



Regulatory Committee

Tuesday, 20 June 2023 at 7.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: J Wilson (Chairman), M Harnden (Vice-Chairman), D Clarke and R Davies

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 contact Democratic.Services@runnymede.gov.uk or 01932 425622. 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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the front of the Agenda prior to the start of the meeting so that the Chairman is aware and those attending the meeting can be made aware of any filming taking place.

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 15 March 2023 (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. | 2023 Annual report on Hackney Carriage and Private Hire Licensing | 6 - 17 |
| 6. | Taxi Driver Medicals Consultation | 18 - 37 |
| 7. | Review of Public Charitable Collections Policy Consultation | 38 - 50 |
| 8. | Exclusion of Press and Public | |

Part II

There are no exempt or confidential items on this agenda.

Runnymede Borough Council

Regulatory Committee

Wednesday, 15 March 2023 at 7.44 pm

Members of the Committee present: Councillors J Wilson (Chairman), E Gill (Vice-Chairman), J Broadhead, T Burton and V Cunningham (In place of S Saise-Marshall).

Members of the Committee absent: None

603 **Minutes**

The Minutes of the meeting held on 4 January 2023 were confirmed and signed as a correct record.

604 **Declarations of Interest**

There were no declarations of interest.

605 **Hackney Carriage Ranks**

The Committee received for information a report about the number and location of taxi ranks in the borough.

Officers reported that serving the 48 licensed taxis in Runnymede there were 17 hackney carriage ranks across the borough. There were 6 bays at Egham Railway station, and 2 each at the railway stations in Chertsey and Addlestone. In addition, there were 5 bays at Thorpe Park and 2 at Station Parade, Virginia Water.

The railway station bays were provided by South Western Railways under a long standing arrangement with the Council. The current price paid was £500 per bay plus VAT per annum, which it was agreed was beneficial to the drivers who paid for them as part of their vehicle licence fees.

In terms of usage, those at Egham and Chertsey were the most used. It was noted that the bays in Addlestone had been out of service since September 2022 owing to improvement works at the station. Officers agreed to monitor the situation and re-assess if they remained out of commission for longer than a year.

The Committee considered that as a discretionary service providing taxi ranks was still worthwhile and of assistance to the trade. The agreement with South Western Railways compared favourably with other boroughs and those without anything in place.

606 **Taxi Driver Medicals Consultation**

The Committee's approval was sought to launch a public consultation on the current requirements for taxi drivers and the frequency of medicals.

Officers explained that the Council's conditions were more stringent than those required of other types of driver by the DVLA. Therefore, there was desire to mirror their arrangements which would be a financial and administrative saving for the drivers.

Currently drivers had to undergo a medical on application and then every five years

thereafter, and then annually once they reached the age of 60. Annual medicals were also required when drivers had a prescribed medical condition.

The Committee was informed of the age profile of the 89 licensed drivers in Runnymede who would all benefit from the frequency of medicals being relaxed.

Officers proposed that drivers would still need to meet the Group 2 standard as set out in the Department for Transport best practice guidance but that the frequency of medicals be reduced to meet the DVLA's Group 2 timescales. Subject to the outcome of the proposed consultation, drivers would be required to meet the Group 2 standard on application, at age 45 and thereafter every 5 years until the age of 65 when they would be needed annually and in the event of a driver's ability to drive being affected by a medical condition or disability. In such circumstances it was noted that drivers were obligated to disclose this to the licensing authority.

Officers had undertaken a benchmarking exercise with other local authorities whose frequency of medical assessments varied. On balance, the Committee agreed that those proposed for Runnymede were reasonable and proportionate.

The Committee supported the consultation paper to be released to the public and the trade and looked forward to what responses would be received. Members thought it was important to promote the consultation as widely as possible in liaison with the Council's Communications team to reach as many people they could.

Officers would be holding a taxi forum later that month and would encourage drivers to engage with the exercise.

Officers would report the outcome of the Consultation to the next scheduled meeting in June 2023.

RESOLVED that –

A consultation with the public and the taxi trade regarding the proposed amendments to Runnymede's Hackney Carriage and Private Hire Licensing Policy be approved, to be undertaken in accordance with the provisions set out in the Council's Constitution regarding consultation requirements.

607 Exclusion of Press and Public

There were no exempt or confidential items on the agenda.

(The meeting ended at 8.08 pm.)

Chairman

2023 Annual Report on Hackney Carriage and Private Hire Licensing (Environmental Services, Robert Smith)

Synopsis of report:

To present the 2023 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.

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. To have some commonality with other reports, unless otherwise stated, the data covers the period 1 April 2022 to 31 March 2023.

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 licensed since 2012 (when we started compiling this information) is shown at Appendix 'A'.
- 2.3 Members will note the number of licensed drivers and vehicles has declined over the past 6 years and more recently the speed of the decline has increased since 2017. It does though, appear that the decline has now slowed and we are seeing a levelling out in numbers. There are still more drivers licensed than vehicles and it is likely that as drivers with no vehicles come to the expiry of their current HC or PHV licence they will not renew it, so we do expect driver numbers to reach near parity with vehicles over the next 2 years. 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 during that time although these have now recovered to pre pandemic levels with operators reporting a high demand for their services. Driver shortages are a countrywide problem and not unique to one area. Many drivers have not returned to the trade post pandemic, those who were of an age where they could retire have decided to do so and some drivers have moved on to other jobs.

- 2.4 Members may 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 of 31 March 2023.

Chart 1- mileage of vehicles

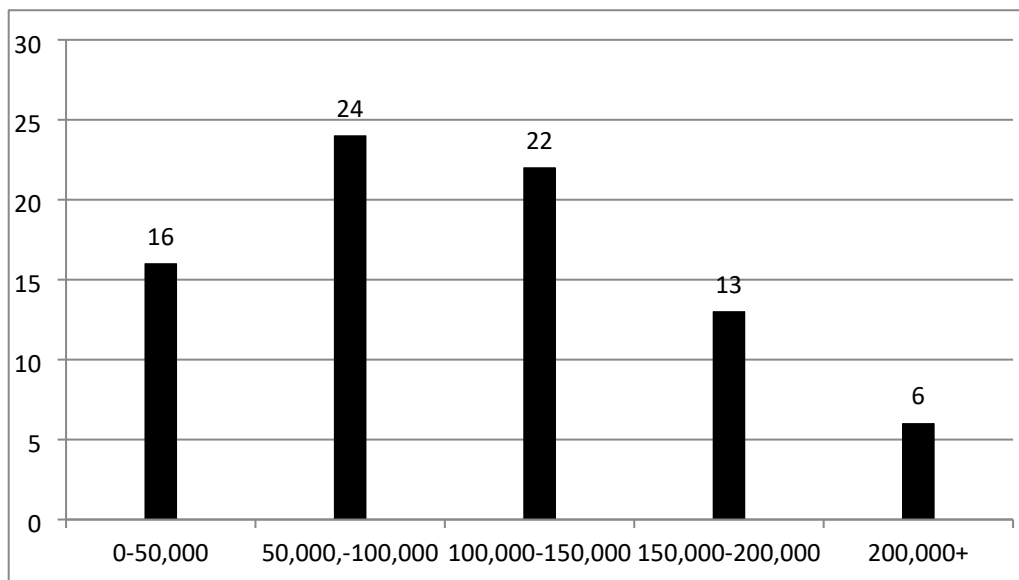
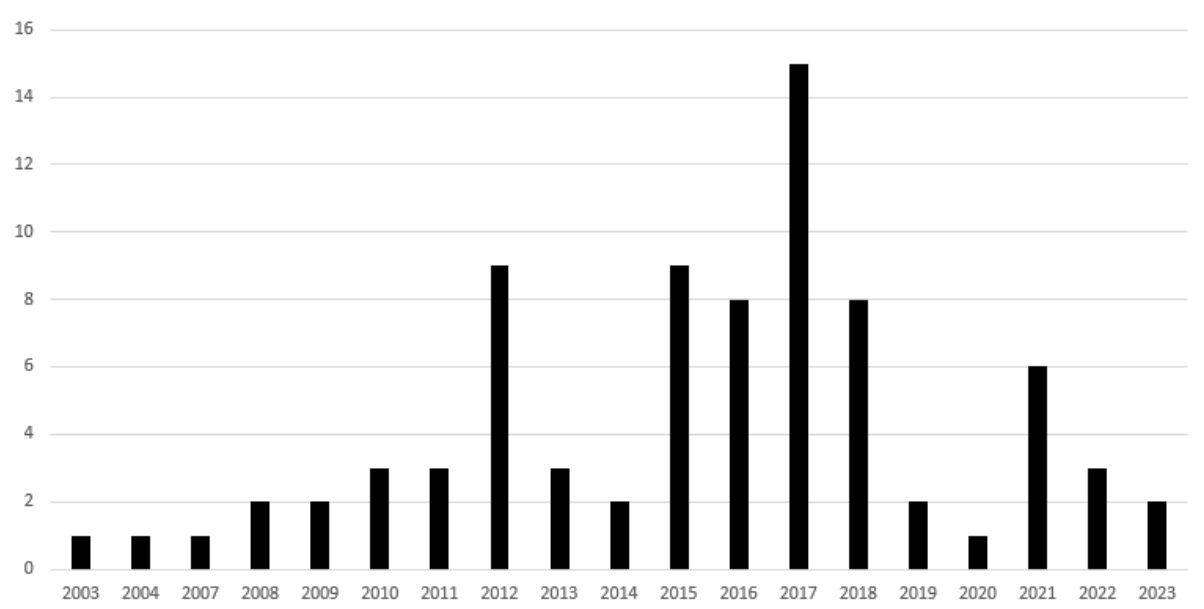


Chart 2 - ages of vehicles

(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

Vehicle registered from	Emissions standard	Number licensed
1 January 2001	Euro 3	2
1 January 2006	Euro 4	8
1 January 2011	Euro 5	22
1 September 2015	Euro 6	49

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. It is reviewed regularly and on practice small changes are made to update it with the newest information following road layout/name changes or the structure of questions.
- 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 test is a simple test of the applicant's knowledge of the local area. This comprises 60 questions which ask for the street name and town of locations or prominent landmarks. In demonstrating they know where these key locations are, we can be confident that the driver has an appropriate 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 are asked to supply us with their e-mail address; this is the best way to communicate with them and vice versa. We can 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 2.6, 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 being held on 22 March 2023. The remaining forums for 2023 will be held on 12 July and 25 October.
- 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.
- 2.21 Transport for London Enforcement Officers have supported us in previous years and last joined us for enforcement days in April 2019. They have been available post Covid but we have met with them in person recently and joint enforcement days will be resumed shortly.
- 2.22 Complaints have been received about Runnymede drivers in the last financial year. A list of these is produced below.
- attitude of driver - 2 complaints from members of the public, 1 x allegation of poor driving and shouted at other driver investigated and lacked evidence, no cctv or independent witnesses. - driver advised. 1x allegation of poor parking on a taxi ramp and shouting at person on foot investigated and lacked evidence, no cctv or independent witnesses. - driver advised.
 - attitude of driver – 1 informal complaint from another Runnymede driver regarding poor use of language by another Runnymede driver - driver advised.
 - misuse of taxi rank - warning given to RBC licensed driver who had parked on a taxi rank in another area.
 - vehicle condition – warning given to Runnymede licence driver for using a hackney carriage without a roof light.
 - vehicle condition – warning given to Runnymede licence driver for using a private hire vehicle without pre book only door signs – driver warned and advised.
 - Use of vehicle – formal interview and warning to Runnymede licensed driver over conditions of use.
- 2.23 Previously there was no scope to recover enforcement costs through taxi licensing fees. Councils can now 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 recording the amount of time spent on any investigation so that any additional costs can be recovered through the fee structure.
- 2.24 It must be emphasised that enforcement activity does take a considerable amount of time and of course it must be done correctly and 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

- 2.25 Fees and hackney carriage fares are reviewed annually in November of each year. Following review in 2022 changes were made to fees for the period 2023/2024. The fees are shown at Appendix 'B'.
- 2.26 Hackney carriage fares were last increased on 2 July 2022 following some volatility in fuel prices and high inflation rates. It is the Officers' view that the Council must be flexible enough to review fares as and when circumstances dictate. The current fares are shown at Appendix 'C'. A survey to assess the

trades views on another increase was carried out in April this year and only 3 responses were received, 2 for and 1 against.

- 2.27 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.
- 2.28 It is essential that fee setting for taxi and private hire licensing reflects the true cost of administering/determining applications.
- 2.29 Fee setting will take place again later this year; a report will be presented to this Committee in November 2023.
- 2.30 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 of 31 March 2023, we have 127 (59%) fewer drivers and 108 (57%) fewer vehicles than we did 5 years ago on 31 March 2018. This equates to an income loss of approximately £51,000 from drivers (this is split over a three-year period as licences are valid for three years) and approximately £27000 from vehicles per year (vehicle licences only being valid for one year) an approximate total of £44,000 per year after considering the driver licence fee being split over three years (all figures are approximate).

New and proposed Legislation and Guidance

- 2.31 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.
- 2.32 The Department for Transport best practice guidance for taxi and private hire vehicles was last published in 2010. An updated version was subject to consultation in 2022 and the resulting update is awaited.
- 2.33 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:
- 2.34 The National Register of Taxi Licence Revocations and Refusals (NR3) has been available since 2018. The Register provides a mechanism for licensing authorities to record details where a taxi or PHV drivers' licence has been refused or revoked and allows licensing authorities to check new applicants against the Register. The simple objective of the NR3 was to ensure that licensing authorities could take properly informed decisions on whether an applicant was 'fit and proper', in the knowledge that another authority had previously reached a negative view on the same applicant.
- 2.35 NR3 was developed and promoted to improve public safety and confidence in taxi and PHV licensing. The benefits of sharing this data were widely acknowledged and the Department for Transport (DfT) has recognised the value of NR3, using legislation to mandate its use.
- 2.36 On 31 March 2022, the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent. Statutory Guidance was published on 23 May 2022. From 7 April 2023, the Act places new duties on PHV licensing authorities in England. The Act contains provisions that require licensing authorities to record information relating to drivers' licensing histories (refusals, revocations or suspensions) on a National Register. Furthermore, before a licensing authority in England decides whether to grant or renew a

driver licence, it must search the Register for any entry relating to the applicant.

- 2.37 The Secretary of State has approved the new Register and confirmed that it will be maintained by the National Anti-Fraud Network (NAFN).
- 2.38 The simple objective of the NR3 National Register is to ensure that licensing authorities can take properly informed decisions on whether an applicant is 'fit and proper' in the knowledge that another licensing authority has previously reached a negative view on the same applicant. The NR3 Register provides a mechanism for licensing authorities to establish whether an individual has had a licence refused, revoked or suspended and identifies the licensing authority that took the action.
- 2.39 Whenever a taxi and PHV licensing authority processes a new application or renewal, it is required to check the NR3 Register at a suitably early stage of the process to confirm whether the applicant was subject to a previous licensing decision of which they should be aware. A licensing authority must not base its decision solely on an entry on the database. Every application must be considered on its own merits.

Conditions and requirements

- 2.40 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.
- 2.41 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. All drivers and operators who are licensed in Runnymede have completed the training.
- 2.42 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.
- 2.43 On 28 June 2022, the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 (the 'Act') took effect in England, Scotland, and Wales. It amended the Equality Act 2010 by introducing new and amended existing duties for local authorities and taxi and private hire vehicle (PHV) drivers and operators alike. Following consultation this Committee agreed to make it a condition of driver licensing that drivers and operators take an online course to avail themselves of their new duties and responsibilities. This costs £40-45 per person.
- 2.44 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

- 2.45 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.

- 2.46 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.
- 2.47 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.
- 2.48 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.
- 2.49 SWR charges per calendar year. In the calendar year 2022 and again 2023 Runnymede Council was charged £5,000 (exc Vat) in total for all ten station car park bays, this amounts to £500 per bay.
- 2.50 For individual hackney carriage proprietors in Runnymede this equated to approximately £145 for each vehicle per year in 2022. 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

- 2.51 The Section's current staffing consists of: -
- One full time Senior Licensing Officer who 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.
- 2.52 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.
- 2.53 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 (12.5 hours) 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

- 2.54 As stated above, the Department for Transport's best practice guidance for taxi and private hire vehicles has been consulted upon and the definitive version will be subject of a further report to this Committee.
- 2.55 Although some way in the future, this Committee should be aware 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.

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. It does appear that the number of drivers and vehicles has stabilised over the last few months (Post March 2023).

(For Information)

Background papers

Runnymede Hackney Carriage and Private Hire Licensing Policy
[Hackney Carriage and Private Hire Licensing Policy 2020 to 2025](https://runnymede.gov.uk/hackney-carriage-and-private-hire-licensing-policy-2020-to-2025)
(runnymede.gov.uk)

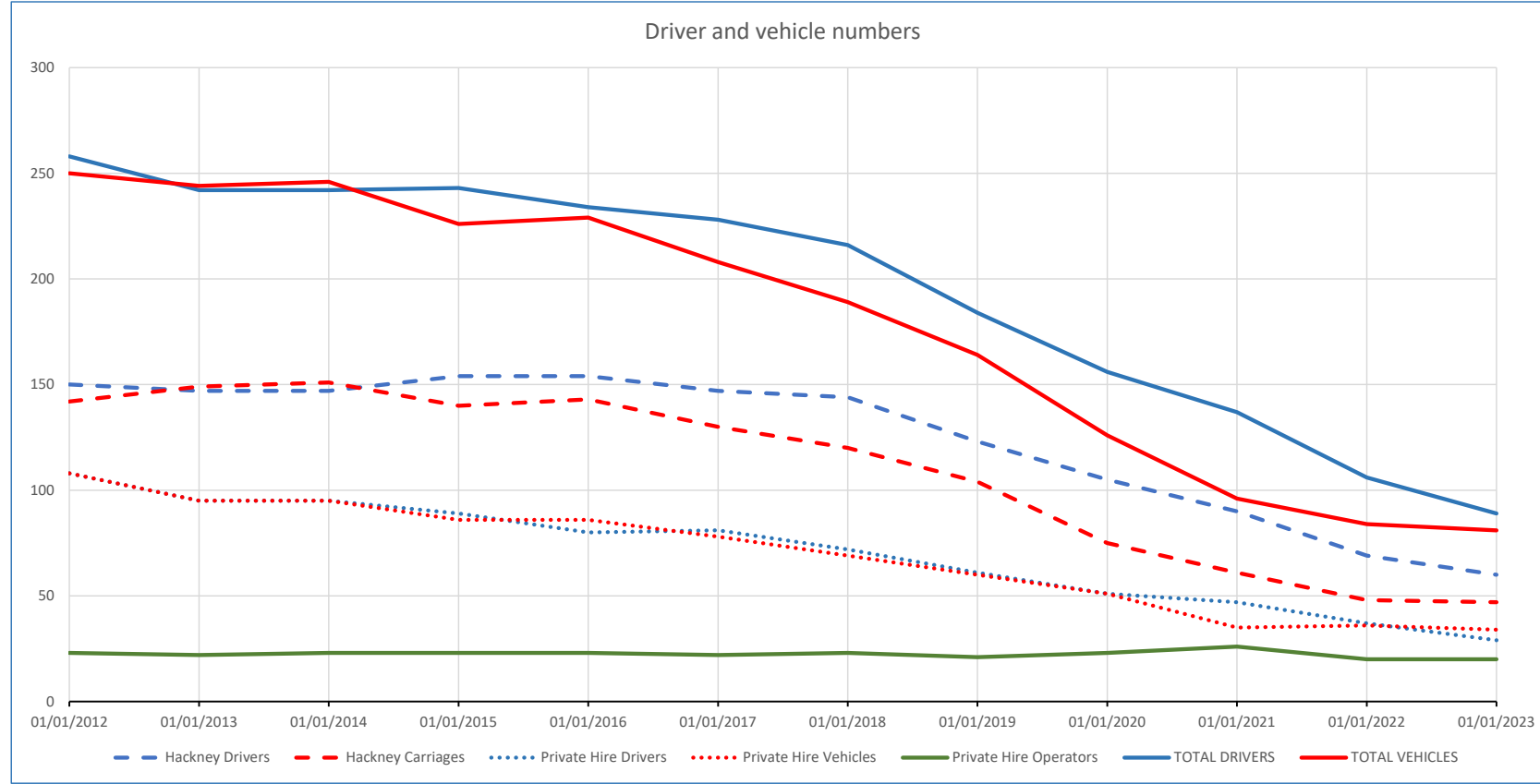
Levelling up White Paper - the United Kingdom
<https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

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

	01/04/2012	01/04/2013	01/04/2014	01/04/2015	01/04/2016	01/04/2017	01/04/2018	01/04/2019	01/04/2020	01/04/2021	01/04/2022	01/04/2023
Hackney Drivers	150	147	147	154	154	147	144	123	105	90	69	60
Hackney Carriages	142	149	151	140	143	130	120	104	75	61	48	47
Private Hire Drivers	108	95	95	89	80	81	72	61	51	47	37	29
Private Hire Vehicles	108	95	95	86	86	78	69	60	51	35	36	34
Private Hire Operators	23	22	23	23	23	22	23	21	23	26	20	20
TOTAL DRIVERS	258	242	242	243	234	228	216	184	156	137	106	89
TOTAL VEHICLES	250	244	246	226	229	208	189	164	126	96	84	81



Fees and charges					
	Charge Status	From April 2022 £	From April 2023 £	% Increase	Yield £
<u>Taxi and Hackney Carriage licensing fees (outside scope of VAT)</u>					
<u>Vehicle applications</u>					
Hackney Carriage licence	Discretionary	307.00	339.00	10.42%	24,000
Private hire vehicle licence	Discretionary	199.00	196.00	-1.51%	
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	119.00	92.00	-22.69%	
<u>Changes to licence</u>					
Change of vehicle during the licensing period (i.e. transfer to replacement vehicle for balance of licence period - existing plate must be returned)	Discretionary	93.00	67.00	-27.96%	1,200
Change of vehicle licence type during the licensing period (e.g. from Hackney Carriage to private hire)	Discretionary	93.00	67.00	-27.96%	
Change of drivers licence during the licensing period (e.g. From private hire to Hackney Carriage drivers licence)	Discretionary	34.00	34.00	0.00%	
<u>Drivers licence new applications</u>					
Combined Hackney Carriage and private hire drivers licence - one year	Discretionary	237.00	238.00	0.42%	300
Combined Hackney Carriage and private hire drivers licence - three year	Discretionary	463.00	468.00	1.08%	
Private hire drivers licence - one year	Discretionary	237.00	238.00	0.42%	
Private hire drivers licence - three year	Discretionary	463.00	468.00	1.08%	
<u>Drivers licence renewals</u>					
Combined Hackney Carriage and private hire drivers licence - one year	Discretionary	170.00	178.00	4.71%	16,500
Combined Hackney Carriage and private hire drivers licence - three year	Discretionary	398.00	411.00	3.27%	
Private hire drivers licence - one year	Discretionary	170.00	178.00	4.71%	
Private hire drivers licence - three year	Discretionary	398.00	411.00	3.27%	
<u>Private hire operators licence (valid for 1 year)</u>					
1 vehicle owner/driver	Discretionary	178.00	202.00	13.48%	3,200
2 - 5 vehicles	Discretionary	191.00	207.00	8.38%	
6 - 20 vehicles	Discretionary	241.00	233.00	-3.32%	
21 - 40 vehicles	Discretionary	309.00	268.00	-13.27%	
41 - 60 vehicles	Discretionary	376.00	302.00	-19.68%	
61 - 80 vehicles	Discretionary	443.00	336.00	-24.15%	
81 - 100 vehicles	Discretionary	511.00	371.00	-27.40%	
<u>Private hire operators licence (valid for 5 years)</u>					
1 vehicle owner/driver	Discretionary	523.00	640.00	22.37%	
2 - 5 vehicles	Discretionary	537.00	646.00	20.30%	
6 - 20 vehicles	Discretionary	587.00	671.00	14.31%	
21 - 40 vehicles	Discretionary	654.00	706.00	7.95%	
41 - 60 vehicles	Discretionary	722.00	740.00	2.49%	
61 - 80 vehicles	Discretionary	789.00	775.00	-1.77%	
81 - 100 vehicles	Discretionary	856.00	809.00	-5.49%	
<u>Pre application and other charges</u>					
Failure to keep appointment / comply with renewal procedures	Discretionary	50.00	50.00	0.00%	2,700
Knowledge test including re-takes for Hackney Carriage Drivers	Discretionary	72.00	54.00	-25.00%	
Knowledge test to go from being a Private Hire Driver to a Hackney Carriage Driver	Discretionary	50.00	54.00	8.00%	
Knowledge test including re-takes for Private Hire Drivers and Private Hire Operators	Discretionary	55.00	54.00	-1.82%	
New drivers information pack	Discretionary	25.00	25.00	0.00%	
Disclosure & Barring Service (DBS) fixed fee (£40) plus processing charges	Discretionary	67.50	65.00	-3.70%	
£18.50 Runnymede Borough Council and £9 Surrey County Council.					

TABLE OF HACKNEY CARRIAGE FARES (With effect 2 July 2022)

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)
1 st mile set charge £4.10 2 nd mile £3.00 pro rata	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 107m (117yds) or part thereof.
Then £2.50 per mile (20p increments)	If the distance exceeds 3217m (approx. 2 miles) for each subsequent 129m (141yds) or part thereof.
Waiting Time 20p	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	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 86m (94yds) or part thereof.
Set charge min. £5.12 2 nd mile £3.75 pro rata	If the distance exceeds 3217m (approx. 2 miles) for each subsequent 103m (112yds) or part thereof.
Then £3.12 per mile (20p increments)	
Waiting Time 20p	For each period of 28.2 seconds or part thereof
Rate 3	<u>Night & Holiday</u> - hiring between midnight and 6 am and Bank Holiday. Also between 6 pm and midnight on Christmas Eve and New Years Eve (except where rate 4 applies).
1.5 x Rate 1	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 72m (78yds) or part thereof.
Set charge min. £6.15 2 nd mile £4.50 pro rata	If the distance exceeds 3217m (approx. 2 miles) for each subsequent 86m (94yds) or part thereof.
Then £3.75 per mile (20p increments)	
Waiting Time 20p	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	Any distance not exceeding 1609m (1 mile approx.) If the distance exceeds 1609m but not 3217m, for each subsequent 107m (117yds) or part thereof.
Set charge min. £8.20 2 nd mile £6.00 pro rata	If the distance exceeds 3217m (approx. 2 miles) for each subsequent 129m (141yds) or part thereof.
Then £5.00 per mile (40p increments)	
Waiting Time 40p	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 they have agreed otherwise with the hirer before the journey has started.

Taxi Driver Medicals Consultation (Environmental Services, Robert Smith)

Synopsis of report:

The purpose of this report is to seek approval for amending Runnymede's Hackney Carriage and Private Hire Licensing Policy regulating the assessment of a person's medical fitness to drive hackney carriage and private hire vehicles.

Recommendation that:

Members approve the proposed amendments to Runnymede's Hackney Carriage and Private hire Licensing Policy with regards to the assessment of a person's medical fitness to drive hackney carriage and private hire vehicles.

1. Context and background of report

- 1.1 The Council as Licensing Authority is responsible for the licensing of Hackney Carriage (HC) and Private hire drivers (PHV) under the Local Government (Miscellaneous) Provisions Act 1976 part II. For the purposes of this report the terms Hackney Carriage (HC) and Private hire drivers (PHV) will be replaced with the generic term taxi driver.
- 1.2 Licensing Authorities are required to satisfy themselves that those holding a taxi driver licence are 'fit and proper'. In a case where evidence is obtained that suggests that a licensed individual is not a 'fit and proper' person the licensing authority is entitled to suspend, revoke, or refuse to renew a licence.
- 1.3 Part of this 'fit and proper' assessment relates to the medical fitness of drivers, to ensure drivers licenced by Runnymede Borough Council are fit to carry out the duties of a taxi driver. There is general recognition that it is appropriate for taxi drivers to have more stringent medical standards than those applicable to normal car drivers because:
 - they carry members of the public who have expectations of a safe journey;
 - they are on the road for longer hours than most car drivers; and
 - they may have to assist disabled passengers and handle luggage
- 1.4 The Department for Transport's best practice guidance for taxi licensing dated 2010 for local authorities in England and Wales recommends that DVLA Group 2 medical standards should apply to taxi drivers.
- 1.5 The proposed updated best practice guidance (consulted upon in 2022) for taxi licensing for local authorities in England and Wales recommends that DVLA Group 2 medical standards should apply to taxi drivers and specifically makes mention that the Group 2 timescales for medicals should be followed.
- 1.6 The purpose of this report is to propose amendments to Runnymede's Policy so that it reflects the DVLA Group 2 frequency for medical examinations.

- 1.7 The standard of driver's fitness in Runnymede has been in place for over 25 years and is, apart from the frequency of medical examinations, identical to the standards which have been applied by the DVLA in their Group 2 standard for bus and lorry drivers since approximately 1992. The medical form is attached at Appendix 'A'.
2. **Report**
- 2.1 The DVLA has medical standards for each group of vehicle being driven. Group 1 covers cars and motorbikes while Group 2 covers buses and lorries. Most councils use the Group 2 standard for taxi driver licensing.
- 2.2 The DVLA publication 'Assessing Fitness to Drive – A Guide for Medical Professionals', defines the medical standards considered safe for driving. All Group 2 applicants require a medical assessment by a medical practitioner on a DVLA D4 form (A). The criteria includes the nervous system, diabetes, psychiatric illness (including drug/alcohol dependency), cardiac related illnesses and sleep disorders.
- 2.3 The DVLA require a Group 2 medical for lorry and bus drivers at initial licensing this medical is then valid until the age of 45. Licence Holders' of course have a legal duty to notify DVLA of any medical condition which may affect their ability to drive in the intervening years and must declare any medical condition change on the 5-yearly renewal of their lorry or bus licence. Upon reaching the age of 45 years a medical examination is then required every five years and at the age of 65 years an annual medical is required. For those with known medical conditions medicals may be requested yearly or when required.
- 2.4 Runnymede have within their Hackney Carriage and Private Hire Licensing Policy (5.56 – 5.60), a longstanding requirement that taxi drivers must meet DVLA Group 2 standards. However, this authority in common with many others applied different timescales for the frequency of medicals.
- 2.5 As Members will note, time scales for medical assessments in Runnymede are different to those required by DVLA for bus and lorry drivers. Runnymede require a medical on initial application and then every 5 years up to the age of 60, thereafter a yearly medical is required.
- 2.6 For those with known medical conditions medicals may be requested when required. Drivers with medical conditions are commonly asked not provide yearly medicals.
- 2.7 Taxi driver licence Holders have a legal duty to notify the Council of any medical condition which may affect their ability to drive and as part of the renewal application must declare any change in the medical condition.
- 2.8 There are 90 drivers licenced in Runnymede, their age ranges being as follows:
- 21 drivers are in the age range 21 – 45
34 drivers are in the age range 46 – 60
20 drivers are in the age range 61 – 65
15 drivers are over 65

2.9 The responsibility for determining standards and medical requirements for taxi drivers, rests with the local council and in light the following factors it is appropriate to review our frequency for medicals:

- i) The draft revised best practice guidance which recommends the DVLA Group 2 frequency for medicals be used by licensing authorities.
- ii) To reduce the cost to drivers, the cost of a typical Group 2 medical can vary between £100 and £150.
- iii) To reduce the amount of officer time spent sending medical reminders to drivers and checking of medicals when they are received.
- iv) Officers are aware of the difficulty drivers are having in many cases trying to arrange a medical appointment with their GP. It may be that these are unnecessary and place a further burden on GP surgeries.
- v) There is no evidence to show that having medicals of a greater frequency than the Group 2 requirements has made transport by taxis any safer.

Consultation

2.10 A consultation was approved by this Committee on 15 March 2023, the consultation document can be seen at Appendix 'B'.

2.11 The consultation took place over the period 22 March 2023 to 17 May 2023, a period of 8 weeks.

2.12 The total number of responses was 24, (18 from drivers or operators and 6 from members of the public). All responders agreed with the proposed change in policy. Some responders (4) left comments for this Committee's attention, these are shown below-

- 1. *Perfect sense for everyone. One little point to ponder is '65 years old' which I guess is aligned to NRA. Given the Government seems to be constantly upping the retirement age for everyone, should this be the point at which annual medicals are required?*
- 2. *Most people drive all their lives without a medical test.*
- 3. *There should be one set of requirements for all drivers across the country set by the DVLA and local authorities should not implement their own rules.*
- 4. *You should be in line with DVLA guidelines and annual test should only be in line with retirement age.*

Benchmarking

- 2.13 Officers have ascertained that the other 10 Surrey authorities all use the Group 2 standards but there are variations in the frequency and age requirements as shown below.

- i) Identical to the Group 2 frequency/ages – 2 authorities
- ii) A medical on licensing and then every 3 years from age 45 till age 65, thereafter yearly – 1 authority
- iii) A medical on licensing and then every 3 years until age 65, thereafter yearly – 2 authorities
- iv) Same as Runnymede – 2 authorities, one of which is considering changing to the Group 2 frequency/age
- v) A medical on licensing and then every 5 years until age 65, thereafter yearly – 1 authority
- vi) A medical on licensing and then every 5 years from age 45 till age 65, thereafter yearly – 2 authorities but they are considering changing to the Group 2 frequency/age.

Officers Recommendation

- 2.14 Officers recommend the Council approves the proposed amendments to Runnymede's policy to reflect the frequency of medical checks as required by the DVLA Group 2 medical standard as set out in Appendix 'C'.

3. Policy framework implications

- 3.1 This would entail a small change to our policy to amend the medical frequency requirements.

4. Resource implications

- 4.1 Any change in the frequency of medical assessments would save Officers' time in the administration of driver medicals.

5. Legal implications

- 5.1 The Council has a duty to ensure that all current holders and applicants for private hire and hackney carriage licences are fit and proper to do so. Failure to carry out necessary steps to ensure medical fitness to DVLA group 2 standards could result in a risk to public safety.

- 5.2 All drivers will be notified of this Committee's decision by email or letter.

6. Equalities implications

- 6.1 The Council has a duty under the Equality Act 2010. Section 149 of the Act provides that we must have due regard to the need to;
- a) eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act
 - b) advance equality of opportunity
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.

- 6.2 We should at all times act in a way that is non-discriminatory through our policies and procedures and interactions with people.
- 6.3 An Equalities Impact Screening Assessment has been completed and reviewed by the Equalities Group. This is attached at Appendix 'D'.
- 7. **Timetable for Implementation**
- 7.1 Officers would recommend that if this proposal is approved it comes into effect immediately.

(To Resolve)

Background papers

Department for Transport Best Practice Guidance

[Taxi and Private Hire Vehicle Licensing. Best Practice Guidance for Licensing Authorities in England. \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)

DVLA Medical Guidance

<https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals>

[Runnymede Borough Council Policy](https://www.runnymede.gov.uk/downloads/file/572/hackney-carriage-and-private-hire-licensing-policy)

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

Medical examination report **D4** (for a Group 2 (hackney carriage / private hire driver licence)

**If this form is not fully completed we will return it to you
and your application will be delayed.**

**Please note that in accordance with Runnymede Councils Hackney Carriage and
Private Hire Licensing Policy the examining Doctor must have access to your medical
records.**

For information about completing the form read the leaflet INF4D.

Your details (applicant)

Name _____

Full address _____

Daytime phone number _____ Date of birth _____

Email address _____

Your doctor's details

Doctor's name _____

Full address _____

Phone number _____ Email address _____

**You must sign and date the declaration on page 8 when the doctor and/or
optician has completed the report.**

**This report is valid for 3 months from the date the
doctor and/or optician or optometrist signs it.
Please return it together with your application form.**

Examining doctor's details – to be completed by the doctor carrying out the examination.

**Please note that in accordance with Runnymede Councils Hackney Carriage and Private Hire Licensing Policy the
examining Doctor must have access to the applicants medical records.**

Doctor's name _____

Full address _____

Phone number _____ Email address _____

GMC registration number

--	--	--	--	--	--	--	--	--	--

**You must sign and date this form in Section 10. All black outlined boxes
MUST be answered. Please make sure all sections of the form have been completed.
The form will be returned to you if you don't do this.**



Medical examination report

Vision assessment

To be filled in by a doctor or optician/optometrist

D4

If correction is needed to meet the eyesight standard for driving, all questions must be answered. If correction is not needed, questions 5 and 6 can be ignored.

1. Please confirm (✓) the scale you are using to express the driver's visual acuities.

Snellen ☐

Snellen expressed as a decimal ☐

LogMAR ☐

2. Please state the visual acuity of each eye (see INF4D).
Snellen readings with a plus (+) or minus (-) are not acceptable. If 6/7.5, 6/60 standard is not met, the applicant may need further assessment by an optician.

Uncorrected

Corrected

(using prescription worn for driving)

R

L

R

L

3. Is the visual acuity at least 6/7.5 in the better eye and at least 6/60 in the other eye (corrective lenses may be worn to meet this standard)?

Yes No

☐☐

4. Were corrective lenses worn to meet this standard?

Yes No

☐☐

If Yes, glasses ☐ contact lenses ☐ both together ☐

5. If glasses (not contact lenses) are worn for driving, is the corrective power greater than plus (+)8 dioptres in any meridian of either lens?

Yes No

☐☐

6. If correction is worn for driving, is it well tolerated?
If No, please give full details in the box provided

Yes No

☐☐

7. Is there a history of any medical condition that may affect the applicant's binocular field of vision (central and/or peripheral)?

Yes No

☐☐

If formal visual field testing is considered necessary, DVLA will commission this at a later date

8. Is there diplopia?

Yes No

☐☐

(a) If Yes, is it controlled?

Yes No

☐☐

If Yes, please give full details in the box provided

9. Does the applicant on questioning, report symptoms of intolerance to glare and/or impaired contrast sensitivity and/or impaired twilight vision that impairs their ability to drive?

Yes No

☐☐

10. Does the applicant have any other ophthalmic condition?

Yes No

☐☐

If Yes to any of questions 7-10, please give full details in the box provided.

Details/additional information

You must sign and date this section.

Name of examining doctor/optician (print)

Signature of examining doctor/optician

Date of signature

DDMMYY

Please provide your GOC or GMC number

Doctor/optometrist/optician's stamp

Applicant's full name

Date of birth

DDMMYY

Please do not detach this page



Medical examination report

Medical assessment

Must be filled in by a doctor

- Please check the applicant's identity before you proceed.
- Please ensure you fully examine the applicant and take the applicant's history.

D4

1 Neurological disorders

Please tick / the appropriate box(es)

Is there a history of, or evidence of any neurological disorder? Yes No

If No, go to section 2

If Yes, please answer all the questions below, give details in section 6, page 6 and enclose relevant hospital notes.

1. Has the applicant had any form of seizure? Yes No
- (a) Has the applicant had more than one attack? Yes No
- (b) Please give date of first and last attack
- First attack DD MM YY
- Last attack DD MM YY
- (c) Is the applicant currently on anti-epileptic medication? Yes No
- If Yes, please fill in current medication in section 8, page 7
- (d) If no longer treated, please give date when treatment ended DD MM YY
- (e) Has the applicant had a brain scan? Yes No
- If Yes, please give details in section 6, page 6
- (f) Has the applicant had an EEG? Yes No
- If Yes to any of above, please supply reports if available.
2. Stroke or TIA? Yes No
- If Yes, please give date DD MM YY
- Has there been a FULL recovery? Yes No
- Has a carotid ultrasound been undertaken? Yes No
- If Yes, was the carotid artery stenosis >50% in either carotid artery? Yes No
3. Sudden and disabling dizziness/vertigo within the last year with a liability to recur? Yes No
4. Subarachnoid haemorrhage? Yes No
5. Serious traumatic brain injury within the last 10 years? Yes No
6. Any form of brain tumour? Yes No
7. Other brain surgery or abnormality? Yes No
8. Chronic neurological disorders? Yes No
9. Parkinson's disease? Yes No
10. Is there a history of blackout or impaired consciousness within the last 5 years? Yes No
11. Does the applicant suffer from narcolepsy? Yes No

2 Diabetes mellitus

Does the applicant have diabetes mellitus? Yes No

If No, go to section 3, page 4

If Yes, please answer all the questions below.

1. Is the diabetes managed by: Yes No
- (a) Insulin? Yes No
- If Yes, please give date started on insulin DD MM YY
- (b) If treated with insulin, are there at least 3 continuous months of blood glucose readings stored on a memory meter(s)? Yes No
- If No, please give details in section 6, page 6
- (c) Other injectable treatments? Yes No
- (d) A Sulphonylurea or a Glinide? Yes No
- (e) Oral hypoglycaemic agents and diet? Yes No
- If Yes to any of (a)-(e), please fill in current medication in section 8, page 7
- (f) Diet only? Yes No
2. (a) Does the applicant test blood glucose at least twice every day? Yes No
- (b) Does the applicant test at times relevant to driving (no more than 2 hours before the start of the first journey and every 2 hours while driving)? Yes No
- (c) Does the applicant keep fast acting carbohydrate within easy reach when driving? Yes No
- (d) Does the applicant have a clear understanding of diabetes and the necessary precautions for safe driving? Yes No
3. Is there any evidence of impaired awareness of hypoglycaemia? Yes No
4. Is there a history of hypoglycaemia in the last 12 months requiring the assistance of another person? Yes No
- If Yes, please give dates and details in section 6
5. Is there evidence of: Yes No
- (a) Loss of visual field? Yes No
- (b) Severe peripheral neuropathy, sufficient to impair limb function for safe driving? Yes No
- If Yes to any of 4-5 above, please give details in section 6, page 6
6. Has there been laser treatment or intra-vitreal treatment for retinopathy? Yes No
- If Yes, please give date(s) of treatment.

Applicant's full name

Date of birth

DD MM YY

3

Cardiac

a

Coronary artery disease

Is there a history of, or evidence of, coronary artery disease?

Yes

No

If **No**, go to **section 3b**

If **Yes**, please answer **all** questions below and give details at **section 6** of the form and enclose relevant hospital notes.

1. Has the applicant suffered from angina?

Yes

No
- If **Yes**, please give the date of the last known attack

DD

MM

YY
2. Acute coronary syndrome including myocardial infarction?

Yes

No
- If **Yes**, please give date

DD

MM

YY
3. Coronary angioplasty (PCI)?

Yes

No
- If **Yes**, please give date of most recent intervention

DD

MM

YY
4. Coronary artery bypass graft surgery?

Yes

No
- If **Yes**, please give date

DD

MM

YY
5. If **Yes** to any of the above, are there any physical health problems (e.g. mobility/arthritis, COPD) that would make the applicant unable to undertake 9 minutes of the standard Bruce Protocol ETT?

Yes

No

b

Cardiac arrhythmia

Is there a history of, or evidence of, cardiac arrhythmia?

Yes

No

If **No**, go to **section 3c**

If **Yes**, please answer **all** questions below and give details in **section 6, page 6** and enclose relevant hospital notes.

1. Has there been a **significant** disturbance of cardiac rhythm? i.e. sinoatrial disease, significant atrio-ventricular conduction defect, atrial flutter/fibrillation, narrow or broad complex tachycardia in the last 5 years?

yes

No
2. Has the arrhythmia been controlled satisfactorily for at least 3 months?

Yes

No
3. Has an ICD or biventricular pacemaker (CRT-D type) been implanted?

Yes

No
4. Has a pacemaker been implanted?

Yes

No
- If **Yes**:
- (a) Please give date of implantation

DD

MM

YY
- (b) Is the applicant free of the symptoms that caused the device to be fitted?
- (c) Does the applicant attend a pacemaker clinic regularly?

c

Peripheral arterial disease (excluding Buerger's disease) aortic aneurysm/dissection

Is there a history of, or evidence of, peripheral arterial disease (excluding Buerger's disease), aortic aneurysm/dissection?

Yes

No

If **No**, go to **section 3d**

If **Yes**, please answer **all** questions below and give details in **section 6 page 6**, and enclose relevant hospital notes.

1. Peripheral arterial disease (excluding Buerger's disease)

Yes

No
2. Does the applicant have claudication?

Yes

No
- If **Yes**, how long in minutes can the applicant walk at a brisk pace before being symptom-limited? Please give details
3. Aortic aneurysm?

Yes

No
- If **Yes**:
- (a) Site of aneurysm: Thoracic Abdominal
- (b) Has it been repaired successfully?
- (c) Is the transverse diameter **currently** > 5.5 cm?
- If **No**, please provide latest measurement and date obtained

DD

MM

YY
4. Dissection of the aorta repaired successfully?

Yes

No
- If **Yes**, please provide copies of all reports to include those dealing with any surgical treatment.
5. Is there a history of Marfan's disease?

Yes

No
- If **Yes**, please provide relevant hospital notes

d

Valvular/congenital heart disease

Is there a history of, or evidence of, valvular/congenital heart disease?

Yes

No

If **No**, go to **section 3e**

If **Yes**, please answer **all** questions below and give details in **section 6 page 6** and enclose relevant hospital notes.

1. Is there a history of congenital heart disease?

Yes

No
2. Is there a history of heart valve disease?

Yes

No
3. Is there a history of aortic stenosis?

Yes

No
- If **Yes**, please provide relevant reports
4. Is there any history of embolism? (not pulmonary embolism)

Yes

No
5. Does the applicant currently have significant symptoms?

Yes

No
6. Has there been any progression since the last licence application? (if relevant)

Yes

No

Applicant's full name

Date of birth

DD

MM

YY

e

Cardiac other

Is there a history of, or evidence of heart failure?

YesNo

If No, go to section 3f

If Yes, please answer all questions and enclose relevant hospital notes.

YesNo

1. Established cardiomyopathy?

YesNo

2. Has a left ventricular assist device (LVAD) been implanted?

YesNo

3. A heart or heart/lung transplant?

YesNo

4. Untreated atrial myxoma?

YesNo

f

Cardiac channelopathies

Is there a history of, or evidence of either of the following conditions?

YesNo

If No, go to section 3g

1. Brugada syndrome?

YesNo

2. Long QT syndrome?

YesNo

If Yes to either, please give details in section 6 and enclose relevant hospital notes.

g

Blood pressure

If resting blood pressure is 180 mm/Hg systolic or more and/or 100mm Hg diastolic or more, please take a further 2 readings at least 5 minutes apart and record the best of the 3 readings in the box provided.

1. Please record today's best resting blood pressure reading

2. Is the applicant on anti-hypertensive treatment?

YesNo

If Yes, please provide three previous readings with dates if available

DDMMYY

DDMMYY

DDMMYY

3. Is there a history of malignant hypertension?

YesNo

If Yes, please provide details in section 6 (including date of diagnosis and any treatment etc)

h

Cardiac investigations

Have any cardiac investigations been undertaken or planned?

YesNo

If No, go to section 4

If Yes, please answer questions 1-6

YesNo

1. Has a resting ECG been undertaken?

YesNo

If Yes, does it show:

(a) pathological Q waves?

(b) left bundle branch block?

(c) right bundle branch block?

If Yes to a, b or c please provide a copy of the relevant ECG report or comment at section 6, page 6.

2. Has an exercise ECG been undertaken (or planned)?

YesNo

If Yes, please give date

DDMMYY

and give details in section 6, page 6

Please provide relevant reports if available

3. Has an echocardiogram been undertaken (or planned)?

YesNo

(a) If Yes, please give date

DDMMYY

and give details in section 6, page 6.

(b) If undertaken, is/was the left ejection fraction greater than or equal to 40%?

Please provide relevant reports if available

4. Has a coronary angiogram been undertaken (or planned)?

YesNo

If Yes, please give date

DDMMYY

and give details in section 6, page 6.

Please provide relevant reports if available

5. Has a 24 hour ECG tape been undertaken (or planned)?

YesNo

If Yes, please give date

DDMMYY

and give details in section 6, page 6.

Please provide relevant reports if available

6. Has a myocardial perfusion scan or stress echo study been undertaken (or planned)?

YesNo

If Yes, please give date

DDMMYY

and give details in section 6, page 6.

Please provide relevant reports if available

4

Psychiatric illness

Is there a history of, or evidence of, psychiatric illness, drug/alcohol misuse within the last 3 years?

YesNo

If No, go to section 5

If Yes, please answer all questions below

1. Significant psychiatric disorder within the past 6 months?

YesNo

2. Psychosis or hypomania/mania within the past 12 months, including psychotic depression?

YesNo

3. Dementia or cognitive impairment?

YesNo

4. Persistent alcohol misuse in the past 12 months?

YesNo

5. Alcohol dependence in the past 3 years?

YesNo

6. Persistent drug misuse in the past 12 months?

YesNo

7. Drug dependence in the past 3 years

YesNo

If 'Yes' to any questions above, please provide full details in section 6, page 6, including dates, period of stability and where appropriate consumption and frequency of use.

Applicant's full name

Date of birth

DDMMYY

5

General

All questions must be answered. If Yes to any, give full details in section 6 and enclose relevant hospital notes.

1. Is there a history of, or evidence of, Obstructive Sleep Apnoea Syndrome or any other medical condition causing excessive sleepiness?

YesNo

If Yes, please give diagnosis

a) If Obstructive Sleep Apnoea Syndrome, please indicate the severity

Mild (AHI <15)

Moderate (AHI 15 - 29)

Severe (AHI >29)

Not known

If another measurement other than AHI is used, it must be one that is recognised in clinical practice as equivalent to AHI. DVLA does not prescribe different measurements as this is a clinical issue. Please give details in section 6.

b) Please answer questions (i) – (vi) for all sleep conditions

(i) Date of diagnosis

DD

MM

YY

YesNo

(ii) Is it controlled successfully?

(iii) If Yes, please state treatment

YesNo

(iv) Is applicant compliant with treatment?

(v) Please state period of control

(vi) Date of last review

DD

MM

YY
2. Is there currently any functional impairment that is likely to affect control of the vehicle?

YesNo

3. Is there a history of bronchogenic carcinoma or other malignant tumour with a significant liability to metastasise cerebrally?

YesNo

4. Is there any illness that may cause significant fatigue or cachexia that affects safe driving?

YesNo

5. Is the applicant profoundly deaf?

YesNo

If Yes, is the applicant able to communicate in the event of an emergency by speech or by using a device, e.g. a textphone?

6. Does the applicant have a history of liver disease of any origin?

YesNo

If Yes, please give details in section 6

7. Is there a history of renal failure?

YesNo

If Yes, please give details in section 6

8. Does the applicant have severe symptomatic respiratory disease causing chronic hypoxia?

YesNo

9. Does any medication currently taken cause the applicant side effects that could affect safe driving?

YesNo

If Yes, please provide details of medication and symptoms in section 6

10. Does the applicant have any other medical condition that could affect safe driving?

YesNo

If Yes, please provide details in section 6
- 6

Further details
- Please forward copies of relevant hospital notes. Please do not send any notes not related to fitness to drive.
-
- Applicant's full name

Date of birth

DD

MM

YY
- 6
- 28

7

Consultants' details

Details of type of specialist(s)/consultants, including address.

Consultant in
Name
Address

Date of last appointment

D

D

M

M

Y

Y

Consultant in
Name
Address

Date of last appointment

D

D

M

M

Y

Y

Consultant in
Name
Address

Date of last appointment

D

D

M

M

Y

Y

8

Medication

Please provide details of all current medication (continue on a separate sheet if necessary)

Medication	Dosage
Reason for taking:	

Medication	Dosage
Reason for taking:	

Medication	Dosage
Reason for taking:	

Medication	Dosage
Reason for taking:	

Medication	Dosage
Reason for taking:	

Applicant's full name

9

Additional information

Patient's weight (kg)	
Height (cms)	
Details of smoking habits, if any	
Number of alcohol units taken each week	

10

Examining doctor's signature and stamp

To be completed by the doctor carrying out the examination. Please ensure all sections of the form have been completed. The form will be returned to you if you don't do this.

I confirm that this report was completed by me at examination. I also confirm that I am currently GMC registered and licensed to practice in the UK. ~~or I am not~~
I certify that I **have / have not** (delete as appropriate) had access to the the applicants medical records, they have been examined by me and are :
FIT / UNFIT (delete as appropriate) to drive with Group 2 entitlement.

Signature of practitioner

Date of Examination

D

D

M

M

Y

Y

surgery stamp

Date of birth

D

D

M

M

Y

Y

The applicant must complete this page

Applicant's declaration

You **must** fill in this section and **must not** alter it in any way.

Please read the following important information carefully then sign to confirm the statements below.

Important information about fitness to drive

As part of the investigation into your fitness to drive, we may require you to have a medical examination or some form of practical assessment. If we do, the people involved will need your medical details to carry out an appropriate assessment. These may include doctors, orthoptists at eye clinics or paramedical staff at a driving assessment centre. We will only release information relevant to the medical assessment of your fitness to drive. Also, where the circumstances of your case appear exceptional, the relevant medical information would need to be considered by one or more members of the Secretary of State's Honorary Medical Advisory Panels. Panel members must adhere strictly to the principle of confidentiality.

Declaration

I confirm that in accordance with Runnymede Councils Hackney Carriage and Private Hire Licensing Policy the examining Doctor has had access to my medical records

I authorise my doctor and specialist to release reports and information about my condition which is relevant to my fitness to drive, to Runnymede Borough Councils medical adviser. I authorise Runnymede Borough Council to disclose such relevant medical information as maybe necessary to investigation of my fitness to drive, to Doctors, authorised Council staff and members. I declare that I have checked the details I have given on the enclosed questionnaire and that, to the best of my knowledge and belief, they are correct. I understand that it is a criminal offence if I make a false declaration to obtain a driving licence and can lead to prosecution.

Name _____

Signature _____

Date _____

I authorise the Runnymede Borough Council to:

inform my doctors about the outcome of my case

Yes ☐ No ☐

release reports to my doctors

☐ ☐

Checklist

■ Have you signed and dated the declaration?

Yes ☐

■ Have you checked that the optician or doctor has filled in all parts of the report and all relevant hospital notes have been enclosed?

☐

When complete please return to the Taxi Licensing Officer at Runnymede Borough Council.

The Council may be statutorily required to supply any information you provide, to other bodies exercising functions of a public nature or the prevention and detection of fraud. For further information see <http://runnymede.gov.uk/datamatching>.

Data Protection and Privacy Any data supplied by you on this form will be processed in accordance with the General Data Protection Regulations, in supplying it you consent to the Council process is supplied. All personal information provided will be treated in the strictest confidence and will only be used by the Council or disclosed to others for a purpose permitted by law. Data is deleted in accordance with our data retention policy. We are committed to protecting your privacy when you use our services, the privacy policy explains how we use information about you and how we protect your privacy, this is published on our web site www.runnymede.gov.uk

22 March 2023

Consultation on the frequency of DVLA Group 2 medical assessments for hackney carriage and private hire drivers licensed by Runnymede Borough Council.

The purpose of this consultation is to ask for your views on whether Runnymede Borough Council should revise its requirements around the frequency of DVLA Group 2 medical assessments for taxi drivers. The information below will assist you in understanding the proposed revisions before making your views known on the consultation return form.

The consultation period will be from Wednesday 22 March 2023 until Wednesday 17 May 2023.

Runnymede Borough Council have for many years required all Hackney carriage and private hire drivers to meet the DVLA Group 2 medical standard, this is the same medical standard applied to bus and lorry drivers. Runnymede have however required medicals more often than the DVLA requirements and it is now appropriate to review our frequency for medicals in light of the following factors and consider reducing the number of medicals required by aligning ourselves with the DVLA medical frequency:

- i) The draft revised Department for Transport best practice guidance recommends the DVLA Group 2 frequency for medicals be used by licensing authorities.
- ii) To reduce the cost to drivers, the cost of a typical Group 2 medicals can vary between £100 and £150.
- iii) To reduce the amount of officer time spent sending medical reminders to drivers and checking of medicals when they are received.
- iv) Officers are aware of the difficulty drivers are having in many cases trying to arrange a medical appointment with their GP. It may be that these are unnecessary and place a further burden on GP surgeries.
- v) There is no evidence to show that having medicals of a greater frequency than the Group 2 requirements has made transport by taxis any safer.

Runnymede Borough Councils current requirements within our Hackney carriage and private hire Policy state that all Hackney carriage and private hire drivers must have a DVLA group 2 medical with the following frequencies:

- (i) On submission of a new hackney carriage or private hire driver licence application and thereafter every five years until the age of 60.
- (ii) At age 60 and thereafter on an annual basis.
- (iii) In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's licensing section whilst the grant of a licence is in force.

It is proposed that Runnymede Borough Council's requirements be revised so that our Hackney carriage and private hire Policy reflects the frequency of medical checks as required by the DVLA Group 2 medical standard as below.

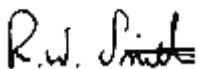
A group 2 medical assessment will be required at the following frequencies

- (i) On submission of a new hackney carriage and private hire driver licence application. (thereafter drivers renewing a licence up to the age of 45 must, as part of the renewal application, declare any change in their medical condition and provide evidence of such to the Council)
- (ii) At age 45 and thereafter every five years until the age of 65
- (iii) At age 65 and thereafter on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's licensing section whilst the grant of a licence is in force.

It is important that we get as many responses as possible through this consultation so please take part.

The Council's Regulatory Committee will meet again on 20 June 2023 to decide on the matter and your views are a key factor in the decision-making process.

Your Sincerely



Robert Smith

Senior Licensing Officer

CONSULTATION RETURN

The consultation period will be from Wednesday 22 March 2023 until Wednesday 17 May 2023. Please note that any responses received after Wednesday 17 May 2023 will not be accepted.

The purpose of this consultation is to ask for your views on whether Runnymede Borough Council should revise its requirements around the frequency of DVLA Group 2 medical assessments for taxi drivers. The Councils Regulatory Committee will meet again on 20 June 2023 to decide on the matter and your views are a key factor in the decision-making process.

Please indicate your choice below by placing a cross or mark in the relevant box and any comments in the space provided.

Do you believe Runnymede Council should revise its requirements regarding the frequency of Group 2 medical assessments so that they are the same as the DVLA Group 2 requirement as shown below?

- (i) On submission of a new hackney carriage and private hire driver licence application.
- (ii) At age 45 and thereafter every five years until the age of 65
- (iii) At age 65 and thereafter on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's licensing section whilst the grant of a licence is in force.

YES

☐

NO

☐

Please indicate whether you are a taxi driver ☐ or member of the public ☐

Please enter any comments you have here: -

Please return your response to Runnymede Borough Councils Licensing section either by email licensing@runnymede.gov.uk

By post or by hand to Runnymede Borough Council, Station Road, Addlestone, Surrey KT15 2AH

Current Policy

5.56 Relevant Medical Standards

5.57 As recommended best practice by the Department for Transport (DfT), the licensing authority will only normally consider and determine medical and physical fitness standards to drive a hackney carriage and/or private hire vehicle by reference to the extant Group 2 standards of medical fitness applied by the DVLA.

5.58 General frequency of medical checks

5.59 To ensure currency and relevance the licensing authority will normally require applicants to submit a suitable medical report which is dated no more than three months prior to the initial application and then every five years from the date the licence was initially granted.

5.60 However, in order to protect the safety of those using licensed vehicles and/or those who may otherwise be put at risk by unfit drivers (e.g. other road users etc.), the licensing authority considers it legitimate and proportionate to require more frequent and/or additional medical assessments in the following circumstances. Where appropriate, the costs of any additional requirements shall be met by the applicant.

5.61 Age-related frequency of medical checks

In recognition that physical deterioration and medical conditions generally become more prevalent with age, following the 60th birthday of any applicant the licensing authority will normally require an annual medical examination every year from the date the licence was initially granted.

Proposed Policy

5.56 Relevant Medical Standards

- 5.57 As recommended as best practice by the Department for Transport (DfT), the licensing authority will only normally consider and determine medical and physical fitness standards to drive a hackney carriage and/or private hire vehicle by reference to the extant Group 2 standards of medical fitness applied by the DVLA.
- 5.58 However, in order to protect the safety of those using licensed vehicles and/or those who may otherwise be put at risk by unfit drivers (e.g. other road users etc.), the licensing authority considers it legitimate and proportionate to require more frequent and/or additional medical assessments where there is a change in a drivers medical condition. The costs of any additional requirements shall be met by the applicant.
- 5.59 Frequency of medical checks. A group 2 medical assessment will be required at the following frequencies:
- (i) On submission of a new HC or PHV driver licence application. This medical report must be dated no more than three months prior to the licence initial application.
 - (ii) At age 45 and thereafter every five years until the age of 65.
 - (iii) At age 65 and thereafter on an annual basis.
 - (iv) As required, in the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's licensing section.

EQUALITY SCREENING

Equality Impact Assessment guidance should be considered when completing this form.

POLICY / FUNCTION / ACTIVITY	LEAD OFFICER
Hackney Carriage and Private Hire Licensing Policy – Taxi Drivers Medicals	Robert Smith

A. What is the aim of this policy, function or activity? Why is it needed, what is it hoped to Achieve and how will it be ensured it works as intended? Does it affect users, employees or the wider community?

The Council has conditions, bylaws and requirements in relation to taxi and private hire licensing. This policy brings together in one document the Council's policy standards, the current conditions, bylaws and requirements so that they are transparent, easily understood and unambiguous.

Currently Runnymede require taxi drivers to have a medical examination and supply the resultant medical certificate on initial application and then every 5 years up to the age of 60, thereafter a yearly medical is required. A report has been submitted and consultation approved, this can be seen at:

[Agenda for Regulatory Committee on Wednesday, 15th March, 2023, 7.30 pm – Runnymede Borough Council](#)

In summary - The frequency for a medical examination for taxi drivers differs according to a person's age; those over 60 require a medical every year while those under 60 only require a medical every 5 years, the content of the medical is the same. These medicals must be carried out by the person's GP or another Doctor with access to their medical records, there is a fee for this of around £80 - £140 depending on the practice. The impact of this requirement for yearly medicals does mean those over 60 have to pay every year instead of every 5 years.

The medical requirement enhances public safety; the Council must be able to demonstrate it is taking all reasonable steps to ensure as far as possible that drivers are fit and proper persons to convey members of the public. Therefore, a regular medical check-up is essential. Responsibility for determining any higher standards and medical requirements for a taxi driver, over and above the driver licensing requirements, rests with the Local Authority.

Runnymede decided in 2004 that the age requirements for medicals should differ from those specified by DVLA whose medical requirement for an initial medical is followed by a 5 yearly medical up to the age 65 and yearly thereafter.

Advice on best practice for local authorities issuing taxi licenses is given by the document, 'Assessing fitness to drive: a guide for medical professionals', this is published by the DVLA and updated every 6 months. This guide for local authorities recommends that hackney carriage and private hire drivers should meet the same medical standards bus and lorry drivers must meet under the DVLA's requirements, that being the DVLA Group 2 standard.

The Council is now consulting on making amendments to our policy so that it reflects the frequency of medical checks as required by the DVLA Group 2 medical standard as below.

A group 2 medical assessment will be required at the following frequencies.

- (i) On submission of a new HC or PHV driver licence application.
- (ii) At age 45 and thereafter every five years until the age of 65
- (iii) At age 65 and thereafter on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's

ability to drive, being disclosed to the Council's licensing section whilst the grant of a licence is in force.

B. Is this policy, function or activity relevant to equality? Does the policy relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential for adverse impacts or unlawful discrimination.

With regard to the protected characteristic of 'age'.

While this could be seen as direct discrimination it is considered that Section 13 (2) of the Equality Act 2010 applies in that treating the over 65s differently is done to ensure the driver is fit and safe to drive and is therefore considered to be proportionate.

There is a restriction on the age a person must attain before they can apply for a taxi drivers' licence, i.e., that they must have reached the age of 21 and have held a full licence for two years. This may be considered as discriminating against younger drivers. The reasoning behind this is a matter of public safety, it mirrors the age restriction on bus drivers which again involves the carriage of passengers and allows people to gain some driving experience before they become a taxi driver. Again, while this restriction could be considered discriminatory, the aim is to secure public safety and it is considered to be a proportionate measure to achieve that safety.

With regard to the protected characteristic of 'Religion'.

The protected characteristic of 'Religion' would be unaffected

With regard to the protected characteristic of 'disability'.

While this could be seen as direct discrimination it is considered that Section 13 (2) of the Equality Act 2010 applies in that treating the over 65s differently is done to ensure the driver is fit and safe to drive and is therefore considered to be proportionate.

With regard to the protected characteristic of gender.

The protected characteristic of 'Gender' would be unaffected as it applies to men and women equally although it is acknowledged that there are more male drivers than female.

C. If the policy, function or activity is not considered to be relevant to equality, what are the reasons for this conclusion? What evidence has been used to make this decision? A simple statement of 'no relevance' or 'no data' is not sufficient.

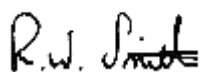
The Policy and functions carried out in pursuance of this policy do not require a Full Impact Assessment. The basis for this decision is as follows;

- The policy in terms of criteria for medical examinations and age follows the medical guidance produced by the DVLA.
- Each application is considered on a case-by-case basis, and there is an internal mechanism in place to cater for applicants who require a reconsideration of the decision made or whose circumstances are not catered for in the Policy.
- Those responding to the consultation were supportive of the proposed change in policy.

Date completed: 9 June 2023

Sign-off by senior manager:

Robert Smith



Senior Licensing Officer

Review of Public Charitable Collections Policy Consultation, (Law and Governance, Clare Pinnock)

Synopsis of report:

To present a revised policy for the administration of public charitable collections and seek approval for a public consultation

Recommendation(s):

- i) That the consultation exercise on the revised public charitable collections policy, as attached at Appendix 'A', be approved; and
- ii) the results of the consultation be submitted to this Committee for further discussion in November 2023, prior to approving the final version of the policy, to be effective from 13 November 2023 – 12 November 2028

1. Context and background of report

- 1.1 The Council's administration of public charitable collections is a statutory function carried out under delegated authority by Officers in Democratic Services in Law and Governance.
- 1.2 The Charity Collections policy was last approved in 2020 following a public consultation exercise and in accordance with the provisions for consultation set out in the Council's Constitution.
- 1.3 Members are referred to the report and Minutes of the meetings of this Committee held in June and November 2020 (see background papers).

2. Report and, where applicable, options considered and recommended

- 2.1 Officers have kept the charity collections policy under review since it was first introduced in 2017, through the last review in 2020, to the current day.
- 2.2 Officers propose some minor amendments, including deletions and additions and re-ordering of the policy to make it shorter in some places and to adapt to changing circumstances.

Proposed amendments to the policy

- 2.3 Attached at Appendix 'A' is the proposed policy to be issued for consultation.
- 2.4 Appendices B and C of the policy's **Introduction** have been deleted and replaced by a link. This makes the document shorter and more e-friendly. Section 1 contains an additional sentence to clarify when the policy is reviewed. It is proposed to change the review requirement from 3 to 5 years. This is in line with the other Licensing related policies and a number of other local authorities.

- 2.5 Appendix A of the policy has been incorporated into the **Policy Objectives**. The list of the nine protected characteristics under the Equality Act have been listed instead of bullet points.
- 2.6 **Permitted locations** have been listed in full, and 'door to door' added after house to house to clarify that both residential and business premises are covered by the policy. Para 4.2 was a duplication and has been removed.
- 2.7 There is now an additional reference to the Council's Safety Advisory Group to ensure that where relevant they can advise on outdoor events wherein charities might be operating, but which are not necessarily licensed. Generally, large public events taking place in the borough are exempted from the need to hold licences; this gives more autonomy to event organisers.
- 2.8 The **Application process** has been amended to highlight that 'tacit approval' does not apply. Some authorities do allow this, but Officers consider that collections must be licensed where required and have a degree of control. Increasingly, and particularly Commercial Clothing Participators are asking for licences that are more than 12 months long. This is not legally permissible and the additional wording highlights this point to potential applicants.
- 2.9 The reference to public liability insurance cover is a standard clause which may apply to any collection, and or may be as recommended by the Council's Safety Advisory Group and/or County Highways, depending on the size and scale of the event.
- 2.10 In line with good practice elsewhere it is proposed to require the applicants for commercial clothing collections to provide evidence that they hold a waste carrier licence/certificate or relevant exemption. This complements the 'fit and proper' test under the 1947 Regulations, which pre-date such licences.
- 2.11 A very minor amendment to reflect the current arrangements in the Cabinet Office has been made in the section on **Appeals**.
- 2.12 The explicit reference to Covid guidance has been removed but is covered generally in the section on **Enforcement**.
- 2.13 Again, to consolidate the information and reduce the size of the document, Appendix D has been removed and included in the section on **Busking and Street Entertainment**.
3. **Policy framework implications**
 - 3.1 The charitable collections policy includes provision for applicants to support the relevant parts of the Council's Corporate Business Plan. For example Health and Wellbeing, Empowering Communities and supporting local events and organisations.
4. **Resource implications/Value for Money (where applicable)**
 - 4.1 The administration of charitable collections is carried out within existing resources. There are no additional resourcing implications arising from the review.
5. **Legal implications**
 - 5.1 There has been no legislative change regarding charitable collections since the policy was last reviewed.

- 5.2 Charitable collections are still governed by the legislation as stated in the policy. It is a statutory function.

6. Equality implications

- 6.1 One of the policy's objectives is to have regard to the Council's Public Sector Equality Duty under the Equality Act 2010 and to prioritise collections that promote equality and diversity.
- 6.2 An Equalities Screening Assessment was carried out when the policy was reviewed in 2020. The proposed changes to the policy are not so significant as to require a full assessment to be undertaken. A review of the last screening assessment will be made after the consultation to ensure the Council is fulfilling its duties under the Equality Act, which will be sent to the Equalities Group for review.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 One of the objectives of the charitable collections policy is facilitating collections that advance environmental protection or improvement.
- 7.2 The addition in the policy of the reference the Council's Safety Advisory Group ensures outdoor events that contain charitable collections are taken into account in terms of health and safety.
- 7.3 Removing and/or consolidating Appendices from the paper version of the policy shortens the document. If there is scope to reduce this further, we will do so.

8. Timetable for Implementation

- 8.1 It is proposed to issue the public consultation to the list of consultees at section 12 of the policy and via the Council's website and social media platforms, with the assistance of the Communications Team.

(To resolve)

Background papers

Working papers for reviewing the charitable collections policy held in Law and Governance.

[Browse meetings - Regulatory Committee – Runnymede Borough Council](#)



Charity Collections Policy 2023 - 2028

Contents

1. Introduction
2. Policy Objectives
3. Permitted locations
4. Application Process
5. Supplementary guidance for House to House Clothing Collections and Direct Debit appeals
6. Grounds for refusal of a House to House Collections Licence
7. Appeals
8. Fee Structure
9. Enforcement
10. Busking/Street Entertainment
11. Record Keeping
12. List of Consultees

1. Introduction

- 1.1 This policy is made in accordance with Section 5 of the Police, Factories, etc. (Miscellaneous Provisions) Act 1916, the House to House Collections Act 1939, House to House Collections Regulations 1947, Section 251 and schedule 29 of the Local Government Act 1972, the Charitable Collections (Transitional Provisions) Order 1974, Charities Act 1992, 2006 (Commencement Nos. 1, 2, 3 and 4) the Transitional Provisions and Savings Orders 2007 and 2008 and Charities Act 2011.
<https://www.runnymede.gov.uk/general-licenses/charity-collections>
- 1.2 This policy will be reviewed every 5 years and/or to reflect significant changes in relevant legislation or other relevant policy and practice of the Council. Any significant amendments are subject to approval by the Regulatory Committee, unless delegated to an appropriate Officer
- 1.3 This policy was last reviewed in 2023, and subject to consultation will be in force until November 2028.

2. Policy Objectives

- 2.1 The Policy is designed to ensure that public charity collections are treated fairly and consistently, are well run and regulated. Each application is considered on its merits for people to have the opportunity to raise money for good causes. The public should not be exposed to an excessive number of appeals or unauthorised activity (collection fatigue). Applications should support relevant objectives of the Council's Corporate Business Plan 2022 – 2026.
- 2.2 The Council must have due regard to its Public Sector Equality duty under the Equality Act 2010, section 149 by eliminating discrimination, harassment, victimisation and other conduct prohibited by the Act, advancing equality of opportunity and fostering good relations between persons who share and those who do not share protected characteristics. Therefore, Priority may be given to charitable appeals which promote one or more of the protected characteristics as defined by the Equality Act 2010. These are; age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and gender reassignment.
- 2.3 Collections must be for the public benefit and line with a charitable purpose as defined by the Charities Act 2011. These are:
1. The prevention or relief of poverty.
 2. The advancement of:
 - Education
 - Religion
 - health or the saving of lives
 - citizenship or community development
 - the arts, culture, heritage or science
 - amateur sport,
 - human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity

- environmental protection or improvement
 - animal welfare
3. The relief of those in need by reason of youth, age, ill-health, disability, disadvantage, financial hardship or other disadvantage.
 4. The promotion of the efficiency of the armed forces of the Crown or of the police, fire and rescue services or ambulance services.
 5. Other purposes currently recognised as charitable and any new charitable purposes which are similar to another charitable purpose.
- 2.4 The Council will not issue permits to an individual or organisation whose aims do not appear to be charitable or of a closely allied nature or if the collection does not appear to comply with the definition of charitable purpose under the Charities Act 2011. Applications to raise funds for the purpose of financing or sponsorship for personal expeditions are not usually permitted, even where a proportion of the funds raised is donated to charity.
- 3. Permitted Locations**
- 3.1 Charity Collections may take place in approved locations within the borough's 14 wards: Addlestone North, Addlestone South, Chertsey Riverside, Chertsey St Ann's, Egham Town, Egham Hythe, Englefield Green East, Englefield Green West, Lyne, Longcross and Chertsey South, New Haw, Ottershaw, Thorpe, Virginia Water and Woodham and Row Town.
 - 3.2 Appeals for cash and/or direct debit pledges to a charity and appeals for donations of unwanted household items for example clothing, cannot take place in any public place without a street collection permit or house to house collections licence unless the charity holds a National Exemption Order. This includes collections which are part of a procession but does not include collections taken at a meeting or similar gathering in the open air. For example an open air religious ceremony, fair, show or sponsored walk. Each case will be treated on its merits.
 - 3.3 The organisers of collections taking place at outdoor events must abide by reasonable advice and instructions issued by the appropriate authorities such as the Police, Surrey County Council Highways, and the Council's Safety Advisory Group.
 - 3.4 Collections on private land require the prior permission of the relevant land owner. A public place can include private land where the public generally has unrestricted access such as a supermarket car park or similar.
 - 3.5 Collections are not permitted on land owned by the Crown Estate (Englefield Green and Windsor Great Park), without their express authorisation and restrictions also apply to residential areas in Virginia Water as identified by the Wentworth Estate Roads Committee and Hamm Court Estate on the banks of the River Thames between Chertsey and Weybridge.
 - 3.6 All applicants and collectors are required to comply where 'no cold calling', 'door step trading' or similar advisory notices are displayed.

4. Application Process

- 4.1 Tacit approval does not apply. Applications should be submitted on the forms made by Runnymede Borough Council and received at least 28 days before the proposed collection, although there is discretion to waive this where appropriate, for emergency appeals or other special circumstances. Application forms must be signed by the applicant (electronic signatures will usually be accepted). A valid licence must be in place prior to any licensable activity. Each application will be considered on its merits. However, the number, type of appeal and location of collections may be limited to avoid clashes and/or an excessive number of appeals.
- 4.2 Applications can be made at any time during the year and date(s) may be booked in advance. However, a permit or licence will not be issued earlier than 6 months before the first collection date.
- 4.3 A Charity, or an organisation acting on its behalf, which does not hold a National Exemption Order issued by the Department for Culture, Media and Sport (DCMS), must apply for a House to House Collections licence for any type of house to house fundraising activity. This includes Direct Debit and Commercial Clothing Collections and also collections made in licensed or other business premises, where more than one such premises is included in the appeal.
- 4.4 Applicants must provide adequate information in order for their application to be considered properly. This includes additional information which might lawfully be requested by the Council to that stated on the application form. Applicants are advised to read the Council's Privacy Notice before completing an application form.
- 4.5 The Council will comply with relevant Data Protection and Freedom of Information duties. Where it is lawful to do so, the Council will share and take into account information supplied by the applicant, or another enforcement body. The Council may be required by law to supply any information provided, to other bodies exercising functions of a public nature, for the prevention and detection of crime. The type of information that may be taken into account includes, the submission of a number of 'nil' returns, repeated cancellation of collections without good cause, holding an unauthorised collection or otherwise breaking the Street or House to House Collections Regulations within the last 7 years.
- 4.6 The Council will not issue permits to an individual or organisation whose collectors are paid more than it considers to be 'reasonable expenses' or who do not comply with the provisions made under the Charities Act 2006, updating the requirements of the Charities Act 1992, with regard to remuneration and solicitation statements. In accordance with the model Street Collections Regulations, there should be no payment made out of the proceeds of any collection to any collector or promoter of a collection.
- 4.7 All Collectors must display an appropriate badge authorising the collection; issued by Runnymede Borough Council (Street Collections), or obtain the official badge(s) from The Stationery Office (House to House Collections).

- 4.8 Within one month of the collection a 'schedule of return' must be submitted. This is an official declaration to the Council stating how much money (or equivalent value), has been collected and how much is going to be given to the charity.
- 4.9 The schedule of return should be countersigned as independent evidence that the amount raised is correct and has been paid over to the charity. This should be accompanied, where possible, with a paying in slip to the relevant bank for that charity, or other evidence of receipt by the charity.
- 4.10 Applicants are not required to pay for an advert stating the amount collected in the local newspapers; a letter to the Editor of the Surrey Advertiser (for example) thanking residents for their donations totalling £x is sufficient, **or a** posting on social media, preferably on the Council's own official Facebook page or twitter account and/or shared with the Council.
- 4.11 In addition to any legislative requirements, applicants must comply with relevant Codes of Practice issued by, for example, the Fundraising Regulator and the Charity Commission.
- 4.12 The Council will not usually licence Charities and/or third party fundraisers /commercial participators operating on their behalf who are not registered with the Fundraising Regulator.
- 4.13 House to House collections can only take place during daylight hours with a terminal hour of 21:00 whichever is the earlier.
- 4.14 Evidence of public liability insurance cover of £5m may be required.
5. **Supplementary guidance for House to House clothing collections and direct debit appeals**
- 5.1 Where no National Exemption Order is held by the charity, supplementary guidance is set out below.
- a) to avoid too many collections of a similar nature taking place at the same time the Council will usually allow one licensed commercial clothing collection and one direct debit appeal per month in any one calendar year anywhere in the borough.
 - b) commercial clothing collections and direct debit appeals must avoid overlapping with nationally exempted house to house collections including clothing collections and direct debit appeals and dates will be allocated equitably at our discretion, although priority will be given to local charities
 - c) a named contact within the benefiting charity will be required to submit a statement of due diligence and confirm awareness of legal requirements, and evidence that the collection will raise the maximum possible benefit to be applied for charitable purposes
 - d) if the proportion of the proceeds allocated to the charitable purpose is clear, the Council must be satisfied that the amount given to the charitable purpose is adequate in relation to the proceeds received.

The following formula may be applied: profits applied for charitable purpose = revenue generated (through sales of clothing) – total costs incurred through collections

- e) Commercial participators are required to communicate their name and company status on both sides of the charity appeal bag. If the bag features a charity's name, it must not be given greater prominence than the name of the company undertaking the collection.
- f) Commercial clothing collections must supply evidence that they hold a waste carrier's licence/certificate or exemption

6. Grounds for the refusal or revocation of a House to House Collections Licence (derived from relevant sections of the House to House Collections Act 1939 and House to House Collections Regulations 1947 (as amended)).

6.1 A Licensing Authority may refuse to grant a House to House Collection licence, or, where such a licence has been granted, may revoke it, if it appears to the authority that:

- a) the total amount likely to be applied for charitable purposes as the result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received)
- b) remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person
- c) the grant of a licence would be likely to facilitate the commission of an offence under section three of the Vagrancy Act 1824, or that an offence under that section has been committed in connection with the collection
- d) the applicant or the holder of the licence is not a fit and proper person to hold a licence by reason of the fact that he has been convicted in the UK of certain offences relating to dishonesty, fraud or theft
- e) the applicant or holder of the licence has failed to exercise due diligence to ensure that the collectors are fit and proper or to secure compliance with the regulations including those set by the regulating bodies for such collections or to prevent the prescribed badges or certificates being obtained by unauthorised persons
- f) the applicant has refused or neglected to furnish the authority with such information they may reasonably require for the purpose of informing themselves as to any of the matters relating to the application

7. Appeals

7.1 There is no statutory right of appeal against any decision made by the Council to grant, revoke or refuse a Street Collections Permit. However, if an individual or organisation/charity wishes to lodge a request for a decision to

be reviewed then the matter should be submitted to the Corporate Head of Law and Governance within 14 days of the date on which notice of refusal was received by the applicant.

- 7.2 In respect of the refusal or revocation of a House to House Collections Licence there is a right of appeal to the Parliamentary Secretary (Minister for Civil Society). An appeal must be lodged within 14 days of the date on which notice of refusal or revocation was received by the applicant, or the holder of a licence.

8. Fee Structure

- 8.1 There is no provision for the Council to charge a fee for making an application and no fee payable on being granted a street collection permit or house to house collection licence.

9. Enforcement

- 9.1 Any person who contravenes the Model Regulations for Street Collections, as attached at Appendix 'B' to this policy is guilty of an offence, which on conviction, is punishable by a fine not exceeding Level One on the Standard Scale (currently £200).
- 9.2 Any person who contravenes the Regulations for House to House Collections, as attached at Appendix 'C' to this policy, whether in their capacity as promoter or collector, is committing a criminal offence. Offences are punishable by penalties ranging from a maximum fine of £200 up to six months imprisonment and a fine of up to £1,000.
- 9.3 If anyone collecting on behalf of a charity does not give a police officer their name, address and signature when asked to, they could be fined up to £200.
- 9.4 Charities and third party fundraisers acting on their behalf must comply with the Fundraising Regulator Code of Fundraising Practice and guidance issued by other compliance related bodies such as the Charity Commission, Committee of Advertising Practice, Advertising Standards Authority and Trading Standards, in particular section 11 of the model Street Collections Regulations regarding safeguarding issues.
- 9.5 All fundraising activities must comply with relevant supplementary guidance that may be issued from time to time, including the suspension and/or restriction of collections and appeals.

10. Busking/Street Entertainment

- 10.1 Individuals wishing to busk or provide street entertainment for a charitable purpose are directed to the supplementary guidance below: in addition to applying for a street collection permit or house to house collection licence as appropriate. Any appropriate Licensing requirements must also be met.
- 10.2 Under the provisions of the Live Music Act 2011 busking and carol singing are exempt from licensing requirements, as these activities are usually incidental to others such as shopping or in the case of carol singing undertaking a charitable collection. The Live Music Act removed the licensing requirements for live music in the following circumstances:

1. Where amplified live music is provided between 08:00 and 23:00 hours for audiences of no more than 200 people, in premises authorised under the Licensing Act 2003 to sell alcohol for consumption on the premises;
2. Where amplified live music is provided between 08:00 and 23:00 hours for audiences of no more than 200 people, in workplaces* which are not licensed under the Licensing Act 2003 (or which are licensed only for the provision of late night refreshment);
3. Where unamplified music is provided between 08:00 and 23:00 hours in any venue; and
4. Where Morris Dancing is taking place the exemption has been extended so that all accompanying music, whether live, recorded, amplified or unamplified is exempt from licensing requirements.

* a workplace includes the street, pub beer garden (if not included in a premises licence) and other outside non-domestic areas where people work.

- 10.3 The Council asks buskers to abide by a Code of Conduct which is set out below. If busking or street entertainment is being conducted for a charitable purpose a street collection permit and/or house to house collections licence may also be required. Organisers are advised to contact the Council's Democratic Services section at least 28 days in advance of the event so that the necessary licences can be applied for and issued.
- 10.4 When choosing a suitable location there must be due regard for the need to avoid causing any obstruction or annoyance to residents, retailers, local businesses and the general public, in consultation with Surrey Police and Surrey Highway Authority. Buskers are advised to contact local businesses near to the proposed 'pitch' to check they are content for busking near their premises.
- 10.5 Large events such as Magna Carta Day and Black Cherry Fair, theatrical performances and similar will usually fall under the requirements of the Licensing Act 2003 as 'regulated entertainment' and organisers are advised to contact the Council's Licensing Section at least 28 days before the event so that provisions can be made to facilitate their event such as giving a Temporary Event Notice if required.
- 10.6 Performances must not cause an obstruction to the highway (footpath), entrances/exits to shops and other premises or shop window displays occurs by entertainers or those gathering to watch. Performers must act safely at all times and not endanger themselves or others.
- 10.7 Performances in town centres are permitted between the hours of 08:00 and 23:00 hours. All de-regulated live music performances must cease at 11pm.
- 10.8 The use of amplifiers and loudspeakers is not advised so as to avoid causing a noise nuisance. Mains or generated power amplifiers are likely to present particular problems and should not be used. If music and or voices can be plainly heard at a distance of 50 metres it is too loud.
- 10.9 Performers must not dress or act in way that is likely to offend others or amounts to anti-social behaviour – likely to cause harassment, alarm or distress to members of the public or local traders. This includes performing whilst under the influence of alcohol, solvents or drugs.

- 10.10 The sale of CDs or other items is prohibited in accordance with relevant Street Trading legislation. Buskers must not cause an obstruction under the Highways Act 1980, nor cause a noise nuisance under the Environmental Protection Act 1990 (as amended by the Noise and Statutory Nuisance Act 1993). All litter/waste arising from the event must be removed from site. Any breach of these Acts and or associated legislation and regulations including the Live Music Act where appropriate, may result in the busker or street entertainer being 'moved on' and subject to appropriate enforcement action by the relevant authority.

11. Record Keeping

- 11.1 In line with the Council's Record Retention Policy, records of completed collections and other related correspondence, both electronic and on paper, will be kept for a period 7 years and then securely destroyed unless there is a reasonable reason to retain the record, for example, the detection or prevention of crime.

12. List of Consultees

All charities and third party fundraisers granted a licence from 2020 – 2023

Charity Commission

Neighbourhood Watch bodies in Runnymede

Local Residents' Associations

Fundraising Regulator

Other Licensing Authorities in Surrey and other relevant areas

All Runnymede Borough Councillors

Trading Standards and Consumer Protection

Surrey Police – Neighbourhood Inspector Runnymede

Surrey County Council Highways

RBC Community Safety

RBC Environmental Health

RBC Legal Services

Egham and Chertsey Chambers of Commerce

Citizens Advice Runnymede and Spelthorne

Voluntary Support North Surrey (VSNS)

Runnymede Access Liaison Group