

# **Stroud District Council Taxi and Private Hire Policy and Conditions 2016 Schedule of Consultation Responses and Recommendations of Working Group**

<b>Total Number of Respondents</b>	<b>44</b>
Drivers	33
General Public	3
Parish Councils and Councillors	6
Other	2
<b>Total Number of Licensed Taxi and Private Hire Drivers</b>	<b>214</b>

Proposal	Agree Disagree	Summary of Consultee Comments	Recommendation
<b>1. Medicals</b> To be completed by own GP or medical practice that has access to medical records	17 Agree 2 Disagree 25 No Comment	Agree. GP prices too expensive and inflexible appointment times. Just more expense.	Most consultees agree with the proposal  <b>Recommend to adopt the proposal</b>
<b>2. Driver Assessment</b> New applicants to take the DVSA driving test. Wheel chair accessible vehicle drivers to take wheel chair exercise.	14 agree 1 Agree in part 29 No Comment	Agree. Assessment must include how to help wheel chair users if they want to sit in the taxi. Should not duplicate any County Council school contract training. May also be required for some current drivers. Waiting times for DVSA too long. DVSA are no longer doing driver tests. Needs to be changed to an approved provider . Hope no cost to existing taxi/ph drivers. Also for drivers at 65. Cost and delay is ridiculous.	Most consultees agree with the proposal.  The DVSA have recently announced that they will no longer provide taxi and private hire driving tests. Licensing Officers have been contacted by other independent organisations such as Blue Lamp and Diamond who can provide a driving test at a similar or slightly higher cost than the DVSA test. They also claim that waiting time for the test will be 10 – 15 days which is considerably lower than was being provided by the DVSA. However, they do not provide a wheelchair or disability exercise.  <b>Recommend to amend proposal so that all new driver applicants must pass a driving test through an organisation approved by the Licensing Officers. The wheelchair accessible element to not be included at this stage but added at a later time should such training become available</b>
<b>3 Knowledge Test</b> Remove driven part of knowledge test	8 Agree 7 Disagree 1 Agree in part 28 No Comment	Agree . Driven part should be done with a Licensing Officer and a current taxi driver. No it is important part of the test. Driver Assessment and Knowledge Test could be combined. Should only be removed if more robust driving assessment is implemented.	8 consultees agreed with this proposal. However 7 felt it should not be removed and/or that the test should be made more robust  The proposal is that the driven part of the knowledge test is removed but that the multi-choice is expanded to compensate for the removal of the driven aspect. It is anticipated that the test will not become any easier by this proposal and it will test a wider range of topics than currently covered to ensure that the applicant has good

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		Some drivers in other areas memorise routes by rote but do not have practical experience. The driven part tests candidate's ability under certain level of stress Test should be made harder.	knowledge of the district and surrounding area and an understanding of the legislation and rules about operating a taxi.  <b>Recommend to adopt the proposal and add that the multiple choice test is expanded</b>
<b>4. Vehicle Age Policy</b>		See Page 19 for full list of comments. A sample is below.	The consultees had a mixed response to the proposal with 9 agreeing completely, 8 disagreeing totally and 20 agreeing in part (mainly with alternative views about the time periods or about the proposed exemptions).
New applications – vehicles no more than 5 years old	9 Agree  8 Disagree	Totally Agree. Suggestions of alternative age limits. Other issues such as mileage are more important. Disagree with proposed exemptions.	The Working Group noted that the proposal might have financial impact on some vehicle owners. However, only 8 consultees were totally against the proposal which, out of the 215 licence holders that were consulted, is a low number. Overall, considering the consultation comments, the Working Group felt that an age policy would improve the standard of vehicles.
Renewals - vehicle no more than 10 years old	20 Agree in Part  7 No Comment	Older well maintained vehicle is better than newer badly maintained vehicle. Replacing high spec vehicles does not make financial sense.	The Working Group felt that emissions are a key issue. The proposed age policy will ensure that all licensed vehicles are at least of Euro 4 standard and newly licensed vehicles will be of Euro 5 standard or higher which will help to reduce harmful emissions and improve air quality. One member of the Working Group felt strongly that there should not be an exemption for elite vehicles due to the fact older elite vehicles are also likely to have higher emissions. However, the Working Group noted the comments from consultees that luxury, high quality vehicles are much more expensive to buy and the age policy would have significant financial impact on chauffeur/elite operators. Therefore the rest of the Working Group felt that this exemption should be applied as proposed
Exemption for wheelchair accessible vehicle and discretion for elite vehicles in excellent condition			Some consultees made comment about the lack of wheelchair accessible vehicles. Stroud District only

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Vehicle age  
policy continued

have 4 wheelchair accessible vehicles licensed.  
The exemption for wheel chair accessible vehicles will help ensure that the number of wheelchair accessible vehicles does not decline

**Recommend to adopt the proposal**

<b>5. CCTV</b>			
Vehicles with CCTV must display a sign and not record audio conversation of passengers	8 Agree 8 Disagree 2 Agree in Part 26 No Comment	<p>Agree. CCTV should allow verbal recordings.</p> <p>There should be a sign saying audio recordings are not being taken.</p> <p>Audio recordings deter verbal and threatening abuse from drunk customers.</p> <p>Audio should be available on a panic button.</p> <p>I am a foreign driver and get serious verbal abuse. If not verbal will not cover racial abuse.</p> <p>Should check that CCTV is registered with ICO. Gloucestershire County Council advise all drivers doing contracts should install CCTV.</p> <p>In some situations audio recording necessary for protection drivers and passengers, especially if allegation made by either party. However having additional microphones installed specifically by the passenger seats is unreasonable.</p> <p>Experience racial abuse so should have audio recordings for evidence.</p>	<p>Generally the consultation response agreed with this. However several made comment that they would like audio recording as well as visual so that they can provide evidence of racial or verbal abuse by customers.</p> <p>Whilst the Council would seek to reduce racial and verbal abuse it must also abide by Information Commissioners Office guidelines which state:</p> <p>“Surveillance systems should not normally be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified. You should choose a system without this facility if possible. If your system comes equipped with an independent sound recording facility then you should turn this off or disable it in some other way, unless you can clearly justify its use with robust supporting evidence. “</p> <p>Transport for London (TFL) that licence London Taxis have a condition that states:</p> <p>“Audio Recording CCTV systems must not 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. You must choose a system without this facility wherever possible; however, if the system comes equipped with sound recording facility then this functionality should be disabled. There are limited circumstances in which audio recording may be justified due to a</p>

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CCTV continued			<p>specific threat to an individual’s personal safety, e.g. when a ‘panic button’ is utilised in response to a threat of physical violence. Where this audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed. The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment. In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.”</p> <p><b>Recommend to amend the proposal to add the above TFL wording regarding audio recordings</b></p> <p>The Data Protection Act 1998 requires every data controller (eg organisation, sole trader) who is processing personal information for the purpose of crime prevention to register with the ICO. The cost is £35 and renewable annually.</p> <p><b>Recommend to also adopt the following:</b></p> <p><b>Any CCTV system that records customers inside the vehicle must first be approved by a Licensing Officer. Prior to approval the licence holder must provide the Licensing Section with documentary evidence of registration with the ICO The licence holder may be asked to provide this evidence again during the term of the licence to ensure that the registration is kept current.</b></p>
<p><b>6. Safeguarding training</b> Safeguarding training for new applicants within 12</p>	<p>11 Agree  3 Disagree</p>	<p>Training should be free for a period of time. Training will lead to loss of earning, will there be compensation? Training should be for new</p>	<p>Some consultees made comments that they didn’t feel such training was necessary. However, the purpose of the training is to raise awareness of safeguarding issues and so is appropriate for all drivers.</p>

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months and within 2 years for existing licence holders	4 Agree in part  26 No comment	drivers only and not those with years of experience. New applicants should be trained before grant or within 3 months. New applicants should complete before being granted a licence.. Safeguarding should include verbal abuse especially those of ethnic background. Not necessary.	Gloucestershire’s safeguarding board are setting up a series of training sessions in 2017 and Licensing Officers have provisionally booked dates for Stroud in April, May, June and July. There will also be dates at other venues in Gloucestershire throughout the year. There will be no cost to drivers. At this stage we do not know whether the training will continue to be provided after 2017  <b>Recommend to adopt the proposal but add condition that it must be taken provided such training is available and for existing licence holders it must be taken within 1 year.</b>
<b>7. Tinted Windows</b> Tinted film on windows not permitted	10 Agree  4 Disagree  2 Agree in Part  28 No Comment	Many vehicles already have rear tinted windows on manufacture. Should include smoked effect glass. A more reasonable approach would be to allow film that is not darker than available from vehicle manufacturer. Need certification from installer. Many persons like privacy afforded by tinted glass. The risk arises from the quality of the driver and the safeguarding checks performed on him/her. Some vulnerable young persons feel safer in a vehicle with dark tinted windows.  <u>Views of 8 executive operators</u> Some customers appreciate privacy and cooling effect of tinted windows. Not clear if proposal is factory fitted or just standard glass with film.	Several made comment that many vehicles are tinted on manufacture. However the proposal is that tinted film on windows is not permitted. It is not proposed to ban factory fitted tinted windows  <b>Recommend to adopt the proposal</b>

Proposal	Agree Disagree	Summary of Consultee Comments	Recommendation
<b>8. Criminal Convictions Policy</b> General amendments to convictions policy	10 Agree  3 Agree in Part  31 No Comment	I would not want my children alone in a car driven by a convicted criminal.  Tighten up further. Agree only if a national policy.	A more robust convictions policy will help to ensure that the public are protected from unsuitable drivers.  <b>Recommend to adopt the proposal</b>
<b>9. Enforcement and Complaint Process</b> Process for dealing with complaints and breaches and provision for review of an existing licence by a panel of the licensing committee	13 Agree  3 Agree in Part  28 No comment	As long as committee understand the legislation and rights of the driver.  As long as there is a fair hearing and a friendly appeals policy.  This should clarify to everyone what can be expected and demonstrates even handed approach. Committee to have driver representative if desired.	Generally the consultees agreed with this proposal but wanted to be reassured that drivers would be dealt with fairly. The proposal gives provision to deal with complaints and breaches in a clear and consistent way with a range of sanctions depending on the severity and number of times of complaint or breach.  <b>Recommend to adopt the proposal</b>
<b>10.intended Use Policy</b> Taxi licence holders to give a commitment that they will operate mainly within Stroud District	14 Agree  3 Agree in Part  27 No Comment	Persons should be resident in the district as well.  Should be exceptions such as trips to airports and the like.  This is an important and necessary step.  School runs often require a driver to pick up and drop off outside district.  Could consider a requirement that Stroud District private hire operators can only use taxi and private hire drivers licensed by Stroud District. This does not stop them subcontracting to operators outside the district but stops hackneys from other areas being on the books. There is a problem in Cheltenham and Gloucester where hackney drivers licensed outside the area work on private hire basis with a local private hire operator.	Generally consultees agreed with this proposal. However some raised the issue that, although they live within the district, their work could often start and stop outside the district for example a school contract or airport runs, particularly now they can sub contract to other operators outside the district. The purpose of the intended use policy was to prevent those who have no intention of ever operating within our district in holding a Stroud taxi licence. The proposal does not apply to Private Hire.  <b>Recommend that the proposal is adopted but add that the intended use policy is not intended to penalise those taxi operators that live and operate within the district but take a wide range of bookings including journeys that are outside of Stroud District</b>

Proposal	Agree Disagree	Summary of Consultee Comments	Recommendation
<b>11. Other Comments</b>		<ul style="list-style-type: none"> <li>• Ban E Cigarettes in taxis and private hire</li> <li>• Standard Roof Sign for Taxis</li> <li>• Requirement to display a front plate in addition to the current rear plate</li> <li>• Standard colour for vehicles</li> <li>• Lack of wheelchair accessible vehicles</li> <li>• Restrict number of taxi licences issued</li> <li>• Encourage taxi operators to run a taxi bus services (NB this involves an operator obtaining a restricted PSV licence and committing to running a timetabled service, even if there are no passengers)</li> </ul>	<p>Banning E Cigarettes has been introduced in some other authorities.</p> <p>It should be noted that the Department of Transport guidance states that taxi vehicle numbers should not be capped and that supply and demand will set the number at the right level. If numbers are capped the Council must undertake an unmet demand survey every 3 years. This would need to be undertaken by an external consultant and will have cost implications. None of the other authorities within Gloucestershire limit the number of taxi vehicles. However Cheltenham and Gloucester have policies which state that any new application for a taxi licence must be wheelchair accessible vehicles. Their policies also state that existing licensed vehicles can remain as saloons, people carriers etc and if they change their vehicle they can replace it with the same. This has the effect that existing plated vehicles have an inflated value and can be sold on at a premium to new owners who do not want to buy a wheelchair accessible vehicle.</p> <p><b>Recommendation - The matters listed are all ones that would need further detailed consideration and if considered appropriate would need to be consulted on.</b></p>

## Consultation Question 4 - Vehicle Age Policy – All Comments

### 9 agreed to an age policy

This is overdue

Totally Agree

About time

### 20 agreed in part

Cheltenham has an upper age limit of 14 years on renewal, this would be better, providing vehicle maintained to high standard.

Vehicle age policy should be 6 years and not 5 years.

Yes to 5 years new but maybe 12 years for renewal.

Cheltenham have upper age limit of 14 years.

Manufacturers have a 6 year lifespan for every new model so a good 2010 Ensigna is same as 2015 one  
As well as age policy there should also be quality requirements so that poor quality vehicles of less than maximum age are not licensed.

Yes should also stop drivers using tyres from scrap yards.

Should include mileage reading, even a 5 year old vehicle could have over 100,000 on the clock.

Should be discretion to exempt vehicles with high specification and exceptional condition.

Disagree that elite vehicles should be exempt. If they were, why not other vehicles in excellent condition.

Should not be discretion for Officers in considering age, one rule should apply to all.

Disagree that elite and wheelchair vehicles should be exempt.

Disagree for exemptions for any vehicles.

Disagree with exemption for elite vehicles.

No exemption for over 10 year old vehicles, wheelchair accessible vehicles often on a van chassis and tend to suffer from rust.

No discretion for elite vehicles but discretion for WAVs with low mileage and no rusting.

Cheltenham have upper age limit of 14 years for renewals. This would be better on condition vehicle maintained to high standard.

### 8 disagreed to an age policy

A well maintained vehicle is better and safer than poorly maintained newer vehicles.

Disagree to age limit, should have more frequent inspections instead.

Should have way to check vehicle has had an annual service instead of Council Test that doesn't cover much

No need for age limit but should be more inspections and spot checks.

Age on its own does not determine a car's quality. The way it is used and the mileage are determining factors.

We agree vehicles should meet a certain standard but don't think age should be a determining factor

Increasing the frequency of testing of older vehicles to quarterly rather than twice a year would have greater impact than age limit.

Mileage based restriction more appropriate than age for example 60k for new and 150k on renewal.

I have a high end people carrier which is over 10 years old but is immaculate. The proposed 10 year rule will hit our finances.

Should take account of depreciation. There must be other criteria than just age.

High mileage in a short duration will buy out depreciation whereas mileage is accumulating slowly depreciation is bought out more slowly.

Applicants that already licence older inexpensive cars will simply buy high mileage 5 year old cars - so making no improvement in fleet.

We operate a range of cars and not all in district are suited to everyday vehicles, it is not uncommon to take people down tracks.

Our vehicles are seen as a long term investment and replacing them periodically regardless of condition makes no financial sense.

If an age limit owners have less incentive to maintain vehicle.

Some vehicles less than 5 years old in poor condition and some over 10 years old in good condition.

Should have stricter approach to condition that vehicle should be good condition inside and out regardless of age would reinforce drivers needing to suitably maintain their vehicles.

Drivers can't afford this. It is hard enough to make a wage let alone the extra cost of a new car every 5 years.

Newer cars are not biofuel compatible so introducing an age policy would increase CO2 emissions.

When new models come out some are proven to be unreliable after a period of time so drivers choose proven reliable vehicles.

If an older Galaxy cannot be renewed then there may not be vehicles available that can carry motorability scooter.

### Views of 8 executive operators

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Large executive saloon perhaps £70k would have better safety, reliability and appearance than a cheaper albeit newer standard vehicle.

In order to compete against other chauffeur companies, executive operators need to have an elite vehicle that is affordable. They have the choice of older lower mileage cars or newer high mileage cars.

Executive operators have high mileage, perhaps 70,000 per year, and biggest depreciation on a vehicle is mileage. With this in mind it is never cost effective to buy a new or even a 5 year old vehicle.

We recognise the proposed discretion for elite vehicles however there could be debate in future to what is 'elite' and 'excellent'. Need confidence to purchase a vehicle outside of age policy that it will not be refused a licence.

There is a vast difference between hackney carriage and private hire.

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## Consultation Question 11 - Other Comments

E cigarettes should be banned in vehicles as customers think they can smoke and vapour cloud is worse  
Would be in favour of degree of uniformity on cars e.g. distinctive markings and roof signs but not a uniform colour.

Panel to be set up to set standards for vehicles.

White/Silver/Black standard colour.

Should have a standard colour and a SDC roof sign to clearly identify taxis from Stroud District.

Would like a colour scheme for vehicles introduced.

Cleanliness and dress code of some drivers leaves a lot to be desired.

Front plates.

Should have front and back plates (currently back only).

Questions 8,9,10 seem to give Committee more power which is fine provided there is fair chance of appeal.

Should be limited number of taxi drivers as there isn't enough work for everyone now.

Reason that drivers have not updated vehicles is because earnings have dropped by 30% in 2 years.

For same reason drivers are not having work/repairs done on vehicles.

When new licences are issued the drivers mainly work the rank adding to overcrowding on some days.

Every time a new licence is issued the slice of the cake for the drivers goes down.

Definitely more drivers working the rank causing decline in daily earnings.

Amount of new licences should be capped to protect livelihood of existing drivers.

Having a taxi rate review every 3-5 years is too long. Should be 18 months to 2 years.

Making drivers get new cars will mean there will be more drivers working as they will have to work longer hours.

Make new hackney applicants be a private hire driver for a year to slow down the number of hackneys

Please ensure passengers with disabilities are looked after.

Taxi firms shy away from taking bookings for passengers with disabilities as they are time consuming

Can providing dedicated female only driver/customer services be looked into.

Lack of wheelchair/pushchair accessible taxis in Stroud.

References to Southern Ireland should be Republic of Ireland.

Is there any opportunity to provide a Taxi-Bus Service?

Alcoholics who are housebound will use a taxi to collect alcohol. There should be policy to stop drivers taking fares without the person being in the cab.

There should be something about dementia training.

Badges should be displayed in vehicle and on driver at all times and punishable by written warning and review of licence if continues.

Do not licence taxi drivers who do not live in the district as other Council's do not allow.

Impose fines on drivers picking up from the railway station without booking.

Ask drivers for National Insurance number and inform the tax offices as a lot of drivers pay no tax.

In regard to safeguarding you cannot identify a Stroud Taxi should have large taxi roof signs like Gloucester and Cheltenham.

Should the taxi association be required to canvas all licence holders on important decisions such as a district wide fare increase? Not all licences holders operate from the taxi rank in Stroud.

### Views of 8 executive operators

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We can subcontract to other operators outside the district but would like at times to use drivers from other districts but we are prohibited from allowing them from driving our own cars.