

BRIEFING NOTE

Appendix A

**I. Background**

- I.1. The Council adopted its third Hackney Carriage and Private Hire Licensing Policy (Taxi Policy) in May 2022.
- I.2. This report outlines several changes to the Policy that are considered necessary when taking into consideration the economic and operational changes that have arisen since policy implementation in May 2022.
- I.3. A consultation exercise was undertaken between 24 October to 23 November 2023. The reasons for the consultation were outlined in the Executive Decision provided in Appendix B and a copy of the Consultation document is provided in Appendix C.
- I.4. The Council Constitution sets out the democratic process for decision making, and some decisions are for the Taxi Licensing Committee to make, and others are for Full Council to determine. This was set out in the Executive Decision document. This report seeks to cover those specific matters that require Full Council approval only, specifically Livery and Topographical Knowledge of Plymouth test (KOP). All other matters will be decided upon at the Taxi Licensing Committee meeting, as dictated by the Constitution.
- I.5. Table one taken from the Executive Decision report outlines a summary of the areas that were consulted upon and the appropriate decision-making route.

Table 1.

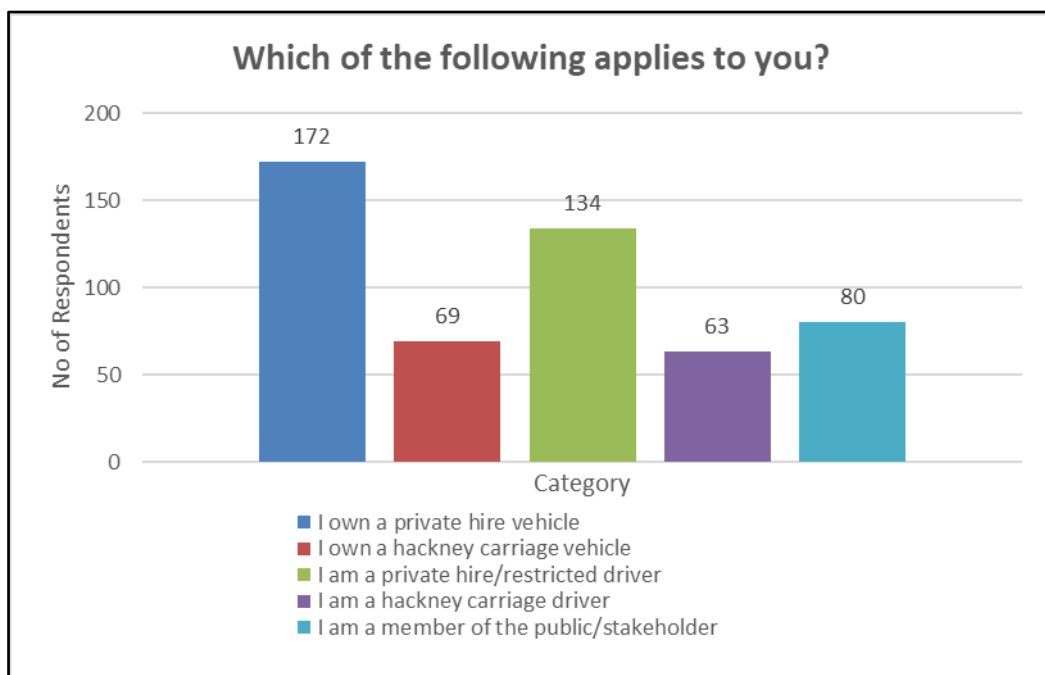
Policy Subject/Area	Changes Required	Full Council or TL Committee
Livery Policy 2022	Revoke full livery requirement & retain door signage	Full Council
Topographical Test (Knowledge of Plymouth)	Remove requirement for new private hire driver applicants to take and retain for hackney carriage drivers	Full Council
Certificate of Good Conduct	Change requirement for amount of time living in country from majority of adult life to more than 10 years in line with Barrister advice and Home Office guidance	TL Committee
Acceptable Standard of Dress (Dress Code)	Change of wording required to allow black denim, see review document for suggested wording.	TL Committee
Private Hire Driver & Hackney Carriage Driver New Driver Applicants (Accumulation of licence endorsements before application)	Amend wording to cover new applicants who have more than 6 points on licence	TL Committee
Hackney carriage Conditions of Licence. (Card Holder)	Amend card reader wording for clarity.	TL Committee

Fixing Point and must be operational and offered.	Remove requirement for card reader fixture.	
Changes to penalty Point Scheme	Review of what happens when 12 points reached i.e., points go back to nil or rollover etc, and Insertion of points for additional minor offences.	TL Committee
Private hire vehicle Specifications	Amend to allow PHV WA/tail lift vehicles to only have 1 side door. Add requirement for minimum of 4 adults to private hire vehicle specs. Amend seating requirements to allow for rear folding seats where safe and suitable. Remove engine capacity.	TL Committee

2. Consultation

- 2.1. All drivers, vehicle proprietors and operators were sent a letter by email, explaining the proposed amendments and asking for their feedback via an online questionnaire or printable form. Letters and emails were also sent to all Councillors, a variety of agencies and departments including disability groups, residents’ associations and businesses.
- 2.2. A total of 391 responses were received, 386 were made on-line and 5 were received by post or e-mail, which were added to the online system to allow analysis. There was an opportunity to leave comments. Full anonymised copies of the responses are in Appendix D. Of the 391 responses received, the following breakdown of who responded to the consultation can be seen below in Figure 1. Some responders ticked more than one of the options if they were both a driver and vehicle proprietor. 80 responses were received by members of the public but again some drivers ticked this option in addition to their licence category.

Figure 1: Breakdown of who responded to the consultation.



3. Considerations

- 3.1. There have been concerns for some time about the numbers of hackney carriage and private hire vehicles available in Plymouth. The wider 'taxi' service, (including both hackney carriages and private hire vehicles) provides a valuable support system to residents and visitors to our city. With this in mind, it is important for the Council to consider the economic wellbeing of the city, including employment opportunities, but also consider actions that can be taken to increase the availability of hackney carriages and private hire vehicles, to support the evening and nighttime economy and ensuring visitors and residents can move around the city safely at whatever time of day or night.
- 3.2. The Council have also considered the outcomes of the Violence Against Women and Girls Commission where it was reported that by having reduced numbers of 'taxis' it had an impact on the perceived safety of women and girls in our community. We are proud to have Purple Flag status, recognising Plymouth nightlife for safety and increasing the numbers of private hire and hackney carriages will help us maintain the ability to transport passengers safely.
- 3.3. We are satisfied that with other controls and checks undertaken as part of the licensing regime, we can be satisfied that even with an increase in the numbers of drivers and vehicles in the city, a safe service can be provided to the public.
- 3.4. All the individual responses to the questions about livery and topographical knowledge of Plymouth test have been reviewed, considered and are summarised below.
- 3.5. Matters that are delegated to Taxi Licensing Committee have not been considered in this report and will be reported in due course to the Taxi Licensing Committee in early 2024.
- 3.6. The recently issued Department of Transport Best Practice Guidance for Licensing Authorities, published on 17th November 2023, has also been taken into account in reviewing the consultation responses. [Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england)

Livery Policy

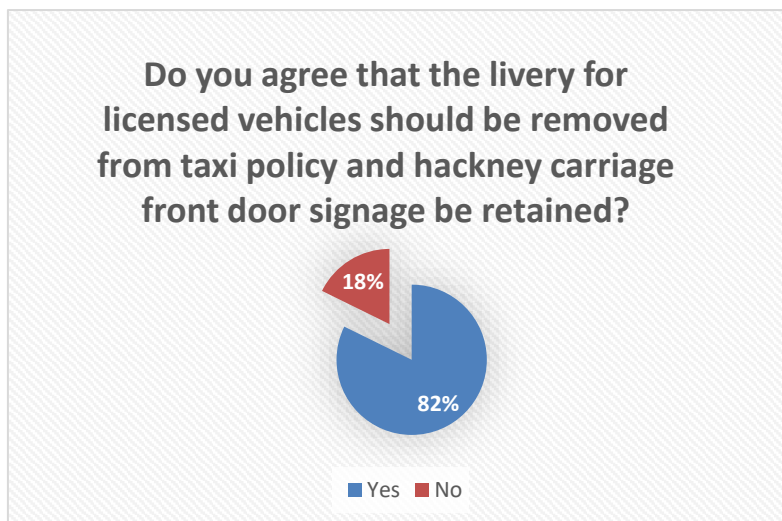
4. Background

- 4.1. PCC introduced its [Livery Policy](#) in May 2022. The Livery Policy currently requires
- 4.2. new hackney carriage vehicles entering the fleet from 1 May 2022 and existing hackney carriage vehicles to comply with the livery (colour scheme) requirements by 1 May 2027. It is also a requirement that new private hire vehicles entering the fleet cannot be white in colour.
- 4.3. The Council received feedback from vehicle proprietors, drivers and the wider taxi trade of issues relating to the cost of meeting the Livery Policy vehicles and the difficulties presented in sourcing such vehicles due to a national shortage.
- 4.4. The supply of new and second hand, 'all white' Euro 6, wheelchair accessible hackney carriage vehicles is severely limited with a continuing national shortage of the supply of vehicles of this specification and colour.
- 4.5. Furthermore, whilst there are a wide range of Euro 6 vehicles available to be licensed as private hire vehicles in Plymouth, the current policy requirement that these vehicles cannot be white severely reduces the number of vehicles that are available to be licensed.
- 4.6. The proposal was made to remove the requirements for livery for both hackney carriages and private hire vehicles, and retain a requirement for door signage. The specific question relating to Livery is shown in Figure 1 below, along with the percentages taken from the consultation responses.

5. Results

5.1. 378 responses in total were received to this question with 130 comments shown in full in Appendix D. 82% of respondents agree that livery requirements should be removed.

Figure 1



5.2. Some of those in favour of removing the livery requirement cited that cost of the livery requirements and sourcing white vehicles that are wheelchair accessible was difficult. Comments against the change in livery requirements said that having livery increased public confidence in hailing a properly licenced and approved cab. However there is overall support for the removal of the livery requirements.

6. Recommendations

- 6.1. Taking into account the comments and the responses received, it is therefore proposed to remove/revoke the Livery Policy for hackney carriage and private hire vehicles in its entirety from the Taxi Policy 2022 and the associated hackney carriage and private hire vehicle conditions and retain door signage for hackney carriage vehicles.
- 6.2. This will also require small changes to the vehicle conditions, and these will be considered as per the delegation at Taxi Licensing Committee. These will include the use of a temporary vehicle for example following an accident or repair.
- 6.3. All associated vehicle conditions and specification documents will also be updated to reflect these changes.

Topographical/Knowledge of Plymouth Test

7. Background

- 7.1. During the course of the consultation, new guidance was issued by the Department of Transport (DfT) on 17th November 2023, which has a bearing on this amendment to Policy. Although not statutory guidance, licensing authorities should have due regard to best practice guidance. This is available on the following link. [Taxi and private hire vehicle licensing: best practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/taxi-and-private-hire-vehicle-licensing-best-practice)
- 7.2. This guidance recommends that private hire drivers should not be required to undertake a knowledge test, as the DfT recognise the differences between how hackney carriages operate, such as plying for hire or being available on ranks, to private hire drivers, who have their routes transferred through an operator, and can use sat nav systems.
- 7.3. As such, this has had a significant impact on the considerations of the consultation responses. As mentioned, the aim is to increase the provision of the overall hackney carriage and private hire fleet and the impacts of removing the requirements for private hire drivers to undertake the KOP was recognised following the implementation of the existing policy in 2022, where

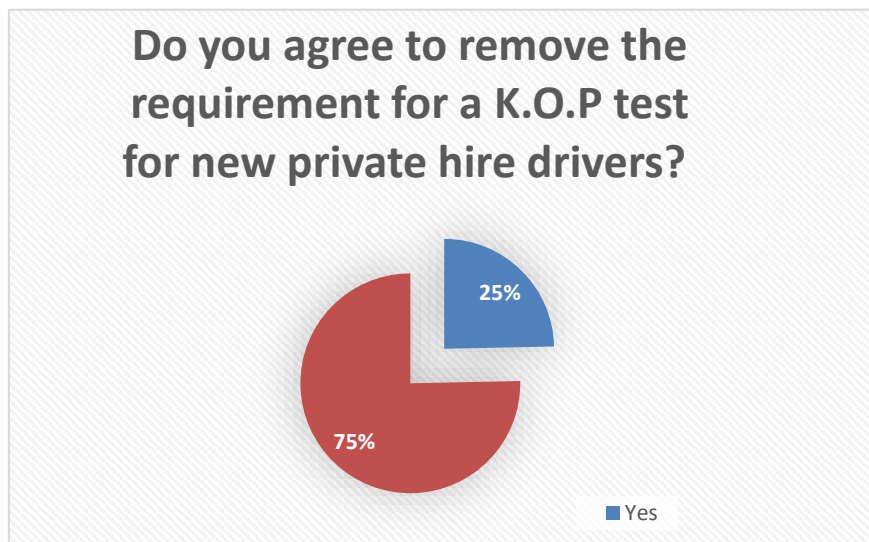
due to an error in wording there was a temporary relaxation of KOP requirements for private hire drivers.

- 7.4. During the 2 months that it took to rectify the mistake, there was a sharp increase in new applicants wishing to become licensed private hire drivers. This appeared to confirm that the KOP test for private hire drivers is currently presenting a barrier to new applicants.
- 7.5. Modern dispatch management and booking systems send bookings direct to the drivers data pads, with details of the bookings, via the inbuilt GPS navigation system which shows the most direct route to take. The routes also take account of local traffic conditions at the time of the booking. There is a valid argument that a private hire drivers' topographical knowledge does not need to be as much as a Hackney Carriage Driver who can 'ply for hire' and determine the most suitable and direct route etc while by the roadside and enroute. Private hire drivers cannot work without a GPS system or app which is accessed through their own smart phone.
- 7.6. Not all operators (operators of school contracts or fixed contracts) use dispatch management systems so these operators will be required to provide a form of electronic navigational system (GPS).
- 7.7. To ensure there is sufficient opportunity to gain local topographical experience and knowledge of Plymouth, any private hire driver who wishes to apply to be a hackney carriage driver will require three years of experience before they can apply or if they wish to apply before the three years, they will be required to complete the KOP test.

8. Results

- 8.1. The consultation in relation to KOP was asked in two parts, and the responses are dealt with in turn as part one, and part two.
- 8.2. Part one covered the removal of the requirement for a private hire driver to complete the KOP test. The question received 377 responses, of those 211 made comments, which are shown in Appendix D. 75% of respondents wished to keep the KOP requirements the same.

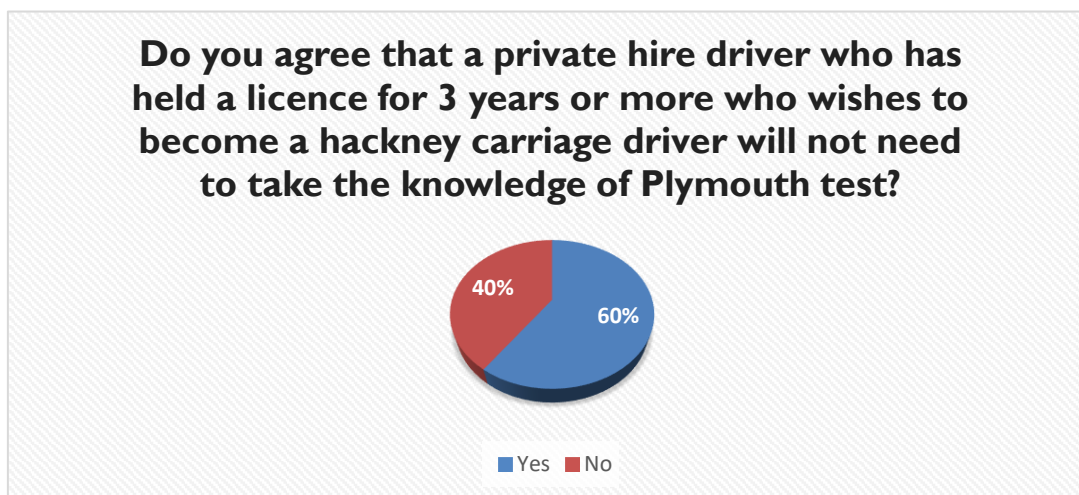
Figure 2



- 8.3. Those against the proposal included comments such as the KOP ensures drivers are of a specific standard, concerns about the reliability of the sat nav systems, and concerns that there would be an influx of lower standard, poorly trained drivers.
- 8.4. Those in support of the removal of the KOP considered the KOP was no longer relevant due to the electronic navigation systems available and others recognised it would result in an increase in drivers which would support the community and economy.

- 8.5. Part Two requested a view as to whether a private hire driver who had worked for 3 or more years should not be required to undertake a knowledge of Plymouth test if they wished to become a hackney carriage driver.
- 8.6. 375 responses were received. 224 (60%) of the respondents were in favour of the proposal and 151 (40%) were against the proposal. Full comments are available in Appendix D. Many repeated their previous concerns about the removal of the KOP test, although some recognised after driving for 3 years there would be increased knowledge.

Figure 3.



9. Recommendations

- 9.1. Full consideration has been given to the comments; however, it is recognised that the KOP for private hire drivers is a barrier to new applications, and increasing the number of drivers available is required to support the economic and safety needs of the city. This is further supported by the recently issued DfT guidance that also suggest best practice for licensing authorities is for the removal of the KOP test for private hire drivers.
- 9.2. Therefore, an amendment to reflect that the KOP test will only apply to Hackney Carriage Drivers is proposed.
- 9.3. Further proposed amendments will reflect that a private hire driver who has held a licence for 3 or more years will not need to take the KOP test if they wish to apply for a hackney carriage drivers' licence.
- 9.4. All amendments to the policy will be implemented on 1st April 2024, following the remaining matters being decided by Taxi Licensing Committee in due course.