

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** FW: Guildford Borough Council - Taxi and Private Hire Licensing Policy - Public Consultation  
**Date:** 09 November 2020 14:01:42  
**Attachments:** [image001.jpg](#)  
[image004.png](#)  
[image005.jpg](#)

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Dear Mike,

Normandy Pariah Council has debated the proposed additional proposals and fully supports their inclusion in the Policy.

Regards.

Leslie

Leslie G A Clarke  
Parish Clerk  
Normandy Parish Council

office [REDACTED]  
mobile [REDACTED]  
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website [www.normandyparishcouncil.gov.uk](http://www.normandyparishcouncil.gov.uk)

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**From:** [REDACTED]  
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[REDACTED]  
[REDACTED]  
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**From:** Mike Smith [REDACTED]  
**Sent:** 12 October 2020 13:52  
**To:** Regulatory Services [REDACTED]  
**Subject:** Guildford Borough Council - Taxi and Private Hire Licensing Policy - Public Consultation

Dear Consultee,

**Guildford Borough Council**  
**Taxi and Private Hire Vehicle Licensing Policy Review**  
**Public Consultation 12 October 2020 to 10 January 2021**

As a party with an interest in the operation of the Guildford Taxi and Private Hire trades, we are pleased to

consult with you on an updated draft Taxi and Private Hire Licensing Policy.

The updated policy is based upon the 'National Standards' released by the Department for Transport on 21 July 2020. The draft also builds on measures introduced in 2015 which included a livery for taxis, door signs for private hire vehicles and the requirement for drivers to complete the BTEC Level 2 Certificate in the Introduction to the Role of the Professional Taxi and Private Hire Driver; and revisions in February 2018 to include a uniform 'convictions Policy' across Surrey, mandatory Safeguarding training for all licensed drivers, and a requirement for all hackney carriages to accept card payments.

The proposed draft policy includes the following additional measures:

#### **For Hackney Carriage and Private Hire Drivers**

- Recommend that drivers are required to sign up to the DBS update service and for 6 monthly check on the record for any new conviction or other relevant information to improve public safety and confidence.
- Recommend that drivers are required to 'self-report' any arrest, charges or conviction within 48 hours (we currently require notification within 7 days) and consequently it is proposed to include these measures in the Policy revision.
- Recommend a code of conduct which sets out the standards expected would help improve standards and the professional image of the service, and would be a more transparent method of taking action against a driver who falls short of the standards expected.
- Recommend the introduction of a dress code to help improve standards and the professional image of the service.

#### **For Licensed Vehicles:**

##### • CCTV in Licensed Vehicles

All vehicles to be fitted with CCTV systems, the experience of those authorities that have been positive for both passengers and drivers. It is also important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and PHVs will be responsible for the data.

##### • Licensed Vehicle Age/Emissions

Recommendation to introduce measures to remove diesel vehicles or require a hybrid or electric fleet are considered premature due to the purchase cost of vehicles and lack of charging infrastructure being prohibitive. As such a two stage policy is proposed:

1. Vehicles licensed for the first time from 1 April 2021 (or date policy effective) and all renewal applications from 1 January 2025, must meet or exceed Euro 6 emission standards.
2. From 1 January 2030 the Council will only licence hackney carriage and private hire vehicles (new and renewal) which are Ultra Low Emission Vehicles (ULEV).

##### • 'Fit and Proper' Test for Vehicle Proprietors

Licensed vehicles are regularly presented for inspection in a defective and sometimes dangerous condition. As such officers recommend introducing a policy of allowing action to be taken against proprietors for continued non-compliance.

Additionally, as a licensed vehicle is the ideal cover for illegal activity such as moving vulnerable persons and contraband around in an inconspicuous manner the Standards recommend the introduction of a basic DBS for proprietors and previous convictions policy.

##### • Executive hires:

The current policy allows some vehicles to be 'plate exempt' which means that they are not required to display the mandatory vehicle licence plates or door signage. As not displaying a plate does not identify the vehicle as being licensed, this should be utilised in only the most discerning of cases, where the safety or integrity of the customer may be compromised by being seen in a licensed vehicle. The current policy should be tightened to reflect that 'plate exemptions' will only be granted in circumstances where the vehicle and client base are 'exceptional' (over and above purely executive specification) to improve decision making, enforcement and public safety.

#### **For Licensed Private Hire Operators**

##### • 'Fit and Proper' Test for Vehicle Proprietors

The introduction of new standards for Operator's, reflecting the important role they have in terms of data protection, managing their fleet and the expectation that Operators licensed by the Council should utilise vehicles and drivers licensed by Guildford.

- Trading names:

Each operator licence can be linked to one trading name – the only exceptions are where all trading names clearly relate to the same business. Any mobile app, websites or advertising used by the operator should clearly give the registered operator name in any links, and Guildford Borough Council licence details must be clearly shown on the app, website or advert.

If more than one licence is held to accommodate different trading names, the records and contact details for each trading name must be kept separate, and any receipts or correspondence with the customer must clearly relate to the company the booking was made with.

- Sub-contracting:

If an operator sub-contracts the booking, whether to another private hire operator or a hackney carriage vehicle, they should inform the customer and fix the price, and if using a hackney taking care not to charge more than the hackney carriage metered rate if the journey starts and ends in the relevant district. A clear record of the sub-contracting and when the customer was informed shall be kept.

- Operator Staff:

All staff employed by the operator must be regularly vetted by the operator, and a record of this maintained for each employee. Vetting must include ensuring the staff are fit and proper persons with the right to live and work in the UK.

- Operator Procedures:

The operator shall have procedures in place to ensure all drivers and vehicles used have the required licences and are complying with the relevant conditions of the licences. This should include a record of the regular checks done by the operator showing compliance on each licence.

The operator shall have procedures in place to ensure that no bookings are passed to a driver or vehicle without a valid licence, MOT or insurance.

The wording of Licence conditions will be improved to ensure any information a licensed operator is required to hold should be made available to an authorised officer.

- Pick up and drop off locations

The operator shall have procedures in place to pick up and drop off customers from locations of safety. This is particularly relevant in the town centre as Officers regularly see drivers waiting for bookings, and picking up/dropping off customers in unsuitable (including occasionally illegal and dangerous) locations. These procedures must be reviewed and amended at the request of an authorised officer.

- Operator Tariff:

It is recommended that Private Hire Vehicles are prohibited from having taxi meters. Vehicles may still be fitted with a mobile/PDA device which records the journey and generates a fare based upon time and distance, and operators may still use the hackney carriage fare tariff rates as their own tariff, however by removing taxi meters from private hire vehicles, customers are more likely to receive a more reliable quote for journeys and workload for officers would be reduced.

## **Public Consultation**

Public consultation will take place from Monday 12 October 2020 until Sunday 10 January 2021.

A dedicated consultation web page has been set up at: <https://www.guildford.gov.uk/taxipolicy>.

This web page contains a draft of the Policy, a summary of the changes and a link to complete an online questionnaire to submit feedback.

We are keen to receive feedback from all stakeholders with an interest in the licensed trade, so please do take the time to submit your views. Please also feel free to share this consultation with anyone you feel may be interested.

If you have any questions or would like to discuss any of the changes then please do not hesitate to contact me.

Thanks and Regards,

**Mike Smith**  
**Licensing Team Leader**  
**Regulatory Services**

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Surrey GU2 4BB

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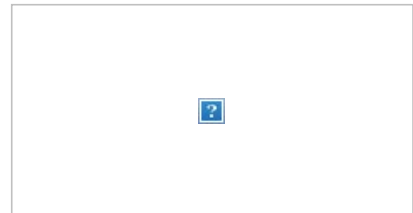
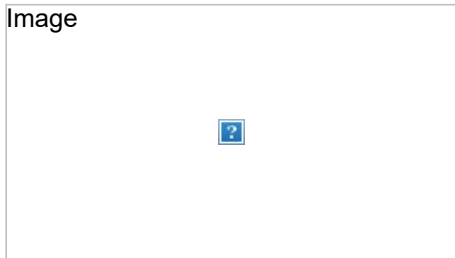
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Image



We are now offering a 'Pre-Application' Advice Service for Licensing Applications.  
Please visit our [webpage](#) for further details.

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**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Surrey Police Response  
**Date:** 11 February 2021 11:45:00  
**Attachments:** [image003.png](#)

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**From:** Wyatt, James 40543 [REDACTED]  
**To:** Mike Smith [REDACTED]  
**Subject:** RE: CCTV in Licensed Vehicles

Good morning Mike,


I am fully supportive of CCTV being mandated in licenced vehicles and can only see this being a good thing for everyone involved. From the drivers perspective it would deter any offences committed against them such as assault or non-payment and in general provides transparency. Where offences do take place we will also be better placed to identify and deal with suspects where without CCTV, identification could be an issue.

The users of the taxi's will also feel re-assured by the presence of CCTV and allegations against drivers can be evidenced or disproved using CCTV.

I hope this is helpful and if you need any more information then please let me know.

Many thanks,

James

	<p><b>Inspector James Wyatt</b> Borough Commander Guildford</p> <p>[REDACTED]</p> <p><b>Address:</b> Surrey Police   PO Box 101   Guildford   Surrey   GU1 9PE</p> <p><a href="http://www.surrey.police.uk">www.surrey.police.uk</a></p>
<p>Guildford</p>	

**From:** Grant Nicholas <[REDACTED]>  
**Sent:** 18 November 2020 14:21  
**To:** Regulatory Services <[REDACTED]>  
**Subject:** Feedback on proposed taxi policy changes

Dear Licensing Unit,

I wanted to give two points of feedback on the proposed taxi policy posted on your website. I run a chauffeur service in Guildford Borough:

1) No. Passengers (x4)

Given the government announcement today regarding a ban on the sale of petrol and diesel vehicles by 2030, many of us will be considering the purchase of either hybrid or fully electric vehicles over the coming years.

There are a few key problems however, that they propose for the chauffeur industry, such as their current maximum range given their driver's may often conduct up to 400 miles of journeys on some days. Also, the boot space that is lost to house the battery.

Also, when looking for an executive, long-wheel base vehicle the fully electric choice on the market at present is limited. For example, traditional Mercedes S-Class and BMW 7 Series vehicles are not available yet as fully electric options. This currently leaves options such as the Porsche Taycan which has a more generous range of circa, 240 miles and has an executive level interior, but only has two seats in the rear (three passenger seats in total in addition to the driver).

Regarding the minimum of x4 passengers rule, I wonder whether exceptions could be made for licensing electric, or hybrid chauffeur vehicles with two rear seats, or with a central console and only two seats in the rear?

2) Hire/replacement vehicles

This doesn't happen often, but when a vehicle breaks down and needs a replacement part that you have to wait on it can seriously damage revenue and Client satisfaction if you can't meet Client demand for several weeks as the vehicle is off-road.

Also, some insurance policies include replacement vehicle hire but they tend to be TFL licensed vehicles. As a regional operator this poses some temporary, but serious issues. There are reliable companies such as LCH who specifically hire vehicles to the private hire industry which are licensed with TFL and meet the same stringent conditions required by Guildford licensing. But, they cannot currently be hired for a short period of time whilst repairs take place as they are not licensed within Guildford Borough. I wonder if there could also be some leniency during such occasional scenarios to allow a hire vehicle to be used if hired from a reputable hire company and licensed by a similar authority such as TFL to ensure the vehicle meets requirements.

I hope this is helpful.

Kind regards,

Grant Nicholas

Managing Director

Luxury in Motion Limited

## **1 GBC is a Corporation with legal powers given solely by various Acts of Parliament.**

The principal Act governing hackney carriage licence conditions is the Local Government Miscellaneous Provisions Act 1976, specifically sections 47 and 48 which authorise the regulation of the vehicles.

47 Licensing of hackney carriages.

(1)A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.

48 Licensing of private hire vehicles.

(1)Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied—

(a)that the vehicle is—

(i)suitable in type, size and design for use as a private hire vehicle;

(ii)not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;

(iii)in a suitable mechanical condition;

(iv)safe; and

(v)comfortable;

The Council's Taxi and Private Hire Policy regulation should be lawful, necessary, and proportionate to risk, but they are not, in the following respects.

## **2 No public demand for full body livery**

- a) There has been no demand for imposing full body livery for taxis at any Local Authority in Surrey or neighbouring Guildford, so why is Guildford different?
- b) The current level of support amongst the general public for a standard livery is unknown.
- c) The Council has ignored a petition against the introduction of a livery for hackney carriages, signed by 115 drivers by 18 March 2015.
- d) Some customers prefer to use non-liveried vehicles.

## **3 Safety**

- a) There has been no regulation imposing full body livery for taxis at any Local Authority in Surrey or neighbouring Guildford, so why is Guildford different?
- b) There has been no evidence of reduced passenger safety in any Boroughs that have not imposed a full body livery on their taxis.



- c) With reference to the abuse scandal in Rotherham and the Casey report, the proposition that hackney carriage livery improved public safety was untrue.
- d) The need for special driver training is unproven, and costly.
- e) There are no measures to control vehicles plying for hire not licenced by GBC, consequently large numbers of Guildford Private Hire Drivers have been using taxi licences obtained mor cheaply in local Boroughs, forcing up the price for Guildford Drivers and potentially avoiding regulations that the Council have thought necessary for Public Safety.
- f) There is no need for door signs on Private Hire Vehicles, UBER manage quite well without them and so did GBC licenced Private Hire before the 2015 Policy, and they damage and discolour car paintwork.
- g) Some licenced vehicles have an inadequate power to weight ratio. And inadequate Torque for acceleration That is important as Guildford is hilly and the access roads to the A3 can be uphill as well. To access the A3 at rush hour Southbound at Dennis's Roundabout in an underpowered fully laden car is dangerous.
- h) Peugeot Partner Tepee type rear loading vehicles are unsafe for wheelchair taxi use as they only have one wheelchair means of escape in the event of an accident.
- i) The Policy should include drivers and proprietor's declaration that they are aware of and adhere to the Equalities Acts

#### 4 Comfort

- a) Many of the licensed hackney carriages are too small to carry 4 adult passengers and luggage in safety and comfort.
- b) A large number of taxis have fixed axle rear suspension designed for transporting goods not humans and providing unacceptably uncomfortable ride.
- c) Minimum standards should be Mercedes E class, VW Passat or Ford Mondeo size vehicles or similar.
- d) The Public were not advised that having the livery would lead to a deterioration in the quality of the hackney carriage fleet
- e) A large number of vehicles licensed are coupés and have restricted rear headroom, door size and boot. making them unsuitable for four adult passengers and luggage. They also have restricted rear view mirror view.

*In the back, taller adults might find their heads a little too close to the roof lining for comfort, but the width and length of the CC means there's enough leg and shoulder room to compensate.*

*Getting in and out of the rear isn't as easy as in a regular Passat, due to the sloping roof making the door openings smaller. There are technically three seats in the back, but whoever draws the short straw and has to sit in the middle will feel pretty cramped – it's only really suitable for short journeys. Visibility isn't as good as in the more practical Passat, either – those rakish looks and smaller windows make themselves known when you check your rear-view mirror.*

*Volkswagen CC boot space*

*The CC is based on a thoroughly practical family saloon, the VW Passat, but in the name of style the four-door coupe loses some of its sister model's practicality. First up is the boot. To give the car a less boxy look, it has a more rounded exterior shape and therefore less impressive luggage capacity – 532 litres compared to the Passat's 586.*

## 5 Price

The price of taxi rides is inflated because the public are paying for large numbers of taxis and drivers to lie idle because of the Councils policy of deregulation of the supply of taxis.

## 6 Cost

- a) The cost of future livery wraps, for example, when a taxi was replaced or when it is repaired after an accident (and insurance would not cover this), and the cost of rectifying paintwork damaged by the removal of wraps has not been taken account of.
- b) Introducing a livery prevents hackney carriages from carrying advertising wraps.
- c) The general public were not informed about the costs of the livery and for the National Vocation Qualification.

## 7 Illegality

- a) A hackney carriage and private hire policy is not a statutory requirement and the consultations have no statutory authority or status.
- b) The Council's proposals for the taxi policy and particularly full body livery are not proportionate to risk, nor reasonable and interfere with the human rights of the hackney carriage drivers to enjoy their property.
- c) The Council never did genuinely consider that the licence conditions re livery were reasonably necessary, as the principal reason they gave was to protect the public from Child Sexual Exploitation such as that in Rotherham, when in fact the Rotherham taxis were already liveried, and the livery had clearly not protected the children.

*The Policy is important as it sets out the public safety standards we require, and these form the framework by which we undertake our statutory responsibilities in respect of taxi and private hire vehicle licensing. These are particularly important in light of the findings of the report into child sexual exploitation in Rotherham.<sup>1</sup>*

- d) The Taxi Policy of 2015 with regard to livery was wrongly introduced on the basis of that fraudulent statement and many others.
- e) Additionally, the decision to livery was taken by "A cross party group of Councillors"<sup>2</sup> the decision was unminuted and that meeting was unauthorised by the Council because the Licencing Committee had instead previously decided that "the two livery designs shown at Appendix 4 be subject to a public on-line vote to

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<sup>1</sup> Taxi and Private Hire Policy 2015-20 18<sup>th</sup> November 2015 Graham Ellwood and Justine Fuller, Licensing Committee Report and full Council, Executive Summary

<sup>2</sup> 5.13 Agenda Document 4 9<sup>th</sup> December 2015

select the livery we will adopt”<sup>3</sup>. The online vote was never held, presumably because the Council did not want the Public to decide, or did not like what the Public preferred, which according to the consultation was a logo with no full body livery.

- f) The Council have no power in the Local Government Act 2000 or their Policy to override the requirement for “necessity” of licence conditions in s47 of the LGMPA 1976.

3 Limits on power to promote well-being.

(1)The power under section 2(1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment (whenever passed or made).

- g) The Legislative and Regulatory Reform Act 2006 puts further limits on the authority of the Council:

21 Principles

(1)Any person exercising a regulatory function to which this section applies must have regard to the principles in subsection (2) in the exercise of the function.

(2)Those principles are that—

(a)regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent;

(b)regulatory activities should be targeted only at cases in which action is needed.

- h) The instructions to Councils are further set out in the Regulators Code 2014.

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities<sup>1</sup>

and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

- i) The 2015 Policy introduced was without reference to any of those legal requirements and in breach of them.
- j) The 2021 Taxi Policy should follow the law and Ministerial guidance.
- k) Local Government Act 1974 re misconduct has been disregarded by the Council following documented allegations of Fraud re the imposition of Taxi Livery through the 2015 Taxi Policy, and continuing with the proposed 2021 Taxi Policy. A schedule of the fraudulent items is set out in Appendix A.

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<sup>3</sup> 5.17 Licensing Committee Agenda 18 March 2015

l) The 2015 Taxi Policy was enacted by Council resolution to:

*1.7 We will review this policy at least every five years (or sooner in light of any significant changes to legislation or guidance) and consult on any proposed amendments. If we make any changes, we will then re-publish the policy.*

m) The Department of Transport Guidance says:

*8. The aim of Local Authority licensing of the taxi and PHV trades is to protect the public. Local licensing authorities will also be aware that the public should have reasonable access to taxi and PHV services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of taxi and PHV services, by putting up the cost of operation or otherwise restricting entry to the trade. Local licensing authorities should recognise that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.*

*9. .... if the supply of taxis or PHVs has been unduly constrained by onerous licensing conditions, then that person's safety might be, put at risk by having to wait on late-night streets for a taxi or PHV to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.*

*10. Local licensing authorities will, therefore, want to be sure that each of their various licensing requirements is in proportion to the risk it aims to address; or, to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to urge local licensing authorities to look carefully at the costs – financial or otherwise – imposed by each of their licensing policies. It is suggested they should ask themselves whether those costs are really commensurate with the benefits a policy is meant to achieve.*

n) The Council have disregarded said guidance.

o) The Council have failed in their duty to investigate wrongdoing, set out in the Local Government and Housing Act 1989 section 5(2)

(2)[F8Subject to subsection (2B),] it shall be the duty of a relevant authority's monitoring officer, if it at any time appears to him that any proposal, decision or omission by the authority, by any committee, [F9or sub-committee of the authority, by any person holding any office or employment under the authority] or by any joint committee on which the authority are represented constitutes, has given rise to or is likely to or would give rise to—

(a) a contravention by the authority, by any committee, [F9 or sub-committee of the authority, by any person holding any office or employment under the authority] or by any such joint committee of any enactment or rule of law [F10 or of any code of practice made or approved by or under any enactment]; or

(b) any such maladministration or injustice as is mentioned in Part III of the M1 Local Government Act 1974 (Local Commissioners) or Part II of the M2 Local Government (Scotland) Act 1975 (which makes corresponding provision for Scotland), to prepare a report to the authority with respect to that proposal, decision or omission.

## 8 Appendix A

		Fraudulent statement or omission		Reason statement or omission is fraudulent
1	5.06	The primary reason for adopting a livery is to protect public safety.	s2	False representation. There is no evidence that livery protects public safety. There is evidence that the primary purpose was to promote GBC corporate green colour for branding purposes.
2	5.03	Creates Local identity/ <del>brand</del> : A local livery creates a strong local identity, which in the case of cities like London and New York becomes one that is recognized across the world.	s3	Misleading omission in later versions to omit the word "brand" used in earlier versions (the First Licencing Committee Report 18th March 2015 and the later Ammended First Licencing Committee Report incorrectly dated 11th March 2015). The word "brand" shown in those versions was deleted to hide the fact that the real reason for the livery was not public safety, but fitting in with a Guildford colour "brand". Hence the fraudulent means to get to a Guildford green coloured wrap to match the Guildford corporate colour.
3	8.01	The basis for key changes within the policy is to protect public safety pursuant to statutory requirements and in light of the Casey report and to encourage a more professional service within the Borough.	s2	False representation. There was nothing in the Casey or Jay reports that recommended this. There is no evidence that livery makes the public safer or the drivers more professional. There is no evidence that anyone has come to any harm in Guildford or elsewhere due to the lack of livery.

4		<p>Executive summary: The Policy is important as it sets out the public safety standards we require, and these form the framework by which we undertake our statutory responsibilities in respect of hackney carriage and private hire vehicle licensing. These are particularly important in light of the findings of the report into child sexual exploitation in Rotherham.</p>	s3	<p>Failure to disclose information. GBC never stated that the Casey <u>Rotherham report did not mention taxi livery as a remedy</u> for abuse by taxi drivers, as the Rotherham taxis were already liveried white at the times of the Rotherham abuses. The Casey and Jay reports about Rotherham make it quite clear that the victims clearly knew that the sources of the abuse were Rotherham taxi drivers and knew they were in danger if they got into a liveried Rotherham taxi and in fact did everything they could to avoid getting into a liveried taxi. The Rotherham report recommended CCTV video cameras in taxis as a solution, but GBC completely omitted that.</p>
5		<p>Executive summary: The Policy is important as it sets out the public safety standards we require, and these form the framework by which we undertake our statutory responsibilities in respect of hackney carriage and private hire vehicle licensing. These are particularly important in light of the findings of the report into child sexual exploitation in Rotherham.</p>	s3	<p>Failure to disclose information. Rotherham Council adopted CCTV video cameras in taxis as a solution to the problem of passenger safety in taxis, but GBC completely omitted that.</p>
5		<p>Executive summary: The Policy is important as it sets out the public safety standards we require, and these form the framework by which we undertake our statutory responsibilities in respect of hackney carriage and private hire vehicle licensing. These are particularly important in light of the findings of the report into child sexual exploitation in Rotherham.</p>	s2	<p>Misleading statement. The report for the Council seeks to combine all its proposals, including livery and training, under one broad heading, and conflates all the laws and statutes as being applicable to that group of proposals, instead of explaining which different laws govern individual proposal cited. That fraud is continued at various places throughout the document.</p>
6		<p>Executive summary: The Policy is important as it sets out the public safety standards we require, and these form the framework by which we undertake our statutory responsibilities in respect of hackney carriage and private hire vehicle licensing. These are particularly important in light of the findings of the report into child sexual exploitation in Rotherham.</p>	s3	<p>Failure to disclose information. From the Casey Rotherham report. <u>Training</u>. Resources have gone into training all sorts of people over the years – including parish Councillors, business representatives, magistrates and voluntary sector workers. <u>There is, however, no evaluation of the impact of this training which means that neither the Council, the LSCB, is in a position to judge its effectiveness or whether the money has been well spent. Inspectors did wonder whether training – though important – was a default response and became a substitute for more effective and comprehensive action</u></p>

				<p>on CSE rather than just one part of the overall plan. It is easy to send staff on a training course, but unless the principles set out in the training are embedded and acted upon in the whole organisation, then it is ineffective.          “So people just ticked the box with training – if some staff from health have completed training, then as an organisation you have done it so the box is ticked.” A key partner</p>
7	2.03	Strategic Framework.....It emphasised the need for safety to be the uppermost concern of any licensing and enforcement regime when determining policy, setting standards and deciding how they are enforced.	s2	Fraudulent representation suggesting that the policy of liverying of taxis, or of training taxi drivers would make anyone safer, or has any proven benefits in respect of protection from the types of CSE offences committed by Rotherham taxi drivers.
8	2.04	The inspectors uncovered serious weaknesses and concerns and judged that Rotherham had not taken sufficient steps to ensure that only fit and proper persons were permitted to hold a taxi licence and, therefore, could not provide assurances that the public including vulnerable people were safe.	s3	Omitted to mention that the Rotherham report did not make any recommendation to adopt taxi livery or to require more taxi driver training. The implication is that livery and training would solve the not fit and proper person problem.
9		Omitted that the Independent Inquiry into Child Sexual Exploitation in Rotherham 1997 - 2013 Alexis Jay OBE did not consider or mention taxi livery or driver training as a matter of public safety, or at all.	s3	Failure to disclose information.
10		Omitted that the Rotherham Council "Action Plan in response to the Independent Inquiry into Child Sexual Exploitation" - August 2014 did not consider or mention taxi livery or driver training as a matter of public safety, or at all.	s3	Failure to disclose information.



Response to GBC Taxi and Private Hire Policy Consultation 2021 from Mark Rostron 11/1/2021

11	2.05	The aim of the changes to this Policy is to protect public safety by improving standards and helping to professionalise the trade.	s2	Fraudulent representation that livery on taxis or more training protects public safety by improving standards and helping to professionalise the trade. There is no evidence for the Council's statement.
12	9.01	Adoption of the revised Policy and the measures within it will help to protect public safety and professionalise the taxi trade within the Borough	s2	False representation. There is no evidence that liverying taxis helps to protect public safety with regard to taxis, or professionalises the service.
13	2.06	Adoption of the policy will contribute to the delivery of the Council's strategic objectives of Infrastructure, Economy and Society.	s2	False representation. There is no evidence provided that the livery changes to this policy would contribute to the Council's strategic objectives other than those of corporate branding.
14	5.08	A large majority of the public are in favour and this support, together with the other benefits set out above, provide strong reasons for adopting a Guildford livery.	s2	False representation. There was no majority for full body livery in the replies to the consultation. The answers that did not include full body livery were: Council logo / logo relating to Guildford located on door / side of the vehicle. Anything which would be hard to imitate / clearly distinguishes vehicle. Council logo / logo relating to Guildford. Council logo / logo relating to Guildford located on bonnet. Coat of arms. Council logo / logo relating to Guildford located on rear. Word 'taxi' (or similar) located on door / side of the vehicle. Light on top. Anything to match the Guildford Borough Council branding. Word 'taxi' (or similar) (location unspecified). Taxi licence plate / badge to show licensed. Word 'taxi' (or similar) located on rear. And they totalled 280. The consultation itself introduced the idea of Guildford branding not the public.
15	5.08	A large majority of the public are in favour and this support, together with the other benefits set out above, provide strong reasons for adopting a Guildford livery. The Policy is written on the basis that a livery will be required and it is recommended that this be agreed. The only substantive ground to oppose a livery is the financial cost to drivers and this is discussed later in section 6.	s2	False representation. There is no evidence that a large majority of the public were in favour of a full car green livery. A minority of 26% were in favour of a full car colour livery and a minority of those in favour of Guildford green livery.

16	5.07	The public are strongly in favour of adopting a Guildford livery (84%),	s2	False representation. The consultants executive summary says: 84% agreed with the CONCEPT of liveried taxis [of which 59% supported 'Guildford branding on the body of the car']. But on page 88 they specify: "More than four-fifths (84%) of respondents felt that a standard livery should be introduced for all taxis." On page 90 when FORCED by the predesign of the survey (which of its own volition mentions a standard full car colour for the first time, to choose what sort of livery", around a quarter (26%) of respondents said a standard full car colour should be introduced." NOT ONE of the 280 people surveyed answers listed on page 91 specified a full body livery, or wrap, or Guildford green colour. The most popular choice by 67 respondents (33.8%) was for a "Council logo / logo relating to Guildford located on door / side of the vehicle"
17	5.09	If a livery is adopted, the next issue is what that should be. Respondents were asked to provide their preferences for a livery. The highest preferences were 59% for Guildford branding on the vehicle and 26.2% for a standard full car colour. The consultation feedback shows support for a full car colour and Guildford branding.	s2	Misleading as the Guildford branding is not solely livery, it could include a badge or logo etc. The word "branding" was introduced by the Council itself in the consultation questionnaire, it was not requested by the public.
18	5.09	Respondents were asked to provide their preferences for a livery. The highest preferences were 59% for Guildford branding on the vehicle and 26.2% for a standard full car colour. The consultation feedback shows support for a full car colour and Guildford branding	s2	False representation. Neither of the these percentages were about full car livery. 59% was for a Guildford branding and 26.2% for a standard colour car.

Response to GBC Taxi and Private Hire Policy Consultation 2021 from Mark Rostron 11/1/2021

19	5.09	If a livery is adopted, the next issue is what that should be. Respondents were asked to provide their preferences for a livery. The highest preferences were 59% for Guildford branding on the vehicle and 26.2% for a standard full car colour. The consultation feedback shows support for a full car colour and Guildford branding. E35	s3	Omitted to mention that a majority of respondents did not favour livery at all.
20	5.09	Respondents were asked to provide their preferences for a livery. The highest preferences were 59% for Guildford branding on the vehicle and 26.2% for a standard full car colour. The consultation feedback shows support for a full car colour and Guildford branding	s3	Omitted to mention that the majority of the respondents never or rarely caught taxis and were from one small location of Guildford Park which is adjacent to the station and represented by Councillor Goodwin, one of the small group of Councillors who chose the full body green livery
21	5.02	A number of other Local Authorities such as Brighton, Bournemouth, and Leeds have chosen to adopt a local livery in the interests of public safety and to provide a strong local identity.	s2	False representation. There is no evidence that other Local Authorities have chosen to adopt a local livery in the interests of public safety.
22	3.04	We received responses from 488 individuals including 336 residents.	s3	Failure to disclose information about the petition from around 200 Guildford taxi drivers and others against livery.
23	5.01	We are proposing the introduction of a uniform livery for all taxis (hackney carriage vehicles) to differentiate them clearly from private hire vehicles.	s2	Misleading, as it neglects to mention that the public confusion stems from the Council policy of putting large door signs on private hire vehicles, leading to the Public trying to hire them on the streets.
24	5.17	Taking into account the various factors it is suggested that the two livery designs shown at Appendix 4 be subject to a public on-line vote to select the livery we will adopt.	s2	False representation, the Council decision that "the two livery designs shown at Appendix 4 be subject to a public on-line vote to select the livery we will adopt" was never carried out.

25	5.17	..... Given the customer feedback we will also include a full yellow livery <u>although this will not match with the Corporate logo</u> . The livery colour finally agreed will then be included within the Policy.	s2	False representation, the yellow livery was never put to the Public and the comment indicates that matching the logo was the real objective.
26	8.12	The proposal has been discussed at the Guildford Access Group who are broadly supportive of the reasons for change. Together with the findings from the unmet demand survey, the commitment to review the situation on a regular basis and financial incentives to encourage provision of wheelchair accessible vehicles should ensure that any negative impact is minimised.	s3	Failure to disclose information. Cliff Bush at the time the Chair of Surrey Disabled Peoples Partnership, and the Surrey Coalition of Disabled People said they had never agreed to any change in the provision of disabled vehicles. When that was pointed out at the Council meeting that proposal was withdrawn and delayed until November when the approval had been obtained.
27	8.00	Legal implications	s3	Failure to disclose information. There is no mention of the Legislative and Regulatory Reform Act 2006, or the the Legislative and Regulatory Reform (Regulatory Functions) Order 2007, or the Regulator's Code 2014, or the Explanatory Memorandum, or the Regulators' Compliance Code which was first published in 2008, all of which should have had by law explicit regard by GBC. The aim of the Order is to minimise business costs due to unnecessary regulations that do not address a real risk, like taxi livery. Lack of statutory authority and lack of High Court precedent.
28	8.04	The Local Government Act 2000 gives a local authority a general power to 'do anything they consider is likely to achieve' the promotion of the economic, social or environmental well being of their area.	s3	Failure to disclose information that section 3 of the Local Government Act 2000 Act limits the Council's power to impose license conditions to those contained in s47 of the Local Government Miscellaneous Provisions Act 1976. Section 3 of the Local Government Act 2000 limits power to promote well-being as follows: (1)The power under section 2(1) does not enable a local authority to do anything which they are unable to do by virtue of any prohibition, restriction or limitation on their powers which is contained in any enactment (whenever passed or made).



Response to GBC Taxi and Private Hire Policy Consultation 2021 from Mark Rostron 11/1/2021

29	8.04	The Local Government Act 2000 gives a local authority a general power to 'do anything they consider is likely to achieve' the promotion of the economic, social or environmental well being of their area.	s2	Misleading statement. That Act does not give unfettered power to apply taxi licence conditions which are contrary to the Local Government Miscellaneous Provisions Act 1976. s3 of the Local Government Act limits their power, and makes it subject to s47 of the LGMPA 1976, so that any taxi license condition must be believed by the Council to be reasonably necessary.
30	8.05	In relation to hackney carriage and private hire licensing there are specific powers contained in the Town Police Clauses Act 1847, Transport Act 1985 and Local Government (Miscellaneous Provisions) Act 1976.	s3	Omits that the Councils power to impose license conditions is subject to s47 of the LGMPA 1976, which requires that any taxi license condition is limited to those thought by the Council to be reasonably necessary.
31	8.08	Section 3 of the Human Rights Act 1998 requires that, so far as possible, legislation must be read and given effect to in a way that is compatible with the Convention rights, and section 6 makes it unlawful for a public authority to act in a way which is incompatible with a Convention right.	s3	Omits to mention the Article 1 Protection of property Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
32		Having considered the proposals, the Executive RESOLVED: (1) That the additional maximum expenditure of £53,070 towards the cost of livery be approved, with £25,035 in 2015/16 being financed from the central inflation budget and £28,035 growth added to the 2016-17 outline budget (for one year only). (2) That the lost income of a maximum of £5,000 to subsidise the cost of reduced vehicle licence fees be approved, with £2,000 in 2015-16 being financed from the central inflation budget and £3,000 growth added to the 2016/17 outline budget (and future years). Reasons for Decision: To provide financial support to drivers to offset some of the cost of introducing taxi livery and encourage the provision of wheelchair accessible taxis by providing a subsidy.	s3	Failure to disclose information. That the cost of livery would ultimately fall on the farepaying public by increasing the taxi fares. Councillor Graham Ellwood said at the TAG meeting in January 2016 that, "GE stated that he stopped the fare calculator (in 2015 prior to the Council decision on livery cost) for a number of reasons..... GE confirmed one of the reasons was he knew that if policy was approved drivers would have additional expense."

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33	5.25	Officers recommend that the trade be asked to contribute 25% of the total cost, with the Council financing the rest (option 2). Given the short timescale for implementation (18 months) we expect that the majority of vehicles will be wrapped during 2015-16, with a cost to the Council of £90,560. The 2015-16 estimates included a growth bid of £3,000; there is therefore a shortfall of £87,560 in the 2015-16 estimates.	s3	Omitted to mention that it was the intention of GBC that the cost of livery would be transferred to the taxi fare price paid by the public in future by increases in the taxi fares.
34	5.25	Officers recommend that the trade be asked to contribute 25% of the total cost, with the Council financing the rest (option 2). Given the short timescale for implementation (18 months) we expect that the majority of vehicles will be wrapped during 2015-16, with a cost to the Council of £90,560. The 2015-16 estimates included a growth bid of £3,000; there is therefore a shortfall of £87,560 in the 2015-16 estimates.	s2	Misleading statement. The actual cost was set out in the Taxi Advisory Group meeting of January 2016, and was estimated to be between £1200 and £1600.
34	5.03	The benefits of this are that it: Increases trade: It can improve customer confidence and customers are happier to hail a liveried taxi rather than take a chance on an un-liveried one.	s2	False representation, there is no evidence that livery increases taxi trade or that people "take a chance" on an unliveried taxi.
35	5.03	Helps professionalise the service: A local livery coupled with clear driver training and vehicle standards helps to create a more professional service.	s2	False representation. There is no evidence that green livery coupled with driver training and vehicle standards does help to create a more professional service.
36	5.03	The benefits of this are that it: Improves Identification: Vehicles are clearly identifiable as a taxi	s3	Omitted to mention that, as Guildford taxis were already clearly marked by their topsigns, which said taxi on them there has never been a problem with public identification of a taxi in Guildford.

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37	5.03	<p>The benefits of this are that it:</p> <p>Safety/security: Customers can be confident that the taxi is properly licensed and meets the necessary safety standards. This is particularly important to women and to vulnerable clients.</p>	s3	<p>Omitted to mention that there had never been a safety problem for anyone with improperly licensed or unsafe Guildford taxis.</p>
38	5.03	<p>Enables easier enforcement: Taxi drivers raise regular concern about the loss of trade to alleged touting by private hire vehicles and to taxi vehicles licensed by other Boroughs. A clear and identifiable livery makes enforcement much easier.</p>	s3	<p>Omits to mention that most of the public confusion about which vehicles are available for street hire stem from the Council policy of putting large door signs on private hire vehicles and the public's unawareness of the legal difference between taxis and private hire vehicles with regard to hailing.</p>
39	5.04	<p>The disadvantages are primarily:</p> <p>The cost: The livery is best achieved by 'wrapping' the car with the new colour and any logos. A typical cost for this is around £750, although this will last the effective life of the vehicle. The wrap can be removed which then enables the car to be sold or used in its original colour scheme and protects the paintwork of the vehicle in the interim.</p>	s2	<p>These statements are all false representations. The livery cost was estimated at the TAG meeting to be between £1200 and £1600. The manufacturer's guarantee for the wrap was stated to be 2 years not 10, by the supplier at the TAG (Taxi Advisory Group) meeting in January 2016.</p>
40	5.04	<p>The livery is best achieved by 'wrapping' the car with the new colour and logos.</p>	s2	<p>False representation. There is no evidence for the claim that livery is "best achieved" by 'wrapping' the car with the new colour and logos.</p>
41	5.04	<p>The wrap can be removed which then enables the car to be sold or used in its original colour scheme and protects the paintwork of the vehicle in the interim.</p>	s3	<p>Omission that the livery is very susceptible to scratches and stone chips, and the livery can adhere to the paintwork leading to damage on its removal.</p>
42	5.04	<p>The disadvantages are primarily:</p>	s3	<p>Failure to disclose information. Council left out many disadvantages, set out in this document.</p>

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43	If taxis were put off the road for any reason a replacement temporary vehicle had to be liveried, something that the claims companies won't keep on hand.	s3	Failure to disclose information about something that can put drivers out of work for weeks, at great cost, if no spare liveried taxi is available.
44	Because the taxis are in Guildford green colours, some customers think drivers are employed by GBC.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
45	Because the livery colour is similar to the local Aviva bus company, some customers think taxis are part of the local bus company.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
46	Drivers can't do wedding or chauffer work in Guildford green liveried taxis as customers don't like the colour.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
47	The wrap is easily damaged and when damage occurs the wrap for whole panels has to be replaced at significant cost.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
48	The wrap can damage paintwork when removed, at significant cost to the drivers.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
49	The livery fitters do damage the cars with screwdrivers etc, when lights and other car fittings are removed and refitted to enable wraps to be done.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
50	The Council had done no risk assessment on any fitting companies suitability to disassemble the cars for the livery fitting.	s3	Failure to disclose information of potential costs that were known or should have been known by the Council.
51	The Council secretly disposed of their proof of concept livery demonstrator car, after it had been unwrapped, so that drivers could not inspect it. The Council would not say who the new owners were, or where the car had gone to.	s3	Failure to disclose information of information, by the Council hiding evidence that the livery installation and removal damaged the demonstrator car paintwork and did not protect it.



52		The Council said that the livery wrap material colour would not vary. But in fact livery wrap material from same company has different shades making colour matching of repaired panels impossible.	s3	Failure to disclose information of costs that were known or should have been known by the Council.
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## **Guide Dogs response to Guildford Borough Council's Taxi and Private Hire Vehicle Licensing Policy Review Public Consultation**

18<sup>th</sup> December 2020

### **About Guide Dogs:**

Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK. Alongside our mobility work, we campaign to break down physical and legal barriers to enable people with sight loss to get around on their own terms.

### **Introductions:**

There are an estimated 4,640 people living with sight loss in the Guildford Borough Council area<sup>1</sup>. This number is expected to increase to 5,540 people by 2030.

Taxis and private hire vehicles (PHVs) and the door to door service they provide are essential for disabled people. They are particularly important for the independence of blind and partially sighted people, who are unable to drive, and often face barriers when using public transport. However, accessing taxis and PHVs can be a major challenge for assistance dog owners. [A 2019 Guide Dogs survey](#) found that 73% of assistance dog owners who have experienced an access refusal were refused by a taxi or PHV driver in a one-year period, despite this being a criminal offence under the Equality Act 2010. Such access refusals can have a significant impact on assistance dog owners' lives, leading to feelings of anger and embarrassment and a loss of confidence and independence.

As guide dog owners report:

- “Each refusal is crushing, confidence shattering, rejecting, and traumatic. I always feel that I don't want to go out after - but work dictates I must.” Guide dog owner, Stevenage.
- “I was left on my own at the side of the road in the dark. I am deaf and unable to phone for help and it made me feel very vulnerable. It makes me feel afraid to go out.” Assistance dog owner.

## Key recommendations:

- **Joint warranting:** We welcome the joint working approach taken by local authorities in Surrey. We agree that this enables improved enforcement of the taxi and private hire trade across the County and improves safety within the licensed hackney carriage and private hire vehicle service operating in Surrey.
- **Disclosure and Barring Service (DBS):** Guide Dogs welcome any amendments to this policy that will allow the Borough Council to take further steps in ensuring the safety of passengers, including children and vulnerable adults.
- **Testing:** We are pleased to note that all applicants will be required to undertake disability awareness (including physical and sensory disability) training and we would ask that this includes awareness of the Equality Act 2010. We feel that the policy should be clear on how this training will be delivered and refresher training will be a requirement within a reasonable period. We would also recommend that all customer facing staff within a taxi operator are required to take part in such training. The inclusion of customer care training is also welcomed.
- **Medical assessment:** The policy should be more specific and state that a medical exemption certificate for carrying assistance dogs will only be issued when authorised by a medical practitioner and accompanied by medical evidence, such as a blood test, a skin prick test or clinical history. The medical exemption certificates should be accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'.
- **Updating the council:** Guide Dogs welcomes the requirement within the draft policy that "If a licence holder receives a conviction, caution, fixed penalty notice or is subject to arrest or criminal proceedings of any sort, then they must notify the Council within 48 hours".
- **CCTV:** We welcome the introduction of this requirement within the draft policy document. Guide Dogs are of the view that CCTV has great benefits in protecting both drivers and passengers from harm, inappropriate behaviour, abuse and poor customer service. This amendment would help to resolve disputes by providing important evidence. For example, if an assistance dog owner makes an allegation of being refused carriage by a driver, due to the person travelling with an assistance dog. As part of the

proposed disability awareness training, we would ask that drivers are reminded to make blind and partially sighted passengers aware that CCTV is in operation and that passengers have can operate the system, as they are unlikely to see signs notifying them of this.

- **Compliance and Enforcement:** We note that the draft policy states that all drivers are under a duty to comply with the Equality Act 2010 to carry, free of charge, any assistance dog. We advise highlighting within the policy that this is a legal requirement under the Equality Act 2010 and failure to do so is a criminal offence.
- **Prosecution:** The policy should state that Guildford Borough Council will use its best endeavours to investigate all reported violations of the Equality Act 2010 in a timely manner with a view to pursuing a conviction.
- **Sample purchasing:** The policy should state that the Borough Council will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

### **Highlighting obligations under Equality Act 2010 in respect of Assistance Dogs**

The consequences of delayed travel, combined with the emotional impact of facing discrimination and confrontation when trying to carry out everyday activities, take a significant toll on assistance dog owners. Apart from feelings of anger and embarrassment, refusals can undermine the independence that assistance dogs bring to their owners. Assistance dog owners also reported that the stress of refusals has had a detrimental impact on their mental health and on whether they feel able to leave the house. This also has a negative impact on their ability to access work and other opportunities. As guide dog owners report:

- “I was very upset, it was dark, raining and 10pm at night. I was scared. I avoid evening invites, as I worry about getting home. I lose out on the chance of socialising with friends, which is bad, as I have no family.” Guide dog owner, Rochester.
- “I used to have a very tough two-hour commute to work. The taxi part of the journey was the shortest bit travel wise, but it always ended up being the bit that held me up the most because I was

having to spend time facing drivers who wouldn't take me with my dog. ... It's good that my contract was flexi hours otherwise I'm sure I would have been sacked for being late all the time - it happened so often." Guide dog owner, Daventry.

## **Enforcement**

While our survey shows that many assistance dog owners have been refused access over a one-year period, many of these incidents are not reported. Indeed, research in 2019 found that only 8% of owners who had been refused access had taken legal action which resulted in prosecution. In part, the underreporting is due to challenges of reporting, especially for people with sight loss. However, it is also due to disappointment at the lack of action taken following an access refusal and the low fines issued.

Considering the significant impact an access refusal can have on assistance dog owners and their communities, it is important that assistance dog owners know that all cases of access refusals are viewed very seriously and are investigated.

As mentioned, it is a criminal offence for any operator or driver to refuse to carry assistance dogs. On conviction for such an offence, drivers can be fined up to £1,000. As failure to carry an assistance dog is a criminal offence, we recommend a zero-tolerance approach to enforcement of the Equality Act. We therefore recommend that it is clearly stated that failure to carry an assistance dog without the requisite medical exemption certificate will result in immediate suspension or revocation of a driver's license.

Further, the current conditions do not contain any reference to prosecution of drivers who refuse a passenger. We also recommend a zero-tolerance approach to enforcement of the Equality Act in seeking prosecutions. We therefore recommend that Guildford Borough Council will use its best endeavours to investigate all reported violations of the Equality Act in a timely manner, with a view to pursuing a conviction.

We also recommend that the Borough Council works together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

## Medical exemption certificates

We believe the policy should specify that in order to apply for a medical exemption certificate for carrying assistance dogs:

- 1) this must be authorised by a medical practitioner and
- 2) **be accompanied by medical evidence which demonstrates the driver's genuine medical condition that is aggravated by exposure to dogs, such as a blood test, a skin prick test or clinical history.**

Further, it is often difficult for vision-impaired passengers to identify the validity of exemption certificates. Currently, it is not permissible for licensing authorities to issue exemption certificates which incorporate tactile features, as this would alter the certificate's prescribed form and render it invalid. We therefore recommend that Guildford Borough Council issues exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E' and a braille marker to accommodate both braille readers and non-braille readers. Guide Dogs would be happy to supply the Borough Council with tactile exemption cards.

## Disability equality training

As stated above, drivers who refuse to carry an assistance dog are committing a criminal offence under the Equality Act 2010. A Guide Dogs survey found that many taxi drivers are unaware of their legal obligations and the impact refusals have on assistance dog owners. The best way to address this is through disability equality training for all taxi and PHV drivers and all other customer facing staff.

Therefore, to help reduce the number of access refusals, it is important that drivers know their legal obligations and how to best offer assistance to their customers with vision impairments, including those travelling with a guide dog.

We recommend that this training, as well as highlighting a driver's legal obligations and disabled people's rights, should focus on the concept of people being disabled by society's barriers and attitudes. It should highlight the role an organisation and individuals play in the

removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication.

Many of the positive experiences disabled people report when using taxis and PHVs come about following disability equality training. Councils that have introduced disability equality training report very positive results with fewer refusals, and drivers feeling more confident in assisting passengers with disabilities.

### **Contact at Guide Dogs**

Clive Wood - Regional Policy and Campaigns Manager (London & South)

[REDACTED]

Tel: [REDACTED]

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<sup>i</sup> <https://www.rnib.org.uk/professionals/knowledge-and-research-hub/key-information-and-statistics/sight-loss-data-tool>

**End of Document**

This feedback focuses exclusively on the aspects of the consultation relating to vehicle emissions (inc. maximum age of vehicles). It has been split into four sections:

- A.) Why it is important for tight emission standards in taxi licensing
- B.) Summary of consultation proposal
- C.) Feedback to consultation proposal
- D.) Useful links

## **A. Why it is important for tight emission standards in taxi licensing?**

### ***It’s good for Guildford***

- Due to the relatively high mileage of taxis and concentration in/around the centre of Guildford, they have a disproportionately high impact on local air quality. This negatively impacts the residents, visitors and workers of Guildford, and overall attractiveness of the town
- Guildford Borough Council has declared a Climate Emergency and with its licensed hackney vehicles being so visible on the streets of Guildford, a zero (or very low) emission fleet of vehicles would demonstrate its commitment to tackling climate change
- As urban centres will need to ‘compete’ more for footfall and businesses, good air quality can be a positive differentiator, alongside Guildford’s inherent cultural, geographical and historical strengths
- Guildford Borough Council is already asking residents and businesses to consider “...using cleaner, ultra low emission vehicles”, so strengthening the licensing policy would support this messaging (<https://www.guildford.gov.uk/article/19807/Air-quality-monitoring>)

### ***It’s good for Taxi Drivers/operators***

- Poor air quality impacts taxi drivers themselves
- Zero-emission vehicles have significantly lower running costs, both in terms of costs of fuel, but also in maintenance. And as higher-emitting vehicles become less popular for the general public, the depreciation of these vehicles will increase, meaning finance costs will be relatively more, as their resale values will fall
- Zero emission vehicles can be more comfortable, with fewer vibrations and less noise
- As more businesses and organisations aim to reduce their environmental impact, they are likely to procure transport services from low/zero-emission providers
- The more local authorities can do to push for tighter emissions (both for taxi licensing and its own fleet procurement), the stronger the demand message will be heard by the OEMs, improving supply for everyone, and reducing costs



## B. Summary of consultation proposal related to emissions

The consultation suggests the following relating to emissions, with salient extracts paraphrased for brevity from the [source document](#):

- 6.1 – hybrids should have a minimum electric-only range of 10 miles, and fully electric with at least 70 miles range
- 7.1 – introduction of vehicle emission and age requirements:
  - 7.1.1 – licences first granted for vehicles up to five years old; renewals for vehicles only up to ten years old
  - 7.1.3 – vehicles for first licence must exceed Euro 6 from 1<sup>st</sup> April 2021; and Euro 6 for renewals from Jan 2025
  - 7.1.3 – From Jan 2030, all new licences and renewals must meet ULEV definition

## C. Consultation feedback

*N.B. For simplicity, the feedback does not differentiate between hackney carriage and private hire licences, nor consider the additional constraints which wheelchair-accessible vehicles may pose. Additionally, it does not include fuel-cell/LPG vehicles, which may be appropriate in some cases.*

Given the rapidly-evolving nature of zero-emission vehicle availability, charging infrastructure and UK Government support, it should be explicit in the policy that **any licensing policy relating to emissions will be reviewed every 2 years.**

**Proactive engagement with the trade** is important, including education on availability of UK Government grants and subsidies (for vehicles, charging infrastructure, taxation, etc.)

**Guildford Borough Council must be more ambitious in setting emission-related standards for taxi licensing in the Borough.** We are entering a decade of *unprecedented* change in the automotive sector, the national regulatory frameworks are aligned to this change (e.g. since this consultation was launched, the UK Government have brought forward the ban on pure diesel/petrol powered cars to 2030 and are further supporting public chargepoint infrastructure rollout), and so it must be reflected at a local level too. However, this feedback must also take account of the livelihoods of drivers (and any investment they have in an existing vehicle), and ensure there is a clear pathway for an eventual ambition of a fully-electric taxi fleet serving Guildford at the earliest possible opportunity.

The following changes are proposed (see Appendix A for visual summary). In essence, these recommendations ‘bring forward’ the dates for minimum emission requirements, but also some additional incentives for any driver who exceeds the minimum:

- **(as per consultation) From April 2021, any vehicle presented for licensing for the *first time* must be Euro 6 compliant**, especially important for minimising NOx emissions from diesel powertrains. [n.b. this is effectively covered by the maximum age of new vehicles being 5 years already, as all vehicles registered from September 2015 must be Euro 6 compliant]
- **From April 2023, any licence *renewal* must be Euro 6 compliant** (all vehicles registered from September 2015 are Euro 6 compliant, so this will encourage a small number of vehicles less than the 10 year age limit, but over 7.5 years and not Euro 6 compliant to be changed)
- **From April 2023, any vehicle presented for licensing for the *first time* must be at least an ULEV-compliant vehicle\***

- **From April 2021, any ULEV-compliant vehicle\* presented for licensing for *first time or renewal* will attract a reduced-rate in its licensing fees**
- **From April 2021 until April 2023**, any Driver/operator who replaces a non-Euro 6 compliant vehicle with a ULEV, will earn a one-off £1,500 scrappage cashback payment (helping accelerate the removal of most-polluting vehicles from Guildford's roads as soon as possible)
- **From April 2028, any vehicle presented for licensing for the *first time* must be Zero-emission** [n.b. pace of EV availability and cost may mean this can be brought forward]
- **(as per consultation) From April 2030, any vehicle presented for licence renewal must be ULEV-compliant.** [n.b. this means non-ULEV vehicles first registered in 2021 or 2022 cannot be renewed for full ten year age policy period]
- Alongside 'raising the bar' on the *minimum* requirements, **further incentives for drivers to choose a zero-emission vehicle (ZEV):**
  - Priority bays in taxi ranks (enforcement easy through [recently announced green number plates](#))
  - Zero cost taxi licensing fees for first three years of registration
  - Additional financial incentive over and above UK Government by Council to encourage uptake of ZEVs (see Appendix A for 'ZEV Incentive Scheme')

Additionally, to demonstrate commitment to this policy, **Guildford Borough Council (and/or Surrey County Council) should provide 'taxi-only' chargepoints and/or subsidised charging costs for public chargepoints. These should be positioned in areas of frequent taxi drop-off and pick-up locations. New developments (e.g. North Street) should include provision of taxi charging in their design.**

\*Note on ULEVs

There are various definitions of the standards required to be a 'ULEV' vehicle, so this must be clear in any policy. Two aspects are relevant:

- Maximum g CO<sub>2</sub>/km; **50g CO<sub>2</sub>/km is appropriate**
- Minimum electric only range (miles). Plug-in hybrid electric vehicles with a very low electric-only range may never be charged in reality, so a significant electric-only range is highly recommended. **70 miles** is now the standard set to support eligibility for the [UK Government's Plug-in Grant](#), and the consultation proposal of 10 miles of range is **not** adequate. It could be increased each year potentially for new licences?

Plug-in hybrids are seen as a 'stop-gap' before fully electric vehicles are the default choice, hence the necessity to update the licensing to reflect the technological change, and the additional incentives to help drivers go fully electric.

#### D. Useful Links

- LowCVP 'Low Emission Taxi Guide' - <https://www.lowcvp.org.uk/projects/passenger-car-working-group/LET.htm>
- Low-emission vehicles eligible for a plug-in grant - [Low-emission vehicles eligible for a plug-in grant - GOV.UK \(www.gov.uk\)](#)

Appendix A: Proposed taxi licensing for Guildford Borough Council - DRAFT

		First year of vehicle registration																				
		2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Vehicles which are eligible for licencing in respective year (only shaded cells valid)	Licence Type																					
		V																				
	2021	NEW							Euro 6	Euro 6	Euro 6	Euro 6	Euro 6*									
		RENEWAL	<i>too old</i>	< Euro 6	< Euro 6	< Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	n/a									
	2022	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6*								
		RENEWAL	<i>too old</i>	<i>too old</i>	< Euro 6	< Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	n/a								
	2023	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	ULEV							
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	x	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	n/a							
	2024	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	ULEV	ULEV						
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	n/a					
	2025	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	ULEV	ULEV	ULEV					
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	ULEV	n/a				
	2026	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	ULEV	ULEV	ULEV	ULEV				
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	ULEV	ULEV	n/a			
	2027	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	ULEV	ULEV	ULEV	ULEV	ULEV		
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	ULEV	ULEV	ULEV	n/a		
	2028	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	ULEV	ULEV	ULEV	ULEV	ZEV	
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	ULEV	ULEV	ULEV	ULEV	n/a	
	2029	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	ULEV	ULEV	ULEV	ZEV	ZEV
		RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	Euro 6	Euro 6	Euro 6	Euro 6	ULEV	ULEV	ULEV	ULEV	ULEV	ZEV	n/a
2030	NEW	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	ULEV	ULEV	ULEV	ZEV	ZEV	
	RENEWAL	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	<i>too old</i>	ULEV	ULEV	ULEV	ULEV	ULEV	ULEV	ULEV	ZEV	n/a	

\* For Euro 6 vehicles first registered in 2021 or 2022, they can only be renewed until 2029

Scrapage Incentive for < Euro 6 [£1500 for ULEV]

ULEV: <50g/km CO2, and at least tbc miles of electric-only range

ZEV Incentive Scheme (payable in first year of licence only)						
£3,500	£3,000	£2,500	£2,000	£1,500	£1,000	£500