



Regulatory Committee

Monday, 6 June 2022 at 7.30 pm

**Council Chamber, Runnymede Civic Centre,
Addlestone**

Members of the Committee

Councillors: J Wilson (Chairman), E Gill (Vice-Chairman), J Broadhead, T Burton and S Saise-Marshall

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chairman of the Committee, if they are not a member of this Committee.

AGENDA

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Miss Clare Pinnock, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425627). (Email: clare.pinnock@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring Mr B A Fleckney on 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
- 4) In the unlikely event of an alarm sounding, members of the public should leave the building immediately, either using the staircase leading from the public gallery or following other instructions as appropriate.

5) Filming, Audio-Recording, Photography, Tweeting and Blogging of Meetings

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Filming should be limited to the formal meeting area and not extend to those in the public seating area.

The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

List of matters for consideration

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Part I

Matters in respect of which reports have been made available for public inspection

1. **Notification of Changes to Committee Membership**
2. **Minutes** 4 - 5

To confirm and sign as a correct record the Minutes of the meeting held on 9 November 2021 (Appendix 'A').
3. **Apologies for Absence**
4. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
5. **2022 Annual Report on Hackney Carriage and Private Hire Licensing** 6 - 17
6. **Hackney Carriage and Private Hire Licensing Policy on Tinted Windows** 18 - 26
7. **Hackney Carriage and Private Hire Licensing Policy on Knowledge Test** 27 - 38
8. **Department for Transport Draft Best Practice Guidance and Consultation in relation to Taxi and Private Hire Licensing** 39 - 70
9. **Review of Hackney Carriage (Taxi) Fares** 71 - 82
10. **Urgent Action - Standing Order 42** 83 - 87
11. **Exclusion of Press and Public**

Part II

There are no part II items on this agenda

Runnymede Borough Council

REGULATORY COMMITTEE

9 November 2021 at 7.40pm

Members of the Committee Present: Councillors J Wilson (Chairman), D Cotty (Vice-Chairman), M Adams, T Burton and M Harnden

Members of the Committee Absent: None

Councillor T Gracey also attended for items 6 and 7

259 Minutes

The Minutes of the meeting of the Committee held on 29 June 2021 were confirmed as a correct record.

260 Fees and Charges 2022/2023

The Committee's approval was sought for the proposed fees and charges relating to Hackney Carriage and Private Hire Licensing, and other Regulatory Services carried out by Environmental Services and Law and Governance for the next financial year. Some fees were set by statute, others could be set locally.

A full breakdown of how fees and charges were set for Taxi licensing was presented, and a copy of the spreadsheet would be circulated with the Minutes. Thanks were extended to Officers for their detailed report. Officers demonstrated that fees and charges were carefully calculated to allow the Council to recover the costs of issue, administration and, in the case of vehicles, compliance.

The Committee noted that the estimated deficit for 2022/2023 for taxi licensing was £94,000, of which £12,000 were non-rechargeable costs. For Gambling, where fees (set by statute) had not changed since their introduction in 2005, the estimated deficit was £9,000; and for other regulatory functions, the estimated deficit was £17,000.

Officers had been engaged in discussions regarding the deficits. Members agreed that full cost recovery (a decision that would have to be made by the full Council) was not viable and should not be recommended if the local trade was to be supported and maintained.

In respect of the new fee for a Fit and Proper Person Licence under Mobile Homes site licences, Officers were asked to provide one Member with the background to its introduction in 2020.

RESOLVED that –

The proposed fees and charges be approved, to be effective from the dates within the appendix or as soon as practical thereafter.

261 Review of Hackney Carriage (Taxi) Fares

The Committee's approval was sought to make no alterations to the Hackney Carriage (Taxi) Fares, following a review and consultation with the Trade, public, and other interested parties.

Members recalled that the last full fares survey was in 2018 and that fares themselves were last increased in 2014. The increases at that time being a 5.5% increase for the pull off rate, 3.84% for the second mile, and 4.76% for subsequent miles, with no increase to waiting time. The Committee noted that the fares set by the Council were the maximum that could be charged, so drivers could choose to charge less if they wanted.

The last survey in 2018 had not attracted many responses and Members were disappointed that this had not improved, with only 7 responses received to the most recent consultation, conducted from July to October 2021. All 84 Hackney Carriage Drivers had been invited to take part, as well as it being advertised on the Council's website and via social media.

Only 4 of the 7 drivers who responded sought an increase in fares and Members agreed this in itself was not enough to justify any alterations. In addition, the Committee was invited to compare fares charged in a selection of other surrounding boroughs as well as in London. Runnymede was close to the average outside of London rates, and in line with its neighbours. Other factors taken into account included fuel prices, insurance and servicing costs and the Consumer Price Index. The Committee was content that no increase in fares should take place in 2022/2023, but that the situation would be kept under review and reconsidered for 2023/2024.

It was also agreed that Officers could consider ways to improve the response to future consultations from the Trade and Ward Members were also invited to encourage greater participation.

RESOLVED that –

Hackney Carriage fare tariffs remain unchanged for 2022/2023.

262 **Revised Statement of Gambling Policy 2022 – 2025**

The Committee's approval was sought to make minor amendments and updates to the Council's Statement of Gambling Policy, prior to its release for public consultation and then re-submission for approval and adoption in January 2022.

Officers summarised the proposed changes to the policy. These included updated wording about the Council's Local Area Profile, and a few minor clarifications regarding Unlicensed Family Entertainment and Adult Gaming Centres as detailed in the policy appended to the report. Officers also undertook to check any formatting issues and the link from the document to the Council's website.

As the proposed changes were very minor and did not alter the substantive content, an updated Equalities Screening Assessment was not deemed necessary.

RESOLVED that –

The revised Gambling Policy 2022 – 2025, be approved for consultation.

Chairman

(The meeting ended at 8.25 pm)

**2022 Annual Report On Hackney Carriage And Private Hire Licensing
(Environmental Services, Robert Smith)**

Synopsis of report:

To present the 2022 Annual Report on matters relating to Hackney Carriage and Private Hire Licensing and its operation within Runnymede.

Recommendation(s):

None. This report is for information only.

1. Context of report

- 1.1 The Licensing Section is responsible for administering and enforcing the Hackney Carriage (HC) and Private Hire (PH) licensing regime in Runnymede. This report is to enable the Committee to be appraised of developments over the past year and gives an overview of the work undertaken by the Licensing Section.
- 1.2 The annual report includes statistical data from the Council's licensing records. In order to have some commonality with other reports, unless otherwise stated, the data covers the period 1 April 2021 to 31 March 2022.

2. Report

- 2.1 Detail is included in relation to the following items:
 - Statistics
 - Suspensions / refusals
 - Knowledge test
 - Communications
 - Enforcement and complaints
 - Fees and fares
 - New legislation and guidance
 - Conditions and requirements
 - Future Developments
 - Staffing arrangements

Statistics

- 2.2 A chart showing detailed statistical information on the numbers of drivers, vehicles and operators licensed by Runnymede is shown at Appendix 'A'. This illustrates the numbers licensed since 2012 for comparison and clearly shows the decline in driver and vehicle numbers over recent years.
- 2.3 Members will note the number of licensed drivers and vehicles has declined over the past 5 years and more recently the speed of the decline has increased since 2017. The changes in regulations, online app booking systems and the influx of out of area drivers and vehicles into Runnymede have all contributed to this decline. More recently the pandemic has affected the trade with reduced number of customers, the taxi trade country wide has been hit particularly hard by the pandemic and driver shortages are

commonplace. Many drivers who were of an age where they could retire have decided to do so and some drivers have moved on to other more secure jobs.

2.4 Members will recall that Runnymede amended the vehicle age policy in 2014 by introducing 'no age limit' along with more stringent standards concerning the condition of the vehicle. The charts below are produced to show age and mileage statistics of taxis and private hire vehicles in Runnymede as at 31 March 2022.

Chart 1- mileage of vehicles

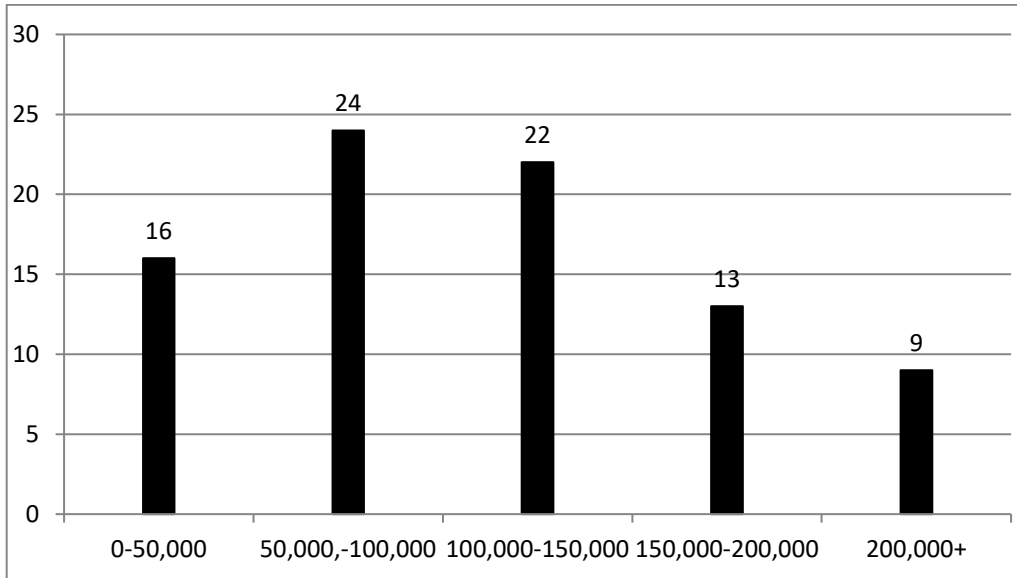
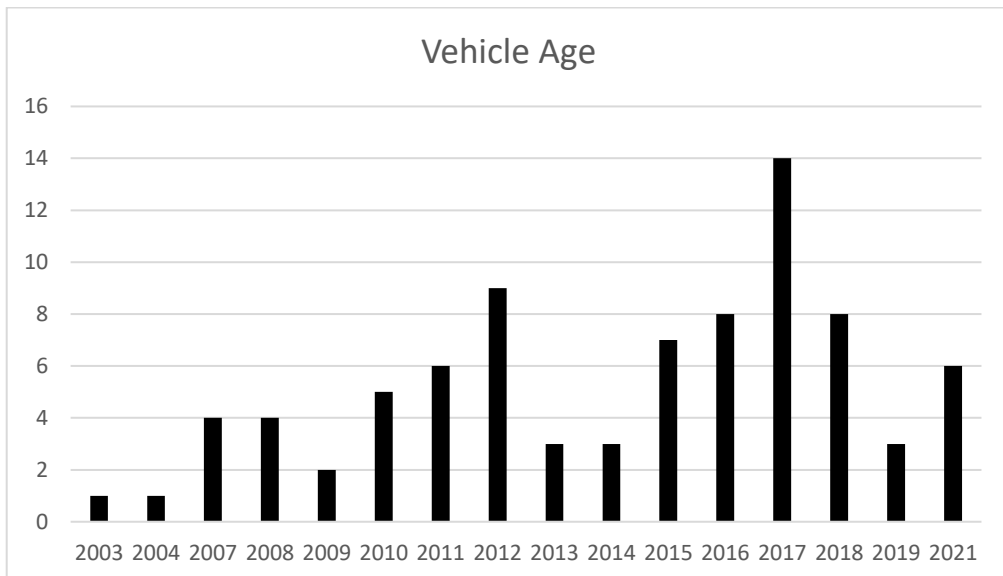


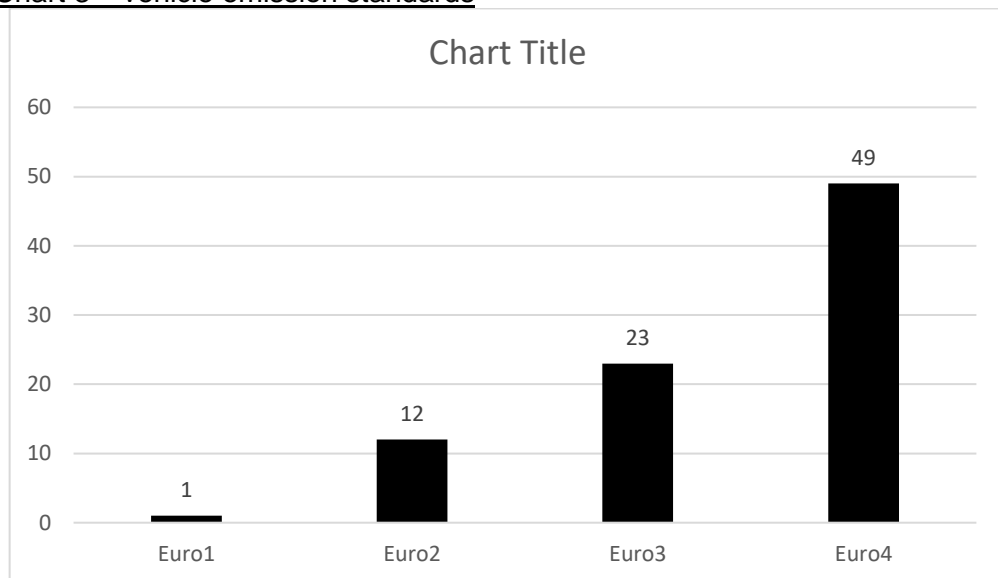
Chart 2 - ages of vehicles

(the number of vehicles is shown on each bar and the scale on the left).



2.5 In light of the challenge to reduce vehicle emissions and the introduction of the Ultra-Low Emission Zone (ULEZ) in London and its proposed introduction elsewhere, chart 4, below, has been produced to demonstrate the number of HC and PH vehicles licensed in Runnymede meeting the various Euro engine emission standards.

Chart 3 – vehicle emission standards



Suspensions refusals and revocations

- 2.6 The Licensing Section assists drivers in keeping track of their documentation by sending them a reminder letter or email 6 to 8 weeks prior to the expiry of their medical, DBS (Disclosure and Barring Service) check, DVLA driving licence check and HC/PH drivers and vehicle licence renewals. Councils are not obliged to remind drivers of these dates but it is a routine, well-practiced procedure, which assists in the smooth running of the licensing regime. This is often followed by a phone call or text to ensure drivers are taking steps to ensure they supply documentation and applications on time.
- 2.7 There were no suspensions, refusals or revocations in this year.

Knowledge test

- 2.8 All new driver applicants are required to pass the Runnymede hackney carriage or private hire knowledge test and all operators are required to pass a test on the conditions and requirements of operators.
- 2.9 The knowledge test is carried out once a month and the fee is payable for the first test and any subsequent resits. The test is in written form although we do make provision for those with difficulty reading or writing. A maximum of six applicants may take the test at the same time.
- 2.10 The current test was brought into operation in January 2014 and comprises three parts: part 1- conditions and regulations which also includes a numeracy test, part 2 - topographical and part 3 – a route test for hackney carriage driver applicants only.
- 2.11 To maintain relevance, the knowledge test's content is updated at regular intervals to consider new legislation or conditions, as well as new developments within the borough.
- 2.12 It is important to ensure the knowledge test is at the right level to demonstrate applicants have sufficient local knowledge and that it has not become a barrier preventing new driver applications.
- 2.13 All those who apply to do the knowledge test receive a study guide to assist them in preparing for the topographical test (part 2). This part comprises 60

questions which ask for the street name and town. In demonstrating they know where these key locations are, we can be confident that the driver has attained the required level of knowledge about Runnymede.

Communications

- 2.14 Over the past year we have continued to communicate with the trade as much as possible. Our methods and further improvements aimed at reducing costs are described below.
- 2.15 Officers produce a regular newsletter which contains details of events, latest developments in the trade and new legislation. This is emailed to all drivers and operators and placed on Council's web site where there is a page specifically for hackney carriage and private hire news. All drivers and operators have been made aware of the existence of this webpage and encouraged to view it.
- 2.16 Drivers have been written to and asked to supply us with their e-mail address; it is now possible to send group or individual e-mails to all drivers and all operators. We continue to encourage drivers to supply their up to date e-mail addresses on application forms.
- 2.17 As referred to in section 2.8, reminder emails are sent to drivers with the necessary information for licence renewal, medical checks, DBS checks, tax conditionality checks and vehicle Mot's etc. We also use texts for general messages. Texting costs approximately 0.1p per text and we can send a text to individuals or groups. This is most useful for making drivers aware of urgent matters as a matter of course and can be used to send an additional reminder if necessary. The use of email notification also keeps costs down and this is reflected in the licensing fees.
- 2.18 Forums where drivers and operators can exchange views with the Licensing Section were re-introduced in October 2013, these are held three times per calendar year although these were put on hold during the pandemic, they have now resumed with the most recent on being held on 2 March 2022. Dates for the remaining two forums for this calendar year will be announced in due course.
- 2.19 Despite encouragement, attendance at forums is very low, however those who do attend raise some very valid points and give us some useful feedback which is always very welcome.

Enforcement and complaints

- 2.20 The Licensing Section becomes involved in enforcement activity where necessary. In general, only minor infringements are usually identified and the activity is normally concentrated around Egham.
- 2.21 Transport for London Enforcement Officers have supported us in previous years and last joined us for enforcement days in April 2019. Post Covid regulations we will be asking them to join us again.
- 2.22 Two complaints have been received about Runnymede drivers in the last financial year. Both were from the public. A list of these is produced below.
- public x 1 - behaviour of driver – unsupported complaint advice given to driver and complainant

- public x 1 – manner of driving, insufficient evidence no further action taken.
- 2.23 One full investigation was carried out regarding licensing offences by unlicensed individuals by Runnymede in the last year. An investigation was conducted following a complaint from a member of the public about a driver's behaviour. The driver concerned was identified and interviewed under caution. Officers were unable to take any further action due to lack of evidence.
- 2.24 Previously there was no scope to recover enforcement costs through taxi licensing fees. A recent case has clarified this matter and it has now been stated that Councils can recover costs of investigating complaints about drivers licenced by that Council only. Fees cannot be recovered in relation to any investigation into drivers licensed by other Councils or drivers who are unlicensed. Officers are diligently recording the amount of time spent on any investigation so that any additional costs can be recovered through the fee structure from 2023 onwards. For example, the complaint mentioned at 2.26 took 14hrs 10 minutes of officer time.
- 2.25 It must be emphasised that enforcement activity does take a considerable amount time and of course it must be done correctly and must meet evidential standards. The Licensing Section must balance the other licensing priorities against enforcement activity to ensure we deliver a service to drivers and operators which does not delay their applications.

Licensing Fees and Fares

- 2.26 Fees and hackney carriage fares are reviewed annually in November of each year. Following review in 2021 changes were made to fees for the period 2022/2023. The fees are shown at Appendix 'B'.
- 2.27 Hackney carriage fares were last increased in June 2014. A consultation exercise took place in summer 2021 to ascertain views regarding a change to fares. The trade response did not indicate any great desire that fares increase and this Committee decided in November 2021 that fares remain as they are with a view to being able to review these again should circumstances dictate. Following recent increases in inflation the fares the trade were surveyed and a report on fares including the current fare card is elsewhere on this agenda.
- 2.28 The fee setting process includes a comprehensive breakdown of fees for each licensing process. In setting the fees we have been transparent in our approach and made all reports and details of the fee setting process available.
- 2.29 It is essential that fee setting for taxi and private hire licensing reflects the true cost of administering / determining applications.
- 2.30 Fee setting will take place again later this year; a report will be presented to this Committee in November 2022.
- 2.31 Over the last few years there has been a reduction in the number of drivers and vehicles which has had a significant impact on the income from taxi licensing. As off 31 March 2022 we have 122 fewer drivers and 124 fewer vehicles than we did 5 years ago on 31 March 2017. This equates to an income loss of £48,556,185 from drivers (this is split over a three-year period as licences are valid for three years) and £33712 from vehicles per year

(vehicle licences only being valid for one year) a total of £51,717 per year after considering the driver licence fee being split over three years (all figures are approximate).

New and proposed Legislation and Guidance

- 2.32 In 2020 we saw the publication of Statutory Taxi and Private Hire Vehicle Standards and the subsequent inclusion of many of these in our Hackney Carriage and Private Hire Policy in January 2021.
- 2.33 The Department for Transport has now updated its best practice guidance for taxi and private hire vehicles. This is currently being consulted upon and is detailed elsewhere in this agenda.
- 2.34 The Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent on 31 March 2022. The Act places new duties on taxi and private hire vehicle (PHV) licensing authorities in England:
- 2.35 From 31 May 2022, if any licensing authority in England has certain safeguarding or road safety concerns about a driver licensed by another authority, they must provide relevant information to the authority that issued the licence (see section 5). Any English licensing authority provided with such information must consider whether to suspend or revoke the driver's licence as a result of that information (see section 6). It is expected that further guidance on these requirements will be provided before 31 May 2022.
- 2.36 In due course, the Act will also require licensing authorities in England to input, into a central database, instances where the authority has refused, suspended, or revoked a taxi or PHV driver's licence because of certain safeguarding or road safety concerns: Before a licensing authority in England decides whether to grant or renew a driver licence, it will be required to search the database for any entry relating to the applicant. If there is a relevant entry, the authority will be required to contact the recording authority to request the relevant information. The decision-making licensing authority will then be required to have regard to the information provided when making their decision.

Conditions and requirements

- 2.37 Runnymede's existing hackney carriage and private hire licensing policy was adopted by the Council on 2 March 2021. To date, the policy has proved itself to be of great assistance as it has eliminated many of the grey areas around taxi and private hire licensing. This policy is valid until 31 March 2025.
- 2.38 In April 2018 the online training program concerning of the mandatory training for drivers and operators on safeguarding and recognising child sexual exploitation was made available to the trade. This is a Surrey wide initiative supported by all Surrey Districts and Councils, including Surrey County Council. It was given as free training to existing drivers and operators and it is part of the new licence application process; new applicants must pay £18 to take the training. As of 31 March 2022, all drivers and operators who are licensed in Runnymede had completed the training.
- 2.39 Drivers must now, as per our policy, subscribe to the Disclosure and Barring Service (DBS) update service (at a cost of £13 a year). This allows licensing staff to simply check the status of a driver's DBS online, with their written permission. This makes for a simpler cost saving service with little inconvenience for the driver.

- 2.40 One of the benefits enjoyed by the trade in Runnymede is that we do not have an age limit on vehicles, this of course allows those older good condition vehicles to be licensed. However, we do expect vehicles to be in a good safe condition and have a licensing condition in place where if a vehicle has MOT advisories on any tyre, brake, steering, or suspension matters that vehicle will not be licensed.

Hackney Carriage Ranks

- 2.41 To date, the following ranks have been appointed for hackney carriages within the Borough of Runnymede: -

Virginia Water Station Approach	2 - (adjoining Public Car Park)
Egham Railway Station	6 - Egham Station car park
Chertsey Railway Station	2 - Chertsey Station car park
Addlestone Station	2 - Addlestone Station car park
Thorpe Park	3 - Car park

In addition to these ranks, designated drop of and pick up points are available at some supermarkets and the Addlestone One development.

- 2.42 Previous attempts to introduce new ranks in Egham have not been successful due to lack of support from local business, the public and the trade. We are aware of the need for additional ranks, particularly in Egham town centre.
- 2.43 The ranks at railway stations are situated on land belonging to South Western Railway (SWR) who charge for their use. The Council has a contract with SWR which allows the Council to rent the ranks at a very favourable rate. We are fortunate in that the fees charged for these ranks are substantially lower than elsewhere only one other station in the entire SWR region has a similar arrangement.
- 2.44 At all other railway stations bar 2, SWR have contracts with individual hackney carriage proprietors and charge each of them between £600 and £1,200 per year for use of the ranks at one station.
- 2.45 SWR charges per calendar year. In the calendar year 2021 Runnymede Council was charged £5,000 (exc Vat) in total for all ten station car park bays, this amounts to £500 per bay. SWR have invoiced the Council for the calendar year 2022, although this cannot be paid until the lease agreement has been accepted and signed.
- 2.46 SWR have the railway franchise until March 2023. The position regarding the railway station ranks from April 2023 is unclear but as soon as the new franchise is known we will seek clarification on continuance of the current arrangement.
- 2.47 For individual hackney carriage proprietors in Runnymede this equated to approximately £106 for each vehicle per year in 2021. This is recovered through the hackney carriage vehicle licence fee and accounts for the difference in fees between hackney carriage and private hire vehicles.

Staffing of the Licensing Section

- 2.48 The Section's current staffing consists of: -

- One full time Senior Licensing Officer who also has responsibility for applications in regard to all taxi licensing, The Licensing Act 2003, the Gambling Act 2005 and Scrap Metal Dealers Act 2013.
- One part time taxi Licensing Officer post working 12.5 hours a week.
- One full time Licensing Administrator who has responsibility for administering Taxi licensing, the Licensing Act 2003, the Gambling Act 2005 and Scrap Metal Dealers Act 2013.

- 2.49 The administrative staffing component for all licensing functions is one full time administration post. This is a key position in licensing and one that requires staff with considerable knowledge, common sense, skill and ability.
- 2.50 The Taxi Licensing Officer's post comprises 25 hours a week. This had been shared by two officers. However, owing to retirement one half of this post (12.5hours) has remained vacant since August 2020. With a falling number of drivers and vehicles there is less income and we must take reasonable steps to make savings where we can.

Future Developments

- 2.51 As stated above, the Department for Transport's best practice guidance for taxi and private hire vehicles is currently being consulted upon and the definitive version may be subject of a further report to this Committee.

- 2.52 Although some way off, the Committee will be interested to learn of the Government's Levelling up White Paper dated 2 February 2022. Page 179 states:

'The UK Government will also explore transferring control of taxi and private hire vehicle licensing to both combined authorities and upper-tier authorities. Taxis and private hire vehicles are a key part of local transport systems, so this would allow LTAs to fully integrate these modes into their Local Transport Plans'.

This may require some consideration and be the subject of future reports.

- 2.53 The Taxis and Private Hire Vehicles (Disabled Persons) Bill is nearing the final stage of its route through Parliament. In due course a report will come to this Committee regarding mandatory disability training for drivers.

3. Conclusions

- 3.1 Drivers and operators have faced many challenges over the last few years and many have left the trade which creates challenges for the Council and those who remain.

(For Information)

Background papers

Runnymede Hackney Carriage and Private Hire Licensing Policy
<https://www.runnymede.gov.uk/article/14534/-Hackney-Carriage-and-Private-Hire-Licensing-Policy>

Levelling up White Paper - the United Kingdom
<https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

Statutory taxi and private hire vehicle standards

[Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/standards/statutory-taxi-and-private-hire-vehicle-standards)

Taxi and private hire vehicle best practice guidance

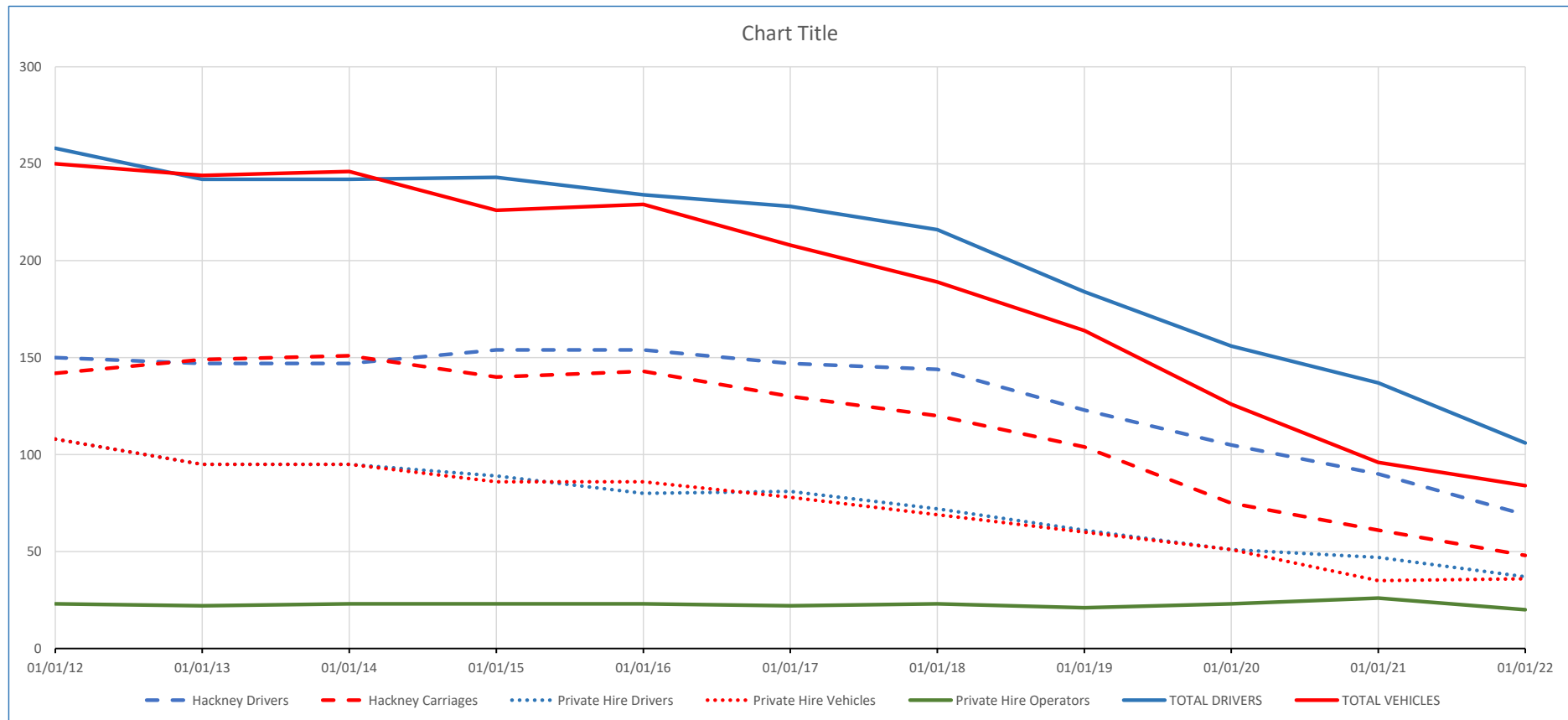
[Taxi and private hire vehicle best practice guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/taxi-and-private-hire-vehicle-best-practice-guidance)

Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

https://www.legislation.gov.uk/ukpga/2022/14/contents/enacted?mc_cid=c527961f4e&mc_eid=16b748b104

APPENDIX A

	01/04/12	01/04/13	01/04/14	01/04/15	01/04/16	01/04/17	01/04/18	01/04/19	01/04/20	01/04/21	01/04/22
Hackney Drivers	150	147	147	154	154	147	144	123	105	90	69
Hackney Carriages	142	149	151	140	143	130	120	104	75	61	48
Private Hire Drivers	108	95	95	89	80	81	72	61	51	47	37
Private Hire Vehicles	108	95	95	86	86	78	69	60	51	35	36
Private Hire Operators	23	22	23	23	23	22	23	21	23	26	20
TOTAL DRIVERS	258	242	242	243	234	228	216	184	156	137	106
TOTAL VEHICLES	250	244	246	226	229	208	189	164	126	96	84



Fees and charges

Taxi licences

		From April 2020 £	From April 2021 £	From April 2022 £	% Increase		Yield £	VAT treatment
Taxi and Hackney Carriage licensing fees (outside scope of VAT)								
Vehicle applications								
Hackney Carriage licence	Discretionary	271.00	271.00	307.00	-11.73%	}	24,000	Outside Scope
Private hire vehicle licence	Discretionary	236.00	236.00	199.00	18.59%			Outside Scope
Temporary Hackney Carriage/private hire vehicles for period of 14 days extendable to 28 days when the licence is for a replacement vehicle provided by a specialist company while accident damage repair is carried out on a licensed Hackney Carriage or private hire vehicle	Discretionary	142.00	142.00	119.00	19.33%			Outside Scope
Changes to licence								
Change of vehicle during the licensing period (i.e. transfer to replacement vehicle for balance of licence period - existing plate must be returned)	Discretionary	98.00	98.00	93.00	5.38%	}	800	Outside Scope
Change of vehicle licence type during the licensing period (e.g. from Hackney Carriage to private hire)	Discretionary	103.00	103.00	93.00	10.75%			Outside Scope
Change of drivers licence during the licensing period (e.g. From private hire to Hackney Carriage drivers licence)	Discretionary	39.00	39.00	34.00	14.71%			Outside Scope
Drivers licence new applications								
Combined Hackney Carriage and private hire drivers licence - one year	Discretionary	242.00	242.00	237.00	2.11%	}	900	Outside Scope
Combined Hackney Carriage and private hire drivers licence - three year	Discretionary	445.00	445.00	463.00	-3.89%			Outside Scope
Private hire drivers licence - one year	Discretionary	242.00	242.00	237.00	2.11%			Outside Scope
Private hire drivers licence - three year	Discretionary	445.00	445.00	463.00	-3.89%			Outside Scope
Drivers licence renewals								
Combined Hackney Carriage and private hire drivers licence - one year	Discretionary	178.00	178.00	170.00	4.71%	}	18,000	Outside Scope
Combined Hackney Carriage and private hire drivers licence - three year	Discretionary	388.00	388.00	398.00	-2.51%			Outside Scope
Private hire drivers licence - one year	Discretionary	178.00	178.00	170.00	4.71%			Outside Scope
Private hire drivers licence - three year	Discretionary	388.00	388.00	398.00	-2.51%			Outside Scope
Private hire operators licence (valid for 1 year)								
1 vehicle owner/driver	Discretionary	176.00	176.00	178.00	-1.12%	}	1,200	Outside Scope
2 - 5 vehicles	Discretionary	198.00	198.00	191.00	3.66%			Outside Scope
6 - 20 vehicles	Discretionary	281.00	281.00	241.00	16.60%			Outside Scope
21 - 40 vehicles	Discretionary	392.00	392.00	309.00	26.86%			Outside Scope
41 - 60 vehicles	Discretionary	504.00	504.00	376.00	34.04%			Outside Scope
61 - 80 vehicles	Discretionary	615.00	615.00	443.00	38.83%			Outside Scope
81 - 100 vehicles	Discretionary	726.00	726.00	511.00	42.07%			Outside Scope
Private hire operators licence (valid for 5 years)								
1 vehicle owner/driver	Discretionary	525.00	525.00	523.00	0.38%	}		Outside Scope
2 - 5 vehicles	Discretionary	547.00	547.00	537.00	1.86%			Outside Scope
6 - 20 vehicles	Discretionary	630.00	630.00	587.00	7.33%			Outside Scope
21 - 40 vehicles	Discretionary	741.00	741.00	654.00	13.30%			Outside Scope
41 - 60 vehicles	Discretionary	853.00	853.00	722.00	18.14%			Outside Scope
61 - 80 vehicles	Discretionary	964.00	964.00	789.00	22.18%			Outside Scope
81 - 100 vehicles	Discretionary	1,075.00	1,075.00	856.00	25.58%			Outside Scope

Fees and charges

Taxi licences

Charge Status	From April 2020 £	From April 2021 £	From April 2022 £	% Increase	Yield £	VAT treatment
Pre application and other charges						
Failure to keep appointment / comply with renewal procedures	50.00	50.00	50.00	0.00%	3,200	Outside Scope
Knowledge test including re-takes for Hackney Carriage Drivers	72.00	72.00	72.00	0.00%		Outside Scope
Knowledge test to go from being a Private Hire Driver to a Hackney Carriage Driver	-	-	50.00	100.00%		Outside Scope
Knowledge test including re-takes for Private Hire Drivers and Private Hire Operators	55.00	55.00	55.00	0.00%		Outside Scope
New drivers information pack	25.00	25.00	25.00	0.00%		Outside Scope
Disclosure & Barring Service (DBS) fixed fee (£40) plus processing charges £18.50 Runnymede Borough Council and £9 Surrey County Council.	67.50	67.50	67.50	0.00%		Outside Scope

Any change of vehicle during the licensing period will be charged at the appropriate vehicle licence rate. Credit will not be given for unexpired period of vehicles or drivers licences if the licence is surrendered.

Hackney Carriage and Private Hire Licensing Policy on Tinted Windows (Environmental Services, Robert Smith)

Synopsis of report:

This report considers Runnymede Borough Council's policy relating to tinted windows on Hackney Carriage and Private Hire vehicles.

Recommendation(s):

Members are asked to review the policy based on the information contained in this report and resolve whether to:

- i) make no change to the Council's policy on tinted windows; or
- ii) amend the policy by modifying the condition as set out in the report

1. Context of report

- 1.1 This report relates to this Council's Hackney Carriage and Private Hire vehicle licensing condition regarding tinted rear windows.
- 1.2 A Council cannot licence a private hire vehicle unless it is satisfied that the vehicle is suitable in type size and design and safe and comfortable for the public including consideration of the safety of vulnerable passengers, Section 48(1)(a)(i - iv) of the LGMPA 1976 part. It may attach such conditions to Hackney carriage licences as it considers reasonably necessary.
- 1.3 Runnymede's condition on tinted windows was approved by this Committee on 12 January 2017 as part of the Hackney Carriage and Private Hire Licensing Policy (the 'policy') which came into force on 2 March 2017.
- 1.4 Our 'Policy' (6.47 to 6.60(ii)) contains the following in relation to tinted rear windows:-
 - 6.47. *The Road Vehicles (Construction and Use) Regulations 1986 as amended specifies the minimum levels of light that must pass through the windscreen and front side windows. For vehicles first used on or after 1 April 1985, the light transmitted through the windscreen must be 75% and 70% through the front side windows.*
 - 6.58. *The licensing authority recognises that many manufacturers fit tinted windows as standard original fittings as either 'dark tint' or 'light tint'.*
 - 6.59. *There is a distinct difference between standard tinted windows which meet the legal requirements and what is commonly known as 'privacy glass' which is much darker and lets a minimum of light through as well as making it very difficult to see into the vehicle.*
 - 6.60. *To address public safety concerns around the use of 'privacy' glass and to allow as wide a range of vehicles as possible to be used by the trade the following conditions apply to vehicle windows and the rear windscreen / rear side windows:-*

- (a) *All rear windows must allow at least 70% of light to be transmitted through them.*
- (b) *An exception will be made for 8-seater MPV vehicles, tinted windows will be permitted on this type of vehicle.*
- (c) *No vehicle shall be fitted with any form of additional film to darken or tint the windows on any part of the vehicle.*
- (d) *Front side windows and the front windscreen must meet the requirements of the Road Vehicles (Construction and Use) Regulations 1986.*
- (e) *Privacy glass shall only be acceptable where fitted to plate exempt vehicles*

6.60(i) In order to avoid unnecessary expense being caused to the trade through this policy. Any existing licensed vehicles which currently have factory fitted privacy glass will be allowed to continue to be licensed on a yearly basis until such time as the vehicle is replaced or changes ownership (by change of ownership this includes the regular use of the vehicle by another driver). This will also allow time for drivers to make other arrangements for those customers who insist on vehicles with privacy glass

6.60(ii) In relation to 6.60(b) above, in recognition that the larger MPV type vehicles are limited in choice and widely used as wheelchair accessible vehicles any restriction on these may have an adverse effect on the number of wheelchair accessible vehicles in Runnymede. As such an exception has been made for this type of vehicle’.

- 1.5 There are no statutory regulations in place relating to rear passenger windows (i.e. all windows to the rear of the front driver/passenger seats). Prior to this policy becoming effective in March 2017, Runnymede Council had no restriction on the level of tinted windows on the rear of Hackney Carriage (taxis) and Private Hire vehicles (PHV’s).
- 1.6 When vehicles are inspected prior to plating, licensing Officers check the level of tints to their windows with a light meter. If requested, Officers can carry out an informal test of the tint levels on vehicles at no cost to the driver prior to purchase.
- 1.7 Although the tinted windows policy has only been in place since January 2017 it has been reviewed by this Committee on three occasions, firstly in September 2018 when minor adjustments were made to allow tinted windows on larger wheelchair accessible vehicles. Secondly, in March 2020 when the policy was renewed at the end of its 3-year lifespan, and thirdly, in March 2021 with the recommendation to return to this Committee in June 2022 with a further update on the situation regarding any reports of crimes where tinted windows had been a contributory factor, as well as following updated Taxi and Private Hire Best Practice Guidance from the Department for Transport.
- 1.8 The Department for Transport are now consulting on new draft Taxi and Private Hire Best Practice Guidance (‘Draft Guidance’). The consultation is open until 20 June 2022, (this consultation is the subject of a separate report on this agenda). The final version of the new Taxi and Private Hire Best Practice Guidance is likely to be published later this year.

2. Report

- 2.1 Previous consultation and feedback from the trade shows a widespread disquiet with this policy. However, the Police, in the form of the local Inspector, were supportive of this in and cited the need to be able to identify persons in vehicles due to their concerns over ‘County Lines’ and safeguarding issues during consultation on the matter in 2018.

- 2.2 Since 2018, the Police have not made any comments or representations regarding tinted windows in any further policy consultations and have not at any time commented on those of other Surrey authorities.
- 2.3 Officers made a request to the Police in April 2022 asking for information on how many crimes or incidents have been committed in Runnymede or Surrey where having tinted windows on a taxi was a contributory factor. Police researchers analysed their records and the Police traffic department checked their records.
- 2.4 The police have informed us that tinted windows have not featured as a contributory factor in any recordable crimes or incidents, although it should be noted that should they have been, it would not necessarily mean this would be recorded on Police crime recording systems or indeed be thought to have sufficient weight to be a factor in the crime. The Police crime recording system does not include a category of 'tinted windows' and the system is unable to carry out a narrow search on the subject.
- 2.5 Officers have also discussed the matter with Surrey Police's Designing out Crime Officer, who has stated that tinted windows are not considered to be a contributory factor in crime and they are not aware of any cases where they have caused concern.
- 2.6 No responses concerning tinted windows were received during the consultation prior to renewal of our policy in March 2020. However, Officers are aware of the trade's feelings on this matter.
- 2.7 The Statutory Taxi & Private Hire Vehicle Standards which were the subject of a report to this Committee in March 2021, whilst referring to many areas of vehicle licensing did not mention tinted windows.
- 2.8 The 'Guidance' which was in place when this Council adopted its current window tint Policy in 2017 is set below:-

Tinted windows - The minimum light transmission for glass in front of, and to the side of, the driver is 70%. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in estate and people carrier style vehicles. When licensing vehicles, authorities should be mindful of this as well as the large costs and inconvenience associated with changing glass that conforms to both Type Approval and Construction and Use Regulations.

- 2.9 The new 'Draft Guidance' contains a section on tinted windows which is more comprehensive than those in the previous 'Guidance'. The new 'Draft Guidance' states at 8.14 to 8.16:

'The rules for tinted vehicle windows are available on [gov.uk](https://www.gov.uk). For most cars on the road today, the minimum light transmission for windscreens is 75% and 70% for front side windows. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in luxury, estate and people carrier style vehicles.

If the objective of the authority's prohibition of tinted windows is to address a concern that illegal activity is taking place in a vehicle, the evidence for this should be established and alternative options should be considered, for example, CCTV in vehicles. When licensing vehicles, authorities should be mindful of this as well as the significant costs and inconvenience associated with changing glass that conforms with the requirements of [vehicle construction regulations](#).

In the absence of evidence to show that a requirement for the removal of factory fitted windows is necessary and proportionate, licensing

authorities should not require their removal as part of vehicle specifications. However, authorities should carefully consider the views of the public and the trade when considering the acceptance of 'after-market' tinting.'

2.10 Members will have noted the key difference in the wording of the 'Draft Guidance' with the additional text in bold.

2.11 The DfT consultation document on the 'draft guidance' makes reference to tinted windows as shown below:-

'As of 31 March 2021, 87 of 281 licensing authorities had a minimum light transmission policy for rear (those that are rear of the B pillar) windows in taxis and 86 for private hire vehicles.

A restriction on the level of window tinting (which reduces the transmission of light) is usually on the grounds that passengers should be able to see the vehicle is unoccupied before entering and that enforcement Officers can see that vehicles are not carrying more passengers than for which the vehicle is licensed.

It is expected that the greatest concerns over visibility will be at night when ambient light levels are low.

Passengers are, however, able to request that the rear windows of a vehicle are opened before entering.

The need for compliance and enforcement Officers to check whether a vehicle is overloaded is not disputed. Vehicles are licensed to carry a maximum number of passengers to ensure their safety. The extent to which window tinting makes a significant difference in ascertaining at night whether a moving vehicle is overloaded is not known.

To confirm whether a vehicle was overloaded would require a check when the vehicle is stationary. If a vehicle is stationary, the compliance and enforcement officer can ask that any windows are opened and so the benefits in prohibiting tinted rear windows is unclear.

Licensing authorities that require the removal of factory-fitted tinted windows sometimes allow exemptions from light-transmission requirements for executive hire services.

Most commonly, these vehicles are defined by the list price of the vehicle used. These are, though, licensed as PHVs and it is difficult to prevent them from being used for normal services, nor is it possible to establish a sub-category of drivers that are extra fit and proper.

Given that all PHV drivers are vetted to the same level, regardless of the nature of their work, there seems no rationale for one vehicle being permitted to have tinted windows and another not.

The replacement of rear windows can cost many hundreds if not thousands of pounds. If licensing authorities are concerned about the safety of passengers, a better option could be for them to consider, after taking into account potential privacy issues, whether the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and PHV users as recommended in the statutory taxi and private hire vehicle standards.'

Considerations

2.12 The majority of new vehicles are now supplied with some element of window tinting; some of this is barely visible and it is only the more heavily darkened tints which tend to be noticeable. Tinted windows fundamentally make it more difficult to see into the rear of a vehicle.

2.13 The main advantages of tinted glass are considered to be:

- Improved privacy;
- Additional protection from ultraviolet rays (UV);
- Improved thermal comfort by reducing heat build-up inside the vehicle; although all vehicles now have air conditioning, so this effect is somewhat reduced.
- Private hire vehicles that are adapted to carry wheelchair passengers by their nature tend to have large expanses of glass. If the windows were tinted it would improve passenger comfort and make the whole experience more pleasant.
- In some circumstances it may be the customer's preference to be afforded the privacy provided by darkened glass and in this case, there are plate exempt private hire vehicles available to book which are permitted to have any degree of tinted glass.
- Improved uptake of newer specification vehicles with improved safety features and fewer emissions.
- A wider selection of new and second-hand vehicles for drivers to purchase.

2.14 The main disadvantages of tinted glass are considered to be:

- Tinted windows make it more difficult to see into the rear of a vehicle. Activities taking place in the vehicle cannot be seen from the outside posing a potential risk to both passengers and driver.
- Enforcement – tinted glass prevents Enforcement Officers including Police Officers from carrying out a quick visual check without stopping the vehicle. An operator may be less likely to infringe on licensing seating restrictions if the number of seats can be seen clearly. During enforcement exercises common practice is stop vehicles when empty to lessen inconvenience to passengers. It can be difficult to determine a full or empty vehicle with tinted glass.
- General Safety – At certain times of the day it is in the interests of the drivers or passengers to be on full view. Some passengers will not always behave reasonably. Passengers or drivers on full view may help to reduce unacceptable behaviour. Incidents that could compromise the safety of the driver or passengers may not be visible from outside the vehicle. In the event of an accident clear visibility may assist the Emergency services.
- Passenger confidence - Vulnerable passengers, for example young persons, the elderly and lone females may feel safer in a vehicle where they can be seen.
- Road Safety – whilst it could be argued that tinted glass may improve driving ability during bright conditions, during the hours of darkness it could restrict the driver's ability to have all round vision and awareness.

2.15 The Council recognises the fact that the safeguarding issues around the use of hackney and private hire vehicles are now much more in the public view and have been subject of considerable media attention in the past due to several high-profile cases. This publicity has had a negative effect on the trade's image throughout the Country. The introduction of our tinted windows policy was in part to counter this bad publicity and provide reassurance for the traveling public.

2.16 Councils throughout the Country have different standards for vehicle licensing, this combined with the fact that licensed vehicles can operate legally in areas other than those which they are licensed creates a situation where a multitude of vehicles from other areas can work in Runnymede. The requirements and conditions for those vehicles are different to ours and in many cases these vehicles have no restrictions on tinted windows. The largest number of out of area vehicles in Runnymede are PHV's licensed with Transport for London which have no tinted window restrictions. However, it is noteworthy that London hackney carriages are not permitted to have tinted windows. For information, Appendix 'A' shows the tinted

window standards for Surrey Councils and the Royal Borough of Windsor and Maidenhead which borders Runnymede to the north and frequently has its licensed vehicles in the area around Egham.

- 2.17 The main area of concern from the trade is that many vehicles are now fitted with tinted windows as standard, these are mostly fitted to the higher specification vehicles, with the level of tint being above the levels in our licence condition which excludes them from licensing.
- 2.18 Officers are frequently asked about the possibility of relaxing this condition by drivers. Their view is that finding suitable vehicles which meet our policy is increasingly difficult, as many of the older second-hand vehicles which would have met the policy are now unavailable, and there is a lack of choice and availability of vehicles whether new or second-hand.
- 2.19 Many drivers whilst wanting to upgrade their vehicles and buy a newer model are now delaying this decision and using their existing vehicles for longer. This is costly for drivers with older vehicles with high mileage. These vehicles require more maintenance to keep them roadworthy, which is particularly expensive when it comes to replacing major components.
- 2.20 A proportion of vehicles come with tinted windows as standard and some of these fall below our requirement. Vehicle manufacturers have not taken the level of tinted windows into account in their manufacturing processes and the dealers themselves are unsure of tinting levels. There has been no incentive for manufacturers to provide vehicles with tinted windows to meet any Councils' specification and the lack of take-up of a consistent tinted windows policy Countrywide has made availability of suitable vehicles a constant headache for drivers.
- 2.21 In Runnymede we do not have a vehicle age limit and the vehicle's continued licensing depends on the vehicle's condition (this is in line with the 'Draft Guidance'). The increased prevalence of dark tinted glass, fitted as standard to new cars, could potentially limit the choice of suitable vehicles so that licence holders choose to purchase and licence older vehicles or licence with another authority with less stringent conditions.
- 2.22 It is evident from this list that many vehicles have tinted windows as an option and most of the highest specification vehicles have tinted windows as standard. Vehicle specification varies between manufacturers but in general higher specifications can include such items as lane assist, automatic parking aid or road following headlamps. The lower specification vehicles which do not have heavily tinted windows are still very well equipped, capable and comfortable vehicles.
- 2.23 With the increasing sales and use of electric vehicles we have noticed that almost all electric cars have tinted windows, as it keeps the interior cooler, and saves energy being expended trying to reduce the temperature with air conditioning. Our current policy may be a factor in holding back electrification as drivers will be reluctant to change windows on new electric vehicles to comply with this policy.
- 2.24 Should Members decide to modify the condition, Officers would recommend that the Committee notes the need for windows to be safe and secure. With that in mind, a condition such as the one below is suggested:
- i) All windows must be kept clean and free of any stickers or labels except those required by relevant legislation or licensing conditions;
 - ii) All glazing must at all times comply with Road Vehicles (Construction and Use) Regulations 1986 regulations (as amended) with regards to the level of

tint. A minimum light transmission value of 70% shall be maintained in all windows except a windscreen, which shall have a minimum light transmission value of 75%;

- iii) Tinted films applied to the vehicle windows post manufacture are not permitted; and
- iv) All Side and rear windows will not have a visual light transmission restriction provided that the side and rear windows were installed by the vehicle's manufacturer.

3 **Legal implications**

- 3.1 The Council's current policy is that Hackney carriage and Private hire vehicles must not be fitted with tinted windows which do not allow at least 70% light through. Accordingly, where Officers apply the policy and do not grant an application the applicant is entitled to appeal to the Magistrates court.

4. **Equality implications**

- 4.1 An Equalities Impact Screening Assessment was carried out on the main policy for taxi and private hire licensing when it was created and reviewed. Amending the condition as suggested would have a positive impact on the protected characteristic of disability by allowing as wide a choice as possible for larger vehicles capable of being wheelchair accessible.

5. **Conclusions**

- 5.1 Members are asked to consider the contents of this report and make an informed decision on the future direction of the tinted windows policy.

(To resolve)

Background papers

Statutory taxi and private hire vehicle standards

[Statutory taxi and private hire vehicle standards - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Local Government (Miscellaneous Provisions) Act 1976

[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](http://legislation.gov.uk)

Runnymede Borough Council Hackney Carriage and Private Hire Licensing Policy

[Hackney Carriage and Private Hire Licensing Policy 2020 to 2025 \(runnymede.gov.uk\)](http://runnymede.gov.uk)

DfT draft best practice guidance 2022

[Taxi and private hire vehicle: best practice guidance to assist local authorities - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

DfT best practice guidance 2010

[Taxi and Private Hire Vehicle Licensing: Best Practice Guidance \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

COUNCIL	TINTING POLICY
GUILDFORD	All glazing must at all times comply with Road Vehicles (Construction and Use) Regulations 1986 regulation 32 with regards to the level of tint. A minimum light transmission value of 70% shall be maintained in all windows except a windscreen, which shall have a minimum light transmission value of 75%. Tinted films applied to the vehicle windows post manufacture are not permitted.
WOKING	No policy regarding tinting
SPELTHORNE	All vehicles must comply with the Road Vehicles (Construction & Use) Regulations 1986 and in particular the requirements relating to tinted windows, which state that as a minimum: <ul style="list-style-type: none"> • The light transmitted through the windscreen must be at least 75% and the front side windows must allow at least 70% of light to be transmitted through them. Newly licensed vehicles will only be considered suitable where all rear side windows allow at least 22% of light to be transmitted through them. There is no minimum transmission requirement for the rear windscreen.
REIGATE & BANSTEAD	Where fitted, the degree of tint or silvering must comply with Regulation 32(1) of the Road Vehicles (Construction and Use) Regulations 1986, which defines the acceptable standard.
EPSOM & EWELL	Any vehicles which are brought in to be licensed must meet a minimum of 70% light transmission for front glass and to both sides of the driver.
Surrey Heath	All vehicles must comply with the Road Vehicles (Construction & Use) Regulations 1986
Tandridge	Tinted windows are permitted if they are part of the original manufacturers specification. Third party or accessory film are not permitted if they do not achieve the legal requirements
Elmbridge	For vehicles first used before 01 April 1985, the light transmittance through windscreen and front side windows must not be less than 70% . For vehicles first used on or after 01 April 1985: a) the light transmittance through windscreen

APPENDIX A

	<p>and front side windows must not be less than 75%</p> <p>b) the light transmittance through the front side windows must not be less than 70%. For vehicles not previously licensed by the Council:</p> <p>a) the light transmittance through all rear side windows must not be less than 22%</p> <p>b) the light transmittance through the rear windscreen must not be less than 22%.</p>
Waverley	<p>All vehicles must comply with the Road Vehicles (Construction & Use) Regulations 1986 and in particular the requirements relating to tinted windows, which states that as a minimum:</p> <p>The light transmitted through the windscreen must be at least 75% and the front side windows must allow at least 70% of light to be transmitted through them.</p> <p>Vehicles will only be considered suitable where all rear windows allow at least 22% of light to be transmitted through them.</p> <p>Tinted films applied to the vehicle windows (after manufacture) are not permitted</p>
Mole Valley	No policy regarding tinting
Royal Borough of Windsor and Maidenhead	No policy regarding tinting

Hackney Carriage And Private Hire Licensing Policy (Environmental Services, Robert Smith)

Synopsis of report:

This report provides information on the policy regarding the private hire drivers knowledge test.

Recommendation(s):

The Committee resolves to amend or retain the policy on the private hire driver's knowledge test.

1. Context of report

1.1 Sections 51 and 59 of the LGMPA 1976 part II state that the licensing authority cannot grant a licence to drive a hackney carriage and/or private hire vehicle unless satisfied that the applicant is a 'fit and proper person' to hold such a driver's licence.

1.2 As the term 'fit and proper person' is not defined in law, the licensing authority will, where appropriate, seek to ensure that applicants and existing licence holders are both safe and suitable on demonstration that they are, and continue to be -

fit (mentally and physically) and in such condition as to be capable of driving and performing the duties of a licensed hackney carriage and/or private hire driver;

of suitable background, character and integrity (including being suitably professional, responsible, reliable, sober, honest, trustworthy, civil, decent, courteous and respectable in both manner and appearance);

of suitable knowledge, experience and skills to drive and/or perform the duties of a licensed hackney carriage and/or private hire driver;

entitled and, where appropriate, authorised to live, work and/or drive and perform the duties of a licensed hackney carriage and/or private hire driver in the UK; and

suitably insured to drive and perform the duties of a licensed hackney carriage and/or private hire driver in the UK.

1.3 To ensure that a private hire driver applicant meets the specific 'fit and proper' person test above:- 'suitable knowledge, experience and skills to drive and/or perform the duties of a licensed hackney carriage and/or private hire driver'; Runnymede in common with the majority of licensing authorities requires would-be hackney carriage drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence.

- 1.4 Runnymede's current Hackney Carriage and Private Hire Licensing Policy defines our approach to knowledge test. Our policy on knowledge tests is attached at Appendix 'A'.
- 1.5 Hackney carriage drivers need a good working knowledge of the area for which they are licensed, because hackney carriages can be hired immediately, directly with the driver, at ranks or on the street.
- 1.6 However, private hire vehicles (PHV) are not legally available for immediate hiring in the same way as hackney carriages. To hire a PHV the would-be passenger has to go through a private hire operator (PHO), so the driver will have an opportunity to check the details of a route before starting a journey.
- 1.7 All new driver applicants are required to pass the Runnymede hackney carriage or private hire knowledge test and all operators are required to pass a test on the conditions and requirements of operators.
- 1.8 Runnymede's current knowledge test was brought into operation in January 2014. The test comprises three parts,
 - part 1- Conditions and regulations including a numeracy test, all drivers must complete this.
 - part 2 -Topographical knowledge test, all drivers must complete this.
 - part 3 - Route test, hackney carriage drivers only.
- 1.9 To maintain relevance, the knowledge test's content is reviewed at regular intervals to take into account new legislation or conditions, as well as new developments within the borough. This also ensures it is at the right level to demonstrate applicants have sufficient local knowledge and that it has not become a barrier preventing new driver applications.

2. Report

- 2.1 The question of topographical knowledge tests for PHV drivers has arisen because of two recent developments. Firstly, The Department of Transport has begun consulting on revised Best Practice Guidance for Taxi and Private Hire Licensing (this is the subject of a separate report on this agenda), but the specific issue of knowledge tests is for discussion and detailed below. Secondly due to a request from a PHO.
- 2.2 The Department for Transport's consultation on revised Best Practice Guidance for Taxi and Private Hire Licensing is open until 20 June 2022. Within the new guidance, section 6.24 states the following: -

'Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger must go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey and plan or enter it in a navigation system. Licensing authorities may set private hire vehicle drivers a topographical test, but are not required to do so.'

- 2.3 To assist, officers' views are that our PHV drivers topographical test has been in place for many years and during that time it has been amended, by having fewer questions and being made progressively simpler.
- 2.4 All those who apply to do the knowledge test receive a study guide (Appendix 'B'), to assist them in preparing for the topographical test. This part comprises 60 questions which asks the applicant for the street name and town of locations in the Borough, the pass mark is 45/60. The guide also lists the names of the places we expect them to know the location of, so they are effectively given the answers to the questions. All they have to do prior to the test is check a map and remember the name of the street and town which they are in. This is not a difficult test.
- 2.5 In demonstrating they know where these key locations are, we can be confident that the would-be PHV driver has attained a sufficient level of knowledge to assist them in planning a route or diverting from a chosen route due to unforeseen circumstances.
- 2.6 In contrast the would-be hackney carriage driver goes on to complete a route test which is a much tougher examination of their local knowledge involving naming all the roads and the route they would take from point A to point B.
- 2.7 Officers believe the test is an appropriate and proportionate requirement for drivers and test results demonstrate a high pass rate. Members should be aware that the results from the part of the knowledge test on conditions and regulations demonstrate applicants have most difficulty with this part.
- 2.8 Moving on to the second reason for discussion which relates to a request from a PHO. An important source of business for many drivers is contract work with Surrey County Council taking children to school. Hackney carriage drivers would have their own individual contract with the County and PHV drivers would work for the PHO who holds the contract with the County.
- 2.9 For some PHO's in Runnymede the majority of their work is school runs, others may also have school run contracts but this is not the majority of their work.
- 2.10 Shortages of PHV drivers is a nationwide problem and numbers are falling. Runnymede has suffered a particularly large fall in driver numbers over the last few years and although the operators have work, they are short of drivers.
- 2.11 One operator in particular has asked that we consider allowing new PHV driver applicants who will be only carrying out school runs to be exempt from the topographical knowledge test.
- 2.12 The PHO states the drivers they are seeking to recruit are mainly retired people or those with other occupations who only want to do some part time work. However, when they realise, they have to pass a topographical knowledge test this puts them off and they don't apply.
- 2.13 The PHO's argument is that they are only going to do school runs, many of these are outside of Runnymede and some even outside the County so there is no need for them to have a local topographical knowledge test.

2.14 Officers have checked with other Boroughs in Surrey and none of them offer this exemption. One was able to evidence the fact that they did have it some time ago but the policy was abused and that regular private hire work was being undertaken. This resulted in a regulatory burden for officers, when attempting to enforce said policy so they decided to stop issuing school run only licences as it was too resource intensive and open to abuse.

2.15 Other Surrey authorities who replied were decidedly unenthusiastic about the idea, responding with the following:-

'the authority still has a duty to ensure 'fit and proper' licence holders and the recent National Standards have advocates increased training and responsibility, not a dilution of requirements, even for drivers who 'only' do school runs, as there are obvious and considerable responsibilities in this area creates a considerable amount of potential for extra enforcement'.

'Our view is that there is the same effort in determining a school run licence and the standard should not be any less just because the journey involves a child on a regular route'.

'how can we stop them working the odd private hire job'

'I'd be against the idea of doing reduced "school runs only" badges simply because we're effectively creating a sub-category of licence that the legislation doesn't cater for or cover. It would require a different set of checks and a different licence, different policy and different signage (otherwise, what's to stop a less scrupulous driver getting the reduced 'school runs' badge and then working Friday nights?) What makes transporting a child a situation where the Authority doesn't have to be as vigilant? The driver still needs a DBS and to be healthy and safe, insured, etc.'

'The idea of school-run-only badges is a minefield that we wouldn't have any interest in even considering, let alone we simply don't have the staff to invest in the implementation of such a scheme'.

2.16 Officers in Runnymede would agree with the above comments. In particular any exemption would be vulnerable to exploitation by a less scrupulous driver who may decide to involve themselves in regular private hire work would leave the Council in a position whereby we would not have the staff to enforce this; that is indeed if we were even aware of it occurring.

2.17 Officers would also be concerned that if an applicant does not want to do the knowledge test it may be an indication of the character of the individual in that if they do not want to put a small amount of effort into passing this test (which we effectively give them the answers to) it leads to the question what else they would not be willing to put effort into in order to comply with the conditions and requirements regulating the industry.

3. Policy framework implications

3.1 Any change in policy would have to be approved by this Committee following consultation.

4. **Legal implications**

- 4.1 Local Government (Miscellaneous Provisions) Act 1976 section 51(2), states:- Licensing of drivers of private hire vehicles. A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.

5. **Equality implications**

- 5.1 Officers do not consider that protected characteristics are affected by this part of the policy. A screening assessment was carried out when the main policy on taxi and private hire licensing was created and reviewed.

6. **Conclusions**

- 6.1 This exemption for a very limited number of people should be discussed and resolved by this Committee.

(To Resolve)

Background papers

[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

[Taxi and private hire vehicle licensing: best practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

[Hackney Carriage and Private Hire Licensing Policy 2020 to 2025 \(runnymede.gov.uk\)](https://www.runnymede.gov.uk)

5.103. KNOWLEDGE TESTS

5.104. The licensing authority notes that –

- (a) taxi fares are usually related to the time and distance travelled and it is therefore appropriate to ensure that licensed drivers know the shortest and/or most expeditious route(s) to avoid unnecessarily high fares being charged to the customer (i.e. consumer protection);
- (b) licensed hackney carriage drivers providing services to the general public do not generally have the opportunity to check the details of a route before starting; whereas, hackney carriages are usually directly available for hire at ranks or on the street, the drivers of private hire vehicles may receive concurrent bookings through their operator (e.g. via radio, computer, mobile communications device or similar); and
- (c) private hire vehicles are not able to be hailed nor are they immediately available for hire it is recognised that private hire drivers can plan journeys in advance and need not be expected to have the same level as knowledge as a hackney carriage driver. It is also acknowledged that many drivers who are not licensed by Runnymede but are licensed with neighbouring authorities can do work predominately in Runnymede having had no local knowledge test and will take directions purely from a satnav.

5.105. It is the policy of the licensing authority to ensure that those who provide a hackney carriage service to the general public have a good working knowledge of the area in which they are licensed and of the law and local policy and procedures in relation to Hackney carriages. The licensing authority will therefore require all first-time applicants to pass a test of knowledge on the law and local policy and procedures. together with a geographical knowledge test of local streets and topography.

5.106. In relation to private hire drivers, it is the policy of the licensing authority to ensure that those who provide a private hire service to the general public have a good working knowledge of the law and local policy and procedures in relation to private hire vehicles. The licensing authority will require all first-time applicants to pass a test of knowledge on the law and local policy and procedures together with a geographical knowledge test of prominent local landmarks and places of note.

5.107. Stringency of tests of knowledge

5.108. By way of ensuring that these tests do not comprise an unnecessarily high obstacle or barrier of entry into the trade, the licensing authority will seek to keep the tests under review and ensure that the stringency of each test reflects law and local policy and procedures in relation to hackney carriage and private hire vehicles and the complexity or otherwise of local geography and highway infrastructure.

5.109. The Council will ensure that its knowledge tests are conducted in accordance with its knowledge test policy and procedures outlined at [Appendix E](#).

5.110. Costs of knowledge test

5.111. As the satisfactory completion of the knowledge test is largely dependent on the attitude, diligence, and effort of the applicant, the licensing authority will normally charge a non-refundable separate fee at the standard rate for each test taken. Fees must be paid prior to the test being taken.

5.112. Limitations and relevance of knowledge test

- 5.113. So as to allow applicants to reflect upon the test questions and / or prepare more thoroughly, the licensing authority will normally allow, where eligible, applicants that fail any part of the Knowledge test to re-sit. Those who fail part three of the test and pass part one and part two will only be required to re-sit part three.
- 5.114. As driver duties may also involve the handling and exchange of money and the giving of change, the licensing authority will similarly require all first time applicants to demonstrate a reasonable unassisted ability in numeracy. A numeracy skills assessment is built into the knowledge test.

APPENDIX E

12. KNOWLEDGE TEST POLICY

12.1. INVIGILATION

- 12.2. An invigilator will monitor your behaviour during the test, and ensure that the test is conducted in accordance with test rules and policy.
- 12.3. If, in the opinion of the invigilator, the test has not been conducted in accordance with the test rules and policy, all test results and question papers etc. are void.
- 12.4. If you have any questions before or during the test, you may ask the invigilator. However, the invigilator will not explain subject-specific terms or expressions or otherwise say or do anything that could be interpreted as giving applicants an advantage.

12.5. First language policy

- 12.6. All question papers and answers etc. will be provided in English only.
- 12.7. No translation or interpretation of questions/answers, question papers or other such matter associated with the test shall be permitted and/or accepted.

12.8. Equipment, materials and other items

- 12.9. You must not use or have in your possession any of the following equipment / materials whilst taking your test.
- (a) Mobile Phone
 - (b) Calculator
 - (c) Pager
 - (d) Laptop/PC
 - (e) Other communications equipment
 - (f) Other (multi) media equipment
 - (g) Paperwork/documentation
 - (h) Any books, magazines or similar
 - (i) Any other equipment/materials that may help with the test

(j) Any camera or recording device

12.10. If you are in possession of any of the above items at the time of taking your test, you must ensure that these are handed to the invigilator for supervision before taking the test. Possession and/or use of any such equipment/materials will result in automatic disqualification and all results will be void.

12.11. Except for the invigilator, you are not permitted to take anyone else to sit with you whilst taking your test. Contact and/or discussion with anyone else during the test will result in automatic disqualification and all results will be void.

12.12. Cheating

12.13. A serious view will be taken of any action(s) that may be interpreted as cheating during a test. Hackney carriage and/or private hire drivers are expected to be persons of trust. Therefore, in all cases of proven or otherwise suspected cheating, all test results and question papers etc. will be void. Suspected cheating may also be taken into consideration in determination of an applicant's propriety.

12.14. Safety & Welfare

12.15. If the fire alarm goes off during a test, you should evacuate the building with the invigilator. You must remain at the visitors muster point until the disruption is over. Where appropriate, you may need to make an appointment to retake the test at a future point.

12.16. Should you need to leave the test room during the test (e.g. to use the toilet), you must ask the invigilator. The invigilator may accompany the applicant to ensure that the test is conducted in accordance with test rules and policy.

12.17. If you feel unwell and/or too ill to continue the test, please tell the invigilator. Where appropriate, you may need to make an appointment to retake the test at a future point.

12.18. Points of dispute

If you feel aggrieved by the results of your test or believe that the results of your test are incorrect, you should direct your concerns or enquires (in writing) to the Corporate Head of Environmental Services

12.19. , Runnymede Civic Centre, Station Road, Addlestone, Surrey KT15 2AH.

12.20. Knowledge Test Guidance

12.21. It is a written test and you will need a good working knowledge of the Runnymede Borough Council area. Ensure you understand our conditions, bylaws and requirements before you sit the knowledge test. It is essential that you use the study guide which is contained in the information pack to assist you in gaining the knowledge to pass this test. If the examiner cannot read an answer it will not receive a mark. Pens & paper are provided. You will be informed of your result in writing within seven working days.

- 12.22. There are four parts to the hackney carriage driver test, three parts to the private hire drivers test and one part to the private hire operator test.. The tests will be held once a month at the Civic Centre please ensure you arrive in plenty of time as no extra time will be given. Consideration will be given to arranging tests at short notice on request. You can book your knowledge test by calling 01932 838383, places are allocated on a first come first served basis.
- 12.23. On the day of the test you are required to bring your DVLA driving licence or passport with you. There will be a fee for each subsequent resit.

12.24 Tests for hackney carriage driver applicants (2 hours)

Part 1 Questions on Bylaws, requirements, conditions and fares which are supplied in your taxi pack (multiple choice answers). Pass mark 20 out of 25.

Part 2

Numeracy test consisting of 5 questions involving the giving of change after taking payment for a fare. Pass mark 5 out of 5.

Part 3

You will be tested on your knowledge of 60 locations in Runnymede and will be expected to be able to name the exact road name and town. The pass mark is 75% (45).

These could include the following;

Trading Estates	Schools
Historical places	Parks
Mobile home sites	Social Centres
Locks	Pubs/Restaurants
Care homes	Golf courses
Museums	Health centres
Places of interest	Companies

Part 4

This tests your knowledge of how to get from A to B.

You will have to write out three routes from the taxi rank at Egham, three routes from the taxi rank at Chertsey or Virginia Water and three routes from the taxi rank at Addlestone).

These routes will be to named locations in the borough. You must include all road names, direction of turns at junctions, roundabouts and traffic lights. Pass mark 6 out of 9.

Each question has only ONE correct answer

- 12.25 If an applicant for a hackney carriage drivers licence takes the test and fails only on the route test at part 4 then if they resit the test within a 3 month period they will only be required to resit part 4.

12.26 Tests for Private Hire driver applicants (1 hour)

Part 1

Questions on Bylaws, requirements, conditions and fares which are supplied in your taxi pack (multiple choice answers). Pass mark 20 out of 25.

Part 2

You will be tested on your knowledge of 60 locations, all of which are prominent local landmarks or places of note in Runnymede. You will be expected to be able to name the exact road name and town.

The pass mark is 75% (45).

These could include the following;

Trading Estates	Schools
Historical places	Parks
Mobile home sites	Social Centres
Locks	Pubs/Restaurants
Care homes	Golf courses
Museums	Health centres
Places of interest	Companies

Part 3

Numeracy test consisting of 5 questions involving the giving of change after taking payment for a fare. Pass mark 5 out of 5.

12.27. Tests for Private Hire Operator applicants (1 hour)

The operator test will comprise 25 multiple choice questions on law and local policy and procedure's in relation to private hire operator licences. You will have one hour to complete test, the pass mark is 72% (18).

Road Name

Town

Addlestone train station		
Airforce Memorial		
American Community School		
Animal Health / Vet Lab		
Barley Mow Pub		
Botley's Mansion		
Bridge Hotel		
Chertsey Meads		
Chertsey Museum		
Chertsey train station		
Crouch Oak Health Centre		
Egham Cricket Club		
Egham Museum		
Egham Orbit		
Egham train station		
Eileen Tozer day Centre		
Fire Station Addlestone		
Foxhills Golf Hotel and resort		
Great Fosters Hotel		
Hillswood Business Park		
Homewood Business Park		
JFK Memorial		
Kerry Foods		
Kings Church		
Kingswood halls of residence		
La Piazzetta restaurant		
Longcross Studios		
Magna Carta Memorial		
Magna Carta Tea Rooms		
Manor Farm Day Centre		
Memorial Fields		
New Haw Day Centre		
Packhorse Pub		
Pelican Pub		
Piccolino Restaurant		
Prezzo restaurant		
Queen Elizabeth Care Centre		
Rose & Crown Pub		
Rose and Olive Branch Pub		
Royal Holloway University		

Runnymede Council Offices		
Runnymede Pleasure Grounds		
Sainsbury Chertsey		
Savill Gardens		
Sir William Perkins's School		
St Marys Medieval Church		
St Peters Hospital		
Surrey Muslin Mosque		
TASIS School		
Tesco Chertsey		
Tesco Egham		
The Wine Circle café		
Thorpe Park		
Totem Pole		
Truss's Island		
Virginia Water train station		
Wentworth Golf Club		
Wheatsheaf Pub/Hotel		
White Hart Pub		
Windsor Fairmont Hotel		

Department for Transport Draft Best Practice Guidance and Consultation in relation to Taxi and Private Hire Vehicle Licensing (Environmental Services, Robert Smith)

Synopsis of report:

To inform Members of the Department for Transport's Draft Best Practice Guidance and Consultation in relation to Taxi and Private Hire Vehicle Licensing.

Recommendation(s):

- i) **Members note the contents of the Draft Best Practice Guidance; and**
- ii) **the response from Runymede Borough Council to the Draft Best Practice Guidance be approved**

1. Context of report

- 1.1 The Department for Transport (DfT) has issued best practice guidance ('Guidance') on taxi and private hire vehicle (PHV) licensing since 2006 to assist local authorities that have responsibility for the regulation of this sector. The DfT last published Best Practice Guidance for Taxi and Private Hire Vehicles (PHV) licensing authorities in 2010.
- 1.2 In order to keep the 'Guidance' relevant and up to date the Department has revised it and has commenced a consultation exercise which is open until 20 June 2022. The 'Guidance' is available on the Council's website sitting alongside the agenda as it runs to some 99 pages.
- 1.3 The recommendations in the consultation version of the best practice guidance result from engagement and discussion with a range of bodies including representatives of licensing authorities, regulators, operators and drivers, and detailed consideration by DfT.
- 1.4 The consultation contains a set of recommendations on what local authorities should and should not require. It also includes information on existing legal obligations that licensing authorities are already required to meet. This is to provide as comprehensive a document as possible to assist them in administering the licensing regime.
- 1.5 A copy of the consultation paper with Officers' draft response is included at Appendix 'A'. The previous 'Guidance' was welcomed by licensing authorities and was taken into account in the construction of Runnymede's Hackney Carriage and Private Hire Licensing Policy.
- 1.6 However it is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters in light of their own views of the relevant considerations; the 'Guidance' is intended to assist licensing authorities in following Best Practice recommendations.

- 1.7 Within the draft 'Guidance' the Committee is asked to note that the term 'taxi' is used, this is referring to 'hackney carriage(s)' whether that be vehicle or driver.

2. **Report**

- 2.1 The consultation paper comprises some 62 separate areas of questions or comments and also sets out the rationale for the proposed position. The majority of subjects covered are fairly non controversial and straight forward. In addition, many of the responses proposed are in line with our existing policy and are very unlikely to generate debate.
- 2.2 In order to ensure the most contentious issues raised by the consultation are discussed Members are asked to focus their attention on questions within the following areas –

Driver proficiency Q17 – 20

Driver licensing Q24 – 26

Vehicle safety ratings Q27

- 2.3 For Runnymede the requirements for 'tinted windows' and 'knowledge tests' within the consultation co-incidentally arise at the same time we were reviewing these areas of our policy. They are the subject of reports earlier on in this agenda to be determined prior to this particular report on the 'Guidance'. Our response to these areas will be added to the consultation.

3. **Policy framework implications**

- 3.1 In many areas Runnymede has already meet the recommendations of the 'Guidance' and in fewer areas there is room for change which may be subject of further reports following publication of the final version of the 'Guidance'.

4. **Equality implications**

- 4.1 Any changes to Runnymedes policy following publication of the revised 'Guidance' would be subject of a further report and Equality impact screening assessment if required.

5. **Environmental/Sustainability/Biodiversity implications**

- 5.1 The draft 'Guidance' at 8.48 – 8.53 mentions environmental considerations. One of the biggest challenges facing the taxi and private hire trade is the phasing out of petrol and diesel vehicles and the transition to zero emissions. The accesibility of on street chargers and alternative fuels is limited at the moment although this will in time improve. Therefore, any policy decision on vehicle emissions in the future must be realistic and achievable.

6. **Conclusions**

- 6.1 The revised Best Practice Guidance for Taxi and Private Hire Vehicles are long overdue and very welcome. They provide some commonality countrywide. However, there are many other areas of the taxi licensing

regime which remain problematic and it is hoped that further changes may be forthcoming.
(To resolve)

Background papers

Runnymede Hackney Carriage and Private Hire Licensing Policy

<https://www.runnymede.gov.uk/downloads/file/572/hackney-carriage-and-private-hire-licensing-policy>

Taxi and private hire vehicle: best practice guidance

Introduction

We are seeking views on updated best practice guidance for taxi and private hire vehicle licensing authorities and any evidence that supports those views.

Closing date is 20 June 2022.

View all the questions

This survey provides questions based on user choice, a [full copy of the questions is available \[opens in a new window\]](#).

Print or save a copy of your response

At the end of this questionnaire, you will be offered the chance to either print or save a copy your. This appears after you 'Submit your response'.

Save and continue option

You may 'save and continue' your response at any time and you will be sent a link via email to allow you to continue your response where you left off.

You must enter your correct email address if you choose to save and continue, a mistake in the email address you get the link.

Accessibility statement

Read our [accessibility statement for SmartSurvey forms \(opens in a new window\)](#).

Confidentiality and data protection

This consultation is seeking views on a new best practice guidance for taxi and private hire vehicle licensing authorities and any evidence that supports those views.

We are asking for:

- your name and email address, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions)
- whether you are representing an organisation or yourself

From individuals we are also asking if you are a licenced taxi driver, private hire vehicle driver or both, to ascertain your relationship to the topic.

For organisations we are asking for:

- the name of your organisation, for identification
- the type of organisation being responded on behalf of, to better understand your work

- if a trade bodies or representative group
 - the number of members, to weigh your response in analysis
- if a private vehicle operator, taxi intermediary or another type of organisation
 - the number of vehicles in your fleet, to better understand the effect to your business

Your consultation response and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. DfT will, under data protection law, be the controller for this information. [DfT's privacy policy \(opens in new window\)](#) has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

Your personal data is processed on behalf of DfT by Smartsurvey, with respect that they run the survey collection software only, your personal data will not be shared with any other third parties, even those employed for the purpose of analysis.

Any information you provide will be kept securely and destroyed within 12 months after the closing date. Any information provided through the online questionnaire will be moved to our internal systems within 2 months of the consultation period end date.

Personal details

1. Your (used for contact purposes only):

name	<input type="text" value="Robert Smith"/>
email	<input type="text" value="Robert.smith@runnymede.gov.uk"/>

2. Are you responding: *

- as an individual? (Go to 'Individual details')
- on behalf of an organisation?

Organisation details

3. What is the name of your organisation?

4. You responding on behalf of:

- a licensing authority? (Go to 'Proposals')

- a taxi or private hire vehicle trade body?
- taxi drivers?
- private hire vehicle drivers?
- both taxi drivers and private hire vehicle drivers?
- a private hire vehicle operator or taxi intermediary? (Go to 'Number of vehicles')
- a body that represents passengers and the public?
- another type of organisation? (Go to 'Number of vehicles')

Trade bodies and representative group members

5. How many members does your organisation have?

- 1 to 50 members?
- 51 to 100 members?
- 101 to 500 members?
- another amount above 500 members?

[After answering go to 'Proposals']

Number of vehicles

6. How many vehicles are there in your fleet?

- 0 vehicles
- 1 to 10 vehicles
- 11 to 20 vehicles
- 21 to 50 vehicles
- 51 to 100 vehicles
- 101 to 500 vehicles
- 501 to 1,000 vehicles

1,001 to 10,000 vehicles

Above 10,000 vehicles:

[After answering go to 'Proposals']

Individual details

7. Are you a licensed taxi or private hire vehicle driver?

Yes

No (Go to 'Proposals')

Don't know (Go to
'Proposals')

8. You are:

a taxi driver?

a private hire vehicle driver?

both a taxi and a private hire vehicle
driver?

a dual licensed driver?

Proposals

The focus of the best practice guidance is on how licensing authorities can best use their existing powers to ensure that:

- taxi and private hire vehicle (PHV) drivers
- taxi and PHV vehicles
- PHV operators

provide a safe, inclusive, accessible and attractive service for the passengers they carry.

While the safety of the public is paramount, licensing authorities, as regulators, also have a duty to ensure that they carry out their activities in a way that supports the people and businesses that they regulate.

The best practice guidance aligns with overarching principles in the [Regulators' Code \[opens in a new window\]](#) that unnecessary burdens should be avoided and that regulators should choose proportionate approaches.

The best practice guidance focuses on issues outside of the scope of the [Statutory Taxi and Private Hire Vehicle Standards \[opens in a new window\]](#) that are focused on safeguarding.

The draft best practice guidance published as part of this consultation should be read before responding.

Accessibility

Disabled people are particularly reliant on taxi and private hire vehicle services, either because:

- they may not have access to a private car
- they are unable to use public transport
- the built environment is insufficiently accessible to meet their needs

This can mean that the availability of an accessible, affordable taxi or private hire vehicle service can make the difference that allows them to live their life the way they want to, and ultimately, to fulfil their potential.

We want disabled people to be able to travel easily, confidently and without additional cost, and it is important that all transport services play their part in making this a reality. The best practice guidance identifies barriers that disabled people might face when using taxis and private hire vehicles and ways that licensing authorities can help to mitigate these.

We are suggesting that all licensing authorities should develop and maintain an Inclusive Service Plan (ISP), either as a standalone document or as an integral element of their Local Transport Plan. The ISP should describe:

1. the demand for accessible services in their area, from wheelchair users and non-wheelchair users, and from people with both visible and less-visible impairments, and an assessment of the extent to which that need is currently being met.
2. the authority's strategy for making transport more inclusive generally, and specifically in relation to taxi and private hire vehicle provision.
3. the steps that the authority will take to improve the inclusivity of the taxi and private hire vehicle services it supports, including timescales for their completion.
4. how the courses or assessments authorities require applicants to undertake be suitable for a range of participants, for example older drivers.

ISPs should be developed collaboratively with organisations representing the interests of:

- disabled people
- people with other protected characteristics

This should be based on accurate and up-to-date evidence of need and usage.

To support the production and updating of an ISP, authorities should:

1. Survey existing and potential disabled passengers at least once every 3 years.
2. Build an understanding of the extent to which the vehicles and services provided by taxi and private hire vehicle fleets adequately support the needs of all passengers and whether driver training needs are being met.

ISPs should be policy documents first and foremost, intended to demonstrate publicly authorities' commitment to improving accessibility continually. They may, however, also serve to demonstrate to passengers the steps being taken to improve services. Authorities should consider how the content can be made more accessible to the public. They should in any case always be made available on authority websites and in alternative accessible hard copy formats, consistent with authorities' legal equalities duties.

ISPs are covered in section 4 of the best practice guidance.

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

- Yes
- No
- Don't know

Why?

No, however the prospect of all 300+ licensing authorities in the Country having their own ISP is going to be confusing for users and an exercise which reinvents the wheel many times. We feel this shouldn't a matter which is decided upon by a licensing authority through its taxi licensing Committee. While this could be a Council function a more workable solution would be to make this County Council based as part of an integrated transport plan.

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

- Yes
- No

Don't know

Why?

We should all be making accessibility a priority and we have included all measures mentioned in the Guidance 4.22 -4.26 within our policy apart from the item at 4.25. However, this will be included in the near future.

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

Yes

No (Go to 'Points based enforcement systems')

Don't know (Go to 'Points based enforcement systems')

Other accessibility measures

12. What other measures should licensing authorities take to improve accessibility of taxis and private hire vehicles?

Points-based enforcement systems

Some licensing authorities operate a points-based system, which allows minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches to the licensing committee (or other bodies charged with reviewing).

This has the benefit of consistency in enforcement and making better use of the licensing committee's time.

To ensure that all past behaviour is taken into account when considering whether to grant a new licence we recommend that points should remain on the record for:

- 3 years for drivers from the date of the incident

- 5 years for private hire vehicle operators from the date of the incident

These reflect the usual duration periods of a driver and operator licence respectively.

Licensing authorities should however consider whether a review is undertaken in situations where points are incurred within a shorter period; for example, 12 months as this may

indicate rapidly deteriorating standards or unsatisfactory conduct.

Reaching a points limit however must not result in an automatic action but should be used to trigger:

1. A review of the conduct of the licensee.
2. Whether further action is necessary to address any concerns with such action including undertaking additional training and not just a suspension or revocation.

Greater detail on points-based enforcement systems are covered in section 5 of the best practice guidance.

13. 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
- No
- Don't know (Go to 'Private hire vehicle operator')

Driver enforcement

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

Comments:

This is similar to DVLA points so it will be familiar to drivers.

Private hire vehicle operator

15. 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
- No (Go to 'Driver licensing: driver proficiency')
- Don't know (Go to 'Driver licensing: driver proficiency')

Private hire operator enforcement

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

Comments:

Operators should be expected to show the highest levels of professionalism and this period of time reflects the seriousness with which licensing authorities view even minor discretions.

Driver licensing: driver proficiency

The [Road safety statement 2019: a lifetime of road safety \[opens in a new window\]](#) 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 a private motorist is, in our view, considered to be:

1. Appropriate and proportionate.
2. Consistent with other elements of taxi and private hire vehicle driver licensing, for example medical and vision assessments.

Greater detail on driver proficiency assessments are covered in section 6 of the best practice guidance and the consultation document.

17. 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
- X No
- Don't know [Go to 'Driver licensing: vocational training and assessment']

Driver proficiency viewpoint

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

Comments:

DVLA used to carry out a specific taxi driver test but abandoned it some years ago, clearly the DVLA did not think it important. There is no evidence in our Borough or indeed nationwide which demonstrates taxi and private hire vehicle drivers require a higher degree of driving ability than is required for a private motorist. They have passed a driving test and as such are deemed fit to be let loose on the roads, they have to obey the rules of the road as would any other driver and pay the penalty if they don't.

HGV and PSV drivers have extra training as they have large vehicles which require different driving skills.

Emergency service drivers do also have additional training due to the type of driving they are asked to carry out.

Driver licensing: vocational training and assessment

The [Statutory Taxi and Private Hire Vehicle Standards \[opens in a new window\]](#) is clear that all drivers should be required to undertake safeguarding training to understand policies and guidance relating to the protection of children and vulnerable adults to identify and act on signs of exploitation.

Whilst the minimum recommended requirements for safeguarding and disability awareness training could be met by requiring drivers to undertake vocational qualifications, it does not have to be delivered through this route.

Vocational qualifications are awarded based on the curriculum of the course at that time and provide a 'snap-shot' of learning. The training required of drivers will naturally evolve over time and so a vocational qualification may need to be supplemented with further training and assessment. An example of this is the inclusion of 'county lines' awareness as part of safeguarding. Though the potential benefits of increased customer service are noted, licensing authorities should not, in our view, require applicants for a licence to have obtained a vocational qualification.

Greater detail on vocational training and assessment are covered in section 6 of the best practice guidance and the consultation document.

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

- Yes
- No
- Don't know (Go to 'Topographical knowledge tests')

Vocational qualification

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

Comments:

We will be asking them for degrees next! This is another barrier to those entering the trade, if there are any of course, we have a severe shortage of drivers in this Country and expecting them to have vocational qualifications will not address this. Standards yes but they must be proportionate.

Topographical knowledge tests

Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired:

- immediately
- directly with the driver
- at ranks or on the street

and so drivers are not able to prepare a route.

Licensing authorities should therefore require prospective taxi drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence.

Our view is that the stringency of the test should:

1. Reflect the complexity or otherwise of the local geography.
2. Be in accordance with the principle of ensuring that barriers to entry are not unnecessarily high.

Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger has to go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey and plan or enter the route in a navigation system. Local authorities may set private hire vehicle drivers a topographical test, but are not required to do so.

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

- X Yes
- No
- Don't know (Go to 'Driver licensing: vehicle condition check')

Topographical knowledge tests view

22. 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?
- to test the candidate's ability to plan a route or safely use a navigation system?

X another requirement?

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

Comments:

A lower standard of knowledge test than for hackney drivers to demonstrate they know where key locations are and have sufficient level of knowledge to assist them in planning a route or diverting from a chosen route due to unforeseen circumstances.

Driver licensing: vehicle condition check

The driver of a vehicle is always legally responsible for its condition while in use; therefore, licensing authorities should require drivers to conduct a daily walkaround check as part of a driver's core role. A driver or responsible person should undertake a daily walkaround check before a vehicle is used.

These checks should be carried out:

- before the vehicle is driven on the road each day
- when more than one driver will use the vehicle during the day's running, the driver taking charge of a vehicle should make sure it is roadworthy and safe to drive by carrying out their own walkaround check

Drivers should be required to retain the vehicle checklist as proof that they have undertaken the required vehicle check. Drivers should be made aware that they may be subject to sanctions if they are unable to produce this. Further sanctions may result against them as well as vehicle proprietors, if they are found using a defective vehicle, especially if the condition of the vehicle is such that it is obvious no routine checks have occurred over a number of days.

An example checklist is provided within the best practice guidance.

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

- Yes
- X No
- Don't know (Go to 'Vehicle licensing: vehicle safety ratings')

Daily vehicle check

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

Comments:

This is well intentioned but in reality, it will not be carried out and licensing officers will not have the resources to enforce this. Licensing officer should not be tasked with micromanaging drivers, there must be a degree of trust in some aspects of this business.

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

It is unrealistic to expect drivers to carry this out but it may be something PH operators would be interested in using.

Vehicle licensing: vehicle safety ratings

The increasing ability of a car to reduce or prevent injury during an impact is reported as having had the most significant effect on road casualty totals in recent years. Although numbers have remained broadly consistent since 2010, they still indicate [30% fewer fatalities in 2018 than a decade earlier](#).

Euro NCAP is an independent, not-for-profit, organisation which is widely recognised by the motor industry and road safety professionals as providing motorists with objective information on the crash-safety of passenger cars. Its 1 to 5 star rating helps consumers compare the safety potential of different models and is based on assessment in 4 areas of:

- adult occupant protection, for the driver and passengers
- child occupant protection
- vulnerable road user protection, pedestrians and cyclists

safety assist, which evaluates driver-assistance for example lane keeping and autonomous emergency braking and occupant status technologies such as seat belt reminders and driver monitoring

Evolving vehicle regulations and consumer information have supported this trend and a [2019 research paper from Sweden \[open in a new window\]](#) considered differences in real-world injury outcome for occupants in cars rated by Euro NCAP. It concluded that the risk of fatal injury was reduced by 40% for occupants of a 5-star rated car when compared with an equivalent 2-star rated car.

Licensing authorities should consider the safety benefits to passengers, drivers and pedestrians of vehicles which have received a higher NCAP rating where these have been assessed when setting its vehicle requirements.

Greater detail on vehicle safety ratings are covered in section 8 of the best practice guidance.

27. 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

No

Don't know (Go to 'Vehicle licensing: seating capacity')

Euro NCAP

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

Comments:

If we want to protect the public then this is a good step, problems will arise of course with older specialist vehicles such as limousines which would require some allowances and the trade may find it difficult to replace good quality older vehicles with those of a higher NCAP rating, again there may have to be some allowances for these. A gradual introduction would seem the way forward.

Vehicle licensing: seating capacity

Licensing authorities are responsible for deciding how many passengers a taxi or private hire vehicle is licensed to carry. Whilst the [Vehicle Registration Certificate \(V5C\) issued by the Driver and Vehicle Licensing Agency \[opens in a new window\]](#) states the seating capacity of a vehicle, licensing authorities are entitled to restrict the passenger carrying capacity in the interest of convenience and comfort.

However, authorities should consider the principles set out in the [Competition and Market Authority's guidance \[opens in a new window\]](#). It may be unreasonable, undesirable or even a safety risk for passengers to have to operate folding seats to exit the vehicle, the ease of this in an unfamiliar vehicle in an emergency situation should be considered.

When considering the carriage of children, [The London Cab Order 1934 \(applying to hackney cabs in London\) \[opens in a new window\]](#) states:

"in computing such number [i.e. the maximum number of passengers that can be carried], an infant in arms shall not count as a person and two children under 10 years of age shall count as one person."

While this matter is not addressed in other taxi and private hire legislation, some local authorities have used this approach when assessing if an excess number of passengers have been carried.

The [Motor Vehicles \(Wearing of Seatbelts\) Regulations 1993 \[opens in a new window\]](#) also contain relevant provisions when considering passenger numbers. For instance, in taxis and private hire vehicles where:

- there is no fixed partition between the rear seats and the driver
- children aged over three years must use an adult seat belt in the rear of the vehicle if an appropriate seat belt is not available

This would therefore impose an upper limit on the number of such children that could be carried by these vehicles.

Given the implications for the safety of passengers, we consider a practical solution would be for taxis and private hire vehicles to carry no more people than the number of seats and seatbelts available, regardless of passenger age.

Though rear-facing seats do not require a seatbelt, they often are equipped with one.

Greater detail on seating capacity of vehicles is covered in section 8 of the best practice guidance.

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

- Yes
- No
- Don't know (Go to 'Vehicle licensing: seating capacity')

Passenger count

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

Comments:

It is a matter of fact that anyone is a passenger regardless of age. Any question of this fact should be a matter for primary legislation not local decision making.

Vehicle licensing: seating capacity

31. 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
- No
- Don't know (Go to 'Vehicle licensing: tinted windows')

Seating capacity

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

Comments:

No this is not safe; it would undoubtedly be abused.

Four seats for example means 4 persons, not 4 persons plus.

Vehicle licensing: tinted windows

The [rules for tinted vehicle windows are available \[opens in a new window\]](#).

For most cars on the road today, the minimum light transmission for windscreens is 75% and for front side windows 75%. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in:

- luxury vehicles
- estate vehicles
- people carrier style vehicles

If the objective of the authority's prohibition of tinted windows is to address a concern that illegal activity is taking place in a vehicle, the evidence for this should be established and alternative options should be considered, for example, CCTV in vehicles. When licensing vehicles, authorities should be mindful of this as well as the significant costs and inconvenience associated with changing glass that conforms with the requirements of vehicle construction regulations.

In the absence of evidence to show that a requirement for the removal of factory fitted windows is necessary and proportionate, we are suggesting licensing authorities should not require their removal as part of vehicle specifications. However, authorities should carefully consider the views of the public and the trade when considering the acceptance of 'after-market' tinting.

Greater detail on tinted windows in vehicles is covered in section 8 of the best practice guidance and the consultation document.

33. 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?

Yes

- No
- Don't know (Go to 'Vehicle licensing: vehicle testing')

Tinted windows

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

Comments:

Vehicle licensing: vehicle testing

Licensing authorities must only license vehicles that are safe. It is therefore appropriate and proportionate that authorities require vehicles to pass rigorous safety checks. There is considerable variation between local licensing authorities on vehicle testing, including the related but separate question of age limits. Our suggested best practice is that licensing authorities should monitor diligence and should, where possible, obtain details of vehicle tests, including failures. This means that frequent failures can be raised with the proprietor and authorities can consider whether they are content that the proprietor is taking sufficient action to monitor and maintain the safety of their vehicles.

Greater detail on vehicle testing is covered in section 8 of the best practice guidance.

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

- Yes
- No
- Don't know (Go to 'Vehicle licensing: vehicle testing')

Details of vehicle tests

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

Comments:

Yes, we already do this, MOT results are available online and give a good indication of the care and maintenance of a vehicle.

Vehicle licensing: vehicle testing

37. 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?

X Yes

No

Don't know (Go to 'Vehicle licensing: vehicle age limits')

Testing stations to provide outcomes

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

Comments:

Yes, we already do this, MOT results are available online and give a good indication of the care and maintenance of a vehicle.

In our view it is not acceptable to licence any vehicle with advisories on tyres, brakes, steering or suspension.

Vehicle licensing: vehicle age limits

We believe the setting of:

- an arbitrary maximum age limit at first licensing or
- maximum age limits beyond which an authority will not licence a vehicle

is inappropriate and counterproductive and will result in higher costs to the trade and ultimately passengers.

For example, a maximum age for first licensing may have adverse unintended consequences, for example a five-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol fuel car. Not setting an age limit for vehicles will enable the trade to make use of previously owned vehicles which would help enable a more rapid transition to zero emission vehicles and improved air quality.

Greater detail on vehicle age limits are covered in section 8 of the best practice guidance and the consultation document.

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

X Yes

No

Don't know (Go to 'Vehicle licensing: vehicle identification and signage')

Vehicle age limits

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

Comments:

We agree with there being no age limit, this is especially important for those with wheelchair accessible vehicles and purpose-built luxury limousines.

The quality of the vehicle is what matters although any introduction of a condition on NCAP safety standards may reduce the age of vehicles being licenced.

Vehicle licensing: vehicle identification and signage

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage requirement will help the public to distinguish between the 2 elements of the trade. To achieve this, licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

Licensing authorities should not permit roof signs of any kind on private hire vehicles. Regardless of the wording required on such a sign, it is likely to increase awareness of the vehicle and the likelihood of it being mistaken for a taxi. This increases the success of those illegally standing or plying for hire and may lead to confrontation when private hire vehicle drivers refuse a request for a journey that has not been pre-booked.

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

Yes

No

Don't know (Go to 'Private hire vehicle livery')

Roof signs

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

Comments:

The public need to have a clear indication of what a taxi is, a roof light is one such indication which stands out particularly well.

Private hire vehicle livery

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage requirement will help the public to distinguish between the 2 elements of the trade. To achieve this, licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

Licensing authorities should not impose a livery requirement (an identifying design on a vehicle) on private hire vehicles. The more distinctive a private hire vehicle is made to appear, the greater the chance that this might be confused with a taxi. To assist the distinction further, licensing authorities should prevent private hire vehicles from being the same colour as its taxis, unless they are easily identifiable for example they are purpose-built vehicles as is the case in many of our cities.

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

Yes

No

Don't know (Go to 'Vehicle licensing: door sign')

Livery requirement

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

Comments:

This would make a PHV appear more like a taxi and should be discouraged and with most PHV's having 'the words PRE-BOOKED ONLY' on the doors this may be lost amongst advertising.

Vehicle licensing: door sign

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage requirement will help the public to distinguish between the 2 elements of the trade. To achieve this, licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign.

This approach enables passengers to be given the clear and consistent message that you should only get in a vehicle that 'looks like a taxi' unless you have pre-booked a private hire vehicle and have received information from the operator to identify it.

45. 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?

X Yes

No

Don't know (Go to 'Displaying private hire vehicle operator details')

Door sign

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

Comments:

Yes, this is sufficient.

Displaying private hire vehicle operator details

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage requirement will help the public to distinguish between the 2 elements of the trade. To achieve this, licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

A private hire vehicle driver and proprietor are free to work with more than one operator and licensing conditions or requirements that effectively tie a vehicle or driver into an exclusive relationship with an operator should not be implemented or should be discontinued where these are currently imposed.

Examples of such policies are a requirement for the private hire vehicle to display the name of the operator under which it is operating by means of a permanent or semi-permanent sign or to require a driver to advise the operator who they intend to work for and require notification in advance of any change.

Where an exclusive relationship exists between the vehicle proprietor, driver and operator a licensing authority should consider permitting the display of operator details in a discrete manner so as to not undermine the overall objective of enabling the public to easily differentiate between taxis and private hire vehicles; this might for example be through small branding on the rear of the vehicle.

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

X Yes

No

Don't know (Go to 'Displaying private hire vehicle operator details')

Displaying operator details

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

Comments:

We already allow operators to place their name on PHV's in conjunction with the 'pre booked only' sign. Not all operators or drivers want this but where it suits them both they can.

Displaying private hire vehicle operator details

49. 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

No

Don't know (Go to 'Using the term 'taxi' on private hire vehicles')

Vehicle operator details

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

Comments:

This is something we already allow as it promotes the operators name and gives the customer additional information.

Using the term 'taxi' on private hire vehicles

Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage requirement will help the public to distinguish between the 2 elements of the trade. To achieve this, licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.

Restrictions on the use of terms that might lead to confusion among the public are detailed in [section 64 of The Transport Act 1980 \[opens in a new window\]](#) in respect of roof-signs. To assist the public in differentiating taxis from private hire vehicles, where operator details are displayed on a vehicle, similar restrictions should be applied to all signage on private hire vehicles. This means the word "taxi" or "cab", whether singular or plural or any word of similar meaning or appearance to any of those words, whether alone or as part of another word, should not be permitted.

51. 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?

X Yes

No

Don't know (Go to 'Vehicle licensing: environmental considerations')

'Taxi' display

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

Comments:

Clearly this will lead to confusion about

Vehicle licensing: environmental considerations

Taxis and private hire vehicles that operate predominantly in urban areas can be significant contributors to poor local air quality, if not properly maintained and regularly checked, due to the higher usage.

We are therefore suggesting that emissions testing for vehicle that use petrol and diesel (including hybrids and range extenders) should be carried more frequently than the annual MOT vehicle test and inspection.

Greater detail on environmental considerations are covered in section 8 of the best practice guidance.

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

X Yes

No

Don't know (Go to 'Taxi rank provision')

Environmental considerations

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

Comments:

We currently have a requirement for two test per year once a vehicle is over 4 years old and believe this is an appropriate timescale.

Taxi rank provision

Taxi ranks can provide a useful interchange between modes of transport and a focal point for taxis and passengers at peak periods. There are a number of aspects that should be considered when assessing the number and location of taxi ranks, including how ranks contribute to a wider transport policy and its success in delivering accessible transport as disabled users are less able to seek alternatives.

When providing new taxi ranks or redesigning areas of the built environment in which existing ones are located, authorities should seek to:

1. Locate ranks as close as possible to transport interchanges and other key destinations that they serve in order to minimise walking distances for passengers.
2. Follow our [Inclusive Mobility guidance \[opens in a new window\]](#) and other sources of best practice in accessible street design

The provision of taxi ranks should be subject to regular review. This will assist local authorities to establish if a change in the current provision is required and how to make necessary amendments to ranks for the benefit of the travelling public. Our view is that a review every 3 years strikes the right balance between the burden placed on licensing authorities and being responsive to changes in passenger uptake or changing patterns in people flow.

Greater detail on the taxi rank provision is covered on section 11 of the best practice guidance.

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

- Yes
- No
- Don't know (Go to 'Model Byelaws for Hackney Carriages')

Renewal reasoning

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

Comments:

As a starting point every three years is fine but provision of ranks should be kept under constant review and new ranks introduced as and where necessary.

Model Byelaws for Hackney Carriages

Licensing authorities may introduce byelaws for hackney carriages to assist them in the regulation of the sector.

We have provided an example set of byelaws for licensing authorities to consider which are stated at Annex B of the best practice guidance.

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

They are very similar to our current bylaws.

Sample notices between taxi, private hire vehicle driver and passenger

We have created a sample notice for private hire vehicle drivers and passengers stating what they can expect from each other.

The driver will:

- drive with due care and courtesy towards the passenger and other road users
- use the meter within the licensed area, unless the passenger has agreed to hire by time, and as long as this is less than the metered fare
- if using the meter, not start the meter until the passenger is seated in the vehicle
- if travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensing area then the driver must adhere to the meter
- take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route

The passenger will:

- treat the vehicle and driver with respect and obey any official notices (for example in relation to eating or drinking in the vehicle)
- ensure they have the means to pay the fare before travelling. If wishing to pay by credit or debit card or to stop en route to use a cash machine, check with the driver before setting off
- be aware of the fare on the meter and make the driver aware if it is approaching the limit of their financial resources
- be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle

The sample notice for PHV passengers says what you can expect from the PHV driver and what the PHV driver can expect from you.

The driver will:

- ensure that the passenger has pre-booked and is aware of the estimated fare before setting off
- drive with due care and courtesy towards the passenger and other road users
- take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain if requested any diversion from the most direct route

The passenger will:

- treat the vehicle and driver with respect and obey any notices (for example in relation to eating or drinking in the vehicle)
- ensure they have the means to pay the fare before travelling. If wishing to pay by credit card or debit card or to stop en route to use a cash machine, check with the driver before setting off
- be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle

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

This idea has some merit but may be impractical, I can envisage many drivers disagreeing with this. It may be that having this available to operators and Councils for circulation would be a better way forward.

Staying safe: guidance for taxi drivers

We have produced a guide to help taxi drivers think of things that they can do to stay safe.

The guide:

- contains guidance on what they should do if they are concerned that a child may be at risk of harm
- sets out advice relating to hate crime, cash management, and several other areas of practice

- as well as individual guidance which includes:
 - hate crime
 - cash management
 - adjustments to their vehicle
 - things to carry with them

The full guidance is provided at annex G to the best practice guidance.

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

This is good advice and can be circulated to the trade quickly and easily, it could be added to the current information we give out to prospective drivers and when drivers renew their licence.

Staying safe: guidance for the private hire vehicle trade

We have produced a guide to help the private hire vehicle trade think of things that they can do to stay safe.

The guide:

- contains guidance on what they should do if they are concerned that a child may be at risk of harm
- sets out advice relating to hate crime, cash management, and several other areas of practice
- as well as individual guidance which includes:
 - hate crime
 - private bookings
 - cash management
 - adjustments to their vehicle
 - things to carry with them

The full guidance is provided at annex H to the best practice guidance.

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

This is good advice and can be circulated to the trade quickly and easily, it could be added to the current information we give out to prospective drivers and when drivers renew their licence.

Useful questions when assessing taxi quantity controls

Our view is that quantity controls should be removed unless a specific case can be made that such controls will benefit the consumer. Those that continue to limit the number of taxis should consider these questions.

Those relating to the policy of controlling numbers which are:

- have you recently reviewed the need for your policy of quantity controls?
- what form did the review of your policy of quantity controls take?
- who was involved in the review?
- what decision was reached about retaining or removing quantity controls?
- are you satisfied that your policy justifies restricting entry to the trade?
- are you satisfied that quantity controls do not:
 - reduce the availability of taxis?
 - increase waiting times for consumers?
 - reduce choice and safety for consumers?
- what special circumstances justify retention of quantity controls?
- how does your policy benefit consumers, particularly in remote rural areas?
- how does your policy benefit the trade?
- if you have a local accessibility policy, how does this fit with restricting taxi licences?

Those relating to setting the number of taxi licences, which are:

- when last did you assess unmet demand?
- how is your taxi limit assessed?

- have you considered latent demand, for example potential consumers who would use taxis if more were available, but currently do not?
- are you satisfied that your limit is set at the correct level?
- how does the need for adequate taxi ranks affect your policy of quantity controls?

Those relating to consultation and other public transport service provision which are:

- when consulting, have you included:
 - those working in the market?
 - consumer and passenger (including disabled) groups?
 - groups which represent those passengers with special needs, children and other vulnerable groups?
 - local interest groups, for example hospitals or visitor attractions?
 - the police?
 - a wide range of transport stakeholders for example rail, bus, coach providers and traffic managers?
- do you receive representations about taxi availability?
- what is the level of service currently available to consumers (including other public transport modes)?

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

They are unnecessary.

Final comments

62. Any other comments?

The draft guidance is welcome although long overdue, we would suggest this guidance is reviewed at regular intervals such as with the Licensing Act 2003 guidance.

Review of Hackney Carriage (Taxi) Fares (Environmental Services, Robert Smith)

Synopsis of report:

This report relates to an urgent review of fare tariffs charged by Hackney Carriage Vehicles.

Recommendation(s):

That fare tariffs are increased to an appropriate level, as outlined in the report

1. Context and background of report

- 1.1 It was agreed by this Committee in June 2014 that Runnymede carry out an internal review of fare tariffs (fares) or a trade survey on an annual basis in parallel with the hackney carriage/private hire fees review. This was in order to prevent future uncertainty surrounding fares and to afford consistency to the Councils approach to fares. Should there be indications that fares should change a consultation would then take place followed by a further report to this Committee.
- 1.2 The Council sets fares with a view to allowing hackney carriage drivers to have an income from their business which allows them to run their vehicles and supply the public with a service at a fair price.
- 1.3 The last increase of Hackney Carriage fares in the Borough took place in June 2014 when there was an increase of 5.5% for the pull off rate, 3.84% for the second mile and 4.76% for subsequent miles. There was no increase in waiting time.
- 1.4 It is important to note that the fares which are set by the Council are the maximum that can be charged – drivers cannot charge more but they can charge less should they wish.
- 1.5 The current table of Hackney Carriage fares is attached at Appendix 'A'.
- 1.6 Since the fare increase in 2014 there have been no requests for changes to the fares from the public.
- 1.7 A small number of drivers did ask at the beginning of 2018 that we consider a fare increase. Following a survey and a report to this Committee it was decided that no change be made to the fares.
- 1.8 On 9 November 2021 a report was submitted to this Committee following consultation on a fare increase. There were very few responses from the trade and none from the public and it was decided that fares would remain unchanged.

1.9 Members of this Committee were made aware at that meeting on 9 November 2021 that there may be a need to review the fares again as at that stage inflation was beginning to show signs of an increase.

1.10 We now find that around 6 months from our previous review of fares we have a situation where inflation is reaching 6% with fuel prices having risen particularly fast to unprecedented levels. With this in mind it is now time to review the fares again.

2. **Report**

2.1 As the last full fares survey was in 2021, Officers considered it timely to survey the hackney trade again for their latest opinion. The survey which shows the effect of a 10, 20 and 30p increase on rates (Appendix 'B') was circulated to all hackney drivers for consideration, the survey period being 6 April 2022 to 20 May 2022. The survey was also advertised on social media and the Council's website for the public to make comment. To avoid duplication, Appendix 'B' does not show the survey questions. These are set out in Appendix 'C' with the responses and comments, as collated.

2.2 Since the last fare increase in 2014 licensing fees have stabilized and in real terms they have reduced.

2.3 For comparison, Members should be aware of the fares in surrounding Boroughs. Some of these have already had a recent fare increase and others are now considering one. The chart at 'Appendix C' shows the fares in surrounding areas for typical journeys based on Tariff one which is between 6am and 10 pm for most areas, although there are some minor differences.

2.4 Inflation (the consumer price index, CPI) is a measure which can be used to judge fare levels.

2.5 The largest upward contributions to the March 2022 CPI 12-month inflation rate came from housing and household services (1.37 percentage points) and transport (1.24 percentage points, principally from motor fuels and second-hand cars).

Year on year the figures produced by the Office of National Statistics show the following rates for the CPI:

2.3% in the year to Aug 2015.

2.4% in the year to Aug 2016.

2.7% in the year to Aug 2017.

2.3% in the year to Aug 2018.

2.0% in the year to Aug 2019.

0.5% in the year to Aug 2020.

3.0% in the year to Aug 2021

6.2% as of March 2022

2.6 One of the main costs for hackney carriage drivers is of course fuel, with the majority running on diesel. The price of fuel has increased substantially over the last few months and is now at a record high.

2.7 These are the average branded garage prices for the month of June in each year (apart from 2022) supermarkets are normally 2 – 5 pence cheaper.

Year	June 2014	June 2015	June 2016	June 2017	June 2018	June 2019	June 2020	Sept 2021	Mar 2022
Petrol	126.7	116.5	112.0	116.9	129.5	129.2	109.3	131.6	163.8
Diesel	133.7	121.3	112.5	118.1	131.9	133.4	114.0	134.1	173.8

2.8 Other factors to consider such as insurance and servicing costs are of course going to rise roughly in line with inflation as will the cost of living.

2.9 The hackney carriage trade in Runnymede has been reluctant to call for an increase in fares in recent times due to the impact of out of area private hire vehicles in the area and the fear of pricing themselves out of business. The current inflationary pressures our hackney carriage trade will also affect the out of area private hire vehicles we find in Runnymede.

2.10 It is also worth noting that some hackney carriage drivers also work for private hire operators in Runnymede and operators do use our tariff as a measure for setting their own journey costs, some private hire vehicles work on meters set to the hackney carriage tariff for example. So, although the tariffs legally apply to hackney carriages only there is a relationship between the tariffs and the private hire operators licenced in Runnymede.

2.11 Should Members approve an increase in fares and no objections were received the timeline for introduction would be as follows-

- i) 6 June 2022 - Increase approved (call in period of 4 working days)
- ii) 13 June 2022-advert placed in local newspaper
- iii) 14-day period to allow for objections from date advert is published
- iv) Introduction as soon as possible thereafter once the taxi meters have been recalibrated. A date will have to be set by this Committee and then arranged with the companies who do the calibration. Therefore, a reasonable period prior to introduction is required to allow for the arranging of recalibration. At our last change in 2014 for instance this was approximately 6 weeks.

3. Resource implications

3.1 It would cost approximately £300 to place the notice in a local newspaper if there were fares change. Costs of this notice, the consultation process and any subsequent meetings or hearings, should be recovered by way of licence fees charged by the council and paid by the trade.

3.2 Any increase in fares would have a financial effect on taxi-users throughout the Borough.

3.3 Any increase in fares would incur a small, one-off cost to all hackney carriage proprietors for a meter recalibration

4. **Legal implications**

- 4.1 Section 65 of the Local Government Miscellaneous Provisions Act 1976 permits local authorities to set fares for Hackney Carriages. The legislation also requires that following any adjustment in fares the proposed changes be published in a local newspaper, following which a statutory 14-day period is allowed for any objections and should there be any the matter would then return to this Committee for further discussion. Any new proposed fares must also be made available for viewing at the offices of the Council.
- 4.2 If the Council proposes no changes to the current level of fares, there is no specific requirement to publish or advertise the fares for 2022/23 as it is neither making, fixing or varying its fares from the current fares. A copy of the last fares to have been fixed by this Council remain deposited at the offices of the Council and shall at all reasonable hours be open to public inspection without payment.

5. **Conclusions**

- 5.1 Officers are of the view that the information above concerning the cost of fuel and the CPI demonstrate a necessity for an increase in fares now.
- 5.2 If Members choose to increase fares, Officers would suggest an increase towards the higher end of the scale is appropriate and proportionate.

(To resolve)

Background papers

Office for National Statistics CPI charts
[Inflation and price indices - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/economy/inflationandpriceindices/articlesandreports/inflationandpriceindices)

Automobile Association national fuel statistics
<https://www.theaa.com/driving-advice/driving-costs/fuel-prices>

Local Government (Miscellaneous Provisions) Act 1976
[Local Government \(Miscellaneous Provisions\) Act 1976 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1976/101)

TABLE OF HACKNEY CARRIAGE FARES (With effect 3 June 2014)

IMPORTANT NOTE : The tariff in place at the time the hiring commences shall be the tariff for the whole of the hiring; taximeters are not to be calibrated to change rate mid-hire.

Rate 1	<u>Daytime Rate</u> - hiring between 6 am & 10 pm (except where rates 2, 3, or 4 apply)
1st mile set charge £3.80 2nd mile £2.70 pro rata Then £2.20 per mile (20p increments)	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 119m (130yds) or part thereof. If the distance exceeds 3217m (approx. 2 miles) for each subsequent 146m (159yds) or part thereof.
<i>Waiting Time 20p</i>	For each period of 35.3 seconds or part thereof
Rate 2	<u>Sunday & Late Evening</u> - hiring on Sundays or between 10 pm and midnight from Mondays to Saturdays inclusive (except where rates 3 or 4 apply)
1.25 x Rate 1 Set charge min. £4.75 2nd mile £3.37 pro rata Then £2.75 per mile (20p increments)	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 95m (103yds) or part thereof. If the distance exceeds 3217m (approx. 2 miles) for each subsequent 117m (127yds) or part thereof.
<i>Waiting Time 20p</i>	For each period of 28.2 seconds or part thereof
Rate 3	<u>Night & Holiday</u> - hiring between midnight and 6 am and Bank Holidays.
1.5 x Rate 1 Set charge min. £5.70 2nd mile £4.05 pro rata Then £3.30 per mile (20p increments)	Also between 6 pm and midnight on Christmas Eve and New Years Eve (except where rate 4 applies). If the distance exceeds 1609m but not 3217m, for each subsequent 79m (86yds) or part thereof. If the distance exceeds 3217m (approx. 2 miles) for each subsequent 98m (107yds) or part thereof.
<i>Waiting Time 20p</i>	For each period of 23.5 seconds or part thereof
Rate 4	<u>Double Time Rate</u> – hiring on Christmas Day, Boxing Day & New Years Day (double rate 1) from:- Midnight on 24 Dec to midnight on 26 Dec and Midnight on 31 Dec to midnight on 1 st Jan.
2 x Rate 1 Set charge min. £7.60 2nd mile £5.40 pro rata Then £4.40 per mile (40p increments)	If the distance exceeds 1609m but not 3217m, for each subsequent 119m (130yds) or part thereof. If the distance exceeds 3217m (approx. 2 miles) for each subsequent 146m (159yds) or part thereof.
<i>Waiting Time 40p</i>	For each period of 35.3 seconds or part thereof
Supplementary Charges	
30p	For each person in excess of two
30p	For each package, or article of luggage conveyed outside the passenger compartment.
30p	For each animal
Free of Charge	For each assistance dog (e.g. guide dogs & hearing dogs)
£50.00	Discretionary Soiling Charge

Important : If the journey takes the cab outside the Borough of Runnymede, the driver **MUST** still charge in accordance with the above scales unless he or she has agreed otherwise with the hirer **before the journey has started.**

6 April 2022

HACKNEY CARRIAGE FARES SURVEY

Due to the recent rise in inflation, the overall cost of living and increased fuel prices, Runnymede Council is about to undertake a review of the current Hackney Carriage fare.

The last fare increase in Runnymede was in 2014 and although surveys on increases have been made since that time there has been little enthusiasm for any increase.

Nationally and locally many Councils have increased fares recently or are considering doing so. Fares for the surrounding Council Boroughs are shown below for comparison.

If you have an opinion on fares **complete and return the attached survey** by 20 May 2022.

The matter will then be discussed at a meeting of the Regulatory Committee on 21 June 2022.

You will also find the survey on the Councils 'taxi and private hire news' web page.

<https://www.runnymede.gov.uk/taxi-licenses/taxi-private-hire-news>

Our current fare table is attached for your information.

The survey cannot give you all fare options but if you have a suggestion, please use the free text box.

One of the main costs for hackney carriage drivers is fuel, with the majority running on diesel. The price of fuel has increased substantially over the last few months and is now at a record high.

Information on fuel prices is obtained from the Automobile Association. The figures below are the average Branded garage prices for the month of June in each year (apart from 2022) supermarkets are normally 2 – 5 pence cheaper. The latest statistics only show up to February 2022.

Year	June 2014	June 2015	June 2016	June 2017	June 2018	June 2019	June 2020	Sept 2021	FEB 2022
Petrol	126.7	116.5	112.0	116.9	129.5	129.2	109.3	131.6	149.2
Diesel	133.7	121.3	112.5	118.1	131.9	133.4	114.0	134.1	161.8

Other overheads such as vehicle replacement, servicing cost, maintenance cost (such as new tyres), depreciation and insurance costs are also significant factors for the trade. All of these will be subject of inflationary pressures as well so the cost of these may increase.

Inflation - the consumer price index, (CPI) is another measure which can be used to judge fare levels. Year on year the figures produced by the Office of National Statistics show the following rates for the CPI:

- 2.3% in the year to Aug 2015.
- 2.4% in the year to Aug 2016.
- 2.7% in the year to Aug 2017.

2.3% in the year to Aug 2018.
 2.0% in the year to Aug 2019.
 0.5% in the year to Aug 2020.
 3.0% in the year to Aug 2021
 4.9% as of January 2022

Rate 1 Fare comparison chart

	Runnymede	Woking	Spelthorne	Elmbridge	Surrey Heath	Windsor & Maidenhead	Guildford	London* Due to rise on 30Apr	Average (outside London)
Pull Off/ set charge for first mile	£3.80	£4.60	£3.70	£3.85	£4.60	£6.00	£5.13	£5.63	£4.53
Second Mile (Metered)	£2.70	£2.10	£2.50	£2.25	£3.20	£2.40	£2.33	£3.00	£2.50
Subsequent Miles (Metered)	£2.20	£2.10	£2.50	£2.25	£3.20	£2.40	£2.33	£3	£2.43
Cost of a Two-Mile Journey	£6.50	£6.70	£6.20	£6.10	£7.80	£8.40	£7.46	8.63	£7.02
Cost of a Five Mile Journey	£13.10	£13.00	£13.70	£12.85	£17.40	£15.60	£14.45	17.63	£14.30

To demonstrate how any increase would change the fare tables, the information below shows the effect of adding 10p, 20p or 30p to the second and subsequent miles over the different rates. Please note the pull off rate is not shown.

For a 10p increase

Rate 1 second mile	£2.80
Rate 1 subsequent miles	£2.30
Rate 2 second mile	£3.50
Rate 2 subsequent miles	£2.88
Rate 3 second mile	£4.20
Rate 3 subsequent miles	£3.45
Rate 4 second mile	£5.60
Rate 4 subsequent miles	£4.60

For a 20p increase

Rate 1 second mile	£2.90
Rate 1 subsequent miles	£2.40

£3.63

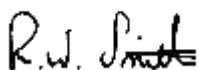
Rate 2 second mile	
Rate 2 subsequent miles	£3.00
Rate 3 second mile	£4.35
Rate 3 subsequent miles	£3.60
Rate 4 second mile	£5.80
Rate 4 subsequent miles	£4.80

For a 30p increase

Rate 1 second mile	£3.00
Rate 1 subsequent miles	£2.50
Rate 2 second mile	£3.75
Rate 2 subsequent miles	£3.13
Rate 3 second mile	£4.50
Rate 3 subsequent miles	£3.75
Rate 4 second mile	£6.00
Rate 4 subsequent miles	£5.00

Please take the time to give us your views.

Once you have completed the survey you can return by email to licensing@runnymede.gov.uk or by post to Runnymede Borough Council, Licensing section, Runnymede Civic Centre, Station Road, Addlestone. KT15 2AH



Robert Smith
Senior Licensing Officer



RBC 2022 Fare Review Survey

Please note that rates are calculated 'pro rata' so any increase in the mileage rate or waiting rate would also affect rates 2, 3 and 4 proportionately.

- 1 Our current fares which were last raised in 2014, they are as follows for rate 1, 1st mile set charge (pull off) £3.80, 2nd mile (metered) £2.70 pro rata then £2.20 per mile (metered) for subsequent miles.

Do you think hackney carriage fares should be increased? **Yes** **No**

*If you answered **yes**, please complete the below questions.*

9 Hackney Carriage drivers said Yes

5 Private Hire drivers said Yes

- 2 The current fare for the first mile (pull off) is £3.80.

Do you think the 'pull off' fare should be increased? **Yes** **No**

9 Hackney Carriage drivers said Yes

5 Private Hire drivers said Yes

The increase should be (place a cross in the box next to your preference).

10p to £3.90 1 HC drivers chose

20p to £4.00 1 PH drivers chose

30p to £4.10 2 HC drivers chose and 4 PH drivers

Other - please enter here –

6 HC drivers chose other 4.00 / 4.40 / 4.60 and 3 chose 5.00

- 3 The current fare for the second mile is £2.70.

Do you think the second mile fare should be increased? **Yes** **No**

9 Hackney Carriage drivers said Yes

5 Private Hire drivers said Yes

The increase should be (place a cross in the box next to your preference).

10p to £2.80 1 HC driver chose

To all Runnymede licensed Hackney Carriage Drivers/proprietors

20p to £2.90 1 HC drivers chose

30p to £3.00 5 HC drivers chose and 5 PH drivers

4 The current fare for any subsequent miles is £2.20 per mile.

Do you think the subsequent miles fare should be increased

Yes

No

9 Hackney Carriage drivers said Yes

5 Private Hire drivers said Yes

The increase should be (place a cross in the box next to your preference)

10p to £2.30 1 HC driver and 1 PH driver chose

20p to £2.40 2 HC driver chose

30p to £2.50 5 HC drivers chose and 3 PH drivers C

5 The waiting time charge is currently 35.3 seconds for every 20p at rate 1. This is equivalent to £20.39 per hour Do you think there should be a proportionate increase in the waiting time charge?

Yes

No

8 Hackney Carriage drivers said Yes and 1 said No

5 Private Hire drivers said Yes

6 Should supplementary charges (currently 30p) be increased

Yes

No

7 Hackney Carriage drivers said Yes and 2 said No

4 Private Hire drivers said Yes and 1 Said No

The change should be (place a cross in the box next to your preference)

increase to 40p 1 HC driver chose

increase to 50p 6 HC drivers and 4 PH drivers chose

If you have any other relevant suggestions or comments, please use the space below.

To all Runnymede licensed Hackney Carriage Drivers/proprietors

Hackney Carriage drivers' comments:

1. This Tarif has not been raised for eight years, if this is not addressed soon there will be no drivers left as it is becoming less viable
2. every year. I will stress again that if certain drivers are against the raise due to competition from uber etc then please remind them
3. they can charge what they like as long as it is below the metered rate.
4. It is time for a significant rise as no rise for 8 yrs, the cost of maintaining vehicles to a good standard required has risen along with cost of fuel is in line with my proposal on the survey
5. with the price of living and fuel at the moment I can only say that the meter should start at at least 5.00 so we can earn enough to at least be meeting equivalent profit as being on minimum wage
6. with the price of living and fuel at the moment I can only say that the meter should start at least 5.00 so we can earn enough to at least be meeting equivalent profit as being on minimum wage
7. Runnymede should be in line with Surrey Heath
8. It needs to be a substantial raise, as no rise for 8 years plus major competition in this area(Uber) minimum of £5 pull off and they are allowed to inflate their prices at will. The cost of fuel has rocketed and the cost of keeping cars to good standard is again rising.

Private Hire drivers' comments:

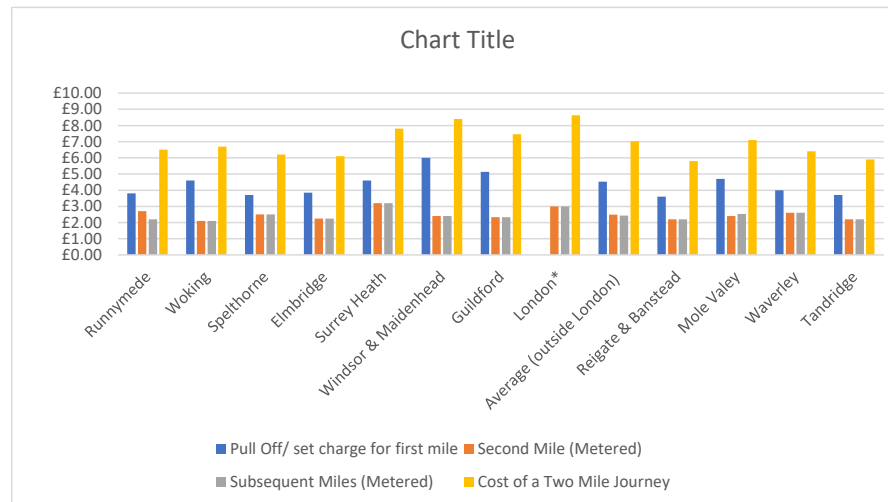
1. I am PH OP although PH have been asked by my PH drivers to forward their desire to see an increase as they all use meter, although they are aware that their response will not be taken into consideration, they still wish to let the committee know that there is a great deal of interest as we have not had an increase in 8 years.

Printed name:- _____ Signature:- _____

Driver number:- **DR**_____ Date:- _____

Thank you for taking the time to complete this survey. You can return it by email to licensing@runnymede.gov.uk or by post to Runnymede Borough Council, Licensing section, Runnymede Civic Centre, Station road, Addlestone. KT15 2AH

	Runnymede	Woking	Spelthorne	Elmbridge	Surrey Heath	Windsor & Maidenhead	Guildford	London*	Average (outside London)	Reigate & Banstead	Mole Valley	Waverley	Tandridge
Pull Off/ set charge for first mile	£3.80	£4.60	£3.70	£3.85	£4.60	£6.00	£5.13	5.63(Metered)	£4.53	£3.60	£4.70	£4.00	£3.70
Second Mile (Metered)	£2.70	£2.10	£2.50	£2.25	£3.20	£2.40	£2.33	£3.00	£2.50	£2.20	£2.40	£2.60	£2.20
Subsequent Miles (Metered)	£2.20	£2.10	£2.50	£2.25	£3.20	£2.40	£2.33	£3	£2.43	£2.20	£2.53	£2.60	£2.20
Cost of a Two Mile Journey	£6.50	£6.70	£6.20	£6.10	£7.80	£8.40	£7.46	8.63	£7.02	£5.80	£7.10	£6.40	£5.90
Cost of a Five Mile Journey	£13.10	£13.00	£13.70	£12.85	£17.40	£15.60	£14.45	17.63	£14.30	£12.40	£14.70	£14.20	£12.50



* London rate1 ends at 8pm.

Urgent Action – Standing Order 42 (Law and Governance, Clare Pinnock)

A copy of proforma 994 detailing action taken after consultation with the Chairman and former Vice-Chairman of the Committee is attached at Appendix 'A'.

(For information)

Background papers

None

9984

CONSULTATION WITH APPROPRIATE CHAIRMAN AND VICE- CHAIRMAN FOR URGENT ACTION
TO BE TAKEN UNDER STANDING ORDER 42

TO: Councillors J Wilson and D Cotty
Chairman and Vice- Chairman of the Regulatory Committee

FROM: EH (LICENSING) Robert Smith Senior Licensing Officer

OFFICER REFERENCE:

DATE: 13/12/2021

1. Synopsis of report:

To present the revised Gambling Policy 2022 – 2025.

2. Reasons why this matter cannot wait for a Committee Decision.

The proposed amendments are minor and relate to non-legislative matters. These were fully discussed by Members on 9 November 2021, where approval was given for public consultation.

This is a short report, with no representations having been made following the consultation exercise.

Owing to the fluid nature of the current pandemic restrictions, and the changing Covid threat environment, it is considered prudent to finalise the decision making process by SO42 rather than meet in person in a relatively enclosed space. In addition, this was the only item of business on the agenda, so it is more efficient to use the SO42 route.

3. Recommendation(s)

The revised Gambling Policy 2022 – 2025, as attached at Appendix 'A' be approved.

4. Context of report

- 4.1 The Gambling Act 2005 came into effect on 1 September 2007 and gave Local Authorities responsibility for several regulatory functions in relation to gambling.
- 4.2 The provisions of the Gambling Act 2005 require that the Council produces a Statement of Gambling Principles (the policy) every three years. The form and content of the policy is prescribed by The Gambling Act 2005 (Licensing Authority Statement) (England and Wales) Regulations 2006.
- 4.3 Runnymede's current policy was approved by the Regulatory Committee in November 2018 and is valid from 31 January 2019 to 30 January 2022.
- 4.4 The Gambling Commission's Guidance to Licensing Authorities dated 13 May 2021 was used to review our current policy and it has been concluded that this policy is substantively up to date with the current guidance.
- 4.5 The draft policy for 2022-2025 was presented to the Regulatory Committee on 9 November 2021, where approval was given for public consultation.

5. Report and, where applicable, options considered

- 5.1 The proposed changes to the policy are limited to those which make some specific areas easier to understand by adding further information. Namely the wording of parts 1.2, 2.8 and 3.1. In addition, the Local Area Profile (LAP) has been changed so that the new corporate version is linked to the policy.
- 5.2 The policy contains no material changes to the intent or direction of the previous policy, which is that the Council seeks to ensure that premises licensed for gambling uphold the licensing objectives. Because the proposed amendments are minor and relate to non-legislative matters the proposed consultation was carried out over a 7-week period. This was deemed proportionate given the minor nature of the changes.
- 5.3 Consultation duly took place between 10 November 2021 and 31 December 2021, no representations or comments were received.
- 5.4 Following consultation the proposed policy for 2022-2025 is attached at Appendix 'A' and remains the same as that which was approved by the Regulatory Committee in November 2021.

6. Policy framework implications

- 6.1 The revised policy if approved would come into effect on 31 January 2022 and it sets out a document which includes small changes to legislation and the addition of further information to assist operators in complying with the Gambling Act 2005 and the promotion of the licensing objectives.

7. Financial and Resource implications (where practicable)

- 7.1 There are no specific financial implications resulting from the matters considered in this report. The minimal cost of consultation and publication will be met from the running costs of the Licensing team.

8. Legal implications

- 8.1 Under section 349 of the Gambling Act 2005, a Licensing Authority must prepare and publish the policy they propose to apply in exercising their functions under the Act.
- 8.2 Prior to the policy coming into effect, it must be advertised in accordance with the Gambling Act 2005 (Licensing Authority Statement) (England and Wales) Regulations 2006.

9. **Equality implications**

- 9.1 The Council is required by the Equality Act 2010 to have due regard to the Council's Public Sector Equality Duties to eliminate discrimination and to consider how it may advance equality of opportunity and foster good relations between different groups and sectors of the community as they carry out their functions.
- 9.2 The Council's Gambling Policy has been drafted with Equalities issues being considered in the context of the licensing objectives and the LAP. Specifically relevant to people with protected characteristics is the Licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling. This engages the characteristics of age and potentially disability. An Equalities screening assessment was carried out on the existing policy prior to its introduction in 2018, the limited number of changes in the proposed revised policy do not have any impact on protected characteristics.
- 9.3 Section 1.5.1 of the Policy sets out how the authority intends to protect children and Section 2.3 concerns Local Risk Assessments, which take into account factors such as the location of premises and their proximity to schools, nurseries, childcare facilities, centres for the care of vulnerable adults and or children, including facilities for people with disabilities and residential areas with a high concentration of children or older persons, demonstrating that the Council has had due regard to Equalities issues throughout.
- 9.4 The LAP contains key demographic information for the borough with regard to the protected characteristics under the Equality Act 2010.

10. **Other implications (Environmental/biodiversity/ sustainability must be addressed)**

None identified.

11. **Background papers**

The Gambling Act 2005

<http://www.legislation.gov.uk/ukpga/2005/19/contents>

The Gambling Act 2005 (Licensing Authority Statement) (England and Wales) Regulations 2006.

<https://www.legislation.gov.uk/uksi/2006/636/contents/made>

The Gambling Commission's latest 'Guidance to Licensing dated 13 May 2021

<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

Gambling Commission - Licence Conditions and Codes of Practice dated 31 October 2020

[Licence Conditions and Codes of Practice - Gambling Commission](#)

Runnymede Borough Council – Local Area Profile (LAP)

<https://www.runnymede.gov.uk/downloads/file/752/rbc-profile>

12. **Chief Officer(s) Decision**

Signature of authorised officer ..

[Redacted Signature]

20/12/21

I have been consulted and am in agreement with the above

Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or authorised representatives

.....

NB: this must include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

13. **Chief Executive's Decision**

Signature of Chief Executive ..

[Redacted Signature]

I have been consulted and am in agreement with the above

14. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

Signed

[Redacted Signature]

Date

25/1/22

Signed

[Redacted Signature]

Date

19/1/22

I have the following further comments:

Further information may be obtained from Robert Smith on Ext. 5722

The completed copy is to be returned by the Councillors to the Corporate Head of Law and Governance (John Gurmin) who will send a copy to the Chief Officer and report to the relevant Committee for information.