Introduction
South Gloucestershire Council has reviewed its Hackney Carriage and Private Hire Licensing Policy and is now consulting on a new statement covering the period 2015-2020.

The Council currently licence hackney carriages, private hire vehicles plus hackney carriage and private hire drivers, some of whom have dual licenses. Private hire operators are also licensed. The aim of this policy is to secure the safety and amenity of the travelling public and ensure that sustainable hackney carriage and private hire services are provided.

Statement of Policy
The purpose of this policy document is to provide clarity for licensed vehicle owners, drivers, operators and the public as to the way that South Gloucestershire will undertake its licensing functions.

Licensing objectives
The Council will adopt and carry out its Hackney Carriage and Private Hire licensing functions with a view to promoting the following licensing objectives:

1. Safety and health of drivers and the public: including history of convictions/cautions, driver training, qualification and performance, knowledge of area, health and fitness to fulfil role, safety at ranks and awareness of disability and equalities issues plus more

2. Vehicle safety, comfort and access: covering standards of vehicle comfort and appearance, space standards for vehicles, location & use of ranks, provision of disabled facilities, number of vehicles available amongst others.

3. To prevent crime and disorder and to protect consumers: covering policies regarding hail downs, the support for the provision of rank marshalling and a commitment to work with the police and licensing authorities.

4. To encourage environmental sustainability: to work with stakeholders in the trade in finding methods of reducing vehicle emissions and Investigate the potential for providing for an environmental levy or reducing licence fees for cleaner vehicles

5. To promote the aims / vision of South Gloucestershire Council: the Customer Care Charter that sets out the standards we aim to meet in the provision of high quality services and information.
Legislation

In undertaking its licensing function, the Council will have regard to a range of legislation including: Transport Act 1985; Health and Safety at Work Act 1974; The Anti-Social Behaviour Act 2003; Disability Discrimination Act 1995; The Smoke-free (Vehicle Operators and Penalty Notices) Regulations plus a number of other Acts.

The Council will also have regard to other strategies, policies and guidance in its decision making.

Policies

As well as following the principles in the Regulator’s Code (such as ‘Regulators should carry out their activities in a way that supports those they regulate to comply and grow’), the Council will also have regard to wider considerations including the availability of Hackney Carriage and Private Hire transport at all times, public nuisance, pollution, crime and the capacity of the trade to cope with the customer demand, particularly at night.

Consultation

The full draft policy provides a list of all those who have been consulted in production of the policy.

Drivers

The draft policy sets out a range of points relevant to drivers of hackney carriages or private hire vehicles, covering the requirements for a licence, medical fitness, background checks (disclosure and barring service – DBS) and driving assessment.

Other clauses cover the need for drivers to pass a local Knowledge Test as part of their application or for private hire drivers to undertake a basic skills test (on their ability to write receipts, communicate with passengers and use basic maths for working out change).

Other areas covered include the conditions of a drivers license, dress code, use of mobile telephones, no smoking, driver safety and enforcement action.

Vehicles

This section sets out the powers of the licensing Authority in relation to the grant of a Hackney Carriage or Private Hire Vehicle Licence. Appendices G & H include the standard conditions of license but where it considers it reasonably necessary, additional conditions may be imposed by the authority.

Other clauses cover issues such as: considerations of applications, insurance, renewals, signage on cars, the age of vehicles (i.e. new applications must for vehicles less than 5 years old and existing licensed vehicles cannot be over 15. Exceptions can be applied for), vintage & courtesy cars, special event (limousines) & other vehicles (horse-drawn carriages), exemptions (funeral cars).

A clause on CCTV in a vehicle advises of the need to meet the criteria laid out in South Gloucestershire’s CCTV code of practice.

Another clause says that the Licensing Authority will only licence drivers and vehicles that will work entirely or predominantly in the South Gloucestershire district. Persons living outside of the South Gloucestershire district are considered more likely to work outside of
the district so the Authority retains the right to interview applicants/licence holders who reside outside of the South Gloucestershire district.

**Vehicles: specifications, testing and disabled access**

The draft policy contains sections that cover vehicle specifications and testing.

Disabled access: the Council is investigating the possibility of allowing a greater range of wheelchair accessible vehicles to be licensed for service in South Gloucestershire. Such vehicles may provide greater disability access and the ability to carry a greater number of passengers than those vehicles currently approved for service.

Potential options under consideration are to:

1. Continue as the Licensing Authority currently does until the recommendations and draft bill are produced on the hackney carriage and private hire legislative reform (expected 2016). This will then give the Hackney Carriage and Private Hire Service an idea on recommendations from Central Government. In a statement released in February 2014 the Law Commission stated it was considering for Ministers to set standards for promoting accessibility.

2. Introduce a system now to increase the number of wheelchair accessible vehicles. Best practice states that it is important that a disabled person should be able to hire a Hackney Carriage on the spot with the minimum delay or inconvenience and having accessible Hackney Carriages available helps to make this possible. Therefore a possible solution could be to make all new Hackney Carriage vehicles, from a set date, to be wheelchair accessible only, or to make it a requirement that for Hackney Carriage licence holders to ensure 1 in 3 vehicles of the licence holder’s fleet must be wheelchair accessible. This would apply to new vehicles being put on for new licence holders.

   For existing licence holders this ratio would need to be implemented by 1st October 2018 with the caveat in place that if they already have 3 vehicles licensed any new vehicle will be wheelchair accessible until the ratio 1 in 3 for the fleet is achieved.

3. Introduce a system now to increase the number of wheelchair accessible vehicles. Best practice states that it is important that a disabled person should be able to hire a Hackney Carriage on the spot with the minimum delay or inconvenience and having accessible Hackney Carriages available helps to make this possible. Therefore a possible solution could be to make all new Hackney Carriage vehicles, from a set date, to be wheelchair accessible only, or to make it a requirement that for Hackney Carriage licence holders to ensure 1 in 5 vehicles of the licence holder’s fleet must be wheelchair accessible. This would apply to new vehicles being put on for new licence holders. For existing licence holders this ratio would need to be implemented by 1st October 2018 with the caveat in place that if they already have 5 vehicles licensed any new vehicle will be wheelchair accessible until the ratio 1 in 5 for the fleet is achieved.

4. For all Hackney Carriage vehicles to be wheelchair accessible vehicles by 1st October 2018.

**Private hire operators**

The draft policy sets out the requirements for a license, background checks, conditions of the license, record keeping and the possibility of requiring planning permission if the service is operating from a residential property amongst other clauses.
Enforcement

This section notes that South Gloucestershire Council will actively enforce the provisions of the Street Trading Scheme within its area in a fair and consistent manner and will comply with the Council Enforcement Policy, in line with the Regulators Code.

It details the criteria to be considered before reaching a decision on enforcement and also covers informal and formal actions, the issuing of notices, the operation of a penalty points system for license holders and the suspension and revocation of licenses as well as other relevant areas.

Fares

The Table of Tariffs and Fares will be reviewed annually and the changes made for commencement on 1st April each year plus a six monthly review of The Table of Tariffs and Fares in relation to fuel prices only will also be undertaken.

A Table of Tariffs and Fares is enforceable as a byelaw and it is an offence for any person to charge more than the metered fare.

Notes on the use of meters and an environmental levy are also covered.

Fees

The Council will set fees for licences at a level that will recover the costs incurred by the Council for issue, administration and enforcement of that type of licence and will not make a profit from providing these services.

Appendices

The full draft policy also provides a range of appendices that give further details on aspects of the various sections.

Find out more and have YOUR say?

We welcome comments on the draft Hackney Carriage (Taxi) & Private Hire Licensing Policy 2015 – 2020 between 8th April 2016 and the 1st July 2016.

We are particularly keen to find out if you feel that all relevant areas are being considered and whether you think there are any specific impacts or alternatives that the council and its partners should consider. Information is also available from your local South Gloucestershire library and One Stop Shop.

You can find out more or tell us your views by:

Email: consultation@southglos.gov.uk
Survey: complete the brief survey from the web page
Write to: FREEPOST Plus RTCT-JXLE-EETT, South Gloucestershire Council, Corporate Research & Consultation Team, Hackney Carriage (Taxi) & Private Hire Licensing Policy Consultation, Civic Centre, High Street, Kingswood, BRISTOL, BS15 9TR
Phone: 01454 868195

If you would like someone to talk to your group or organisation about the draft strategy, please contact us using the details above to arrange.