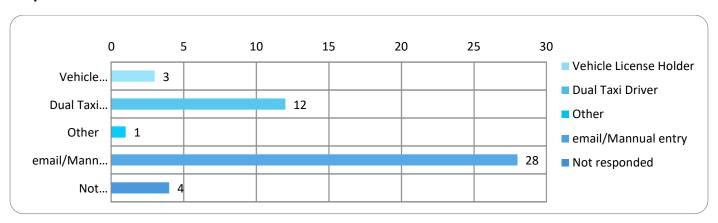
Taxi and Private-Hire Vehicle Licensing Policy Consultation Report

The public consultation on the proposed changes to the Council's Taxi and Private Hire Vehicle Licensing Policy took place between 1st December 2022 and 31st January 2023. Responses were requested via the Council's online consultation portal.

A total of 48 responses were received.

Respondent's Interest in the Consultation:



Many of the responses to the specific general questions included further text comments. An analysis of the text comments follows and the proposed response to those comments in relation to the policy requirements.

	Consultation Comment	Response
1	The taxi trade is strongly opposed to the inclusion in the policy requiring the compulsory transition to electric and hydrogen vehicles. We believe that the compulsory transition is invalid until there is sufficient vehicles and infrastructure to accommodate the high milage needs of trade and should be an option not mandatory. Currently on Auto Trader, only one hydrogen powered vehicle is fit for the requirements of the proposed transition – a 2016, 4 seat imported Toyota Mirai. Therefore, these vehicles cannot even be placed into consideration.	Proposed policy amended as follows: The initial proposed requirement that all new vehicle licences granted from 1st January 2025 must meet Ultra Low Emission (ULEV) standard has been removed. The policy requirement that all new vehicle licences granted from 1st January 2030 must meet Ultra Low Emission (ULEV) standard will be reviewed in 2028 before determining

With regards to electric vehicles, there are no vehicles with high enough milage ranges and the recharging technology is not efficient enough to meet the high demands of the trade. When checking online, the only vehicles registered in the years 2019 and 2020 which have a range of over 300 miles that can be licensed from 2025 are Tesla (which have a home charging time of 12 hours). This is unsuitable as some vehicles have more than one driver, meaning that they are on the road for over 12 hours a day.

The useable life expectancy of batteries in electric vehicles is shown by the following extract from an article on the National Grid website: "The hundreds of gently topped-up cells inside an EV battery mean that each battery pack is expected to retain its charging-discharging capacity from 100,000 to 200,000 miles".

When recharging batteries at fast chargers, there is a profound negative effect on their life expectancy. Replacing these batteries is not cheap, costing tens of thousands of pounds. The process of recharging batteries would have a significant effect on customer experience as customers wanting to complete long journeys would have to stop for vehicles to recharge lengthening the time taken (recharging at fast chargers can be as expensive as diesel and take much longer). Furthermore, it is not always possible to charge the vehicles at home as not all residential houses have adequate parking outside, resulting in the need to park on the road. This highlights the fact that the recharging infrastructure is not robust enough.

The cost of purchasing, insuring, and maintaining (in particular, battery replacements) of electric cars is not affordable for the trade and it has been indicated that there would be no grants available from the council. This would result in financial hardships for drivers: ultimately leading to drivers being forced to leave the trade or higher fares for customers. Hybrid vehicles are also inadequate due to their limited luggage capacity which is also an issue with electric vehicles. This would be significantly damaging when completing airport transfers, carrying pushchairs and wheelchairs, along with other luggage. As a result, we would be limited in the type of work we could accept, in turn, handicapping the trade and providing a reduced service to the public. There are also very limited options for hybrid vehicles.

whether that requirement will come into effect.

Policy amended to allow any vehicle that has been issued with a licence to continue to be licenced until the 10-year age limit is reached.

See policy para. 11.2.1 and revised appendix G.

2	Manager the marketine in make being a late.	Addressed by shareness suffice of the
2	Moreover, the restriction in not being able to revert to a previous Euro vehicle class will cause issues as drivers may be given temporary vehicles by insurers of a higher standard and not be able to revert to the previous class of vehicle. Drivers may also change a vehicle and after a period of time decide it is not suitable and not be able to revert back to previous class of vehicle.	Addressed by changes outlined in line 1 above.
	In summary, we feel that it is not appropriate to bring any changes to the types of vehicles that can be licensed as the vehicles currently available do not meet the high demands of the taxi trade. We would welcome a review of the position in the next policy update which would be due in 2028 and until then, continue to grant new & renewal of both Euro 5 & 6 Petrol and Diesel vehicles.	
3	We would also like it noted in the policy that all existing licenced vehicles should continue to be licenced even if they do not meet the new dimension requirements.	Addressed by changes outlined in line 1 above.
4	11.8.2 and 11.8.4 of the policy, there is reference to damaged vehicles and vehicles written off by insurers having their licences revoked. It is incorrect that the council would revoke a licence, and this would cause an issue with saloon hackney carriages having to be replaced with larger disabled vehicles. In Cherwell District Council we have a very good balance of hackney carriage vehicles with more disabled vehicles than saloon cars. A lot of older clients very often refuse the Peugeot Tippes and other bigger vehicles as they prefer to travel in a saloon vehicle. This is because it is much easier to get in and get out for them as they are lower to the ground and there are no steps involved. The older clients and individuals with certain disabilities are more comfortable sitting in saloon cars as it is a more familiar environment for them.	Proposed policy has been amended to allow 'like-for-like' replacement of vehicles with regards to emissions and euro categories, and vehicle type, up to the original accident vehicle age reaching 10 years old. Such a replacement vehicle grant application must be submitted within 6 months of the issue date of the Section 68 notice. See policy para 11.8.2. Under the Local Government (Miscellaneous Provisions) Act 1976 the authority should issue a notice if it suspects that a vehicle is no longer meets the policy vehicle condition requirements. The notice requires that the vehicle is

		repaired and inspected by an authorised officer within 2 months of the Section 68 notice issue date. Under those provisions the relevant vehicle licence is automatically revoked after 2 months if that requirement is not met.
5	5.5 All applications to renew a taxi drivers' licence should be made through the Cherwell District Council website. This is discrimination against groups that do not or are unable to complete the form electronically.	Amendments made to allow alternative forms of application on request.
6	6.7 Licence conditions in Appendix B require all licensed drivers to notify the licensing authority within 48 hours of any DVLA offences. Failure to do so will result in the licenced driver receiving Council penalty points, under the Penalty Point Scheme (See Appendix E). Should remain at 7 days and "failure to do so will result in the licenced driver receiving Council penalty points" to be replaced with "may" result to and take into consideration of "extraordinary circumstances".	This response identified an inconsistency between the proposed new policy which requires notification within 3 days and the appendices which refer to 48 hours. The proposed appendix will be amended to maintain the position that notification is required in 3 days. Reference to "extraordinary circumstances" to be added to the policy to allow discretion in appropriate circumstances.
7	7.2.1 Where an applicant has spent three months or more continuously outside the UK evidence of a criminal record check from the Country/Countries visited covering the duration overseas will be required. For stays longer than 3 months outside of the European Union a certificate of good conduct is required to be authenticated by the relevant embassy. Reducing this from 6 to 3 months will cause difficulties as it is very difficult to obtain documents from foreign embassy, if not can evidence of a valid reason for example falling ill or caring for an ill relative be considered.	A period of 3 months is recommended in the DfT Standards. This is an important element of the process for assessing a licence holder's status as "fit and proper". No change proposed to the draft policy as a result of the consultation comments.

8	9.4 Under the D.V.L.A. Group 2 Medical standards applicants and licensed drivers suffering from diabetes and using insulin, glinides, or other prescribed medications, must have an annual diabetes medical report. As discussed in the consultation meeting this has been included in error due to copying and pasting, this needs to be amended to reflect the current position that only diabetics on insulin need the annual medical report.	The change proposed by the consultation response has been made to the draft policy and appendix B.
9	11.1.8 Applications should be made using the Council website: This is discrimination against groups that do not or are unable to complete the form electronically.	Amendments made to allow alternative forms of application on request.
10	11.2.4 The council will only continue to licence vehicles less than 10 years old. Currently licenced vehicles should continue to be licenced provided they are maintained to high standards, as reducing the age of permitted vehicles at short notice will mean that vehicles already licenced will no longer qualify and does not give the trade time to financially plan for replacements.	The revised policy proposals allow currently licensed vehicles to continue to be used up to the 10-year age limit.
11	11.8.1 If, at any time, a licensed vehicle is involved in any kind of accident, regardless of how minor or who was at fault, the driver must inform the Council of the accident within 72 hours of the accident; this can be done by via email, or through the Cherwell District Council website: There should be an option to inform the council by phone.	The proposed new policy maintains the position that notification of an accident must be in writing to ensure there is a reliable record which can be retained along with details of date and time received. The requirement to notify an accident within 72 hours is a legislative requirement. No further change is proposed.
12	11.8.2 If the damage (whether mechanical or cosmetic) means the vehicle is no longer fit to be licensed a Section 68 notice will be issued. The notice requires that the vehicle is repaired to the required standard within 2 months of issue, after which that licence is automatically revoked. The licence should not be revoked as repairing a vehicle can be a lengthy process especially if insurers are involved. Also revoking a licence will create an issue with the type of vehicle that can be relicensed and instead the licence should be "suspended" until the vehicle is repaired or a similar vehicle replacement is sourced.	When a vehicle licence has to be suspended to ensure public safety after receiving accident damage the authority should issue a Section 68 notice as a result of the authority no longer being assured that the vehicle remains fit to be used as a hackney carriage or private hire vehicle. That notice automatically revokes that vehicle licence after 2 months, if that vehicle has not been repaired or replaced. This is legislation which cannot be changed by the authority.

As with 11.1.7 the licence should not be revoked	replacements. See policy para 11.8.2
and vehicle working on behalf of their licensed business do not park outside, or within the vicinity, of their licensed premises, unless picking up or dropping off a paying customer. Failure of the operator to adhere to this condition of the licence will lead to enforcement action which may include the issuing of penalty points, suspension or revocation of the licence or prosecution. In the meeting it was said that drivers should park in public car parks when not on a booking, can the council please provide parking passes to enable licence holders to use council owned carparks	Further detail added to provided clarity on the meaning of 'vicinity' of an operator's premises is proposed. 13.2.1 *Vicinity may be assessed as parking within 10 metres of the licensed operator's premises. It is not proposed that a condition that licence holders be able to use council own car parks for free be included in the policy.
Where an applicant has a conviction for using a held-hand mobile telephone or a hand- held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later. This is an unreasonable consequence; we feel that there should be a warning before a ban and that five years is excessive, as this would result in a career ending ban and result in financial hardship to drivers and their families. Appendix B	The DfT minimum standards include recommendations on the assessment of previous convictions. They specify that the stated periods are the starting point in considering whether a licence should be granted or renewed in all cases. In relation to the offence of using a hand-held device whilst driving the standards state that "licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later." Penalties for such an offence have recently been increased by the Government because of the amount of vehicle accidents caused by the use of hand-held devices whilst in control of a vehicle. As such this is a matter of public safety, ensuring that

		No change to the proposed policy is recommended.
15	Appendix B The Application Process All applications to renew a taxi drivers' licence should be made through the Cherwell District Council website: This is discrimination against driver/applicants who are unable to complete the form electronically.	Amendments made to allow alternative forms of application on request.
16	The council will not issue licenses to cover periods while an applicant is waiting for documentation as part of the application process. There should be allowances if the licensee can prove that efforts have been made to supply all documents, but due to conditions out of their control are unable to. There should be allowances if the licensee can prove that efforts have been made to supply all documents, but due to conditions out of their control are unable to.	This part of the policy is unchanged from the existing policy, and all requirements of a license application are required to assess an applicant's fit and proper status to hold a license. It is the council's responsibility to ensure that they completed all required checks before issuing a license, as a matter of public protection. No change made to the proposed new policy.
17	1.4 Hackney Carriage and Private Hire Vehicles shall not be driven by unlicensed drivers under any circumstances. Vehicles should be allowed to be used for social and domestic use by unlicensed drivers, as at time there is only one car available in a household.	This is a legislative requirement. Licensed Hackneys or Licensed Private Hire vehicles can only be driven by a licensed taxi driver, who has a license issued by the same authority as the vehicle. No change made to the proposed new policy.
18	6.1 When fitted to a Hackney Carriage taximeter must be used on every hire journey, and charges cannot exceed the metered fare. This should only apply to journeys that begin at a taxi rank or are flagged down. Any prebooked journeys should be allowed at a fixed rate as otherwise this would cause unfair competition between private hire vehicles and hackney carriages.	This is a legislative requirement under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 No change made to the proposed new policy. Drivers can still charge a pre-agreed price for the journey.
19	9 Licensed Drivers must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property, must deliver the item to the	The proposed policy has been amended to reflect this comment as follows

	Council's licensing department within 24 hours, unless an alternative arrangement has been made with the owner of the property. In the instance of property being left in a vehicle which has been booked through a private hire operator, the property should be returned to the operator's premises and there is no need to inform the licensing department as the passengers will contact the operator directly. With hackney carriage drivers It should be acceptable for the driver to inform the council of property left in the vehicle, as it is not always possible to deliver property to the council within 24 hours, also we should be able to drop the property to any Cherwell District Council office as returning to the licensing department would cause an unnecessary journey.	Found Property Licensed Drivers must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property, must notify the councils licensing department, in writing within 24 hours, unless an alternative arrangement has been made with the owner of the property.
20	10.3 Under the D.V.L.A. Group 2 Medical standards applicants and licensed drivers suffering from diabetes must have an annual medical report. This is not consistent with point 9.4 in the policy, and as discussed in the consultation meeting this has been included in error due to copying and pasting, this needs to be amended to reflect only diabetics on insulin need the annual medical report. Appendix C	The policy and appendices have been corrected to reflect this comment.
21	Private Hire Vehicles 1.1.1 D. Vehicles modified to use a different fuel from which they were first manufactured, will not be licensed. This does not allow for significant breakthroughs in vehicle fuel technology and needs to be amended to reflect this.	Policy amended to include "Vehicles adapted with an agreed retrofit to an approved standard* will be examined on a case-by-case basis. *The approved standard cannot be detailed at this time as this does not exist. Any creation of such standard in future will be examined at such time."
22	4.6 C. Signs with the words "This vehicle must be pre-booked" and the Council's name and crest. These must be displayed on both nearside and offside front doors. With the permission of the Licensing Manager the signs may incorporate the Private Hire Vehicle company's name. All such signs must be of a minimum dimension of 40cm in length and 20cm in width and should use a large enough lettering font for the words to be easily read from 3	The current policy does not specify letter sizes for signs and this new policy condition is proposed in order to maximise public protection and provide clarity. The word 'crest' will be changed to 'logo' and the proposed policy has

	metres distance, or in a font no less than 150mm in height. The wording crest should be changed to logo and there should not be a minimum hight for the font nor should there be minimum dimensions for the signs. As long as the text is clearly readable from a distance of 3 meters this should be accepted. The signs should be allowed to be placed on rear doors as this results in a smarter look to the vehicle and is also more visible by passengers, as these are the doors that passengers use to enter the vehicle. Magnetic signs should be permitted, the reasons for this is that sticker signs are easily damaged when going through carwashes and when on narrow country roads brushing against bushes. This results in a messy appearance to the vehicles. Also, when having to leave vehicles unattended in public carparks people notice the signs and break into the vehicles believing there will be valuables left in the vehicle.	been amended to allow magnetic door signs. The proposed policy has been amended to permit magnetic door signs.
23	Hackney Carriages 3.3 D. A windscreen and roof sign, capable of illumination, should be fitted, displaying the words 'FOR HIRE' and 'TAXI' in black lettering against a white background. The roof sign displaying the word 'TAXI' is black on a yellow/orange background on some purpose-built taxis, this should also be allowed. The 'FOR HIRE' sign in the windscreen is not on a white background and should be accepted as long as it is clearly visible.	Proposed policy amended to include in appendix B, para. 3.3- "Where vehicles are purpose built as Hackney Carriages and the only specification available during its build is for orange 'for hire' illuminated roof signs then these will be permitted. Retrofitted changes will not be accepted."
24	3.4 a) vi) vehicles with improperly sealed meters will not be licensed. The meter must be used for all journeys including those booked through a Private Hire operator. As mentioned at Appendix B, The Application Process, 6.1, this should only apply to journeys that begin at a taxi rank or are flagged down. Any prebooked journeys should be allowed at a fixed rate, as otherwise this would cause unfair competition between private hire vehicles and hackney carriages.	No change made to proposed policy due to this being a legal requirement. Pre-agreed fares can be charged instead of the metered fee providing the fee charged does not exceed the metered fare.
25	3.7 Door signs on nearside and offside front doors displaying the word "TAXI" in a font no less than 150mm in height. As with private hire signs magnetic signs should be permitted the reasons for this is that sticker signs are easily damaged when going through	See response in line 22 above

	carwashes and when on narrow country roads brushing against bushes. This results in a messy appearance to the vehicle. Also, when having to leave vehicles unattended in public carparks people notice the signs and break into the vehicles believing there will be valuables left in the vehicle.	
26	7.1.4 Applicants and licence holders are responsible for the costs of obtaining DBS services. It is a licence condition that applicants sign up to the DBS online update service and on the grant of a licence, the licence holder must maintain the subscription. Can the payments be made by the council and added to the licence fee to avoid any accidental cancellation of the service due to bank accounts	DfT guidance requires 6 monthly checks of a license holder's DBS report to ensure they continued to meet the fit and proper requirements of their license. As such DBS update subscription is the most cost-effective way for license holders to meet that requirement.
	changing or DD being rejected and bank errors.	The update service costs £13 per year, against £51 per DBS application.
		Should license holder be faced with applying for a DBS report, that report can take months to be completed, during which time the Authority would have to suspend that license under the 'fit and proper' requirements of the license.
		Licence holders should be responsible for their own administration to maintain their licences.
27	11.1.7 The Council will not licence vehicles which fall with the D.V.L.A categories which indicate that the vehicle has been damaged or written off by insurers. This should only be the case for grant of new	An amendment has been made to allow 'like-for-like' vehicle replacements when a vehicle has been written off.
	licences. If an existing licenced vehicle has been damaged or written off by the insurer and repaired to a level that passes the AA and council inspection, the vehicle should continue to be licensed. Not being able to continue to license the vehicle will result in financial hardship to the vehicle owner and is also harmful to the environment by creating unnecessary waste.	The Council is not able to confidently assess the safety of a vehicle that has been written-off by an insurer but subsequently repaired. Therefore the policy does not allow for such vehicles to be licensed on public safety grounds.

28 Only white cars allowed This is an existing policy provision Will be Cherwell hackney carriages and no change was proposed in the This way you will not get white consultation to that policy Out of town private hires parking up on high st requirement. and picking up flag downs. Most out off town The colour is an important aspect of drivers will be looking to use white private hires the public being able to recognise to confuse public licensed vehicles and therefore specifying a single colour is a common licensing policy provision as a public protection measure. No change proposed to the policy. 29 Also with regards to the long debate about This is a welcome proposal and the electric cars at the new taxi policy meeting Council will consider it as a test Have the council thought about issuing A before the next policy revision. temporary saloon hackney carriage license to run on a full time electric car to see how things go in the real world The license could be fixed to that car if the car fails license goes back to council? If the council will consider my proposal I will consider trying out a electric car I can keep a log to see in real world the problems we may face running electric cars **Further Online Responses to Specific Questions** 30 This comment is not specific enough Q4. Does the Drivers Policy cover all to enable us to consider any changes that may be appropriate. obligations and requirements? No (please briefly specify) It doesn't fit the proper and necessary requirements for our trade 31 The DfT Standards state-Q5. Are the Assessments and Tests "A lack of language proficiency could relevant and up to date? impact on a driver's ability to understand written documents, such No (please specify) as policies and guidance, relating to They are not up to requirements for our trade the protection of children and There are xenophobic and draconian tests required which vulnerable adults and applying this to insists a person must complete an English and Maths test identify and act on signs of as part of getting a license. These measures were exploitation. Oral proficiency will be introduced to limit the number of drivers (specifically those of relevance in the identification of potential exploitation through for whom English is a second language). Technology has communicating with passengers and advanced to the point whereby non verbal passengers their interaction with others. can communicate using translator apps and tools on their A licensing authority's test of a phone. An increase in the number of drivers and training driver's proficiency should cover both would benefit the public with a larger supply of drivers. oral and written English language

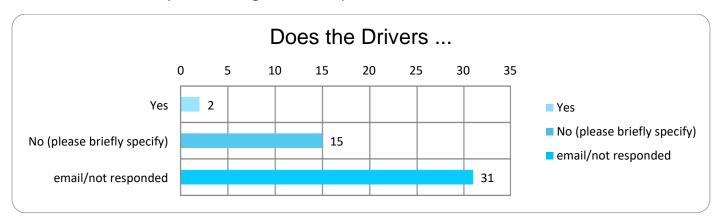
		skills to achieve the objectives stated above." The tests are intended to ensure the drivers we licence are suitable for the role as a matter of public safety. They are reviewed regularly and updated. Cherwell District Council will make all reasonable adjustments to ensure the tests are accessible by all. No restrictions are in place on the numbers of drivers the council will licence. No changes made to the proposed policy.
32	Q6. Are the policies' requirements and licenses options and tests relevant and current? No (please specify) They are not up to requirements for our trade Local knowledge tests are pointless now with apps available like Waze. English & Math tests limit the number of drivers and can be discriminatory to ppl with learning difficulties/Dyslexia etc- they are seen as discriminatory measures aimed at limiting non English people from applying.	See comments above. Cherwell District Council will make all reasonable adjustments to ensure the tests are accessible by all. A basic understanding of the English Language and a basic knowledge of the local area are integral to the licensed taxi profession.
33	Q7. Are the Conditions to acquire a license and application process comprehensive and inclusive? No They are not up to requirements for our trade They are discriminatory to people with learning difficulties/Dyslexia.	Cherwell District Council will make all reasonable adjustments to ensure the tests and application process are accessible by all.

34		This comment is not specific enough
	Q8. Do the applications cover all options of license?	to enable us to consider any changes that may be appropriate.
	No	
35	Q9. Is the enforcement policy covering all possible scenarios?	This comment is not specific enough to enable us to consider any changes that may be appropriate.
	No (please specify) They are not up to requirements for our trade	
	Accusations and revoking are made public by the council. Sometimes gleefully in public papers with little explanation	
36	Q10.Should enforcement be more severe?	This comment is not specific enough to enable us to consider any changes that may be appropriate.
	No (please specify) They are not up to requirements for our trade	
37	Q11.Are Actions and Appeals	This comment is not specific enough to enable us to consider any changes
	comprehensive and inclusive?	that may be appropriate.
	No (please specify) They are not up to requirements for our trade	
38	Q12. Vehicle carbon emissions and carbon reduction policies. Do you agree with the proposed targets outlined, at the Appendix G,	Changes have been made to the policy proposals in relation to emissions standards as outlined above.
	related to zero emission by 2030?	
	The actual guidelines I read said 2035	
	but in answer to that Cherwell District	
	decided 2030. No reason given. It would	
	clearly reduce the availability of cars in the	
	area and undoubtedly push the costs up.	
	Not reasonable and achievable	
39		This comment is not specific enough
	Q13. Any further details to add to Appendices A to G?	to enable us to consider any changes that may be appropriate.
	No (please specify)	
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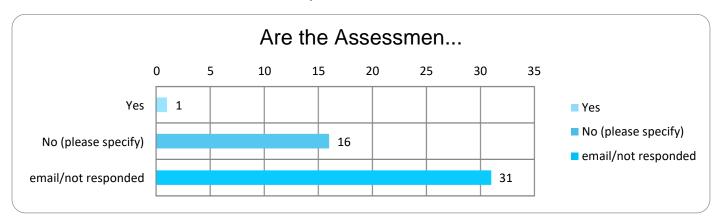
They are not up to requirements for our trade	

Analysis of Responses to Specific Questions:

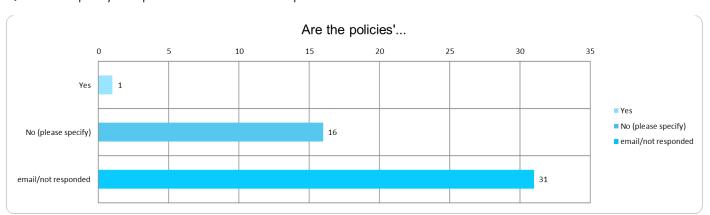
Q4. Does the Drivers Policy cover all obligations and requirements?



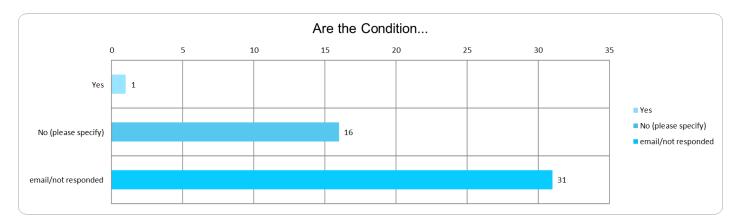
Q5. Are the Assessments and Tests relevant and up to date?



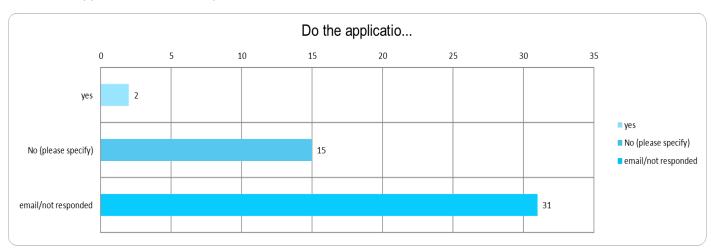
Q6. Are the policy's requirements and licenses options and tests relevant and current?



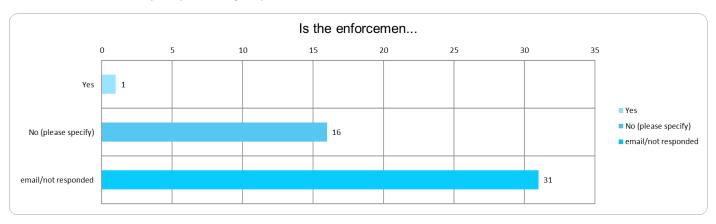
Q7. Are the Conditions to acquire a license and application process comprehensive and inclusive?



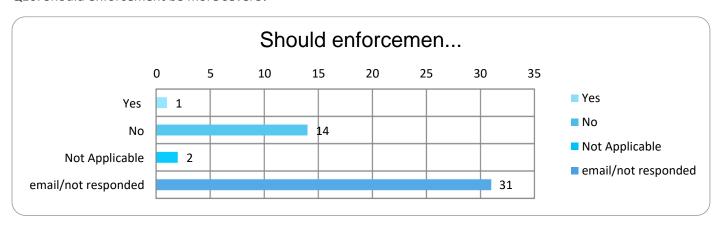
Q8. Do the applications cover all options of license?



Q9. Is the enforcement policy covering all possible scenarios?



Q10. Should enforcement be more severe?

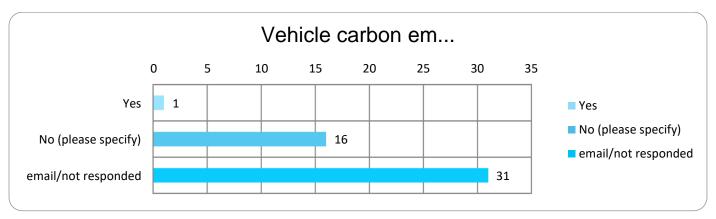


Q11. Are Actions and Appeals comprehensive and inclusive?



Q12. Vehicle carbon emissions and carbon reduction policies.

Do you agree with the proposed targets outlined, at the Appendix G, related to zero emission by 2030?



Q13. Any further details to add to Appendices A to G?

