

<b>Private Hire Operator Conditions</b>	
<b>Appendix D - Sections 1.1, 1.2, 5.3, 5.4</b>	
<p>1.1 Operators must ensure that only licensed drivers carry out bookings and are appropriately trained for their role.</p> <p>1.2 Operators must be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability equality.</p> <p>5.3 Where a private hire operator is dispatching a wheelchair accessible vehicle, the driver must be provided suitable training in how to safely load, unload and transport passengers.</p> <p>5.4 All training must be documented and provided upon request by an authorised officer as detailed in section 7.</p>	
<b>Responses</b>	
<p><b>Response 1 - Operator</b></p> <p>Section 4 39 establishes the training, knowledge and competency requirements for a PHV driver seeking a new licence. Appendix D 1.1 and 1.2 contradicts this, by suggesting that the operator must ensure that licensed drivers are trained appropriately for their roles. While PHV operators can implement checks to ensure PHV drivers are appropriately licensed, the training component of obtaining a PHV driver licence can only be delivered and confirmed by the licensing authority. Additionally, Appendix D 5.3 and 5.4 puts the sole burden of training a PHV driver for wheelchair accessible bookings on to the operator. This training should be included as part of the PHV driver’s application and provided alongside the other training and knowledge requirements as part of the licensing application process.</p>	
<b>Licensing Team Comments</b>	
<p>The Licensing Authority have a responsibility to ensure that a driver is fit and proper to hold a licence. As part of this assessment a driver must pass a local knowledge test and a driving assessment. This is the minimum ‘training’ requirement in order to receive a licence. It remains the operator’s responsibility to ensure that drivers are appropriately trained for their role such as company standards of service, company complaints policies and expectations.</p> <p>If an operator utilises a wheelchair accessible vehicle, the operator under Health and Safety law is required to ensure that the driver is appropriately trained.</p>	
<b>Appendix D – 1.3</b>	
<p>1.3 Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.</p>	
<b>Responses</b>	
<p><b>Response 1 – Operator</b></p> <p>To provide clarity around those directly employed and self-employed within the PHV industry, we recommend that in Appendix D 1.3 the term ‘utilise’ is changed to ‘employ’.</p>	

**Licensing Team Comments**

Wording can be changed to ‘...and only provide bookings to persons who’. It is felt that by using the word ‘employ’ an operator may try to absolve responsibility by stating a driver is self employed.

**Section 3 – 15.4, Appendix B – Section 7.4, Appendix D - Section 2.4**

2.4 The operator’s name and contact information must be displayed on the vehicle unless a valid private hire plate exemption has been issued.

**Responses****Response 1 – Operator**

We agree with the proposal in Appendix D 2.4, the operator’s name and contact information must be displayed on the vehicle unless a valid private hire plate exemption has been issued. To avoid any confusion, we recommend that the council includes the requirement for the operator’s contact information in Section 3 15.4 and Appendix B 7.4.

**Response 2 – Operator**

We are surprised by this proposal. The Department for Transport's (DfT) recent Best Practice Guidance explicitly advises against imposing livery requirements, and in 2023, we witnessed a nationwide shift away from mandatory operator vehicle signage, with tens of authorities opting to remove such requirements. Based on our discussion, we understand that the objective of the proposal is twofold: to enhance passenger and driver safety and to assist passengers in identifying their pre-booked vehicle. We have undertaken an analysis of our data to understand whether operator vehicle signage is capable of achieving these aims.

In 2023, we facilitated over 30 million journeys across 40 local authorities, encompassing areas both with and without operator vehicle signage requirements. We maintain detailed records of these journeys, including passenger and driver complaints and reports from police and local authorities.

Our analysis revealed no statistically significant difference in the frequency or the severity of safety incidents between authorities with and without signage. Even when narrowing our focus to instances of driver impersonation and incorrect vehicle arrivals, the data shows no discernible difference.

Furthermore, our findings indicate that operator vehicle signage does not improve a passenger’s ability to identify their pre-booked vehicle. Passengers take approximately the same amount of time to identify their vehicle, and cancellation rates due to identification issues are consistent. We attribute the majority of cancellations to infrastructure and congestion and can support the Council in locating any such pressure points in Huntingdonshire.

The DfT opposes mandatory operator vehicle signage, in part, due to concerns that it heightens the risk of passengers misidentifying private hire vehicles as taxis, thereby increasing uninsured ply-for-hire journeys. Our discussions with drivers echo these concerns. They recount experiences of intoxicated passengers attempting to hire them, jeopardising their safety and livelihood.

We also note that operator vehicle signage can easily be reproduced and distributed to non-licensed drivers. Last year, we were alerted to companies reproducing our signage without permission in Sheffield. The signs being reproduced were high-quality, depicting our logo and that of the local authority accurately. Passengers cannot and should not be reliant on operator vehicle signage to identify their vehicle.

Considering the lack of correlation between operator vehicle signage and the proposal's objectives, alongside the potential downsides, including increased plying-for-hire and the financial burden on drivers to acquire signage, we oppose the imposition of this requirement.

Instead, we propose requiring operators to furnish passengers with comprehensive upfront journey information. This could include the driver's full name, photo identification, private hire licence number, vehicle registration number, route details, and real-time updates on arrival times. We provide this information to passengers and believe it's the most effective means for them to identify their pre-booked vehicle.

#### **Licensing Team Comments**

There are reasonable arguments for and against the decision to require the operator name and contact to be displayed on the vehicle as evidenced above.

Whilst Bolt cite the DfT guidance on door signs causing an increase in misidentification of a taxi, it is not certain how this conclusion was drawn as the DfT are in support of door signage stating pre-booked only. It is not clear how an operator sign would create confusion when paired with a private hire door sign. The DfT's own guidance seems to contradict itself in this respect.

The point raised about public approaches to parked vehicle does resonate in more built up areas and this could be reason enough to not require signage.

It must also be noted that a significant number of vehicles seen in the district already voluntarily display signage, including Bolt who issues drivers with door signage.

#### **Appendix D - Section 4.6**

4.6 Where a premises is open to the public during the 'Night-Time Economy' hours of 1800hrs to 0600hrs, the private hire operator must conduct an ongoing risk assessment to ensure that where it is considered necessary, sufficient SIA security officer/doorman will be employed at the premises.

#### **Responses**

##### **Response 1 – Operator**

We are aware of the safety concerns for these types of premises. We note that although necessary, the proposed risk assessment and need for sufficient SIA security officer/doorman, could increase operating costs for PHV operators.

#### **Licensing Team Comments**

There should be no extra cost to operators unless the need for SIA security is deemed necessary. At present there is not a significant 'late night economy' in the district, however with regeneration schemes etc, the district may start to attract businesses who wish to operate later into the night. These proposals do not explicitly require SIA security, rather require the operator to determine via risk

assessment if necessary. This is standard practice for licensed premises selling alcohol and to date has not caused a negative impact to those premises.

#### **Appendix D - Section 4.7**

4.7 Hot food or drinks, including those provided by a self-serve vending machine, must not be sold between the hours of 1100hrs and 0800hrs, unless the premises has a Late Night Refreshment licence.

#### **Responses**

##### **Response 1 - Police Licensing Officer**

Error is times listed

#### **Licensing Team Comments**

The adopted policy will need to read 2300hrs to 0500hrs.

#### **Appendix D – Section 6.7**

6.7 Due to the requirement of all dispatch staff requiring a basic DBS certificate, as referenced in the DfT Statutory Guidance, it will not be permitted for overseas call centres to be used by private hire operators.

#### **Responses**

##### **Response 1 – Operator**

Use of overseas call centres is commonplace across the PHV industry as it is in many other industries. The council permits certificates of good conduct for those it is seeking to licence as PHV drivers and this is recommended in section 4.10 of the DfT Statutory Guidance. It is reasonable that this should be extended to those providing services in overseas call centres.

#### **Licensing Team Comments**

The statutory guidance issued by the DfT states the following in relation to dispatch staff:

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

*‘Operators should be required to evidence that they have had sight of a basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders’*

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

The guidance issued on certificates of good conduct provide advice on obtaining this check in the event of an applicant having only been in the UK for a short period of time or having had extended periods of time outside of the UK. It is not our belief that this is appropriate for a permanent overseas worker linked to the operating business.

<b>Section 3 – 26.12</b>
<p>26.12 Drivers must be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers in the vehicle. It is both the proprietor/driver and operators' responsibility to ensure that they understand fully how to use the equipment. Written training records must be maintained, and refresher training provided as required and kept for at least 2 years and are available upon request to an authorised officer.</p>
<b>Responses</b>
<p><b>Response 1 – Operator</b></p> <p>We believe that this training requirement should be delivered as part of the PHV driver licence application process.</p>
<b>Licensing Team Comments</b>
<p>The are currently no requirements for a private hire vehicle to be wheelchair accessible and as such, a driver may never use a wheelchair accessible vehicle (WAV). It is therefore necessary that the private hire operator ensure that any driver they use to fulfil a booking in a WAV is suitably trained. Many of the WAV's in HDC are licensed directly by the operator and not the driver. The onus must remain on the operator to ensure that a driver is suitably trained, regardless of whether they provide the training directly or not.</p> <p>Should the committee wish to do so, it may adopt a requirement that all licence holder and new applicants undergo an additional wheelchair assessment training course provided by Blue Lamp Trust. This would however place a burden on all drivers to undergo training even if they are never going to use a WAV.</p>
<b>Section 5 – 55.3</b>
<p>55.3 Operators must have a list of current dispatchers and have sight of a basic DBS disclosure. Further information can be found in Appendix D.</p>
<b>Responses</b>
<p><b>Response 1 – Operator</b></p> <p>The wording in this section is unclear and requires further clarification. It alludes to Appendix D 6.6, which sets out a wider group of employees that requires DBS checks – 'all staff that have contact with the public and/or oversee the dispatching of vehicles or have access to booking records.'</p> <p>For consistency, this full list should be included in Section 5 55.3.</p>
<b>Licensing Team Comments</b>
<p>Alterations to final wording can be made for clarity</p>