

Responses and officer feedback to the draft North Yorkshire Hackney Carriage and Private Hire Taxi Licensing Policy

Commencement of consultation date: 28 October 2022 - Consultation end date: 19 January 2022 – 5PM

Summary of consultation responses	Officer comment
<p><b>Question 7. With the creation of the new North Yorkshire Council, it is proposed to replace all existing hackney carriage 'zones' from the existing seven legacy local authority areas with a new single zone. Thereby providing drivers with the flexibility to operate across the new North Yorkshire Council area.</b></p>	
<p><b>The Department for Transport recommends the abolition of zones as it can diminish the supply of taxis and the scope for customer choice.</b></p>	
<p><b>Question 8. Do you have any comments you would like to make about hackney carriage zones?</b></p>	
<ol style="list-style-type: none"> <li>1. Drivers should not be taking local jobs</li> <li>2. Busiest zones will see an increase in taxis leaving rural areas with fewer</li> <li>3. Hopefully it will increase availability of vehicles in some areas during evenings.</li> <li>4. Concerns over the lack of local knowledge</li> <li>5. Concerns that it may diminish, rather than increase, the number of taxis able and willing to take wheelchairs.</li> <li>6. Good idea to make one single zone to combat vehicles coming in working from other districts.</li> <li>7. Concerns that locals will not know the taxi driver in their area</li> <li>8. Concerns over the size of the area</li> <li>9. Competition is good.</li> <li>10. We need Uber or bolt.</li> <li>11. Leave them as they are</li> <li>12. Not enough work in some areas currently</li> <li>13. Putting safety at risk should continue with localism</li> <li>14. Keep zones put limits into each area</li> <li>15. Ensure UBER is able to operate throughout the region</li> <li>16. Lack of hackney carriage rank space.</li> <li>17. Support of the single zone.</li> <li>18. Increase in traffic congestion</li> <li>19. The 'single zone' will further disadvantage disabled customers in being able to hire an accessible vehicle, and</li> </ol>	<p>Most local authorities allow licensed hackney carriages to ply and stand for hire throughout the entire Council area. Only a relatively small number of local authority areas are divided into separate hackney carriage zones. These zones only exist because of changes to local authority boundaries in circumstances where two or more former districts are brought together.</p> <p>Of the authorities that have already gone through this process, namely, Buckinghamshire, Central Bedfordshire, East Riding, Shropshire and Durham the propensity to follow the DfT’s recommendations and merge the hackney carriage zones have broadly been taken for economic reasons, specifically to allow market forces to determine supply levels and generate cost savings for the Council and trade, and for accessibility reasons, to improve the availability of hackney carriages both generally and for passengers with a disability.</p> <p>Abolishing hackney carriage zones will enable the licensing authority to apply the hackney carriage licensing regime consistently throughout North Yorkshire, in accordance with Best Practice Guidance.</p> <p><b>Drivers operating in busier areas lacking local knowledge and putting passengers at risk</b></p> <p>Concerns have been raised that drivers would not have the necessary expertise and knowledge of local areas. The draft policy requires all driver applicants to complete a safeguarding and knowledge test. Existing licence holders would need to complete a refresher safeguarding course every three years. Due to advancements in modern technology, drivers do not need to rely as heavily on local knowledge as they have in the past. Satellite navigation systems also provide real time traffic updates which are of benefit to the fare paying passenger.</p> <p><b>Hackney carriage drivers would flock to ‘hot spot’ areas e.g., town centre locations in busy towns</b></p>

<p>they will be fewer adapted vehicles available around North Yorkshire.</p> <p>20. Concerned that this proposal will allow drivers to overcharge disabled passengers because the drivers will have to cover larger distances.</p> <p>21. Struggle getting a taxi where I live. Hopefully a single zone will make it easier.</p> <p>22. Concerns if one large areas driver in local areas may feel they don't have to pick up someone in a wheelchair as someone else will</p> <p>23. Do not believe that vehicles will move between towns and therefore wheelchair accessibility will not improve.</p>	<p>This is possible. It is accepted that there will be a period of 'settling down' following implementation during which they may be migration of hackney carriage vehicles to more densely populated areas.</p> <p>Evidence from other unitary authorities who have followed a similar approach indicates that negative impacts should level out over time, as market forces takes effect and supply flexes to meet demand, ultimately providing a better service for users</p> <p><b>Diminish the supply of hackney carriages</b></p> <p>The proposed policy will enable hackney carriage vehicles to operate across the Council area and is an open market approach, and as stated above previous authorities going through a similar process do not report any issues with diminished supply.</p> <p>Paragraph 90 of the Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guide (March 2010 edition) states: "The Department recommends the abolition of zones. That is chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice - for example, if fifty taxis were licensed overall by a local authority, but with only twenty-five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area.</p> <p>Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone."</p>
<p><b>Question 9. If the proposal to create a new single zone for the new North Yorkshire Council, the current quantity restrictions imposed by the legacy Scarborough and Harrogate areas in respect of hackney carriage vehicles will no longer apply.</b></p> <p><b>Imposing quantity restrictions on hackney carriage vehicles is no longer considered best practice, nor in the best interest of passengers. It is therefore not proposed to set a quantity restriction in relation to the new council area.</b></p> <p><b>Do you agree or disagree with this proposal?</b></p>	
<p>1. Excessive competition</p> <p>2. More difficult to make a living.</p>	<p>Harrogate and Scarborough have already deregulated so there is no requirement for any unmet demand surveys to be completed.</p>

<ol style="list-style-type: none"> <li>3. Currently a shortage at peak times. Ensuring no quantity restrictions ensures competition and better availability</li> <li>4. Do not restrict. More are required not less.</li> <li>5. Lack of hackneys available during peak times, or when events are on, more hackney drivers required.</li> <li>6. Quantity restrictions on plates are ridiculous, pricing out drivers coming into the business</li> <li>7. Remove the restrictions the quality of the driver, the quality of the driving, and the quality of the cleanliness in the cab will all deteriorate</li> <li>8. Always better to impose restrictions on Hackney carriage vehicle as there is a limited number of ranks in each town/ city.</li> <li>9. Lack of hackney carriage space causing annoyance to drivers</li> <li>10. A peak periods taxis are very scarce so extra licenses would help, provided there is still a strict check on applications for licenses.</li> <li>11. This will mean some operators losing thousands of pounds overnight the impact on the industry will be devastating</li> <li>12. More taxis are needed</li> <li>13. Remove all limits on numbers.</li> <li>14. Devaluation of some businesses.</li> <li>15. Private hire would change their vehicles to Hackney carriage overnight and it would influence the number of wheelchair accessible vehicles as drivers are put off buying these types of vehicles due to the initial outlaw and the time it takes to pick up a person in a wheelchair</li> <li>16. Disability is a protected characteristic under the Equality Act of 2010.</li> <li>17. Would be fantastic so I can go and buy my own Hackney carriage instead of renting a Hackney carriage</li> <li>18. Increased congestion in the towns</li> <li>19. It's always about the recruitment of drivers, should be incentives to recruit drivers</li> </ol>	<p>Harrogate and Scarborough cap the number of hackney carriage vehicles in the form of a cap rather than a restriction using stronger conditions for new hackney carriage vehicles seeking to join the fleet. Proprietors in these areas are afforded 'grandfather rights' on existing licences and are often able to charge a premium when selling their licensed vehicles to individuals seeking to enter the trade. Some of those proprietors have referred to trading plates as a financial investment and one which would be diminished by the proposed policy. There is no certainty for those proprietors that any financial outlay would be secured for a period of time and the risk was borne by those individuals.</p> <p>The Department for Transport advises that a limit on taxi numbers is unlikely to be in the best interest of consumers.</p> <p>The Office of Fair Trading and Competition Commission (CMA) considers that quantity regulation limits the number of taxis and reduces availability and lowers the quality of service to the public. That competition can exert downward pressure on prices and upward pressure on quality because greater competition means that firms must fight harder to attract and retain customers. It is the CMA's view that competition should only be restricted by regulatory rules to the extent that it is necessary to protect customers.</p> <p><b>Hackney carriage drivers would flock to 'hot spot' areas e.g., town centre locations in busy towns and concerns over rank space.</b></p> <p>Local authorities who have already been through this process have confirmed that although this was report as a fear prior to implementing, and that a period of setting down following implementation during which they may be migration of hackney carriage vehicles to more densely populated areas.</p> <p>Evidence from other unitary authorities who have followed a similar approach indicates that negative impacts should level out over time, as market forces takes effect and supply flexes to meet demand, ultimately providing a better service for users</p> <p><b>Impact on drivers losing money overnight</b></p> <p>Proprietors in some legacy areas were given 'grandfather rights. This has resulted in existing proprietors being able to charge a premium for the licence plate if the vehicle it is attached to is sold. The licence plate itself remains the property of the Council, not the proprietor, and the predecessor</p>
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<p>20. One zone and no quantity restrictions should make it easier to get a taxi.</p> <p>21. Limiting the number of saloon taxis but not limiting wheelchair taxis would be good</p>	<p>councils have not (and could not) guarantee that the previous grandfather rights would remain in place indefinitely.</p> <p><b>Proprietors changing wheelchair accessible hackney carriage vehicles to saloon</b></p> <p>In accordance with the draft policy, proprietors would be able to change wheelchair accessible vehicles to saloon cars and, if this was to happen, there would be a gap in the market. Integrated Passenger Transport services and the NHS are regularly seeking wheelchair accessible vehicles to fulfil contracts to support delivery of their services. Therefore there is an arguable business case for those proprietors who choose to operate a wheelchair accessible vehicle.</p>
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**Question 11. The council is committed to improving the provision of hackney carriage and private hire services for all passengers. In fulfilling this commitment, it is important that all passengers are considered.**

**Although some local authorities have moved to a 100 per cent wheelchair accessible fleet, such vehicles may create access issues for passengers who do not require a wheelchair, but who do have other disabilities or limited mobility.**

**The council is keen to increase the availability of wheelchair accessible vehicles but is not proposing to require all vehicles to be wheelchair accessible at this time. It is proposed that a mixed fleet of vehicles will help to ensure a vehicle is available which meets a passenger’s particular needs**

**Question 12. Do you have any comment you would like to make about wheelchair accessible vehicles?**

<ol style="list-style-type: none"> <li>1. Important that wheelchair accessible taxis are available when needed.</li> <li>2. More wheelchair accessible vehicle and drivers required</li> <li>3. A minimum boot size for foldable wheelchairs is needed, if a larger on-off vehicle isn't available.</li> <li>4. There are hardly any wheelchair taxis available if you are in an electric wheelchair. It's not fair and I have to book a taxi day in advance. More electric wheelchair taxis should be made compulsory.</li> <li>5. Very limited number of customers on the rank use wheelchair vehicles, normal customers also think that using a wheelchair vehicle is more in price and uncomfortable</li> </ol>	<p>Disability is a protected characteristic under the Equality Act 2010. The licensing authority must have due regard to the Public Sector Equality Duty (PSED) when taking decisions concerning the provision of hackney carriage and private hire vehicle services and ensure that reasonable adjustments are made to remove barriers preventing disabled people from accessing taxi and private hire vehicle services.</p> <p>The provision of wheelchair accessible vehicles (WAVs) is necessary to ensure that wheelchair users have adequate access to taxi and private hire services. The Council must also endeavour to ensure that there are sufficient licensed vehicles meeting the needs of passengers with other impairments.</p> <p>At present, 89 WAVs are licensed by the seven district authorities distributed as follows:          Craven <a href="#">2</a>          Hambleton <a href="#">6</a>          Harrogate <a href="#">23</a></p>
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6. All accessible vehicles should have wheelchair accessibility from the start of the new council.
7. Disabled access vehicles need to be PHV as people need to be picked up from home and go to their destinations. I've been doing taxis for 11 years and yet to see a person come on rank looking for a disabled access vehicle.
8. All vehicles need to be accessible to ALL passengers - Wheelchair, limited mobility - there should be no excuse for not providing access to ALL especially in a rural county like North Yorkshire where alternative methods of transport often do not exist
9. As the council will not subsidise the purchase or running costs of these vehicles, we do not feel they should be able to impose restrictions on them.
10. In 27 years of being engaged in the trade a lot of wheelchair users would rather transition into a car seat than travel in their wheelchair
11. If the council wants wheelchair taxis then hire the drivers onto the payroll and supply the vehicles instead of hoping for it to work
12. The cost is the prohibitor factor in proprietors not purchasing wheelchair accessible vehicles
13. The Government recommends a mixed fleet
14. There should be no requirement that vehicles are wheelchair accessible.
15. Wheelchair accessible vehicle never used at the rank and take up too much space.
16. Some people with a disability may prefer a saloon type vehicle.
17. Many customers don't like to use wheelchair accessible vehicles
18. Taxi operators with more than 1 vehicle should have a mixture of wheelchair and non-wheelchair accessible vehicles
19. Incentives could be given to drivers to opt for accessible vehicles

Ryedale [6](#)  
 Richmondshire [17](#)  
 Scarborough [25](#)  
 Selby [10](#)

Selby District Council is the only authority of the seven that requires all new and replacement hackney carriage vehicles to be wheelchair accessible.

Harrogate, Scarborough and Richmondshire each have a policy requiring new hackney carriage vehicles to be wheelchair accessible but this requirement does not apply to the replacement of non-WAVs. Accordingly, there has been no noteworthy increase in the number of WAVs in any of these areas.

60% of respondents agree or strongly agree with the proposal to not require all vehicles to be wheelchair accessible at this time. 23% of respondents disagree or strongly disagree.

Some concerns have been raised about the current availability of WAVs and the failure to accept or fulfil bookings. Following recent legislative changes, all licensed drivers are now under an obligation to carry, and offer reasonable assistance to, all disabled passengers. This includes, where applicable, loading wheelchairs and other mobility aids in and out of the vehicle. Until recently, some of these obligations applied only to drivers of WAVs and therefore past experiences may not accurately reflect the current position. The new legislation also imposes obligations on private hire operators to accept bookings from disabled passengers. The government expects all licensing authorities to take tough action where drivers or operators breach these duties.

Opposing views have been presented indicating that there is very little demand for the immediate hire of WAVs as they are more often booked in advance. There are also suggestions that more wheelchair users prefer to transfer to a seat while the wheelchair is carried separately. Whilst this may be true in many cases, anyone who has to travel seated in their wheelchair should be able to do so and therefore the availability of WAVs remains a concern.

The purchase cost of a WAV is typically higher than that of a saloon vehicle. At present, the bulk of the licensed vehicles in North Yorkshire are conventional saloon cars. These are accessible to the vast majority of the population, including many disabled people but they are not suitable for anyone who has to travel seated in their wheelchair.

20. Motability vehicles are normal vehicles so the same height as normal saloon vehicles

According to the Department for Transport's (DfT) Taxi and Private Hire Vehicle Licensing Draft Best Practice Guidance:

*"Licensing authorities should understand the demand for a mixed fleet in its area and ensure that, when issuing licences, it has the right mix of vehicles"*

*"For some passengers, particularly ambulant disabled people whose ability to walk is impaired, the high steps and large floor areas of traditional WAVs can constrain their access"*

The DPTAC (Disabled Persons Transport Advisory Committee) is an expert committee established by the Transport Act 1985 to provide advice to the government on the transport needs of disabled people. The Committee acknowledges that a universally accessible vehicle does not exist at present because:

*"for a significant number of disabled people, [WAVs] are difficult to use, particularly those using artificial limbs and others with restricted mobility. Creating the space for the wheelchair frequently means that there is a gap between the door and seat, which some people find difficult to negotiate... For this reason, DPTAC believes that a mixed fleet of WAVs and conventional saloon cars is necessary at present".*

According to the Department for Transport's [Disability and Accessibility Statistics, England 2019/20](#), 1% of adults aged 16+ in England reported use of a wheelchair (NTS, 2019). The latest estimates from the Family Resources Survey indicate that 22% of the total population has a disability. The Council should therefore be wary of focusing too heavily on the needs of passengers in wheelchairs, perhaps at the expense of those with other, sometimes less obvious, accessibility needs. An entire fleet of WAVs would be likely to have adverse effects on some users and would impose significant cost burdens on anyone seeking to enter the licensed trade.

Recent history in Harrogate, Scarborough and Richmondshire indicates that imposing mandatory wheelchair accessible requirements on new vehicles would be unlikely to lead to a noteworthy increase in the number of WAVs. Instead, it would be likely to place a premium on plates attached to vehicles licensed prior to 1<sup>st</sup> April 2023 and limit the number of new entrants to the market due to the additional financial outlay required. On that basis, any negligible benefits to wheelchair users are likely to be outweighed by negative impacts. Imposing a limit on non-WAVs would primarily only serve to benefit existing licence holders and not the public.

	<p>In accordance with the Regulators’ Code, the licensing authority aims to reduce regulatory burdens and support business growth by ensuring that every licensing requirement and condition is justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.</p> <p>On balance, officers recommend proceeding with the original proposal to have no wheelchair-accessible requirement on licensed vehicles and then to consider ways to incentivise an increase in WAV provision.</p> <p>It is the intention of officers to seek to encourage proprietors to invest in WAVs, thus improving the accessibility of vehicles to more disabled customers. For example, in accordance with the draft policy, age limits will be disapplied in relation to designated WAVs, which allows for a wider scope of WAVs to be licensed. The licensing authority will continue to consider ways to incentivise an increase in WAV provision. In addition, officers propose to make amendments to the relevant sections of the policy to emphasise the need to comply with all duties under the Equality Act 2010 and to clarify the likelihood of formal enforcement action in the event of a breach. Further information can also be published on the Council’s website and/or vehicle interior complaint stickers to ensure that members of the public are aware of the new obligations and know how to complain in the event of a breach.</p> <p>The draft policy makes provision for a list of designated WAVs to be published and it is hoped that one comprehensive list covering the entire county will facilitate access throughout North Yorkshire.</p> <p>The licensing authority will endeavour to assess the demand for accessible services in the area, from wheelchair users and non-wheelchair users, and from people with both visible and less-visible impairments. The outcome of this assessment will inform any future review of the policy.</p>
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**Question 13. It is acknowledged that some vehicles currently licensed by a legacy local authority may not meet the criteria outlined in the new policy.**

**To ensure the operators of these vehicle are not disadvantaged, it is proposed that any vehicle licensed by either Craven District Council, Hambleton District Council, Harrogate Borough Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council or Selby District Council prior to 1 April 2023 may remain licensed on renewal until such time as it would have been permitted by the terms of the relevant policy in effect on 31 March 2023.**

**Where an application is submitted for a new vehicle, or to replace an existing vehicle, the new/replacement vehicle would be required to meet the new criteria. Do you agree or disagree with this proposal?**

**Question 14. Do you have any comments you would like to make about ‘Grandfather Rights’ for existing licensed vehicles?**

<ol style="list-style-type: none"> <li>1. It makes sense to allow those already licences prior to a new policy coming into effect be phased out as their new license is renewed.</li> <li>2. All vehicles should meet the same standard for the new unified council. Fully electric vehicles should be given preference. Diesel vehicles should exclude.</li> <li>3. Vehicles to meet new regulations cost an extortionate amount.</li> <li>4. Grandfather rights should apply for as short a time as possible</li> <li>5. Supply the vehicles and employ the drivers then all conditions will be met</li> <li>6. Yes. I agree with it</li> <li>7. Agreement with new vehicles continuing to be licensed under the existing rules of its current licensing authority</li> <li>8. Purchasing new vehicles is expensive, why would people want to invest in a new vehicle?</li> </ol>	<p>The Policy if approved aims to deliver benefits in terms of improving public safety as well as ease of operation for the taxi trade. It is important that we balance the impacts of the proposed changes on those who may be negatively affected.</p> <p>Where harmonisation has made changes in respect of vehicle age or design for example, grandfather rights have been provided to give the taxi trade time to prepare and plan for these changes moving forward. Although the Council is mindful some of the changes may have a potential financial impact on sections of the taxi trade, the over-riding objective of public safety must remain paramount. Response to this proposal was favourable, with 61% of respondents agreeing or strongly agreeing that existing licence holders should be provided with what are commonly known as ‘Grandfather Rights’, and only 16% disagreeing or strongly disagreeing.</p>
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**Question 15. The council does not consider the mandatory installation of CCTV in vehicles to be proportionate at this time. Factors such as cost, data responsibilities and privacy have also been considered in forming this view.**

**In-line with the Statutory Taxi and Private Hire Vehicle Standards, it is proposed that regular reviews will take place to identify any local circumstances which may indicate that CCTV would have either a positive or an adverse net effect on the safety of taxi and private hire users. Full consultation with stakeholders would take place as part of such a review**

**Question 16. Do you have any comment you would like to make about in vehicle visual and audio recording (CCTV)?**

<ol style="list-style-type: none"> <li>1. CCTV should be in all vehicles.</li> <li>2. I would prefer mandatory CCTV</li> <li>3. In-vehicle visual and audio recording protects both passenger AND taxi driver. CCTV protects both the driver and the passengers.</li> <li>4. CCTV is not a good idea due to Data Protection.</li> <li>5. High standards should be maintained.</li> <li>6. Feeling safer with CCTV in the vehicle</li> <li>7. Prevent people leaving the vehicle without paying</li> <li>8. Should be at the discretion of the vehicle owner.</li> </ol>	<p>At present, the installation of a CCTV system in licensed vehicles is mandatory in Craven. In all other areas of North Yorkshire, CCTV systems are not mandatory but may be installed subject to approval from the relevant licensing authority.</p> <p>54% of respondents agree or strongly agree with the proposal to not require CCTV systems to be installed in all licensed vehicles. 21% of respondents disagree or strongly disagree.</p> <p>Concerns have been raised about passenger privacy and installation costs. Opposing views have been presented indicating that CCTV is necessary for driver and passenger safety.</p>
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<p>9. Easy and low-cost implementation and should be a requirement with a 1-year grace period to have installed</p> <p>10. CCTV should be optional.</p> <p>11. The Council should pay if a requirement of policy</p> <p>12. There was a mix of views and opinions on the proposal about in vehicle visual and audio recording equipment.</p>	<p>The purchase cost of a suitable CCTV system is likely to be around £500 and this must be balanced against the public safety benefits.</p> <p>According to the Department for Transport’s (DfT) Statutory Taxi and Private Hire Vehicle Standards:</p> <p><i>“All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.”</i></p> <p><i>“Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review”</i></p> <p>In accordance with the Regulators’ Code, the licensing authority aims to reduce regulatory burdens and support business growth by ensuring that every licensing requirement and condition is justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.</p> <p>On balance, officers recommend proceeding with the original proposal to have no mandatory CCTV requirement but allow such systems to be installed at the proprietor’s discretion subject to compliance with policy requirements.</p> <p>Officers will regularly monitor the need for CCTV and consult further if a review of the policy is considered necessary in this regard.</p>
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**Question 17. Although it is acknowledged the DfT’s guidance suggests a vehicle age limit policy may not be appropriate, the importance of considering the climate change agenda when drafting and shaping local policy has increased significantly for councils since 2010 when the DfT guidance on licensed vehicle age limits was produced.**

**After considering the differing vehicle age limits in place across the legacy local authority areas, it is proposed to set the maximum age at which a vehicle will be first licensed to five years from date of first registration, and the maximum age a vehicle may remain licensed to 10 years again from the date of first registration. This represents a broad average of the age limits currently in place.**

**Exceptions from these age limits may be considered by the specific circumstances of a case provided they can be justified.**

**Question 18. Do you have any comments you would like to make about vehicle age limits?**

1. 5 years max
2. Age does not reflect condition of a vehicle that has been constantly looked after and maintained to a high standard
3. Stringent testing should be required as second-hand cars can be dangerous
4. Some cars are in far better condition than others and this should be reflected in overall condition, rather than "age of vehicle" which seems too arbitrary.
5. Modern vehicles are fully equipped with latest technology, international standards, safety has improved dramatically over the years
6. Increase the limited to 12/15 years as new vehicle are very expensive, less maintenance needed on new vehicle
7. Shouldn't roadworthiness of vehicles would be determined by things like MOT?
8. Why can't they be 7–8-year-old when first registered as a taxi.
9. Age of the vehicle should not be relevant - minimising environmental impact should be the priority
10. Purpose built vehicles, wheelchair and minibus type vehicles should be allowed to operate until at least 15 years old, so the additional expense of purchase can be recouped, thus keeping a service available.
11. Car prices are too expensive, we cannot afford to replace cars and this puts undue pressure on drivers.
12. Regular servicing of vehicles should be mandatory
13. There are too many old wrecks for taxis. 3-year limit on age of vehicle
14. Employ the drivers and the vehicles
15. All vehicles licensed should be new, maximum age of 5 years, minimum requirement of euro5 engine
16. Most vehicles have worn themselves out by 10 years
17. What about a Percentage of the fleet being required to be electric?
18. 10 years is too old, all taxis should at least Euro 6 emissions standards which I believe was introduced in 2014/15

Although it is acknowledged that the Department for Transport's Taxi and Private Hire Vehicle Licensing Best Practice Guidance advises against the setting of age limits for vehicles, the DFT also state in the draft revised guidance that more targeted requirements should be considered to meet policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low. Given many of these Policy objectives are yet to be considered by the new Council, this proposal aims to broadly maintain existing arrangements until age limits can be considered in line with these policies.

It is also generally accepted that vehicles deteriorate with age and use, and that newer vehicles are generally safer, more reliable and less environmentally damaging. Although this proposal may have a perceived financial impact on licence holders who previously benefited from more relaxed age limits, the proposed grandfather rights will ensure any vehicle licensed prior to 1 April 2023 can remain licensed until such time as it would have been permitted by the terms of the relevant policy in effect on 31 March 2023, thereby providing licence holders time to prepare and plan for these changes.

Although no proposal has been made in terms of emissions and Euro Engine standards, the suggested age limits by their very nature will ensure that all newly licensed vehicles meet or exceed the Euro 6 emission standards given this was made a requirement for all new vehicles registered since September 2015. The majority of vehicles currently licensed will also meet the Euro 5 emission standard introduced in 2011.

In terms of wheelchair accessible vehicles, it is recognised that these vehicles generally cost more to purchase and maintain. As such it is not proposed to apply these age limits to designated wheelchair accessible hackney carriage and private hire vehicles provided they continue to be well maintained.

Support of this proposal was generally favourable, with 54% of respondents agreeing or strongly agreeing and 28% disagreeing or strongly disagreeing.

<p>19. Fair</p> <p>20. As long as a vehicle is safe and passes a mot, why does</p> <p>21. This should include ALL vehicles including disabled as there should be no discrimination between them and hackney /private hire vehicles</p> <p>22. Concerns it would mean that someone may get rid of a wheelchair taxi and replace with a saloon one instead.</p>	
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**Question 19. The DFT’s guidance states that the annual testing of licensed vehicles of whatever age (including vehicles that are less than three years old) to be appropriate in most cases. The guidance goes on to state that a greater frequency of testing may be appropriate for older vehicles, with a suggestion of bi-annual testing for vehicles over five years of age.**

The frequency of testing naturally varies across the legacy local authority areas. As such it is proposed to follow the DFT’s guidance and require annual testing of vehicles up to five years of age, with six-monthly testing thereafter.

**Do you agree or disagree with this proposal?**

**Question 20. Do you have any comments you would like to make about vehicle testing frequency?**

<ol style="list-style-type: none"> <li>1. A test every twelve months is more than enough, regardless of age</li> <li>2. This is a sensible approach and I strongly agree that this is upheld across the county.</li> <li>3. The requirement of 2 MOTs per year on a new vehicle is excessive</li> <li>4. Seems fair.</li> <li>5. No government requires MOT after every 1 year so the taxi testing should also be every 1 year</li> <li>6. Any vehicle tested annually for 5 years should be in a fit safe state to allow for this test frequency to remain in place for a further 3 years</li> <li>7. All cars should be tested once a year in line with Leeds Council as testing is costly and in view of the cost-of-living crisis, adds additional pressure to drivers.</li> <li>8. Some of these vehicles do a very high mileage. Passenger safety is paramount and therefore six-monthly checks are most important</li> </ol>	<p>Although the importance of proper vehicle maintenance is acknowledged, it is commonplace for the annual mileage of licensed vehicles to be significantly higher than the average domestic vehicle. Therefore, it is necessary in the interests of the safety of passengers and other road users to ensure a suitable testing regime be in place to assist in ensuring vehicles remain in a safe condition.</p> <p>It is also generally accepted that vehicles deteriorate with age and use, and therefore the additional testing requirements for vehicles over 5 years of age is considered justified.</p> <p>According to the Department for Transport’s (DfT) Statutory Taxi and Private Hire Vehicle Standards:</p> <p><i>‘Frequency Of Tests. The legal requirement is that all taxis should be subject to an MOT test or its equivalent once a year. For PHVs the requirement is for an annual test after the vehicle is three years old. An annual test for licensed vehicles of whatever age (that is, including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. However, more frequent tests may be appropriate for older vehicles (see ‘age limits’ below). Local licensing authorities may wish to note that a review carried out by the National Society for Cleaner Air in 2005 found that taxis were more likely than other vehicles to fail an emissions test. This</i></p>
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<p>9. There should be no such testing.          10. More regular testing of ALL vehicles          11. employ the drivers and supply the vehicles          12. Testing should be done from any MOT station with the country as they all follow the same guidelines and regulations as everyone          13. I would expect vehicles to be tested frequently          14. Why should a taxi be any less roadworthy than any other vehicle?          15. More safe          16. Once a year is fine          17. Waste of driver money while everything is expensive          18. We already have tested every 6 months; I agree with it as we are transporting the public.          19. I do not see the need to test a car that is one year old.</p>	<p><i>finding, perhaps suggests that emissions testing should be carried out on ad hoc basis and more frequently than the full vehicle test’.</i></p> <p><i>’But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old’.</i></p> <p>Support of this proposal was favourable, with 67% of respondents agreeing or strongly agreeing with 23% disagreeing or strongly disagreeing.</p>
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**Question 21. The council recognises the importance of safeguarding training which is already provided in several formats by each legacy local authority as required by the DFT’s Statutory Standards.**

**It is proposed that the existing training provision be harmonised, and that new applicants for driver and operator licences be required to complete an approved training session prior to a licence being granted. Once licensed, drivers and operators will then be required to complete a refresher training session every three years thereafter.**

**Question 22. Do you have any comments you would like to make about safeguarding training?**

<p>1. Safeguarding courses are now expected          2. Yes, safeguarding is a very important issue, and regulations can frequently change, including things like First Aid and Covid-19, and PSV drivers should not be blasé about such matters.          3. All drivers regardless of being pre-licensed or not should have to complete it as a baseline and then three years on after that          4. Agree but refresher training should be more frequent than every 3 years          5. if you employ the drivers, you keep records of training          6. We have already had the training; it is unnecessary to do this again every 3 years          7. There should be no testing in this area.</p>	<p>The Department for Transport Statutory Standards acknowledge that the Hackney Carriage and Private Hire industry play an important role in spotting and reporting abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection of abuse of children and vulnerable adults. However, note that this is only the case if they are of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger. The guidance goes on to say that all Licensing Authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training.</p> <p>Over time things change in both safeguarding requirements, training expectations and the types of activities that occur that can put children and vulnerable adults at risk. Refresher Safeguarding training for drivers is therefore of great benefit to the public and ensures that the Council is fully committed to safeguarding the public.</p>
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<ol style="list-style-type: none"> <li>8. Annual training for all</li> <li>9. Refresher courses are burdensome, so refresher courses should have a longer period in between them.</li> <li>10. Definitely good to harmonise it.</li> <li>11. Refresher training annually</li> <li>12. Totally unnecessary</li> <li>13. Every 18 months for refreshers</li> <li>14. Not effective</li> <li>15. I believe once a driver has passed the fit and proper examinations at the beginning, unless they have complaints about their behaviour they should be left alone.</li> <li>16. I agree provided that all training involves disability awareness.</li> </ol>	
<p><b>Question 23. The council equally recognises the importance of disability awareness training. Although still in draft form, the revised DFT guidance advises that all staff in customer facing roles should be trained in disability awareness, or have their knowledge and skills assessed.</b></p> <p><b>It is proposed that new applicants for driver and operator licences be required to complete an approved disability awareness training session prior to a licence being granted. Once licensed, drivers and operators will then be required to complete a refresher training session every three years thereafter.</b></p> <p><b>It should be noted that this training is in addition to the approved practical assessment which must be passed by a licensed driver prior to them being able to drive a wheelchair accessible vehicle.</b></p> <p><b>Question 24. Do you have any comments you would like to make about disability awareness training?</b></p>	
<ol style="list-style-type: none"> <li>1. This is not needed as we very rarely pick up disabled passengers if we do there will always be a guide with them</li> <li>2. Disability awareness training should be compulsory before a licence is granted and again refresher training should be more frequent than 3 years</li> <li>3. This is just more red tape that deters drivers from entering the trade</li> <li>4. Five years is perfectly adequate for refresher training</li> <li>5. If you employ the drivers, you set the training</li> <li>6. There should be no such testing.</li> <li>7. employ the drivers and supply the vehicles</li> </ol>	<p>At present, licensed drivers are required to undertake disability awareness training in some (but not all) of the district areas. The method and mode of training varies and therefore a consistent approach is deemed necessary.</p> <p>53% of respondents agree or strongly agree with the proposal to require all drivers to undertake disability awareness training prior to being granted a licence and every three years thereafter. 25% of respondents disagree or strongly disagree.</p> <p>Concerns have been raised about the cost and frequency of the training.</p> <p>The cost of suitable training is likely to be around £30-£35 and this must be balanced against the benefits of such a requirement.</p>

- 8. Absolutely and this should not be watered down - the issues I have heard of with attitudes of some drivers are not good
- 9. Period between re training should be longer.
- 10. Totally agree with this, I have many visually impaired customers who need assistance, but you would never know it.
- 11. Refresher training annually
- 12. Again! more overkill.
- 13. We would consider this essential, and, in our experience, good disability awareness training is generally very well accepted. It may also be worthwhile considering having process whereby if drivers had any specific questions on disability issues, or needed advice on access issues, this was available to them.
- 14. We are all capable of checking people’s needs and no amount of training will help.
- 15. every 18 months refreshers
- 16. There’s little awareness about treatment of equipment. My son's wheelchair has been broken by many drivers who treat it as nothing when it's our only way to get around. Wheelchairs are expensive and difficult to get fixed. Without it we are home bound.
- 17. I believe disability awareness training should be carried out annually.
- 18. Not all disabilities are visible, drivers should be aware of all of them.
- 19. Safeguarding and disability awareness training should be separate and disability awareness training should take place every year.
- 20. Disability Equality training must be co-produced with disabled people.

According to the Department for Transport’s (DfT) Taxi and Private Hire Vehicle Licensing Draft Best Practice Guidance:

*“Drivers should be trained in disability awareness or have their knowledge and skills assessed”*. The Guidance also provides further detail on the matters that should be covered in any such training.

In accordance with the Regulators’ Code, the licensing authority aims to reduce regulatory burdens and support business growth by ensuring that every licensing requirement and condition is justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.

Following recent legislative changes, all licensed drivers are now under an obligation to carry, and offer reasonable assistance to, all disabled passengers and therefore disability awareness training should facilitate compliance in this regard.

Suitable training has been identified at a reasonable price and therefore, in accordance with the DfT’s Draft Best Practice Guidance, officers recommend proceeding with the proposal to require all drivers to undertake disability awareness training prior to being granted a licence and every three years thereafter.

**Question 25. Practical driving assessments are not currently required by each legacy local authority area when applying for a hackney carriage or private hire drivers’ licence. However, it is noted in the draft DFT Best Practice Guidance that ‘licensing authorities should require taxi and private hire vehicle drivers to evidence a higher degree of driving ability as would be expected of a professional driver’.**

As such, it is proposed that all applicants for a hackney carriage and private hire drivers' licence must pass an approved practical driving assessment prior to being granted a licence.

Do you agree or disagree with this proposal?

**Question 26. Do you have any comments you would like to make about practical driving assessments?**

1. Highest quality drivers only...strong test required!
2. A DVLA driver's licence proves competency to drive. A driver should not be expected to do two tests, just to make a living.
3. I can't understand why this hasn't been in place before. I think it's an excellent idea and ought to apply to any PSV driver with responsibility over the public, children, and vulnerable passengers.
4. You should increase the limited from 1 year of passing the DVLA driving test to 3 years
5. I agree provided the assessment is funded by the council.
6. You employ the drivers you set the training
7. No such testing required
8. We're either fit and proper or not, just another way for you to tick correct boxes.
9. Annual review? and retested every 5 years, with a mandatory eye test every year
10. This should have been a requirement to have an advanced driver test years ago
11. Driver assessments should be completed annually
12. If you have passed a driving test to gain a driving licence which has proved your competency on the road, once again! why is there any need for further driving assessment? and who in the licensing authority has the qualifications to decide whether you are competent or not?? or to assess your driving, when they themselves may not be competent.

At present, licensed drivers are required to undertake a practical driving assessment in some (but not all) of the district areas. The method and mode of training varies and therefore a consistent approach is deemed necessary.

62% of respondents agree or strongly agree with the proposal to require all drivers to undertake disability awareness training prior to being granted a licence and every three years thereafter. 25% of respondents disagree or strongly disagree.

Some of the respondents have raised concerns about the cost of the assessment while others believe it to be a necessary requirement.

The cost of a suitable assessment is likely to be around £80-£90 and this must be balanced against the benefits of such a requirement.

According to the Department for Transport's (DfT) Taxi and Private Hire Vehicle Licensing Draft Best Practice Guidance:

*"The Road Safety Statement published in 2019 stated that "The need to improve road safety does not end with the driving test; nor does it exclude those who drive or ride professionally or as part of their job." Licensing authorities should require taxi and private hire vehicle drivers to evidence a higher degree of driving ability as would be expected of a professional driver. The application of a higher standard than private motorists is considered appropriate and proportionate and is consistent with other elements of taxi and private hire vehicle driver licensing, e.g. medical and vision assessments."*

In accordance with the Regulators' Code, the licensing authority aims to reduce regulatory burdens and support business growth by ensuring that every licensing requirement and condition is justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.

<p><b>13.</b> All drivers should have experience and training to deal with all weather conditions and incidents that may occur, outside and within the vehicle</p> <p><b>14.</b> This should only apply to new taxi drivers.</p> <p><b>15.</b> This should be carried out by the operator and not the licensing authority</p> <p><b>16.</b> The industry is already struggling to get drivers to join the trade, and this is another thing to put them off.</p> <p><b>17.</b> Cannot afford the proposal put forward</p> <p><b>18.</b> As a PHV can carry a max of 8 passengers then an extra test for those drivers may be sensible.</p>	<p>Suitable training has been identified at a reasonable price and therefore, in accordance with the DfT’s Draft Best Practice Guidance, officers recommend proceeding with the proposal to require all drivers to undertake a practical driving assessment prior to being granted a licence.</p>
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