



LICENSING COMMITTEE

Monday, 19th March, 2012

7.30 pm

Town Hall, Watford

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CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Jodie Kloss in Legal and Property Services on 01923 278376 or by email to legalanddemocratic@watford.gov.uk (Minicom available on 01923 278499).

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COMMITTEE MEMBERSHIP

Councillor J Brown (Chair)

Councillor K Hastrick (Vice-Chair)

Councillors K Brodhurst, J Connal, K Crout, G Derbyshire, J Dhindsa, P Jeffree, C Leslie, M Mills, A Mortimer, F Qureshi, D Scudder, L Scudder and D Walford

AGENDA

PART A - OPEN TO THE PUBLIC

1. **APOLOGIES FOR ABSENCE/ COMMITTEE MEMBERSHIP**
2. **DISCLOSURE OF INTERESTS (IF ANY)**
3. **MINUTES**

To approve for signature the minutes of the meeting held on 9 January 2012.

4. **HACKNEY CARRIAGE VEHICLE POLICY REVIEW** (Pages 1 - 40)

Report of the Head of Environmental Services

This report asks the Committee to endorse the CTS report into taxi demand services

5. **DRIVER AND VEHICLE ACTION PLAN** (Pages 41 - 84)

Report of the Head of Environmental Services

This report asks that officers implement the proposals in Action Plan.

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Agenda Item 4

*PART A

Report to: Licensing Committee
Date of meeting: 19 March 2012
Report of: Head of Environmental Services
Title: Hackney Carriage Vehicle Policy Review

1.0 SUMMARY

- 1.1 The Council is the licensing authority for hackney carriage vehicles within the Borough. Since 2005, it has not limited the number of licences that it grants, despite having a legal power to do so. A number of factors, including the recession, led the Committee to monitor the number of vehicle licences during 2010 and 2011. In 2011 it asked officers to conduct a qualitative and quantitative review of the current policy.
- 1.2 Officers commissioned an independent expert to carry out the review, who has proposed four policy options for consideration. The Licensing Committee is asked to consider the findings of the report and the proposals for future control of the trade.

2.0 RECOMMENDATIONS

- 2.1 That the Licensing Committee endorse the CTS report into taxi demand services.
- 2.2 That the Licensing Committee
- (i) immediately re-applies a limit on the number of hackney carriage vehicle licences it will issue equivalent to the number of licences in force on 15 March 2012,
 - (ii) implements an Action Plan to improve the quality of the taxi trade service provision. NB: A second report is being provided to the Committee with a proposed action plan should this recommendation be endorsed.
 - (iii) re-assesses that policy starting spring 2015 unless legislative changes make that unnecessary, and
 - (iv) recommends that the Cabinet imposes an additional fee of not less than £16.67 per hackney carriage vehicle licence per financial year for the next three years, such income to be paid as contribution towards the costs of future unmet demand surveys
- 2.3 That the Head of Environmental Services in consultation with the Chair of the Licensing Committee considers any applications for a new hackney carriage vehicle licence that appears to officers on its merits to be an exception to the policy of not granting any new licences.

Contact Officer:

For further information on this report please contact: Jeffrey Leib (Licensing Manager), telephone extension: 8249 or email: jeffrey.leib@watford.gov.uk

Report approved by: Alan Gough, Head of Environmental Services.

3.0 DETAILED PROPOSAL

- 3.1 The Council is the licensing authority for hackney carriages within the Borough. Under section 16 of the Transport Act 1985 there is a power to limit the number of hackney carriage vehicles (HCVs) where it appears there is no significant unmet demand for such licences. Significant unmet demand is typically defined as when passengers have to wait for hackney carriages at a rank for more than 10 minutes.
- 3.2 The effect of section 16 was approved by the Court of Appeal in these terms:
- (a) before a local authority can refuse an application for a vehicle licence in order to limit the number of licensed taxis, they must be satisfied that there is no significant demand for the services of taxis, within the area to which the licence would apply, which is unmet;
 - (b) if the local authority are thus satisfied, a *discretion*, as opposed to an obligation, arises to refuse the grant of a licence; but
 - (c) if the local authority are not so satisfied, they cannot refuse to grant a licence for the purpose of limiting the number of licensed taxis and are thus obliged to grant it.¹
- 3.3 At its meeting on 29 June 2011, the Committee asked officers to conduct a qualitative and quantitative review of existing policy.² Officers commissioned an independent consultant, CTS Traffic + Transportation, to carry out this work between August and November 2011 after obtaining three quotes for the study. CTS were chosen because, amongst other factors, of its principal consultant's familiarity with Watford, having conducted previous studies in 2001 and 2006.
- 3.4 The consultant's report has previously been circulated to Members, and is also available to download at <http://www.watford.gov.uk/ccm/content/ehl/licensing/news-for-licensed-drivers.en>. CTS will present a verbal report to the meeting of the findings identified from covert observations of taxi ranks and consultations with key stakeholders including hackney carriage drivers. Officers fully accept the report's findings.
- 3.5 The key conclusions on page v of the CTS report are:
- (a) there is no evidence of any significant unmet demand
 - (b) there appears to be a large over-supply of hackney carriage vehicles
 - (c) there is demand for formal ranks in the High Street
 - (d) there is an urgent need to resolve over-ranking issues in High Street and around Watford Junction station
 - (e) recent trade requests for policy changes by the Council have encouraged increased vehicle numbers while passenger demand is reducing
 - (f) passenger service has reduced while drivers focus on trying to make a living
 - (g) public and corporate support for the licensed vehicle service is being lost
 - (h) there appears to be around a third more vehicles than are actually required

¹ *R (on the application of Maud) v Castle Point Borough Council* [2002] EWCA Civ 1526.

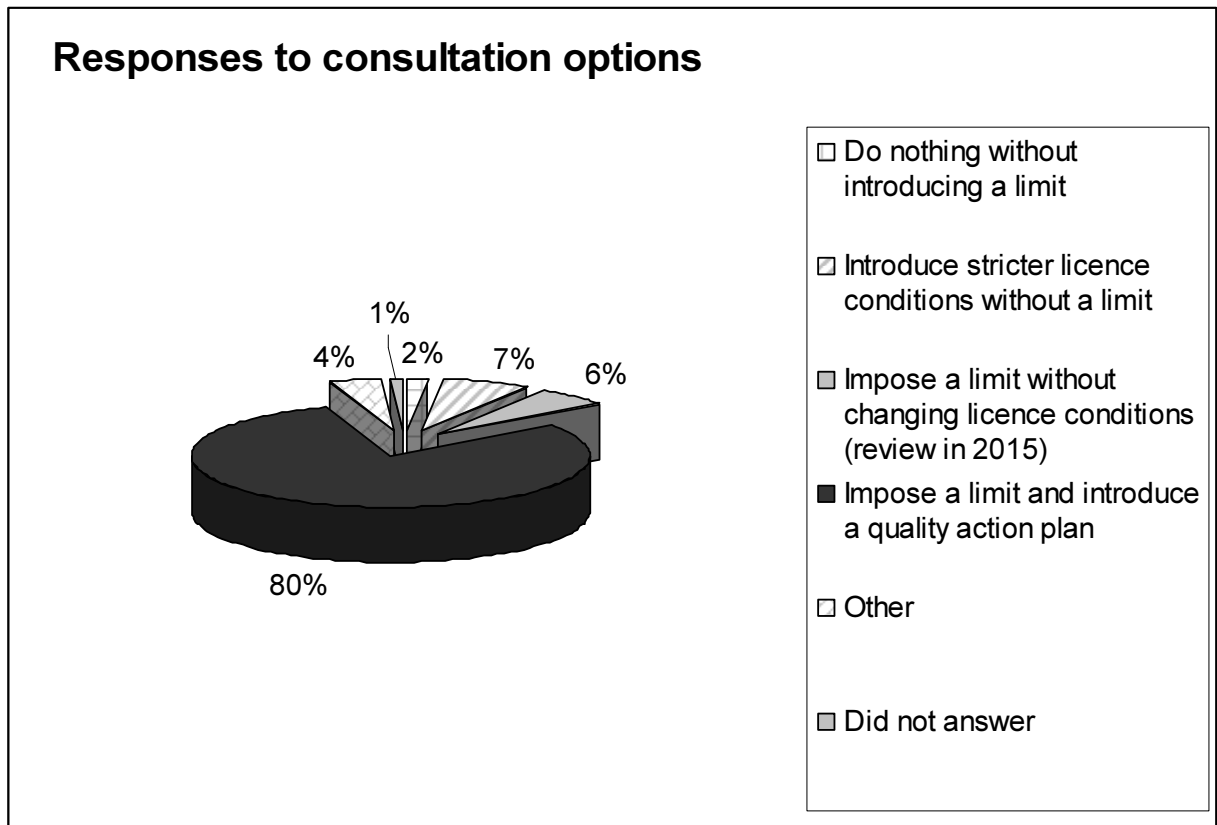
² The report to the Licensing Committee of 29 June 2011 sets out in detail the reasons for the policy review.

- 3.6 The present delimitation policy was introduced in November 2006, when several factors influenced the Council to change its then-policy of managed growth of taxi numbers. These included the conclusion of the dispute over the Watford Junction rank, (then operated by Silverlink and now by London Midland), and the lodging of 76 crown court appeals against the Council which it was unable to defend in the absence of a current significant unmet demand survey. Many of the subsequent officer recommendations – such as changes to the knowledge tests, vehicle age limits, fare tariffs – have arisen through engagement with drivers and their representatives in an attempt to stimulate trade as a result of the recession, which was not a factor in 2005. As the CTS survey shows, this has not worked because the recession has created deep and prolonged problems that just could not have been foreseen at that time. The proposed limit and action plan discussed in this report are designed to support the trade by preventing further competition, but primarily are to ensure entry requirements and ongoing trading requirements result in improvements in standards and quality. This will provide an effective and quality contribution to public transport and support the town's economic growth as a whole.
- 3.7 Members will be aware that there are no powers to limit the number of private hire vehicle, or of any driver, licences.
- 3.8 **OPTIONS**
At page 59 the consultant's report identifies four alternative policy interventions which are set out below.
- 3.9 (1) Re-affirm the current policies and make no other changes
This recommendation is based on the view that the number of hackney carriage vehicle licences is declining, as shown in the table at page 9 of the report. It would appear from the evidence of the last few years that market forces have not had a significant impact on reducing the number of vehicle licences in the face of increased competition. On the one hand this option would not appear to be sustainable for the short- to medium-term benefit of either the hackney carriage or private hire trade, although it does allow people to freely enter the hackney carriage trade to either supplement their existing income or who might not have other employment.
- 3.10 (2) Attempt to overcome the impact of the current high excess of hackney carriages by other amendments to licensing policy whilst retaining the freedom of others to obtain a hackney carriage vehicle licence
This option would look at improving standards by tougher regulation, which by implication would slow down the rate of new entrants who would have to jump over a higher bar before being allowed entry to the taxi workplace. However, this would not be capping the number of vehicles and the consultant's report argues this would be untenable as more vehicles would dilute and stifle any increased regulatory burden.
- 3.11 (3) Re-apply a limit on the number of hackney carriages (and review this in a maximum of three years time)
This is a relatively blunt instrument, which would not enhance the gaps in standards or service which the report has identified, particularly from the public attitude survey. It is also unlikely to have any short-term effect without further regulatory intervention. In fact, it may have the opposite effect of a decline in standards as existing drivers would feel cushioned from more competition. There would be additional resource implications to the Council in commissioning further regular surveys of about £15,000 every three years, as well as the consequent officer time. The Council would also face the

possibility of individual applicants appealing to the Crown Court against decisions to refuse the grant of new licences unless it has up-to-date, credible survey evidence to support its policy.

- 3.12 (4) Re-apply a limit on the number of hackney carriages and take other appropriate actions and set this within an Action Plan with regular review against targets
This would have the effect of preventing further competition from entering the market. At the same time, phased regulatory interventions can be used to improve the quality of drivers and vehicles. By developing an agreed action plan (see below) with the trade, licence-holders will have a clear timetable of increased standards. The action plan is set out in a separate report for the Committee to consider. Those that do improve will do so in the knowledge that they will not be penalised by further competition. This option is recommended by officers although it still requires regular surveys to take place to justify retention of a limit.
- 3.13 Although options 3 and 4 suggest a limit should be imposed, the Committee will know that the Law Commission is proposing to publish a draft Taxi Bill in 2013, which if accepted by the Government may be passed by Parliament in late 2014 and implemented by 2015. One highly likely outcome from the Law Commission's work may be the abolition of the section 16 power to regulate hackney carriage numbers. For this reason, it is recommended that the policy is reviewed at that latter date. However, a restructure of the trade, painful though it may be, is as necessary as it has been for many other trades in the current economic climate to help it to a more productive future.
- 3.14 **LEGAL AND POLICY IMPLICATIONS IN IMPLEMENTING OPTION 4**
- 3.15 On receiving the CTS report, officers favoured response was option 4 for the reasons expressed above. In order to give the Committee the ability to consider all options and implement their chosen one without further delay a draft action plan was developed in consultation with the Watford Hackney Carriage Drivers' Association and placed on public consultation.
- 3.16 Public consultation
A number of stakeholders, including consumers and over 170 HCV proprietors, have been consulted on the issue of unmet demand as part of the CTS study (see pages 25 and 41). Very few of them presented arguments as to why a limit should not be imposed or the status quo retained.
- 3.17 Officers publicised the four policy options and action plan in the following ways:
- (1) in a newsletter sent to all licensed drivers and private hire operators in January 2012
 - (2) at a public consultation event at West Herts Sports Club on 7 February 2012 attended by approximately 30 drivers
 - (3) a press release, resulting in a story in the Watford Observer on 14 February 2012
 - (4) a display board in the Customer Service Centre for three weeks from 8 February 2012
 - (5) a press release on the Council's website on 8 February 2012 and
 - (6) a reminder email sent to the Watford Hackney Carriage Drivers Association, Watford Private Hire Drivers Association, and private hire driver operators on 23 February 2012.

3.18 Respondents were invited to either send in written comments or to complete an on-line survey at <http://tinyurl.com/2012-taxi-survey>. Written comments were received from 67 drivers, and 45 respondents replied using the on-line survey. The chart below shows that 79.64% supported the option of stopping the number of vehicle licences from increasing and introducing an action plan. Just under 9% of respondents did not support this. The next most popular option, to introduce stricter licence conditions without introducing a limit, was supported by 7.07%. Respondents' reasons from the online survey for choosing their preferred option are set out, unedited, at appendix 1. A copy of the paper responses from the drivers are available from Democratic Services for Members to read.



3.19 Nearly 65% of respondents (73 out of 113) hold drivers' licences from the council and 34% (39 people) do not. The majority of respondents provided a local postcode.

3.20 Waiting list and refusals

If a policy limiting further licences is in force, officers will refuse those applications other than those which appear to be a genuine exception (see para 3.30 below). Officers will maintain a list of people interested in obtaining licences in future, but will not accept licence applications to put on a waiting list as an unreasonable delay in making a decision on that basis amounts to a refusal and would allow the applicant the right of appeal to the Crown Court.³ However, if in future a short delay is necessary to conduct a further unmet demand survey to assess the impact of a licence application, this will not necessarily amount to a refusal.⁴

³ *Kelly and Smith v Wirral Metropolitan Borough Council* (1996) JP Rep 1047, CA.

⁴ *R v Leeds City Council, ex p Mellor* [1993] COD 352.

3.21 Cost of future surveys

Section 70(1)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows the recovery of any “reasonable administrative or other costs in connection with...the control and supervision of hackney carriages and private hire vehicles”. There is no case law that suggests the costs of an unmet demand survey could not be recouped from the private hire vehicle trade too, although it may be argued to be unfair and unreasonable to expect them to contribute to an exercise from which they do not benefit. Indeed, in *Taxis: Licensing Law and Practice*⁵ it is suggested that whilst other costs may be recouped from both sides of the trade, only the hackney carriage trade should contribute to the costs of a survey. The Department for Transport Best Practise Guide recommends that surveys can be paid from general licensing revenue. The CTS survey was paid for from the LAGBI Fund.

3.22 Impact on private hire trade and on other councils

Imposition of a limit on HCVLs may lead to a risk of an increase in private hire vehicle licences instead. The Council is unable to restrict the limit on private hire vehicles, although quality controls can slow the pace. Given the over-supply in the hackney carriage market (which can also operate as private hire vehicles), officers believe this to be a low risk although private hire operators have been saying for some time that they have a lack of private hire drivers and would welcome anything that would enable them to recruit more. There is also the likelihood that applicants unable to obtain licences in Watford may approach neighbouring licensing authorities and predominately operate within the Borough, although they would not be able to lawfully ply for hire in public places.

3.23 **GOVERNMENT GUIDANCE**

3.24 Regulators’ Compliance Code

The Code was introduced in 2008 under the Legislative and Regulatory Reform Act 2006 and requires regulators to have regard to it when “determining any general policy of principles”, including HCV licensing.

3.25 The duty means regulators must take the Code into account and give it due weight when developing policies or principles or in setting standards or giving guidance. The Code need not be taken into account if the regulator properly concludes that the provision is not relevant or outweighed by another relevant provision which is reasoned and based on material evidence.

3.26 The relevant extract from the Code for these purposes is reproduced below with officer’s comments:⁶

3. Economic progress

Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.

Good regulation and its enforcement act as an enabler to economic activity. However, regulation that imposes unnecessary burdens can stifle enterprise and undermine economic progress. To allow or encourage economic progress, regulators must have regard to the following provisions when determining general

⁵ James Button, 2nd edn, 2004 (LexisNexis UK), para 8.213

⁶ Other Code provisions relate to issues such as providing advice for businesses; only conducting risk-based inspections; not burdening businesses with undue information requirements.

policies or principles or when setting standards or giving general guidance about the exercise of regulatory functions.

3.1 Regulators should consider the impact that their regulatory interventions may have on economic progress, including through consideration of the costs, effectiveness and perceptions of fairness of regulation. They should only adopt a particular approach if the benefits justify the costs and it entails the minimum burden compatible with achieving their objectives.

Comment: Introducing a limitation policy will hinder economic progress in terms of preventing new entrants to the market. It may increase the costs for new entrants, who will only be able to buy their way in through purchasing existing licences at a premium, albeit at a significantly lower market rate than when the market was last limited prior to 2006. It will not be perceived as being fair, particularly by those who want to enter the market and have no prior connection to the local trade. However, if adopted, the council's policy will clearly allow for exceptions to the policy to be considered. The benefits (of improving standards, reducing competition, reducing pressure on the ranks, reformatting the trade and increasing drivers' incomes over time) justifies the costs (of preventing others from freely entering the market) without imposing significant additional burdens to the existing businesses.

3.2 Regulators should keep under review their regulatory activities and interventions with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens they impose.

Comment: The policy has been reviewed three times since being introduced in 2006, including the comprehensive 2011 study. It is expected that it will be reviewed again in 2015, depending on further Government legislative changes flowing from the Law Commission's work.

3.3 Regulators should consider the impact that their regulatory interventions may have on small regulated entities, using reasonable endeavours to ensure that the burdens of their interventions fall fairly and proportionately on such entities, by giving consideration to the size of the regulated entities and the nature of their activities.

Comment: The limitation policy and associated action will only affect sole traders and on an equal and proportionate basis. The introduction of the limitation policy itself will not impose additional burdens on those businesses. The action plan will, over a three-year time period, impose increasing additional burdens equally on all businesses giving them time to consider how best they wish to adapt to those requirements.

3.4 When regulators set standards or give guidance in relation to the exercise of their own or other regulatory functions (including the functions of local authorities), they should allow for reasonable variations to meet local government priorities, as well as those of the devolved administrations.

Comment: The policy will be flexible to take into account potential changes associated with regulations under the Equalities Act 2010 or changes to national taxi legislation. A review in 2014/2015 will also allow for local variations to be

taken into account.

3.27 Department for Transport Best Practice Guide⁷

The Best Practice Guide (re-issued 2010) relating to quantity restrictions is reproduced below. In summary, it suggests:

- (a) the Government currently recommends the best course is for a delimited market;
- (b) the issue should be approached from the point of view of the consumer, and what would be the benefits or disadvantages to them of having controls on the number of licences?
- (c) surveys should ideally take place triennially where a limit is in place;
- (d) surveys should not be paid for by the hackney carriage trade, to preserve their impartiality. The guidance suggests that surveys could be paid for through “general licensing” revenue but there is a question over the legality of this assertion.

Quantity restrictions of taxi licences outside London

45. The present legal provision on quantity restrictions for taxis outside London is set out in section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis ‘if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet’.

46. Local licensing authorities will be aware that, in the event of a challenge to a decision to refuse a licence, the local authority concerned would have to establish that it had, reasonably, been satisfied that there was no significant unmet demand.

47. Most local licensing authorities do not impose quantity restrictions; the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered. The Department further urges that the issue to be addressed first in each reconsideration is whether the restrictions should continue at all. It is suggested that the matter should be approached in terms of the interests of the travelling public - that is to say, the people who use taxi services. What benefits or disadvantages arise for them as a result of the continuation of controls; and what benefits or disadvantages would result for the public if the controls were removed? Is there evidence that removal of the controls would result in a deterioration in the amount or quality of taxi service provision?

48. In most cases where quantity restrictions are imposed, vehicle licence plates command a premium, often of tens of thousands of pounds. This indicates that there are people who want to enter the taxi market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. This seems very hard to justify.

49. If a local authority does nonetheless take the view that a quantity restriction can be justified in principle, there remains the question of the level at which it should be set, bearing in mind the need to demonstrate that there is no significant unmet demand. This issue is usually addressed by means of a survey; it will be necessary

⁷ Taxis and Private Hire Vehicle Licensing – Best Practice Guide (*Department for Transport*, 2010)

for the local licensing authority to carry out a survey sufficiently frequently to be able to respond to any challenge to the satisfaction of a court. An interval of three years is commonly regarded as the maximum reasonable period between surveys.

50. As to the conduct of the survey, the Department's letter of 16 June 2004 set out a range of considerations. But key points are:

The length of time that would-be customers have to wait at ranks. However, this alone is an inadequate indicator of demand; also taken into account should be...

Waiting times for street hailings and for telephone bookings. But waiting times at ranks or elsewhere do not in themselves satisfactorily resolve the question of unmet demand. It is also desirable to address...

Latent demand, for example people who have responded to long waiting times by not even trying to travel by taxi. This can be assessed by surveys of people who do not use taxis, perhaps using stated preference survey techniques.

Peaked demand. It is sometimes argued that delays associated only with peaks in demand (such as morning and evening rush hours, or pub closing times) are not 'significant' for the purpose of the Transport Act 1985. The Department does not share that view. Since the peaks in demand are by definition the most popular times for consumers to use taxis, it can be strongly argued that unmet demand at these times should not be ignored. Local authorities might wish to consider when the peaks occur and who is being disadvantaged through restrictions on provision of taxi services.

Consultation. As well as statistical surveys, assessment of quantity restrictions should include consultation with all those concerned, including user groups (which should include groups representing people with disabilities, and people such as students or women), the police, hoteliers, operators of pubs and clubs and visitor attractions, and providers of other transport modes (such as train operators, who want taxis available to take passengers to and from stations);

Publication. All the evidence gathered in a survey should be published, together with an explanation of what conclusions have been drawn from it and why. If quantity restrictions are to be continued, their benefits to consumers and the reason for the particular level at which the number is set should be set out.

Financing of surveys. It is not good practice for surveys to be paid for by the local taxi trade (except through general revenues from licence fees). To do so can call in question the impartiality and objectivity of the survey process.

Quite apart from the requirement of the 1985 Act, the Department published a [non-statutory] letter on 16 June 2004 asked all local licensing authorities that operate quantity restrictions to review their policy and justify it publicly by 31 March 2005 and at least every three years thereafter. The Department also expects the justification for any policy of quantity restrictions to be included in the Local Transport Plan process.

3.28 A recommended list of questions for local authorities to address when considering

quantity controls was attached to the Department's letter. Although the consultant's report has answered them at page 45 of their reports, officers have also independently answered those questions at appendix 2 of this report.

3.29 **Exceptions to the policy**

3.30 If the Committee decides to adopt a policy of limiting licences, it should be aware that there are three potential circumstances when that limit may be breached:

- (a) if the relevant regulations are made under the Equality Act 2010 in respect of wheelchair accessible vehicles (WAVs). At that point, if the existing vehicle fleet does not contain a specified percentage of WAVs, the Council must grant the number necessary to make up any short-fall;
- (b) if anyone presents a vehicle to provide hackney carriages for a service where demand is not yet met – for instance, some form of specialist market area which is not currently being catered for. In those circumstances, the applicant may be said to be a genuine exception to the general policy and officers recommend that when it appears on its merits to officers to be an exception, the decision to grant a licence should be delegated to the Head of Environmental Services in consultation with the Chair of the Licensing Committee;
- (c) the Crown Court on appeal orders additional licences to be granted following a refusal by the Council to grant one when it is demonstrated that in fact there is significant unmet demand at the time of the appeal. In that instance it is for the Council to allocate the licence according to its own criteria and not the court's.⁸

3.31 As a subsidiary point, there is no power for the Council to restrict the transfer of HCV licences from one proprietor to another; the Council is under a legal duty to register such transfers within 14 days of it taking place. This process sometimes gives the appearance that there are more licence-holders than there actually are although in reality any agreed limit is not breached.

4.0 **IMPLICATIONS**

4.1 **Financial**

4.1.1 The Head of Strategic Finance comments that there is no identified budget to carry out future unmet demand surveys. Provision could be made in each of the three preceding years to reserve funds for the estimated £15,000 costs in 2014/15 on the assumption that section 16 of the Transport Act 1985 (requiring such surveys) is not repealed by then. The Government guidance suggests that the survey costs could be recouped from "general licensing revenue" which would represent an increase in licence fees of around £16.67 per HCVL holder per year over the next three years.

4.1.2 There is also no identified budget to defend any appeals to the Crown Court arising from refusing licences as a result of a limitation policy.

4.2 **Legal Issues (Monitoring Officer)**

4.2.1 The Head of Legal and Property Services comments that relevant legal issues are

⁸ *Kelly and Smith v Wirral MBC*, above.

dealt with in the main body of the report. There is no statutory duty to consult before changing this policy but, if there is consultation, it must be conducted properly. The consultant's report indicates where the consultation has been conducted, and further consultation has been consulted on the relevant policy options.

4.2.2 *Removal* of the limit in future years has not been taken by the courts to breach an individual's right to his property or personal possessions under article 1 of the First Protocol to the European Convention on Human Rights.⁹

4.2.3 Any decision to impose a limit (or in future years to remove the limit) must not be *Wednesbury* unreasonable, in that the Licensing Committee's decision must be one that any reasonable committee, taking account all relevant considerations and disregarding all irrelevant considerations, would have made.

4.3 Equalities

4.3.1 Over 99% of current HCVL holders are male, and the majority of them are Asian or Asian British, a situation which has not been significantly changed for many years. Introducing a limitation policy could potentially perpetuate this position by making it harder for other people to obtain a licence. Conversely, it may increase equality of opportunity because, if applicants applied for a licence to target customers with a particular "protected characteristic" (e.g. to specifically attract women drivers), the Council would have to consider whether that application was a genuine exception to the policy and ought to be allowed.

4.3.2 There are already a significant number of vehicles available for wheelchair users and for other consumers with various disabilities. All existing drivers have attended a disability awareness course. The policy will be adapted in the light of any further guidance or regulation under the Equalities Act, and the action plan suggests drivers should undergo regular refresher training in disability awareness.

4.3.3 An equalities impact assessment has been completed, and is attached at appendix 3.

4.4 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
Challenge to policy by way of judicial review	1	3	3
Challenge to policy by way of appeal to Crown Court	1	3	3
Increased number of private hire vehicles	2	2	4
No reduction in number of HCVLs	3	3	9
Significant reduction in number of HCVs	1	2	2
Change in national legislation by 2015	1	3	3
Repeal of section 16 relating to unmet demands	3	3	9
Increase in applications applying to Three Rivers District Council for licences	3	3	9

⁹ *R (on the application of Royden) v Metropolitan Borough of Wirral* [2003] BLGR 290, Admin Ct.

4.5 **Community Safety**

- 4.5.1 A significant reduction in the number of HCVs could have community safety implications for the night-time economy, but this is considered to be a very low risk.

Appendices

Appendix 1 – Consultation responses

Appendix 2 – Response to Department for Transport questionnaire

Appendix 3 – Equalities Impact Assessment

Background Papers

Taxi and Private Hire Vehicle Licensing – Best Practise Guide (Department for Transport, 2010)

Regulators' Compliance Code (Department for Business, Innovation and Skills, 2008)

Previous reports to Licensing Committee in 2001, 2005, 2006, 2010 and 2011.

File Reference

HCV Review 2011

APPENDIX 1

Policy option choices

Please give reasons, and in particular about any likely costs of this proposal

Why have you chosen this option? Please give reasons, and in particular about any likely costs of this proposal

Response Text

I have read through Watford Borough Council's proposed Action Plan, and am an avid supporter for a number of reasons. Firstly, I am a taxi driver and work most nights. I believe there is a large surplus of Taxi's in the Watford area and supply outweighs demand. The Action Plan will benefit Watford greatly as I believe the quality of service is lacking, whilst standards are not being met by many of Watford's Taxi drivers, if not the majority. My chosen option states 'This may, over time, also lead to a reduction in the number of licensed vehicles as drivers find it more difficult to reach the new standards but this will create more competition for those who are left' I believe this would be a great outcome as, first and foremost the Taxi drivers who do not meet the appropriate requirements should not be serving for the public sector in the first place, and secondly if there is more competition between the remaining taxi drivers this will only better the trade and push these drivers to meet the standards that they are required to. The 'quality and standards within the trade' will in this case no doubt improve, and one of the main aims of the Action Plan will have been met. I further believe the introduction of IT skills, and the exploration of business opportunities will only aid in improving the quality of the trade, and if followed through Watford's Taxi services will be able to create links with other businesses and improve communications and business in the town.

Far too many drivers not enough work. Agree with stopping licences being issued immediately. we are clearly not Piccadilly Circus, there is far too long waiting between jobs and still increasing its no wonder drivers are refusing local fares such as the one recently mentioned in the newsletter (jury's inn) such behaviour makes me sick to the stomach it gives decent drivers a bad name. We have many drivers with communication barriers; how they get through stringent tests I would like to know? Bottom line is unless we are serious about resolving core issues such as stopping licences we are no closer in sorting out this mess we find ourselves in today.

It means the number of hackney carriages will probably not increase, but the higher standards should improve customer service, safety and comfort

I am fed with this town (lived her for 51 years) which is constantly reliant on poorly maintained old polluting taxi's when we should all be using buses and that includes the old and those with restricted mobility. The bus and rail fares price young kids into taxi's and think this is the norm! It wasn't like that when I was young and now that we have this culture of constantly using cars when there should be greener, punctual affordable and sustainable transportation. My girlfriend of ten years hates coming to Watford because it's so bad on public transport and we simply walk everywhere. Watford Junction is a joke and the constant queues of vehicles which rank up in Clarendon Road are a danger to the public. Happy to discuss this further over the phone if you want to give me a call.

They would have to be MUCH stricter standards. Because on the few occasions I have taken licensed taxis from the front of Watford station, I have found the drivers to have either been a) rude, b) refuse to take me short distance because of the amount of time they have been queuing for a passenger, c) have not turned meter on, d) look nothing like the photo on the licensee) don't know their way round Watford f) drive really badly, even dangerously. The standard of cleanliness inside the cabs is often really bad too. I now only use minicab firms and not the rank outside Watford. I've also told both my daughters not to use the rank at the top of the town but to call a minicab firm instead. I suspect that some of the problems above are due

to the fact that I have heard from several people that the people who have the license hire it out to friends on days they don't want to work. I think introducing spot checks by officers at ranks (who would need to pose as passengers to avoid detection) would solve a LOT of this as it would put off the fraudulent drivers, ie the ones buying days off their mates who have the license.

The more licences taxis available the less likely it is for someone to get into an unlicensed cab and expose themselves to the dangers this may pose. Stricter controls to achieve licensing will help to raise the standards.

Why are you even considering limiting Hackney Carriages in Watford? Just because the taxi drivers are vociferous is not a reason to accede to their demands. Why not limit the number of florist shops or hairdressers in Watford who also find it difficult to make a living? Instead of limiting the number of Hackney Carriages, take a leaf out of Bournemouth Council's book and insert 'chips' into the driver's meters annually to prevent them from charging rate 3 when they should be charging rate 1.

There are too many cabs waiting around for hire

I believe there are far too many taxis licensed in Watford and the service being offered by a considerable number is below an acceptable standard. While the most important criteria is service to the public the taxi operators have to be considered too. If they are not able to make an acceptable living from the trade then they will leave and we will lose experienced operators. These will in turn be replaced by new less experienced operators.

I am a general public and my comments are just general. In any industry healthy competition is always good. If you issue more licences than it shall be good for local residents. Because more taxis, more competition in terms of fare and services. If you stop issuing new license than there will be monopoly of the old taxi drives and they will charge high fares and may not provide good standard services by knowing that no additional licences will be issued. So as a public we recommend continuing issuing new licences that will benefit local residents. Thanks

I think this is the right decision

It appears that there are too many taxis in Watford. What I've found this leads to is a surly attitude from taxi drivers if you are only wishing to make a short journey, especially from Watford Junction. If there is some reason that you require a taxi to complete a short journey, you have to be prepared to accept a barrage of mutter comments about how long they've waited in the queue only to get this 'pathetic' run and how can they make a living, etc etc. If they weren't so rude, I might be encouraged to tip. Witnessing the driving exhibited by some taxi drivers is worrying to say the least, in and around Watford.

We need to improve both the quality of the drivers and the cabs to a much higher standard; the condition of our cabs inside must be the worst in the county.

It is the easiest option to implement.

from a customers point of view, the current set up works well Reducing the number of licenses is more likely to result in an increase to fares or result in a shortage of supply, impacting customers It is preferable to allow the free market to find its own equilibrium, without restricting the number of licenses thanks Dan

The fourth option will not harm anyone already in the trade and give them the opportunity to gain new skills and possibly consider a change of career.

I think it would be good to have more competition in the taxi market, especially from 'Black Cab'. The taxi market in Watford appears to be dominated by a certain group.

I live on the Cassiobury Estate, not far from Watford Junction Station. Taxi drivers are reluctant to accept a fare for such a short distance (I know they have to accept it) because they can charge only £5 and then have to get into the long queue again to get their next fare. There's the same problem when I want to be picked up from my house. Fewer taxis would mean those left could make a better living and wouldn't have to spend so long queuing for passengers. You are well aware that there is a problem because you took away the public metered parking in Clarendon Road and extended the taxi rank.

Taxi drivers on occasion have been rude and unfriendly. The taxi drivers have a constant demand at Watford Junction. Drivers could benefit from offering better customer services, communication skills need improving. More consistency with pricing needs to be established,

the same journey can cost £6-£10, for a 5 minute journey.

Fed up with hearing about drivers refusing fares a short distance from station. eg Town Centre. Some people have a difficulty walking or do not want to walk through the town late at night or have luggage to carry.

I think that the more taxi's we have, the better; however, the standard has to be improved. I have had to show the driver the way on a few occasions. Even here in the area! And some drivers are constantly talking on their mobile phones, from the beginning to the end of the journey, not just illegal but rude also.

I believe we have far too many Taxis in Watford. In addition the quality of driving by Watford taxi drivers is woefully short of an acceptable standard. I have seen flagrant disregard for road markings and lane discipline and plain dangerous driving. I think the numbers do need to reduce but primarily the standard of driving and behaviour needs to be tackled firstly and most urgently. Professional drivers need to be setting a standard for others to emulate, the standard in Watford does not, in my opinion, meet an acceptable standard.

this is not good people going to sell their taxi again like before

there are a no of sub-standard taxis operating in Watford; stricter criteria and vetting and capping numbers would improve service and public perception

I have noticed that many taxis that now pick up from Watford Junction don't know their way around because they are not from Watford. I always used to use the taxis at the front of the station because they were local - usually Allied or United - nowadays I prefer to go across the road and find an Allied car if one is there - to make sure I get home safely. When phoning for a taxi I use Allied, United, Eagle or Lucketts because they offer a good local service.

There are always too many unused taxis parked around Watford Junction station some of which park in the pull-in bay which is really annoying when picking up family from the train.

I think that the number of taxis in the town is best left to the market to determine. Numbers will vary with demand and this is not something in which Council either needs to, nor is well equipped to, involve itself. However, there are currently some issues concerning taxis that do fall within the scope of council responsibilities and if stricter standards could address them I think that would be appropriate. I have in mind here driver competence, vehicle condition and the need for drivers to accept their obligation to accept a journey once the passenger inside the vehicle irrespective of the length of the journey required (either short or long).

There are far too many taxi's especially queuing down Clarendon Road and at the station. At times there are queues of taxis up Clarendon and in-front of the police station - over 50!! As these taxis have been waiting for so long they often refuse to take less than £10 fares. Too many taxis are present currently.

Taxis in Watford are rubbish; they're smelly, seem to take the longest route, and only accept cash even if the vehicles displaying credit/debit card symbols. The only good thing was the old requirement for clear marking (black/white) which made it far easier to distinguish between dodgy mini cabs and real taxis in the town centre on a Friday night.

I as a hackney driver no how hard it is to make money, to many taxis waiting most nights up to two hours for a job the taxi trade is finished, I personally believe the licensing team need to improve the quality and standards within the trade .most of the drivers cant even speak proper English, their English is so bad it spoils it for the rest of drivers.

Restricting vehicle numbers will not improve anything if the drivers are of a lower standard. We need to follow the London standard, high entry standards and no restrictions on numbers.

this option limits numbers but also raises standards of those participating in the TAXI trade but also consideration should be given to raising standards of those involved in regulating the TAXI trade as they have no experience of actually working a TAXI.

Stopping license allows the taxi ranks to not overflow and not have too much taxis, because it represents there's loads of jobless/ easy jobs in Watford. Allowing only London cabbies- makes the town neater and better. It makes it look more like a city and rich. Also it decreases taxi in Watford as the majority is family cars with the Watford sticker!! Some of them might have to buy a cab and then (the government) gets more money per the VAT on each car!! Then put a limit in - to stop it overflowing.

There is never a shortage of getting a taxi from anywhere within the town centre. Most drivers

are very good and polite, but several that I've had the misfortune to travel with have shown very poor standards of driving and their customer care could well do with a great deal of improvement, they let the other drivers down with their poor attitudes

Because there are too many taxi drivers in Watford. In all my years living in Watford I have never seen a hackney carriage style taxi pick someone up of the street like they do in London, so I am unsure what is a hackney carriage and what is a mini-cab. Anyway Taxis regularly mess-up the traffic flow in the Watford junction/Woodford road/Clarendon road area while waiting for potential passengers. For the sake of traffic flow a limit on the maximum number of taxis needs to be imposed. Another reason why I have chosen this option is because I feel that many of these taxi drivers are opportunist and pray on people in certain circumstances (for example when there was a problem with the trains at Watford junction and no rail replacement buses, the taxi drivers had suddenly increased their fares for stranded passengers. Also if you need to go anywhere on a Friday or Saturday evening prices are also sky high).

Becoming a taxi driver appears to be something that is relatively easy to do for people (usually men) who lack qualifications so that any help that could be offered in the way of training should be helpful in finding alternative employment.

What sort of action plan are licensing officials suggesting, if it is to improve the language skills and setting tough intensive exam then that will be a good step forward, but anything where drivers are subject to more money being taken out of their pockets at unreasonable amount it is unsatisfactory.

Dear sir or madam, Watford is a town not city there is more than enough taxis to go round in 24 a day 7 days a week at this moment drivers getting stressed out not earning wages to go buy Watford council is aware off taxis are congesting Watford town. Requesting to Watford council please put cap on the hackney at least 4 next years regards A Ditta

(1)Some drivers can't speak two words of English how they going to talk to a customer(2) No ranks need more ranks.(3)Some taxi drivers don't pick up local jobs want big jobs for that you need tackle this with a under cover operation (4) DSA test should stay same every 3 Renewals and others courses you do as same.(5)The cab age should stay same as long as regular work been done it passes the M o t that should be fine.(6)If you consider to have minimum fare £5.00 that should about 70% of taxis would pick up should help with people Refusing local jobs other are doing it why not us.(7)more ranks soon as you can do something about that stop delimitation soon as too many of us not much work its very hard to make ends meet most of the time its hard as it is you can't find more jobs out there please about time you the council stop plates please.(8)more ranks outside hospital and football ground and the big super stores and other train stations and Harry Potter theme park please consider these places too

Limit the number of taxi licences from 19 March 2012.

There is no evidence that there is significant demand for taxi services that is not being met, and so a limit would be legally justifiable. A limit would reduce the pressure on road and rank spaces identified in the report. It would help reduce competition amongst drivers, allowing them to invest in raising standards. Please give reasons, and in particular about any likely costs of this proposal

Response Text

I am not sure about any cost implications except implementing the action plan must have some cost attached due to enforcement

I believe this is a good option there certainly is no extra demand for more taxis this will actually reduce costs e.g less paper work for licensing officials.

I believe this would lead on the one hand to a reduction in costs for the council as they would be granting fewer licenses, but an increase in costs associated with imposing and checking higher standards are maintained. Overall hopefully no higher costs.

No idea about cost but if the report is correct, a similar survey would need to be run a year later to ensure taxi service is adequate

What evidence is there that by limiting the number of licences, that existing drivers are going to improve standards? Simply by reducing licences will not encourage the existing licence holders to invest in new or newer vehicles. It will however become the first step towards a return of the old practice of selling licences.

The number of taxis should be reduced and the only cost would be the council's loss of revenue from the licenses.

Do not limit the licenses. More licenses will create healthy competition and good services in any industry. Stopping new licences will increase fares and compromise on services even if these are not up to standard. Stopping new licences shall be a win to old taxi drivers only and very bad for general public where in tough financial conditions public need lower fare and that can happen if you issue more licences and create healthy competition.

Raising standards would be welcomed. The number of taxis appears to outnumber rank spaces and the overflow spaces from Watford Junction are, in all honesty, ridiculous.

Any costs would be minimal as the licensing system is already in place. Any costs to the driver to improve their vehicle would be recouped by increased passenger numbers per taxi as there would be much less sitting around waiting for a fare.

I agree with the reasons above. I think the costs to meet this are low. I do not, however, think that anyone with a current licence should be made to lose it right away.

Free market

I think putting a limit on the number of licences will have to go together with an "improvement plan" as you suggested on the previous page.

The congestion, especially around Watford Junction station caused by taxis does imply an excess. Less badly driven taxis on the road has got to be major plus point on safety alone. I would like to see the poorest drivers leaving this business sector first.

at present there is no 'competition' you have to take next on rank (good or bad) more random checks/vetting and removal of licences for sub-standard vehicles/drivers would be appropriate

The limit would have to be pitched at the point where demand is met - lower than this and unmet demand would be created. But there is no evidence to suggest that at that level driver earnings would be raised to the extent of increasing their disposable income to a level where they would invest money in their vehicles. Their immediate priorities would be improving their and their family's standard of living.

As long as prices are regulated by the council and availability is monitored I don't see the

problem.

I don't think by limiting the number of taxi licences would help the existing drivers. There are far too many taxis in Watford and the Watford council need to put a stop on issuing more licences.

Drivers who can't license a taxi will just license a private hire. In short no change in vehicle numbers. And then every three years the council will be paying out tens of thousands on further taxi surveys. Why not wait until the Law Commission have published their proposals?

Would go some way to limiting congestion of other road users, reduce emissions, taxis would possibly be more economically viable as trip turnover would increase and overcharging which should never happen be reduced as a direct result. TAXIS would be available more easily to the public as numbers plying for hire would increase due to shorter waiting times between trips at ranks there by possibly increasing the earnings of the TAXI. Public gains by better service, probably charged the correct fares, standards are raised.

A smaller number of drivers will improve the customer experience as those that hold a license will have to be at the top of their game with their customer attitude

Tough exam in English so at least drivers can communicate with their passengers.

APPENDIX 2

Government Questions

The Government suggests that the following questions be asked when assessing a policy on quantity controls, with the Council's approach indicated beneath:

(1) Has the policy recently been reviewed?

The present policy of managed growth was introduced on 10 March 2003. It was reviewed by the Licensing Committee on 1 December 2003 and on 15 April 2004. In October 2006 the Licensing Committee agreed to adopt a delimitation policy, which was reviewed in 2010 and during 2011.

(2) What form did the review take?

The 2010 review consisted of an internal review of the current number of issued licences, and the impact that had, brought to the Licensing Committee's attention by officers. An update report in June 2011 led to an independent qualitative and quantitative unmet demand survey being held between August and October 2011 and the findings reported to the Committee in January 2011.

(3) Who was involved in the review?

Officers appointed consultants for the reviews in 2005 (which led to the 2006 decision to delimit) and in 2011 after receiving several bids. The consultants were chosen on the basis of their professional expertise experience in the field, and they contacted a wide range of stakeholders in the hackney carriage and private hire trade of Watford. These included individual licensed drivers and operators; statutory organisations such as the police; licensees of late-night venues; other transport operators; disabled user groups and members of the public.

(4) What decision was reached about retaining or removing quantity controls?

In 2006 the Licensing Committee decided to remove quantity controls.

(5) Is the Council satisfied that the policy justifies restricting entry to the trade?

The 2011 survey clearly shows there is no significant unmet demand, and that there are very insignificant examples of consumers having to wait for taxis. The survey also shows that there are more often more taxis than passengers, and more taxis than available ranks, clearly indicating an over-supply in the market. The over-supply leads to a number of problems, including over-ranking at key locations, abuse of fares being charged, the taxi: population ratio and depressing the available income amongst existing licence-holders. On this basis a policy restricting the grant of further licences could be justified.

(6) Is the Council satisfied that quantity controls do not reduce the availability of taxis, increase waiting times for customers, or reduce choice and safety for consumers?

As indicated above, the current over-supply of taxis (particularly when measured against other towns) is unlikely to reduce the availability of taxis, increase waiting times or reduce choice for customers. The adoption of the proposed action plan

will also mitigate against those factors as well as improving standards for consumers.

(7) What special circumstances justify retention of quantity controls?

The large increase in taxi numbers over the last few years has led to an over-supply in the taxi market, as evidenced in the consultants' report that shows individual drivers often have long periods of waiting between passengers. Drivers are having to work longer than average hours to make a living, which may have an impact on health and safety.

(8) How does the policy benefit consumers, particularly in rural areas?

Watford is an urban area and so rural consumers are not affected. The medium-term impact of the policy will mean that the opportunity to enhance driver and vehicle standards can be taken within a closed market, which will therefore benefit consumers.

(9) How does the policy benefit the trade?

Adopting a restrictive policy protects existing licence-holders from competition. Maintaining the existing policy and seeking to reduce the number of licensed vehicles by implementing tougher licence conditions is unlikely, in the consultant's view, to be effective as more vehicles would dilute and stifle any increased regulatory burden. A limitation policy would cushion existing licence-holders for several years, and allow for HCVLs and improving standards.

(10) How does any local accessibility policies fit in with restricting licences?

The Council has a relatively mixed fleet with around 60 HCVs being wheelchair accessible. The action plan proposes drivers having to re-attend a disability awareness course on a regular basis. A "London-style taxi only" policy can be introduced into a limited or delimited market, but no real action should be taken until the detailed Government requirements under the Equality Act are known.

Questions relating to the setting of numbers of taxi licences

(11) When was unmet demand last assessed?

Other than the 2011 survey, the previous full unmet demand assessment was conducted in 2001.

(12) How is the taxi limit assessed?

By reference to significant unmet demand based on a 10-minute wait for a hackney carriage at a rank.

(13) Has latent demand, that is potential customers who would use taxis if more were available, been taken into account?

Yes, latent demand was considered by several methods, with the key method being through interviews with members of the public.

(14) Is the Council satisfied that the current limit is correct?

On the evidence presented by the consultant's report, the Council can be satisfied that a limit to be set of approximately 300 HCVLs would not be detrimental to consumers and would be a correct limit.

(15) How does the need for adequate taxi ranks affect the policy of quantity controls?

The consultant's report shows that there are forty rank spaces for a fleet in excess of 300 vehicle, (with some ranks being heavily used and some lightly used. This provision would be insufficient even with a third of the fleet working at any one time and after the increase in rank space arising from the strategic rank review. A limitation policy would at least prevent the persistent over-ranking issues from getting worse.

Questions relating to consultation and other public transport service provision

(16) When consulted, has the following been consulted:

- all those working in the market
- consumer and passenger (including disabled) groups
- groups representing passengers with special needs
- local interest groups such as hospitals, visitor attractions
- a wide range of transport stakeholders, eg rail/bus/coach providers and traffic managers

See the consultant's report for details of all consultations.

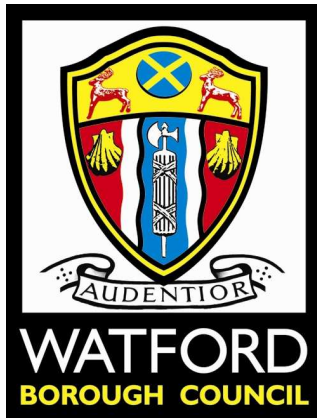
(17) Are representations received about taxi availability?

No.

(18) What level of service is currently available to consumers (including other public transport modes)?

There are good rail and bus services available. However, most services reduce in early evening and cease before midnight, when HCVs are generally the only public transport available. Only the rail service towards London provides late night services.

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Equality Impact Assessment

Service

Environmental Health

Title of policy, function or service

Hackney carriage vehicles ("Taxis")
numerical limits

Lead officer

Jeffrey Leib (Licensing Manager)

People involved with completing the EIA

Justine Hoy (EHL Section Head)

Type of policy, function or service:

Existing

New/Proposed

For more information, please contact: Kathryn Robson, Partnerships & Performance on ext. 8077 or by email: kathryn.robson@watford.gov.uk

Step 1 – Make sure you have clear aims, objectives and outcomes

What are the aims, purpose and outcomes of the policy, function or service and how do these fit in with the wider aims of the organisation, i.e. corporate priorities?

This policy aims to improve the taxi service provided to passengers in Watford through limiting the number of available licences for taxis and, in the process, creating the environment to raise existing standards through licence conditions. The outcome of the policy is expected to be a zero increase in the number of taxis available for public use but an increase in standards over 2-3 years.

How will these aims support the Equality Duty to:

1. Promote equality of opportunity?
2. Eliminate discrimination?
3. Eliminate harassment?
4. Promote good community relations?
5. promote positive attitudes towards disabled people?
6. Encourage participation of disabled people?
7. Consider more favourable treatment of disabled people?
8. protect and promote human rights?

There is no human rights impact on taxi passengers arising from the proposal; and the proposals will help support aims 5, 6 and 7 by requiring drivers to undergo regular re-validation of their disability awareness skills.

Who is the policy, function or service going to benefit and how?

It will benefit passengers who should see an improvement in the standards offered by drivers and in the vehicles used in the local taxi trade.

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What outcomes do you want to achieve?

- (1) Limiting number of taxis
- (2) improving the passenger experience of using taxis in Watford

Step 1– Make sure you have clear aims, objectives and outcomes continued

What barriers are there to achieving these outcomes?

None apart from legal barriers associated with implementing a limit on the number of taxis, which are being addressed as part of the overall policy approach.

How will you put your policy into practice?

The Licensing Committee needs to agree to implement a prohibition on granting new taxi licences, and to the implementation of an action plan which will require licence conditions to be amended over a three year period.

NB: This policy relates to the ability to own a licence to own and operate a **taxi**, and not a licence to drive a taxi which is subject to a different policy.

Step 2 – Collecting your information

What existing information/data do you have?

We do not have any specific information about the users of taxi services in Watford but it is a reasonable assumption (and there is no evidence to the contrary) to suggest that all sectors of the community may use taxis from time to time.

In terms of the Watford population overall:

Population

The Office for National Statistics released new mid-year estimates for 2010 in August 2011 which estimated that Watford's population had increased to 86,000. The component changes of this increase in population are as follows (figures rounded):

Table 1: Mid-year (2010) estimates of population in Watford

	000s
Mid 2009 population	83.80
Live births	1.40
Deaths	0.60
Natural change (i.e. number of live births minus number of live deaths)	0.80
Net migration and other changes	1.50
Total change	2.20
Mid 2010 population	86.00

Gender

Watford's population is 50 per cent male and 50 per cent female, broadly in line with the male/female ratio in the East of England and across England as a whole.

Age

Watford has a higher than average number of people of working age and lower than average number of people of retirement age and over (figures are rounded)

Table 2: Watford mid-year (2008) population estimates by age range

	Population (rounded)	Watford %	Herts %	Eastern %	England %
0 – 15	17,100	19.9%	20.0%	18.8%	18.6%
16 – 64¹	55,900	65.0%	64.6%	63.7%	64.8%
65² +	13,000	15.1%	15.5%	17.5%	16.6%

Mid year 2010 population estimates – Office for National Statistics (2011)

¹ These population figures are based on 20-64 years for males and 20-59 years for females

² These population figures are based on 65+ years for males and 60+ years for females

Ethnicity

The non-white proportion of Watford's population was 18% based on mid-year estimates shown in the table below. The breakdown below uses the mid-year estimates for 2009 and estimates the populations for different ethnic groups within Watford. This is taken from an experimental data set and should be treated with some caution.

Table 3: Population by ethnic group in Watford, based on mid-year estimates 2009

Ethnic group	Total population 000s	Male population 000s	Female population 000s
Total	83,800	41.9	41.9
White British	60.2	30.2	30.0
White Irish	1.7	0.8	0.9
White other	4.2	2.0	2.2
Mixed white and Black Caribbean	0.7	0.3	0.3
Mixed white and Black African	0.3	0.2	0.2
Mixed white and Asian	0.8	0.4	0.4
Other mixed	0.6	0.3	0.3
Asian or Asian British: Indian	4.0	2.0	2.0
Asian or Asian British: Pakistani	3.9	2.0	1.9
Asian or Asian British: Bangladeshi	0.8	0.4	0.4
Asian or Asian British: other Asian	0.9	0.5	0.4
Black or Black British: Black Caribbean	1.3	0.6	0.7
Black or Black British: Black African	1.6	0.8	0.8
Black or Black British: other black	0.3	0.1	0.1
Chinese	1.7	0.9	0.8
Other ethnic group	0.8	0.4	0.4

Figures rounded to 1 decimal place. Mid year 2009 population estimates / experimental data set – Office for National Statistics

Disability

The 2001 Census did not ask about disability but 11,321 people stated they had a "limiting long term illness".

Religion or belief

Of those who indicated their religion in the 2001 Census, 66.4% indicated a Christian background. The second largest religious group was Muslim, indicated by 6.1%.

Marriage and Civil Partnership

In Watford, the 2001 census shows:

- 47.7% of people aged 16 and over in households were living as a married couple
- 12.1% of people were co-habiting
- 25.4% were single (never having been married)
- 14.9% remaining were not living in a couple, being widowed, divorced, separated or married to somebody not resident in the household

In 2006, 797 marriages took place in Watford and 794 in 2007.

In 2001, 114 people in Watford aged 16 and over (0.18% of 62,145 people) stated that they were living together in a same-sex couple

The Civil Partnership Act came into force on 5 December 2005 in the UK – the first day couples could give notice of their intention to form a civil partnership. The Act enables same-sex couples, aged 16 or over to obtain legal recognition of their relationship.

Figures show that 116 civil partnerships were formed in Hertfordshire in 2007, 92 in 2008 and 74 in 2009 (the figure for 2009 is provisional).

Pregnancy and maternity

The average completed family size for women born in 1964 in England and Wales and completing their childbearing in 2009 was 1.9 children per woman. This compares with their mothers' generation, represented by woman born in 1937, who had an average of 2.4 children.

The UK has relatively high fertility levels compared with many European countries. The conception rate in England and Wales for 2009 has risen to 80.9 conceptions per 1000 women aged 15-44, from 79.9 in 2008. Between 2008 and 2009 conception rates increased in all age groups apart from those aged under 25.

The under 18 conception rate decreased by 5.9 per cent, from 40.7 conceptions per 1000 women aged 15-17 in 2008 to 38.3 in 2009 (figures for 2009 are provisional).

There has been a long term rise in the proportion of conceptions occurring outside a legal partnership. In 2009 conceptions outside a legal partnership accounted for 57 per cent of all conceptions in England and Wales, whereas it was 42 per cent in 1989.

The under 18 conception rate in Watford for 2007-09 (provisional) was 27 per 1,000 females, higher than the county average of 24.7 per 1,000, but lower than the regional average (31.9 per 1,000) and the national average (40.2 per 1,000) (ONS statistics – rates for 2009 are provisional)

Sexual orientation and gender reassignment

We do not currently have data on sexual orientation or gender reassignment. This is a data gap that will be looked at corporately.

Using your existing data what does it tell you?

The data on Watford indicates that it is a diverse community with individuals and groups with varying needs. Any of these individual and / or groups could be in need of a responsive taxi service with good customer care standards and an understanding of the impact of some of these needs in relation to being able to access the service offered. This needs to be reflected in the standards set for the taxi service by the council and in its ongoing monitoring and review.

The council also needs to ensure that there is a fair and effective complaints system in place that will allow people to raise any issues in relation to the service and that can be used to identify areas where improvements can be made

DRAFT

Step 3 – What is the impact?

Consider the information gathered in Section 2 of this assessment form – does, or could this policy, function or service have a positive/negative impact on members of the ‘protected characteristics’ below?

(a) Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Age			✓	<p>Introducing a limitation policy may have an impact in two ways. It may indirectly reduce the provision of taxi services to the public at certain times of the week when a particular section of the public has more need for taxis than at other times. However, given the current over-supply of taxis that has been objectively observed during the autumn of 2011 this would appear to be a very low risk.</p> <p>Most drivers are currently in the 40 – 59 age bracket. As the proposed policy is restrictive in nature it will prevent anyone outside the existing age groups from obtaining licences, other than by purchasing an existing licence (and almost certainly at a premium).</p> <p>The policy could by introducing a limit discriminate against younger people (e.g. 18-25) as there will be less opportunities open to enter the trade and that it might, unintentionally, benefit older people who have had the opportunity to enter the trade in Watford in the past. However, there are no bars (as stated above) to obtaining a licence to obtaining drivers’ licences, but in relation to owning a vehicle. The policy is in case intended to be reviewed every three years at the most in order to gauge its effectiveness.</p>

(b) Do you think that the policy impacts on people on the grounds of their **race**?

Race	Positive	Negative	None	Reasons for your decision
Race (this includes ethnic or national origins, colour and nationality)		✓		Most existing licence-holders are British Asian /Asian Pakistani and so the policy may have the same consequences as they do in relation to age. People outside of this group will find it harder to enter a restricted market where licences are very limited. There is no evidence that the negative aspects of the current policy (over-supply of taxis leading to depressed earnings) is influenced by or has any bearing on race.

(c) Do you think that the policy impacts on people with a **disability**?

Disability	Positive	Negative	None	Reasons for your decision
Visual impairment			✓	Council policy since November 2009 has required newly licensed vehicles to be suitable for people with disabilities either by being able to convey passengers whilst sitting in wheelchairs or be fitted with a swivel cushion and being able to carry a folded wheelchair. Limiting the number of new vehicles should not affect the existing numbers of available vehicles as any replacement vehicle would still have to meet that criteria. There are no disability restrictions in terms of being able to apply for a hackney carriage vehicle licence.
Hearing impairment			✓	
Physically disabled			✓	
Learning disability			✓	
Mental health			✓	

Other (HIV positive, multiple sclerosis, cancer, diabetes, epilepsy)			✓	
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(d) Do you think that the policy impacts on people because of their **religion or belief**?

Religion or belief	Positive	Negative	None	Reasons for your decision
Religion or belief			✓	There is no evidence that the current policy has an impact on people because of their religion or belief. There is no evidence that imposing a limit on the number of vehicle licences would have an impact on licence-holders because of their religion or belief. There is equally no evidence that the current policy has an impact on customers because of their religion or belief, or that a more restrictive policy would do so.

(e) Do you think that the policy affects **men** and **women** in different ways?

Gender	Positive	Negative	None	Reasons for your decision
Male	✓			Over 99% of current licence-holders are male and a limit on vehicle licences would perpetuate this without allowing an equality of opportunity. However, licence applications from women could potentially be viewed as a genuine exception that ought to be granted. There should not be any impact on the provision of taxi services to men.
Female		✓		Restricting licence issues will deny women an equal opportunity to enter what has traditionally been a male-dominated trade in Watford. A restrictive policy would also mean that women passengers would only have male drivers to choose from.

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(f) Do you think that the policy impacts on people because of their **sexual orientation**?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Gay men			✓	There is no evidence that this policy would impact on people in any way because of this characteristic.
Lesbians			✓	
Bi-sexual			✓	

Heterosexual/straight			✓	
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(g) Do you think that the policy impacts on people because they are **married or in a civil partnership**?

Marriage/Civil partnership	Positive	Negative	None	Reasons for your decision
Marriage/Civil Partnership			✓	There is no evidence that this policy would impact on people in any way because of this characteristic.

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(h) Do you think that the policy impacts on women because of their **pregnancy/maternity leave**?

Pregnancy/ Maternity	Positive	Negative	None	Reasons for your decision
Pregnancy/ Maternity			✓	There is no evidence that this policy would impact on people in any way because of this characteristic.

(i) Do you think that the policy impacts on people because they are undergoing/have undergone **gender reassignment**?

Gender Reassignment	Positive	Negative	None	Reasons for your decision
Gender Reassignment			✓	There is no evidence that this policy would impact on people in any way because of this characteristic.

DRAFT

Step 4 – What are the differences?

Are any groups affected in a different way to others as a result of the policy, function or service?

Prospective passengers with any protected characteristic should not face any negative impact as a result of the policy, although passengers with disabilities should benefit from an enhanced level of service. (It is explicitly recognised in the Equalities Act that taxi drivers owe passengers with disabilities a greater degree of service than other passengers).

Does your policy, function or service either directly or indirectly discriminate?

Yes No

Additional information – if yes how are you going to change it?

Step 5 – Now you need to consult!

Who have you consulted with?

Licence holders and stakeholders were consulted as part of the initial review into the provision of taxi services (see page 75 of the report for list of consultees which included representatives of the Watford equality panel); a specific exercise with existing licence-holders and more generally with the public was held between 5 February and 6 March 2012.

Step 5 – Now you need to consult! continued....

If you have not consulted yet please list who you are going to consult

How are you going to consult with specific groups or communities (see the council's Consultation Strategy for tips on how to do this).

An open day was held with existing licence-holders on 6 February 2012, and the general public were invited to respond to an online survey.

Step 6 – Make a decision based on steps 2 – 5

If you are in a position to introduce the policy, function or service, but still have information to collect or actions to complete to ensure all equality groups have been covered, please list:

Consultation exercise to be held from 6 February – 7 March 2012.

If you are not in a position to go ahead what actions are you going to take?

Step 6 – Make a decision based on steps 2 – 5 continued....

How are you going to monitor the policy, function or service, how often and who will be responsible?

The proposed action plan lasts for an initial three years, which will be overseen by the licensing team. During that time the policy will be monitored on an annual basis by the Licensing Committee, to whom reports will be submitted.

Step 7 – Now just publish the results

Tick list

Have you completed your service equality action plan with the actions you are going to undertake?

Has your head of service to sign off the EIA?

Have you sent an electronic copy of the EIA to the Equalities Officer who will publish it on the website

This EIA has been approved by:

Date:

Contact Number:

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PART A

Report to: Licensing Committee
Date of meeting: 19 March 2012
Report of: Head of Environmental Services
Title: Driver and Vehicle Action Plan

1.0 SUMMARY

- 1.1 This report is supplementary to the one about the demand for taxi services within the Borough which is being considered at the same meeting. It sets out an Action Plan of policy decisions intended to improve the quality of both drivers and vehicles.
- 1.2 Although there are a number of recommendations in this report, the Committee may exclude any of them where there is good reason to do so. However, because the recommendations have been subject to public consultation, the Committee cannot introduce new requirements or significant variations to these proposals without further consultation with those who may be potentially affected.

2.0 RECOMMENDATIONS

- 2.1 That officers implement the proposals in Action Plan as summarised at paragraph 3.21 of this report.
- 2.2 That hackney carriage vehicle and private hire vehicle licences be amended to include the following condition:
- “The holder of this licence shall ensure that the driver of the vehicle offers to each passenger (or, if there are more than one passengers, at least one of those passengers) at the termination of their journey a receipt which shall contain at the least the following information:
- (1) the date
 - (2) the fare for that journey
 - (3) the number of the badge issued by Watford Borough Council to that driver
 - (4) other information that may be specified in writing to the licence-holder by Council officers.”
- 2.3 That officers, in consultation with the Chair of the Licensing Committee, may make minor amendments to the wording of the above condition as may prove necessary.
- 2.4 That the existing policy for hackney carriage vehicles being licensed for the first time be amended so that the DVLA vehicle age identifier (eg “58” or “08” on a licence plate) is not less than four years old when first licensed by the Council in the case of London-style and purpose-built hackney carriages; and no less than three years old in all other cases.

Contact Officer:

For further information on this report please contact: Jeffrey Leib, Licensing Manager, telephone extension: 8429, email: jeffrey.leib@watford.gov.uk.

Report approved by: Alan Gough, Head of Environmental Services

3.0 DETAILED PROPOSAL

- 3.1 The Licensing Committee is considering this report because the unmet demand survey commissioned by the Council identified the need for quality improvements in the local trade and that an Action Plan would raise those standards. As a result of this officers, in consultation with Watford Hackney Carriage Association, developed policy proposals for public consultation. This report sets out those proposals and consultation responses for members consideration.
- 3.2 The demand survey is clearly in relation to hackney carriage services, although there are some implications for the town's private hire vehicle trade. All hackney carriage drivers are also issued with private hire vehicle drivers' licences, and accordingly all drivers (and private hire vehicle operators) have been consulted about the proposals. For these reasons, unless specifically stated otherwise, it is intended that these proposals would apply equally to both sides of the trade.
- 3.3 Details of how the consultation exercise was conducted are set out at paragraphs 3.13 – 3.16 of the previous report from 19.3.12 - Hackney Carriage Vehicle Policy Review. The Department for Transport Best Practice Guide¹ suggests it is good practice to consult about any significant proposed change to licensing rules.
- 3.4 It will be noted in the action plan below that not all of the consultation responses add up to 100%. This is firstly because of the design of the online survey where not all respondents answered all of the questions. Secondly, the majority of paper based responses did not specifically address each individual policy proposal in the action plan. The majority just indicated a general support for a particular option in relation to limitation and the introduction of an action plan. Some did detail explicit support for particular proposals, some gave support for a proposal but suggested some changes, and some made additional policy suggestions that were not being consulted on. Not many indicated that they explicitly didn't agree with particular proposals.

¹ Taxi and Private Hire Vehicle Licensing – Best Practise Guide (*Department for Transport, 2010*)

Consultation responses to proposals consulted on				
	What do we want to do	When we want to start	Why do we want to do it and comments	Responses
1	Review the knowledge test to extend the requirements in relation to licence conditions, customer care, disability awareness and communication skills	November 2012	This will ensure the quality of new drivers entering the trade. It may also deter some drivers, reducing competition and enabling increased income for existing drivers, enabling investment in vehicles and confidence in business development.	Support: 36.28% Do not support: 4.42%
2	Introduce an <i>upper</i> age limit for hackney carriages of 13 years for cars and 15 years for purpose-built London-style cabs	March 2013 To be implemented at the time of renewal of the vehicle	This will improve the quality of the fleet and increase business opportunities. It should be noted that the Department for Transport Best Practise Guide ² does not recommend upper age limits providing vehicles are properly maintained and tested.	Support: 73.8% Do not support: 26.2%
3	Review taxi fares	end of 2012 and end of 2014	Introducing a bi-annual review of taxi fares will help ensure they remain competitive with taxis from neighbouring areas. This could consider a minimum £5 charge as proposed by drivers (see below).	Support: 37.16% Do not support: 5.30%
4	Remove the requirement for 6-monthly vehicle tests for vehicles more than 10 years old	March 2012	<p>We would implement more random spot-checks where defects result in penalty points and failure to attend results in licences being suspended. This would reduce the costs of drivers of older vehicles whilst continuing to ensure the safety of vehicles, and giving encouragement to drivers to maintain vehicles between tests.</p> <p>The Best Practice Guide however suggests that more frequent testing for older vehicles may be more appropriate, such as twice-yearly tests for vehicles more than five years old; the Guide also suggests imposing maximum vehicle age limits may be seen as arbitrary and inappropriate.</p>	Support: 24.66% Do no support: 16.81%

² See previous report to Licensing Committee for full details

5	Review taxi rank provision	2015	We will review existing rank provision in 2015 following our review in 2011, and will review the provision around Charter Place once works there are underway.	Support: 69.02% Do not support: 4.42%
6	Introduce refresher training day every two licence renewals (every 6 years). Drivers will have two opportunities included in the licence fee	November 2012	This will include disability awareness, customer care and licence conditions, and to include a topographical test. Complaints of poor customer service and breaches of conditions are affecting the perception of the trade. Licence conditions change and drivers transporting passengers with disabilities will benefit from regular re-training. Attendance at the course will be a pre-requisite of renewing the licence with the cost to be included in the licence fee. Taxi drivers are expected to have an in-depth knowledge of Watford's streets and yet we receive complaints that this isn't always the case. Streets and locations also change over time and so we think it is right that drivers' knowledge is regularly tested. Passing this test will be a pre-requisite of the licence renewal every 6 years. Drivers will have two opportunities included in the licence fee.	Support: 78% Do not support: 22%
7	Drivers to be required to re-take the Driving Standards Agency (DSA) driving assessment if they receive 5 or more endorsements on their DVLA licence	November 2012	Our current policy requires drivers to re-take the DSA assessment if nine or more points are endorsed on their licence, or in other circumstances that we are not proposing should change such as following a conviction by a court for a motoring offence. Taxi drivers are the only occupational passenger-carrying driving group not subject to further tests or assessments once they have their basic car-driving test. Lorry and bus drivers, for instance, have to renew their licences every five years from the age of 45 and are subject to the continual supervision of the Traffic Commissioners. It is important in our view that regular assessments are made of drivers' competence behind the wheel when they have shown an	Support: 70% Do not support: 30%

			<p>unacceptable level of competence demonstrated through their DVLA licence being endorsed. Drivers will be expected to pay for the assessment, at a cost of between £79 and £112 per driver. Drivers who do not pass the DSA assessment will have their licences revoked.</p> <p>In the light of the consultation, particularly from the paper-based responses, officers suggest that the bar should be set at 6 DVLA points rather than 5.</p>	
8	Review penalty point and criminal conviction policies	By December 2012	<p>These policies were last reviewed in 2007. It is intended that tougher policies would make it clear that drivers who fail to meet our standards will not be considered fit and proper to hold licences.</p> <p>The Licensing Committee would be required to approve any changes to the policies.</p>	Support: 97.6% Do not support: 2.4%
9	Introduce promotion and/or accreditation scheme such as Stars on the Cars or Driver of the Year award	During 2013	To help promote the professionalism of Watford's taxi trade to local residents and encourage higher standards of customer service.	Support: 34.51% Do not support: 4.42%
10	Our Economic Development Officer will work with the taxi trade to develop new markets and opportunities	From March 2012	The Council wants to see a thriving and successful taxi trade and will devote some restricted resources to help sole trader taxi operators develop their businesses.	Support: 39.82% Do not support: 6.19%
11	Providing ICT skills to drivers from late 2012	From late 2012	We intend to help facilitate ICT (internet and email) skills training to drivers without them as part of a deliberate strategy to encourage greater use of electronic licence information and applications. It will help some drivers gain skills to help them look for employment outside of the taxi trade, and from other benefits of being online such as paying for utility bills electronically.	Support: 65.9% Do not support: 34.1%
12	Introduce a requirement for drivers to provide written	April 2012/ April 2013	Allegations of over-charging are difficult to prove and time-consuming to investigate. An advertised requirement to	Support: 87.8% Do not support: 12.2%

	receipts and publicise this ³		<p>provide a receipt may discourage overcharging and improve the efficiency of investigating allegations. This will be reviewed in April 2013 to see whether there should be a requirement to introduce receipts linked to taximeters.</p> <p>The Licensing Committee needs to resolve whether or not to amend existing hackney carriage and vehicle licence conditions in order to introduce this as an enforceable requirement.</p>	
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³ The Committee is advised that all taxis licensed by Transport for London in the capital are required to have meters and receipt printers fitted but without an obligation to offer receipts to customers. The receipts have the date and time of issue printed on them, as well as the fare and extras.

3.4 Additional proposals

3.5 Sixty-seven licensed drivers (and no members of the public) responded via the paper-based survey, and their individual responses can be viewed via the Democratic Services Officer. Support for proposals in the action plan have been included above as appropriate.

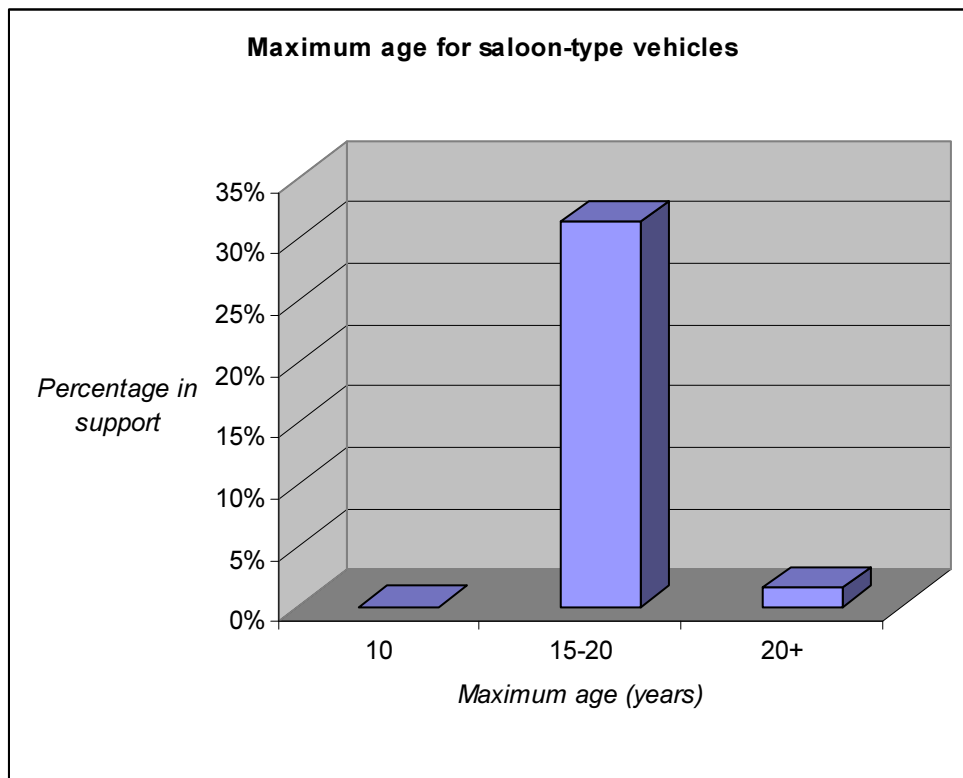
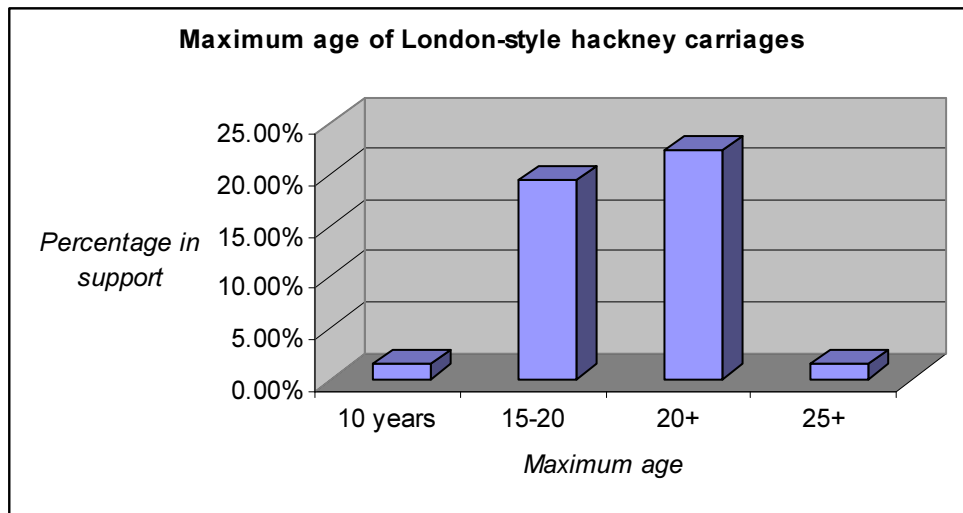
3.6 Drivers also submitted other ideas for consideration, which are set out in the table below:

Other responses from paper-based survey (base = 67)		
	Proposal	Responses in support
<i>Ranks</i>	More/better taxi ranks	59.70%
	Suggesting ranks at specific locations	5.97%
<i>Licence numbers</i>	Immediate cap on licence numbers (separate to option 4)	29.85%
	Cap on licence numbers for 7 years	1.49%
	Cap on licence numbers for 10 years	2.98%
<i>Driver testing</i>	DSA tests to be re-taken every 10 years (as current WBC policy)	20.89%
	DSA test to be re-taken every 15 years	1.49%
	DSA tests to be re-taken following 9 DVLA endorsements (as current WBC policy)	16.41%
	DSA tests to be re-taken following 11+ DVLA endorsements	22.38%
	No driver re-testing	1.49%
<i>Vehicle age limits</i>	Maximum age for London-style taxis to be 10 years	1.49%
	Maximum age for London-style taxis to be 15-20 years	19.4%
	Maximum age for London-style taxis to be 20+ years	22.38%
	Maximum age for London-style taxis to be 25+ years	1.49%
	Maximum age for saloon-style cars to be 15-20 years	31.34%
	Maximum age for saloon-style cars to be 20+ years	1.49%
	Maximum age of 5 years for vehicles on first being licensed	13.43%
<i>Fees and Fares</i>	Introduce a minimum fare of £5	67.16%
	Increase taxi fares	5.97%
	Reduce licence fees	10.44%

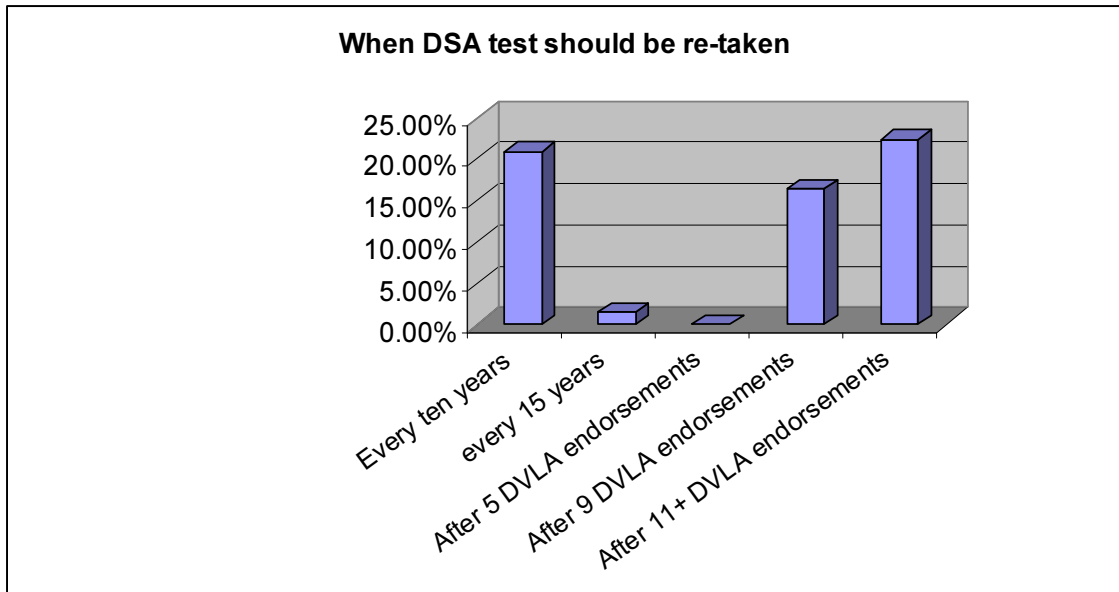
<i>Business development</i>	Council to assist drivers with implementing in-cab CCTV or security shields	14.92%
<i>Other proposals</i>	Taxis to be able to use bus lanes	2.98%
	Drivers be have subsidised use of gyms etc	2.98%

3.7

The tables below indicate the % support of the consultees in relation to the maximum age of vehicles. Note that currently there is no limit on the age of vehicles and the proposal was 15 years for London style hackneys and 13 for saloon type cars.



The table below shows the % support for when the DSA test should be retaken. It is currently on receipt of 9 DVLA points, the proposal was for 5 or more.



3.8 Further considerations

As a result of the consultation some changes to the policy proposals have been made to take account of the responses. Details of these can be found in para 3.20. Most of the proposals do not require further consultation or specification by Councillors, however details of the proposals that do are contained below. In addition Councillors may wish to consider other proposals put forward by the consultees shown in para 3.6. Please note however the information contained in para 1.2 in relation to the need to consult further on any specific proposals for policy change not previously consulted on.

3.9 Licence conditions for receipts

In order to introduce the change for receipts to be issued to passengers detailed in recommendation 1.2, an additional condition is required to those on hackney carriage and private hire vehicle licences as set out below:

“The holder of this licence shall ensure that the driver of the vehicle offers to each passenger (or, if there are more than one passengers, at least one of those passengers) at the termination of their journey a receipt which shall contain at the least the following information:

- (1) the date
- (2) the fare for that journey
- (3) the number of the badge issued by Watford Borough Council to that driver
- (4) any other such information that may be notified to the licence holder in writing by the Council’s officers.”

3.10 Vehicle ages

Members will also be aware that the Council’s current policy is that hackney carriages licensed for the first time must not be more than four years old from the date of first registration for London-style or converted taxis, and no more than three years old from the date of first registration for other vehicles. The strict wording of this requirement has caused a number of difficulties in its interpretation. A licensee may, for example, apply for a vehicle to be licensed on 19 March 2012. The policy would say that the vehicle must

have a “08” or “58” plate. However, the vehicle log-book may show that the vehicle was first licensed by DVLA before 19 March 2009 but after 1 September 2008 – the vehicle is still three years old but the Council’s policy precludes it from being licensed. This causes confusion and occasionally hardship when a licensee pays for the vehicle and then realises that the log-book showing the registration date is just a few months out of time.

- 3.11 To clarify this confusion, officers recommend that the existing policy for hackney carriage vehicles being licensed for the first time be amended so that the DVLA vehicle age identifier (eg “08” or “58” on the vehicle licence plate) is not less than four years old when first licensed by the Council in the case of London-style and purpose-built hackney carriages; and no less than three years old in all other cases. This will avoid the difficulties presented by calculating the age stated on the vehicle log-book.
- 3.12 Members may also like to know that officers will be implementing changes to licensing business procedures which would also help influence delivery of the action plan. Over the next nine months it is hoped this will see various changes such as, for example the introduction of electronic application forms and online payments and therefore the provision of ICT training will help achieve that objective.
- 3.13 **Government guidance**
- 3.14 Regulators’ Compliance Code
The Code was introduced in 2008 under the Legislative and Regulatory Reform Act 2006 and requires regulators to have regard to it when “determining any general policy of principles”, including HCV licensing.
- 3.15 The duty means regulators must take the Code into account and give it due weight when developing policies or principles or in setting standards or giving guidance. The Code need not be taken into account if the regulator properly concludes that the provision is not relevant or outweighed by another relevant provision which is reasoned and based on material evidence.
- 3.16 The relevant extract from the Code for these purposes is reproduced below with officer’s comments:⁴

3. Economic progress

Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.

Good regulation and its enforcement act as an enabler to economic activity. However, regulation that imposes unnecessary burdens can stifle enterprise and undermine economic progress. To allow or encourage economic progress, regulators must have regard to the following provisions when determining general policies or principles or when setting standards or giving general guidance about the exercise of regulatory functions.

3.1 Regulators should consider the impact that their regulatory interventions may have on economic progress, including through consideration of the costs, effectiveness and perceptions of fairness of regulation. They should only adopt a particular approach if the

⁴ Other Code provisions relate to issues such as providing advice for businesses; only conducting risk-based inspections; and not burdening businesses with undue information requirements.

benefits justify the costs and it entails the minimum burden compatible with achieving their objectives.

Comment: The proposed action plan only places two direct burdens on licensed drivers: a requirement to attend a refresher training session once every six years at a proportionate cost to them; and to offer written receipts to passengers, again at a relatively minor cost. These are designed to improve the quality and standard of the trade and the costs are outweighed by the benefits.

3.2 Regulators should keep under review their regulatory activities and interventions with a view to considering the extent to which it would be appropriate to remove or reduce the regulatory burdens they impose.

Comment: The action plan as a whole is designed to last for three years, after which it time it will be reviewed in the light of Government progress towards any national reforms of taxi legislation.

3.3 Regulators should consider the impact that their regulatory interventions may have on small regulated entities, using reasonable endeavours to ensure that the burdens of their interventions fall fairly and proportionately on such entities, by giving consideration to the size of the regulated entities and the nature of their activities.

Comment: The limitation policy and associated action will affect all licence-holders on an equal and proportionate basis.

3.4 When regulators set standards or give guidance in relation to the exercise of their own or other regulatory functions (including the functions of local authorities), they should allow for reasonable variations to meet local government priorities, as well as those of the devolved administrations.

3.17 **DfT Best Practice Guide**

3.18 There are no other matters arising from the Best Practice Guide other than those already identified in this report.

3.19 **Recommended Action Plan**

3.20 Appendix 2 shows the majority of respondents are in favour of the proposed action plan. There are areas of tension between the proposed action plan (drawn up in consultation with the trade) and the responses from the drivers themselves in these areas:

- (1) *DSA tests:* the action plan recommends that drivers with 5 or more DVLA licence endorsements should re-take their DVLA assessment, with revocation a consequence of not passing. Typically, five DVLA points would arise from two driving offences and the maximum is generally 12 points unless the driver can demonstrate to a court that exceptional hardship would arise from having their DVLA licence suspended or revoked. The current policy is the DSA assessment is re-taken if nine or more points are accrued (which must be current, and not “spent” by virtue of their age). About five or six drivers have to re-take the test each year. Lowering the bar in this respect should increase standards as identified in the on-line survey and the CTS public attitude survey, to which the drivers’ association has not put forward contrary arguments. This measure is a public safety measure that will also have the benefit of raising standards by making drivers more aware of the possibility that they may have

to re-take the assessment for little more than two minor endorsements (eg speeding and failing to observe a road sign) or one major endorsement (such as driving whilst uninsured). Officers do however take note of the comments received and would suggest setting the trigger limit at 6 DVLA points, which is also half-way towards it being suspended or revoked.

- (2) *Maximum vehicle age:* The action plan puts forward a proposal, supported by the online respondents, of a maximum age of 15 years for London-style vehicles and 13 years for other types of vehicles. The majority of the paper-based responses from drivers however would like to see a maximum age for London-style taxis to be 20+ years and for saloon-style taxis between 15 and 20 years. Whilst this idea is generally contrary to the DfT Best Practise Guide it is generally in officers' views, a valid way of enhancing the quality of the trade's offer particularly when there is strong support for removing the 6-monthly examination from vehicles over 10 years old.

Members may wish to note that since January 2012 Transport for London (the licensing authority in the capital) do not licence vehicles more than 15 years old unless exceptional circumstances arise. These are mainly specialist private hire vehicles or vehicles which use alternative fuels to operate.

- (3) *Refresher training and topographical test:* The action plan has a proposal for mandatory refresher training every 2 renewals of a driver's licence (every 6 years). This generally has support, and failure to attend will result in failure to renew the licence. However, originally it was intended to include a test of the local area and driving routes similar to the existing knowledge test – this was intended to ensure driver's were keeping updated with new developments. As a result of the consultation officer's have decided to remove the recommendation for a test, and instead propose to include updates in every driver newsletter (2x/annum) of the new developments in Watford. The refresher training is still proposed to include the information too, but no test will be given. If continued complaints are received regarding knowledge of the area this will be reviewed again and further consideration given to regular testing of existing drivers.
- (4) *Minimum fare of £5:* This proposal has come from the drivers and was not part of the original proposals. It has the support of the majority of drivers, and is primarily aimed at securing a decent fare for relatively short journeys such as from Watford Junction to the town centre which, as the CTS report shows, may occur after drivers have been waiting on the rank for up to an hour. (At present the minimum fare is £2.20, and a journey to the Palace Theatre from Watford Junction would be around £4.40). There are a number of competing issues around the suitability of a minimum £5 charge, including whether it would actually deter more passengers from using taxis for short journeys. As a minimum fare has to be approved as part of the fare tariff structure, and it is officer's opinion that this would require further consultation to introduce it, officers would recommend this is considered as part of the proposal to review taxi fares later this year.

Final proposals for consideration

3.21 This paragraph summarises the final proposals for consideration by Councillors. The Committee is asked to formally agree to the introduction of all or any of the following elements of the action plan as more fully outlined above:

- (1) review the knowledge test to extend it's requirements in particular to include customer

- service, disability awareness and communication skills;
- (2) introduce an upper age limit for hackney carriages of 13 years for cars and 15 years for London-style cabs. Note that there is no current limit on vehicle ages, they are just required to get a 6 monthly vehicle test after 10 years of age;
- (3) review taxi fares in 2012 and 2014 including consideration of a minimum £5 charge;
- (4) review taxi ranks in 2015 and ensure consideration is given during the town redevelopment;
- (5) introduce refresher training for drivers every six years, failure to attend will mean the licence can not be renewed;
- (6) require drivers to re-take the DSA driving assessment after accruing 6 or more DVLA endorsements, with revocation a consequence of failing the assessment;
- (7) review criminal conviction and penalty point policies by December 2012 to reinforce the considerations of who is considered a “fit and proper” person. Note that these policies will be presented to Committee for consideration;
- (8) introduce a promotion and/or accreditation scheme for drivers;
- (9) work with the taxi trade to develop new markets and opportunities;
- (10) facilitate ICT training for drivers if external funding can be sought; and
- (11) require drivers to provide written receipts to passengers.

4.0 **IMPLICATIONS**

4.1 **Financial**

The proposals in this report are either at no cost to the Council (such as the proposal for drivers to re-take the DSA driving assessment), or will be self-funding (such as the proposal for drivers to undertake refresher training. Other proposals will be met from within existing licensing budgets

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 There is no express duty to consult on these proposals, but any consultation must be conducted in a meaningful way whilst the proposals are at a formative stage and in a way in which those potentially affected can understand them and comment on them. The previous report to the Committee outlines the exhaustive consultation process that has been undertaken.

4.3 **Potential Risks**

None identified.

4.4 **Equalities**

No need for an equalities impact assessment has been identified in relation to the following elements of the action plan:

- (1) Upper age limits for vehicles
- (2) Introducing promotion and/or accreditation such as Stars on the Cars or Driver of the Year
- (3) Economic Development Officer assisting drivers finding business opportunities
- (4) providing ICT skills to drivers

- 4.4.1 An equalities impact assessment will be produced as part of the policy development of the following elements of the action plan. It is not possible to produce an EIA at this stage as the fine details of the policies are not yet known:

- (1) reviewing the knowledge test
- (2) reviewing taxi fares
- (3) reviewing taxi rank provision
- (4) reviewing criminal conviction and penalty point policies

4.4.2 An equalities impact assessment for these elements of the action plan have already been produced:

- (1) an initial EIA in relation to the requirement to re-take DSA test;
 - (2) requiring drivers to provide written receipts to passengers.
-

Appendices

Appendix 1 – Responses to policy options

Background Papers

Taxi and Private Hire Vehicle Licensing – Best Practise Guide (Department for Transport, 2010)

Regulators' Compliance Code (Department for Business, Innovation and Skills, 2008)

Previous reports to Licensing Committee in 2001, 2005, 2006, 2010 and 2011.

File Reference

HCV Review 2011

APPENDIX 1 – Online survey results

Taxi Action Plan

Review the knowledge test to extend the requirements in relation to licence conditions, customer care, disability awareness and communication skills from November 2012. This will ensure the quality of new drivers entering the trade. It may also deter some drivers, reducing competition and enabling increased income for existing drivers, enabling investment in vehicles.

Answer Options	Response Percent	Response Count
Support	88.6%	39
Do not support	11.4%	5
Please give reasons, and in particular about any likely costs of this proposal		20
answered question		44
skipped question		8

- This may make taxi drivers feel fares should be increased if they have to update/change their vehicles.
- Upkeep and cleanliness of vehicles should be on the list. Any driver incurring a driving offence should be banned for 3m at least, to deter them.

Any driver incurring a complaint from a passenger should be investigated.

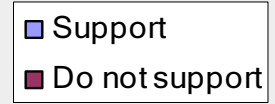
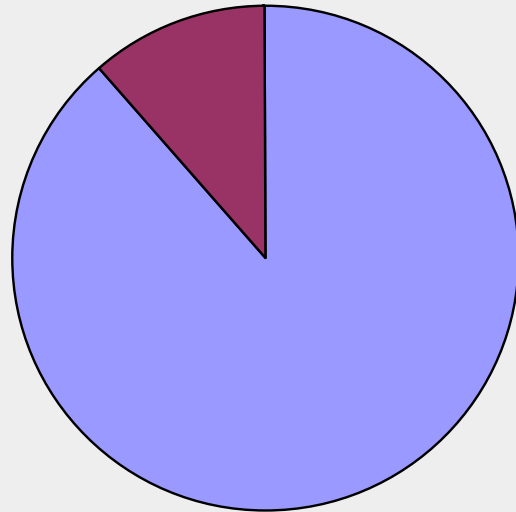
You MUST find a way of stopping licensed drivers letting their mates use their vehicle on their days off.

- Important for taxi service to be fair for all, will there be any support for drivers to achieve the standard?
- As previously stated, if we are to bend over backwards to reduce competition for taxi drivers, then why not for Florists & Hairdressers?
- I have already stated I believe there are far too many taxis in Watford. Many of the operators have only the barest grasp of the English language and fall very short of offering an acceptable standard. It is an easy option in a current climate of high unemployment but the excessive number of taxis is making it difficult for those that have done the job for their whole working lives to make a reasonable living.
- Do old drivers have gone through these strict extended requirements ? They are asking for only because they can stop coming new drivers and do whatever they need. Old drivers want to increase there income by stopping new drivers and they do not care about

public.

- Taxi drivers should be expected to work to the same standards as anyone, in any industry. You should also be able to enter a taxi knowing the driver is a safe driver.
- Many of the drivers cannot communicate with the customer and have no consideration when dealing with older or customers with a disability
- It would be good to have improved customer care and communication skills but the cost should not increase significantly if the council is already testing vehicles and drivers.
- You must also ensure that more wheelchair accessible vehicles are available and that the drivers have the appropriate training to assist a wheelchair user as well as others with disabilities.
- See previous notes.
- There has been some very dangerous driving that I have witnessed, it must be seen to be unacceptable and the standard must be seen to be high and required to be maintained as such to be granted the privilege of a licence
- as before
- These are areas that are lacking in a proportion of present drivers and both the taxi trade and users would stand to benefit. Whilst there are cost implications any council expenditure could easily be justified in terms of benefit to the travelling public.
- Drivers don't seem to know the quickest way to anywhere. The council can regulate the cost so reducing competition can only effect availability?
- I think you need to focus on the old drivers. STOP ISSUING MORE LICENCES.
- Makes sense, and will cost the council not a penny.
Improving the standard of drivers makes sense for both the trade and the public.
- The majority of drivers are brilliant and look after their customers, but several I've had the misfortune to travel with give the impression that you are getting in their way
- The knowledge test should be required not have a prohibitive fee.
- No more drivers needed....period. Put a stop on licences for a minimum of 10 years

Review the knowledge test to extend the requirements in relation to licence conditions, customer care, disability aw



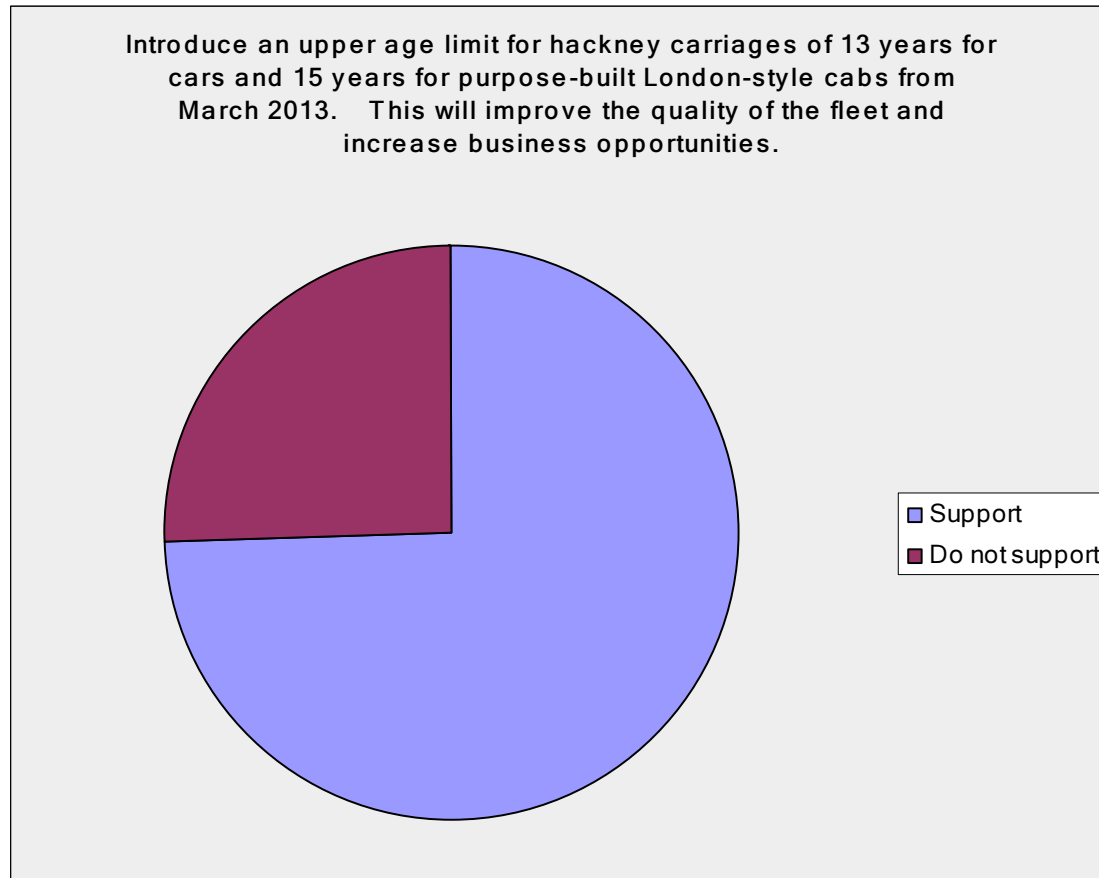
Introduce an upper age limit for hackney carriages of 13 years for cars and 15 years for purpose-built London-style cabs from March 2013. This will improve the quality of the fleet and increase business opportunities.

Answer Options	Response Percent	Response Count
Support	74.4%	32
Do not support	25.6%	11
Please give reasons, and in particular about any likely costs of this proposal		20
<i>answered question</i>		43
<i>skipped question</i>		9

- I support this fully, will only better the trade.
- I don't think many taxis come in this category
- I would only support this option if there was a complete stop on issuing of any licenses in the forcible future 20 years or more
- Standard of vehicles particularly internal smells and upholstery has more to do with upkeep of vehicle than age
- If the vehicle passes mot tests etc and is deemed safe the age of it should not matter seems unfair to put cost on owner of an old car that they may well have looked after really well
- This will help get rid of some of the existing 'Old Bangers' currently operating as taxis
- 13 years is too old. The limit should be lower
- The costs are likely to be passed on to the consumer in fees.
- To many lod cabs in watford
- I don't like rattly old cabs with saggy seats. Cost to be borne by driver and is a tax deductible business expense
- Newer vehicles are more likely to be disabled friendly, safer to both driver and passengers and be more fuel efficient.
- Perhaps safe maintenance is more vital than age but vehicles need to be seen to be fit for purpose if the image in Watford is one we are to be proud of.
- provided fares did not rise massively; a 3 mile journey from WJ to Oxhey is now £13
- This is purely arbitrary and would penalise many with perfectly adequate older vehicles. Also it would impact disproportionately on owner drivers compared with fleet operators. The public don't want there cab to be new but to be clean, safe and available when they need it.
- The cabs stink; theyre disgusting to travel in
- if vehicle passes the required tests it is fit for purpose, age should not come into it ,Court cases already state this where age policy was challenged, and costs are being created on trade unnecessarily
- Newer cars are more reliable and are safer to travel in
- If the cars are completely safe and reliable then there should be no age limit.
- new cars are very expensive, the taxi mot should be sufficient as it is already tough. if a vehicle can pass a mot than any age of vehicle

should be accepted

- what happens after that time some can't buy new cab or 2nd hand we could keep them as long as they in good working order.

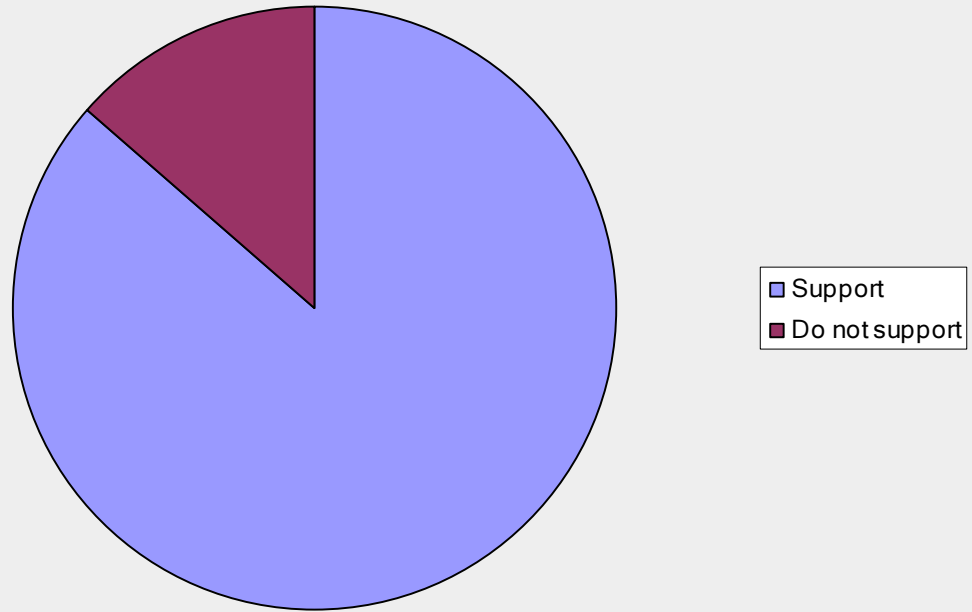


Review taxi fares at the end of 2012 and end of 2014. Introducing a bi-annual review of taxi fares will help ensure they remain competitive with taxis from neighbouring areas.

Answer Options	Response Percent	Response Count
Support	86.4%	38
Do not support	13.6%	6
Please give reasons, and in particular about any likely costs of this proposal		17

- In comparison to what? What are you benchmarking against? Other licensed hackney carriages or local minicab firms?
 - Sounds a good and fair idea
 - I support this proposal ONLY if introduced with the 'Bournemouth Style' chip preventing taxi drivers charging the incorrect rate
 - Taxi fares should be competitive but adequate to facilitate the operators running relatively modern vehicle. I believe no new license should be granted to a vehicle over 3 years old and they should be replaced at 10 years old.
 - Review taxi fare regularly, otherwise taxi drivers will do whatever they want...
- Increase licences to bring more drivers and creat healthy competition.
- Value for money fares are very important, especially in an area close to London, where everything is more expensive.
 - To get good cabs and drivers they have to be able to make a fare leveing
 - Taxi fares in this area are already higher than some areas e.g Croydon, so regular reviews are essential.
 - introduce set fares
 - Less and betterquality is vital so it is important that people can earn a living but not just at the expense of the fare paying passenger. Most of the improvemnets should be as a barrier to entry into the indusrty sector not an excuse to hike fares.
 - Setting taxi fare rates within the context of neighbouring areas seems a reasonable approach to a difficult problem. The cost of the review could be mitigated if done in conjunction with neighbouring local authorities.
 - As long as the review can mean lower as well as higher fares, for instance if fuel prices have fallen since previous review. Price reviews shouldnt be one way.
 - Taxi fares should be reviewed every year along with fees chargable to trade
 - It helps keep the fares down to the customer while maintaining a good standard of fares
 - I t;hink Watford taxi fares are too high.
 - Yes fares are high may be a reduction or stagnant amount in the future will help more buisneiss to our trade
 - Only t.1needs to be chaged a bit and £5 minimum fare hopefully that should solve abt 70%for drivers to consider doing local jobs more.

Review taxi fares at the end of 2012 and end of 2014. Introducing a bi-annual review of taxi fares will help ensure they remain competitive with taxis from neighbouring areas.



Remove the requirement for 6 monthly vehicle tests for older vehicles from March 2012. Implement random spot checks where defects result in penalty points and failure to attend results in licence suspensions. Reduce costs for drivers of 6 monthly MOTs whilst continuing to ensure the safety of vehicles, and giving encouragement to drivers to maintain vehicles between tests.

Answer Options	Response Percent	Response Count
Support	55.8%	24
Do not support	44.2%	19
Please give reasons, and in particular about any likely costs of this proposal		14
<i>answered question</i>		43
<i>skipped question</i>		9

- This does sound expensive. Would be good if passengers were encouraged to call a hotline to report vehicles that are obviously sub-standard- or rude or bad drivers- have a sticker to this effect in back of all taxis- which must be on display when vehicles are spot-checked. This would be far cheaper than spot checking vehicles that might be OK. You would only be calling in vehicles and drivers that at least one customer was unhappy about.
- Who will police this? Mot much better as it is held on national database which police can easily check and forces owner to keep vehicle in check. Why not reduce price of mot instead but keep the principle?
- I am a firm believer that taxis along with all other forms of public transport should be maintained to the highest standards.

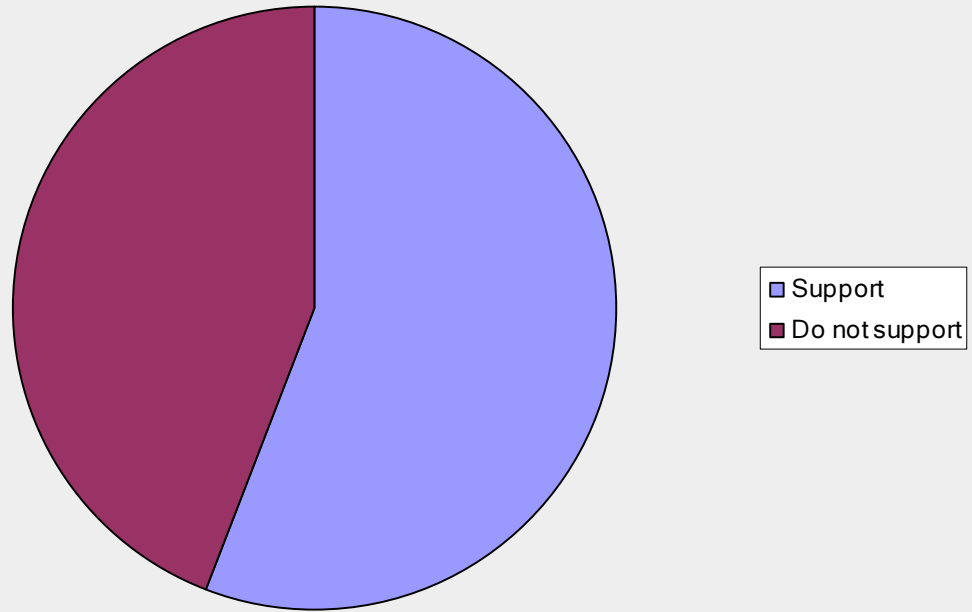
Removing the 6 monthly MOT's will do nothing to improve or raise standards, and the threat of being stopped in a random check will not encourage drivers to maintain standards any more than the threat of a fine and penalty points on a drivers licence stops drivers from speeding.

- Vehicle testing is of paramount importance and encouraging the use of newer vehicles will improve safety.
- This is for public safety. They should have MOT twice a year.
- As long as there is a transparent protocol around spot checks, and evidence can be given to the public that these spot checks are being carried out on all vehicles.
- Annual tests are all that is necessary if there is a maximum age of vehicle of 8 years. No vehicle should need a 6 monthly MOT but spot checks would be welcome. The cost would be less to the drivers in the long run, especially with vehicle repair costs as these escalate once a vehicle has reached 10 years old.
- Safety of passengers, drivers and pedestrians is paramount. Taxis are driven far more than an average family vehicle and should be subject to more strenuous and more frequent safety checks.
- I can support this if it guarantees improved safety, should this not work then it should revert to the old system. Public safety has to come first no matter the cost. If the cost has to rise and there are less taxis but they are safer but more expensive so be it.
- I don't think a change from the present practice would have any additional beneficial impact on the safety of vehicles therefore a change would involve costs to no effect.

Obviously the MOT is a snapshot - one day in 180 - but so are random spot checks. And if truly random they may miss some vehicles altogether. The total number of examinations in any one year would have to be unchanged or inevitably costs would rise.

- public safety is paramount and all vehicles must be tested at 6 monthly intervals regardless of age
- A lot can happen to a car in 12 months meaning that it could be more dangerous from the customers to travel in a unsafe vehicle that may have serious defects that can go on for longer before they are identified
- I think taxi drivers can be trusted to look after their own vehicles.
- 1 year test is sufficient for all vehicles

Remove the requirement for 6 monthly vehicle tests for older vehicles from March 2012. Implement random spot checks where

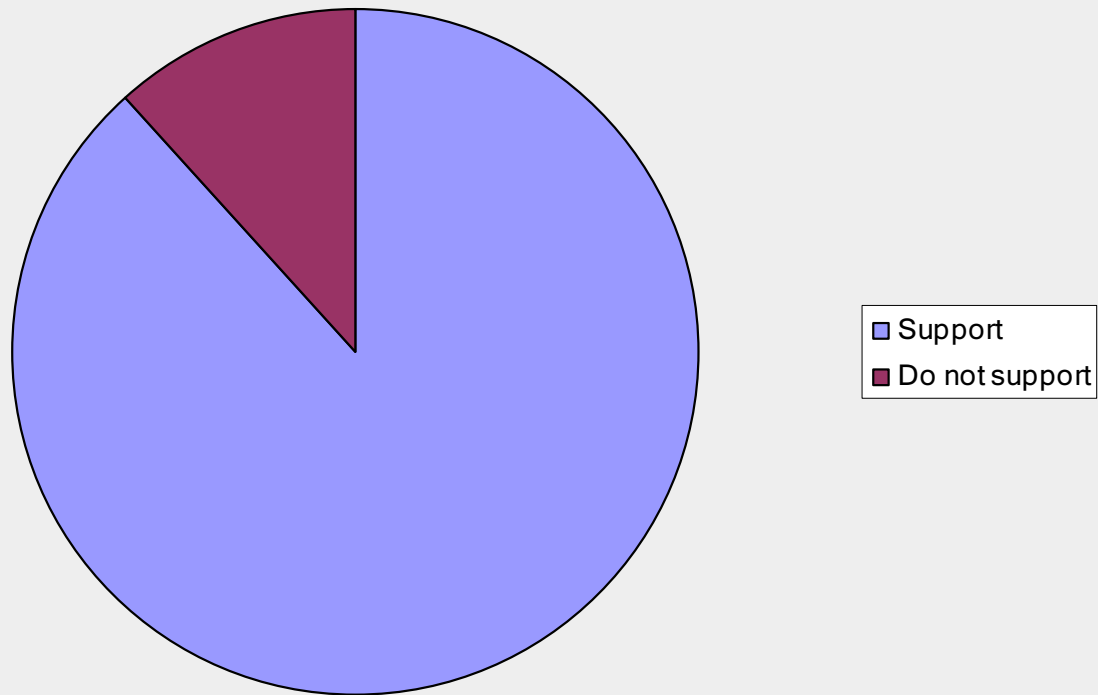


Review taxi rank provision We will review existing rank provision in 2015 following our review in 2011, and will review the provision around Charter Place once works there are underway.

Answer Options	Response Percent	Response Count
Support	88.4%	38
Do not support	11.6%	5
Please give reasons, and in particular about any likely costs of this proposal		10
<i>answered question</i>		43
<i>skipped question</i>		9

- This will encourage Taxi drivers to comply with and meet high standards.
- Four years is far too long and why are cars which are sitting on the rank allowed to leave their engines running which happens all the time in the evening periods.
- Apart from town hall and station, I dont actually know where the ranks are as they are not clearly signposted
- Costs unknown
- Why wait that long, given congestion in Watford canm change very qicly this should be reviewed more regularly.
- Periodic reviews are desirable. Costs only become an issue as and when changes are proposed.
- RANK PROVISION should be reviewed on a continous cycle.
- Customer requirements change from time to time as different requirments come and go, its no point having taxi ranks where there is no demand four years is a long time in the current economic situation
- Not enough ranks in the town in the day time
- Football ground and hospital other train stations and the big super stores bussnes parks leavesden theam park and warners cinma garston.

Review taxi rank provision We will review existing rank provision in 2015 following our review in 2011, and will review the provision around Charter Place once works there are underway.



Introduce refresher training day every two licence renewals (every 6 years) from November 2012. This will include disability awareness, customer care and licence conditions, and to include a topographical test. Complaints of poor customer service and breaches of conditions are affecting the perception of the trade. Licence conditions change and drivers transporting passengers with disabilities will benefit from regular re-training. Attendance at the course will be a pre-requisite of renewing the licence. Cost to be included in the licence fee. Taxi drivers are expected to have an in-depth knowledge of Watford's streets and yet we receive complaints that this isn't always the case. Streets and locations also change over time and so we think it is right that drivers' knowledge is regularly tested. Passing this test will be a pre-requisite of the licence renewal every 6 years. Drivers will have two opportunities included in the licence fee.

Answer Options	Response Percent	Response Count
Support	78.6%	33
Do not support	21.4%	9
Please give reasons, and in particular about any likely costs of this proposal		19
<i>answered question</i>		42
<i>skipped question</i>		10

- Fantastic - customer care should be first on the list for a taxi driver, as we work in the public sector. An insight into the above should be a requirement for every Taxi driver, as I believe many are lacking in the customer care department and therefore should be regularly educated on this and what is expected of them.
- Personally, I have been with several drivers who don't know where I am asking for although Sat Nav does help now.
- Absolutely- I have had to give directions to taxi drivers to well known places and well established companies and roads on several occasions
- Raises standards and helps keep drivers motivated
- Sounds like a reasonable proposal.
- This will ensure quality of service and safety
- This will ensure their knowledge of the area is fit for purpose and insure they know what is required of them when dealing customers with a disability
- Brilliant idea.
- All drivers should be expected to know the main areas they are covering and keep up to date with changing road names. At licence renewals drivers should be tested and also checked for good levels of spoken English. They should not get help from the council for training but simply refused a licence if not of adequate quality. Costs of licence as previously.
- I am fully in support of this but believe it should happen at every renewal.
- Good idea but 6 years is too long. Should be every 2 years. People get blasé and lapse into bad habits!!
- It is always open to the council to pursue complaints about individual drivers.

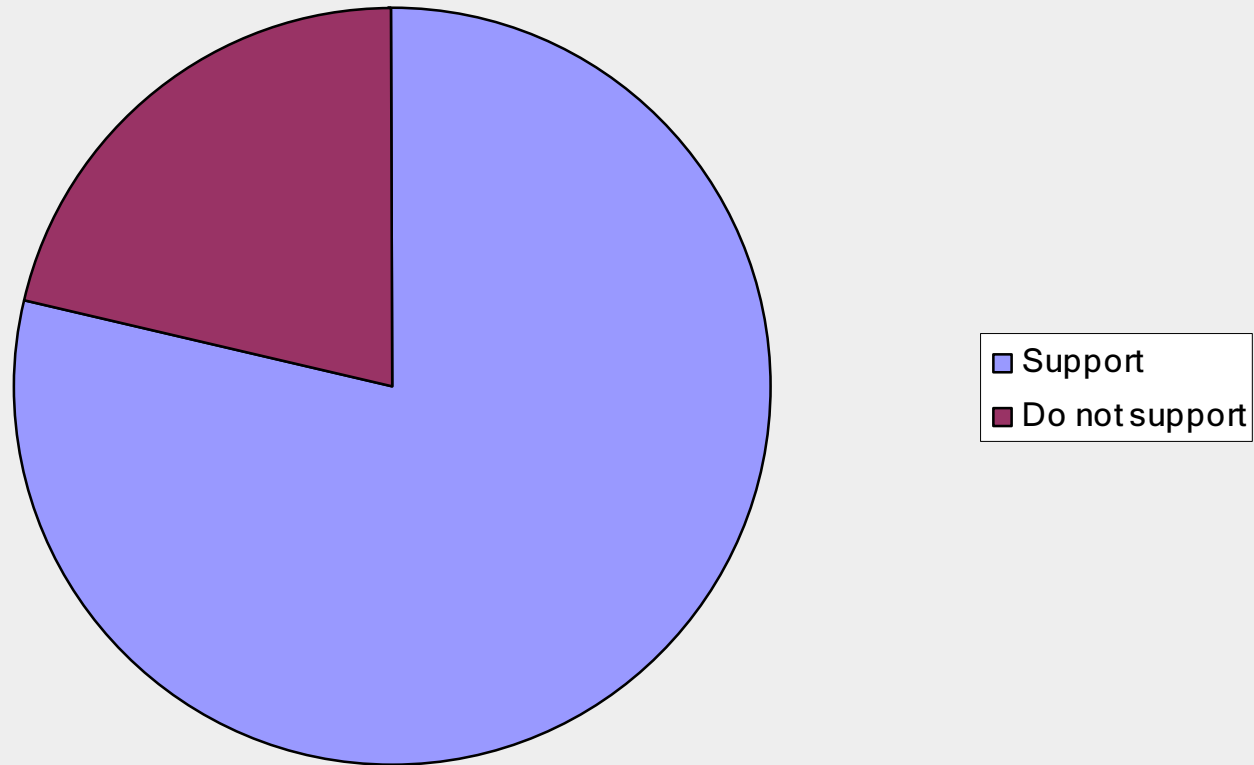
It would be a very poor driver indeed who did not raise his game for the purpose of a test but that does nothing to guarantee that performance in test conditions will be maintained the day after.

This proposal would be a complete waste of money.

- I would support this as a minimum, why should it not be every renewal given the pace of change in this area.
- Licence review should be every 3 years and should include all those currently licenced - there are obviously some who should never have a licence granted
- Training should probably be more regular than every 6 years. I cant think of any work place I've been in that hasn't offered some sort of training every year.
- MOST DRIVERS HAVE DONE THE NVQ FOR TAXI,ALL DRIVERS SHOULD DO IT.
- Taxi drivers need to keep refreshed with their knowledge and customer care in a ever changing landscape
- More cost that drivers cant afford, more money for the local authority which is unacceptable
- Every 3 renewals thats fine extra cost no need

Introduce refresher training day every two licence renewals (every 6 years) from November 2012. This will include disability awareness, customer care and licence conditions, and to include

a



Drivers to be required to re-take the Driving Standards Agency (DSA) driving assessment if they receive 5 or more endorsements on their DVLA licence, starting November 2012. Taxi drivers are the only occupational passenger-carrying driving group not subject to further tests or assessments once they have their basic car-driving test. Lorry and bus drivers, for instance, have to renew their licences every five years from the age of 45 and are subject to the continual supervision of the Traffic Commissioners. It is important in our view that regular assessments are made of drivers' competence behind the wheel when they have shown an unacceptable level of competence demonstrated through their DVLA licence being endorsed. Drivers will be expected to pay for the assessment, at a cost of between £79 and £112 per driver. Drivers who do not pass the DSA assessment will have their licences revoked.

Answer Options	Response Percent	Response Count
Support	68.3%	28
Do not support	31.7%	13
Please give reasons, and in particular about any likely costs of this proposal		15
<i>answered question</i>		41
<i>skipped question</i>		11

- This should only apply to drivers who have either of the following:
 - 1) Points on their licence.
 - 2) Recently crashed their taxi,
 as the above pose the most risk to customers and the community.
- I will only support this option if the council is willing to pay for it We have enough expenses of our own
- I do not think that any driver that receives 5 endorsements on their license should be allowed to carry passengers ever again!!
- I DO think that all taxi drivers should be subject to at least the same conditions as other people carrying public eg bus drivers
- This will only affect poor or dangerous drivers and therefore seems fair
- Drivers should be retested regularly and should have clean licenses
- this will improve customer safety the cost in the matter does not matter
- Presumably this would only apply to those with endorsed licences, and would not include already careful drivers with clean records.
- I believe that once a driver has more than 3 endorsements they should be banned from driving taxis.
- After a 12 month period a further DVLA test would then be needed before any licence could be re-issued.
- Passenger safety must be paramount. Formal evidence of poor driving justifies the re-take.
- I wholeheartedly support this as the standard of driving in Watford by taxi drivers is woeful, this cannot start soon enough in my

opinion.

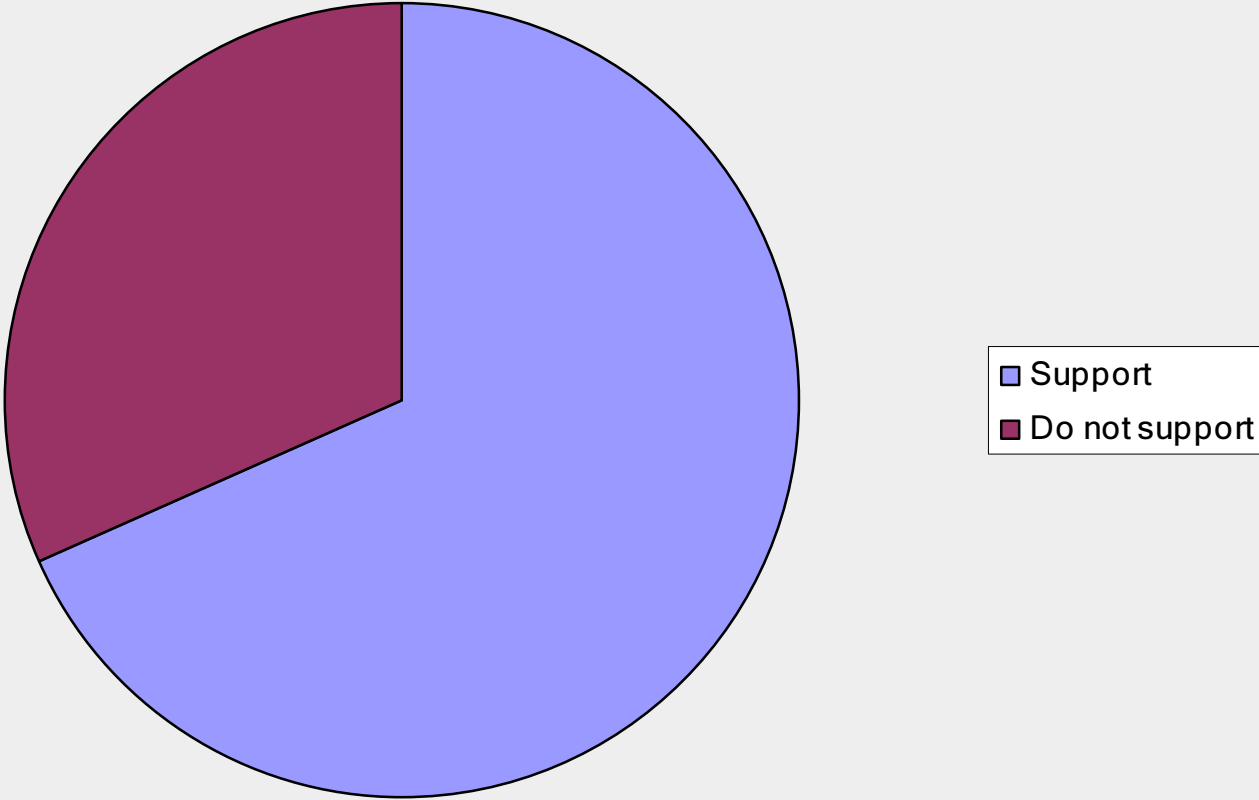
- This should probably apply to all drivers, not just those in taxis.
- TAXI drivers have to renew their licenses every 3 years(maximum)

DSA driving assessment should not be used to revoke drivers license ,lorry or bus drivers or other vehicle drivers dop not have this threat that you are proposing to be implemented hanging over their heads,if a person accumulates sufficient points on his license he can be brought to book and the question of fit and proper person is available to be used,if a person knows that he can drive like an idiot and then has to pass this test they only have to control themselves during the test and they keep their license.

Councils have as much control over a TAXI driver as does the Traffic Commissioners have over a bus or lorry driver,if you check the Act of Parliament the Council(nominates a Officer)to act as their Commissioner with regards to TAXI licensing.

- It helps keep the customers safe by ensuring that drivers do not take risks or break the rules of the road
- Again the burden of the cost is too much for drivers. just for govt agencies to make money, I'm 36 years old driving for over 15 years. I don't need to be told I can't drive, we are professional drivers if we have accidents we loose out financially. This is just another ploy for authority to make money while putting drivers in financial mess
- 9 points not 5 plz.

Drivers to be required to re-take the Driving Standards Agency (DSA) driving assessment if they receive 5 or more endorsements on their DVL

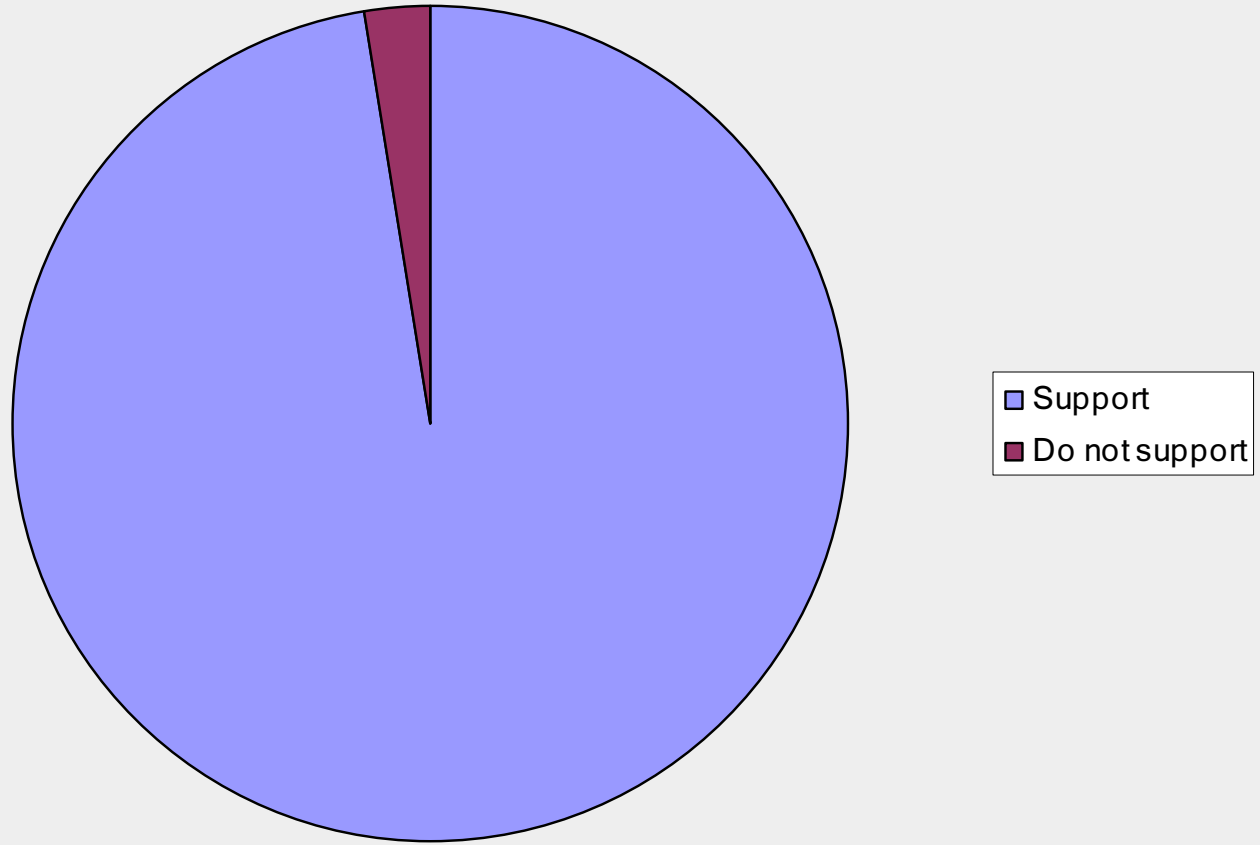


Review penalty point and criminal conviction policies by December 2012 These policies were last reviewed in 2007. It is intended that tougher policies would make it clear that drivers who are fail to meet our standards will not be considered fit and proper to hold licences.

Answer Options	Response Percent	Response Count
Support	97.6%	41
Do not support	2.4%	1
Please give reasons, and in particular about any likely costs of this proposal		9
<i>answered question</i>		42
<i>skipped question</i>		10

- Yes, because for a job where people work so closely with the public i don't think regulations are tough enough. At present, it is far too easy to obtain a Taxi licence.
- Absolutely- a certain number of points on a license should mean an outright ban on carrying passengers, not a temporary suspension. Points usually imply dangerous or illegal driving- these people should not be endangering the lives of their passengers.
- Sounds reasonable
- Penalty point in my opinion matters more than criminal conviction. Risk assessment measures can easily be adopted for those with convictions, allowing many with convictions to work.
- No person with a criminal conviction should be issued a licence, even once spent.
- Whilst I support a review the wording here indicates that the intention is to make the policies tougher. It is most unfortunate that the outcome of the review is pre-determined. I would like to see an even handed review open to the possibility that some policies may need to be relaxed.
- As per my previous responses we must drive standards up and weed out the cowboys.
- It all helps keep drivers off the road who break the rules of the road and helps make travelling safer for single occupants
- Any one with a criminal record no matter how trivial should not and must not be a taxi driver. Cost is not an issue when customer safety is compromised

Review penalty point an

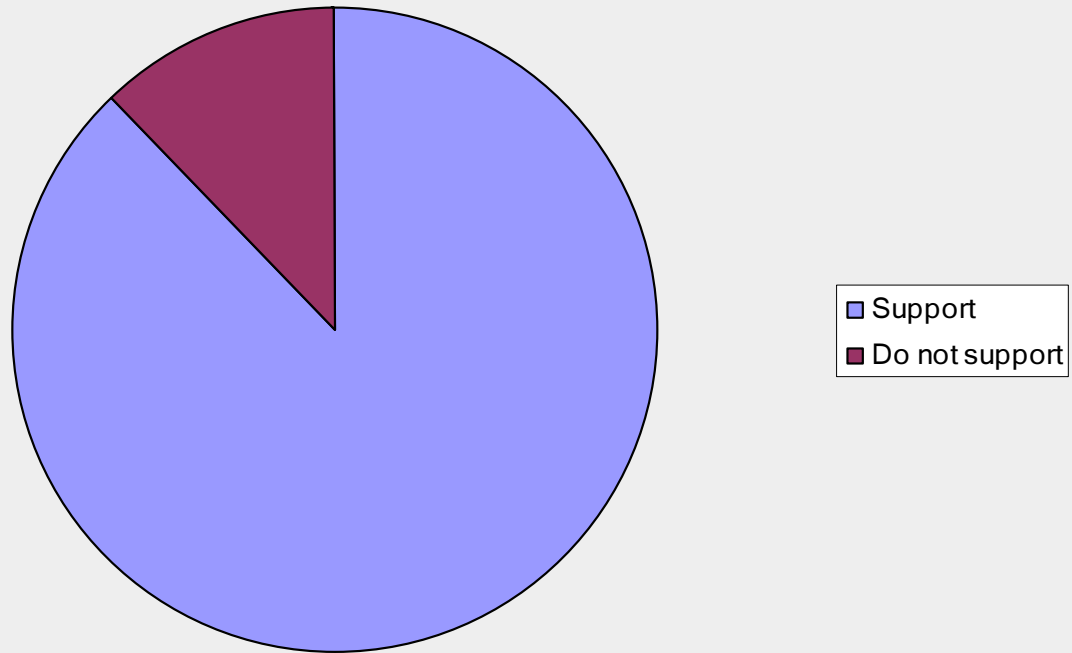


Introduce promotion and/or accreditation scheme such as Stars on the Cars or Driver of the Year award during 2013 To help promote the professionalism of Watford's taxi trade to local residents and encourage higher standards of customer service.

Answer Options	Response Percent	Response Count
Support	87.8%	36
Do not support	12.2%	5
Please give reasons, and in particular about any likely costs of this proposal		12
<i>answered question</i>		41
<i>skipped question</i>		11

- Yes, as other businesses offer such schemes and it is very effective in creating competition, and also drivers who deserve to be should certainly be rewarded for their services.
- Yes, rewarding good behaviour can be as effective as penalising bad behaviour. Ideally you want the taxi drivers' community to be self-policing and instil a sense of pride over standards.
- Nice to support and promote our local business service providers
- Sounds a little 'Mickey Mouse' scheme which will merely add further to administration costs.
- Good idea which will help improve quality of service
- Brilliant idea. It will give drivers more pride in their work. The cost of testing could be passed to the customer by allowing the driver with stars to add a small surcharge (50 pence) to each fare.
- Waste of money. You do not choose a taxi because of 'stars on the door' you have no option but to get the next one in the queue.
- This would be merely a gimmick to give the illusion of an improving service. Any money spent on it would be an utter waste.
- If we want them to meet a tougher regime we ought to reward them to encourage good behaviour. I would like to see stars on their vehicles and me having the right to choose one in preference to people ahead of them on the rank.
- every TAXI driver should be of the highest standard that these schemes are not required and are open to abuse and also can be very misleading.
- It all helps improve the customer experience if the drivers have something to aim for and rewards drivers that go the extra mile to help their customers
- The best and most professional drivers should be recognised

Introduce promotion and/or accreditation scheme such as Stars on the Cars or Driver of the Year award during 2013 To help promote the professionalism of Watford's taxi trade to local residents and encourage higher standards of customer service.



Our Economic Development Officer will work with the taxi trade to develop new markets and opportunities from March 2012. The Council wants to see a thriving and successful taxi trade and will devote some restricted resources to help sole trader taxi operators develop their businesses.

Answer Options	Response Percent	Response Count
Support	82.9%	34
Do not support	17.1%	7
Please give reasons, and in particular about any likely costs of this proposal		11
<i>answered question</i>		41
<i>skipped question</i>		11

- Possibly too open to fraud- unless this carried strict criteria.

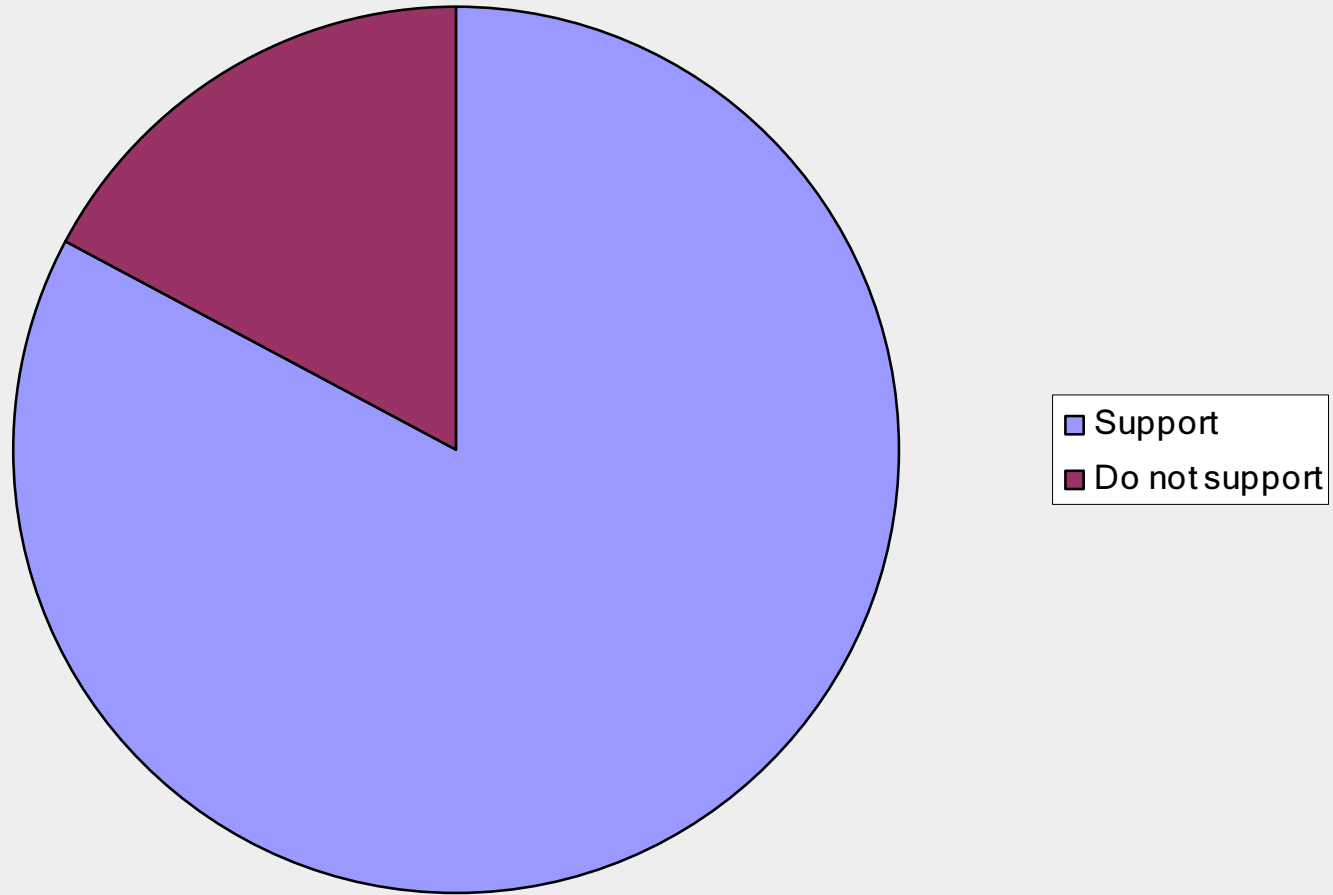
What would they need support for? What do you mean by 'restricted resources'? We cannot answer this question unless we know what those resources are and what ELSE they could be allocated too.

- Great idea!
- Will the Council's Economic Development Officer also work with Florists and Hairdressers to help develop their business's?

What is so special about taxi drivers except their ability to be vociferous?

- This depends how restricted the resources are!!
- There are many places they can receive this help such as Businesslink. The council should not spend additional resources in this manner.
- Good idea, check that the correct amount of tax is paid to HMRS.
- The EDO should give assistance to the taxi trade in the same way as he might assist any other trade in the town. There may be a case here for increasing the EDO budget during the current period of economic austerity.
- This is what the business is supposed to do for themselves, Would Watford council get involved in teaching a shop keeper how to do his books, this is not the purpose of a council!
- New operators always help raise the standard across the whole trade by going that extra mile to help their business
- In principal I support but impossible to see how it can work unless limit is put on for significant amount of years
- Yes that's good thing to do.

Our Economic Development Office



Providing ICT skills to drivers from late 2012 We intend to help facilitate ICT (internet and email) skills training to those drivers without them as part of a deliberate strategy to encourage greater use of electronic licence information and applications. At the same time it will help some drivers gain skills to help them look for employment outside of the taxi trade, and from other benefits of being online such as paying for utility bills electronically.

Answer Options	Response Percent	Response Count
Support	66.7%	28
Do not support	33.3%	14
Please give reasons, and in particular about any likely costs of this proposal		15
<i>answered question</i>		42
<i>skipped question</i>		10

- We as taxpayers should not be paying for this. These are businesses not to be subsidised by our local services. They should bear the cost of any training I don't want my council tax being used for this purpose. I can't even get by wheelie bin returned to my drive I'd rather educate the Council staff on customer service than waste money on local businesses which I really don't think we need or should encourage.
- But would need minimum level of English first, which they would need to acquire before being a taxi driver hopefully.
- Really great to encourage diverse skills
- I will only support this proposal if the Council also give the same assistance to Florists and Hairdressers, also Builders, Plumbers, and Window Cleaners.
- dont see why this cost should come from our money
- Everyone needs ICT skills nowadays, but should it be the council providing this or central government. Costs will be high and will the council tax need to increase to cover them?
- There are many, many companies and charities that offer this training. The council should not be spending money in this way.
- I find this a step to far.

There is no other business I can think of that is so unregulated, drivers that do not have to take a regular test, in other business it is Normal and a Requirement that one does regular tests to keep up with the changes in ones profession.

Do we really have to spoon-feed taxi drivers how to:

-read a map

-use a computer

-do the knowledge

-handle customer-and use the internet to find other benefits such as paying your bill electronically or help some drivers look for alternative employment? So, it is being suggested that the Council will pay for taxidrivers to learn ICT, and then to use that knowledge elsewhere, in another job, that might not be of any use that Council.

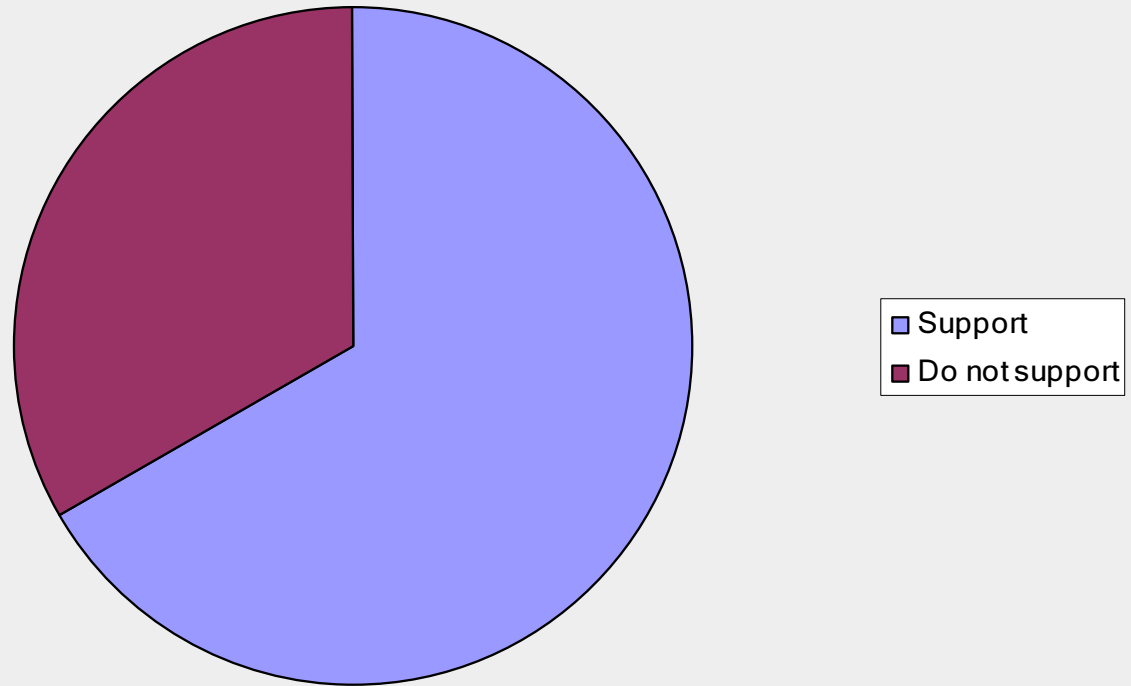
If I like to learn ICT I have to pay for it myself. And so do a lot of other residents.

- Unless this is offered across the board to Watford residents.
- Drivers can pick up the skills they need from colleagues or at the library. The amount of training required to enable drivers with licence information and applications will be nowhere near enough to assist with getting employment in a different field.

Clearly there is a problem with low skilled and unqualified people opting for taxi work as an 'easy' option but that needs to be tackled in schools and colleges.

- In business we are responsible for the full training of our people, why should this business be any different. By all means it should be a licence condition introduced in a way that they have time to learn and deploy. I do not believe this is proper use of council funds, the council should set the licence conditions and the licensee should follow otherwise where do you stop, do you support all businesses equally in this way?
- online applications are not appropriate for a public facing service; one of the huge issues is that the drivers cannot communicate with their customers and have limited service skills - so face to face applications are needed.
- TAXI PROPRIETORS are normally self employed owner drivers, why should a Council encourage those that have made a significant financial investment in obtaining a TAXI be encouraged to find employment outside of the TAXI trade. These long term TAXI trade participants who treat this as a vocation not a stop gap, fill in whilst I have nothing else to do job. These people you should be doing every thing in your power to keep in the trade not encourage them to leave.
- Why should we fund one group of people with their IT skills, almost everyone in the area could do with help paying bills electronically. This is unfair to workers in other business areas.
- Some drivers are just too incompetent and lazy to learn no matter how much help they are offered

Providing ICT skills to drivers from late 2012 We intend to help facilitate ICT (internet and email) skills training to those drivers without them as part of a deliberate strategy to encourage greater use of



Introduce a requirement for drivers to provide written receipts from April 2012 and publicise this. Allegations of over-charging are difficult to prove and time-consuming to investigate. An advertised requirement to provide a receipt may discourage over-charging and improve the efficiency of investigating allegations. This will be reviewed in April 2013 to see whether there should be a requirement to introduce receipts linked to taximeters.

Answer Options	Response Percent	Response Count
Support	88.1%	37
Do no support	11.9%	5
Please give reasons, and in particular about any likely costs of this proposal		14
<i>answered question</i>		42
<i>skipped question</i>		10

- Yes, overcharging is not tolerated elsewhere (e.g. Tesco) so why should it be acceptable, or go unnoticed in the taxi trade?
- If you ensure that all taxi meters are able to checked for engaged mileage over a specific period and you file reports of all registered taxi's meter recordings with the vehicle licence plate to HM Revenue and Customs you will soon see an improvement in services. Those renting their cabs to others will not want to pay additional tax and you maybe shocked at the outcome in terms of overcharging and abuse of the paying customer.
- Yes overcharging has been my experience, as has going a much longer route than necessary- when challenged they may cite roadworks that I know aren't there.

When overcharging they may say it's because ther's only one passenger, or its a certain time of day, or you had a bag, or there was more than one person, or because we were stuck in traffic or the worst one 'it's because I have to drive back empty'.

I would like to see meter in every cab, tarriff of charges and surcharges clearly displayed, printed reciept from meter available.

If you ask for a written receipt now, you get a card with no ID on it and a sum of money written on- no start and end point ever noted, so you would never be able to use this to claim overcharging.

- Please see my earlier reply regarding using the same system as Bournemouth Council which totally eliminates claims of overcharging.

By copying Bournemouth Council's system 90% of complaints can instantly be resolved.

- Fares for the same journey have been shown to vary from taxi to taxi.
- this is a must as many drivers are overcharging customers
- If the taximeters are checked by the council on a regular basis, how do they overcharge? I know roughly the price of my regular journeys and have never been overcharged. I think some people forget that the meter is still running whilst sitting in traffic.

- Good idea, no ICT involved for the non-ICT drivers. Just a pen and a receipt book
- These disputes are usually one person's word against that of another. This proposal will only have the effect of moving the complaints on to allegations of refusal to give a receipt showing the amount actually charged.

If this is a major problem the solution is for receipts produced by the taxi meter with date/time/driver identification.

- Sound business practice, the trains do not getaway without a receipt why should a taxi.
- Not just overcharging but not running the meter and refusing non-cash payment which gives you the impression the driver is probably not paying their taxes.
- This should already be in the TAXI BY-LAWS that a receipt has to be issued on demand.

Receipts linked to TAXIMETERS ARE UNECESSARY and are just another cost put on the trade that does not need to be there

- The extra costs will have to be paid by the travelling public
- Provide receipts to everyone who asks for them or be liable for points

Introduce a requirement for drivers to provide written receipts from April 2012 and publicise this. Allegations of over-charging are difficult to prove and time-consuming to investigate. An

