



**WATFORD
BOROUGH
COUNCIL**

LICENSING COMMITTEE

19 October 2020

7.00 pm

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For information about attending meetings please visit the [council's website](#).

Publication date: Friday, 9 October 2020

Committee Membership

Councillor G Saffery (Chair)

Councillor A Dychton (Vice-Chair)

Councillors S Bolton, A Grimston, I Hamid, K Hastrick, M Hofman, A Khan, R Martins, B Mauthoor, M Mills, J Pattinson, R Smith, I Stotesbury and R Wenham

Agenda

Part A - Open to the Public

1. **Apologies for absence**
2. **Disclosure of interests**
3. **Minutes**
4. **Review of Licensing Act 2003 Statement of Licensing Policy (Pages 3 - 10)**
5. **Report on the Department for Transport Taxi and Private Hire Standards (Pages 11 - 55)**
6. **Report on the Taxi Strategy (Pages 56 - 111)**

Part A

Report to: Licensing Committee

Date of meeting: Monday, 19 October 2020

Report author: Senior Licensing Officer (AY)

Title: Review of Licensing Act 2003 Statement of Licensing Policy

1.0 Summary

1.1 In its role as the licensing authority under the Licensing Act 2003 the council has a duty to prepare, and keep under review, a Statement of Licensing Policy (SLP). This policy was last reviewed in 2018.

1.2 The council is required to review its policy in accordance with the Government’s statutory guidance and legislation.

1.3 The Licensing Act sets out four licensing objectives which must be taken into account when a local authority carries out its functions. They are:

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

1.4 This report sets out the options available to the authority to review the policy and to confirm the principles of the consultation for reviewing the policy.

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Legal challenge from failure to properly adopt the policy or	Failure to meet requirements under the Licensing Act and policy not being able to be implemented.	Ensure that the policy is reviewed and adopted before 1 April 2021.	Treat	2

follow legislation and Government guidance				
Legal challenge from failure to properly consult	Negative perception of council and its licensing functions, and challenge through the courts.	Carry out consultation in accordance with legal requirements under the Licensing Act 2003 and in accordance with the Government's published principles of consultation.	Treat	2
Policy is unreasonable, irrational, discriminatory etc.	Legal challenge through the Courts	Ensure that the results of the public consultation are taken into account in the final Statement of Licensing Policy.	Treat	2
Further legislation or reported cases arising during course of consultation and adopting policy	Policy may be outdated as soon as it is published	Monitor situation and, if necessary, take amendments to subsequent committee meetings	Treat	2

3.0 Recommendations

- 3.1 That the licensing authority draw up a Cumulative Impact Assessment to retain a Cumulative Impact Policy within the town centre.
- 3.2 That the Cumulative Impact Assessment, and a proposed policy, be brought before the Licensing Committee in January 2021 for approval. Consultation on the policy would start after the January Committee and run until mid to late February. The results of the consultation and the final Cumulative Assessment, policy and equalities impact assessment being considered by the committee in March 2021

Further information:

Austen Young, Senior Licensing Officer
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Report approved by: Justine Hoy, Head of Community Protection**4.0 Background**

- 4.1 The council is the licensing authority under the Licensing Act 2003 for alcohol, regulated entertainment and late night refreshment within the Borough. It is required to prepare, consult and keep under review a Statement of Licensing Policy (SLP) that sets out how it approaches its responsibilities under the Act, so that applicants, other statutory bodies and local bodies can ascertain its general approach to particular situations.
- 4.2 In preparing its SLP, the council must have regard to the statutory guidance published under the Act by the Secretary of State. This is known as the s.182 Guidance and was most recently updated in April 2018.
- 4.3 The Policing and Crime Act 2017¹ amended the Licensing Act by allowing councils to publish a Cumulative Impact Assessment to support a Cumulative Impact Policy, in order to specifically publish the evidential basis for such policies. Before this Act, the concept of cumulative impact had been covered by the s.182 Guidance but not specifically by legislation. Many councils, including Watford, had adopted Cumulative Impact Policies on the basis of the guidance.
- 4.4 The relevant sections of the Policing and Crime Act came into force on 6 April 2018. The s.182 Guidance was amended to state that there were no transitional provisions for Cumulative Impact Policies and as such any such policy should be reviewed within 3 years of the enactment of the legislation. This 3 year window expires on 6 April 2021. This report is concerned with the reviewing of the council's SLP and its Cumulative Impact Policy in line with the s.182 Guidance before this deadline.
- 4.5 This report sets out the options available to the council in reviewing the policy, as well as details of the proposed consultation and timescales.

5.0 Existing Cumulative Impact Policy

- 5.1 The existing Cumulative Impact Policy is Policy LP3 of the licensing authority's SLP – Creating a Family Friendly Town Centre. It is a Cumulative Impact Policy because it states that the licensing authority will have the starting point of refusing an application within the area when relevant representations have been received against an application for a pub, night-club or bar (as defined in policy LP1) within

¹ <https://www.legislation.gov.uk/ukpga/2017/3/contents>

the policy area. Without this policy, all applications would be assumed to be granted, with refusals being made only on the merits of the individual application. A Cumulative Impact Policy does not mean that the licensing authority must refuse all applications, and applicants do have a right to argue for their application and any sub-committee considering an application within the policy area may depart from the policy if they see fit to do so and with good reasons.

5.2 The policy applies to the town centre, and specifically states that it covers the following locations:

- Albert Road South
- Church Street
- Clarendon Road, between The Parade and Beechen Grove
- George Street
- High Street (between The Parade and Beechen Grove)
- King Street, between High Street and Exchange Road
- Market Street, between High Street and Exchange Road
- New Street
- Wellstones
- Queens Road, between High Street and Beechen Grove
- The Parade

5.3 The existing Cumulative Impact Policy only applies to pubs, night-clubs or bars which sell alcohol for consumption on the premises within the areas outlined above. It does not apply to premises who only wish to provide the licensable activities of the provision of regulated entertainment, late night refreshment, or the supply of alcohol for consumption off the premises only.

5.4 The rationale and justification for this policy within the town centre is covered in the existing SLP which was last reviewed in 2018.

6.0 **Cumulative Impact Assessment**

6.1 The Licensing Act 2003 was amended so that any licensing authority has the discretion to publish a 'Cumulative Impact Assessment'. If published, this document must set out that the licensing authority considers that the number of relevant authorisations within the specified area is such that it is likely that granting any further licences in respect of the relevant location(s) would be inconsistent with the promotion of the licensing objectives. This document must also publish the evidence considered by the licensing authority in adopting the policy. This is a more detailed approach.

6.2 For the avoidance of doubt, the term 'authorisations' refers to both premises licences and club premises certificates. Please note that temporary event notices are not covered. When referring to granting any further authorisations, this includes

variations to existing licences or certificates, even those in force before the policy is adopted.

6.3 It is a legal requirement that before publishing a Cumulative Impact Assessment, the licensing authority must put the document out for consultation. The consultees are the same consultees who are required to be consulted on the licensing authority's SLP. The Licensing Act confirms that the following bodies must be consulted:

- the chief officer of police for the licensing authority's area
- the fire and rescue authority for that area
- each Local Health Board for an area any part of which is in the licensing authority's area
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the licensing authority's area
- such persons as the licensing authority considers to be representative of holders of premises licences issued by that authority
- such persons as the licensing authority considers to be representative of holders of club premises certificates issued by that authority
- such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority
- such other persons as the licensing authority considers to be representative of businesses and residents in its area.

6.4 When consulting on a Cumulative Impact Assessment, the Licensing Act 2003 states that the licensing authority must provide the consultees with the following information:

- the reasons why it is considering publishing a cumulative impact assessment;
- a general indication of the part or parts of its area which it is considering describing in the assessment;
- whether it considers that the assessment will relate to all relevant authorisations or only to relevant authorisations of a particular kind.

6.5 Should the licensing authority wish to continue with a Cumulative Impact Policy for the town centre as per the existing policy (or such parts of the town centre or wider Borough as may be identified), the licensing authority will be required to consult on a Cumulative Impact Assessment and publish such a document. The SLP will need to be amended to take into account the Cumulative Impact Assessment and make reference to this document.

7.0 **Options Available**

7.1 Officers advise that the following options are realistically available to the licensing authority with regards to reviewing the SLP:

1. Remove the Cumulative Impact Policy for the town centre and replace it with nothing.
2. Remove the Cumulative Impact Policy for the town centre and replace it with a separate special policy.
3. Consult on, and publish, a Cumulative Impact Assessment and based on that assessment decide whether to continue with a Cumulative Impact Policy for the town centre, amend it or remove it.

7.2 Failure to review the policy would mean that the existing Cumulative Impact Policy would not be able to be enforced after 6 April 2021.

7.3 Officers propose that the nature of the town centre does suggest that a distinct policy is appropriate for the reasons that the town centre does have a diverse night-time economy and its own unique environment when compared to the rest of the Borough. Officers are aware that there was some support for retaining the Cumulative Impact Policy when the SLP was last reviewed in 2018, and can advise that such a policy has been in place for the town centre since at least 2008. Officers are not in receipt of specific comments from businesses or residents that the policy needs to either be abolished or amended, although it is acknowledged that residents tend to comment on individual premises rather than policy.

7.4 Officers would advise that should there not be the evidence available to publish a Cumulative Impact Assessment which confirms the legal basis for continuing with a Cumulative Impact Policy, then it will not be possible to continue with such a policy.

7.5 The s.182 Guidance gives the following examples of evidence that may be considered:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires;
- evidence from local and parish councillors; and
- evidence obtained through local consultation

Due to the nature of such evidence, such as crime statistics, anti-social behaviour trends, health-related issues and litter and noise complaints, this evidence may be able to be obtained from the responsible authorities such as the Police and council departments.

7.6 The s.182 Guidance also suggests that licensing authorities may wish to conduct their own specific surveys or studies of the night-time economy in order to establish evidence. Given the restrictions in place due to the pandemic, officers would suggest that this option is not viable since it would not return accurate results.

7.7 The existing SLP does make reference to Sensitive Licensing Areas (Policy LP4). Should a Cumulative Impact Policy not be available for the town centre, it may be possible to propose making the town centre a unique Sensitive Licensing Area. This could be used to highlight expectations of applicants or concerns or trends that the licensing authority would wish to address or discourage. However, the application would not be able to be assumed to be a refusal should it not meet the policy. More details on the specific concerns or possible conditions or types of premises that would be preferable could come from consultation with residents and partners.

8.0 Proposal

8.1 Officers propose that the licensing authority draw up a Cumulative Impact Assessment to see if there is evidence to support a further Cumulative Impact Policy within the town centre.

9.0 Implications

9.1 Financial

9.1.1 The Shared Director of Finance comments that there are no financial implications in the report.

9.2 Legal Issues (Monitoring Officer)

9.2.1 The Group Head of Democracy and Governance comments that the legal implications are set out in the body of the report.

9.3 Equalities, Human Rights and Data Protection

9.3.1 A full impact assessment on the outcomes of any review and consultation will be undertaken prior to any policy changes.

Appendices

None

Background papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

Licensing Act 2003

Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

PART A

Report to: Licensing Committee
Date of meeting: 19 October 2020
Report of: Business Compliance Officer
Title: Report on the Department for Transport Taxi and Private Hire Standards

1.0 Summary

1.1 This report introduces the new Statutory Taxi and Private Hire Vehicle Standards published on 21 July 2020. It sets out the proposed process that the council will take to review the current Watford Borough Council licensing standards against these new Standards.

1.2 Members are asked to consider the contents of this report and to approve the recommendation of a full review of current policy and procedures.

2.0 Risks

2.1

Nature of Risk	Consequence	Suggested Control Measures	Response (Treat, tolerate, terminate, transfer)	Risk Rating (the combination of severity and likelihood)
Not reviewing current policies and procedures	Challenge to future decisions and risk that the council is seen	Review current policies and amend to bring in to line	Treat	High

	to be doing all it can to safeguard passengers and drivers.	with new standards where necessary.		
Failure to consider the measures contained in the standards as required	Negative perception of council and its licensing functions, and challenge through the courts.	Ensure that results of any review of the standards is published as required	Treat	2

3.0 Recommendations

- 3.1 That the committee approve a full review of current policy and procedure to determine the necessary amendments required by the new standards.
- 3.2 That specific options for new policy and procedure be brought before the committee in January 2021 for discussion and decision on ways to proceed.
- 3.3 That the suggested options be subject to full consultation between January 2021 and March 2021 and that a final report on any new taxi and private hire licensing policy be brought before the Committee in March 2021

Contact Officer:

For further information on this report please contact:
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Report approved by: Justine Hoy, Head of Community Protection

4.0 Introduction, Background and Principals

4.1 The Department for Transport Statutory Taxi and Private Hire Standards were published on 21 July 2020. A colour coded copy of the Standards is attached as Appendix 1. The colour coding has been created by officers to highlight the current status of existing Council policies and procedures in comparison to the Standards, as follows:

Green	We already comply with the intention or meaning of the proposed standard.
Yellow	We mostly comply with the intention or meaning of the proposed standard, needing some amendments.
Red	Not currently done or we do not comply with the intention or meaning of the proposed standard.

Members will see that the current policies of the council are approximately 70% compliant with the new standards, this figure rising to approximately 85% when considering only the red areas.

- 4.2 The publication of these standards has been awaited for some time and follows an extensive period of consultation by the Department for Transport following a number of high-profile incidents and issues highlighting the risk to members of the public and to drivers. It is felt that these issues are, in part, a result of the significant differences in standards applied to the licensing of drivers and vehicles across the country.
- 4.4 The Standards cover a wide range of issues, including driver, vehicle and operator standards. This report will not repeat the details of the information contained within the introduction to the Standards (particularly sections 1 and 3) which give good background on the reasons for the publication of the standards.
- 4.5 It is important to note that it remains the decision of the council as to whether or not the entirety of these standards should be implemented. A full review of the current policies as recommended will allow members to make an informed decision on which parts should be adopted. Section 2 of the standards gives some detail of the legal framework under which the Standards are published and the effect this has in terms of the Council's decision. Members' attention is drawn particularly to sections 2.5 to 2.9 and the definitions covering the term 'must have regard'.

Members should note that in Section 2.8 of the Standards it is stated:

*Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority's practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority's defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).*

(Sections highlighted in bold type are highlighted in the Standards, not by the author of this report).

At Section 1.3 the Standards say:

*Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.***

- 4.4 It is clear there is an expectation that these new standards are implemented. Setting the standards does, however, remain the decision of the Council and where good reason can be found to depart from the new Statutory standards it is possible to do so providing there is clear justification for the decision. The review that officers recommend will detail these matters for consideration at the January committee. This will include any relevant information if there are proposals brought for consideration which depart from, or vary, the expected standards.

5.0 Implications

5.1 **Financial**

5.1.1 The Shared Director of Finance comments that there are no financial implications.

5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Group Head of Democracy and Governance comments the legal implications are contained within the report and expanded upon in appendix 1

5.3 **Equality Impact Assessment**

5.3.1 A full impact assessment on the outcomes of any review will be undertaken prior to any policy or procedural changes.

Appendices

Appendix 1 Colour coded Standards Department for Transport Statutory Taxi and Private Hire Vehicle Standards

Background Papers

Vehicle Licensing Policy 2019-2024

Private Hire Operator licence conditions

Guidelines on the Grant, Revocation and Suspension of Taxi and Private Hire Driver Licences



Department
for Transport

Statutory Taxi & Private Hire Vehicle Standards

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1. Introduction

- 1.1 There is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers; data from [Greater Manchester](#) and [Merseyside](#) suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported. These figures do not however account for the under reporting of crime which is estimated to be as high as 83 percent in the [Crime Survey for England and Wales](#).
- 1.2 The Policing and Crime Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services. For the purposes of this document, a child is defined as anyone who has not yet reached their 18th birthday; and the term “vulnerable individual” has the same meaning as the definition of a ‘vulnerable adult’ for the purpose of section 42 of the [Care Act 2014](#), which applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- 1.3 Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.**
- 1.4 It should be noted that as policing and criminal justice is not a devolved matter, the Statutory Taxi and Private Hire Vehicle Standards issued under the Policing and Crime Act 2017 will continue to have effect in Wales although responsibility for taxi and private hire vehicle policy was devolved to the Welsh Assembly in April 2018. Should the Welsh Government introduce legislation to regulate on these issues, the standards in this document would, cease to apply.

- 1.5 All local authorities and district councils that provide children's and other types of services, including licensing authorities, have a statutory duty to make arrangements to ensure that their functions and any services that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children. This means that licensing authorities should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children. This includes clear whistleblowing procedures, safe recruitment practices and clear policies for dealing with allegations against people who work with children, as set out in the [Working Together to Safeguard Children](#) statutory guidance.
- 1.6 The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department's Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed; safeguarding children and vulnerable adults; the Immigration Act 2016 and Common Law Police Disclosure (which replaced the Notifiable Occupations Scheme).
- 1.7 The standards in this document replace relevant sections of the Best Practice Guidance issued by the Department in 2010, where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance the Department issue on taxi and private hire vehicle licensing, the standards in this document take precedence.

Terminology

Taxis are referred to in legislation, regulation and common language as 'hackney carriages', 'black cabs' and 'cabs'. The term '**taxi**' is used throughout this document and refers to all such vehicles. Taxis can be hired immediately by hailing on the street or at a rank.

Private hire vehicles include a range of vehicles including minicabs, executive cars, chauffeur services, limousines and some school and day centre transport services. All private hire vehicle journeys must be pre-booked via a licensed private hire vehicle operator and are subject to a 'triple licensing lock' i.e. the operator fulfilling the booking must use vehicles and drivers licensed by the same authority as that which granted its licence. The term 'private hire vehicle' is used throughout this document to refer to all such vehicles.

2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards

- 2.1 The past failings of licensing regimes must never be repeated. The Department has carefully considered the measures contained in the Statutory Taxi and Private Hire Vehicle Standards and recommend that these should be put in to practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards is to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.
- 2.2 The Government set out in the [Modern Crime Prevention Strategy](#) the evidence that where Government, law enforcement, businesses and the public work together on prevention, this can deliver significant and sustained cuts in certain crimes. That is good news for victims and communities and it makes clear economic sense too. Educating the public on the risks of using unlicensed drivers and vehicles, how to identify the licensed trade and appropriate measure to take when using these services will protect help all passengers, more information is annexed to this document (Annex - Staying safe: guidance for passengers).
- 2.3 The Strategy committed to protect children and young people from the risk of child sexual abuse and exploitation (CSAE), by working with local authorities to introduce rigorous taxi and private hire vehicle licensing regimes. Both the [Jay](#) and [Casey](#) reports on CSAE highlighted examples of taxi/private hire vehicle drivers being directly linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited.
- 2.4 The Casey Report made clear that weak and ineffective arrangements for taxi and private hire vehicle licensing had left the children and public at risk. The Department for Transport has worked with the Home Office, Local Government Association (LGA), personal safety charities, trade unions and trade bodies,

holding workshops, forums, and sharing evidence and good practice with local authorities to assist in the setting of the standards.

- 2.5 This document is published by the Secretary of State for Transport under section 177(1) of the Policing and Crime Act 2017 following consultation in accordance with section 177(5).
- 2.6 The document sets out a framework of policies that, under section 177(4), licensing authorities “**must have regard**” to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. “Having regard” is more than having a cursory glance at a document before arriving at a preconceived conclusion.
- 2.7 “Having regard” to these standards requires public authorities, in formulating a policy, to give considerations the weight which is proportionate in the circumstances. **Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.** It is not a question of box ticking; the standards must be considered rigorously and with an open mind.
- 2.8 Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority’s practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).
- 2.9 The Statutory Taxi and Private Hire Vehicle Standards does not purport to give a definitive statement of the law and any decisions made by a licensing authority remain a matter for that authority.

3. Administering the Licensing Regime

Licensing policies

3.1 The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards.

3.2 When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated. This was highlighted in the report by Dame Louise Casey CB of February 2015 on safeguarding failings.

"It will be evident from this report that in many cases the activities of perpetrators take place in spheres which are regulated by the Council – taxis have been the focus of particular concern. Persistent and rigorous enforcement of the regulatory functions available to the council, including the placing of conditions on private hire taxi operator licences where appropriate, would send a strong signal that the trade is being monitored and would curtail the activities of opportunistic perpetrators whereby taxi drivers have solicited children to provide sex in return for cigarettes, alcohol or a fare free ride."

3.3 The long-term devastation caused by CSAE was summarised in the same report:

"Victims suffer from suicidal feelings and often self-harm. Many become pregnant. Some have to manage the emotional consequences of miscarriages and abortions while others have children that they are unable to parent appropriately. The abuse and violence continues to affect victims into adulthood. Many enter violent and abusive relationships. Many suffer poor mental health and addiction."

3.4 Rotherham Metropolitan Borough Council ('Rotherham Council') provides an example of how the systematic review of policies and procedures and the implementation of a plan to drive improvements in practice can result in a well-functioning taxi and private hire vehicle sector that is rebuilding local confidence in the industry. The history of past failings here and elsewhere is well known, but it is the transparency and resolution that Rotherham Council has demonstrated and the high standards they now require that are rebuilding public confidence.

3.5 One of the key lessons learned is that it is vital to review policies and reflect changes in the industry both locally and nationally. **Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.**

Duration of licences

- 3.6 A previous argument against issuing licences for more than a year was that a criminal offence might be committed, and not notified, during this period; this can of course also be the case during the duration of a shorter licence. This risk can be mitigated for drivers by authorities to undertaking regular interim checks. To help authorities monitor licensees' suitability, licensing authorities should engage with their police force to ensure that when the police believe a licensee presents a risk to the travelling public they use their Common Law Police Disclosure powers (see paragraphs 4.9 - 4.11) to advise them.
- 3.7 The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and private hire vehicle drivers and five years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case, if a licensee has requested one or where required (e.g. when the licence holder's leave to remain in the UK is time-limited) or when the licence is only required to meet a short-term demand; they should not be issued on a 'probationary' basis.

Whistleblowing

- 3.8 It is in the application of licensing authority's policies (and the training and raising of awareness among those applying them) that protection will be provided. Where there are concerns that policies are not being applied correctly, it is vital that these can be raised, investigated and remedial action taken if required. **Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly.**

A report into the licensing of drivers by South Ribble Borough Council highlights the implications of not applying the agreed policies. In early August 2015, concerns were raised regarding decisions to renew the licences of drivers where there were potential incidents of child sexual exploitation. An internal review concluded that there had been failings in local investigatory procedures which might have affected the ability of the General Licensing Committee to make proper decisions, and information sharing with the police and data recording was not satisfactory.

- 3.9 The external investigation in South Ribble concluded “that there had been a lack of awareness and priority given to safeguarding and the safety of taxi [and private hire vehicle] passengers in the manner in which licensing issues were addressed”. We are pleased to note that the [report](#) concludes, “The Council have been active at every stage in responding to issues and concerns identified. It has taken steps to address operational issues in the licensing function and has engaged fully with other agencies in so doing. In the light of the above, it is not necessary to make any further recommendations.”
- 3.10 It is hoped that all licensing authorities will have learnt from these mistakes but to prevent a repeat, **local authorities should ensure they have an effective ‘whistleblowing’ policy and that all staff are aware of it.** If a worker is aware of, and has access to, effective internal procedures for raising concerns then ‘whistleblowing’ is unlikely to be needed.
- 3.11 The Public Interest Disclosure Act 1998 (PIDA), commonly referred to as whistleblowing legislation, provides protection for those that have a reasonable belief of serious wrongdoing, including failure to comply with professional standards, council policies or codes of practice/conduct. The PIDA is part of employment law. In the normal course of events, if a worker reveals information that his employer does not want revealed it may be a disciplinary offence. If someone leaked their employer’s confidential information to the press, they might expect to be dismissed for that. The PIDA enables workers who ‘blow the whistle’ about wrongdoing to complain to an employment tribunal if they are dismissed or suffer any other form of detriment for doing so. It is a qualified protection and certain conditions would have to be met for the worker to be protected. More information is available online for [employees](#) and [employers](#):

Consultation at the local level

- 3.12 Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades’ customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women’s groups, local traders, and the local multi-agency safeguarding arrangements. It may also be helpful to consult with night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy’s activities.
- 3.13 Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas; and **licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.** Many areas convene regional officer consultation groups or, more formally, councillor liaison meetings; this should be adopted by all authorities.

Changing licensing policy and requirements

- 3.14 **Any changes in licensing requirements should be followed by a review of the licences already issued.** If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not however to suggest that licences should be automatically revoked overnight, for example if a vehicle specification is changed it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle. The same pragmatic approach should be taken to driver licence changes - if requirements are changed to include a training course or qualification, a reasonable time should be allowed for this to be undertaken or gained. The implementation schedule of any changes that affect current licence holders must be transparent and communicated promptly and clearly.
- 3.15 Where a more subjective change has been introduced, for example an amended policy on previous convictions, a licensing authority must consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, licensing authorities should consider doing so. Licensing authorities should record the reasons for any deviation from the policies in place.

4. Gathering and Sharing Information

- 4.1 Licensing authorities must consider as full a range of information available to them when making a decision whether to grant a licence and to meet their ongoing obligation to ensure a licensee remains suitable to hold a licence.

The Disclosure and Barring Service

- 4.2 The Disclosure and Barring Service (DBS) provides access to criminal record information through its disclosure service for England and Wales. The DBS also maintains the lists of individuals barred from working in regulated activity with children or adults. The DBS makes independent barring decisions about people who have harmed, or where they are considered to pose a risk of harm to a child or vulnerable person within the workplace. The DBS enables organisations in the public, private and voluntary sectors to make safer employment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves vulnerable groups including children.
- 4.3 Enhanced certificates with a check of the barred lists include details of spent and unspent convictions recorded on the Police National Computer (PNC), any additional information which a chief officer of police believes to be relevant and ought to be disclosed, as well as indicating whether the individual is barred from working in regulated activity with children or adults. Spent convictions and cautions are disclosed on standard and enhanced certificates according to rules set out in legislation. Convictions which resulted in a custodial sentence, and convictions or cautions for a specified serious offence such as those involving child sexual abuse will always be disclosed on a standard or enhanced certificate. Full details of the disclosure rules, and those offences which will always be disclosed, are available from the [DBS](#). As well as convictions and cautions, an enhanced certificate may include additional information which a chief police officer reasonably believes is relevant and ought to be disclosed. Chief police officers must have regard to the [statutory guidance](#) issued by the Home Office when considering disclosure. A summary of the information provided at each level of DBS checks is annexed to this document (Annex – Disclosure and Barring Service information).
- 4.4 It should be noted that licensing authorities must not circumvent the DBS process and seek to obtain details of previous criminal convictions and other information that may not otherwise be disclosed on a DBS certificate. Whilst data protection legislation (not just the Data Protection Act 2018 or General Data Protection Regulation (GDPR)) gives individuals (or data subjects) a 'right of access' to the personal data that an organisation holds about them, it is a criminal offence to require an individual to exercise their subject access rights so as to gain information about any convictions and cautions. This could potentially lead to the authority receiving information to which it is not entitled. The appropriate way of accessing an individual's criminal records is through an enhanced DBS and barred lists check.

The Disclosure and Barring Service Update Service

- 4.5 Subscription to the DBS Update Service allows those with standard and enhanced certificates to keep these up to date online and, with the individual's consent, allows nominees to check the status of a certificate online at any time. Subscription to the service removes the need for new certificates to be requested, reduces the administrative burden and mitigates potential delays in relicensing.
- 4.6 The DBS will search regularly to see if any relevant new information has been received since the certificate was issued. The frequency varies depending on the type of information; for criminal conviction and barring information, the DBS will search for updates on a weekly basis. For non-conviction information, the DBS will search for updates every nine months.
- 4.7 Licensing authorities are able to request large numbers of status checks on a daily basis. The DBS has developed a Multiple Status Check Facility (MSCF) that can be accessed via a web service. The MSCF enables organisations to make an almost unlimited number of Status Checks simultaneously. Further information on the MSCF is available from the [DBS](#).
- 4.8 Should the MSCF advise that new information is available the DBS certificate should no longer be relied upon and a new DBS certificate requested.

Common Law Police Disclosure

- 4.9 The DBS is not the only source of information that should be considered as part of a fit and proper assessment for the licensing of taxi and private hire vehicle drivers. Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.
- 4.10 Common Law Police Disclosure replaced the Notifiable Occupations Scheme (NOS) in March 2015 and focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately.
- 4.11 This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. **Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.**

Licensee self-reporting

- 4.12 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. Should an authority place an obligation on licensees to notify under these circumstances, authorities should also ensure appropriate procedures are in place to enable them to act in a suitable timeframe if and when needed.

- 4.13 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.

Referrals to the Disclosure and Barring Service and the Police

- 4.14 In some circumstances it may be appropriate under the Safeguarding Vulnerable Groups Act 2006 for licensing authorities to make referrals to the DBS. **A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS.** The power for the licensing authority to make a referral in this context arises from the undertaking of a safeguarding role. Further guidance has been provided by the [DBS](#).

- 4.15 The Department recommends that licensing authorities should make a referral to the DBS when it is thought that:

- an individual has harmed or poses a risk of harm to a child or vulnerable adult;
- an individual has satisfied the '[harm test](#)'; or
- received a caution or conviction for a relevant offence and;
- the person they are referring is, has or might in future be working in regulated activity;

if the above conditions are satisfied, the DBS may consider it appropriate for the person to be added to a barred list.

- 4.16 These referrals may result in the person being added to a barred list and enable other licensing authorities to consider this should further applications to other authorities be made. Further information on referrals to DBS is [available](#).

Working with the Police

- 4.17 The police are an invaluable source of intelligence when assessing whether a licensing applicant is a 'fit and proper' person. It is vital that licensing authorities have a partnership with the police service to ensure that appropriate information is shared as quickly as possible. As part of building an effective working relationship between the licensing authority and the police, **action taken by the licensing authority as a result of information received should be fed-back to the police.** Increasing the awareness among police forces of the value licensing authorities place on the information received, particularly on non-conviction intelligence, will assist furthering these relationships and reinforce the benefits of greater sharing of information.
- 4.18 This relationship can be mutually beneficial, assisting the police to prevent crime. The police can gain valuable intelligence from drivers and operators, for example, the identification of establishments that are selling alcohol to minors or drunks, or the frequent transportation of substance abusers to premises.
- 4.19 To aid further the quality of the information available to all parties that have a safeguarding duty, a revocation or refusal on public safety grounds should also be advised to the police.

Sharing licensing information with other licensing authorities

- 4.20 As has been stated elsewhere in this document, obtaining the fullest information minimises the doubt as to whether an applicant or licensee is 'fit and proper'. An obvious source of relevant information is any previous licensing history. **Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.** Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.
- 4.21 The LGA's Councillors' Handbook on taxi and private hire vehicle licensing advises that those responsible for licensing should "*communicate regularly with licensing committees and officers in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.*". While this approach may aid consistency and robustness in decision-making within regions, it has obvious inherent limitations as it is unlikely such protocols could be established between all licensing authorities. The LGA commissioned the National Anti-Fraud Network to develop a national register of taxi and private hire vehicle driver licence refusals and revocations (the register is known as 'NR3'). **Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.**

- 4.22 For these processes to be beneficial, all licensing authorities must keep a complete and accurate record as to the reasons for refusal, suspension or revocation of a licence in order that this might be shared if requested and appropriate to do so.
- 4.23 Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This includes taxi and private hire vehicle licensing. The exemption applies only to information processed for the core regulatory activities of appropriate organisations; it may not be used in a blanket manner. The exemption applies only to the extent that the application of the rights of data subjects to the information in question would be likely to prejudice the proper discharge of the regulatory functions. The Information Commissioner's Office has published [guidance](#) to assist organisations to fully understand their obligations and suggest good practice.
- 4.24 If notification under paragraph 4.20 or 4.21 of a refused or revoked licence is disclosed, the relevant licensing authority should be contacted to establish when the licence was refused, suspended or revoked and the reasons why. In those circumstances, the relevant licensing authority must consider whether it should disclose any information in relation to the previous decision, consistent with its obligations under data protection legislation. If information is disclosed, it can then be taken into account in determining the applicant's fitness to be licensed. The relevance of the reason for refusing/revoking a licence must be considered. For example, if any individual was refused a licence for failing a local knowledge test, it does not have any safeguarding implications. Conversely, a revocation or refusal connected to indecency would. Licensing authorities should not simply replicate a previous decision, authorities must consider each application on its own merits and with regard to its own policies.
- 4.25 Should a licensing authority receive information that a licence holder did not disclose the information referred to in paragraph 4.20, for example by checking the NR3 register, the authority should consider whether the non-disclosure represents dishonesty and should review whether the licence holder remains 'fit and proper'.

Multi-agency Safeguarding Hub (MASH)

- 4.26 Multi-Agency Safeguarding Hubs are a way to improve the safeguarding response for children and vulnerable adults through better information sharing and high quality and timely safeguarding responses. MASHs (or similar models) should operate on three common principles: information sharing, joint decision making and coordinated intervention.
- 4.27 The Home Office report on [Multi Agency Working and Information Sharing](#) recommended that effective multi-agency working still needs to become more widespread. The Children's Commissioner's 2013 [Inquiry into Child Sexual Exploitation in Gangs and Groups](#) found that both police and local authorities still identified the inability to share information as a key barrier to safeguarding children from sexual abuse and exploitation.

- 4.28 All licensing authorities should operate or establish a means to facilitate the objectives of a MASH (i.e. the sharing of necessary and relevant information between stakeholders). As has been emphasised throughout this document, one of the most effective ways to minimise the risk to children and vulnerable adults when using taxis and private hire vehicles is to ensure that decisions on licensing individuals are made with the fullest knowledge possible.

Complaints against licensees

- 4.29 Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence. **All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.** Such a system will help authorities to build a fuller picture of the potential risks an individual may pose and may tip the 'balance of probabilities' assessment that licensing authorities must take.
- 4.30 Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.
- 4.31 To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles. This is likely to result in additional work for the licensing authority but has the advantage of ensuring consistency in the handling of complaints. Currently, it is more likely that a complaint against a taxi driver would be made directly to the licensing authority whereas a complaint against a private hire vehicle driver is more likely to be made to the operator. An effective partnership in which operators can share concerns regarding drivers is also encouraged.
- 4.32 Importantly, this approach will assist in the directing of complaints and information regarding the behaviour of drivers who may be carrying a passenger outside of the area in which the driver is licensed to the authority that issued the licence. In order for this to be effective licensing authorities must ensure that drivers are aware of a requirement to display information on how to complain and take appropriate sanctions against those that do not comply with this requirement.
- 4.33 In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an 'independent witness' to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.12.

Overseas convictions

- 4.34 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 (three or more continuous months) outside the UK. It should however be noted that some countries will not provide an 'Certificate of Good Character' unless the individual has been resident for six months or more
- 4.35 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. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the [Home Office guidance](#).
- 4.36 Where an individual is aware that they have committed an offence overseas which may be equivalent to those listed in the annex to this document (Annex – Assessment of previous convictions), licensing authorities should advise the applicant to seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

5. Decision Making

Administration of the licensing framework

- 5.1 A policy is only effective if it is administered properly. The taxi and private hire vehicle licensing functions of local councils are non-executive functions i.e. they are functions of the council rather than the executive (such as the Cabinet). The functions include the determination of licence applications, reviews and renewals, along with the attachment of conditions when considered appropriate. The function may be delegated to a committee, a sub-committee or an officer – which should be set out within a clear scheme of delegation. In London the taxi and private hire vehicle licensing function is undertaken by Transport for London.
- 5.2 Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly.

Training decision makers

- 5.3 **All individuals that determine whether a licence is issued should be required to undertake sufficient training.** As a minimum, training for a member of a licensing committee should include: licensing procedures, natural justice, understanding the risks of CSAE, disability and equality awareness and the making of difficult and potentially controversial decisions. Training should not simply relate to procedures, but should include the use of case study material to provide context and real scenarios. All training should be formally recorded by the licensing authority and require a signature from the person that has received the training. Training is available from a number of organisations including the Institute of Licensing and Lawyers in Local Government; the LGA may also be able to assist in the development of training packages.
- 5.4 Public safety is the paramount consideration but the discharge of licensing functions must be undertaken in accordance with the following general principles:
- policies should be used as internal guidance, and should be supported by a member/officer code of conduct.
 - any implications of the Human Rights Act should be considered.
 - the rules of natural justice should be observed.
 - decisions must be reasonable and proportionate.
 - where a hearing is required it should be fairly conducted and allow for appropriate consideration of all relevant factors.
 - decision makers must avoid bias (or even the appearance of bias) and predetermination.
 - data protection legislation.

- 5.5 When a decision maker has a prejudicial interest in a case, whether it be financial or a personal relationship with those involved they should declare their interest at the earliest opportunity; this must be prior to any discussions or votes and, once declared, they must leave the room for the duration of the discussion or vote.

The regulatory structure

- 5.6 It is recommended that councils operate with a Regulatory Committee or Board that is convened at periodic intervals to determine licensing matters, with individual cases being considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board. This model is similar to that frequently adopted in relation to other licensing matters. To facilitate the effective discharge of the functions, less contentious matters can be delegated to appropriately authorised council officers via a transparent scheme of delegation.
- 5.7 It is considered that this approach also ensures the appropriate level of separation between decision makers and those that investigate complaints against licensees, and is the most effective method in allowing the discharge of the functions in accordance with the general principles referred to in 5.4. In particular, the Committee/Board model allows for:
- Each case to be considered on its own merits. It is rare for the same councillors to be involved in frequent hearings – therefore the councillors involved in the decision making process will have less knowledge of previous decisions and therefore are less likely to be influenced by them. Oversight and scrutiny can be provided in relation to the licensing service generally, which can provide independent and impartial oversight of the way that the functions are being discharged within the authority.
 - Clear separation between investigator and the decision maker – this demonstrates independence, and ensures that senior officers can attempt to resolve disputes in relation to service actions without the perception that this involvement will affect their judgement in relation to decisions made at a later date.
- 5.8 Avoidance of bias or even the appearance of bias is vital to ensuring good decisions are made and instilling and/or maintaining confidence in the licensing regime by passengers and licensees.
- 5.9 Unlike officers, elected members are not usually involved in the day to day operation of the service and as such do not have relationships with licence holders that may give the impression that the discharge of a function is affected by the relationship between the decision maker and the licence holder.
- 5.10 Some licensing authorities may decide to operate a system whereby all matters are delegated to a panel of officers; however, this approach is not recommended and caution should be exercised. Decisions must be, and be seen to be, made objectively, avoiding any bias. In addition, it may be more difficult to demonstrate compliance with the principles referred to above due to the close

connection between the officers on the panel, and those involved in the operational discharge of the licensing functions.

- 5.11 Whether the structure proposed is introduced or an alternative model is more appropriate in local circumstances, the objective should remain the same - to separate the investigation of licensing concerns and the management of the licence process. Regardless of which approach is adopted, **all licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.** It is recommended that this role is delegated to a senior officer/manager with responsibility for the licensing service.

Fit and proper test

- 5.12 Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question:

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

- 5.13 If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.
- 5.14 Licensing authorities have to make difficult decisions but (subject to the points made in paragraph 5.4) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Criminal convictions and rehabilitation

- 5.15 In considering an individual's criminal record, licensing authorities must consider each case on its merits, but they should take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime. In order to achieve consistency, and to mitigate the risk of successful legal challenge, licensing authorities should have a clear policy for the consideration of criminal records. This should include, for example, which offences would prevent an applicant from being licenced regardless of the period elapsed in all but truly exceptional circumstances. In the case of lesser offences, a policy should consider the number of years the authority will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

- 5.16 Annexed to this document are the Department's recommendations on the assessment of previous convictions (Annex – Assessment of previous convictions). This draws on the work of the Institute of Licensing, in partnership with the LGA, the National Association of Licensing Enforcement Officers (NALEO) and Lawyers in Local Government, in publishing its guidance on determining the suitability of taxi and private hire vehicle licensees.
- 5.17 These periods should be taken as a starting point in considering whether a licence should be granted or renewed in all cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain a licence. Authorities are however reminded that applicants are entitled to a fair and impartial consideration of their application.

6. Driver Licensing

Criminality checks for drivers

- 6.1 Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants. The DfT's 2019 survey of taxi and private hire vehicle licensing authorities shows that all licensing authorities in England and Wales have a requirement that an enhanced DBS check is undertaken at first application or renewal.
- 6.2 All individuals applying for or renewing a taxi or private hire vehicle drivers licence licensing authorities should carry out a check of the children and adult Barred Lists in addition to being subject to an enhanced DBS check (in section x61 of the DBS application 'Other Workforce' should be entered in line 1 and 'Taxi Licensing' should be entered at line 2). All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.
- 6.3 Driving a taxi or private hire vehicle is not, in itself, a regulated activity for the purposes of the barred list. This means that an individual subject to barring would not be legally prevented from being a taxi or private hire vehicle driver but the licensing authority should take an individual's barred status into account alongside other information available. **In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.** Should a licensing authority consider there to be exceptional circumstances which means that, based on the balance of probabilities they consider an individual named on a barred list to be 'fit and proper', the reasons for reaching this conclusion should be recorded.
- 6.4 Drivers working under an arrangement to transport children may be working in 'regulated activity' as defined by the Safeguarding Vulnerable Groups Act 2006. It is an offence to knowingly allow a barred individual to work in regulated activity. The guidance on home-to-school travel and transport issued by the Department for Education should be considered alongside this document. Please see guidance on driver DBS eligibility and how to apply.

Safeguarding awareness

- 6.5 Licensing authorities should consider the role that those in the taxi and private hire vehicle industry can play in spotting and reporting the abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults. However, this is only the case if they are aware of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger.

6.6 All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable; and
- understand how to respond, including how to report safeguarding concerns and where to get advice.

6.7 Since 2015, the Department for Education (DfE) has run a nationwide campaign – ‘*Together, we can tackle child abuse*’ which aims to increase public understanding of how to recognise the signs to spot and encourage them to report child abuse and neglect. The DfE continues to promote and raise awareness of the campaign materials through its [online toolkit](#), for local authorities, charities and organisations for use on their social media channels.

‘County lines’ exploitation

6.8 County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

6.9 Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to transport (and store) drugs and money between locations. Children aged between 15-17 make up the majority of the vulnerable people involved in county lines, but they may also be much younger. We know that both girls and boys are groomed and exploited and offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children exploited by county lines gangs may have vulnerabilities besides their age, such as broader mental health issues, disrupted or chaotic homes, substance misuse issues, being excluded from school or frequently going missing.

6.10 The National Crime Agency’s 2018 county lines threat assessment set out that the national road network is key to the transportation of county lines victims, drugs and cash; with hire vehicles being one of the methods used for transportation between locations.

6.11 Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation. Firstly, they should be aware of the following warning signs:

- Children and young people travelling in taxis or private hire vehicles alone;

- travelling at unusual hours (during school time, early in the morning or late at night);
- travelling long distances;
- unfamiliar with the local area or do not have a local accent;
- paying for journeys in cash or prepaid.

6.12 The Home Office is working with partners to raise awareness of county lines and has provided material to help taxi and private vehicle hire staff to identify victims and report concerns to protect those exploited through this criminal activity.

6.13 Drivers (or any person) should be aware of what to do if they believe a child or vulnerable person is at risk of harm. If the risk is immediate they should contact the police otherwise they should:

- use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority;
- call Crime Stoppers on 0800 555 111.

Language proficiency

6.14 A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

6.15 A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.

7. Vehicle Licensing

- 7.1 As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime.

Criminality checks for vehicle proprietors

- 7.2 Enhanced DBS and barred list checks are not available for vehicle licensing. **Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.
- 7.3 However, it is important that authorities acknowledge that in many cases individuals that license a vehicle may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking to licence a vehicle to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately.
- 7.4 A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.
- 7.5 Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the ‘fit and proper’ test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.

- 7.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas so other checks must be considered where and applicant has lived or worked overseas (see paragraph 4.34 - 4.36).

In-vehicle visual and audio recording – CCTV

- 7.7 Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.
- 7.8 The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:
- deterring and preventing the occurrence of crime;
 - reducing the fear of crime;
 - assisting the police in investigating incidents of crime;
 - assisting insurance companies in investigating motor vehicle accidents.
- 7.9 All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.
- 7.10 While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the Crime Survey for England and Wales only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.
- 7.11 The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.
- 7.12 CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or

drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

- 7.13 Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).

Stretched Limousines

- 7.14 Licensing authorities are sometimes asked to license small (those constructed or adapted to carry fewer than nine passengers) limousines as private hire vehicles, these vehicles may be used for transport to 'school proms' as well as for adult bookings. It is suggested that licensing authorities should approach such requests on the basis that these vehicles – where they have fewer than nine passenger seats - have a legitimate role to play in the private hire trade, meeting a public demand. It is the Department's view that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle thereby excluding these services from the scope of the private hire vehicle regime and the safety benefits this provides. A blanket policy of excluding limousines may create an unacceptable risk to the travelling public, as it may lead to higher levels of unsupervised operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators.
- 7.15 Stretched large limousines which clearly seat more than eight passengers should not be licensed as private hire vehicles because they are outside the licensing regime for private hire vehicles. However, in some circumstances a vehicle with space for more than eight passengers can be licensed as a private hire vehicle where the precise number of passenger seats is hard to determine. In these circumstances, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than eight passengers, bearing in mind that refusal may encourage illegal private hire operation.

8. Private Hire Vehicle Operator Licensing

- 8.1 As with driver licensing, the objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those that are granted a private hire vehicle operator also pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the driver licensing regime.

Criminality checks for private hire vehicle operators

- 8.2 Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. **Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the 'fit and proper' threshold.
- 8.3 However, it is important that authorities acknowledge that in many cases individuals that license as a private hire vehicle operator may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking a private hire vehicle operator licence to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately
- 8.4 Refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence; this decision must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 8.5 A private hire vehicle operator licence may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective

private hire vehicle operators should be required to advise the licensing authority of any change in directors or partners.

- 8.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas. Further information on assessing the suitability of those that have spent extended periods in overseas is provided in paragraphs 4.34 - 4.36.

Booking and dispatch staff

- 8.7 Private hire vehicle drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff, for example a person taking bookings (be it by phone or in person). A vehicle dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults.

- 8.8 Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. **Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.**

- 8.9 Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a 'responsible organisation' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.

- 8.10 The register should be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.

- 8.11 Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

- 8.12 Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

Record keeping

- 8.13 Section 56 of the Local Government (Miscellaneous Provisions) Act 1976 requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. **Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking:**

- the name of the passenger;
- the time of the request;
- the pick-up point;
- the destination;
- the name of the driver;
- the driver's licence number;
- the vehicle registration number of the vehicle;
- the name of any individual that responded to the booking request;
- the name of any individual that dispatched the vehicle.

- 8.14 This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that booking records should be retained for a minimum of six months.

- 8.15 Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.

Use of passenger carrying vehicles (PCV) licensed drivers

- 8.16 PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. **The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such**

as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

- 8.17 Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a PSV is necessary, and that a PCV licenced driver will be used who is subject to different checks and not required to have an enhanced DBS check.

9. Enforcing the Licensing Regime

- 9.1 Implementing an effective framework for licensing authorities to ensure that as full a range of information made available to suitably trained decision makers that are supported by well-resourced officials is essential to a well-functioning taxi and private hire vehicle sector. These steps will help prevent the licensing of those that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.

Joint authorisation of enforcement officers

- 9.2 Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence. This will mitigate the opportunities for drivers to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the [LGA Councillors' handbook](#).

Setting expectations and monitoring

- 9.3 Licensing authorities should ensure that drivers are aware of the policies that they must adhere and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.
- 9.4 The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity (see paragraphs 4.29 - 4.33). This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Suspension and revocation of driver licences

- 9.5 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides a licensing authority with the ability to suspend or revoke a driver's licence on the following grounds: -
- (a) that he has since the grant of the licence—

(i) been convicted of an offence involving dishonesty, indecency or violence; or

(ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;

(aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or

(b) any other reasonable cause

- 9.6 Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. Guidance for licensing authorities to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.
- 9.7 Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.
- 9.8 A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.
- 9.9 New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.
- 9.10 A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

Annex – Assessment of Previous Convictions

Legislation specifically identifies offences involving dishonesty, indecency or violence as a concern when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence. The following recommendations to licensing authorities on previous convictions reflect this.

Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application. Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.

Crimes resulting in death

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

Exploitation

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

Offences involving violence against the person

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Possession of a weapon

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Sexual offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Dishonesty

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Discrimination

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Motoring convictions

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Drink driving/driving under the influence of drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Using a hand-held device whilst driving

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.

Annex – Disclosure and Barring Service information

Table 1: Information included in criminal record checks

Information included	Type of check			
	Basic check	Standard DBS check	Enhanced DBS check	Enhanced DBS (including barred list) check
Unspent convictions	Yes	Yes	Yes	Yes
Unspent cautions ¹	Yes	Yes	Yes	Yes
Spent convictions ²	No	Yes	Yes	Yes
Spent cautions ^{1 & 2}	No	Yes	Yes	Yes
Additional police Information ³	No	No	Yes	Yes
Barred list(s) Information ⁴	No	No	No	Yes

1. Does not include fixed penalty notices, penalty notices for disorder or any other police or other out-of-court disposals.
2. Spent convictions and cautions that have become protected under the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, as amended, are not automatically disclosed on any level of certificate. Further guidance is available [the DBS filtering guide](#).
3. This is any additional information held by the police which a chief police officer reasonably believes to be relevant and considers ought to be disclosed.
4. This is information as to whether the individual concerned is included in the children's or adults' barred lists maintained by the Disclosure and Barring Service (DBS).

Annex – CCTV Guidance

It is important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data – the data controller. It is important that data controllers fully consider concerns regarding privacy and licensing authorities should consider how systems are configured, should they mandate CCTV (with or without audio recording). For example, vehicles may not be exclusively used for business, also serving as a car for personal use - it should therefore be possible to manually switch the system off (both audio and visual recording) when not being used for hire. Authorities should consider the Information Commissioner's view on this matter that, in most cases, a requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

The Home Office '[Surveillance Camera Code of Practice](#)' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and;
- compliant with any relevant legal obligations

The Code also sets out 12 guiding principles which, as a 'relevant authority' under section 33(5) of the [Protection of Freedoms Act 2012](#), licensing authorities must have regard to. It must be noted that, where a licence is granted subject to CCTV system conditions, the licensing authority assumes the role and responsibility of 'System Operator'. The role requires consideration of all guiding principles in this code. The failure to comply with these principles may be detrimental to the use of CCTV evidence in court as this may be raised within disclosure to the Crown Prosecution Service and may be taken into account.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its '[Passport to Compliance](#)' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a [code of practice](#) which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a [self-assessment tool](#) to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a [certification scheme](#); authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The [Data Protection Act 2018](#) regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Licensing authorities, as data controllers, must comply with all relevant aspects of data protection law. Particular attention should be paid to the rights of individuals which include the right to be informed, of access

and to erasure. The ICO has provided detailed [guidance](#) on how data controllers can ensure compliance with these.

It is a further requirement of data protection law that before implementing a proposal that is likely to result in a high risk to the rights and freedoms of people, an impact assessment on the protection of personal data shall be carried out. The ICO recommends in [guidance](#) that if there is any doubt as to whether a Data Protection Impact Assessment (DPIA) is required one should be conducted to ensure compliance and encourage best practice. A DPIA will also help to assess properly the anticipated benefits of installing CCTV (to passengers and drivers) and the associated privacy risks; these risks might be mitigated by having appropriate privacy information and signage, secure storage and access controls, retention policies, training for staff how to use the system, etc.

It is essential to ensure that all recordings made are secure and can only be accessed by those with legitimate grounds to do so. This would normally be the police if investigating an alleged crime or the licensing authority if investigating a complaint or data access request. Encryption of the recording to which the licensing authority, acting as the data controller, holds the key, mitigates this issue and protects against theft of the vehicle or device. It is one of the guiding principles of data protection legislation, that personal data (including in this context, CCTV recordings and other potentially sensitive passenger information) is handled securely in a way that 'ensures appropriate security', including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

Annex - Staying Safe: Guidance for Passengers

Licensing authorities should provide guidance to assist passengers in identifying licensed vehicles and the increased risks of using unlicensed vehicles. The guidance might include advice on:

- how to tell if a taxi or private hire vehicle is licensed.

Educate the public in the differences between taxis and private hire vehicles e.g.:

- a taxi can be flagged down or pre-booked.
- a private hire vehicle that has not been pre-booked should not be used as it will not be insured and may not be licensed.
- what a private hire vehicle should look like e.g. colour, signage, licence plates etc.
- the benefit of pre-booking a return vehicle before going out.
- arrange to be picked up from a safe meeting point.
- requesting at the time of booking what the fare is likely to be.

When using a private hire vehicle, passengers should always:

- book with a licensed operator.
- confirm their booking with the driver when s/he arrives.
- note the licence number.
- sit in the back, behind the driver.
- let a third party know details of their journey.

When using a taxi, passengers should where possible:

- use a taxi rank and choose one staffed by taxi marshals if available.

Agenda Item 6

PART A

Report to: Licensing Committee
Date of meeting: 19 October 2020
Report of: Business Compliance Officer
Title: Report on the Taxi and Private Hire Strategy

1.0 **Summary**

1.1 This report provides an update on the development of the Council's Taxi and Private Hire Strategy, the current status of the strategy and the proposed next steps. This draft strategy considers issues wider than those within the remit of the Licensing Committee and so is brought before Members for information and feedback. The final strategy will also be brought before the committee in the same way prior to approval at Cabinet where the Licensing Committee's comments will be noted.

2.0 **Risks**

2.1 The risks are being identified as the strategy is developed and will be presented with the final report.

3.0 **Recommendations**

3.1 That the committee notes the contents of the report.

3.2 **Contact Officer:**

3.3 For further information on this report please contact:
Jamie Mackenzie, Business Compliance Officer
Telephone extension: Extension 8520

email: jamie.mackenzie@watford.gov.uk

Report approved by: Justine Hoy, Head of Community Protection

4.0 **Taxi and Private Hire Strategy**

4.1 It has become clear that decisions the Council and others make in relation to a wide range of functions impact on the taxi and private hire trade (the trade) in Watford. At the present time licensing policies and protocols exist that specifically consider the controls to ensure the trade is safe and suitable to operate. Determining these policies is the role of the Licensing Committee.

4.2 The trade is also impacted upon to a greater or lesser extent by decisions made under other strategies and policies, for example decisions made by the transport or planning sections. In recognition of the need to have a consistent and clear vision for the trade, and to use this vision to design policies and make decisions that seek to achieve strategic aims, it was decided that a strategy (appendix 1) for the trade would be useful. The strategy aims to provide an overarching policy to guide the Council and officers when making decisions that are likely to have an impact on the provision of, and access to, taxi and private hire transport services in the town over the next 10 - 15 years.

4.3 A proposal to create the strategy was approved by Portfolio Holders in December 2019 with a view to having the strategy approved by Cabinet in June 2020. Unfortunately, in March 2020, just as the first consultation was due to begin, the process was put on hold due to the onset of the pandemic.

4.4 Officers are now able to continue the project and this report is intended as a brief to members of the Licensing Committee on the purposes and aims of the strategy, and the proposed timelines for the project.

5.0 **Strategic Aims**

5.1 The objectives of the strategy are to deliver a roadmap for the creation of a long-term, sustainable taxi and private hire service, including service specific guidance, that achieves:

- The best possible value for all customers.

- A service which ensures the highest level of safety for passengers and drivers.
- A service that provides equal and fair access for all, where operators, proprietors and drivers are aware of their obligations under all relevant legislation, including the Equality Act 2010 and where discriminatory practice is eradicated.
- The highest standards of customer-focused professional service delivery. Expertise should be guided by the authority and driven by customer-specific demand reinforcing understanding from both customers and business owners that driving is a professional vocation.
- Reasonable and sustainable balance in supply and demand.
- The ability for professional drivers to grow and develop a business in just the same way as they might with any other business opportunity, including the use of appropriate technology.
- A positive impact on the wider community and the environment through use of environmentally friendly vehicles and the use of new technology to support efficient access to these services.
- Access to easy mechanisms for stakeholders to raise concerns, report issues and highlight opportunities through dedicated driver and operator support.
- Taxi and private hire services to be integrated, understood and fully considered in all transport, planning and infrastructure decisions.

5.2 The strategy, as drafted, provides a large amount of background data to support the suggested strategic aims. The draft also includes a number of recommended service specific strategic aims.

5.3 The draft strategy does not provide specific solutions to the strategic aims. This is for each service to determine in line with other needs, such as legislation under which they may operate, local plans and wider departmental requirements.

For example, the strategy as drafted does not say we must have X number of wheelchair accessible vehicles. The strategy says, in relation to Transport and Parking policy:

To consider decisions concerning overall transport provision to businesses and social hubs that take account of the fact that a significant proportion of the county's residents cannot or will not walk or use buses or cycles as these services do not fit their needs.

- 5.4 How this strategic aim is achieved will be down to the detail of any local transport plan, the outcome of the Sustainable Transport Board and strong collaboration between all stakeholders.
- 5.5 Members will be aware that the Sustainable Transport Board is being convened to look at the full range issues and the Taxi and Private Hire Strategy will support the aims of the Sustainable Transport Board.

Section 1-3 and 12 of the attached strategy deal with strategic aims and service specific aims. Sections 4-11 deal with background information, data and explanation of the aims.

6.0 **Next Steps**

- 6.1 The strategy is still in draft format and the next steps should be to consult with the taxi and private hire trade prior to full public consultation. The consultation with the trade is scheduled to begin on 01 November through a series of online webinars and digitally provided information. It is not likely that face-to face meetings will be possible.

Consultation with the trade is scheduled for 8 weeks ending on 31 December 2020.

A further update report on the findings of the consultation shall be brought before the committee in January 2021.

Full public consultation will follow the January 2021 Licensing Committee.

This is in keeping with timescales within the Sustainable Transport Board programme and ensures that we are working consistently across the council to achieve long term sustainable outcomes.

- 6.2 Members should make full use of the consultation period to make comments or suggestions concerning the proposed Strategy.

7.0 Implications

7.1 Financial

7.1.1 The Shared Director of Finance comments that there are no financial implications arising from this report.

7.2 Legal Issues (Monitoring Officer)

7.2.1 The Group Head of Democracy and Governance comments that as this is an overarching strategy there are no direct legal implications.

7.3 Equality Impact Assessment

7.3.1 A full impact assessment on the outcomes of any review will be undertaken prior to any policy or procedural changes.

Appendices

Taxi and Private Hire Strategy (draft)

Background Papers

Taxi Rank Review v.3



WATFORD BOROUGH COUNCIL

Taxi and Private Hire Strategy

2020-2035

DRAFT

DRAFT

1.0 Introduction

Licensing hackney carriage (taxi) and private hire vehicles (minicabs), drivers and operators is the role of the local authority.

A functional, efficient and economically sustainable transport network is critical to the well-being, security and prosperity of our communities.

Taxi and private hire services are an integral part of this transport network and a long term strategy to integrate these services in to all local decisions affecting transport, development and community safety plans is essential.

In the last eight years licensing, business and community has been 'disrupted' by new hailing and booking technology. Long standing principles, upheld in law, include the concept that licensing is fundamentally a local decision affecting local people. This local decision making process guides a two tier system of hackney carriages (taxis) and private hire vehicles (minicabs) with only hackney carriages permitted to 'ply for hire'.

To the uncertainty over the function and purpose of local transport services has been added serious concerns over safe-guarding, accessibility and criminality. Environmental and quality of life issues caused by congestion, parking, pollution and air quality have accelerated rapidly and there is an understanding that infrastructure must be improved if the wider challenges of protecting the planet are to be met.

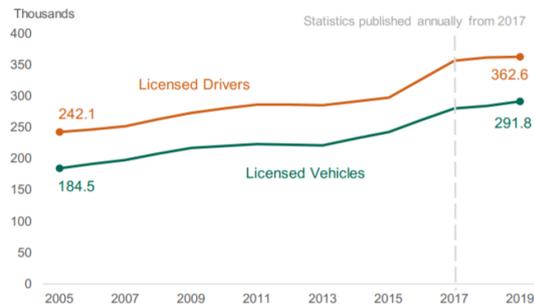
Mobility as a Service (Maas), the concept that there will be a shift from personally owned modes of transport, will naturally include the continued provision of taxi and private hire services. Department for Transport statistics show an increase in the number of journeys taken in a taxi or private hire vehicle and a heavy reliance on such transport for some residents. Alternative forms of public transport, such as bus or train, are not always suitable for all residents and it is likely that numbers of taxi and private hire vehicle services will increase in the medium to long term if we are to successfully reduce the use of privately owned vehicles. As an example, growth in private hire vehicle licences in London has remained despite the impact of COVID and yearly DfT statistics show an increase of numbers of vehicle licensed year on year.

Taxi and Private Hire Vehicle Statistics, England: 2019



The total number of licensed taxi and private hire vehicles and licensed drivers in England reached new record levels

Chart 1: Total licensed taxi and private hire vehicles and drivers: England, since 2005 (TAXI0102)



Whether or not these vehicles are driven by human drivers or are autonomous, they will require good access to the network and sufficient stopping/waiting places to ensure maximum efficiency. Broadly, the trend should be towards reducing journeys by individuals in private vehicles, and towards greater use of shared public or 'for hire' transport. In this, taxis and private hire vehicles will play a critical role.

The elected Mayor of Watford is championing more sustainable forms of transport locally. The aims, although independent of the concept, follow the principles of MaaS - to reduce the number of journeys in the borough taken in a privately owned car, to cut down on congestion, and to improve air quality and the overall health and wellbeing of the borough. Watford is a small, densely populated town with high residential, pedestrian and vehicle traffic density. Many roads and streets are narrow and laid out in an historic pattern. There is limited scope to change this in most parts of the town. Projected increases in the number of residents in Watford and Hertfordshire, and the resultant increase in housing, demonstrate the urgency of ensuring future transport provision is well planned and sustainable.

In many cities and larger towns the introduction of Clean Air Zones has aimed to reduce traffic density and pollution levels and this may be a consideration for Watford. However, taxis and minicabs are vital methods of transport for some* and restrictions on where they can travel must be carefully considered and balanced against any negative impact on equality and accessibility.

*https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853446/vehicle-licensing-statistics-july-to-september-2019.pdf

At the date of this document, Watford has 260 hackney carriages and 124 private hire vehicles. Some drivers have not re-licensed at this time due to the pandemic and a temporary exemption to policy conditions is in place to allow them to return if they choose to do so. This would add around 30 vehicles to numbers given. There are 372 DUAL licensed drivers and 105 licensed only to drive a private hire vehicle.

However, added to this number must be an unknown quantity of drivers and vehicles licensed elsewhere, predominantly in London, who come to work in Watford on a daily basis. This unknown number present problems beyond reducing the level of work available for local drivers as the vehicles also add to congestion, parking issues and pollution.

2.0 Coronavirus and COVID-19

This strategy was initially prepared in February 2020. Since this date the world has faced an unprecedented upheaval following the emergence of the coronavirus and COVID-19.

How the local transport network emerges from the impact of coronavirus has become the pre-eminent question facing the taxi and private hire trade. There is now a significant opportunity to work with the trade to ensure that they emerge from the pandemic in a stronger position to support local communities and to ensure well-being.

Much of the content of this strategy was already focussed on achieving these objectives although, it must be said, without knowledge of any specific threat. There is certainly now a strong argument that specific training and equipment become standard requirements for local transport services. There is also a question to be answered over the extent of the role of the local authority, as responsible for ensuring public health, in ensuring these standards are not only met but actively promoted to ensure our communities are safe. To this end, the council has created the Travel With Confidence accreditation.

Nothing contained in the initial draft of this strategy is contradictory to the new reality, but it must be understood that some priorities will have shifted. All points raised in this strategy remain valid and important. Infection and the transmission of illness is a risk to the viability of all transport systems and must be addressed as a high priority.

3.0 Strategic Aims

The objectives of the strategy are to deliver a road-map for the creation of a long term, sustainable taxi and private hire service, including service specific guidance, where there is:

- The best possible value for all customers.
- A service which ensures the highest level of safety for passengers and drivers.
- A service that provides equal and fair access for all where operators, proprietors and drivers are aware of their obligations under all relevant legislation, including the Equality Act 2010 and where discriminatory practice is eradicated.
- The highest standards of customer focused professional service delivery. Expertise should be guided by the authority and driven by customer specific demand reinforcing understanding from both customers and business owners that driving is a professional vocation.
- Reasonable and sustainable balance in supply and demand
- The ability for professional drivers to grow and develop a business in just the same way as they might with any other business opportunity, including the use of appropriate technology
- A positive impact on the wider community and the environment through use of environmentally friendly vehicles and the use of new technology to support efficient access to these services
- Access to easy mechanisms for stakeholders to raise concerns, report issues and highlight opportunities through dedicated driver and operator support.

- Taxi and private hire services to be integrated, understood and fully considered in all transport, planning and infrastructure decisions.

3.1 Identified Trends and Topics Relevant to the Strategic Aims

Sections 4 to 11 of this strategy list identify service areas, topics and trends relevant to the strategic aims. Each service areas, topic or trend is relevant to a number of the strategic aims listed in section 2. Some trends or topics are relevant to all strategic aims.

The purpose of sections 4 to 11 is to offer background information to assist in understanding the importance of creating a connected transport network and the challenges faced in achieving the strategic aims.

Section 12 of this strategy lists service specific aims (SSA's). These SSA's should be given full consideration when developing policies or procedures, or when making decisions that are likely to impact upon the taxi and private hire trade. It is expected that any significant departure from these aims is explained and evidenced when relevant decisions are made.

4.0 Taxi and Private Hire Services, the Environment and the Creation of a Sustainable Town

Relevant Strategic Aims

All

There are a number of environmental and sustainable benefits to an efficient, sustainable transport network. Some are associated benefits such as general health, well-being and pride in our communities. These are discussed in further detail in later sections and this section will focus primarily on the direct environmental impact of the taxi and private hire trade.

It is clear that at this time motor vehicles play a significant role in negatively contributing to the environmental sustainability of Watford. Exhaust emissions from vehicles contribute a significant volume of gases that are harmful to the environment and to health, and air quality complaints in Watford are increasingly linked to locations where taxis and private hire vehicles wait, often with engines running. Added to this are associated issues relating to parking, traffic congestion, community health and noise pollution.

Watford Borough Council are committed to ensuring the town becomes a leading sustainable and environmentally friendly town and on 9 July 2019 at a meeting of the full Council, elected members declared a climate emergency and committed to doing all they could to ensure Watford is carbon neutral by 2030.

Councillor Ian Stotesbury, elected member for Callowland Ward and member of the Hertfordshire Sustainability Forum, commented,

"Climate change is a universal threat, and a threat of our own making. We must continue to be bold and truly lead on this crucial issue. By doing so we can help our residents reduce their bills, help clean our air, and improve access to healthier modes of transport.

"We can support local ecology, biodiversity and bring natural beauty to new areas. I'm really proud that we have been able to declare a climate emergency. It's important we act now, before it is too late."

Nationally, in June 2019, the UK government became the first government of a major nation to pass legislation (by amendment of previous law) committing to a 'net-zero' carbon output by 2050, and globally, a November 2018 report by the Intergovernmental Panel on Climate Change stated that, in order to keep global warming to 1.5 degrees, emissions of harmful gases would have to be cut by around 45% by 2030, aiming for net-zero by 2050.

In December 2019, Watford Borough Council created the Sustainability Forum to develop a comprehensive plan of action to address environmental issues. The Sustainable Watford Strategy* contains the following actions which will impact upon the taxi and private hire trade:

Undertake a comprehensive study to evaluate the most cost-effective and practical options to increase EV charging infrastructure across the borough. This will increase our understanding of future needs, management options, costings, and inform our policies on residential charging and appropriate requirements for new developments.
Develop a strategy, and associated incentives, to reduce emissions from authority-authorized taxis. This will include programmes to encourage electric vehicles
Begin implementation of the EV charging infrastructure program; applying for and utilising OLEV Funding as appropriate (e.g. WBC Car parks, leisure centres and key office sites). Include Rapid charging.
Explore options to convert parking spaces to secure cycle storage where there is a demand from 40% of households on the street.
Continue to develop and implement the measures of our Air Quality Management Plan to reduce emissions from road transport and improve air quality.
Participate and develop the HCC Sustainable travel town application as part of a wider ranging strategy to cover low carbon transportation in the borough;

Guidance issued in relation to the Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019 lists minimum emission levels for petrol and diesel cars accessing designated Clean Air Zones, and from January 2020 the council has been required to send regular updates of licensed vehicle emission standards to the database.

*<https://www.watford.gov.uk/sustainablewatford>

The single biggest factor in controlling the impact of licensed vehicles is to strictly control factors determining the licencing of those vehicles. In 2019 Watford Borough Council introduced a new Vehicle Licensing Policy which took full account of recent reports and available guidance, including recommendations in the Department for Transport guidance of 2010 that, in the interests of the environment, tougher emissions standards should be introduced for all licensed vehicles.

It is also true that emissions could be further reduced through education and raised awareness of environmental issues. Simple measures such as better and more frequent vehicle maintenance and servicing; or switching off engines when stationary or idling, particularly at hackney carriage ranks, can make a significant environmental impact considering the number of licensed vehicles. These are topics that can be discussed at regular driver training sessions.

An increased number of 'quick drop' pick up and drop off spaces could improve parking issues and ease congestion as consumers choose to move away from private car use. In-line with policy and the declaration of 2019, the council considers its responsibility in protecting the environment to be a predominant factor within licensing policy and a key element of this taxi strategy. There are a number of considerations as to how this protection may be achieved and these are discussed below.

Electric, Zero emission capable and Alternative Fuel Vehicles

Electric vehicles seem to offer clear short term benefit for residents, visitors and businesses. They are exhaust emission free at point of use (generating the electricity to charge them is a different matter, as is particulate matter from tyre and brake wear), they are cheaper to run once purchased and they should remain on the road for significantly longer than their traditional counterparts due to reduced wear and tear. Zero emission capable vehicles include some electric and petrol/electric hybrid vehicles, and also those which run on other fuels such as hydrogen (and, theoretically at least, biofuels, depending on the source of the

fuel). Some other alternative fuels, such as Liquid Petroleum Gas (LPG), offer improvements in emission levels that can bring older vehicles up to modern emission standards.

There are a number of general trends associated with assisting growth in the UK EV market:

rising fuel costs

climate change and air quality legislation

the rise of the ethical consumer, and

increasing choice of vehicle type.

There has been a general trend of increasing fuel costs in the UK. This has impacted on transport sector operating costs and profit margins. There are significant savings to be had with electric vehicles but key difficulties arise in determining who will pay for, or subsidise, or otherwise support, the transition from fossil fuel to EV when drivers are already feeling significant economic pressure and to purchase an EV can be very expensive in comparison with a traditional petrol or diesel vehicle. Many entrants to the trade will be seeking the lowest cost to starting up, even though this may be a false saving in the medium to long term. Increasing awareness, and better education in the operation of a successful long term business, are essential if we are to attract entrants who understand the relevance of policy requirements and the benefits these will bring to all. This education should be coupled with strong policy commitments to change as introduced in the most recent Vehicle Licensing Policy.

The UK, like other countries, is faced with a double challenge of meeting international climate change obligations and reducing the public health impact of poor air quality. It seems likely that a conversion to predominantly electric or petrol/electric hybrid vehicles would bring significant air quality benefit if this is coupled with a reduction in private car usage and a similar conversion of other forms of public transport (buses, for example).

It is often assumed that consumers are ever more engaged in the 'ethical' value of the products and services that they purchase. It is felt that this is driving a renewed focus for businesses on 'greening' their operations. This may be generally true, however, in opposition to these general beliefs, recent survey results in Watford showed that most respondents were predominantly interested in price and safety and that considerations of environmental impact were not strong enough to convince consumers to pay more for a taxi or minicab journey. It is probably true to say that, on average, consumers like the idea of using green and/or ethical products, but perhaps not where there may be a significant economic disadvantage to doing so. It is clearly important to encourage the switch to green travel and it would seem likely from these observations that the burden of cost in this change will be borne initially by businesses which will have higher operating costs but must charge the same competitive fare as others who remain operating older vehicles. It is therefore a more complicated challenge to encourage take up of 'green' vehicles at significant cost where there is no easy path to higher profitability and some significant support may be required from the local authority to ensure this change takes place.

A slender majority of customers (51.72%) say they would not pay more to travel in an electric or zero emission vehicle. 20.69% said yes and the remainder were not sure.

There are increasing options available for professional drivers when considering a new vehicle. Battery range is improving. New models of the most popular truly fully electric vehicles are capable of a wide range of claimed mileages. Official ranges now vary between 80 miles to around 320 miles on a single charge. It is unlikely that most taxi or private hire drivers travel more than this in one day. Recent survey results in Watford showed most drivers travelled between 250 – 500 miles per week. This tallies with data from charging companies who install tracking devices in taxis and report drivers averaging 70/80 miles a day.

A real world test by the only currently licensed fully electric vehicle in Watford (Hyundai Ionic) gives a real world (winter) range of 124 miles and a saving over 4 months, between December 2018 and March 2019 of 5 tonnes of CO₂. For comparison, the average saved per

year if insulating the cavity to a detached house is 1 tonne CO2 per year (assuming an average gas heated 3 bed house).

However, consideration must be given to the fact that many of the most efficient (higher range) models are quite small. They are probably unsuited to a wide range of work as private hire or taxi vehicles but may be suitable for specialist work. It may well be that smaller vehicles become useful as short distance, urban transport, while larger saloons continue working medium to long distance. There are a number of luxury models available as hybrids but these will be expensive options for most businesses and there are still a number of uncertainties associated with this new technology:

Range anxiety - is the battery capacity sufficient

Charger anxiety - is there anywhere to charge and where it is will it be available

Service & maintenance & vehicle performance - is there support in place to keep the vehicles on the road

Regardless of the data on mileage and real world use, the fear over range remains. It is a valid fear for small, single operator companies. A self-employed driver may receive a lucrative booking for a long distance job only to have to turn it down as the battery is at 50% charge.

Contributing to this 'range anxiety', charging infrastructure is perceived to be poor. This may not be the case in reality with a report in May 2019 claiming that the number of charging points in the UK now outnumbers the number of petrol stations. However, this provision still varies widely across the country and in regions. It is arguable that this is a 'chicken and egg' situation with companies, local authorities and private land owners unwilling to invest in infrastructure while sales of battery electric vehicles (BEV) remain low (1.1% market share by sales in 2019). By comparison, 60% of all new vehicle sales in Norway in March 2019 were fully electric vehicles.

Of course, sales will remain low while infrastructure is lacking. It is worth noting that in Hertfordshire the largest proportion of new vehicle registrations of fully electric vehicles is in Watford with approximately 25% of the total for 2018. Watford currently has an imbalance in supply of chargers versus demand being the 73rd local authority in the country for number of chargers versus the 14th for the number of registered electric vehicles. Watford is already in the top 20 local authorities in the country with regards to the number of ULEV registrations - over double that to the next local authority in Hertfordshire.*

Year to date					
	YTD 2020	YTD 2019	% change	Mkt share -20	Mkt share -19
Diesel	162,097	401,870	-59.7%	17.7%	26.5%
Petrol	543,376	981,476	-44.6%	59.3%	64.6%
BEV	44,708	17,393	157.0%	4.9%	1.1%
PHEV	29,877	17,818	67.7%	3.3%	1.2%
HEV	57,649	60,765	-5.1%	6.3%	4.0%
MHEV diesel	30,867	13,630	126.5%	3.4%	0.9%
MHEV petrol	47,041	26,064	80.5%	5.1%	1.7%
TOTAL	915,615	1,519,016	-39.7%		

BEV - Battery Electric Vehicle; PHEV - Plug-in Hybrid Electric Vehicle; HEV - Hybrid Electric Vehicle; MHEV - Mild Hybrid Electric Vehicle

SOURCE: Society of Motor Manufacturers and Traders, September 2020.

A 2019 report concerning autonomous vehicles and the relative preparedness of a number of countries took account of infrastructure. This included 4G coverage (in the case of autonomous vehicles) and charging infrastructure. The UK scored seventh out of twenty five overall which may seem a good rating but was a slip of 2 places on the 2018 rating. The rating was boosted by the countries desire to engage financially and legislatively. In infrastructure, the UK scored 10th. The charging infrastructure was better than many others but so far behind the leaders, the Netherlands, as to make little overall difference to the score.

A recent EV taxi survey for London found:

“evidence from the trial suggests that a far more robust charging infrastructure than currently exists -alongside expected improvements in battery range - is required to encourage significant uptake of pure electric vehicles within the industry”.

Given the lack of charging infrastructure at this time it is likely that, in the short term at least, vehicles used for medium to long range journeys may predominantly be made up of hybrid types. This will make any policy definition of 'zero-emission' or 'fully electric' vehicle critical to the success of transition from total reliance on fossil fuels.

Some vehicles advertised as 'fully electric', such as the new London LEVC, supplement electric drive with a stand-alone 'range extender' generator. In this cases the generator does not move the drivetrain which remains at all times powered electrically. The generator charges the battery. This is in contrast with other hybrid electric vehicles which use a mechanical drivetrain when powered by the engine. It would seem prudent to allow for some form of range extension to offset drivers concerns and to drive change. The council's current policy is to allow for a discount for any newly licensed or re-licensed fully electric vehicle. Whilst financial incentives should also be used to encourage uptake it is worth noting that, in terms of the overall cost of operating a taxi or minicab business, the vehicle licence cost is a very small proportion of business costs. In Watford the current annual licence fee is £225. It may be better to work towards connecting those who have bought such vehicles with more work, thus helping to underwrite the significant investment.

Lastly, there are currently a number of unknown impacts of large scale adoption of electric vehicles and these include the disposal of used batteries and the manufacture of the batteries using already scarce resources.

Hybrid vehicles blend electric power with a traditional internal combustion engine, usually petrol. It is entirely feasible to have a hybrid that operates on electric and biofuel or LPG (liquid petroleum gas). LPG is a cleaner burning fuel providing it is operating correctly. Much depends on the quality of the system used but direct injection types available for modern engines are very efficient. LPG conversion is only realistically available for petrol engines and filling stations are fewer. We are well served in Watford with three within close driving distance. LPG is approximately half the cost of petrol or diesel offering considerable savings for drivers. Conversion costs vary but for a 4 cylinder engine will be approximately £1500 and there are companies offering a service to replace the engine in a London style taxi with a new LPG model. This conversion is claimed to reduce emissions to Euro 6 standard.

Hybrid vehicles may offer more pragmatic solutions to the issues discussed in the electric vehicle section but these come at a risk that a driver can choose to simply operate on a traditional internal combustion engine. Whilst hydrogen fuel cells are zero emission at all times (the waste product of these vehicles are water and heat), the filling infrastructure for hydrogen vehicles is even more limited than that of electric vehicles and the tanks required to hold the hydrogen take up significant space in the vehicle (and are highly pressurised).

On balance, even if we take petrol or diesel cars, newer models are undoubtedly cleaner than their predecessors. The Society of Motor Manufacturers and Traders claim “It would take 50 new cars today to produce the same amount of pollutant emissions as one vehicle built in the 1970s.”

Petrol and diesel engines are subject to different regulations and it has been noted that emission levels may not have fallen as much as expected because emissions in real world driving conditions vary significantly over those performed in test conditions. It is therefore questionable the degree to which new vehicles, even those rated at euro 6, will contribute to any further improvement in air quality. On the other hand, it could be argued that an overall reduction in private car use would be more effective in improving air quality, even if all remaining vehicles continued to use petrol and diesel. There is no clear picture at this stage.

In some areas there is already a strong financial incentive to change to vehicles with newer emission standards as drivers of more polluting vehicles are subject to a charge when driving through a Low Emission or Ultra-Low Emission Zone. Drivers who regularly enter the London Ultra Low Emission Zone (ULEZ) in a non-compliant vehicle must pay this charge or pass it on to the customer, neither an attractive business proposition. As Watford is situated close to London, it seems likely that this charge is already having an impact on local drivers and operators who will be forced to change vehicles or refuse work.

Manufacturers are still adjusting to Euro 6 and no date has been set for the introduction of Euro 7. Germany are among a small group of countries to announce that as of a certain date (in Germany's case 2030) they will ban the manufacture of new petrol or diesel models anyway and so the introduction of euro 7 may eventually become a moot point. Some manufacturers such as Volvo have announced that they will not sell new diesel cars from

2019 and will concentrate instead on electric or petrol/electric hybrid engines. The UK has stated that it will ban the sale of new petrol and diesel engines by 2035, including hybrid engines. At this time local charging infrastructure will become even more vital.

The Council strongly encourages the use of cleaner, low emission vehicles as hackney carriages or private hire vehicles and will continue to offer a reduced licence fee for electric vehicles. However, electric vehicles are only one part of this complicated puzzle and a more efficient use of existing fleet vehicles could be just as important in reducing emissions and congestion and improving air quality in the town.

The broad issues of Climate Change and climate emergencies can only be addressed through a coherent and connected series of actions encompassing not just local vehicle licensing but also transport more generally. Likewise the local and county wide plans of transport impact directly on local licensing decisions.

The health and wellbeing of our communities must be at the centre of policy decisions and this, of course, includes the drivers as much as any other resident or visitor to the area. Striking the correct balance between what is currently permitted and what is right will not be an easy task. At this stage, the balance of licensing EV's and vehicles powered in part or whole by internal combustion engines is very much a decision driven by cost, relative ecological benefit (when weighed against the scrapping of an otherwise perfectly serviceable vehicle) and availability of charging infrastructure.

This strategy will seek to balance the requirements of creating a sustainable town with the long term impact of choice, particularly in the type of vehicle to be licensed and the infrastructure available to support those vehicles.

This strategy will seek to encourage and ensure a range of vehicle types are available to use to ensure all local needs are met and that the town meets its targets of being carbon neutral by 2030 and of being a leading sustainable town.

In connection with new booking technology and cleaner vehicles, a larger number of pick up and drop off points strategically located may ensure less waiting time overall, a reduction in parking issues and an improvement in air quality and congestion.

This strategy will explore the concept of priority vehicle access and road use for services offering residents the best access to transport.

5.0 Future transport planning and the economic and built development of the town

Relevant Strategic Aims

All

The way people work and travel has changed dramatically in the past 20 years and even more so in the past few months. New technology has brought both freedom and closer connection and this change in lifestyle behaviours has accelerated following the COVID-19 pandemic. In relation to the specific aims of this strategy, the change has led to a significant increase in people working flexible hours (or working remotely) and consequently choosing not to travel, or to travel at times other than the traditional 'rush hour'. Higher costs of living and a reduction in parking spaces and road space in general has led to an increasing number of residents rejecting private car ownership in favour of public transport. For an increasing number the costs of owning a car just do not add up.

That said, pre-COVID, traditional hours were still the norm in many sectors that require some travel such as retail and schools, and peak travel hours in Hertfordshire remain broadly as they have been for many years. Watford has experienced rapid growth of the built environment, with residential development projected to increase by 20% from 40 000 dwellings to 48 000 in the next 16 years. A fast growing, urban area, the population is 95 000 and is projected to grow to 120000 by 2030. The population of the county is expected to grow by around 175 000 in the next 10 years. All of this will bring additional burden to our already full roads, particularly where people are travelling to Watford from more remote parts of the county which lack convenient public transport links. Such growth will bring with it huge opportunity but also an urgent requirement to ensure our transport

network, both within the town, and to connections beyond, is fit for purpose, particularly as new residential properties are more likely to be built without parking spaces for privately owned vehicles, and the number of people travelling to Watford to work may increase (this will depend, to some degree, on changes implemented post-pandemic).

There are three key Local Plans with strong cross-over to this strategy. This report will not seek to replicate information presented in the Plans and the documents are available via links provided. A brief summary of each follows.

The economic development of Watford is intrinsically linked to the success of the transport network. The latest Economic Development Plan, currently under review, will be published in 2020. Ensuring the recognition of the importance of mobility services in economic success will be an important element of this taxi strategy. Likewise, it will be important to explore the additional services that a professional taxi and private hire trade can offer the town, including businesses in the town, and work undertaken in other regions to create 'local ambassadors' to boost tourism and visitor satisfaction could be replicated in Watford.

The built development of Watford is led by the Watford Local Plan[^], adopted in 2013. The New Watford Local Plan[~] is currently under consideration and this new plan will guide development until 2036. The Plan is scheduled for adoption, if agreed, in 2021. The way people live in Watford, the types of housing available and the connection of this housing to good mobility links must be a key strategic aim in order to support well-being and economic growth.

The Local Transport Plan, published in 2018* guides transport planning policy until 2031.

[^] https://www.watford.gov.uk/info/20168/planning_policy/861/watford_local_plan and https://www.watford.gov.uk/info/20168/planning_policy/861/watford_local_plan/4

[~] <https://www.watfordlocalplan.co.uk/> and https://www.watford.gov.uk/info/20168/planning_policy/861/watford_local_plan/6

*<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>

The Local Transport Plan seeks to encourage a shift from privately owned vehicle use to more sustainable forms of transport. Recognition of the taxi and private hire trade as key industry providers can only increase the chance of success of the plan overall. There is a strong focus on the use of public transport. Historically, and legally, hackney carriages are public transport and should be recognised as such in the development of transport strategies. Section 6 discusses in more detail some of the possibilities in terms of transport development.

This strategy will seek to ensure that the taxi and private hire trade are fully considered in the development of the economic plan.

This strategy will seek to ensure that building development and planning considerations take account of the need for convenient and rapid access to efficient taxi and private hire transport services in order to support those who live and work in Watford but do not own their own vehicle.

This strategy will seek to support the use of taxi and private hire services in reducing private vehicle ownership.

6.0 First Mile/Last Mile, Connected Travel Options, Park and Ride

Relevant Strategic Aims

The best possible value for all customers

A positive impact on the wider community and the environment through use of environmentally friendly vehicles and the use of new technology to support efficient access to these services

Encouraging consumers to make the shift from private vehicle ownership will require significant improvement in connectivity, access and flexibility. Taxi and private hire services are well placed to offer the local, flexible transport service required to connect customers with other forms of public transport.

There have been a number of trial schemes in the UK seeking to connect customers with bus and train services, picking up at homes or convenient local spots and integrating payment systems to ensure ease of travel, for example, the My First Mile scheme piloted in Bristol*.

Such schemes, and the encouragement of 'overall convenience' is critical to the success of integrated models as people must see this way of travelling as more convenient than the comfort, warmth and privacy of their own vehicles.

As road space becomes further congested, options to deliver visitors to travel nodes for embarkation for onward travel is one way in which the overall level of vehicles on the busiest roads in Watford can be reduced.

In order to successfully integrate local taxi and private hire services in to this process, the industry must be given access to suitable technology which will allow individual drivers and small businesses to re-route vehicles at peak travel times in order to maximise vehicle capacity. Such technology is already available and would allow true flexibility of operation for individuals. Taxis and Private Hire vehicles should be able to operate as either single customer occupancy vehicles or as 'shared' mobility vehicles where customers unknown to one another share the journey.

There is a suggestion that the transport solution described above appears to suffer in the real world from a lack of customer desire to share vehicles in this way. This may be due to customers feeling uncomfortable with this type of travel and yet the same shared space is not an issue on a bus or train.

*<https://esoterix.co.uk/mfm/>

Positive promotion of the trade, made possible by improvements in standards, training and convenience, would help significantly in changing consumer perception and the desirability of shared services and it should be possible, with imaginative marketing, to encourage a new era of shared travel which is socially beneficial (in terms of community well-being) as well as necessary.

Payment systems could be created but with the rise in 'contactless' and other proprietary payment systems, such as Apple Pay, the development of a travel card may be unnecessary unless somehow the system also brings with it a consumer benefit (discount for frequent use, for example).

This strategy will seek to identify ways to encourage shared use of taxis and private hire vehicles, including, if possible, the provision of necessary booking and planning technology.

This strategy will seek to encourage greater connection between local business and transport service providers to ensure visitors, residents and people working in Watford have access to the safest, most professional and most cost effective taxi and private hire service

7.0 Accessibility

Relevant Strategic Aims

The best possible value for all customers.

A service that provides equal and fair access for all where operators, proprietors and drivers are aware of their obligations under all relevant legislation, including the Equality Act 2010 and where discriminatory practice is eradicated.

A positive impact on the wider community and the environment through use of environmentally friendly vehicles and the use of new technology to support efficient access to these services.

Taxi and private hire services to be integrated, understood and fully considered in all transport, planning and infrastructure decisions.

Easy and equal access to transport services is essential for any society if we are to improve equality of opportunity. Disabled, vulnerable and elderly passengers can often be disproportionately impacted by changes to transport policy and it is imperative that any new taxi and private hire strategy ensures improvements to the current provision of service.

A 2015 survey by Disability Watford reported that of a local population of approximately 10,000 people, 60% said they rarely travelled due to the stress or anxiety or general difficulty caused by doing so. This included bus travel, taxi and private hire. This trend has been further supported by various reports, including to the House of Lords Select Committee on the Equality Act 2010 and Disability (2016)* and is further supported by regular media articles.

In July 2018 The Department for Transport published the 'Inclusive Transport Strategy'^, a document aimed at guiding transport provision in all sectors. It is important to note that attempts to improve accessibility in taxis and private hire vehicles go back at least as far as 1995 and the Disability Discrimination Act but that progress has been incredibly slow. The DfT's new standards (statutory guidance+), published July 2020, make no mention of accessibility or compulsory disability awareness training for drivers. This is in contrast to both the Inclusive Transport Strategy and the recent statement by DfT in May 2019 that accessibility should be at the heart of new transport technology~.

* <https://www.parliament.uk/business/committees/committees-a-z/lords-select/equality-act-2010-and-disability/news-parliament-2015/equality-act-report-published/>

^<https://www.gov.uk/government/publications/inclusive-transport-strategy>

~(<https://www.gov.uk/government/news/accessibility-must-be-at-the-heart-of-new-transport-tech>)

+(<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-recommendations-for-a-safer-and-more-robust-system>)

A statement by DPTAC (The Disabled Persons Transport Advisory Committee) released 8 August 2020, outlines the committee's view on how taxi and private hire services should operate. The views expressed align with the aims of this strategy.

This lack of definitive action also appears to be in contradiction to the findings of the recent Task and Finish Group, the findings of which were published in Sept 2018, and which said of accessibility and any proposed standards:

Evidence received by the Group highlighted that consideration of accessibility needs is essential in any reform of the sector. If the Government enacts national standards, accessibility considerations should be an integral part of their development, not a mere add-on. In the short term, it is important that licensing authorities use the powers they already have to improve access and passenger experience.

It therefore seems likely that it will fall to local authorities to make these important decisions for some time to come.

Vehicle Type and Accessibility

There is no specific vehicle type that could be introduced to resolve accessibility issues. This is because different disabilities or impairments require different types of solution. A customer may prefer to 'sit down' in to a saloon vehicle; another may require a waist height swivel chair (as found on many London style taxis).

Nationally, wheelchair accessible vehicle (WAV) provision is generally poor. Although there has been a recent increase in the numbers of private hire vehicles that are fully accessible, the number of WAVs as a total percentage of all licensed vehicles remains very low.

For example, according to the most recent DfT statistics[^] the total number of PHV's in London is 88,100. Only 600 of these are WAV's. Where there are a higher percentage of WAV's this tends to be due to a concentration in a few areas. For example, the total number of wheelchair accessible hackney carriages is raised significantly by the fact that all London taxis (currently approx. 17,000 vehicles) must be wheelchair accessible. In comparison, some licensing areas bordering London have total numbers of WAV's numbering in single digits for the entire district.

Table 1: Summary of 2019 taxi and private hire vehicle licensing figures compared with 2018 (TAXI0102)

	Thousands		
	London	England outside London	England
	March 2019 figure and percentage change compared to March 2018		
Total licensed vehicles	108.2 ⬇️ -0.6%	183.6 ⬆️ 4.5%	291.8 ⬆️ 2.5%
Taxis	20.1 ⬇️ -4.2%	50.5 ⬇️ -2.5%	70.6 ⬇️ -3.0%
wheelchair accessible taxis	20.1 ⬇️ -4.2%	21.0 ⬇️ -2.6%	41.2 ⬇️ -3.4%
Private Hire Vehicles (PHVs)	88.1 ⬆️ 0.2%	133.1 ⬆️ 7.4%	221.2 ⬆️ 4.4%
wheelchair accessible PHVs	0.6 ⬆️ 12.2%	4.2 ⬆️ 7.7%	4.8 ⬆️ 8.2%
Licensed PHV operators	2.2 ⬇️ -7.0%	13.3 ⬆️ 4.6%	15.5 ⬆️ 2.8%
Total licensed drivers	129.9 ⬇️ -5.5%	232.7 ⬆️ 4.0%	362.6 ⬆️ 0.4%
Taxi only licences	23.2 ⬇️ -2.8%	30.3 ⬇️ -10.1%	53.5 ⬇️ -7.1%
PHV-only licences	106.8 ⬇️ -6.0%	120.0 ⬆️ 9.5%	226.8 ⬆️ 1.6%
Dual licences	0.0 ➡️ 0.0%	82.4 ⬆️ 2.5%	82.4 ⬆️ 2.5%

The number of licensed taxis is falling across the country and in each area the percentage loss of WAVs is equal to or greater than the overall percentage loss[^].

Taxi and Private Hire Vehicle Statistics: England 2019 - Page 3

SOURCE: DfT Taxi and Private Hire Vehicle Statistics 2019

The disabled population of the UK is approximately 13 million or 20%. The number of

wheelchair users is approximately 1.2 million or 2%. Looking at these figures it could be argued that a local authority fleet comprising 2% WAVs across both hackney carriage and private hire services is broadly representative of customer need.

However, this simple comparison does not tell the whole story for a number of reasons:

disabled people, elderly people or vulnerable people may be proportionately more likely to need to use a taxi or minicab, thus the level of service provision at any given time is more critical

Some passengers will not be able to access a certain type of vehicle, thus choice is reduced as an overall percentage of available services

[^]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833569/taxi-and-phv-england-2019.pdf

In most areas WAVs tend to be taxis. Taxis are usually more expensive to hire than minicabs. Passengers who need to use a WAV are therefore financially penalised through lack of provision

Increasing provision is not easy. Recent survey results conducted as part of the Watford Borough Council Vehicle Licensing Policy consultation resulted in members of the public saying the following:

There was a mixed response concerning wheelchair accessible vehicles. Many (46.43%) think there should be a fixed number of WAV's.

When asked how many taxis should be wheelchair accessible, the largest suggestions by far (each with 30.77%) were for over 10% but less than 50%.

In answering the same question for minicabs, the same percentages (30.77%) were split between 0 and 25%. There are currently very few WAV's on the minicab circuit.

Drivers asked the same questions said:

Most (53.85%) thought there should not be a fixed number of wheelchair accessible vehicles.

If there had to be a fixed number, the majority of those who answered (46.67%) said there should be between 10 and 25% of the taxi fleet.

The majority (38.46%) thought that 10% or less of minicabs should be WAVs

It can be seen that views appear to be reversed between members of the public and drivers in terms of whether there should be a fixed number. Even if a fixed number was introduced, the mechanism of doing so is likely to bring its own issues. For example, some authorities have introduced a policy whereby any newly licensed taxi must be a WAV. Existing saloon licensed vehicles can continue to be renewed. In licensing areas where taxi vehicle licences are restricted, it is not clear how this could work. One option may be to allow new licences

but only for certain vehicle types (WAV, fully electric) but this leads to further questions over unmet demand and/or over-supply at peak times. It seems a possible solution may be to incentivise drivers in other ways to take up these vehicles. Indeed, this idea of incentives is a theme to return to.

Hackney Carriage vs Private Hire Vehicle in Accessibility

Across the country the bulk of provision of wheelchair accessible vehicles seems to have fallen to the taxi trade. It is not clear why this is. It may be that for many years there was no suitable vehicle that could be used as a private hire vehicle as the law broadly prohibits the licensing of a vehicle as a private hire vehicle that could be mistaken for a taxi. Depending on how this is interpreted, it could be that authorities were reluctant to licence vehicles with WAV capability.

Further complications occur in definition of what constitutes a fully wheelchair accessible vehicle. Most vehicles are constructed to carry a wheelchair built to 'reference' dimensions. The 'reference' wheelchair is a set of measurements devised some years ago. The reality is, these days, there are hundreds of different size and weight wheelchairs and many fall outside of the reference parameters. Customers are left with no clear idea of whether or not a particular service will be suitable often right up until the moment it arrives. If it is not, there is not much the driver can do and the customer is left to wait for another vehicle, or to cancel the service with limited right of complaint.

The general cost of journeys has typically been higher for wheelchair users in particular. Nationally, this was not helped by lack of training in disability awareness and a lack of understanding of the Equality Act 2010 although drivers in Watford have had such training since 2007. In April 2017 the provisions of the Equality Act concerning the carrying and charging of wheelchair users in WAVs were brought in to force and the driver now commits a criminal (rather than civil) offence if the meter is used before the passengers is on-board and secured.

Although this was a welcome improvement the sad reality is that it may further encourage drivers who have the choice of not using a WAV (London is compulsory WAV for any taxi, as is Plymouth) to buy a saloon or other vehicle type instead. This may lead to a reduction in the numbers of wheelchair accessible vehicles available in areas and it is certainly the case that the numbers in Watford have fallen over the past 10 years, with a steep reduction since 2017. In areas where no restrictions or quota is set on type the number of available vehicles can be astonishingly low. In one local authority area of 321 licensed vehicles, there are only 4 WAVs. An unmet demand survey in this area suggested no need to increase this number.

Advice received from one leading equalities barrister suggests that much more needs to be done to ensure private hire operators provide sufficient vehicles of each type in order that they are complying with obligations contained in the Equality Act 2010. It is not a council's duty to enforce local business compliance with the Equality Act but the council does have a general duty under section 149 of the Equality Act to promote equality in all it does and this must be a key consideration in any strategy.

As a last point, wheelchair accessible vehicles used for business purposes are not VAT exempt and the cost of such vehicles is usually approximately 20% over the cost of a similar vehicle that is not wheelchair accessible. Given the requirements of the Equality Act 2010 and the broader desire to ensure accessibility for all at a fair and equal price, there is currently little overall incentive for drivers to purchase these more expensive vehicles and this is likely a large reason for the decline in licensed WAV numbers between 2018 and 2019 as a percentage of the total number of licensed private hire vehicles, and an overall decline in terms of licensed hackney carriages – often seen as the benchmark vehicle for access due to the immediacy of hire and the requirement not to pre-book. This expense has been exacerbated, and will be further increased in the next few years, by a need to buy newer, cleaner vehicles in many licensed areas including Watford.

It is clear that striking the correct balance in availability of vehicle type will be difficult. Much more can be done to ensure adequate supply of all vehicle types by matching customer needs directly to service providers. This matching process will be, and already is being, enhanced by technology. However, technology must be accessible if it is to work for all, and this is not the case at the moment.

Technology and Accessibility

It is evident that the shift to booking private hire vehicles and some taxis using an app on a smartphone has led to a significant number of issues alongside the obvious advantages. A 2018 review of the Future of Mobility, published by the Government Office for Science*, summarises some of the positive impact of apps and also outline two possible negative outcomes resulting from the sudden appearance of smartphone booking technology*. The following is an extract:

“[Apps] are increasing the number of both potential customers and providers of taxi and PHV journeys, meaning that sparse and geographically spread demand is better served, at appropriate prices, and therefore mitigating the need for restrictions on the number of taxis and PHVs serving an area. Second, enhanced service monitoring in the form of high volumes of customer feedback is reducing the need for external checks. However, they also note that fierce competition between apps could lead to unstable demand and/or supply profiles, thus reducing demand for taxis and PHVs, while conversely, a single dominant app could result in a monopoly whereby both passengers and drivers could suffer from unfairly set prices. These considerations suggest that future regulation might instead focus on the possibility of future monopoly and collusion in a market led by smartphone apps.”

Added to the potential negative impacts alluded to – unstable demand and supply, and a future monopoly – is the negative impact of restricted access that may result from apps becoming the dominant or only form of booking system.

*https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/766753/Taxisprivate_hire.pdf

Technology has encouraged greater use of services for those who can use the technology to their advantage but there is a significant proportion of the community who will not have access to, or ever use, such technology. The challenge of the future transport service is to provide equal access to all customers regardless of the method of booking and the service of the future must retain sufficient traditional booking methods to ensure that all members of our communities can travel easily and at the same cost as those booking via app. Automated call centres and customer services may well reduce operating costs to companies but they invariably lead to confusion, delay and concern when customer complaints are not responded to correctly. They may also require intervention from the regulatory authority when, if correctly handled, the complaint may have been resolved quickly and without further escalation and cost.

This strategy will seek to ensure the correct provision of all vehicle types to ensure fair and equal access to services. This may include incentives to encourage the purchase of wheelchair accessible vehicles.

This strategy will seek to ensure that services, however offered, are available equally to all, and that the price paid and level of service offered is as required by the provisions of the Equality Act 2010.

This strategy will seek to address this issue and to ensure that any future service allows for booking in a number of ways including by telephone or in person where that is preferable to the customer.

This strategy will seek to connect local businesses and services with local transport providers to make the most of new technology where it can provide increased access for all.

This strategy will seek to ensure that booking technology does not lead to negative impact on consumers by exploring all possible alternative methods for connecting customers directly with suppliers to ensure best value and continued competition.

This strategy will seek to explore ways in which customers who do not have access to online booking systems can easily and safely access transport services, i.e. by the use of 'call-back' systems.

This strategy will seek to encourage the development of technological solutions which include privacy by design and safeguarding by design, to ensure maximum benefit to the community of permitting the operation of a particular company in the town.

8.0 Community Safety and the Value of the Taxi and Private Hire Industry

Relevant Strategic Aims

A positive impact on the wider community and the environment through use of environmentally friendly vehicles and the use of new technology to support efficient access to these services

Access to easy mechanisms for stakeholders to raise concerns, report issues and highlight opportunities through dedicated driver and operator support.

Taxi and private hire services to be integrated, understood and fully considered in all transport, planning and infrastructure decisions.

Within the past five years taxi and private hire drivers have been subject to increasing levels of mandatory training in order that they are adequately prepared for the requirements of providing a safe and comfortable journey. They are also asked to report concerns over local safeguarding and community safety issues.

The requirement to look after passengers is as old as the legislation with drivers required to be 'fit and proper' before a licence is issued. The definition of fit and proper remains broad and is determined at a local level. It is sometimes defined as 'safe and suitable' and further as somebody of good character, an upstanding member of the community and somebody who would happily help others who need help.

The requirement for extensive training in some areas, including Watford, can cause a number of issues arising from 'cross border' hiring – the name given to the issue of drivers from other licensing areas (often not so trained) picking up in the local area – and it may be that the outcomes of this strategy can be applied to ensure consistency across a larger county or regional zone. However, this strategy is specifically concerned with Watford and the requirements placed upon local drivers to assist in the broad community safety aims.

Drivers are currently trained in a number of safeguarding trends as well as receiving detailed information concerning dementia and the assistance of disabled passengers. The systems in place to support drivers who wish to make complaints range from national government led organisations, such as the police, Crimestoppers and Prevent, to large and medium size charitable or non-governmental organisations such as the Modern Slavery Helpline and NSPCC. None of the organisations or methods of reporting currently available are specifically set up for taxi and private hire driver needs and yet the impact on community safety of a well organised and well supported network of drivers who are willing and able to report concerns, and who feel safe to do so, could be enormous. It is currently beyond the scope of this strategy to place a monetary value on this contribution but it seems clear that such assistance could be financially significant.

Nationally, there are a number of documented incidents where the quick thinking actions of drivers, trained in safe-guarding measures, have led to the prevention of serious crime and the apprehension of prolific offenders.

Despite this increasing reliance on drivers to provide assistance and to report concerns, where drivers are themselves victims of crime, support seems sporadic at best. Whether this is the result of a failure to report accurately, or a lack of investigative resources on the part of the authority responsible, is perhaps less significant than the perception among drivers and operators that this lack of support is a real and increasing issue.

If drivers and operators are to truly integrate safeguarding requirements in to every aspect of their businesses as required, desired and needed, then it is clear an improvement in this situation must be made.

This strategy will seek to address concerns held by local drivers and operators over the support offered to those who can and do report safeguarding.

The strategy will seek to improve connection between drivers and local law enforcement services to reduce risk and anxiety, and to improve the impact of the network upon community safety.

The strategy will seek to develop a single point of contact for drivers to offer assistance in reporting concerns and staying safe.

9.0 Taxi and Private Hire Services – Increasing Demand, Decreasing Satisfaction

Relevant Strategic Aims –

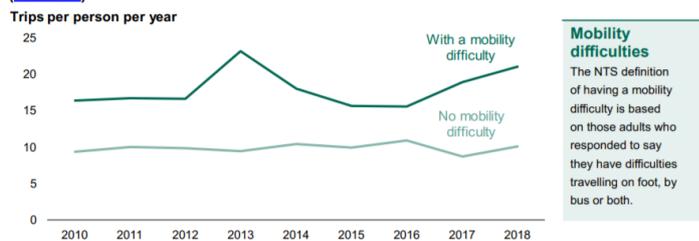
The highest standards of customer focused professional service delivery. Expertise should be guided by the authority and driven by customer specific demand reinforcing understanding from both customers and business owners that driving is a professional vocation.

Reasonable and sustainable balance in supply and demand

The following information is based upon the national statistics published each year by the Department for Transport.

The number of vehicles and drivers in England and Wales has reached record levels. This increase has been driven, in part, by new technologies which make booking a taxi or minicab very easy, and which track vehicles closely, thus increasing security and significantly reducing customer anxiety over the arrival time of booked transport. The average number of journeys taken by customers in 2019 was 10 journeys, an increase on the 2018 figure of 9. The average distance travelled per journey has also increased from 55 miles to 62 miles.

Chart 14: Taxi or PHV trips per person per year, by mobility difficulty, England, 2018
(NTS0709)

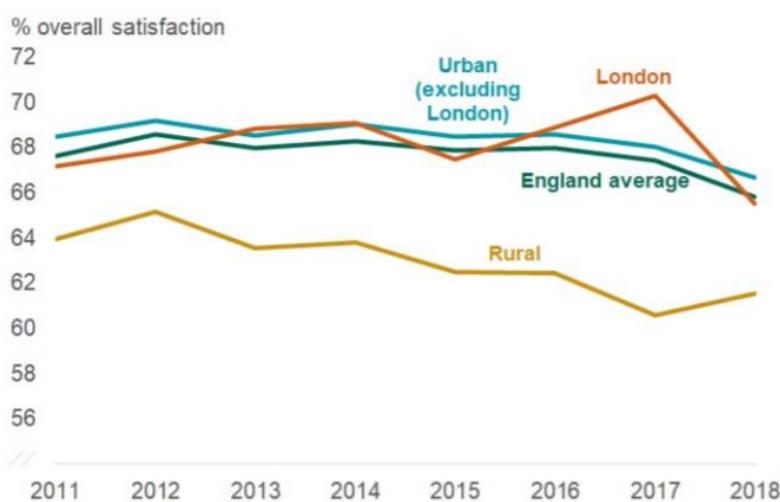


There has been a significant increase in the number of journeys taken by disabled people, up from an average of 16 journeys per year in 2018 to 21 journeys per year in 2019.

Likewise, women and older women made more trips than male counterparts, highlighting the safety and accessibility function of taxi and private hire provision.

Lastly, those without access to a car made 4 times as many journeys as those with access to a car. A statistic of significant importance when considering the Council’s aims to reduce the use of private cars for travel within the Borough.

Chart 18: Overall taxi passenger satisfaction in rural and urban areas and London, England 2011 to 2018



Unfortunately, nationally, the overall satisfaction with taxi and private hire services seems to have fallen since 2011. It may be that the proliferation of services, whilst initially seen as a good thing for customers, is leading to a drop in the standards provided by individual

drivers and operators. It is not currently known how satisfaction stands in Watford or Hertfordshire but it seems likely that there is room for improvement.

This strategy will aim to ensure an increase in standards of provision and customer service. This must necessarily go together with a sustainable supply and demand and the ability of licensed drivers to earn a living and run a safe, successful business. This could involve an increase in support from authorities where drivers are victims of crime or witnesses to serious incidents. This could also include support from the local authority in terms of access to business for those businesses demonstrating consistently high standards of operation.

10.0 Supply and Demand in Uncapped Market – Service supply, Driver earnings and Driver well-being

Relevant Strategic Aims

The best possible value for all customers.

The highest standards of customer focused professional service delivery. Expertise should be guided by the authority and driven by customer specific demand reinforcing understanding from both customers and business owners that driving is a professional vocation.

Reasonable and sustainable balance in supply and demand

The ability for professional drivers to grow and develop a business in just the same way as they might with any other business opportunity, including the use of appropriate technology

There have been a number of key impacts of the recent, rapid app development and 'disruption' of the industry. The first has been a large increase in the number of private hire vehicle drivers and proprietors which has seen a connected rise in supply of services. This shift in the balance of supply and demand was sudden and dramatic and the industry is struggling to deal with the change. Customer expectation is now such that any delay on the provision of services (whichever services they may be – digitally streamed films, fast food delivery, taxi services) is seen as a significant negative attribute of any business. Previously, drivers and operators controlled supply and customers had little choice but to wait.

This increase in supply in private hire vehicle services seems to have caused an associated shift away from customers using hackney carriage services. The extent of this shift is not well known and any knowledge of the shift is based upon reports by hackney carriage drivers reporting to licensing teams and on social media. Smartphone apps which show the location of a nearby car service now somewhat negate the main traditional benefit of a hackney carriage rank – a vehicle for hire immediately at a known location. Drivers no longer have to wait in a single, known location in order to attract business. However, waiting in other areas by drivers using apps has negatively impacted on parking, congestion and air quality, and a number of complaints have arisen out of this trend. This trend has also been the cause of other anti-social activities such as noise pollution.

It is important to note, however, that traditional hackney carriage services are still required in some key locations, particularly in the town centre, and it is reported that customers will still often choose to use a visible vehicle rather than take the time to book a private hire vehicle, even one that is only the press of a smartphone screen away for those who have access to such services. For those who do not have access to smartphone booking technology the provision of ranks is still of significant importance. Some customers cannot walk far and even a local minicab office may be too far away. It is therefore important that provision of fixed rank space is not eroded by a misconception that all customers will or can book using app technology (see section on Accessibility). Added to this must be the understanding that whilst progress dictates a broad change in the means by which customers access services, this change is rapid and business owners must be given time and support to adapt. The removal of the existing traditional 'shop front' hackney carriage rank

infrastructure without serious consideration of the alternatives and likely outcomes would not be acceptable. The strategy must seek to retain existing rank space, explore the opportunity to expand this provision if feasible, and ensure that additional drop off/pick up spaces are available to encourage customers to switch to shared and public transport and away from privately owned vehicles.

The third major impact of the shift to over-supply is a reduction in costs to the consumer. This is traditionally considered a significant benefit and it is clear that this has been beneficial to many people who now choose to take a minicab to work instead of a bus as the cost of a privately hired vehicle is no longer prohibitive. In terms of mobility as a service, however, we do not wish to see bus services priced off the road and the reduction in cost not only impacts on other transport service providers, but it impacts severely on the drivers of vehicles. These earning implications have further negative impact on road safety (as vehicles may not be maintained to the correct standard) and community safety (as drivers are more concerned with earning enough to live than they are with being actively involved in the wider goings on in any particular area).

Driver well-being and the ability to earn a sustainable living are critical in planning for the future transport network. As it seems unlikely that autonomous services will be available to the mass market within less than 10 to 15 years, and even then, the level of service offered will be minimal in terms of passenger assistance, it is both prudent and right to plan for human drivers for the foreseeable future. This paper has discussed the additional skills, value and impact of a professional driving force and it is unreasonable to expect drivers to attain these levels of professionalism if the work does not offer satisfactory reward.

Determining market saturation in taxi and private hire services is exceptionally difficult. A period of deregulation of capped markets across the UK and over the past 10 plus years has shown that a standard approach which assumes the market will determine its own level is not an effective method of ensuring adequate supply or demand.

Supply in the taxi and private hire market is skewed by a number of factors including:

A need for people to find what has been considered, until recently, employment requiring few or relatively easy to obtain qualifications (with the probable exception of the London Cab trade)

A need for additional employment (second jobs) at various times and particularly in times of economic downturn

A flexible approach to working hours taken by drivers who can choose when to work. This is often cited as one of the most beneficial perks of the job.

A number of drivers who work part time as much for social reasons as economic.

A value in the 'plate' or vehicle which encourages proprietors to wait before changing jobs even when earnings are falling significantly.

A statistically older workforce, many of whom have been self-employed for years, who are not confident about changing employment or about becoming employees.

This strategy will seek to guide the development of the driver workforce to support the creation of a professional driver qualification.

This strategy will seek to achieve realistic balance in supply and demand where customers can access services within a reasonable timeframe and drivers are able to operate sustainable, environmentally friendly businesses.

This strategy will explore the possibility of supporting those who wish to move out from the industry where it can be shown that such support is economically beneficial to the community as a whole.

This strategy will seek to offer support in mental health and well-being to drivers

11.0 Driver and Operator Training

Relevant Strategic Aims

The highest standards of customer focused professional service delivery. Expertise should be guided by the authority and driven by customer specific demand reinforcing understanding from both customers and business owners that driving is a professional vocation.

A service that provides equal and fair access for all where operators, proprietors and drivers are aware of their obligations under all relevant legislation, including the Equality Act 2010 and where discriminatory practice is eradicated.

Reasonable and sustainable balance in supply and demand

The ability for professional drivers to grow and develop a business in just the same way as they might with any other business opportunity, including the use of appropriate technology, is an essential part of ensuring that the future network is fit for purpose and remains so without significant burden being placed upon the public for the oversight of such.

Driver training strongly supports other suggested improvements to standards of licensing made by a number of national organisations including the House of Lords Select Committee Report on the Equality Act 2010: The Impact on Disabled People, The Department for Transport Inclusive Transport Strategy, the Task and Finish Group on Taxi and Private Hire Licensing and, most recently, the Department for Transport Statutory Taxi and Private Hire Standards.

Drivers and operators in Watford have been required to attend regular update training since 2012. This training includes Customer Service, Driver and Passenger Safety, Rules and Regulations, Disability and Equality Awareness and Safe-Guarding. Since April 2020 drivers have also been offered free Infection Control training.

It is clear from the scope of this strategy and the number of influencing factors included that training of drivers is essential in order to encourage a professional service standard. Not only in the currently offered topics but in broader topics such as business management and the future of the licensed trade.

It is unlikely that standards of operation will significantly improve unless drivers are supported in realising the full potential of their businesses and further supported in promoting their skills as professionals.

This strategy will guide the development of a professional driver qualification.

This strategy will seek to improve methods of training and driver updates, collaboration and consultation to ensure the very best support for businesses operating to the required standards.

DRAFT

12.0 Service Area Specific Objectives – Strategic Aims to be embedded

Transport and Parking

Overview

Transport provisions are delivered by both the local authority and the Highway and Transport Authority Hertfordshire County Council working to national guidelines. The local authority aims are to introduce sustainable options to reduce congestion, improve air quality, lower carbon footprint and offer alternative modes of transport. The County Council support these measures and county-wide work to national and statutory guidelines to promote greener travel and encourage walking and cycling.

Current policies

Local Transport Plan 2018 – 2031

Taxi and Private Hire Challenges and Strategic Objectives

To be considered in relation to the objectives of the Local Transport Plan not only as a form of transport but in terms of the wider social and community impact that a professional taxi and private hire trade will bring, including the associated economic benefit.

Decisions relating to Private Hire vehicle services to recognise their role as an important part of the public transport system and to grant the same access rights to private hire vehicles as are sometimes given to hackney carriages (public transport).

To consider decisions concerning overall transport provision to all destinations including businesses, educational and social hubs that take account of the fact that a significant

proportion of the county's residents cannot or will not walk or use buses or cycles as these means of transport do not fit their needs.

To ensure continued relevant vehicle access to all parts of the town and to ensure that where access must be restricted, provision is made for allowing the continued access of local taxi and private hire services which reach the required training and vehicle standards.

To consider and promote the use of professionally trained and operated licensed taxi and private hire providers in any planned schemes such as First Mile, Last Mile (FMLM), Park and Ride and Shared Use/Demand Responsive Transport schemes.

In connection with new booking technology and cleaner vehicles, to consider creating a larger number of two car pick up/drop off/short term waiting points strategically located to ensure less waiting time overall, a reduction in parking issues and an improvement in air quality and congestion.

To consider connection with local transport apps when decisions on rank, pick up and drop off location is provided.

To consider the use of priority vehicle access and road use for services offering residents the best access to the highest standard of transport, such as use of bus lanes and priority traffic lanes.

To consider, where ANPR to be used to manage access to roads, that vehicles used as local taxi/private hire are not penalised for access to pick-up and drop off and that there is no requirement to pre-register for access or to prevent penalty ticket issue.

Planning, Development and Housing

Overview

Planning is the process of managing the development of land and buildings. The purposes of this process is to support sustainable development and protect the local environment and amenity.

The planning, development and housing sections are responsible for setting planning policies and deciding whether a development should go ahead. This could be anything from an extension on a house to a large urban development. The teams provide guidance and ensure enforcement of development that is not permitted.

The Housing Strategy for 2015-2020 has been developed with key partners and looks to improve Watford's housing offer in a planned and sustainable way. The Housing Section will engage with the community and build a solid foundation for Watford's future wellbeing.

The importance of encouraging sustainable new development, as well as improving the condition of new homes, means that the Housing Strategy will support the delivery of the Local Plan and play a big part in the Economic Development Strategy.

Current policies

National Planning Policy Framework

Watford Borough Council Local Plan

Watford Local Development Scheme 2018-2021

The Housing Strategy 2015-2020

Watford 5 Year Housing Supply Statement - Oct 2019

Adopted Core Strategy

New Watford Local Plan

Taxi and Private Hire Challenges and Strategic Objectives

To ensure consideration as to how the expected population of Watford will access efficient, value for money, transport services.

To consider the provision of sufficient and easily accessible pick-up/drop-off/waiting areas for taxi and private hire vehicles in both private and public developments

To consider a requirement for development purposes of provision to connect residents and business users/customers directly to transport services (electronic taxi booking, lobby booking, discounts, vouchers etc to encourage use over private car ownership)

To consider priority/charge free access to buildings/streets for the purposes of picking up and dropping off using sensor technology/anpr

To consider, where ANPR to be used to manage private car parks, that vehicles used as local taxi/private hire are not penalised for pick-up and drop off and that there is no requirement to register at reception.

To consider provision of access to taxi and private hire vehicle sharing schemes for local residents with assistance in how to access such services provided by developers/businesses as a necessary requirement of planning and development.

To ensure developers engage in positive advertising/promotion of such schemes to be included in development brochures

To ensure sufficient charging provision for visiting taxi and private hire EV's.

Town Centre/BID

Overview

Watford BID is a business led initiative supported by government legislation which gives local businesses the power to raise and spend funds locally with the aim of improving their own business environment. It is an investment scheme where local businesses agree how their money should be invested to benefit themselves, their employees, customers, clients and their town.

Watford BID covers the geographical area of the town centre. The BID was started in 2016.

Current policies

Watford Business Plan 2016 - 2021

Taxi and Private Hire Challenges and Strategic Objectives

To actively promote the benefit to business of offering a fully accessible customer service focussed transport service

To recognise and actively promote the economic benefit of a local, highly trained, quality transport service.

To assist in the development and promotion of a driver 'ambassador' training program where drivers are given the skills and information to promote Watford as a visitor destination. To include historic and tourist information.

To recognise and actively promote the importance of ease of access for all customers, particularly those who may have additional mobility needs, to support the continuation of community shops and precincts, and to encourage the development of new social hubs.

Economic Development and Business

Overview

The over-riding objective of the Economic Development Strategy is to maintain, develop and grow the town's economic development activity, to deliver a prosperous economy for Watford and to ensure that as a town we create sufficient opportunities for local people to maximise their economic prosperity and potential.

Current policies

[Economic Development Strategy 2015-2020](#)

Taxi and Private Hire Challenges and Strategic Objectives

To recognise the taxi and private hire trade as an important local industry

To actively promote the benefit to business of offering a customer service focussed transport service

To recognise and actively promote the economic benefit of a local, highly trained, quality transport service.

To assist in the development and promotion of a driver 'ambassador' training program where drivers are given the skills and information to promote Watford as a visitor destination. To include historic and tourist information.

To recognise and promote the importance of ease of access for all customers, particularly those who may have additional mobility needs, to support the continuation of community shops and precincts, and to encourage the development of new social hubs.

Community Safety

Overview

The Community Safety team work in partnership to protect and prevent harm to residents and staff. This is achieved in a number of ways including managing the multi-agency Community Protection Group (CPG) for the Borough and co-ordination of the Community Safety Partnership the team. The Community Safety team work to make safeguarding everybody's business, ensuring that we are fulfilling our duties and safeguarding our staff and residents. This includes delivering plans, policies and action for both children and vulnerable adults, and dealing with, and leading on initiatives to prevent, various safeguarding issues related to violent extremism, modern day slavery, domestic abuse, child sexual exploitation, youth crime and any other safeguarding matter.

Current policies

Community Safety Plan

Sustainable Community Strategy 2026?

Taxi and Private Hire Challenges and Strategic Objectives

To support the development of technological solutions to assist drivers and operators to report concerns directly to the authority. Solutions should ensure privacy by design and safeguarding by design to ensure maximum benefit is brought to the community by any company that is licensed to operate in the town.

To consider and implement effective ways to address concerns held by local drivers and operators over the support offered to those who can and do report safeguarding

To consider, support and assist in implementing a scheme to improve connection between drivers and local law enforcement services to reduce risk and anxiety, and to improve the positive impact of the network upon community safety.

To consider options for, and support the development of, a single point of contact for drivers to offer assistance in reporting concerns and staying safe.

To develop a scheme to recognise the achievements of local drivers and operators in providing community safety functions.

Licensing

Overview

In order to operate or drive a licensed vehicle, or to offer booking services for journeys, businesses are required to hold the correct licences issued by the local authority. The process of managing applications and grants, along with the enforcement of licence conditions, is undertaken by the licensing team. The team are responsible for developing policy in relation to taxi and private hire issues and are likely to have the most day-to day contact with licensed operators, proprietors and drivers.

Current policies

Vehicle Licensing Policy

Guidance on the Grant, Refusal, Suspension and Revocation of Licences

Private Hire Operators Policy

Taxi and Private Hire Challenges and Strategic Objectives

To ensure that development of policies concerning taxi and private hire are done so with full consideration of the taxi strategy.

To consider ways and support methods of increasing uptake of zero emission vehicles in vehicle licensing policies

To consider ways and support methods of increasing uptake of suitable number of wheelchair accessible vehicles

To deliver training to staff and members on taxi related issues in order that decisions are informed by the latest developments

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Health

Overview

Environmental Health has a wide ranging duty to ensure the health and safety of residents, businesses and visitors to Watford. In respect of the taxi and private hire trade there is most likely to be impact in terms of regulation and monitoring of air quality within the borough, the maintenance of quality of life and public health of residents including nuisance investigations for noise, services and projects to promote and improve energy efficiency and the reduction in carbon emissions from both businesses and residents, and wider strategic work including leading on delivery of the improvement of public health for Watford, supporting businesses through effective regulation through the Hertfordshire Better Business for All partnership and developing the Climate Change Policy and Strategy.

Current policies

Environmental Health Compliance Policy

Taxi and Private Hire Challenges and Strategic Objectives

To support work aiming to achieve the continued health and well-being of communities, including the mental and physical health of those engaged in the taxi and private hire trade and their families.

To ensure policy input to the Sustainability Strategy and Climate Change Policy considers the impact on the taxi and private hire trade as key stakeholders in the town's efforts to become carbon neutral by 2030.

To consider noise abatement solutions that support the uptake of electric vehicles if possible, including where representations may be made concerning planning and

development applications, or in terms of licensing applications where noise from customers arriving or leaving is a consideration.

To consider public health considerations in light of coronavirus and COVID-19 and how these risks can be mitigated in local transport provision, for example by use of accredited safety schemes.

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