

Summary of Updated Department for Transport (DfT) Guidance

Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England (November 2023)

Updated DfT Guidance	Current Practice	Proposed Response
THE ROLE OF LICENSING AUTHORITIES		
<p>1.2 Terminology: One of the overarching objectives of the updated DfT guidance is to provide greater distinction for the public between taxis and private hire vehicles (PHVs) so that the public is increasingly aware of the difference between the two. The guidance indicates that Licensing Authorities should adopt this approach in its communications.</p> <p>Vehicles licensed under Section 37 of the Town Police Clauses Act 1847 are referred to in that legislation as ‘hackney carriages’. This term is also used in older regulations. In more recent legislation the term ‘taxi’ is used.</p>	<p>This Authority’s website, guidance leaflets, licence application forms and policy documents often make use of the term ‘hackney carriage’ rather than ‘taxi’.</p>	<p>As such documents are reviewed and updated the Licensing Team will look to make more extensive use of the term ‘taxi’ rather than ‘hackney carriage’.</p>
<p>3.5 Licensing Policy: The DfT recommends that all Licensing Authorities make publicly available a cohesive policy document that brings together its key information on taxi and private hire vehicle licensing.</p>	<p>This Authority has such a policy document in place. The document is available on the Council’s website at: https://www.e-lindsey.gov.uk/article/5399/Hire-Vehicles</p>	<p>No action required.</p>
<p>4.1 Accessibility Barriers: To mitigate accessibility barriers due consideration should be given to the Public Sector Equality Duty (Section 149 of the Equality Act 2010) when taking decisions concerning the provision of taxi and private hire vehicle services.</p> <p>Licensing Authorities should also:</p>	<p>35% of the taxis (hackney carriages) licensed with this Authority are wheelchair accessible. The vehicles can carry and wheelchair passenger whilst that person is seated in their wheelchair.</p>	<p>The Accessibility Barriers aspect of the DfT Guidelines will be looked at by Officers and reported back in due course to the General Licensing Committee.</p>

<ul style="list-style-type: none"> • Consult with disabled passengers regularly on their experience of using taxi and private hire vehicle services and use the feedback to inform service development. • Incentivise the uptake of wheelchair accessible vehicles. • Consider specifying that wheelchair accessible vehicles should be capable of carrying wheelchairs larger than the reference size. • Work with transport hubs where large numbers of passengers use taxi and private hire services to ensure disabled passengers can access a vehicle safely and easily. • Exercise discretion on application of other vehicle requirements if they would prevent suitable wheelchair accessible vehicles from being brought into service where there is an unmet demand. 		
<p>4.6 Inclusive Service Plan (ISP): Licensing Authorities should develop and maintain an Inclusive Service Plan (ISP), either as a standalone document or as an integral element of a wider strategy. ISPs should be developed collaboratively with organisations representing the interests of disabled people and people with other protected characteristics. ISPs should be updated at least every 5 years.</p>	<p>This Authority does not have an ISP.</p>	<p>The ISP aspect of the DfT Guidelines will be looked at by Officers and reported back in due course to the General Licensing Committee.</p>
<p>ENFORCEMENT</p>		
<p>5.5 Points-Based System: To increase compliance with licensing requirements consideration should be given to operating a points-based system, which allows minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches to the Licensing Committee.</p>	<p>This Authority operates such a points-based system.</p>	<p>No action required.</p>
<p>DRIVER LICENSING</p>		
<p>6.1 Duration of Driver Licences: The Licensing Authority should set a standard driver licence length of 3 years - any shorter</p>	<p>This Council's Licensing Policy already reflects this requirement.</p>	<p>No action required.</p>

<p> durations should only be issued when the Licensing Authority thinks it is appropriate to do so.</p>		
<p>6.3 Disability Awareness: Drivers should be trained in disability awareness and/or have their knowledge and skills assessed. Drivers should also be encouraged, through targeted and general communications, to uphold the highest standards of customer service.</p>	<p>2009 was the last time that this Authority specifically required all existing licensed drivers to undergo disability awareness training.</p> <p>The Council’s current licensing policy encourages drivers to undertake Disability Awareness Training – but does not mandate such a requirement.</p>	<p>The disability awareness aspect of the DfT Guidelines will be looked at by Officers and reported back in due course to the General Licensing Committee.</p>
<p>6.4 Driver Proficiency: Licensing Authorities should require drivers, as professional drivers, to display a higher degree of driving aptitude and diligence.</p> <p>Require drivers to undertake training and/or assessment focussed on attitudes and behaviours such as those provided by IAM Roadsmart at first application and renewal (every 3 years).</p>	<p>The completion of the Lincs Road Safety Partnership Taxi Driver Assessment (or the Blue Lamp Trust Assessment) is a pre-licensing requirement for the grant of a new driver licence with this Authority.</p> <p>Re-assessment is not currently required for a driver licence renewal application with this Authority – apart from drivers aged over 80 years or those existing drivers where substantiated concerns have been raised about their driving ability.</p>	<p>The driver licence renewal aspect of the DfT Guidelines will be looked at by Officers and reported back in due course to the General Licensing Committee.</p>
<p>6.6 Medical and Vision Assessment: Licensing Authorities should apply the DVLA Group 2 Medical Standard. It is the responsibility of licensing authorities to assess the medical information they receive and decide whether a taxi or private hire vehicle licence should be issued.</p>	<p>This Authority operates such a policy requirement.</p>	<p>No action required.</p>
<p>6.11 Topographical Knowledge: Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired immediately, Licensing Authorities should therefore</p>	<p>This Authority’s licensing policy indicates that the Council will move towards introducing a Topographical Knowledge for</p>	<p>The Topographical Knowledge aspect of the DfT Guidelines will be looked at by Officers</p>

<p>require prospective taxi drivers to pass a test of local topographical knowledge as a prerequisite to the first grant of a licence.</p> <p>Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger must go through an operator; the operator should gather sufficient information from the passenger to identify the collection and drop-off points, this will enable the driver to check the details of a route before starting a journey and plan or enter it in a navigation system. Given the availability, reliability and ease of use of sat nav systems, Licensing Authorities should not require any topographical knowledge or navigational tests for private hire vehicle drivers.</p>	<p>taxi drivers. However, this part of the policy has yet to be implemented.</p>	<p>and reported back in due course to the General Licensing Committee.</p>
<p>6.12 Intended Use Policy: Holders of taxi vehicle licences are permitted to carry pre-booked fares anywhere in England and Wales. Licensing Authorities should require an applicant for a taxi licence to declare that they intend to work predominately within the Licensing Authority's area.</p>	<p>This Authority operates such an Intended Use Policy requirement.</p>	<p>No action required.</p>
<p>6.13 Vehicle Condition Check: The driver of a vehicle is always legally responsible for its condition while in use. Drivers can be fined up to £2,500, be banned from driving and get three penalty points for driving a vehicle in a dangerous condition.</p> <p>Licensing Authorities should require drivers to conduct a walkaround check as part of a driver's core role.</p> <p>Drivers should be required to retain a vehicle checklist as proof that they have undertaken the required vehicle check. Drivers should be made aware that they may be subject to sanctions if they are unable to produce this or it is clear that while the form has been completed, the check has not. Further sanctions may result against them, as well as vehicle proprietors, if they are</p>	<p>Currently no check list requirement.</p> <p>But this Authority's Penalty Points Scheme does include the provision of penalty points for the following:</p> <ul style="list-style-type: none"> • Unsatisfactory condition of vehicle - interior or exterior. • Using a vehicle with bald or defective tyre(s). 	<p>The Vehicle Check Condition aspect of the DfT Guidelines will be looked at by Officers and reported back in due course to the General Licensing Committee.</p>

<p>found using a defective vehicle, especially if the condition of the vehicle is such that it is obvious no routine checks have occurred over several days.</p> <p>The DfT have provided a model vehicle checklist with the Best Practice Guidance.</p>		
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PRIVATE HIRE VEHICLE OPERATOR LICENSING

<p>7.2 Disability Awareness: The licence holder and all staff in customer facing roles and people managing service delivery should be trained in disability awareness, or have their knowledge and skills assessed, and be encouraged through targeted and general communications to uphold the highest standards of customer service.</p>	<p>The Council's current licensing policy encourages operators to promote Disability Awareness with their staff and within their businesses.</p>	<p>No action required at this time.</p>
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VEHICLE LICENSING

<p>8.4 Vehicle Age Limits: Licensing Authorities should not impose age limits for the licensing of vehicles - instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.</p>	<p>This Council has no age requirement on vehicles.</p> <p>Currently the Council does not have a vehicle emission condition for hackney carriage and private hire vehicles.</p> <p>The Climate Team are currently engaging with operators on the subject of carbon reduction.</p>	<p>No action required at this time.</p> <p>If necessary, the results of the Climate Team's engagement can be reported back to the General Licensing Committee.</p>
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<p>8.5 Vehicle Safety Ratings: Licensing Authorities should consider the safety benefits to passengers, drivers and pedestrians of vehicles which have received a higher NCAP rating.</p>	<p>This Council has no Euro NCAP licensing requirement.</p>	<p>The merits of a EURO NCAP licensing requirement will be investigated by Officers and reported back in due course to the General Licensing Committee.</p>
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<p>8.8. Tinted Windows: The department considers that Licensing Authorities should not require the removal of windows rear of the B-pillar if they have a minimum light transmission of 30% or above. This should maintain passenger confidence whilst ensuring a wide range of vehicles may be licensed.</p>	<p>The guidance suggests that vehicles should allow a minimum of 30% light through the rear windows.</p> <p>This Authority currently requires taxis to allow a minimum of 40% light through the rear windows.</p>	<p>ACTION REQUIRED: It is recommended that:</p> <p>In order to mirror the current DfT best practice the Council’s licensing policy be amended to require taxis to allow a minimum of 30% light through the rear windows.</p>
<p>8.10 Inclusive Vehicle Specifications: The design of non-wheelchair accessible vehicles (WAVs) licensed for use as taxis or private hire vehicles can also have a bearing on their accessibility. This includes ease of access, space available for assistance dogs to remain with their owners, space available for folded mobility aids, etc.</p> <p>The Government’s 2022 Statutory Guidance ‘Access to Taxis and Private Hire Vehicles for Disabled Users’ recommends that WAVs large enough to accommodate a passenger seated in a “reference wheelchair” should be designated formally as being “wheelchair accessible”.</p>	<p>Currently 35 % of the hackney carriage vehicles licensed with this Authority are wheelchair accessible. These are suitable for the purpose of a reference wheelchair and have been formally designated by this Authority as “wheelchair accessible” – see the Council’s website here:</p> <p>https://www.e-lindsey.gov.uk/article/5462/Hire-Vehicles-Equality-Act-2010</p> <p>All the above vehicles are side loading – apart from one vehicle which has been given an exemption from this Council’s normal policy requirement for a side loading vehicle.</p> <p>A side loading hackney carriage may struggle to accommodate larger wheelchairs.</p>	<p>No specific action required at this time.</p>
<p>8.11 Accessibility Equipment: Authorities should consider the benefits of requiring additional accessibility equipment to be provided in vehicles beyond that which might be included in a standard vehicle specification, noting that the benefits to disabled customers in terms of their confidence and willingness to travel cannot always be monetised.</p>	<p>This Council has no ‘additional’ accessibility equipment requirement.</p> <p>This Authority’s licensed Wheelchair Accessible Vehicles are provided with standard anchorages to secure a wheelchair and passenger appropriately.</p>	<p>Where appropriate to consider options for additional accessibility equipment:</p> <p>e.g. Should the Council’s Wheelchair Accessible Vehicle Specification be amended to include a requirement for the vehicle to</p>

		be fitted with an induction loop system (or equivalent).
<p>8.14 Carrying Children: The guidance clarifies that, if the correct car seat is not available, that children must travel in the rear of the vehicle.</p> <p>Children over 3 must use an adult seatbelt and so should always count towards the capacity of the vehicle.</p> <p>Children under 3 do not need to use an adult seatbelt so do not need to count towards the vehicle capacity.</p> <p>Licensing Authorities should provide advice to licensees on its policy on the carriage of children under 3 years to provide certainty in terms of overloading and refusal of carriage in such situations.</p>	<p>This Authority's policy states:</p> <p>A vehicle licence and plate are issued for a maximum number of passengers (regardless of age or size) and one child (regardless of age) will count as one passenger.</p>	<p>ACTION REQUIRED: It is recommended that:</p> <p>In order to provide continued advice to licence holders on its policy on the carriage of children under 3 years - that this Authority reconfirm the following stance:</p> <p>A vehicle licence and plate are issued for a maximum number of passengers (regardless of age or size) and it is this Council's policy that one child (regardless of age) will count as one passenger.</p>
<p>8.15 Personal Security: The personal security of taxi and private hire vehicle drivers and staff must be considered - Licensing Authorities should make available signs or notices which set out not only what passengers can expect from drivers, but also what drivers can expect from passengers who use their service. Sample notices have been provided in the Best Practice Guidance.</p>	<p>This Authority currently has no template notices for vehicles in relation to the expected conduct of passengers.</p>	<p>To investigated by Officers and reported back in due course to the General Licensing Committee.</p>
<p>8.12 Vehicle Identification and Signage: Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire vehicle driver can only fulfil pre-booked requests.</p> <p>Licensing Authorities should not permit roof signs of any kind on private hire vehicles and should require all taxis to display a 'taxi' roof sign/box that can be illuminated when available for hire.</p>	<p>This Council has a licence condition that precludes the use of roof signs on private hire vehicles.</p> <p>This Council has a detailed licence condition that requires taxis to be fitted a taxi roof sign/box that can be illuminated when available for hire.</p>	<p>No action required.</p>

<p>8.18 Emergency Equipment: The Highway Code advises that should a vehicle catch fire, the occupants should get out of the vehicle quickly and to a safe place and not to attempt to extinguish a fire in the engine compartment, as opening the bonnet will make the fire flare.</p> <p>The National Fire Chief Council (NFCC) recommends that Licensing Authorities that require fire extinguishers to be provided in vehicles, should ensure that suitable and sufficient training is received by the drivers. The NFCC's advice is that if a Licensing Authority elects not to require drivers to undertake training on the safe way to tackle a vehicle fire, vehicles should not be required to carry fire extinguishers.</p>	<p>This Council's hackney carriage by-laws require all taxis to carry a fire extinguisher in the vehicle.</p> <p>This Council's current licensing conditions require all private hire vehicles to carry a fire extinguisher in the vehicle.</p> <p>The Council's Penalty Point Scheme includes penalty points for not carrying a fire extinguisher in the vehicle.</p>	<p>ACTION REQUIRED: It is recommended that:</p> <ol style="list-style-type: none"> 1. The Licensing Policy be amended to indicate that licensed vehicles are no longer required to carry a fire extinguisher. 2. The Policy to indicate that the Council will not enforce the by-law which requires taxis to carry a fire extinguisher. 3. The standard private hire vehicle licence conditions be amended to remove the requirement for a fire extinguisher. 4. The Penalty Point Scheme be amended to remove the issue of penalty points for not carrying a fire extinguisher in a licensed vehicle.
<p>8.19 Vehicle Testing: Licensing Authorities must only licence vehicles that are safe. It is therefore appropriate and proportionate that authorities require vehicles to pass rigorous safety checks:</p> <ul style="list-style-type: none"> • Frequency of vehicle tests, • Monitoring diligence, • Criteria for tests and, • Number of testing stations. 	<p>This Authority has a detailed and robust policy on the subject of vehicle testing.</p>	<p>No specific action is required at this time.</p> <p>However, Officers will review the issue of the frequency of vehicle tests and report back in due course to the General Licensing Committee.</p>
<p>TAXI FARE RATES</p>		
<p>10.2 Setting Taxi Fare Rates: Maximum fare rates should be designed with a view to practicality and reviewed regularly. Authorities should consider adopting a simple formula for deciding on fare changes as this will increase understanding and improve the transparency of the process for passengers.</p>	<p>This Authority reviews fares on annual basis with proposals for any amendments being brought to the Licensing Committee for consideration.</p>	<p>No action required.</p>

	<p>The Authority's tariff proposals are based on drivers making a fair living balanced against demand and market pressures.</p> <p>When reviewing the fare structure, this Authority looks to ensure customers receive a fair deal whilst ensuring that taxi drivers are able to make a living working in the trade.</p>	
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