and as far we are aware this is going to be enforced by central government and every taxi or private hire vehicle need to have one by law regardless local council taxi policies .</p> <p>To have CCTV 2020 is a very short time to spend so much money and so far it is not clear that :</p> <p>What will happen if the CCTV brakes down ?</p> <p>Who is responsible for the maintenance of the CCTV</p> <p>Who will compensate drivers time when the council need to extract CCTV footage from the camera and the locations where driver need to go if the footage is required.</p> <p>Our own privacy: we use our car for our personal use so what plans council have to protect our personal and private life privacy while those CCTV in use 24/7.</p>
L. Driver	<p>Having a CCTV is good thing. To have it by 2020 is a very short notice. Authorities need to understand that we are already struggling to meet our needs.</p> <p>I use my car for personal use and by giving all the access and control to third person is a breach of my private life.</p> <p>Few questions.</p> <p>who is responsible for the maintenance ,</p> <p>and who will be covering the loss of earning if council need to extract the footage ?</p>
M. Drivers	<p>We strongly oppose the introduction of compulsory CCTV in executive (exempt) vehicles and there are a number of reasons for this:</p> <p>Our passengers value privacy and this is why they hire a private car. Customers have reported that they would seek operators from other areas who do not have to have CCTV, this is the crux of the problem, it would be wholly unfair to impose a significant financial cost and negative customer experience on South Cambridgeshire Executive Operators when our competitors (that can and do operate in our area) are not burdened by these conditions.</p> <p>This should be a decision made at national level or given as a subsidised option for drivers & operators.</p> <p>Current licensing policy states that exempt vehicles are excluded from needing CCTV, this was after a similar consultation a few years ago where a few of our members put forward the need for privacy rights and that the violent disputes do not occur in executive vehicles.</p>

	<p>We are not aware of any increase in complaints involving exempted vehicles over the last two years, in fact no member of the group can recall any complaint that would have benefitted from CCTV footage.</p> <p>As operators, drivers and vehicle owners we do not feel any benefit from mandatory CCTV and this is also the view of our passengers. There has been no consideration made for the passengers right to privacy in their privately hired vehicle, this is something our trade hold very dear, discretion, reliability and professionalism are at the very front of our passengers wishes. At our meeting earlier this month you kindly asked us to provide evidence from our customers, this has been collected by our members and forwarded to the LPHCA (for confidentiality), to date the LPHCA has only received objections in writing and more are expected.</p> <p>On the subject of CCTV itself there are a number of things also not very clear in the consultation:</p> <ol style="list-style-type: none"> 1. The data is controlled by licensing and can only be accessed by them, what steps would be taken to ensure the data is managed in a proper way and compliant to GDPR and other data protection regulations? 2. What allowances would be made for temporary vehicles in the case of breakdowns and accidents? 3. What allowances would be made for system breakdowns, how will it be monitored that the system is even working at all? 4. It is understood that the system can be turned off when the vehicle is being used privately, what steps are being made to ensure that the driver cannot accidentally turn it off?
N. Driver	<p>What are the full requirements of the CCTV systems? Are we able to choose system and where fitted?</p> <p>Will it only have to be on when working?</p>
O. Cllr	<p>3.9: CCTV. I do not see that CCTV meets the objectives[of 3.9.ii. GDPR further restricts its usefulness, as attempts by cyclists to use CCTV footage from Stagecoach demonstrate. It would be worth consulting the Cycling Campaign here. Internal CCTV will be extremely unpopular</p>
P. Operator	<p>Hello I have a problem with your proposed change to your rules regarding CCTV in my private hire vehicles with exemption certificates.</p> <p>Private hire means private hire, my customers want privacy in my cars.</p> <p>My understanding is the Recordings on CCTV is stored in my car for 28 days. If my car gets stolen and my customers confidential information is accessed this could be used for any number of things. So will South Cambs council be held responsible for the breach in the data protection act.</p> <p>.It states in my contract with my leasing company for my car that no modifications must be made to it as this will invalidate the warranty. BWM STRESS THAT IF YOU TAMPER WITH MY CAR IT WILL INVALIDATE MY WARRENTY AND YOU WILL HAVE TO COVER IT INSTEAD AND PUT RIGHT ANY DAMAGE LEFT BEHIND WHEN CCTV IS REMOVED.</p>

	<p>My self and my customers do not want any CCTV in my cars I have been trading as a private hire driver since 1983 for Chauffeur/Private Hire work for blue chip companies and never once needed CCTV. All my work is repeat business and if you impose CCTV on us I will be out of business.</p> <p>Have you ever had a complaint of any kind regarding Malcolm Bonnett or Grafton Executive cars.</p>
Q. Operator	<p>Panther are in favour of provision of CCTV in all vehicles including plate exempt vehicles for all the stated reasons/objectives – there is no reason why plate exempt should mean CCTV exempt too!</p> <p>However, any provision needs to be carefully thought out with regard to the law and driver protection and not cost prohibitive or burdensome for the driver.</p> <p>In Panthers opinion, cost to driver of £300 - £400 is agreeable/sensible – anything above £500 is definitely cost prohibitive.</p> <p>Under point v of your proposal we are not sure that drivers would need to sign up with ICO in the event that CCTV data is only accessible to police and/or SCDC and we have called ICO office to clarify this – they are unsure!! One thing is for sure – if drivers are required to sign up individually there will be a severe lack of comprehension among drivers regarding this and this could be very administratively time-consuming for council officers and/or operators.</p> <p>Ultimately, the specification needs to be reasonable and so does the implementation period. Panther would advocate that there needs to be a period of full consultation on this matter alone after any adoption of it in principal in December 2019 (as the devil is the detail on this one) and that when specification is agreed, a further period of at least 1 year to allow a vehicle to install and prove installation/provide certification – in other words, to adopt, consult and then implement at next testing would be unfair on some drivers whose next test would be ‘upcoming’.</p> <p>The date given in the proposed policy under iii is therefore not that reasonable in our opinion.</p> <p>Panther would also expect that supply provision wasn’t monopolised and that - in accordance with best practices – drivers will have options for suppliers and installers.</p>
R. Drivers	<p>The case for CCTV in Executive & Chauffeur Vehicles in particular and more widely in Private Hire Vehicles is controversial, unproven and subjective. Whilst there is slightly more of a case for publicly hired taxis as no independent record (unlike under PHV regulations) or tracking is assured, the Surveillance Camera Commissioner’s response to the Department for Transport consultation on statutory guidance for taxi and private hire vehicles for licensing authorities makes significant points.</p> <p>I have put our comments in bold below the Surveillance Camera Commissioner consultation response and I have put the full link at the bottom of this section in italics.</p> <p>Surveillance Camera Commissioner consultation response to the Department for Transport consultation on statutory guidance for taxi and private hire vehicles licensing authorities.</p> <p>1. <i>The Surveillance Camera Commissioner welcomes the opportunity to provide input into this consultation on statutory guidance for</i></p>

licensing authorities with regard to taxis. He has worked with the Department for Transport in development of the draft guidance that was issued for consultation.

2. *The Commissioner recognises that it refers local authorities to the Surveillance Camera Code of Practice. The Protection of Freedoms Act 2012 (PoFA) s.33(5) sets out that they must pay due regard to the code. It is also encouraging that the guidance refers to a number of the tools the Commissioner has issued to help organisations comply with the 12 guiding principles in the code. As relevant authorities under PoFA, local authorities must be made aware that if they do not pay due regard to the code this is admissible as evidence in court. The Crown Prosecution Service revised their Disclosure Manual in December 2018 to reflect this.*
3. *That said blanket licencing may be disproportionate and should only be used where there is a strong justification as set out in paragraph 1.15 of the code: When a relevant authority has licensing functions and considers the use of surveillance camera systems as part of the conditions attached to a licence or certificate, it must in particular have regard to guiding principle one in this code. Any proposed imposition of a blanket requirement to attach surveillance camera conditions as part of the conditions attached to a licence or certificate is likely to give rise to concerns about the proportionality of such an approach and will require an appropriately strong justification and must be kept under regular review.*

LPHCA COMMENT - In section 3.9 CCTV you state:

- i. The installation of CCTV in licensed vehicles can be both a deterrent to would-be troublemakers and a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents.

We question whether a lot of this is accurate and ask what evidence, especially for Chauffeur & Executive and basic pre-booked and often tracked PHVs do you have for SCDC?

Recent media footage has shown CCTV has not acted as a deterrent on busses, tube stations and main line railway, where murders and serious assaults have occurred. As PHVs are pre-booked we are not convinced that the cost of installation, maintenance and overheads a) are necessary, b) proportionate and can therefore be reasonably justified.

As well as this we would like to know if you conducted a formal regulatory impact assessment to cover costs to drivers, operators, SCDC and ultimately to the fare paying passengers.

In addition, what have you done to directly engage with businesses and passengers, who may well object?

At our recent meeting on 4th September we were asked by your goodselves to evidence how Chauffeur & Executive passengers would regard CCTV and we are now compiling the responses from Cambridgeshire businesses and expect to have them within 28 days of your request. Evidence gathered to date shows total resistance to CCTV being in place in a Private Hired Chauffeured or Executive Vehicle.

- ii. The key objects 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.

To understand the necessity for the protection of licensed drivers and the travelling public in SCDC are you able to provide statistical information on previous problems in PHVs please?

We have grave concerns regarding the bullet point that licensed drivers continue to be 'fit and proper' in line with licence conditions via CCTV surveillance as being reasonable and proportionate.

- ii. All Hackney Carriage and Private Hire vehicles must be fitted with an approved CCTV system no later than 30th November 2020.

This seems to be a blanket policy and as stated above should only be used where there is a strong justification.

4. The Commissioner is aware of the blanket requirement for taxis in Rotherham to have CCTV installed. This was one of a number of measures implemented following the child abuse issues in the Town where taxis were used to transport a number of the victims. Here there was persuasive evidence to argue sufficient justification but the Commissioner would not expect widespread installation of CCTV in taxis without well evidenced justifications. The local authority's Senior Responsible Officer for compliance with PoFA and the code will be able to advise on justification requirements for CCTV.

In Rotherham, we understand there were major failings at Council Licensing & Enforcement level.

5. Furthermore, CCTV in taxis typically also records audio (as well as video). The recording of conversations is extremely intrusive and requires strong justification as set out in paragraph 3.3.2 of the code: Any proposed deployment that includes audio recording in a public place is likely to require a strong justification of necessity to establish its proportionality. There is a strong presumption that a surveillance camera system must not be used to record conversations as this is highly intrusive and unlikely to be justified.

It is clear that customers do not want to be voice recorded

6. A key part in the process for justifying a surveillance camera system is consultation. The Commissioner would expect to see clear evidence of public consultation before any final decision about installation is made. This consultation should involve members of the public, taxi drivers, police and any relevant regulators.

Whilst you have clearly consulted via the proposal document, what direct level of engagement has been done with passengers and businesses by you on CCTV?

	<p>7. Local authorities must also have completed a data protection impact assessment prior to installation and have consulted their data protection officer and legal teams. There is a surveillance camera specific DPIA template on the Commissioner's website which was developed in conjunction with the Information Commissioner's Office.</p> <p>Has this been done and if so is it available?</p> <p>8. Where it is the case that taxi drivers use the vehicle for their own private use the Commissioner would expect there to be a facility to switch off recording. In addition, there must be clear policies and procedures in place regarding how the CCTV system is used and who can access the footage it records and where CCTV systems are IP enabled (connected to the internet) then they must be cyber secure.</p> <p>Is this in place and applicable – the consultation does not appear to have covered this?</p> <p>9. The Commissioner would recommend that installation of any system should include a full operational requirement which can be achieved by using the Commissioner's Buyers' Toolkit and/or Passport to Compliance documents. This will ensure that a system is installed that is fit for purpose and actually delivers footage that can be used in court if required. Whilst the Commissioner appreciates the austere times that local authorities are working in, he would not expect that substandard systems are installed to save money particularly if the justification of the system is passenger and driver safety.</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/798087/SCC-taxi-consultation-response-DfT.pdf</p>
<p>5.9 Hackney Carriage Vehicles</p>	
<p>A. Driver</p>	<p>With regard to the necessity to have all Hackney carriages white, there is some logic in that as they can then be easily recognised,</p> <p>However there are no Taxi ranks where they can wait and be recognised and very few areas where they are likely to be hailed. In addition having a condition that ALL Hackney carriages need to be wheelchair accessible is also inappropriate when just a percentage would be more fitting. Otherwise why not have the same conditions for Private Hire cars?</p> <p>A good proportion of our work is involved with taking people to and from the hospital and with a good number of them confined to, or using wheelchairs, it is extremely unusual for people not to be able to stand up out of the wheelchair and have it put in the back of the car while they sit on the front seat and we always understand this situation before we go to meet them.</p> <p>Therefore we do not understand therefore why ALL cars need to accommodate a very tiny fraction of the travelling public when they have to be booked almost exclusively by telephone. It is like making a butchers shop have a counter to accommodate vegetarian customers just</p>

	in case some come in!
B. Cllr	Why are new Hackneys to be white? Which of the goals of 1.2.xi is this supposed to relate to? It is appropriate that a PHV should be identifiable as such both by passengers and the public
C. Cllr	3.14: Accessibility. In my village there are wheelchair users who much prefer travelling in the who much prefer travelling in the comfort of a saloon than stuck in the chair, and a Hackney carriage which never plies for hire but uses its status only to be able to use London bus lanes. Why should these be penalised?
5.10 Transfer of Ownership of Vehicle	
A. Operator	Transfer of ownership of vehicle It is assumed SCDC will provide a transfer form for this purpose for the first time and that it will be available on your website. If so, this would be welcome as there has long been a lack of clarity about how to go about transfers with SCDC and the use of the current vehicle application form is not effective and confuses. Panther would also expect there to be reasonable charge for such a transfer and re-issue of a license etc. Regarding non-driver Proprietors, Panther would like to see such owners be forced to sign up to the DBS update service like other owners as it would save said proprietor having to re-do a basic check every year – would save money for the proprietor in the long run .
6. Enforcement	
A. Driver	No need.
B. Driver	Cambridge desperately needs enforcement.
C. Vehicle Owner	Enforcement from the authority is absolutely necessary. Without active enforcement these measures could be compromised.
D. Resident	I have never heard of any SCDC enforcement. Please enforce, it will raise standards
E. Driver	Need more enforcement.
F. Driver	Drivers should immediately loose their badge/license if they're caught picking up customers without pre-booking If they're not hackney

	<p>Carriage.</p> <p>Also there should be more enforcement officers checking vehicles on the road and checking drivers.</p>
G. Cllr	In general too diffuse and terribly repetitive.
H. Operator	Enforcement should be made where necessary, especially where operators want exempt certificates but do mostly taxi work.
I. Driver	More on street enforcement needed.
J. Drivers	<p>Currently there is no right of appeal other than going before committee.</p> <p>We are proposing to Authority allow drivers fair chance of explanation if points are given maybe he has genuine reason that he may not need to be issued with points.</p> <p>So this need to be looked into giving driver chance to clear his name against the complain and get penalty point reversed</p>
K. Driver	Penalty Point System is good but the way Taxi Licensing are using those point system to punish drivers and drivers have no right of appeals. So this need to be looked into giving driver chance to clear the name against the complain and get penalty point reversed.
L. Driver	<p>PENALTY POINTS:</p> <p>Please give driver the fair chance to explain by giving them right to appeal against the decision.</p>
M. Driver	Point system isn't the right way, as you have jealous Hackney drivers unnecessary taking photos and sending them to you guys, without any wrong doing etc
N. Operator	<p>Page 52 – Section 3.9 Penalty Point System or Scheme.</p> <p>We note you call you this two different things (system in the contents section & scheme in the main body) and that this may not be section 3.9 in the final policy as the numbering of sections seems to go a bit wrong on page 51 so we hope you will correct this.</p> <p>However, Panther would like to be able to comment on the content of such a policy but are disappointed we cannot do so due to it being a Handbook item.</p> <p>We are aware this part of policy is being scrutinised and possibly re-written/re-evaluated and therefore may work differently to how it has in the past therefore - given that this is a vital part of driver licensing/monitoring – we are disappointed not to have the tools to comment/contribute and would like to request that a short separate consultation on this takes place – at the very least, with license holders only</p>
O. Complaints	
P. Operator	5.4 Complaints, Compliments and Comments

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.

It is encouraging to see that South Cambridgeshire District Council set out within the policy their willingness to process complaints made by members of the public. Like many other councils (including councils in urban areas and those supporting more rural areas), unless it is a matter for the police, it is often the council to whom members of the public turn in order to lodge a complaint.

An example from Guildford Council clearly lays out when members of the public should direct their concerns to the council to whom members of the public turn in order to lodge a complaint.

An example from Guildford Council clearly lays out when members of the public should direct their concerns to the council and when to complain to the police, and when to complain to British Transport Police

Licensed hackney carriages and private hire vehicles provide a valuable service to the public. While the majority of our drivers provide a good service, please let us know if you have a complaint about a driver's conduct or the condition of a vehicle.

You can make a complaint about a hackney carriage (taxi) or its driver, as well as a private hire driver, vehicle or operator licensed by us using our Complain about a taxi driver or taxi company online form .

Please provide as much detail as possible, including the date and time of the incident. It is important that you include the licence number (available from the rear plate) or registration number of the vehicle involved, or licence number of the driver (available on the badge worn by the driver).

When to complain to the police

If your complaint is in relation to an alleged offence, such as reckless driving or sounding of a horn, you should complain to Surrey Police by calling 101.

If the alleged offence takes place within the confines of Guildford Railway Station, you should contact the British Transport Police on 0800 405040.

It is Uber's view that one core aspect of the Council's role in promoting public safety is to provide a service to process complaints about licensed vehicles from members of the public, while operators process the vast majority of feedback from both drivers and customers. As you can see from our complaints policies and resources, there are many ways that customers (and drivers) can share their feedback with us or raise an issue. As an operator, Uber follows the conditions set upon it to report serious complaints from members of the public is that of the Council.

7. Relevance of Convictions	
A. Driver	Agree with current proposals.
B. Resident	A firm stance is necessary.
C. Cllr	In general too diffuse and terribly repetitive.
8. Any other Comments	
A. Operator	<p>We have no objection, of course, to genuine and well thought out policy proposals to ensure that operators and drivers are fit and proper and that vehicles are as safe and environmentally friendly as possible.</p> <p>However, as set out, we consider that the proposals are not suitable as they stand. A "one size fits all" approach is not appropriate and will discriminate against smaller operators, create a financial burden and disadvantage many of South Cambridgeshire's more rural residents.</p>
B. Driver	PLEASE MAKE THE LIFE EASY .THANKS
C. Drivers	<p>Finally we would like thank you for recognising that there is a strong market for executive private hire services (often referred to as chauffeur services), it is always the subject of much debate as to what defines that, some would believe it is only reserved for pop stars, royalty and ceo's!</p> <p>We would like to offer in the future to consult with the licensing team to establish a clear understanding of the market and help shape the definition.</p>
D. Cambridge City Council	<p>Further to the current proposed policy, we would like South Cambridgeshire District Council to consider what is below as part of their policy changes.</p> <p>Certificate of Compliance - Cambridge City Council employ the strategy of one garage testing vehicles licensed with Cambridge City Council.</p> <p>This method has proven to be highly effective in monitoring vehicle two yearly Certificate of Compliance tests. In addition, having one specified garage completing these tests ensures that many of the council specific vehicle standards are checked by testers and if issues arise, they can contact council officers directly.</p>

	<p>We would like South Cambridgeshire District Council to consider this approach, to further support in vehicle management.</p> <p>Ability for Hackney Carriages and Private Hire vehicles to take non- cash payments.</p> <p>In July 2019, Cambridge City Council made it mandatory for both Hackney Carriages and Private Hire vehicles to provide a device that can be used to accept card payments from customers.</p> <p>Following the licensing committee in July 2019, it was identified that the wording used in the policy did not capture all means in which customers are able to pay for journey e.g app based bookings.</p> <p>To amend this we will be requesting a slight word amendment, during our next Licensing Committee dated 30 September 2019, which will capture the use of such app based operators.</p> <p>We request that South Cambridgeshire District Council look into making it mandatory for their drivers to provide customers a means of paying for a booking, with their credit, or debit card, whether it be chip and pin, or via an app.</p> <p>This provision is hoped to reduce the need for members of the public to walk to cashpoints, which could take them through undesired locations. In addition, the option of a cashless payment method, helps prevents the need for the driver to stop during a journey to facilitate customers requiring a cash point.</p> <p>Furthermore, society is moving quickly into a more cashless society with fewer members of the public carrying cash and opting to use card payments and services such as Apple Pay and Samsun Pay.</p>
E. Drivers	<p>I have been privileged to work with safety groups, trade bodies, politicians, ministers and government officials at local and national levels on taxi & PHV licensing. I have also been fortunate to work with the Law Commission on its wide-ranging review of taxi & private hire, as well as being on the government's recent task and finish group.</p> <p>Along the way, I have learnt that all good regulations are considered thoroughly, but most importantly have within them the ability to empower regulators to make exemptions and have flexibility for officials to have discretion to make alternative arrangements where sensible.</p> <p>I wish to thank SCDC for the courtesy, consideration and assistance shown in this consultation exercise</p>

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Hackney Carriage and Private Hire
Policy Consultation Feedback
2019

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Background

South Cambridgeshire District Council has reviewed its Taxi Policy and the proposed changes identified will apply to all Private Hire and Hackney Carriage Drivers, Vehicle Proprietors and Operators holding or wishing to obtain a licence from this authority.

Consultation event open days were held on the 29th and 30th July in the Council Chamber where the taxi trade and other interested parties came to discuss the proposed policy and provide their feedback. The event was very well attended and appreciated by trade and the public.

Cambridge City Council has engaged very well with the consultation and there has been a consensus of support for the proposed policy.

It is felt that with the two neighboring authorities working at harmonising their policies, it will provide a more streamlined Hackney Carriage and Private Hire regime across both areas where many of those licensed with South Cambridgeshire District Council frequent.

Following the consultation, the Licensing Committee will be asked to sign off the policy at a Formal Licensing Committee Meeting 11th November 2019 to be adopted at Full Council on 28th November 2019.

The policy update is intended to address the Business Plan objectives for 'Green to the Core' and supporting local businesses. It also helps address residents need for safe, reliable and convenient local transport.

Overall Proposed Policy

Consultation Responses:	
Key Points	Index
	Section 1
Support	
<ul style="list-style-type: none"> Support for more frequent vehicle safety checks, safeguarding and lower emission vehicles, public safety 	A,C
<ul style="list-style-type: none"> Thanks given for recognising of the market for executive private hire services 	C
Concern	
<ul style="list-style-type: none"> Timing of the policy review as government are considering introducing national standards is not helpful to the trade. 	R
<ul style="list-style-type: none"> Additional costs would prompt applicants to go elsewhere (Inc. cross-border working) 	B,G
<ul style="list-style-type: none"> Lack of flexibility detrimental for different business models and didn't support small rural operators and residents 	D H
<ul style="list-style-type: none"> A "one size fits all" approach is not appropriate and will discriminate against smaller operators, create a financial burden and disadvantage many of South Cambridgeshire's more rural residents'. 	H
Suggestions	
<ul style="list-style-type: none"> Offer to consult with the licensing team to establish a clear understanding of the (executive) market and help shape the definition (Driver) 	U
<ul style="list-style-type: none"> (Cambridge City Council) - would like South Cambridgeshire District Council to consider the following as part of their policy changes. <ol style="list-style-type: none"> i. Would like South Cambridgeshire District Council to consider Cambridge City Council garage as the sole tester of vehicles for their COC as they believe it is more effective, more robust and contact with council on issues more efficiently. ii. We request that South Cambridgeshire District Council look into making it mandatory for their drivers to provide customers a means of paying for a booking, with their credit, or debit card, whether it be chip and pin, or via an app. 	V
<ul style="list-style-type: none"> Limiting the amount of hours worked. 	I
<ul style="list-style-type: none"> Request for a price freeze when new regulations came into force. 	O

Officer Comments

- i. The main aim of the local authority in the licensing of Hackney Carriage and Private drivers, vehicles and operators is the protection of the public
- ii. We believe that the proposed policy does demonstrate the promotion of 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

- iii. No date has been given for the setting of National Standards by the Government. The existing Department for Transport (DfT) Best Practice Guidance has been consulted on and we await the outcome.
- iv. With regard to information and data sharing the policy states that the Council may process the information provided to prevent and detect fraud in any of our systems and may supply information to other departments within this Licensing Authority and externally to government agencies, credit reference agencies, audit or other external bodies for such purposes. We may share personal data with Local Partner Authorities, Police, Legal, Courts, Internal/External audit, Disclosure and Barring Service, HM Revenue & Customs, Driver & Vehicle Standards Agency, Customs and Border Agency as required.
- v. All licence fees are cost recovery and do not include enforcement work.
- vi. The priority of this Licensing Authority is on public safety and whilst we recognise that different business models have differing challenges, the aim of the policy is to have consistency and transparency for the objectives to be adhered to.
- vii. South Cambridgeshire District Council's current approach is to have a network of garages across the district to undertake C.O.C's. This is in line with the South Cambs Business Plan objectives of supporting small local businesses. This will also reduce mileage and therefore carbon emissions across the district.

Environmental Issues

Proposed Changes to Policy
<ul style="list-style-type: none"> • New conditions added to the policy to line up with Cambridge City and to work towards South Cambridgeshire District Council Business Plan for a carbon free future • Cambridge City intend to restrict City Centre Access to Ultra-Low and Zero Emission Licensed Vehicles only by 2028. • Ultra low emission vehicle (ULEV) is the term used to describe any vehicle that: <ul style="list-style-type: none"> • Uses low carbon technologies • Emits less than 75g of CO2/km from the tailpipe • Is capable of operating in zero tailpipe emission mode for a range of at least ten miles

Policy	Rationale	Implementation
All first-time Hackney Carriage and Private Hire vehicle licence applications 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 October 2021
All Hackney Carriage and Private Hire vehicle licence applications 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 and allows adequate business planning.	With effect from October 2028

Consultation Responses:	
Key points	Index
	Section 2
Support	
• Health of residents/children adversely affected by pollution, this policy will help tackle it	A
• Consistency with Cambridge City a good thing	AS
• Long-term approach with investment in charging points helpful	A
• Green cars and ultra-low emission vehicles	R
• Time frame – fair and reasonable	T
• Council is progressive and ambitious and aligning its licensing conditions with broader sustainability goals - encouraging.	T
Concerns	
• Electric vehicles isn't feasible due to charge time and number of charging points in the area	F
• Limited vehicles available and unsuitable for taxis	B
• To reduce pollution, should reduce the number of vehicles licenced	D
• Cost of vehicles too expensive at present	K,U,V,
• Blue efficiency diesel cars are less harmful to the environment overall	L
• Hackney/Private Hire are different to Chauffeurs who do not operate in the city and this will put their businesses in jeopardy	V
• Mileage range insufficient	U
• Electric Wheelchair accessible vehicles not widely available and those that are - too expensive and are Hackney Carriage vehicles	U
• No secondhand markets for vehicle	U
• At present the market is unpredictable for vehicles	U
Suggestions	
• 'Make all licensed cars electric and hybrid only from 2021. With help from the councils we could change our cars easily within a year! 'Massive improvement on Cambridge roads!'	F
• A suggestion was made to support the transition from petrol/ diesel car by creating a car loan scheme for private hire and hackney drivers.	P
• Vehicles should comply with Euro 6 emissions standards at first to allow for owners who have entered into financial commitments	L
Relevant information	
<ul style="list-style-type: none"> • Cambridge City recently consulted on changing the set date for all new licensed saloon vehicles to be zero or ultra low emission from 1 April 2020 to 1 April 2021. • Members decided to keep the implementation date of 1 April 2020. 	

Officer Comments:

- i. Overall drivers recognise that low emission vehicles have a positive impact on the environment but are concerned that the infrastructure is not there. Officers agree that there are not enough charging points and ULEV/Electric vehicles still do not have the mileage range to successfully act as taxis and cover all facets of service provision expected by public.
- ii. SCDC to install 3 rapid charge-points for Hackney Carriage and Private Hire use only
- iii. Public charge points in supermarkets/carparks are often free to use for the duration of your stay.
- iv. The Government has already taken steps to ensure that existing homes are electric vehicle ready by providing up to £500 off the costs of installing a charge-point at home
- v. Technology allows drivers to be able to plan journeys taking into account distance, time and charging points available.
- vi. There is a Government grant available for up to a maximum of £3,500 off the purchase of approved vehicles. These vehicles have CO2 emissions of less than 50g/km and can travel at least 112km (without) any emissions at all.
- vii. Legally - we cannot limit the number of private hire vehicle

Drivers

Proposed Changes to Policy	
i.	New Private Hire and Hackney Carriage driver licences will be issued for one-year probation period with a renewal check for a further 2 years.
ii.	Thereafter licences will be renewed every 3 years
iii.	To confirm 'fit and proper' before granting full licence
iv.	All Hackney Carriage and Private Hire driver applicants are required to provide two referees, at least one from a professional person (e.g. accountant, solicitor, magistrate), who has known the applicant for at least three years.

Consultation Responses:	
Key points	Index
	Section 3
Support	
<ul style="list-style-type: none"> Probation period for Hackney Carriage and Private Hire drivers is generally accepted. One driver commented 'some bad men want to be taxi drivers.' 	AJK
Concerns	
<ul style="list-style-type: none"> Several drivers thought that restricting the issue of new Hackney Carriage and Private Hire drivers licence to one year as a blanket policy seemed unfair, one driver commented that '<i>we should be encouraging entry to the trade not discouraging</i>'. 	I
<ul style="list-style-type: none"> One driver felt that there was no need for references. 	G
<ul style="list-style-type: none"> One driver commented 'this section does NOT distinguish between taxi/private hire and Chauffeur drivers who do NOT operate in Cambridge'. 	J
Suggestions	
<ul style="list-style-type: none"> Several drivers thought there should be a mandatory English test for all drivers. 	EF

Officer Comments

- i. Question 18 of the Department for Transport Consultation on Statutory Guidance for Licensing Authorities recommends that all licensing should consider whether an applicant for a licence is able to communicate in English orally and in writing with customers.
- ii. The statutory and practical criteria and qualifications for a Hackney Carriage driver are like those of a Private Hire driver. The only difference would be the Competency test – Hackney Carriage driver applicants would have additional questions i.e. shortest routes.

DBS Update Service

- i. Currently all licensed drivers will be required to subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence.
- ii. This authority will undertake an annual online check of the DBS Update Service for the applicant's current status.
- iii. There are **no proposed changes** to the requirement for Hackney Carriage and Private Hire drivers to subscribe to the DBS Update service.

Consultation Responses:	
Key points	Index
	Section 3.1
Concerns	
<ul style="list-style-type: none"> • Potential loss of licence if card expires or driver forgets to register 	A B
Suggestions	
<ul style="list-style-type: none"> • 'We are proposing to council, if there any driver failed to update his/her DBS on time or laps, notice them to subscribe this service within reasonable time period'. 	A
<ul style="list-style-type: none"> • <i>Non-driver owners to sign up to the DBS update service save having to re-do a basic check every year – would save money for the proprietor in the long run'.</i> 	C

Officer comments

- i. Subscription renewal to the update service can be made by choosing automatic renewal at the start or by logging on to the account created at the subscription start.
- ii. A reminder is emailed before the end of the subscription allowing renewal 30 days before the current subscription ends.
- iii. We can only ask non-driver proprietors for a basic DBS and this does not allow update service.

Safeguarding Course and Test

- i. Currently all new applicants for Hackney Carriage and Private Hire driver, proprietors of Hackney Carriage and Private Hire vehicles and Operator licences will be required to participate and undertake a safeguarding course and test.
- ii. All existing licensed drivers, proprietors and operators will be required to participate and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is earlier. Failure to do so may result in suspension of the licence until successful completion of the test.
- iii. There are **no proposed changes** to the requirement for Hackney Carriage and Private Hire drivers to undertake the Safeguarding course and test.

Consultation Responses:	
Key points	Index
	Section 3.2
Support	
<ul style="list-style-type: none"> Most comments were in support of the safeguarding course and test. 	
Concerns	
<ul style="list-style-type: none"> One driver commented that he didn't '<i>know english, so an exam will be very difficult</i>' for him 	D
Suggestions	
<ul style="list-style-type: none"> Drivers who have poor written English should be able to take the safeguarding course and test verbally. 	ACF

Officer Comments

- i. This Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- ii. It is therefore essential that drivers have a good understanding and command of the English language. This will be tested by way of communication at the appointment and through the competency and safeguarding tests.

Competency Test

- i. Currently the policy states that in order to be a licensed driver a new applicant must first complete and pass the Private Hire or Hackney Carriage Competency Test which should have been completed no more than 12 months prior to application.
- ii. Existing drivers may be required to undertake the Competency Test as determined by this Local Authority.
- iii. There are **no proposed changes** to the requirement for new Hackney Carriage and Private Hire drivers to undertake the Competency test.
- iv.

Consultation Responses:	
Key points	Index
	Section 3.3
Support	
<ul style="list-style-type: none"> Drivers need to have a good geographical knowledge and cannot be sat nav dependent. I suggest a robust knowledge test' 	D
Concerns	
<ul style="list-style-type: none"> Existing drivers should not be required to take the Competency test. 	A,B

Suggestions

- The content of the competency test should be made available to operators and drivers for training purposes.

C

Officer Comments

- Existing drivers will only be required to take the Competency test if there are concerns.
- The competency test covers general vehicle questions, points of Interest, numeracy, licence conditions, Highway Code and road signs. Hackney Carriage driver applications will be required to answer question on the shortest routes. Revision suggestions are made in the handbook.

Operator

Proposed Changes to Policy
<ul style="list-style-type: none"> • New operator licenses will be issued for probation of one year with a renewal application for up to a further five years • All Private Hire Operator applicants are required to provide two referees, at least one from a professional person (e.g. accountant, solicitor, magistrate), who has known the applicant for at least three years • To confirm 'fit and proper' before granting full licence.

Consultation Responses:	
Key points	Index
	Section 4.1
Support	
<ul style="list-style-type: none"> • One driver commented that more should be done to check the fit & proper status of some Operators. 	M
Concerns	
<ul style="list-style-type: none"> • 'This section does NOT distinguish between taxi/private hire and exempt Chauffeur Operators'. 	J
<ul style="list-style-type: none"> • One thing I miss is any understanding of the difference between, say, Panther and my local firms with 1 and 2 persons. • I suggest we think about a different regime for companies with fewer than 5 employees allowing them to specialise and freeing them from burdensome and useless requirements. 	I
General Comments	
<ul style="list-style-type: none"> • Operators need to play an active role in enforcement 	G
<ul style="list-style-type: none"> • Operators need to take responsibility by managing their drivers 	F
<ul style="list-style-type: none"> • Operators need to take responsibility and have relevant complaints policy 	AC

Officer Comments

- i. The introduction of a probation period falls in line with Cambridge City and most employers. Issues reported quite often emerge during the first year after the initial licence has been issued. The goal of this new probation period is to allow for the Licensing Authority to review and perform any relevant checks i.e. Basic DBS to ensure that the operator is complying with the conditions of his licence.
- ii. The priority of this Licensing Authority is on public safety and whilst we recognise that different business models have differing challenges, the aim of the policy is to have consistency and transparency for the objectives to be adhered to.

Vehicles

Proposed Changes to Policy
<ul style="list-style-type: none"> • A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old. • A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 7 years old. • A vehicle licence will not be renewed for a Ultra-low emissions vehicle unless the vehicle is less than 12 years old. • A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old.

Consultation Responses:	
Key points	Index
	Section 5.1
Support	
• <i>'help drivers to better manage the current more limited availability, and higher capital cost, of zero and ultra-low emissions vehicles.'</i>	AV
• <i>'helps drivers recover the increased cost of these vehicles over a longer period.'</i>	A
• <i>'fewer moving parts than petrol and diesel vehicles, zero emission vehicles experience less wear and tear and can therefore be expected to have longer operational lives'</i>	A
• <i>'It is known that many older model vehicles emit higher emission levels as compared to newer vehicles'</i>	E
Concerns	
• may be a be an issue to those many drivers who have loans/ finance/ HP agreements on their vehicles may	I
• There were many comments asking for the renewal age limit of 7 years to be reconsidered.	CDEFG NOPSU
• A number of drivers do not believe that excluding vehicles by age is necessary and other things should be considered instead i.e. mileage,emissions	BCH
General Comments	
• <i>One driver asked if there will be a period to allow for those not in a position to immediately replace a vehicle that is too old.</i>	M
• <i>Specify some emission test results (and not just CO2) instead'.</i>	A

Wheelchair Accessible Vehicles

- i. Currently Hackney Carriage vehicles must be Wheelchair Accessible Vehicles (WAV's). New vehicles will need to comply with this immediately, and for those vehicles currently licensed as a Hackney Carriage they will have 3 years to comply. Failure to do so will result in the vehicle being de-licensed.
- ii. There are **no proposed changes** to the requirement for Wheelchair Accessible Vehicles

Consultation Responses:	
Key points	Index
	Section 5.2
Concerns	
<ul style="list-style-type: none"> • One driver thought that all Operators should be able to offer Wheelchair Accessible Vehicles. 	A
<ul style="list-style-type: none"> • Having all HC vehicles be wheelchair accessible is inappropriate 	5.9A

Officer Comments

- i. This Local Authority encourages all Private Hire operators to include wheelchair accessible vehicles amongst their fleet
- ii. The Council encourages all Private Hire operators to include WAV's amongst their fleet and to ensure that no additional costs are levied by them or their drivers, for conveying disabled passengers.

Private Hire Vehicle Plate Exemption

- i. The current policy aims to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow "executive vehicles" to operate without displaying external identification plates (private hire vehicle licence plate).
- ii. Current policy allows plate exemptions for vehicles which primary undertake executive chauffeur work.

Proposed Changes to Policy
<ul style="list-style-type: none"> • The type of work which would be considered for the grant of an exemption could be termed 'executive style'. Such work includes but is not limited to: – <ul style="list-style-type: none"> ○ contracts with senior personnel of large companies to carry managing directors or their clients ○ contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business; ○ the carriage of well known personalities such as sports or 'pop' stars; ○ the carriage of the bride and/or groom to a wedding (but not guests) • Vehicles which have been issued with an exemption certificate to solely undertake executive chauffeur work with no exceptions

Consultation Responses:	
Key points	Index
	Section 5.3
Support	
<ul style="list-style-type: none"> • In favour if <i>'determined beyond doubt that the work is 'specialty or executive' and that this can be verified.'</i> 	A
Concerns	
<ul style="list-style-type: none"> • discriminating against customers and dictating who is worthy to travel in a particular style. 	D
<ul style="list-style-type: none"> • <i>'REFUSING people my type of service will be restricting my trade and this will eventually CEASE my employment.'</i> 	D
<ul style="list-style-type: none"> • <i>'need the flexibility... of our vehicles being... interchangeable in case of breakdown, servicing etc'.</i> 	G
<ul style="list-style-type: none"> • <i>Cllr - 'discriminatory to use terms such as 'senior personnel', and 'stars', and to allow any organization to determine that junior staff must travel in inferior vehicles.'</i> 	F
<ul style="list-style-type: none"> • <i>Cllr – 'all PHVs should be regarded as exempt vehicles, and their drivers instructed accordingly'</i> 	F

Officer Comments

i. Licensing Officers recommend the following:

- Pre-booked, pre-existing contract signed in advance and operator cannot dispatch a plate exempt vehicle to undertake non-plate exempt work of bookings.
- The type of work which would be considered for the grant of an exemption could be termed 'executive style' using high-end, prestige vehicles.
- Such work includes, but is not limited to: –
 - contracts with senior personnel of large companies to carry managing directors or their clients

- contracts with national or local government, or similar agencies, to carry senior personnel and guests on official business;
 - the carriage of the bride and/or groom to a wedding (but not guests)
 - All other categories require Licensing Authority approval
- High-end, prestige vehicles which have been issued with an exemption certificate to solely undertake executive chauffeur work with no exceptions

MOT/ Certificate of Compliance (COC)

Current policy requires all new and renewal Hackney Carriage and Private Hire vehicles to have a yearly MOT and yearly COC

Proposed Changes
The vehicle must have a yearly MOT certificate and a Certificate of Compliance issued for every six months.

Consultation Responses:	
Key points	Index Section 5.4
Support	
● <i>Two COC's a year will enable mine and public safety'.</i>	C
● <i>OK with the notion of 6 monthly testing</i>	H
● <i>We are in agreement with the requirement that all licensed vehicles requiring two yearly Certificates of Compliances. Hackney Carriage and Private hire vehicles are used regularly and are likely to experience greater levels of wear and tear, as compared to family or company vehicles.</i>	B
● <i>This promotes public safety, as vehicles are ensured to be maintained to high levels.</i>	B
● <i>'Cambridge City Council employ a two-yearly Certificate of Compliance and have found this beneficial in ensuring our licensed vehicles are fit for purpose'.</i>	B
Concerns	
● Completely unnecessary and an additional expense that will impact most on smaller businesses.	G
General Comments	
● Accredited garages need more training/ regulating for testing to be consistent.	F

Officer Comments

Vehicle testing once a year has shown that vehicles are not maintained to a high degree. More MOT certificates are showing advisories, for example 'nail in tyre' or brake pads close to limit'.

Safety Equipment – Fire Extinguisher

Proposed Change
All vehicles must have an efficient fire extinguisher which shall be carried in such a position as to be readily available for use.

Consultation Responses:	
Key points	Index Section 5.5
Concerns	
<ul style="list-style-type: none"> 'Need to specify what counts as 'efficient' otherwise there will be confusion among drivers and testers. 	A
General Comments	
<ul style="list-style-type: none"> Follow city council with minimum 1KG ?'. 	A

Door Signage/ Licence Plate

Current policy states that the vehicle shall display on both rear external passenger doors in a prominent location affixed door signage, "Private Hire Vehicle – Must be Pre-booked with Operator". The vehicle shall display on the driver and front passenger door in a prominent position the name and telephone number of the Operator fulfilling the booking.

Proposed Change
<ul style="list-style-type: none"> Wording amended in policy to 'Council issued' signage Hackney vehicles must affix permanently on the front and rear external passenger and driver doors in a prominent location, South Cambridgeshire District Council issued door signage. Private Hire vehicles must affix on the rear external passenger doors in a prominent location, Council issued door signage.

Consultation Responses:	
Key points	Index
	Section 5.6
Support	
<ul style="list-style-type: none"> A driver thinks door stickers are important for safety. 	A
<ul style="list-style-type: none"> <i>'in favour of rule that states signage should be in place at all times'.</i> 	M
<ul style="list-style-type: none"> <i>vehemently in favour of signs being on display permanently and -crucially - with the operator's phone number clearly displayed.</i> 	R
Concerns	
<ul style="list-style-type: none"> doesn't agree with the amount of signs that are on vehicles 	I
<ul style="list-style-type: none"> door signage should be removed altogether and that South Cambridgeshire District should adopt the London round small style sign. 	C
<ul style="list-style-type: none"> customers find door signage intrusive and unnecessary for the private trips they want to make 	D
<ul style="list-style-type: none"> <i>'I do not like the idea of signage. I do a variety of contract work plus some executive work for SCDC Licenced chauffeur companies who hold plate exemption'.</i> 	L
<ul style="list-style-type: none"> 'The easiest way to ensure that 'the public are able to easily identify between a Hackney Carriage and a Private Hire vehicle' is to remove all livery from the latter category'. 	J
General Comments	
<ul style="list-style-type: none"> <i>Operators should have office and phone number available 24/7 for customers to utilize to take complaints'.</i> 	N
<ul style="list-style-type: none"> <i>If is felt the telephone number on external door signage is a safety & safeguarding necessity. South Cambridgeshire District Council crests should be allowed to be removable for Private Hire drivers who wish to do occasional executive work through their operator where the customer requires the vehicle to look less like a taxi'.</i> 	M
<ul style="list-style-type: none"> <i>'As Uber's bookings are taken via the app it is felt to be reasonable to allow the URL (website address) in lieu of a telephone number.</i> 	B
<ul style="list-style-type: none"> <i>complaints made by members of the public to be put on door signs, it could be the council telephone number and incorporated into the South Cambridgeshire door signs, not that of an operator.</i> 	B
<ul style="list-style-type: none"> <i>Uber strongly recommend that it should be rephrased to require 'contact information' on operator door signs, such as a telephone number or website URL or email</i> 	B

<i>address’.</i>	
<ul style="list-style-type: none"> • <i>‘Panther would like to see different size plates and brackets routinely/properly offered to South Cambridgeshire District Council drivers at the point of application if possible in order that they can make informed decisions about how best to fix the plate to their vehicle’.</i> 	R
<ul style="list-style-type: none"> • <i>‘It is a fact that the more signage you put on a PHV, the more it looks like a taxi and the more the public are confused. Regulatory signage on PHVs should be discreet, and the number plate should be the primary thing that a passenger looks for, not a licensing plate, door stickers, branding or other identifiers’.</i> 	A

Relevant Information
<ul style="list-style-type: none"> • Mr Tariq Ahmed submitted a petition of 149 signatures. • Taxi Drivers Reject Company Door Sign mandatory by South Cambridge District Council • Appendix A – Covering letter from Mr Ahmed • Appendix B – Submitted Petition • Why the petition? <ul style="list-style-type: none"> ○ Panther do not want their drivers to work for other companies, for example, Uber. This is because Uber price surge at busy times of the day. This means that Panther cannot get enough drivers to work for them at busy times as they are paid more by Uber. Having the Operator details on the vehicles means that Panther can easily be seen if one of their drivers is working elsewhere.

Officer Comments

- i. The display of the Operator name and telephone has been set in place to ensure that members of the public (not just the passenger) are able to make complaints and report safety issues directly to an operator. An example of this could be if a vehicle is parked across someone’s drive or if a member of the public had concerns about a customer travelling in a vehicle
- ii. Certain app-based companies do not allow the general public to make a complaint via the app. A telephone is on the website which allows the public to make complaints.
- iii. We feel that it a telephone on door signage is important for the protection of public safety
- iv. In setting out this policy, South Cambridgeshire District Council seeks to carry out its licensing functions with a view to promoting the following objectives:
 - The safety and protection of the public
 - Vehicle safety, comfort and access
 - The prevention of crime and disorder
 - The promotion of environmental sustainability
 - Protection of children and adults at risk from harm

Internal Vehicle notice

- i. Currently the policy states that there must be a clear mechanism in place that informs passenger of :-
- The business name of the operator, or proprietor if it is a hackney carriage,
 - The telephone number where a customer can make a complaint or report a concern,
 - The vehicle registration number, and
 - The vehicle licence plate number.
- ii. This can be by way of use of digital technology sent to the customer prior to the booking or an Internal Vehicle Notice contain the information and displayed in a conspicuous place which can be easily read by a passenger travelling in the rear and front of the vehicle

Proposed Change
<ul style="list-style-type: none"> • In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, the Council has determined that certain information must be displayed inside all licensed vehicles, in the form of a Council issued Internal Vehicle Notice

Consultation Responses:	
Key points	Index Section 5.7
Support	
<ul style="list-style-type: none"> • 'Panther are in favour of the internal signage which should include plate exempt vehicles too. 	G
<ul style="list-style-type: none"> • Internal signage MUST in our opinion, include information on the operating company under which the vehicle is conducting the job/its services'. 	G
Concerns	
<ul style="list-style-type: none"> • <i>What you MUST remember is clients are sent emails AND texts of all drivers details should they require them, unlike a normal taxi'.</i> 	B
<ul style="list-style-type: none"> • Most drivers are self-employed and often work for several operators, the internal notice contains the information of the operator as well as the vehicle so it can be misleading to passengers'. 	C
<ul style="list-style-type: none"> • A couple of drivers felt that by pre booking the passenger is already aware of the Private Hire Operator company details and wonder why it is mandatory to have internal sign. 	D
<ul style="list-style-type: none"> • One of the most evident ways we have improved safety is via the information we provide passengers in their app. Before their vehicle arrives, the passenger has access to the make, model, colour and vehicle registration mark of the car; the driver's name, picture and the parties' anonymised contact details are exchanged. Furthermore, the passenger has the ability to see where their vehicle is in real time via the map on their phone'. 	A

<ul style="list-style-type: none"> ‘Internal signage in Private Hire vehicles is a bad idea, as it can be fraudulently copied and used to entice a passenger into a vehicle and a potentially dangerous situation’. 	H
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Officer Comments

We feel that the Internal Vehicle Notice this is vital for public safety as the person travelling in the vehicle is not always the person who makes the booking.

CCTV

Current Policy – All vehicles except plate exempt vehicles must have CCT installed before 1 April 2020

Proposed Change
<ul style="list-style-type: none"> All (including exemptions) Hackney Carriage and Private Hire vehicles must be fitted with an approved CCTV system no later than 30th November 2020.

Consultation Responses:	
Key points	Index Section 5.8
Support	
<ul style="list-style-type: none"> Belief that CCTV will be enforced by central government and every taxi or private hire vehicle need to have one by law regardless local council policy 	K
<ul style="list-style-type: none"> <i>In favour - no reason why plate exempt should mean CCTV exempt too!</i> 	Q
<ul style="list-style-type: none"> <i>‘cost to driver of £300 - £400 is agreeable/sensible – anything above £500 is definitely cost prohibitive’.</i> 	Q
Concerns	
<ul style="list-style-type: none"> <i>Large majority of executive operators and drivers feel that CCTV is inappropriate for their type of business as they provide a different type of service and doesn’t cater to the needs of their clients which will detrimental to their business</i> 	BHMR
<ul style="list-style-type: none"> <i>To have it by 2020 is a very short notice. Authorities need to understand that we are already struggling to meet our needs’.</i> 	KL
<ul style="list-style-type: none"> A number of drivers are concerned about the cost of installation, the aftercare, who will be the data controller, who will be covering the loss of earning if council need to extract the footage and driver privacy. 	ER
<ul style="list-style-type: none"> They are concerned using the car for personal use and wonder what the requirement will be for video recording 24/7. 	KL
<ul style="list-style-type: none"> No consideration made passengers’ right to privacy in their privately hired vehicle 	AHMP
<ul style="list-style-type: none"> Drivers are concerned that contract with leasing companies state that that no 	C

modifications must be made to the vehicle as this will invalidate the warranty.	
<ul style="list-style-type: none"> Drivers are concerned about what allowances would be made for temporary vehicles in the case of breakdowns and accidents? 	M
<ul style="list-style-type: none"> 'I do not see that CCTV meets the objectives [of 3.9.ii. GDPR further restricts its usefulness, as attempts by cyclists to use CCTV footage from Stagecoach demonstrate. It would be worth consulting the Cycling Campaign here. Internal CCTV will be extremely unpopular'. 	O
Suggestions	
<ul style="list-style-type: none"> 'drivers will will not understand ICO It must be cost effective for driver - £400 max'. 	J
<ul style="list-style-type: none"> Supports ICO guidelines and takes the view that this is a matter with which only vehicle proprietors must be compliant (and therefore it is the responsibility of the proprietor to notify the council that the equipment has been installed)' 	D
<ul style="list-style-type: none"> No need for operator to play a role in this, other than to ensure drivers are aware of requirements for their vehicle reducing additional administrative steps for both the council and operators'. 	D
<ul style="list-style-type: none"> Provision needs to be carefully thought out with regard to the law and driver protection and not cost prohibitive or burdensome for the driver. 	Q
<ul style="list-style-type: none"> Cost to driver of £300 - £400 is agreeable/sensible – anything above £500 is definitely cost prohibitive'. 	Q

Officer Comments

- i. The Department for Transport Consultation on Statutory Guidance for Licensing Authorities recommends that licensing authorities should carefully consider potential public safety benefits and potential privacy issues when considering a policy mandating that taxis and PHVs have CCTV installed.
- ii. The policy states the installation of CCTV in licensed vehicles can be both a deterrent to would-be trouble makers and a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents.
- iii. CCTV codes of practice, including clear signage that the vehicle uses CCTV.
- iv. South Cambridgeshire District Council will be the data controller and will be responsible for complying with all relevant data protection legislation.
- v. South Cambridgeshire District Council and Cambridge City are doing a joint procurement to find a reasonably priced system which confirms to our specifications. This will also include looking at the cost of aftercare.
- vi. The 'panic' button will allow the driver and/ or the customer to start audio recording.
- vii. There will be a flashing light to show that the CCTV is working – in case of a breakdown drivers must contact the manufacture. Equipment will have a warranty.
- viii. The owner/ driver of the vehicle will be responsible to the maintenance.
- ix. The owner/ driver will have bring the vehicle (unless vehicle is not drivable) to SCDC offices. Data will be downloaded onto a designated computer.
- x. There will be off button within the boot. This will have a delay of 30 minutes.
- xi. Temporary vehicles in the case of breakdowns and accidents would be exempt from CCTV.

Enforcement Officer Comments

- i. CCTV - As an officer for the authority I'm aware of the increasing number of driver's who have fitted or intend to fit, dashcams to their vehicles.
- ii. Due to the number of hours licensed drivers spend on the road it is quite understandable that they wish to protect themselves against false allegations if their vehicle is involved in an accident.
- iii. Some of the cameras fitted view from the front outward, another may be fitted at the rear of the vehicle viewing outward. However, some of the cameras are also viewing inwards from the front and recording passengers during the journey and as they enter and exit the vehicle.
- iv. This recorded footage may be of children, or vulnerable persons which may include inebriated female passengers who may be economically dressed. The cameras may be situated in such a position that captured footage would reveal more of the passengers than they would feel comfortable with.
- v. I believe that some drivers are fitting these systems to be used as internal vehicle CCTV, and that having their system of choice fitted will preclude them from having the council approved system fitted later. What the drivers are not aware of is that these systems are also recording audio which is specifically not allowed by ICO (Information Commissioners Office) unless it is attached to some form of "Panic button", which of course these systems do not support.
- vi. Although a driver can go into the settings manual and turn off the audio, in some systems it is reactivated when the camera is turned off and then back on again. Drivers also seem unaware that they should register the use of any such system with ICO to ensure compliance.
- vii. There is also a question on the security of any captured footage, which are generally held on removable and rewritable media such as a USB flashcard. This means that there are no control measures in place to stop footage being viewed by the driver and distributed on social media.
- viii. I would therefore suggest that the council make it as part of the policy that we do not allow dashcams to be fitted to any of our licensed vehicles. If drivers/proprietors wish to have a system that records the external journey, either front and/or rear, it should be incorporated into the council approved CCTV system as and when a system or systems have been approved as meeting the requirements.

Hackney Carriage Vehicles

Consultation Responses:	
Key points	Index
	Section 5.9
Concerns	
<ul style="list-style-type: none"> • <i>A driver wondered why there the necessity to have all Hackney carriages white and why do all Hackney Carriage vehicles have to be accessible when there is need to accommodate a very tiny fraction of the travelling public.</i> 	A
<ul style="list-style-type: none"> • All Hackney Carriages need to be wheelchair accessible is inappropriate when just a percentage would be more fitting. 	A

<ul style="list-style-type: none"> Cllr - 'In my village there are wheelchair users who much prefer travelling in the who much prefer travelling in the comfort of a saloon than stuck in the chair, and a Hackney carriage which never plies for hire but uses its status only to be able to use London bus lanes. Why should these be penalised?' 	C
Suggestions	
<ul style="list-style-type: none"> Cllr - It is appropriate that a PHV should be identifiable as such both by passengers and the public 	B

Transfer of ownership of vehicle

Consultation Responses:	
Key points	Index
	Section 5.9
Suggestions	
Expect there to be reasonable charge for a transfer and re-issue of a license	A

Enforcement

Consultation Responses:	
Key points	Index
	Section 6
Support	
<ul style="list-style-type: none"> Penalty point system is good 	K
Concerns	
<ul style="list-style-type: none"> Several drivers thought that the Penalty Point system was unfair and the driver should have the opportunity to appeal them. 	JKLM
<ul style="list-style-type: none"> One driver felt that there was no need for enforcement. 	A
<ul style="list-style-type: none"> <i>Cllr - In general too diffuse and terribly repetitive'.</i> 	
Suggestions	
<ul style="list-style-type: none"> <i>Many comments asking for more enforcement</i> 	BCDE FHI
<ul style="list-style-type: none"> We are proposing to Authority allow drivers fair chance of explanation if points are given maybe he has genuine reason that he may not need to be issued with points'. 	J

Complaints

Consultation Responses:	
Key points	Index
	Section 6
Suggestions	
<ul style="list-style-type: none"> 'It is Uber's view that one core aspect of the Council's role in promoting public safety is to provide a service to process complaints about licensed vehicles from members of the public, while operators process the vast majority of feedback from both drivers and customers'. 	

Relevance of Convictions

Consultation Responses:	
Key points	Index
	Section 7
Support	
<ul style="list-style-type: none"> Agreement that current proposals produce a 'firm stance' 	AB

Summary

- i. It was felt by the majority of respondents that South Cambridgeshire District Council had produced a decent consultation and endeavored to engage with the trade in an open and transparent manner.
- ii. Overall residents were happy with policy and pleased to see that public safety is top priority and that *'SCDC taking these necessary steps to ensure driver and public safety is up to speed locally and nationally.'*
- iii. Several respondents from all sections responded extremely positive to the environmental considerations proposed by this Council, but there were many concerns in relation to the timing of the introduction of ultra-low emission vehicles as it is felt that the infrastructure for this particular demographic will not be sustainable in the near future.
- iv. The consultation event days were extremely well received, and the trade expressed their appreciation at the opportunity to liaise with officers and members in such an open manner.
- v. Feedback from James Button, Solicitor, Founder Member of the Local Government Licensing Forum and President of the Institute of Licensing found the policy to be an 'impressive and well-considered piece of work' in general. The feedback and advice provided has been considered by officers and minor changes have been included in the policy as deemed necessary. Matters where a fundamental change is required will be discussed at the Licensing Committee Workshop event.

APPENDIX D

https://www.change.org/p/south-cambs-taxi-driver-taxi-drivers-reject-company-door-sign-mandatory-by-south-cambridge-district-council-e4acf3a8-5a1b-4a49-af31-8dfed16bf43e?response=8a84771bb9bf&utm_source=target&utm_medium=email&utm_campaign=one_hundred

Taxi Drivers Reject Company Door Sign mandatory by South Cambridge District Council

Started April 2019
149 signatures at present

Dear South Cambs Taxi Licensing team

We drivers like to point out that we are very happy with having yellow taxi crest on the car but we can't see why the council have to make compulsory company signs as it surely don't make any sense and the only purpose having a company sign is to advertise for the company.

Taxi Plate fitted back proves its a taxi

Yellow crest sign proofs it has to be pre-booked

A company sign it is an advertisement for the company

Now we drivers want taxis to be more secure and safe for public when they use us and putting burden on us displaying company sign does not mean that the passenger is safe, at many occasions at busy times passenger just jump in the taxi because it is displaying the company sign he or she booked with just they want to get to their destination and lie to drivers, now this driver has not picked legally his passenger and breaking the law without knowing he did it .

Did the South Cambridge council team have considered their driver's safety? Drivers in Cambridge work with more than one company and we think changing door signs between jobs on the Cambridge busy roads it's not safe for the drivers to come out on busy road and change company door sign for the next job he got from a different company.

We live in the technology era and all the booking system that is used by companies using clearly sends message to the customer when they book a taxi the information of the driver and his car by text, call or displayed on booking app.

So to establish it is a legal and safe taxi we strongly believe that the taxi plate and yellow sign are there to establish that.

Now putting us drivers safety in the risk for some greedy company has been pushing to make company door signs mandatory because they don't want their cars to work with other companies.

I think the council should make it Mandatory for companies to provide full information of the car and the driver to the customer which is very easy nowadays with new technology if the taxi company can't do that then they shouldn't be allowed to operate for passengers safety.

So we South Cambridge district taxi Drivers reject the mandatory of the company door sign