

Taxi and private hire vehicle: best practice guidance

Personal details

Q1. Your (used for contact purposes only):

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Q2. Are you responding:

on behalf of an organisation?

Organisation details

Q3. What is the name of your organisation?

Newcastle-under-Lyme Borough Council

Q4. You responding on behalf of:

a licensing authority?

Accessibility

Q9. In your view should licensing authorities introduce Inclusive Service Plans for taxi and private hire vehicles?

Don't know

Why?

It isn't clear from the consultation document whether this was for Borough and District Councils as well as Unitary or Upper Tier Authorities. Section 4.17 references that an ISP could be a standalone document or an element of an authority's Local Transport Plan. LTP's are only issued by Unitary and Upper Tier authorities. There are obvious benefits to service users in the creation on an ISP so if Borough/District Councils are captured by this is there a suggestion that it should be linked to the relevant Upper Tier's LTP or be a standalone document? If this section makes it into the final version of the best practice guidance I would hope that there will be associated guidance published to assist Borough and District Councils to develop an ISP.

Q10. Do you agree that licensing authorities should introduce the accessibility measures proposed in the best practice guidance?

Yes

Why?

Sections 4.8, 4.10 and 4.13 refer to actions that authorities could introduce to assist with making the provision of taxi and private hire more accessible to all. The Council agree that where possible authorities should seek to improve the accessibility of the service to the public.

Q11. In your view are there any other measures licensing authorities should take to improve accessibility of taxis and private hire vehicles?

No

Points-based enforcement systems

Q13. Do you agree that any points incurred through a points-based enforcement regime should remain on the record for 3 years for drivers from the date of the incident?

Yes

Driver enforcement

Q14. Why, providing any relevant information to support your view or alternative proposals?

Comments:

Where authorities use a points based system I see the benefit of retaining the points for a set period. However there would need to be consistency across authorities, perhaps with a model points system for recording infractions. We use a simpler '3 warnings' for lower level matters before an individual would have their licence considered. With the caveat that more serious infractions could be escalated without the need to the individual to have collected 3 warnings first.

Private hire vehicle operator

Q15. Do you agree that any points incurred though a points-based enforcement regime should remain on the record for 5 years for private hire vehicle operators from the date of the incident?

Yes

Private hire operator enforcement

Q16. Why, providing any relevant information to support your view or alternative proposals?

Comments:

Where authorities use a points based system I see the benefit of retaining the points for a set period. However there would need to be consistency across authorities, perhaps with a model points system for recording infractions. We use a simpler '3 warnings' for lower level matters before an individual would have their licence considered. With the caveat that more serious infractions could be escalated without the need to the individual to have collected 3 warnings first.

Driver licensing: driver proficiency

Q17. Do you agree licensing authorities should require taxi and private hire vehicle drivers, as professional drivers, to evidence a higher degree of driving ability than is required for a private motorist?

Yes

Driver proficiency viewpoint

Q18. Why, providing any relevant information to support your view or alternative proposals?

Comments:

Taxi and PHV drivers are professional drivers who spend a lot of time in their vehicles. They have a duty of care to themselves, their passengers and the other road users. It would be of benefit for the guidance document to identify a suitable qualification or standard that could be widely adopted and help in standardising the regime across the country. The Driving Standards Agency test for taxi drivers was abolished several years ago

Driver licensing: vocational training and assessment

Q19. Do you agree that licensing authorities should not require drivers to obtain a vocational qualification?

Yes

Vocational qualification

Q20. Why, providing any relevant information to support your view or alternative proposals?

Comments:

For the reasons outlined in the consultation document. It is more important that drivers undertake specific training to relevant areas of the role and on a regular basis, such as Safeguarding and Disability Equality. These can be updated continually and repeated whereas a vocational qualification only provides a 'snapshot' of the learners knowledge at a particular point in time.

Topographical knowledge tests

Q21. In your view should a private hire vehicle driver be required to pass some form of topographical knowledge test?

Yes

Topographical knowledge tests view

Q22. If a PHV driver is required to pass a topographical test do you think the topographical knowledge test requirement for private hire vehicle drivers should be:

to pass the same topographical test as taxi drivers?

Q23. Why, providing any relevant information to support your view or alternative proposals?

Comments:

Many authorities do not distinguish between taxi and PHV drivers as they issue 'dual driver' licences. The criteria should be consistent as it is unknown as to what type of vehicle they may driver and they may choose to switch between the two.

Driver licensing: vehicle condition check

Q24. Do you agree licensing authorities should require drivers to conduct daily checks on their vehicle similar to the checklist provided?

Yes

Daily vehicle check

Q25. Why providing any relevant information to support your view or alternative proposals?

Comments:

Vehicle condition is paramount to the safety of passengers and other road users.

Q26. What, if any, comments do you have on the vehicle condition checklist?

I'd suggest some minor amendments to the proposed checklist to make it more consistent. There should be individual rows for each check and it may be beneficial to add explanatory notes or use more layman instructions on certain sections e.g. excess travel in the brakes, what 'warnings lamps work correctly' means etc

Vehicle licensing: vehicle safety ratings

Q27. Do you agree licensing authorities should consider the safety benefits to passengers, drivers and pedestrians of vehicles which have received a higher Euro NCAP rating (where these have been assessed) when setting its vehicle requirements?

Yes

Euro NCAP

Q28. Why providing any relevant information to support your view or alternative proposals?

Comments:

Vehicle condition and associated in-built safety measures are paramount to ensuring the safety of passengers and other road users.

Vehicle licensing: seating capacity

Q29. Do you agree that each person, regardless of age, should be counted as a passenger?

Yes

Passenger count

Q30. Why providing any relevant information to support your view or alternative proposals?

Comments:

It would lessen the number or children travelling in taxis using unsuitable, or no, belt or restraint. It is a clear definitive statement

Vehicle licensing: seating capacity

Q31. Do you agree taxis and private hire vehicles should not be licensed to carry more people than the number of seats and seatbelts available?

Yes

Seating capacity

Q32. Why providing any relevant information to support your view or alternative proposals?

Comments:

It would lessen the number or children travelling in taxis using unsuitable, or no, belt or restraint. It is a clear definitive statement

Vehicle licensing: tinted windows

Q33. Do you agree that licensing authorities should only require the removal of 'factory fitted' tinted windows as part of vehicle specifications if it can evidence that this is necessary and proportionate?

No

Tinted windows

Q34. Why providing any relevant information to support your view or alternative proposals?

Comments:

Officers feel strongly that very dark tinted windows pose a potential risk to safety in that no-one, whether that is Council officers, Police, members of the public or anyone else, can see what may be happening in that vehicle. It is possible as an officer, but unusual, to open passenger doors when a vehicle stationary to view the inside of the vehicle but it is impossible to do when a vehicle is in motion.

Vehicle licensing: vehicle testing

Q35. Do you agree licensing authorities should, where possible, obtain details of vehicle tests, including failures?

Yes

Details of vehicle tests

Q36. Why providing any relevant information to support your view or alternative proposals?

Comments:

Authorities should want to know if a vehicle has failed or received advisories and not just whether it has eventually passed. Otherwise vehicles may be carrying public and not to the desired standard until they are repaired

Vehicle licensing: vehicle testing

Q37. Do you agree licensing authorities should require testing stations to provide the outcomes of all examinations carried out, including where vehicles were subject to advisory notices?

Yes

Testing stations to provide outcomes

Q38. Why providing any relevant information to support your view or alternative proposals?

Comments:

Authorities should want to know if a vehicle has failed or received advisories and not just whether it has eventually passed. Otherwise vehicles may be carrying public and not to the desired standard until they are repaired

Vehicle licensing: vehicle age limits

Q39. Do you agree licensing authorities should not impose age limits for the licensing of vehicles?

No

Vehicle age limits

Q40. Why providing any relevant information to support your view or alternative proposals?

Comments:

Evaluation of our vehicle fleet and testing regime revealed that generally speaking the older vehicles failed tests more frequently than younger vehicles. Whilst age should not be the only criteria it can be a good baseline providing that it is not too onerous. Policy is always a starting point with the ability to be departed from where the application merits it

Vehicle licensing: vehicle identification and signage

Q41. Do you agree licensing authorities should not permit roof signs of any kind on private hire vehicles?

Yes

Roof signs

Q42. Why providing any relevant information to support your view or alternative proposals?

Comments:

In an effort to distinguish between HCVs and PHVs.

Private hire vehicle livery

Q43. Do you agree that licensing authorities should not impose a livery requirement on private hire vehicles?

No

Livery requirement

Q44. Why providing any relevant information to support your view or alternative proposals?

Comments:

In an effort to distinguish between HCVs and PHVs. Not all HCVs work for an operator and therefore do not have signage in that respect. HCVs have a roof sign, particular vehicle type and colour scheme. PHVs all work for an operator. Customers need to be able to identify the vehicle they have booked. If not booked via an APP they may not have a description, registration, plate number etc of which vehicle is theirs. The only way they may be able to readily identify which one is booked for them is the door livery stating which operator they work for. Additionally it is important for licensing authority officers and public alike to be able to identify which company a vehicle works for if they see dangerous driving or wish to make a complaint about the conduct of the vehicle they have witnessed.

Vehicle licensing: door sign

Q45. Do you agree that private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign?

No

Door sign

Q46. Why providing any relevant information to support your view or alternative proposals?

Comments:

Having signage that states the vehicle is 'pre-booked only' in addition to the operator door livery makes it more obvious that it is a PHV and distinguishes it from a HCV which is what the Government are trying to achieve

Displaying private hire vehicle operator details

Q47. Do you agree that licensing authorities should not require the displaying of private hire vehicle operator details on vehicle?

No

Displaying operator details

Q48. Why providing any relevant information to support your view or alternative proposals?

Comments:

The only way a member of the public may be able to readily identify which PHV is booked for them is the door livery stating which operator they work for. Additionally it is important for licensing authority officers and public alike to be able to identify which company a vehicle works for if they see dangerous driving or wish to make a complaint about the conduct of the vehicle they have witnessed.

Displaying private hire vehicle operator details

Q49. Do you agree that when an exclusive relationship exists between the vehicle proprietor, driver and operator, licensing authorities should permit the display of private hire vehicle operator details in a discreet manner?

Yes

Vehicle operator details

Q50. Why providing any relevant information to support your view or alternative proposals?

Comments:

This would be similar to smaller 'executive' type companies. For larger companies I would still expect the same livery as to all other PHVs

Using the term 'taxi' on private hire vehicles

Q51. Do you agree with our suggested practice regarding the use of the words "taxi" or "cab", as well as similar meaning words, for display on private hire vehicles?

Yes

'Taxi' display

Q52. Why providing any relevant information to support your view or alternative proposals?

Comments:

It is another way to attempt to distinguish between HCVs and PHVs

Vehicle licensing: environmental considerations

Q53. Do you agree that taxis and private hire vehicle with internal combustion engines should be tested more frequently than annually?

Yes

Environmental considerations

Q54. Why providing any relevant information to support your view or alternative proposals?

Comments:

Internal combustion engine vehicles have more moving parts, more wear and tear and opportunities for issues to arise, However I believe that all HCVs and PHVs should be tested more than once annually due to the number of miles and journeys they undertake as well as to ensure that they continue to be operated at a safe standard

Taxi rank provision

Q55. Do you agree that taxi rank provision should be reviewed every 3 years?

No

Renewal reasoning

Q56. Why providing any relevant information to support your view or alternative proposals?

Comments:

Every 3 years seems too regular

Model Byelaws for Hackney Carriages

Q57. What, if any, comments do you have on the model byelaws?

They seem unnecessary when the matters can be covered by policy conditions instead which are easier to administer

Sample notices between taxi, private hire vehicle driver and passenger

Q58. What, if any, comments do you have on the sample notices?

Clear and succinct although there is nothing in the guidance to suggested how or where they should be displayed.

Staying safe: guidance for taxi drivers

Q59. What, if any, comments do you have on the staying safe guidance for taxi drivers?

It mentions 'drunk people' as a threat but not other substance users, or any other category of possibly perpetrator. There is no mentioned in the HCV guidance (whereas is does in the PHV driver guidance in Annex H)

Staying safe: guidance for the private hire vehicle trade

Q60. What, if any, comments do you have on the staying safe guidance for the private hire vehicle trade?

It mentions 'drunk people' as a threat but not other substance users, or any other category of possibly perpetrator.

Useful questions when assessing taxi quantity controls

Q61. What, if any, comments do you have on the questions for assessing taxi quantity controls?

No comments. Limits should be removed where there is not clear evidence to the contrary

Final comments

Q62. Any other comments?

- The guidance document does not give much guidance as to vehicle proprietors. It is primarily concerned with drivers and operators;
- In section 6: driver licensing proficiency it would be beneficial to give an indication of what sort of test might be considered suitable for car drivers, as you have suggested one for motorcycle PHVs;
- There is no proposal or suggestion that licensing authorities should operate a points system for enforcement against licence holders, only what time limits should points be kept relevant for if there is a policy. If the guidance does recommend the use of such a system it would be useful to have an Annex with a template of a policy and how to administer it;
- There is no proposal or suggestion that licensing authorities should operate multiple testing stations, just an inference in the questioning as to whether the authority should receive all results of all tests;
- Bullet point of section 4.9 suggests that disabled passengers sometimes find it difficult to identify the vehicle booked for them. Seeking to minimise the profile of PHVs would exacerbate that issue. The matter has also been addressed in the recent Taxi and PHV (Disabled Persons) Act 2022;
- There is no consultation question on intended use. This is a very contentious issue across the country as it is linked to cross-border hiring which does not appear at all in the guidance document. There is a difference between an individual being licensed by an authority 100 miles away from where they work (e.g. a HCV driver working as a pre-booked vehicle away from where they were originally licensed) and an individual working where they live but being licensed by an authority 100 miles from there (e.g. a driver working and living in area A but travelling to area X to get a licence). Whilst both are legal they are undesirable and not what the legislation intended so should be looked at together;
- There is nothing in the guidance document around private hire operators and booking records. There is in the Statutory Standards and in other areas of this guidance you have replicated the Standards but not for this. It seems like an oversight;
- There is nothing in the guidance document around private hire operators and their responsibilities when subcontracting;
- At 8.25 of the guidance it suggests that MOT standards should be used to test taxis and PHVs. This seems to be contrary to the position that taxi and PHV drivers should be expected to reach a higher standard than an 'average' driver. By the very nature of the work these vehicles undertake they carry out greater mileage and have more wear and tear than your 'average' vehicle. Passing an MOT is the lowest possible legal standard so taxis and PHVs should be held to a much higher standard. There should have been consultation on this proposal.