

APPENDIX B

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY CONSULTATION – SUMMARY OF RESPONSES

	POLICY	FEEDBACK	RESPONSE FROM COUNCIL
1.	<p>INTRODUCTION 2.6 Signage and Advertising</p> <p>APPENDIX C 7.0 Signage</p> <p>APPENDIX D 2.0 Identification Plates 6.0 Vehicle Signage</p> <p>APPENDIX E 2.0 Identification Plates 5.0 Vehicle Signage</p>	<p>I will take this opportunity to suggest London style livery's for private hire they just display 2 small disc size stickers on front and rear screens they look very smart and modernise as we know London got bigger numbers of operator and passengers big city and its environmental friendly don't produce much plastic waste and don't damage drivers cars paint work. More stickers mean damage to paint reduces value of car and also drivers get stoned easily by teenagers when they see taxis coming and even parked in streets lot of drivers get there windows broken cause thief easily identify cars parked they just broke windows to search for little change pennies they find leftover.</p>	<p>VEHICLE SIGNAGE</p> <p>The Department for Transport's (DfT) draft Statutory Taxi and private Hire Vehicle Standards states:</p> <p><i>... licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.</i></p> <p><i>Licensing authorities should not impose a livery requirement on private hire vehicles. The more distinctive a private hire vehicle is made to appear, the greater the chance this might be confused with a taxi.</i></p> <p><i>Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign.</i></p> <p>Whilst this draft revised guidance is not yet finalised and published, it gives a good indication of the DfT's current thinking with regards to private hire livery. The guidance does not address any risk associated with unlicensed drivers and vehicles.</p>

APPENDIX B

			<p>Officers consider that signage on private hire vehicles is still necessary to help passengers identify their pre-booked vehicle; remind passengers that private hire vehicles must be pre-booked; mitigate the risk of bogus drivers and vehicles posing as legitimate; and help distinguish private hire vehicles from taxis.</p> <p>However, in view of the concerns raised by the trade; the draft guidance from Government; and in line with other GM Authorities - it is proposed to amend the Policy to require only front and rear identification plates; and rear door stickers displaying the wording <i>Private Hire Vehicle – Not insured unless pre-booked with the Operator</i>. Operators would be allowed to request permission to place additional signage if desired i.e. operator contact details.</p>
2.		Pathetic!!	
3.		<p>I may miss a few points here but I'm sorry, I dont have the time to sit here and read through 151 pages.</p> <p>My understanding from many of those within the private hire industry is they are all looking to re-licence out of the area to avoid the new rules you are seeking to impose on the trade.</p> <p>That will of course show in Traffords finances.</p>	<p>See response to 1. above.</p> <p>Private Hire licensees can affectively choose to obtain their licences in one district with the intention of working in a completely different licensing area. Members will be aware that Trafford has over recent years seen a proliferation of vehicles and drivers working in the area but licensed elsewhere.</p>

APPENDIX B

		<p>We did not want the roof signs removed.</p> <p>We do not want stickers plastered all over our cars</p> <p>We do not see the purpose of plates on the front of the vehicles either, after donkeys years of having one plate we don't see why we should be burdened with the cost of another plate on the front of the car.</p> <p>I still don't understand why Trafford wants the name and details of those who telephone to make a booking for a taxi.</p> <p>I think you are making repairs to something that was not broken.</p> <p>The standards in Trafford have always been superior to those in other areas, and the "Combined Authorities" appear to be just three from twelve, everyone else clearly agrees with the trade, these new rules are not required.and place unnecessary and unreasonable costs on the trade as a whole.</p> <p>Trafford we'll drive out the rest of the trade and we will all end up with out of area badges and plates.</p>	<p>As Licensing is a full cost recovery service, the only ways it can respond to this are to increase the fees, reduce the service structure or review policies that are deterring applicants.</p> <p>With the ever-changing industry, continued licence shopping impacting many licensing authorities, and without final completion of Stage 1 & 2 of the Minimum Licensing Standards (MLS) project being achieved - some GM districts have already felt compelled to review their position and depart from MLS policies they had previously approved. Consequently, the MLS project is currently under full review.</p> <p>Trafford continues to work with other GM districts to achieve alignment in taxi and private hire policy as far as possible, however, it seems no longer feasible to maintain all of the current MLS positions or await the DfT's Statutory guidance.</p> <p>The report outlines the current key policy areas that members of the trade have approached officers and Members about and which policy revisions the Council may want to consider in view of the policy changes adopted by other GM Licensing Authorities.</p>
4.		<p>I think our cars should not have any stickers on because that indicates to the youth that it's a taxi which drives their attention towards us and me get targeted of physical and verbal abuse.</p>	<p>See response 1 above.</p>

APPENDIX B

5.	<p>APPENDIX A 1.0 Vehicle Requirements 1.2 Vehicle Age and Emissions</p> <p>APPENDIX B 1.0 Vehicle Age and Emissions</p> <p>APPENDIX C 4.0 Vehicle Age and Emissions</p>	<p>Today Manchester city council have extended their age policy from 5 year to 10 years for replacement and first time licenced vehicles.</p> <p>However, Trafford policy for first time licensed vehchile is still 5 years. Now that Manchester have extended to 10 years would Trafford council follow Manchester council and bring their rules in line with Manchester city council?</p> <p>I will be really pleased if you could possible shred some light on it. As everyother council in greater Manchester have softer rules for vechiles comparing to Trafford. In this age of inflation it is really hard to afford a good vechile of under 5 years of age to be licnesed.</p>	<p>The current age policies in Trafford are:</p> <ul style="list-style-type: none"> • PHV – under 5 years on to fleet and 10 years off • PHV WAV – under 7 years on to fleet and 15 years off • Purpose built HVC – under 7 on to fleet and 15 years off <p>The rationale for introducing a coming on to fleet age limit was to encourage proprietors to licence newer, more energy efficient vehicles and safeguard against having a majority of the fleet at the older end of the age limit scale.</p> <p>However, this policy proposal was initially put forward before the pandemic and subsequent cost-of-living crisis and in recent months GM districts have come under increasing pressure to revise the coming on to fleet maximum age requirement.</p> <p>It would appear that there is no clear public safety benefit to requiring proprietors to purchase a vehicle less than 5 (private hire) and 7 (hackney) years old when first licensing that vehicle and there is obviously a financial burden placed on licensees if they are struggling to replace their existing vehicle.</p> <p>As such it is proposed that the coming-on age requirement be removed.</p>
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APPENDIX B

6.	<p>You may be aware that Manchester City Council gave consideration to this issue and as a result arrived at the following conclusions;</p> <p><i>On Monday 17th July 2023 Manchester Licensing Committee agreed to the report put forward by the licensing officers.</i></p> <p><i>1 Remove the requirement for operator stickers on private hire vehicles</i></p> <p><i>2 Remove the requirement for bonnet stickers on private hire vehicles</i></p> <p><i>3 Introduce a requirement for council issued sticker to be displayed on the rear door of a private hire vehicle</i></p> <p><i>4 Remove the routes section (paper 2) of the private hire driver test, and the test fee adjusted accordingly</i></p> <p><i>5 Remove the requirement for a coming onto fleet age limit within both the Hackney and private hire vehicles policies</i></p> <p><i>6 Extend the current emissions compliant date for the existing hackney and private hire vehicles fleet to 1 April 2026</i></p> <p>Additionally Oldham Council also moved in this direction a few weeks ago.</p> <p>In view of the foregoing would you please arrange for this matter to be reconsidered by</p>	<p>See responses to 3. and 5. above. This deals with items 1, 2, 3 and 5. Items 4 and 6 are already in line with our existing standards.</p>
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APPENDIX B

		<p>Trafford Council with a view to replicating the above decision.</p>	
<p>7.</p>	<p>APPENDIX L Private Hire Driver Conditions</p>	<p>I have set out below XXX's response to the relevant proposals as a licensed private hire operator in Trafford in this letter and in response to the online survey. In support of our response, XXX held a driver forum with Trafford Drivers in Manchester on 24 August 2023 which was attended by 20 drivers. Proposals that have been omitted from this letter can be deemed as XXX not having a view on the matter.</p> <p>Drivers</p> <p>2.1 Convictions and suitability matters</p> <p>During the forum, drivers raised concerns about the new responsibility to report convictions or any similar criminal or civil action within 24 hours. Drivers stated that 72 hours is more appropriate given the potential complexity involved in some of those issues. Drivers also disagreed that they should be required to report speed awareness courses. XXX agrees with its drivers. A speed awareness course is not classed as a driving conviction and should not be mandatory to report to the licensing authority.</p>	<p>The policy states:</p> <p>2.1The licensee shall notify the Council immediately in writing (or in any case within 24 hours) if they are subject to any of the following:</p> <ul style="list-style-type: none"> • arrest or criminal investigation, • summons, • charge, • conviction, • formal/simple caution, • fixed penalty or speed awareness course, etc... <p>The Government's Statutory Guidance states:</p>

APPENDIX B

	INTRODUCTION	3.2 relevance of convictions and cautions While we recognise that the requirement to conduct background checks on applicants resident in another country for more than three months is not subject to consultation, we have reservations about it. In XXX driver forums across the UK, drivers have expressed	<p>Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. This must not however be seen as a direction that a licence should be withdrawn – it is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities.</p> <p>Importantly, a failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.</p> <p>It is proposed to amend the policy to require notification within 48 hours and to remove the requirement to notify of attendance on a speed awareness course.</p> <p>The policy states: The Licensing Authority will conduct background checks on applicants who have (from the age of 18) spent 3 continuous months or more living outside of the UK – this includes requiring a</p>
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APPENDIX B

		<p>unease about this proposal. We have recommended to all licensing authorities that detailed guidance be provided to drivers as to how to obtain a CoCG and what to do when it is not possible to do so. As many of our drivers have highlighted, some countries do not provide CoCGs, while others require six months' residency or may be temporarily unable to provide them due to conflict or unrest. While greater scrutiny may be warranted for taxi and PHV drivers given safeguarding concerns specific to the industry, the administrative burden and costs imposed on drivers should be balanced against this objective.</p> <p>Obtaining a CoCG from some countries would require drivers to send their passport and other critical documents overseas for as long as six months at a time. About 80% of the drivers on XXX's platform are first or second-generation immigrants who rely on these documents to access critical government services. Many of these drivers also regularly spend three months overseas visiting friends and family from their native country, requiring multiple CoCGs throughout the course of their licence, which increases the cost of their compliance with this proposal. We believe that requiring a CoGC after six months or more living outside of the UK is more proportionate.</p>	<p>certificate of good conduct authenticated by the relevant embassy as necessary.</p> <p>The Government's Statutory Taxi and Private Hire Vehicle Standards published in 2022 State:</p> <p>Overseas Convictions</p> <p>The DBS cannot access criminal records held overseas, only foreign convictions that are held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, a DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas – the same applies when an applicant has previously spent an extended period (3 or more continuous months) outside the UK. It should however be noted that some countries will not provide a certificate of good character unless the individual has been resident for 6 months or more.</p> <p>Licensing authorities should seek or require applicants to provide where possible criminal records information or a certificate of good character from overseas in this circumstance to properly assess risk and support the decision-making process. It is the character of the applicant as an adult that is of particular interest, therefore an extended period outside the UK before the age of 18 may be less relevant. As with all licensing decisions, each case must be considered on its own merits. See the Criminal record checks for overseas applicants for more</p>
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APPENDIX B

			<p>information on applying for overseas criminal record information or certificate of good character.</p> <p>The Guidance goes on to state:</p> <p>It is not always possible to obtain a certificate from countries that do not have functioning criminal record regimes or refuse to provide these to anyone other than their own citizens.</p> <p>In the absence of available checks, we would expect employers to obtain as much information as possible in the form of references before deciding whether to make an offer of employment.</p> <p>In response to the feedback and the Statutory guidance it is proposed to amend the policy to read:</p> <p>The Licensing Authority will conduct background checks on applicants who have (from the age of 18) spent 6 continuous months or more living outside of the UK – this includes requiring a certificate of good conduct authenticated by the relevant embassy as necessary.</p> <p><u>See the Criminal record checks for overseas applicants for more information on applying for overseas criminal record information or certificate of good character.</u></p>
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APPENDIX B

	INTRODUCTION	<p>Vehicles</p> <p>2.7 CCTV in licensed vehicles</p> <p>We note that Trafford has opted not to consult on its CCTV policy, which is currently not permitted. In line with the Department for Transport Best Practice Guidance, we believe that Trafford Council should seek to consult passengers, drivers and Operators about the safety benefits of CCTV. XXX is against mandatory CCTV because of the cost burden on the driver.</p> <p>However, where a driver wishes to install CCTV, this may help to deter or prevent crime and assist Trafford Council or the Police with an investigation. It may also provide greater confidence to vulnerable passengers in Trafford. CCTV in private hire vehicles is supported by GMB, the UK's third largest union and by many XXX drivers. In a recent forum organised by XXX with Trafford drivers, the majority of drivers supporting optional CCTV in vehicles at their discretion</p> <p>In addition, XXX is developing an in-app audio recording feature which would allow passengers or drivers to record in the vehicle for a five minute period which can be activated if they feel unsafe. This recording is held securely, and is not able to be accessed by passengers or drivers. However, should they make a complaint to XXX, this recording can be accessed by XXX's Safety Team to help with any investigation of the incident. We believe</p>	<p>Officers are aware that a number of Councils have taken the decision to mandate CCTV systems, whether cameras or cameras and audio recording, as a way to further safeguard passengers and drivers.</p> <p>The presence of CCTV can act as a deterrent to criminal or other poor behaviour, but it also provides vital evidence in situations where an incident has been reported, which otherwise may have been one person's word against another. Trafford currently does not allow CCTV to be installed in its licensed vehicles; not because it objects to the idea but because it is aware of the importance of striking a balance between passenger safety and privacy, and the need to carry out significant research and consultation which would satisfy the Information Commissioner and Surveillance Camera Commissioner as the regulators.</p> <p>The intrusive capability of CCTV means that there will need to be careful consideration of the impact it will have on privacy and how it can be used in a way that is sensitive and transparent so as to maintain both drivers and the public's confidence in its use. Proposals would need to clearly set out how privacy issues have been considered and how any issues raised have been mitigated. Consideration of these issues will need to be demonstrated through a data protection impact assessment (DPIA), which is required to be carried out before the roll-out of</p>
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APPENDIX B

	INTRODUCTION	<p>Trafford Council should also consult on innovative approaches to audio recording such as our product. Data from other countries where this is in use has proved useful in situations where previously the investigation struggled from a lack of evidence.</p> <p>2.6 Signage and advertising</p> <p>We agree with the proposed change to 2.6 on signage and advertising which requires vehicles to display signage identifying the vehicle as licensed by Trafford Council. This removes the requirement for Operator specific signage. Several Licensing Authorities in Greater Manchester, including Oldham and Manchester City, have opted to introduce similar requirements. This change is aligned with the Department for Transport Best Practice Guidance. Consistent council issued signage will reassure passengers in Trafford they are entering into a licensed Private Hire vehicle.</p>	<p>any intrusive surveillance system, including CCTV. Both privacy issues and legal requirements around data protection will be important factors.</p> <p>Trafford supports wherever possible a consistent approach to policies and standards across GM. The GM Licensing Manager's Group has agreed to look at this issue as one of its next priorities. Trafford will be working collaboratively with other GM authorities on proposals around the use of CCTV in licensed vehicles in the near future and we will keep the trade informed of progress on this work.</p> <p>See Response to 1. above.</p>
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APPENDIX B

		<p>We believe that all Operators should be required to provide the passenger with the vehicle's number plate/registration mark and the vehicle specifications, such as colour, make and model and information about the driver at the point of booking.</p> <p>XXX believes the current operator signage unfairly restricts and fetters a driver's ability to work for multiple operators. This effectively reduces choice for passengers. Restricting a driver's ability to work for multiple operators places additional constraints on the supply of vehicles to the public, as the vehicle availability is constrained to bookings through one operator rather than across the trade. This can present both safety concerns and service provision concerns, particularly for passengers seeking a journey whilst out in the evening or at night.</p> <p>The DfT Best Practice Guidance published in 2022 notes that licensing authorities should not impose signage requirements that 'effectively ties a vehicle or driver into an exclusive relationship with an operator' (8.45). The Best Practice Guidance recommendation is clear that local authorities should remove operator signage from licensed private hire vehicles and does not identify any related safety concerns.</p> <p>XXX believes amendment of the current signage policy to signage displacing the council livery, without reference to operators, is consistent with the Department for Transport recommendations.</p>	
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APPENDIX B

		<p>Feedback from XXXs drivers in Trafford is that operator signage has restricted their ability to work for multiple operators, and this reduces operator competitiveness. Drivers also have concerns that operator signage enables private hire vehicles to be identified and for the drivers to be subjected to bullying, harassment, and vehicle damage. Drivers believe this is particularly prevalent where they choose to work with app-based operators who have more recently entered a market, and feel their safety can be compromised.</p> <p>XXX recognises the importance of signage in identifying whether a vehicle is properly licensed and recommends Trafford Council implement council-issued door signage with council logos, clearly distinguishing the vehicle as a private hire vehicle. The council may also consider adding vehicle licensing numbers on the signage. A proposal published by Southampton City Council referred to as Annex A below may be of interest.</p> <p>Advertising</p> <p>As an experienced Private Hire Operator, XXX is used to ensuring its advertisements are compliant with the British Code of Advertising Practice. In addition, our internal legal and marketing teams review all public communications. We believe that Trafford Council should consider removing the requirement for Operators to seek approval for every advertisement.</p>	<p>It is not clear from the response if this relates to advertising on the vehicle or general advertising done by the operator.</p> <p>The policy on advertising relates to advertising on the licensed vehicle only and states: Licensed vehicle proprietors shall not display or allow to be displayed in or on their vehicles any signs, notices, advertisements, video or audio display etc. either for the purpose of advertising</p>
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APPENDIX B

		<p>In the majority of other licensing authorities, runs hundreds of advertisements every month. This figure is lower in Trafford because all must be reviewed by the council. Less advertisements means we cannot create a high level of demand for our services which lessens driver earnings.</p> <p>Instead, we believe that Trafford Council should publish advertising guidance to all Operators which allow them to check whether their advertising is compliant with Trafford Council's requirements. This would lessen the administrative burden on both Operators and Trafford Council.</p> <p>1.2 Vehicle emissions and age</p> <p>XXX disagrees with the proposal to remove the ability for electric vehicles to be licensed until they are fifteen years of age. Treating electric vehicles the same as Petrol and Diesel vehicles will discourage drivers who are considering switching to an EV. In addition, EV's have a much higher up front cost than Petrol and Diesel vehicles. Licensing EVs up to the age of 15 years will allow drivers to recoup the cost of the vehicle over a much longer period of time. We agree with the proposal to remove specific timelines for the transition to ZEC.</p>	<p>or by way of identifying or personalising marks. However, the Authority will consider waiving this prohibition on application from hackney carriage vehicle licence holders in accordance with the terms of licence.</p> <p>Private hire vehicles are not permitted to display advertising and it is not proposed to amend this policy.</p> <p>It is proposed to amend the wording as follows to clarify the policy:</p> <p><u>Applications for approval of advertisements to be displayed on hackney carriage vehicles must be made in writing to the Authority.</u></p> <p>To remove condition 7.2 from the Private Hire Operator conditions</p> <p>Trafford supports wherever possible a consistent approach to policies and standards across GM. The majority of GM authorities have agreed the same age limit for hackney carriage and private hire vehicles. The GM Authorities are working with Transport for Greater Manchester to look at ways to incentivise the trade to move towards compliant and electric vehicles including reviewing the age limits for electric vehicles.</p>
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APPENDIX B

		<p style="text-align: center;">Appendix G — English Language standard</p> <p>In Appendix G, XXX disagrees with Trafford Council’s proposal to remove the ability for drivers to conduct an individual language assessment in exceptional circumstances. In XXX’s view, this provides an opportunity for drivers to demonstrate the requisite ability but who may not be able to provide formal evidence under the NARIC framework. In certain circumstances, drivers who are not used to a formal examination but who can demonstrate a good level of English may be disadvantaged. In XXXs driver forum, driver’s disagree with this change arguing that it closed off non-standards routes into Private hire driving in Trafford.</p>	<p>Trafford will be working collaboratively with other GM authorities on proposals around the Clean Air Taxi Fund and the EV charging structure and will keep the trade informed of progress on this work.</p> <p>The policy includes the following statement to cover all situations where the applicant is unable to provide the required documents:</p> <p>The Council expects all applicants to produce evidence that they have passed all the tests required under the Council’s policy and that they provide all the documentary evidence, such as CRB checks, DVLA licences and medical certificates required by the Council at the time they submit their application. In the absence of such information the application will normally be refused by a delegated licensing officer unless the Applicant has submitted evidence with their application of exceptional circumstances why the Council should depart from its policy and grant the application without the required evidence or documents.</p>
8.		<p>XXX recognises the important role a safety policy provides but is clear in its belief that a policy must be inclusive of the protections afforded to Taxi and Private Hire drivers. Trafford has chosen to ignore the relevance of including a policy in respect of such protections.</p>	

APPENDIX B

		<p>Further commentary in this iniquity will be included within our conclusion in this document.</p> <p>Suggesting EV implementation is difficult given the general financial Commitments that driver and their families have, and many do not have the money to invest, additionally the exceptionally high interest rates or in many cases the cost of rent to buy schemes that take advantage of workers who cannot obtain reasonable finance due to past credit issues or their low incomes is an impediment.</p> <p>Grants being offered if any are not generous enough and licence fees for zero emission vehicles should be incentivised to incentivise adoption. Due to milage limitation EV cars are still not at a developmental stage where drivers feel confident enough that they can accomplish all the journeys that may occur during a shift.</p> <p>Without dedicated charging and stronger EV charging infrastructure in place to keep PHV cars moving this is also a major concern. Likewise, the high cost of charging on non-private networks, especially where street charging is an impossibility and frankly is a target inhibiting families with ethnically diverse backgrounds who may not have a driveway. Night workers also have to pay more for charging during the day due to high electricity costs, this creates an unbalanced market in terms of cost and return on investment. At this stage as long as a car is Euro 6 diesel or Euro 4</p>	<p>See response to 7. above.</p>
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APPENDIX B

		<p>petrol or an alternative fuel such as Hydrogen XXX feel it is sufficient enough to be plated.</p> <p>On this basis if a vehicle meets this criterion, it be licensable from 12 years from date of registration for normal cars and 15 years for wheelchair accessible vehicles.</p> <p>For brand new registered cars Compliance test should be carried out every 12 months for the first 3 years. A 6 monthly MOT should suffice for future licensing purposes and an annual compliance test should then include an MOT at time of re-licensing. This will also alleviate backlog at council facilities.</p> <p>7- 8-seater options should be extended to vehicles such as Ford Galaxy, VW Sharan, Seat</p>	<p>The policy proposes that vehicles be licensable for 10 years for saloon vehicles and 15 years for wheelchair accessible vehicles in accordance with the agreed position across the majority of GM Authorities.</p> <p>In general, licensed vehicles undertake much higher mileage than normal vehicles. Therefore, it is suggested that in the interests of passenger and other road user's safety, a more stringent maintenance and testing regime is required. A view also supported by the DfT's Best Practice Guidance. Trafford's current standard requires vehicles to be tested on first application and every six months thereafter, irrespective of the age of the vehicle. This is based on previous testing data which has shown that even newer vehicles may fail the test. A quick review of several city and large town licensing authorities reveals a varied picture with 6 monthly tests as common as the basic minimum requirement. There is no current backlog for vehicle tests at the Council's three nominated garages; therefore, it is not proposed to amend the policy on testing at this time.</p> <p>The Government's draft Best Practice Guidance states: Seating capacity 8.9 Licensing authorities are responsible for deciding how</p>
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APPENDIX B

		<p>Alhambra and Toyota Prius plus and other vehicles that are approved by committee.</p> <p>Original factory fitted tinted windows should be accepted for the rear windows and rear windscreen.</p> <p>We suggest that No Operator Signage on vehicles is now implemented – Following XXX engagement with many Licensing Authorities UK wide the restriction and inhibition of operator signage has been removed as a condition, this of course allows drivers to work for more than one operator. Such a change of condition also allows the general public to find more drivers</p>	<p>many passengers a taxi or private hire vehicle is licensed to carry. Whilst the Vehicle Registration Certificate (V5C) issued by the Driver and Vehicle Licensing Agency states the seating capacity of a vehicle, licensing authorities are entitled to restrict the passenger carrying capacity in the interest of convenience and comfort. However, authorities should consider the principles set out in the Competition and Market Authority's guidance. It may however be unreasonable, undesirable or even a safety risk for passengers to have to operate folding seats to exit the vehicle: the ease of this in an unfamiliar vehicle in an emergency situation should be considered.</p> <p>The Council will continue to inspect vehicles on a case by case basis to determine a suitable seating capacity.</p> <p>The proposed policy permits 20% light transmission on rear passenger windows and no tint restriction on the rear window.</p> <p>See response to 1. above.</p>
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APPENDIX B

		<p>available at peak periods as drivers can move to operators or platforms that may be busier at these times. Following the DFT guidance on this is a value for driver and passenger alike. XXX wish that this model should be in place throughout Greater Manchester and believe it will be of great benefit to the trade and will stop seepage to non-Greater Manchester authorities such as Wolverhampton.</p> <p>A complete removal of bonnet stickers as well as no operator paraphernalia such as screen disks or stickers externally or internally is desired and will improve public perceptions and confusion between operators.</p> <p>XXXs recommendation is that a small rear door sticker is all that is required with the phraseology:</p> <p>PRIVATE HIRE VEHICLE: PRE-BOOKED ONLY</p> <p>Perhaps a small Trafford logo could be incorporated. With a removal of the rear window sticker which we believe is a safety issue obstructing outside vision in to the cabin.</p> <p>A daily vehicle check log to be kept in vehicles every day is something we disagree with, a check is only in the moment just as an MOT can be passed only for a light to fail within minutes. Drivers are considered fit and proper and there is no safety concern before they are issued a</p>	<p>The DfT Guidance includes at Annex E a Driver Vehicle Condition Checklist which indicates that they would expect drivers to carry out a daily safety check. The form goes on to state: WARNING: Drivers found using a defective vehicle in breach of the duty to check could be at risk of sanction, especially if the condition of the</p>
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APPENDIX B

<p>APPENDIX J</p>		<p>licence and therefore need to be trusted when maintain their vehicles.</p> <p>The demand for drivers to self-report matters such as speed awareness course offences seems to hold no value as the provision of such courses is based on the authorities seeing the past transgression as a minor motoring matter. These are not required by DVLA so there should be no need for the council to ask for these types of notices. The proposed policy changes would have a requirement for drivers to notify the Council within 24 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence, including the issue of a police fixed penalty notice. XXX believe that the proposed timescale is inappropriate given the probability that during holiday periods and occasions where the driver concerned may be still in custody or incapacitated through injury that a period of 7 days would be more logical to allow notification to take place.</p> <p>In relation to drivers' uniform is not only an attack on personal characteristics but is subjective. Whilst good deportment is preferable, a licensing officers view may be prejudiced and will vary from individual to</p>	<p>vehicle is such that it is obvious no routine checks have occurred over a number of days</p> <p>It is not proposed to remove the requirement for drivers to routinely undertake vehicle safety checks.</p> <p>See response to 1. above</p> <p>The outline dress code proposed does not seek to introduce a uniform or be overly prescriptive, but instead simply aims to make clear both for drivers and compliance officers what is deemed</p>
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APPENDIX B

		<p>individual this is a rule that is based partly on what appears to be a prejudiced approach. GMB agree that good deportment is appropriate and this this can be subjective, depending on the officer or passenger who interacts with the driver.</p> <p>XXX agree All applicants should be able to demonstrate a good level of English - speaking, listening and communicating. An approach that combines these abilities in terms of training and policy should be agreed with all stakeholders.</p> <p>XXX make the following points:</p> <p>An operator should not limit its drivers from working for more than one operator and no requirements for operator or bonnet stickers on their vehicles should be imposed. The law is clear and the recent DFT Draft Guidance states drivers are allowed to work for more than one operator and any restrictions go against workers' rights and competition law.</p> <p>XXX believe Private hire operators should maintain a register of all staff members that take bookings and/or dispatch vehicles. New applicants will be required to evidence this prior</p>	<p>acceptable and what isn't in a broad sense, to provide consistency across the board whilst respecting, for example, religious dress. It is considered that the concerns raised are already addressed by the broad way in which the dress code is proposed.</p> <p>Dress code policies are not unique in GM and a number of Authorities have them.</p> <p>See response at 1 above</p> <p>The policy includes operator conditions at Appendix M which state: The Operator must keep up to date records of all individuals working in any capacity (paid or unpaid) and who have access to booking records for the business as follows: Full</p>
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APPENDIX B

	<p>4.0 PRIVATE HIRE OPERATORS</p>	<p>to a licence being issued, and current operators will have until their next renewal date to comply.</p> <p>The proposed policy would require private hire operators to obtain a basic DBS certificate from all staff members that take bookings and/or dispatch vehicles. New applicants will be required to evidence this prior to a licence being issued, and current operators will have until their next renewal date to comply. The Council does not currently require operators to obtain DBS certificates for staff members.</p> <p>We also see no requirements for operators to offer clean toilet and refreshment facilities to drivers. This should be a standard that is in place at all operators and reinforces the human right to access sanitation. There is no requirement to keep an incident log where a driver has been assaulted verbally, physically or has been bilked by passenger or passengers. This must be a requirement. Operators must show a duty of care to drivers. Where a dismissal takes place a proper minute account of investigation and interview that is available for licensing authorities to access or a form similar to TFLs PHV105 to be provided to authority and driver. A formal notice to all operators that they must allow drivers to work for whatever other operator they choose, even if they have a rental agreement for a company vehicle. We see no</p>	<p>Name/Address/Date of Birth/Contact details (phone and email)/DBS issue date and certificate number/Start and finish dates of employment/Job Title</p> <p>The policy states: The Authority has a responsibility to ensure that all staff members of a Private Hire Operator, do not pose a risk to the public and therefore, all staff that take bookings, dispatch vehicles, or have access to sensitive information (such as booking records) are required to provide the Operator with a Basic Disclosure Check from the Disclosure and Barring Service every three years.</p> <p>The provision of toilet facilities is governed by the Workplace (Health, Safety and Welfare) Regulations 1992.</p> <p>Assaults against drivers should be reported to the Police.</p>
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APPENDIX B

		<p>value in operator livery which only aids confusion.</p> <p>CCTV</p> <p>XXX believe that non mandatory cabin facing cameras create safety for both passenger and driver alike and that allowing installations subject to information commissioner guidelines would be a value to all parties including licensing officers for the purposes of investigation. We are at a loss to understand why Trafford would not include this in their consultation, where it is prevalent throughout the UK in Hackney and Private Hire vehicles. An agreed list of appropriate providers could be created that could fit the guidelines agreed on by a working party.</p> <p>Points</p> <p>XXX do not believe that a points system is fair or relevant and decisions can be subjective. We do not believe it is a licencing authorities right to add points to drivers licenses. By way of example does Trafford council add points to staff who operate vehicles whilst discharging council duties? We believe this is highly unlikely and even if a disciplinary took place in relation to an employee they would not be subject to the same draconian rule and timescales, they would expect that to stay on file for 12 months in general opposed to THREE years for drivers.</p>	<p>See response at 7 above.</p> <p>The issuing of penalty points is not a formal sanction in its own right; it is merely an open and transparent method of how a licence holder will be assessed in terms of the 'fit and proper person' test. The points system is predominantly an internal management tool for ensuring that licence holders who repeatedly contravene regulation and/or this policy are assessed. The aim is to encourage licence holders to comply with all legislation, licence conditions and behave in an acceptable manner at all times, thereby improving the professionalism and reputation of the licensed vehicle trade.</p>
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APPENDIX B

		<p>Operator Advertising</p> <p>XXX is confused why advertising needs to go via a Public Protection Subcommittee. Most operators have advertising that may be wholly acceptable to the public or offered in other jurisdictions and it seems over officious given the guidelines that are set down in advertising standards that could lead to sanction.</p> <p>As some operators offer last minute incentives they cannot be expected to wait until a committee approves such an advertisement.</p> <p>Not only does this curtail driver's opportunities to earn income but it also presumes that companies will not be usurped by others who then become aware of the offering and choose to match or undercut, by way of example as detailed. XXX believe this seems not only iniquitous but wholly unnecessary and a waste of councillors limited time.</p>	<p>A points system is fairer to the driver than suspension or revocation which are the only other options available to the Council for breach of licence conditions.</p> <p>The policy on advertising relates to advertising on the licensed vehicle only and states: Licensed vehicle proprietors shall not display or allow to be displayed in or on their vehicles any signs, notices, advertisements, video or audio display etc. either for the purpose of advertising or by way of identifying or personalising marks. However, the Authority will consider waiving this prohibition on application from hackney carriage vehicle licence holders in accordance with the terms of licence.</p> <p>Private hire vehicles are not permitted to display advertising and it is not proposed to amend this policy.</p> <p>It is proposed to amend the wording as follows to clarify the policy:</p> <p>Applications for approval of advertisements to be displayed on <u>hackney carriage vehicles</u> must be made in writing to the Authority.</p> <p>To remove 7.2 from the Private Hire Operator Conditions</p>
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APPENDIX B

		<p>Conclusion</p> <p>XXX recognise the requirement for passenger safety and safeguarding but are disappointed to find the questions do not recognise driver protections and safety or speak to driver health or mental health issues that drivers face.</p> <p>XXX urgently seeks a minimum standard of behaviour for operators to adhere to towards drivers as well as improved campaigns that recognise the inherent risks that drivers face daily from verbal & physical abuse to theft and false allegations.</p> <p>XXX now formally request that Trafford Council put out a survey to learn and adapt the outcome in to create a set of standards and protections for drivers.</p>	<p>The advertising rules would then apply to advertising on hackney carriage vehicles.</p> <p>The rationale behind this overarching policy is to ensure the provision of a hackney carriage and private hire service in Trafford which is accessible and safe and is seen to be so. It will form the basis on which decisions will be made as to whether a person, business or vehicle should be or should remain licensed.</p> <p>Public safety is the Council's primary consideration and this encompasses not only the protection of passengers from direct danger but also includes the general perception that hackney carriages and private hire vehicles are a safe and reliable form of transport.</p> <p>The Government's guidance states that licensing authorities should also consider the personal security of drivers by considering mandating the installation of CCTV; permitting partitions in private hire vehicles; and reducing visible vehicle signage for example.</p> <p>The Council already permits or will be considering these measures in the near future. The Council already provides safety training to new drivers but</p>
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APPENDIX B

			<p>will look to make safety training available for all drivers.</p> <p>The Council will seek to build good links between the taxi and private hire trades and the local police force, including participation in any Community Safety Partnerships.</p> <p>The Council will continue to work closely with other GM authorities to influence policy change and support the licensed trade by delivering on its promise to provide financial support to move to greener vehicles; and the introduction of mandatory CCTV. This is the start of a journey to continue to deliver excellence in licensing regulation in Greater Manchester. However, the Council does not underestimate the challenges the trade continues to face and will continue to support them where possible, whilst ensuring that public protection is at the forefront of its considerations.</p>
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