



Please ask for: Wendy Rowe
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5 September 2023

Dear Councillor,

Licensing and Public Protection Committee
10:00am, Wednesday 13 September 2023
Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

T. Clegg
Chief Executive

To: Councillors:

Wilson, L.J. (Chair)
Prestwood, F. (Vice Chair)
Arduino, L. Kenny, B.
Aston, J. Kruskonjic, P.
Bishop, L. Stanton, P.
Fisher, P.A. Sutherland, M.

Agenda

Part 1

1. Apologies

2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

To declare any personal, pecuniary, or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Minutes

To approve the Minutes of the meeting held on 31 July 2023 (enclosed).

4. Revised Hackney Carriage and Private Hire Driver, Vehicle and Operator Policy

Report of the Head of Economic Development and Planning (Item 4.1 - 4.53)

5. Exclusion of the Public

The Chair to move:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Agenda

Part 2

6. Application for a Hackney Carriage / Private Hire Driver's Licence

Not for Publication Report of the Head of Economic Development and Planning (Item 6.1 – 6.14)

This Report is confidential due to the inclusion of information which is likely to reveal the identity of an individual.

Cannock Chase Council
Minutes of the Meeting of the
Licensing and Public Protection Committee
Held on Monday 31 July 2023 at 10:00am
In the Civic Centre, Cannock
Part 1

Present: Councillors

Wilson, L.J. (Chair)
Prestwood, F. (Vice-Chair)

Bishop, L.	Kruskonjic, P.
Fisher, P.A.	Pearson, A. (Substitute)
Jones, P.T. (Substitute)	Stanton, P.
Kenny, B.	Sutherland, M.

1. Apologies

Apologies for absence were received from Councillors L. Arduino and J. Aston.

Notification had previously been received that Councillor P.T. Jones would be substitute for Councillor L. Arduino and Councillor A. Pearson would be substitute for Councillor J. Aston.

2. Declarations of Interest of Members in Contracts and Other Matters and Restrictions on Voting by Members

Member	Nature of Interest	Type
P. Kruskonjic	Item 5 - Review of a Hackney Carriage / Private Hire Driver's Licence - Member has previously used taxi company	Personal

3. Minutes

The Minutes of the meeting held on 11 May 2023 were approved as a correct record.

4. Exclusion of the Public

Resolved:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 2, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Cannock Chase Council
Minutes of the Meeting of the
Licensing and Public Protection Committee
Held on Monday 31 July 2023 at 10:00am
In the Civic Centre, Cannock
Part 2

5. Review of a Hackney Carriage / Private Hire Driver's Licence

Consideration was given to the Not for Publication Report of the Head of Economic Development and Planning (Item 5.1 – 5.28).

The Chair invited all those present to introduce themselves and then confirmed the procedure for the Hearing.

The Officer representing the Licensing Authority presented the Council's case by taking the Committee and the Licence Holder through the report, outlining the relevant issues for consideration. The Officer of the Licensing Authority referred to a typing error within the report, which was corrected, and then dashcam footage was shown to Members.

The Licence Holder, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Officer representing the Licensing Authority. Questions were asked by Members of the Committee and the Legal Advisor.

The Licence Holder then presented their case to the Committee.

The Officer of the Licensing Authority, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Licence Holder. Questions were asked by the Officer of the Licensing Authority, Members of the Committee, and the Legal Advisor.

The Officer representing the Licensing Authority and the Licence Holder were then afforded the opportunity to sum up their respective cases. Summation was provided by the Officer of the Licensing Authority and the Licence Holder.

The Committee then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee. The Officers representing the Licensing Authority and the Licence Holder left the room during the deliberations.

At the conclusion of the deliberations, the Officers representing the Licensing Authority and the Licence Holder returned to the room, and the Chair announced the decision of the Committee, as follows:

Resolved:

That the Committee:

- (A) Determined that "...it was satisfied that the Licence Holder was a fit and proper person to continue to hold a hackney carriage and private hire drivers' licence with this Authority".
- (B) Required and recommended that the Licence Holder book, pay for, and complete a driving standards course within a 2-month period.
- (C) Also required the Licence Holder to display the licence plate in line with the terms and conditions of the licence.

Reasons for Decisions:

Based on the information contained within the report of the Head of Economic Development & Planning and representations made at the meeting, the Committee considered that the Licence Holder should undertake a driving standards course but was satisfied that the Licence Holder was a fit and proper person to continue to hold a Licence to drive Hackney Carriage and Private Hire Vehicles.

6. Review of a Hackney Carriage / Private Hire Driver's Licence

Consideration was given to the Not for Publication Report of the Head of Economic Development and Planning (Item 6.1 – 6.31).

The Chair invited all those present to introduce themselves and then confirmed the procedure for the Hearing.

The Officer representing the Licensing Authority presented the Council's case by taking the Committee and the Licence Holder through the report, outlining the relevant issues for consideration. The Officer of the Licensing Authority then showed Members of the Committee CCTV footage.

The Licence Holder, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Officer representing the Licensing Authority. Questions were asked by Members of the Committee.

The Licence Holder then presented their case to the Committee.

The Officer of the Licensing Authority, Members of the Committee, and the Legal Advisor to the Committee were then afforded the opportunity to ask questions of the Licence Holder. Questions were asked by Members of the Committee and the Legal Advisor.

The Officer representing the Licensing Authority and the Licence Holder were then afforded the opportunity to sum up their respective cases. Summation was provided by the Officer of the Licensing Authority and the Licence Holder.

The Committee then deliberated in private, accompanied by the Council's Legal Advisor and Secretary to the Committee. The Officers representing the Licensing Authority and the Licence Holder left the room during the deliberations.

At the conclusion of the deliberations, the Officers representing the Licensing Authority and the Licence Holder returned to the room, and the Chair announced the decision of the Committee, as follows:

Resolved:

That the Committee:

- (A) Determined that "...it was satisfied that the Licence Holder was a fit and proper person to continue to hold a hackney carriage and private hire drivers' licence with this Authority".
- (B) However, as part of its decision, determined to issue the Licence Holder with a strict warning as to future conduct. This warning would remain on file for a 12-month period, and should there be any further licensing incidences, the Licence Holder would be referred back to the Committee, with immediate effect, where it was likely that the Licence could be revoked.

Reasons for Decisions:

Based on the information contained within the report of the Head of Economic Development & Planning and representations made at the meeting, the Committee accepted the Licence Holder's version of events and considered that the Licence Holder be given a strict warning as to their future conduct but was satisfied that the Licence Holder was a fit and proper person to continue to hold a Licence to drive Hackney Carriage and Private Hire Vehicles.

The meeting closed at 1:12 pm

Chair

CANNOCK CHASE COUNCIL

LICENSING & PUBLIC PROTECTION COMMITTEE

13 SEPTEMBER 2023

HEAD OF ECONOMIC PROSPERITY

HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE AND OPERATOR POLICY

1. Reason for referral:

- 1.1 Members are asked to note that an updated Hackney Carriage and Private Hire Driver, Vehicle and Operator Policy (The Policy) has been consulted on and will be presented to full Council for approval and adoption on 8 November 2023.
- 1.2 Through their work on this Committee members will be aware of the Council's Taxi and Private Hire Licensing function and its primary purpose of ensuring public safety.
- 1.3 Currently the Council, through the Environmental Health Licensing Unit, licenses:
 - 270 Hackney Carriage / Private Hire Drivers' (dual licences)
 - 216 Hackney Carriages
 - 16 Private Hire Vehicles
 - 11 Private Hire Operators (providers of a base and radio network)
- 1.4 In order to effectively perform this function the Council requires a Policy framework. The Policy explains to the trade, the public and elected members and officers how the Council, through this Committee, will administer this important licensing function.

2. Policy Objectives:

- 2.1 The updated Policy seeks to achieve the following objectives:
 - Promoting and protecting public safety;
 - Ensuring driver health and safety;
 - High standards of vehicle safety, comfort, access and condition;
 - Prevention of crime and disorder;
 - Environmental sustainability through improved air quality;
 - Improve air quality and assist in the Council's vision of carbon neutrality;
 - Equality and accessibility in service provision;
 - Promotion of good behaviour and professional conduct;

3. **Key Areas consulted upon within the Policy:**

3.1 The policy covers several key areas including:

Improved air quality and Carbon neutrality

- The phasing out of diesel and petrol vehicles from the council's taxi & PH fleet
- Including the phased introduction of electric and hybrid vehicles into the Councils taxi & PH fleet.
- An increase in the age at which a vehicle may be offered as new to licensing.

Wheelchair accessible vehicles (WAVs)

- The need to increase the numbers of WAVs within our current fleet of licensed vehicles.

CCTV and Dashcams in licensed vehicles

- To determine whether there is proper justification to require the fitting of CCTV into licensed vehicles on a mandatory basis.
- To clarify the legitimate use of dashcams within licensed vehicles.

Darkened rear windows in licensed vehicles

- To consider whether the current council policy on darkened windows remains appropriate.

Vehicles subject to insurance write off

- To establish a safe process for the licensing of category S & N category vehicles.

4. **Consultation responses:**

4.1 The consultation period ran between 16 June 2022 and 10 July 2022. The original consultation document is attached to this briefing note as Annex 1.

The list of consultees included:

- The taxi and private hire trades
- Licensed premises
- The general public
- The travelling public who uses licensed vehicles
- Individuals and groups who represent less able passengers
- Staffordshire Police
- Elected members of the Council
- Cannock Chase Council departments and officers
- Other Staffordshire licensing authorities

4.2 The Council's Licensing Unit received 8 consultation responses. The Council's appraisal of those responses are attached to this briefing note as Annex 2,3,4,5,6,7,8 and 9.

4.3 The Council's intend response to the consultation responses is attached to this briefing note as Annex 10.

4.4 A matrix containing a summary of changes to the Licensing Policy is attached to this briefing document as Annex 11.

5. Members are therefore asked to:

5.1 Consider the consultation responses and where appropriate, be prepared to make comments during the L&PPC meeting on 13 September 2023.

5.2 Note that, following the consultation process, the timescales and other proposals given within the original consultation document have been revised and updated within the Council's response to the consultation appraisals.

5.3 Note that the timescales given within the consultation response document may be subject to review and change due to unforeseen economic or geopolitical circumstances which might affect the vehicle market.

5.4 Note the above information and that the finalised policy will be referred to a meeting of the Full Council on 8 November 2023 for approval and adoption.

6. Relevant Documents/Annexes:

6.1 Annex 1: Consultation document between 16 June 2022 and 10 July 2022.

Annex 2: Mr Steven Toy, trade response and officer appraisal.

Annex 3: Councillor Olivia Lyons, response and officer appraisal.

Annex 4: Councillor Mike Sutherland, response and officer appraisal.

Annex 5: Councillor Paul Jones, response and officer appraisal.

Annex 6: Councillor Valerie Jones, response and officer appraisal.

Annex 7: Staffordshire County Council, response and officer Appraisal.

Annex 8: Mr Majid Hussain, trade response and officer appraisal.

Annex 9: Mr David Lawrie, trade response and officer appraisal.

Annex 10: Council's proposed response to the consultation process.

Annex 11: Summary of changes to the Licensing Policy.

7. Further information available from:

7.1 David Prosser-Davies
Environmental Protection Manager

Phone: 01543 464202

Email: davidprosser-davies@cannockchasedc.gov.uk



CANNOCK CHASE DISTRICT COUNCIL

HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE & OPERATOR LICENSING POLICY

CONSULTATION DOCUMENT - SPRING 2022

INTRODUCTION

In June 2021, Cannock Chase Council "the Council" introduced a revised Hackney Carriage/ Private Hire Driver, Vehicle and Operator Licensing Policy. As well as introducing several new matters into the policy such as Statutory Standards and Guidance on suitability of applicants and licensees in the hackney carriage and private hire trades, the revised taxi policy document also committed the Council to a further policy consultation.

This June 2022 consultation, is intended to fulfil that commitment and relates to five matters with respect to its licensed hackney carriage and private hire fleet of vehicles. These are:

- Air quality
- Electric and hybrid vehicles
- Wheelchair accessible vehicles (WAV's)
- CCTV in licensed vehicles
- Vehicles which have been written off by Insurers but have been purchased or are intended to be purchased with the intention of licensing with this authority.

This consultation document invites responses from all parties who might have an interest in the taxi licence trade. The taxi trade will be specifically consulted on the proposed changes to policy but other interested parties will also be consulted

These include:

- The taxi and private hire trades
- Licensed premises
- The general public
- The travelling public who use licensed vehicles
- Individuals and groups who represent less able passengers
- Staffordshire Police
- Elected members of the Council
- Cannock Chase Council departments and officers
- Other Staffordshire licensing authorities

THE CONSULTATION PROCESS

This consultation period starts on 16 June 2022 and will run until midnight on 10 July 2022. Please ensure that your response reaches us before the closing date.

Please send consultation responses to: Licensingunit@cannockchasedc.gov.uk

Or: Licensing Unit, Cannock Chase District Council, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG. Phone: 01543 462621

If you wish to respond to our consultation, we must ask you to provide your name and email address when responding.

When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

The Council will consult with a wide variety of partners and interested parties as well as the general public. This will include consultation with representatives of the taxi and private hire trade and the Council's Hackney Carriage/Private Hire Liaison Group.

This draft consultation policy will be clearly signposted on the Council's website. It is intended that this policy will come into force in the Autumn of 2022. Once it is adopted by full Council, it will be available for inspection on the Council's website at: www.cannockchasedc.gov.uk

THE CONSULTATION

1. AIR QUALITY

A key objective of the Council's Taxi Policy is to improve air quality. The current taxi policy requires that any vehicle which is presented as new to licensing will be no older than 42 months. By doing so, we help ensure that all such vehicles will be Euro 6 emissions compliant and the general standard of the fleet, in terms of vehicle safety and emissions, is improved through the gradual policy requirement process.

In July 2019, the Council declared a Climate Emergency, which committed the Council to a vision of carbon neutrality by 2030. The Council is therefore keen to improve the quality of the fleet even further.

Current taxi policy requires that vehicles which are new to licensing must be:

1. No more than 3.5 years old (42 months) for the all saloon vehicles
2. No more than 7 years old (84 months) for wheelchair accessible vehicles (WAV's)

Views are now sought on the date at which the Council will no longer license vehicles which are new to licensing, if they are propelled only by an internal combustion engine (ICE) fuelled by petrol, diesel or other fossil fuels.

The Council proposes that:

- On and after 1st April 2024, any non-hybrid vehicle with an ICE which is not Euro 6 compliant will not be re-licensed.
- On and after 1st April 2026, only the following vehicles will be considered for new to licensing.
 - Hybrid Electric Vehicle (HEV)
 - Plug-in Hybrid Electric Vehicle (PHEV)
 - Electric Vehicle (EV)
- On and after 1st April 2029, all existing licensed non hybrid vehicles with an ICE will be re-licensed for the last time. All licences for non-hybrid vehicles with an ICE issued on or after 1st April 2029 will expire on 30th April 2030. This will mean that some vehicle licences will be granted for a period which may be less than 12 months.

Note: The proposed timescales above may be subject to later review.

2. ELECTRIC AND HYBRID VEHICLES

The licensing of electric and hybrid vehicles will play a vital role in helping to ensure that the Council meets its air quality objective and its vision of carbon neutrality by 2030.

Current policy requires that vehicles (ICE) which are new to licensing must be:

- No more than 3.5 years old (42 months) for the all saloon vehicles
- No more than 7 years old (84 months) for Wheelchair Accessible Vehicles WAV's

The Council proposes that:

1. **Saloon vehicles of the types below, must be no more than 5 years old (60 months) when presented as new to licensing.**
 - Hybrid Electric Vehicles (HEV)
 - Plug-in Hybrid Electric Vehicle (PHEV)
 - Electric Vehicles (EV)
2. **Wheelchair accessible vehicles (WAV's) must be no more than 10 years old (120 months) when presented as new to licensing.**
 - Hybrid Electric Vehicles (HEV)
 - Plug-in Hybrid Electric Vehicle (PHEV)
 - Electric Vehicles (EV)

Note: The Council recognises that 10 year old vehicles of this type may not be readily available at the present time. Our intention however, is to future proof the Council's Taxi Policy as we move towards 2030.

3. WHEELCHAIR ACCESSIBLE VEHICLES (WAV'S)

Please note: you should read this section in association with Section 1 of the consultation document on Air Quality and Section 2 of the consultation document on Electric and Hybrid vehicles.

The consultation proposals in Sections 1 & 2 are relevant to this section on WAV's.

Although the current council policy encourages the licensing of WAV's by permitting these vehicles to be older than saloon type vehicles when they are new to licensing; currently 7 years as opposed to 3.5 years for saloon vehicles, the number of WAV's licensed by the Council has been steadily reducing over recent years. This has an adverse impact on the offer we as a licensing authority can make to our travelling public in general and wheelchair users in particular.

Many licensing authorities will only licence a vehicle as a HCV if it is a WAV. This means saloon cars will be licensed as private hire vehicles which may only be pre-booked and are not accessible from taxi ranks. Private hire journeys will be agreed and paid for in advance and pick-ups will be at a pre-arranged time and place.

Although it is well understood that WAV's are not necessarily the preferred type of vehicle for all less able people, WAV's remain an important part of our licensed vehicle fleet.

4. CCTV IN LICENSED VEHICLES

1. CCTV Systems in licensed vehicles are used to prevent and detect crime as well as reduce the fear of crime and protect the driver and the public travelling public

CCTV systems can capture important evidence which can act as an additional safeguard. This provides protection confidence and re-assurance to the public as well as to drivers who can be victims of violence, abuse. CCTV evidence can also prevent drivers losing their licence if an accusation against them is proven to be false.

In considering how to approach the issue of CCTV in its fleet of licensed vehicles, the Council must have regard to the Surveillance Camera Commissioners (SCC) guidance on the matter. This document requires that the use of surveillance camera systems in licensed vehicles must always be for a specific purpose which is the pursuit of a legitimate aim and necessary to meet an identified pressing need.

The SCC is clear that there must be strong justification for making CCTV mandatory within licensed vehicles and the Council clearly acknowledges this.

The SCC Guidance can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1035067/Surveillance_Camera_CoP_Accessible_PDF.pdf

As part of the Council's broader work to strengthen safeguarding measures within the licensed taxi and private hire trades, the Council is consulting on whether or not the use of CCTV in licensed vehicles should be compulsory.

If the Council's approach is to make CCTV in vehicles compulsory, then the data controller for all CCTV equipment in all of our licensed vehicles may need be a council officer.

If our approach is to permit vehicle licence holders and drivers to make their own decision as to whether they fit CCTV into their vehicles, then the vehicle licence holder or a nominated third party may be the data controller.

2. The Council is also consulting on the prohibition of dashcam type equipment within licensed vehicles unless that dashcam equipment meets the same requirements as the specifications for CCTV.

This is considered necessary because many dashcams which are currently fitted within our licensed vehicles are capable of making recordings of the inside of the vehicle and the visual data recorded can generally be downloaded onto mobile phones or other portable devices. The data images obtained therefore, cannot be considered secure. Dashcams fitted with a viewing screen which is activated whilst driving are already prohibited by law.

3. Further, the Council also proposes to amend its existing Taxi Policy which relates to darkened rear windows in hackney carriage vehicles. We propose that hackney carriage vehicles which are new to licensing and have darkened rear windows can retain the said darkened windows on condition that they have an approved CCTV system fitted within the vehicle.

This proposal is intended to strike the balance between promoting the safety of the travelling public and ensuring that proprietors can enjoy a wide choice of vehicle they can present as new to hackney carriage licensing.

5. VEHICLES SUBJECT TO INSURANCE WRITE OFF

This section of the document is intended for vehicles which have been written off by the Insurance Company but have been purchased by prospective Proprietors and are intended for licensing with the Council.

The categories of vehicles which have been written off are: A, B, S and N.

- Category A

Scrap only. For cars so badly damaged they should be crushed and never re-appear on the road. Even salvageable parts must be destroyed.

- Category B

Body shell should be crushed. Signifies extensive damage, although some parts are salvageable. Should never re-appear on the road, although reclaimed parts can be used in other road-going vehicles.

- Category S (formerly Category C)

Category S means the vehicle has suffered structural damage. This could include a bent or twisted chassis, or a crumple zone that has collapsed in a crash. Category S damage is more than just cosmetic and therefore, the vehicle will need to be professionally repaired. Also, it won't be safe to drive until then.

- Category N (formerly Category D)

Vehicles graded accordingly haven't sustained structural damage, so the issue may be cosmetic, or a problem with the electrics that isn't economical to repair. Such vehicles may not be drivable, however; non-structural faults may include brakes, steering or other safety-related parts.

Insurance write-offs rated A and B are not suitable for repair and will never be accepted for licensing purposes.

It is, however, quite legal for category S and N vehicles (formerly C and D category vehicles) to be properly repaired and sold on or sold back to the owner, provided that the buyer is informed of the car's history.

In light of the above, the Council proposes to permit the licensing of Category S and N vehicles if the vehicle complies with all other aspects of the Council's Policy.

Where it is intended to licence such a vehicle, prior agreement should be sought from the Licensing Unit before any decision is made to purchase a vehicle which falls into any of the above categories.

All vehicles which are intended for licensing with this authority must comply with the vehicle requirements as detailed within the Hackney Carriage/Private Hire Driver, Vehicle & Operator Licensing Policy. This includes the new to licensing age restriction and road traffic collision requirements on notification and inspection.

Once it has agreed that a category S or N vehicle can be presented for licensing with this authority, written evidence must be provided to the Licensing Unit that the vehicle is safe. Such evidence must include a written damage and repair engineers report from the insurance company or its agent and must be provided to the Licensing Unit before the vehicle is inspected and tested.

The vehicle will then need to be fully inspected and tested at the Council's Hawks Green Depot. The proprietor or prospective proprietor of the vehicle must also supply the Depot Workshop Supervisor with a copy of the full collision damage and repair report which highlights the damaged and repaired area(s).

THE CONSULTATION QUESTIONS

QUESTIONS ON AIR QUALITY

1. In light of the Council's commitments to air quality and carbon neutrality by 2030, is it reasonable for the council to stop licensing non-hybrid ICE vehicles which are not Euro 6 compliant after 1st April 2024?
If you do not agree, please explain why.
2. In light of the Council's commitments to air quality and carbon neutrality by 2030, is it reasonable to stop the new to licensing of all non-hybrid ICE petrol, diesel and other fossil fuel driven vehicles on and after 1st April 2026?

This will mean that after 1st April 2026, only the following vehicles will be consider as new to licensing:

- Hybrid Electric Vehicle (HEV)
- Plug-in Hybrid Electric Vehicle (PHEV)
- Electric Vehicle (EV)

If you do not agree, please explain why.

3. In light of the Council's commitments to air quality and carbon neutrality by 2030, is it reasonable for all non-hybrid ICE vehicles to be re-licensed for the last time in April 2029 and for all such vehicle licences to expire on 30th April 2030?
Please give reasons for your answer.

QUESTIONS ON ELECTRIC AND HYBRID VEHICLE:

1. In light of the Council's commitment to air quality and carbon neutrality by 2030, is it reasonable for saloon type HEV's PHEV's or EV's to be no more than 5 years old when they are presented as new to licensing?
Please give reasons for your answer.
2. In light of the Council's commitment to air quality and carbon neutrality by 2030, is it reasonable for WAV's which are HEV's PHEV's or EV's to be no more than 10 years old when they are presented as new to licensing?
Please give reasons for your answer.
3. Do you think that the proposal for WAV's which are HEV's PHEV's or EV's to be no more than 10 years old when they are presented as new to licensing will help increase the number of WAV licensed by the Council?
Please give reasons for your answer
4. Do you have any comments or any other reasonable proposals relating to the licensing of vehicles, which we might consider in helping to meet our vision of carbon neutrality by 2030.

QUESTIONS ON WHEELCHAIR ACCESSIBLE VEHICLES

The Council has no specific proposals on this matter but seeks views on how best to increase the numbers of WAV's within our licensed vehicle fleet.

1. Do you think it is appropriate for the Council to license vehicles as a HCV only if it is a WAV?
Please give reasons for your answer
2. In your opinion, how do you think the Council can increase the number of WAV's it currently licenses?

QUESTIONS ON CCTV IN VEHICLES

In responding to this consultation you should note that an approved CCTV fitted within a licensed vehicle may cost approximately £600.

1. Is there an identified pressing need and a legitimate aim in requiring all licensed vehicles to fitted with CCTV?
Please give reasons for your answer.
2. With regards to the answer you have given above, do you think that the Council's approach should be to make CCTV mandatory in all of our licensed vehicles?
Please give reasons for your answer.
3. Do you think it is appropriate for the Council to allow vehicle proprietors and drivers to decide for themselves if they wish to fit CCTV into their licensed vehicles?
Please give reasons for your answer.
4. Where CCTV is fitted into a licensed vehicle, who should ensure that the captured data images are secure, properly protected and appropriately downloaded when necessary?
Please give reasons for your answer.
5. Is the CCTV specification attached to this consultation document at Annex 1 appropriate for a CCTV system which is to be fitted into vehicles licensed by the Council?
Please give reasons for your answer.
6. Is it appropriate to relax the current taxi policy requirement on darkened rear windows in HCV's where CCTV has been fitted to the licensed vehicle?
Please give reasons for your answer.

QUESTIONS ON VEHICLES SUBJECT TO INSURANCE WRITE OFF

1. In accordance with the consultation proposals, is it appropriate for the Council to licence or re-licence Category S and N vehicles which have been written off by an Insurance Company?
Please give reasons for your answer.

CONFIDENTIALITY AND DATA PROTECTION

The Council's Licensing Unit is carrying out this consultation to gather views and evidence on measures for inclusion within our Hackney Carriage/Private Hire Driver, Vehicle and Operator Licensing Policy.

As part of this consultation we are asking for your name and email address. This is in case we need to ask you follow-up questions about any of your responses. You do not have to give us this personal information. If you do provide it, we will use it only for the purpose of asking follow-up questions.

Please tell us if you do not want details of your response to be made public or if there are any restrictions on the use of information submitted, with an explanation of why it should be kept confidential. We will take your reasons into account, but you should be aware that there may be circumstances in which we will be required to disclose this information to third parties on request.

This is in order to comply with our obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations. Please note, if your computer automatically includes a confidentiality disclaimer, this will not be treated as a confidential request.

We may contract a 3rd party to analyse the responses we receive to the consultation. If you provide your contact details, we may share this information with a contractor in case they need to contact you regarding your consultation response.

The Council's privacy policy has more information about your rights in relation to your personal data, how to complain and how to contact the Information Manager.

CONSULTATION PRINCIPLES

The consultation is being conducted in line with the Government's key consultation principles, further information is available at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments about the consultation process please contact the Council's Licensing Unit on licensingunit@cannockchasedc.gov.uk

ANNEX 1

PROPOSED TECHNICAL SPECIFICATIONS FOR CCTV

Video

- Two cameras as standard.
- Image Compression.
- 960p Video Quality.

Audio

- Panic button activated multi-zone audio recording.

Communication Ports

- USB - 1 port for USB 2.0, download video files & upgrade firmware.

Wireless Communication

- 3G/4G - Supported.
- Wi-Fi - Internal Wi-Fi 802.11b/g/n/ac optional.

GPS

- Internal GPS module. Real-time geographic coordinates, speed information.

G-Sensor

- Internal G-sensor - Supports 3 Axis Motion Detection with user set ranges, for X, Y and Z coordinates.

Storage

- 30 days of recording footage (for standard system).
- Audio Bit Rate - 40Kbps.
- Storage - 1 SSD and 1 SD card.

Software

- A/V, GPS, Map view, Speed, G-Sensor, etc. files available for playback on PC.
- Software upgrade - Upgrade through the front USB2.0.

Voltage Input

- +8V~+36V

ACC Detection

- $\leq 4V \geq 6V$

Operational Temperature

- $-25^{\circ}\text{C} \sim 80^{\circ}\text{C}$

Dimensions

- 146 x 155 x 38mm MDVR Box Dimensions
- 96 x 75 x 48mm Camera Dimensions

Please note: These dimensions may vary according to the system being installed.

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/01

Date received:

12 July 2022

Name and address of respondent

Mr Steven Toy
CCDC licensed Hackney Carriage and Private Hire Driver;
Trade leader of the CCDC Hackney Carriage and Private Hire Liaison Group

Note: Although Mr Toy has responded in his own right, he is well placed to represent the views of the trade local and is the Chair of the Cannock Chase Taxi Association and Vice Chair of the National Private Hire and Taxi Association

Comments/observations made by respondent:

Mr Toy says that he will only respond to parts of the consultation document that give him cause for comment. Where he has made no comment or not responded to a question, it is because he has no objection to, or concern about, that proposal.

Mr Toy asks that his response is read in conjunction with an article he wrote for *Private Hire and Taxi Monthly* magazine in December 2021. The article was on the subject of 100% WAV policies and the National Private Hire and Taxi Association. This document is attached to this appraisal.

Section 1. Air Quality

Response:

Mr Toy has responded to both sections 1 and 2 of the document in the same paragraph which is outlined below the section 2 questions.

Section 2. Electric and Hybrid Vehicles

Response:

Mr Toy supports all the stated proposals in section 1 and 2 with the proviso that the policy is subject to frequent review. This is to account for rapidly changing geopolitical and economic circumstances which may affect availability of suitable and affordable licensed vehicles or the trade.

Mr Toy says that second-hand car prices are around 20 to 30% higher than they were a year or so ago due to semiconductor shortages caused by the pandemic and, more recently, neon gas (used in printed circuit boards) due to the war in Ukraine. He also says that many brand-new cars there are waiting times as long as nine months.

Mr Toy agrees that the long-term goals of the consultation proposals are more than reasonable but there may need to be some flexibility on timescales going forward. He suggests that such flexibility needs to be built into the policy with the words: *Subject to review and possible change due to any unforeseen geopolitical, economic or other circumstances affecting the vehicle market.*

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Mr Toy says that he would not support any proposal for a 100% WAV policy for Hackney Carriage vehicles. He says that this would be a red line for the trade and would not accommodate the needs of all passengers with disabilities.

In December last year, Mr Toy wrote an article for PHTM, which is a trade magazine circulated nationally, on the subject of 100% WAV policies for Hackney Carriages. It is attached with this document and contains information which he says should be used to inform the Council's policy decision regarding WAVs.

Mr Toy says that a 100% WAV policy would likely result in a significant decline in the number of drivers and hackney carriage vehicles licensed in Cannock Chase over which the licensing authority has control. This would, he says, amount to a drop of around 20% in our trade as well as an increase in unmet demand in the district for Hackney Carriages at peak times.

With respect to increasing the number of WAV's licensed by the Council, Mr Toy believes that there are various ways in which we could achieve this target as follows:

- Differentiated vehicle age limits with more relaxed limits for WAVs as proposed in the draft policy. We should also consider licensing ICE-only vehicles as WAVs for the foreseeable future on the basis that they will form a relatively small minority of vehicles and our carbon neutrality objectives can therefore still be met by the rest of the licensed vehicles. Mr Toy makes the point that hybrid or electric WAVs are currently prohibitively expensive.
- Encourage larger operators to work together to ensure WAV availability at all reasonable times and to subcontract WAV bookings to each other as and when required. The council could post WAV availability, including links to companies providing WAVs on its website.
- Only license, new to licensing, vehicles capable of carrying 5, 6 or 7 passengers if they are also capable of safely carrying a passenger seated in a wheelchair. I.e.: All vehicles licensed to carry 5, 6 or 7 passengers should be WAVs. 8-seater minibuses need to be exempt from this given that 8-seater WAVs are extremely scarce. There is

considerable demand for 8-seater vehicles and we need to ensure that the needs of all passengers, with and without disability, to travel in comfort and dignity are met.

- License rear-loading converted WAVs including ICE-only ones up to 10 years old.

Section 4. CCTV In licensed vehicles

Response:

Mr Toy has made no response to this section of the consultation. He says where he has made no comment or not responded to a question it is because he has no objection to or concern with that proposal.

Section 5 Vehicles subject to insurance write off

Response:

Mr Toy has made no response to this section of the consultation. He says where he has made no comment or not responded to a question it is because he has no objection to or concern with that proposal.

Appraisal of comments by the Authority:

The Council is grateful for Mr Toy's response and our appraisal of the consultation response is as follows:

Questions on air quality

Mr Toy has responded to both sections 1 and 2 of the document in the same paragraph which is outlined below the section 2 questions.

Questions on electric & hybrid vehicle

Mr Toy's support for all the stated proposals in section 1 and 2 are noted and the Council agrees that any policy requirements which result from the consultation should be subject to frequent review. Mr Toy's proposal that the policy should contain the following paragraph, or similar, will be considered.

"Subject to review and possible change due to any unforeseen geopolitical, economic or other circumstances affecting the vehicle market".

Questions on wheelchair accessible vehicles

Mr Toy says that he would not support any proposal for a 100% WAV policy for Hackney Carriage vehicles as it would place an onerous financial burden upon the trade in terms of running costs if not up-front purchasing or financing costs.

The Council agrees that a 100% WAV policy may result in a significant decline in the number of drivers and vehicles licensed in Cannock Chase and that this may increase unmet demand in the District for Hackney Carriages at peak times.

With respect to increasing the number of WAV's licensed by the Council, the Council will continue to explore ways by which we can increase their numbers.

Questions on CCTV in vehicles

Mr Toy has made no response to this section of the consultation

Questions on vehicles subject to insurance write off

Mr Toy has made no response to this section of the consultation.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Mr Toy.
Please see the full consultation response document.

Signed:

Agreed:

Date:

SHOULD COUNCILS SCRAP 100% WHEELCHAIR-ACCESSIBLE VEHICLE POLICIES FOR HACKNEY CARRIAGES?

YES - in short, apart from in our biggest cities such as London, Birmingham and Manchester where the traditional black cab, also a WAV, is something of an icon.

I hear cries of "What about the needs of people with disabilities?" Certainly, we do need to ensure that all people both able-bodied and those less so for whatever reason have equal access to licensed vehicles in order to complete their journeys safely, with dignity and in reasonable comfort.

The problem is that the international symbol for disability has much to answer for in that it leads to a popular perception, also mirrored by licensing authorities, of disability being akin to being bound to a wheelchair.

The reality is quite different, however and I've dug up a few statistics:

Wheelchair users account for less than 8% of the 11 million people in the UK with disability and less than 1.9% of the general population. This means that 92% of people with disability are completely unrepresented and even alienated by the international symbol depicting a wheelchair.

<https://www.disabilitysport.org.uk/facts-and-figures-about-disabled-people-in-the-uk.html>

<https://www.disabled-world.com/disability/statistics/wheelchair-stats.php>

Furthermore, not all wheelchair users are completely bound to their chairs. Some require one, not because they are unable to walk, but because they are unable to walk very far. They would likely prefer the comfort of sitting in a normal car seat which is designed for the purpose of travel by motor vehicle rather than sitting in a wheelchair which is not.

They may require some assistance in boarding and alighting from the vehicle with the wheelchair being stowed in the boot but not as much as a wheelchair-bound passenger who requires the driver to wheel them up a ramp before they are rotated to face forward and

the chair secured with straps. The driver also needs specific training to ensure this is done safely.

We don't have figures for the number of people who are bound to the wheelchair as a subset of all wheelchair users but it would be a reasonable assumption that they account for around half of the total. If this is so, then wheelchair-bound passengers account for less than 1% of the general population and 4% of people with disability.

This brings us to the problem of WAVs which for many people with disability who are not going to leave, enter and travel in the vehicle seated in the wheelchair: the high ground clearance makes boarding and alighting from the vehicle considerably more difficult for the vast majority of them.

Go to any large taxi/private hire booking office and you will find that the number of people with disability requesting a saloon or 'low' vehicles exceeds those requesting WAVs by more than ten to one.

The simple fact is, a one-size-fits-all vehicle that meets the needs of all passengers, able-bodied and with disability alike, just doesn't exist.

Not only that, but WAVs are expensive both to buy and run, have a larger carbon footprint and have higher emissions of nitrogen dioxide and particulates - even if they meet Euro 6 standard compared to saloon vehicles. Yes, there is an electric WAV, the LEVC TX but it is prohibitively expensive to buy and only has an all-electric range of 80 miles on a charge. The real-world range is reported to be less than that. Saloon electric vehicles typically have a range of up to 300 miles and this is set to improve in the years to come.

As councils up and down the land seek to reduce the environmental impact of licensed vehicles, they would do well to incentivise purchasing electric and hybrid vehicles rather than only allowing those ungainly, uncomfortable, mostly polluting and expensive WAVs to be used as hackney carriages.

Why do many councils insist on 100% WAV policies specifically for hackney carriages? After all, people in wheelchairs are more likely to pre-book a journey than

hail a taxi in the street. Indeed, many hackney carriage drivers don't even have radios or PDAs in their vehicles and therefore don't accept bookings from the major operators. They rely almost exclusively on public hire to earn their living and are unlikely to encounter many wheelchair users at all.

Apart from the black cab being such an icon and the popular perception of disability, gesture politics is certainly also a major factor. This is defined by the Cambridge Dictionary as:

"Any action by a person or organisation done for political reasons and intended to attract public attention but having little real effect."

It certainly requires little effort to impose such an onerous burden on the trade with little benefit to the travelling public. The responsibility for meeting the needs of all users, with and without disability, including wheelchair-bound passengers should be shared by both private hire and hackney carriage vehicles alike. Hackneys are targeted by local authorities specifically as a kind of bribe: allow wheelchair-bound passengers access to your vehicles and we will allow you access to our taxi ranks, to flag-downs and to your own bookings without the need for an operator's licence.

I also suspect that it is an indirect means of limiting the number of hackney carriages in areas where the number is delimited, at least officially.

It is effectively a blunt instrument and I think it is time for local authorities to stop using people with disability as a

political football. Other more fine-tuned options are available, including the licensing of smaller rear-loading converted WAVs, such as the Peugeot Partner, which costs about the same as a regular saloon car.

It has been said that loading a passenger via the rear doors is undignified. This is fanciful, especially when compared with wheeling someone up a ramp before tilting them back and rotating them 45 degrees, potentially hitting their head, shoulders or feet on the sides of the vehicle if they are especially tall. Loading someone through the rear doors, already facing forward, requires far less time and fuss which is preferable to most wheelchair users and drivers alike.

Differentiated age limits for newly licensed vehicles, with WAVs enjoying a more relaxed limit is another possible incentive.

Ideally we should be aiming for mixed fleets both for hackney carriage and private hire vehicles and the target for WAVs should be between 10 and 15 percent of hackneys or less if WAVs are also licensed as private hire vehicles.

There are growing campaigns by the trade for mixed hackney carriage fleets in parts of the country, notably in Sheffield and in Dudley.

I hear you guys and I support you!

Article by Steven Toy NPHTA Board Member
Trade leader of Camnock Chase HC PH Liaison Group

**A UNIFIED TRADE IS A POWERFUL VOICE!
NOW MORE THAN EVER WE NEED TO STAND TOGETHER!!
JOIN THE NPHTA NOW!**

0161 280 2800 info@nphta.co.uk



CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/02

Date received:

6 July 2022

Name and address of respondent

Cllr Olivia Lyons
Councillor for Western Springs Ward

Comments/observations made by respondent:

Section 1. Air Quality

Response:

Cllr Lyons says that Improving the District's Air Quality is imperative, but this must be balanced with the needs of, and impact upon, on local taxi businesses. Importantly, Cllr Lyons also points out that the charging infrastructure needs to be of sufficient capacity to meet the demand.

Section 2. Electric and Hybrid Vehicles

Response:

Cllr Lyons supports the proposed increase in the age of first licensing for HEV's PHEV's or EV's, provided this only applies only to initial presentation to licensing and is not unnecessarily prohibitive. The point is also made that we must ensure the taxi trade is accessible and affordable for those wishing to join it.

Cllr Lyons supports the Council's proposal to increase the age of first licensing for HEV's PHEV's or EV's which are WAV's as it is important that the Council licenses as many wheelchair accessible vehicles as possible. Cllr Lyons believes that a shorter timeframe may result in fewer WAV's being licensed and that this would disadvantage residents.

Cllr Lyons also suggests that the Council could engage external support and provide the details to our local taxi firms of any carbon reduction scheme that may assist local taxi firms to improve their CO2 footprint.

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Cllr Lyons makes the point that a WAV must be clearly defined and licensed in accordance with the type of access they are able to provide. Cllr Lyons suggests that the Licensing Unit should continue to engage with local taxi firms in order to seek feedback about the need to increase the number of WAVs available within our licensed fleet.

Section 4. CCTV In licensed vehicles

Response

Cllr Lyons suggests that determining whether there is pressing need and legitimate aim to mandating CCTV in all licensed vehicles should be evidence based and asks the question as to whether the data the Council already holds is sufficient to justify compulsory implementation.

Further Cllr Lyons asks whether allowing licence holders and drivers to make their own decision as to whether they fit CCTV into their vehicles would heighten the risk of data protection breaches. Cllr Lyons is confident that the Council's requirements around data capture, storage and release will be well managed by the Council.

With respect the CCTV specification outlined in the consultation document, Cllr Lyons suggests employing equipment which will be fit for purpose. Cllr Lyons is also concerned that the removal of basic dashcam equipment from within licensed vehicles, may adversely impact on drivers and lessen the protection they rely on to safeguard themselves and their passengers.

Cllr Lyons agrees with the proposal in respect of darkened windows but confirms that it is vital that the Council ensures the safety of travelling passengers.

Section 5 Vehicles subject to insurance write off

Response:

Cllr Lyons believes it is imperative that written evidence from a suitably qualified professional, is obtained prior to any category S or N vehicle being licensed by this authority. She confirms that the Council's inspection regime is vital in this regard.

Appraisal of comments by the Authority:

The Council is grateful for Cllr Lyons response and our appraisal of the consultation response is as follows:

Questions on air quality

Cllr Lyons believes that improving the district air quality is imperative and that it must be balanced with the need of local businesses who's needs should be assessed following the impact any changes which may be made. The Council agrees and has employed the services of The Energy Saving Trust (EST) to help us engage with all of our licensed drivers, proprietors and operators in order to help smooth the transition from petrol and diesel internal combustion engines (ICE) vehicles to hybrids and EV's (electric vehicles).

The uptake of the EST advice and services by the trade however, was very poor and the offer of free EV test drives had to be cancelled due to the lack of interest and engagement by the trade.

The Council has a rolling programme of implementation and installation of charging points across the district. This will includes specific provision for taxis.

Questions on electric & hybrid vehicle

Cllr Lyons is supportive of the introduction of Hybrid and EV within the given timescales on the proviso that such vehicles remain accessible and affordable. Whatever the agreed timescale for introduction of the Hybrid and EVs, the Council will aim to ensure that the licensing of such vehicles is both accessible and affordable. However the Council will have no control over market forces and the cost of the vehicles available for purchase.

Cllr Lyons supports wheelchair accessible vehicles (WAV) which are hybrid or EV's and believes that external support for local taxi firms may assist the Council in improving the percentage of WAVs we currently license. The Licensing Unit will engage with the trade with respect to this matter.

Questions on wheelchair accessible vehicles

Cllr Lyons suggests that the Council should be clear as to which vehicles we will license as a WAV. All potential WAV's will be considered on their own merit. The Council will consider any make of model of vehicle as a WAV on the condition that the vehicle is capable of carrying a passenger whilst they are sitting in a wheelchair.

Questions on CCTV in vehicles

Cllr Lyons says that Council policy should be data led and evidence based. Officers agree however, following the consultation responses, there is insufficient evidence to constitute a clear and compelling reason to mandate fitting of CCTV in the District.

Cllr Lyons is concerned that permitting individual licence holders to fit CCTV into their vehicles may lead to data breaches. This however, is unlikely as all images captured on a CCTV data card are kept under lock and key on the hard drive. They are also encrypted and password protected. This means that the potential for unlawful data breaches is significantly reduced.

The Licensing Unit has also received a consultation response from a CCTV provider and installer. This CCTV company concerned has provided the Licensing Unit with a number of CCTV specifications used by other LA's and agreement will be reached on the required specification in due course.

Cllr Lyons is content that the restrictions on darkened windows should remain in the Council Policy unless CCTV is fitted. Many of the consultation responses have a different view on this matter and consideration of this will form part of the Council's reply to the consultation responses.

Questions on vehicles subject to insurance write off

Public safety is of paramount importance to the Council and Cllr Lyons that written off vehicles can be licensed by the Council in accordance with the proposed new policy requirement.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Cllr Lyons. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/03

Date received:

28 June 2022

Name and address of respondent

Cllr Mike Sutherland
County Councillor and District Councillor for Etchinghill and the Heath Ward

Comments/observations made by respondent:

Section 1. Air Quality

Response:

Cllr Sutherland agrees that the Council should stop licensing vehicles which are not Euro 6 compliant after 1 April 2024. He also agrees with the proposals contained in questions 2 and 3 on Air Quality but suggests that an assessment should be carried out which takes into account the current percentage of HEV, PHEV and EV vehicles licensed and the changes required. Cllr Sutherland also suggests a review of the established charging structure to confirm that there is sufficient capacity to meet demand.

Section 2. Electric and Hybrid Vehicles

Response:

Cllr Sutherland does not agree with the proposed 5 and 10 year timescales given in questions 1 and 2 above as he is not sure that it is commercially viable to do so. This is in light of the Council's current commitment to carbon neutrality by 2030 which he says maybe unrealistic when many other local authorities have only agreed to do so by 2050.

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Cllr Sutherland has no particular comment on the above proposals.

Section 4. CCTV In licensed vehicles

Response:

Cllr Sutherland suggests that the Council's Licensing Unit should seek a wider understanding of how and when other District and Borough Council's intend to implement the CCTV process.

Cllr Sutherland says that the Council should not leave the matter in the hands of the vehicle proprietors and drivers as some will choose not to invest in CCTV. He goes on to say that if this Council does indeed intend to implement a mandatory approach to fitting CCTV within licensed vehicles, then this should be done within a realistic timeframe.

Section 5 Vehicles subject to insurance write off

Response:

Cllr Sutherland does not support the proposal to license Category S and N vehicles which have been written off because, he says, the vehicles have been written off for good reasons.

Appraisal of comments by the Authority:

The Council is grateful for Cllr Sutherland response and our appraisal of the consultation response is as follows:

Questions on air quality

Cllr Sutherland agrees with all three proposals offered by the consultation document to stop licensing internal combustion engine (ICE) vehicles over a staged process. This process is intended to culminate in 2030. The Council believes that the change of fleet complexion from ICE to Hybrid and EV for the sake of air quality is manageable and improvements in air quality will be simultaneous with the introduction of Hybrid and electric vehicles. The timescale, however, may need to be re-assessed following the consultation responses.

Questions on electric & hybrid vehicle

Cllr Sutherland is not supportive of the 2030 timescale given within the consultation document proposals. He believes that the target date for carbon neutrality of 2030 may be unrealistic as other local authorities have a target date of 2050.

This must be a matter for politicians to decide but officers will ensure that the 2 policy objectives of improving air quality and achieving carbon neutrality, will be carried out simultaneously.

Questions on wheelchair accessible vehicles

Cllr Sutherland has no comment to make on the questions on WAV's.

Questions on CCTV in vehicles

Cllr Sutherland would like more information from other LA's on the implementation of CCTV within licensed vehicles. This may be informative but every assessment on the implementation of CCTV must be risk based on the individual circumstances of each licensing authority. This Council must however, make a decision which is based on the needs, risks and challenges within our own District

Cllr Sutherland supports mandatory CCTV within a reasonable timescale however the Information Commissioners Office (ICO) believes that there must be clear and compelling reasons for a LA to do so. The consultation responses and lack of other evidence does not lend itself to a mandatory requirement .

Questions on vehicles subject to insurance write off

Cllr Sutherland does not believe it's appropriate to license vehicles which have been written off however the Council believes that it is possible to safety license such vehicles where proper safeguards are in place.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Cllr Sutherland. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/04

Date received:

7 July 2022

Name and address of respondent

Cllr Paul Jones
Councillor for Hednesford Green Heath Ward

Comments/observations made by respondent:

Section 1. Air Quality

Response:

Cllr Jones says that Improving the District's Air Quality is imperative, but this must be balanced with the needs of and impact upon on local businesses. He also makes the point that the impact of any changes on the local taxi businesses must also be taken into account prior to any decision being taken. Importantly, he also points out that the charging structure needs to be of sufficient to capacity to meet the demand.

Section 2. Electric and Hybrid Vehicles

Response:

Cllr Jones agrees with the proposed timescales given in questions 1 and 2 of the consultation document on the condition that these applies only to the initial presentation and is not unnecessarily prohibitive. He believes it is important that we have as many wheelchair accessible vehicles as possible and a lesser timeframe may result in fewer WAV's being licensed. Cllr Jones also says we must ensure that the taxi industry is accessible and affordable for all those wishing to enter it.

Cllr Jones also suggests that the Council could engage external support and provide the details to our local taxi firms of any carbon reduction scheme that may assist local taxi firms to improve their CO2 footprint.

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Cllr Jones makes the point that a WAV must be clearly defined and licensed in accordance with the type of access they are able to provide. Cllr Jones also suggests

that the Licensing Unit continues to engage with local taxi firms in order to seek feedback on the need to increase the number of WAVs.

Section 4. CCTV In licensed vehicles

Response

Cllr Jones suggests that determining whether there is pressing need and legitimate aim to requiring CCTV to be fitted into all licensed vehicles should be evidence based and asks whether the information the Council already holds is sufficient to justify compulsory implementation.

Further Cllr Jones asks whether licence holders and drivers to make their own decision as to whether they fit CCTV into their vehicles would heighten the risk of a data protection breach. Cllr Jones is confident that the Council's requirements around data capture, storage and release will be well managed by the Council. Cllr Jones also mentions the need for CCTV signage to be agreed and displayed where CCTV is fitted within licensed vehicles.

With respect the CCTV specification outlined in the consultation document, Cllr Jones suggests employing equipment which will prove useful when issues arise. Cllr Jones also ask the question as to whether the removal of dashcam equipment from within licensed vehicles unless it meets the same specifications for CCTV, will adversely impact drivers and lessen the protection they rely on to safeguard drivers and their passengers.

Cllr Jones agrees with the consultation proposal in respect of darkened windows but confirms that it is vital that the Council ensures the safety of travelling passengers.

Section 5 Vehicles subject to insurance write off

Response:

Cllr Jones contends that it is imperative that written evidence, from a suitably qualified professional, is ascertained and confirmed prior to any vehicle in category S or N is licensed by this authority. He confirms that the Council's inspection regime is vital in this regard.

Appraisal of comments by the Authority:

The Council is grateful for Cllr Jones response and our appraisal of the consultation response is as follows:

Questions on air quality

Cllr Jones believes that improving the district air quality is imperative and that it must be balanced with the need of local businesses who's needs should be assessed following the impact any changes which may be made.

The Council agrees and has employed the services of The Energy Saving Trust (EST) to help us engage with all of our licensed drivers, proprietors and operators in order to help smooth the transition from petrol and diesel internal combustion engines (ICE) vehicles to hybrids and EV's (electric vehicles).

However, the uptake of the services and advice offered by the EST was very poor and the offer of free test drives of a selection of EV's had to be cancelled due to the lack of engagement by the trade.

The Council has a rolling programme of implementation and installation of charging points across the District. Some of these will include specific provision for taxis.

Questions on electric & hybrid vehicle

Cllr Jones is supportive of the introduction of Hybrid and EV within the given timescales on the proviso that such vehicles remain accessible and affordable. Whatever the agreed timescale for introduction of the Hybrid and EVs, Council Policy will aim to ensure that the licensing of such vehicles is both accessible and affordable. However the Council will have no control over market forces and the cost of the vehicles available for purchase.

Cllr Jones supports wheelchair accessible vehicles (WAV) which are hybrid or EV's and believes that external support for local taxi firms may assist the Council in improving the percentage of WAV's we currently licence. The Licensing Unit will engage with the trade with respect to this matter.

Questions on wheelchair accessible vehicles

Cllr Jones suggests that the Council should be clear as to which vehicles we will licence as a WAVs. All potential WAV's will be considered on their own merit. The Council will consider any make of model of vehicle as a WAV on the condition that the vehicle is capable of carrying a passenger whilst they are sitting in a wheelchair.

Questions on CCTV in vehicles

Cllr Jones suggests the council policy should be data led and evidence based. The Council agrees however, following the consultation responses, there is no evidence which constitutes clear and compelling reason to require the mandatory fitting of CCTV in the District.

Cllr Jones is concerned that permitting individual licence holders to fit CCTV into their vehicles may lead to data breaches. This however, is unlikely as all images captured on a CCTV data card are kept under lock and key on the hard drive. They are also encrypted and password protected. This means that the potential for unlawful data breaches is significantly reduced.

The Licensing Unit has also received a consultation response from a CCTV provider and installer. This CCTV company concerned has provided the Licensing Unit with a number of CCTV specifications used by other LA's and agreement will be reached of the required specification in due course.

Cllr Jones says that he is content that the current policy restrictions on darkened windows should remain in the Council Policy unless CCTV is fitted. Many of the consultation responses have a different view on this matter however, and consideration of this will form part of the Council's reply to the consultation responses.

Questions on vehicles subject to insurance write off

Public safety is of paramount importance to the Council and Cllr Jones agrees that written off vehicles can be licensed by the Council in accordance with the proposed policy requirement.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Cllr Jones. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2021-2025

Reference number:

Taxi Policy 2023/05

Date received:

17 July 2022

Name and address of respondent

Cllr Valerie Jones
Councillor for Cannock West Ward

Comments/observations made by respondent:

Section 1. Air Quality

Response:

Cllr Jones says that she agrees with Cllr Olivia Lyons response in respect of an impact assessment on local taxi businesses and the need for sufficient access to charging points. Cllr Jones agrees that the given timescales are reasonable provided that they are feasible

Section 2. Electric and Hybrid Vehicles

Response:

Cllr Jones agrees that the timescales given in questions 1 and 2 are reasonable given her concerns about an impact assessment on local taxi businesses and there being sufficient access to charging points. Cllr Jones believes that the Council should use its networks to look out for appropriate CO2 carbon reduction schemes that would support taxi firms in reducing their carbon footprint

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Cllr Jones believes that the term WAV's should be clearly defined and that the Licensing Unit should consult with local taxi firms in order to seek feedback on what barriers there might be to increasing the number of WAV's.

Section 4. CCTV In licensed vehicles

Response

Cllr Jones states that the installation of CCTV would provide protection for both passengers and drivers alike and that public transport now has CCTV.

There is, Cllr Jones comments, a public perception of safety where CCTV is fitted, especially for women travelling alone in the evening. Cllr Jones also believes that there does need to be justification in respect of ASB and other criminal behaviour in order to make CCTV compulsory.

Cllr Jones says that if mandated by the Council, the installation of CCTV should be universal and the choice should not be left to vehicle proprietors and drivers. This is so that passengers can feel safe in all taxi vehicles rather than just those who have chosen to fit CCTV.

Where fitted, Cllr Jones considers that the responsibility for data capture, storage and downloading should rest with the taxi company or owner of the vehicle who should follow the Council's policy on GDPR as a condition of licensing.

With respect to relaxing the Council's current policy on darkened windows where CCTV is fitted within the vehicle, Cllr Jones considers that this seems reasonable and a good balance between safety and choice of vehicle.

Section 5 Vehicles subject to insurance write off

Response:

Cllr Jones believes that appropriate testing and licensing of such vehicles is vital for the safety of passengers.

Appraisal of comments by the Authority:

The Council is grateful for Cllr Jones response and our appraisal of the consultation response is as follows:

Questions on air quality

Response:

The Council agrees with Cllr Jones when she says that Improving the District's Air Quality is imperative and needs to be balanced with the needs on local businesses. The Council agrees that the electric charging structure needs to be of sufficient capacity to meet the demand.

Questions on electric & hybrid vehicle

Response:

Cllr Jones supports the proposed increase in the age of first licensing for HEV's PHEV's or EV's, provided this only applies only to initial presentation to licensing and is not unnecessarily prohibitive. The Council will aim to ensure that these vehicles are accessible and affordable for those wishing to enter the trade but can have no control over market forces and the cost of vehicles available for purchase.

Equally Cllr Jones supports the Council's proposal that HEV's PHEV's or EV's which are WAV's can be up to 10 years old when they are first presented for licensing. The Council agrees it is important to license as many wheelchair accessible vehicles as possible.

Questions on wheelchair accessible vehicles

Response:

Cllr Jones says WAV's must be clearly defined and licensed in accordance with the type of access they are able to provide. The Council will continue to engage with local taxi firms to raise concern about the need to increase the number of WAV's.

Questions on CCTV in vehicles

Response

Cllr Jones asks whether the Council holds sufficient information to justify compulsory implementation of CCTV into licensed vehicles. Having considered the consultation responses, the Council cannot establish a clear and compelling reasons to mandate the fitting of CCTV within our licensed vehicles.

Cllr Jones is concerned that permitting individual licence holders to fit CCTV into their vehicles may lead to data breaches. This however, is unlikely as all images captured on a CCTV data card are kept under lock and key on the hard drive. They are also encrypted and password protected. This means that the potential for unlawful data breaches is significantly reduced.

Cllr Jones suggests that we ensure that the CCTV equipment must be fit for purpose. The Licensing Unit has also received a consultation response from a CCTV provider and installer. This CCTV company concerned has provided the Licensing Unit with a number of CCTV specifications used by other LA's and agreement will be reached of the required specification in due course.

Cllr Jones asks whether the removal of dashcam equipment from within licensed vehicles unless it meets the same specifications for CCTV, will adversely impact drivers and lessen the protection they rely on and safeguard their drivers. Consideration of this matter forms part of the Council's reply to the consultation responses.

Cllr Jones agrees with the consultation proposal in respect of darkened windows and confirms that it is vital that the Council ensures the safety of travelling passengers. Consideration of this matter forms part of the Licensing Unit's reply to the consultation responses.

Questions on vehicles subject to insurance write off

Cllr Jones believes it is imperative that written evidence, from a suitably qualified professional is confirmed prior to any vehicle in category S or N is licensed by this

authority and confirms that the Council's inspection regime is vital in this regard. Consideration of this matter forms part of the Council's reply to the consultation responses.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Cllr Jones. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/06

Date received:

15 July 2022

Name and address of respondent

Dominic Davidson
Senior Transport Co-Ordinator, Staffordshire County Council

Comments/observations made by respondent:

Section 1. Air Quality

Response:

In broad terms, the County Council agrees that stopping licensing vehicles in 2024 which are not Euro 6 compliant is a reasonable approach. They also agree with the approach outlined in question 2 for non-wheelchair accessible and wheelchair accessible vehicles capable of carrying a single wheelchair. In order to balance the needs of passengers with disabilities against environmental objectives however, the County Council request that consideration is given to an easement for vehicles capable of carrying two or more wheelchairs.

Section 2. Electric and Hybrid Vehicles

Response:

With respect to question 1, the County agree with the proposal but believe it might be appropriate to couple this with a maximum mileage. They also agree that the proposal in question 2 is reasonable.

As for whether the above proposals will help increase the numbers of WAV currently licensed by the Council, the County Council do not believe that it will do so in isolation and that this should be coupled with a requirement that all Hackney Carriages are wheelchair accessible.

The County Council believe that a coordinated approach by all licensing authorities in Staffordshire would be beneficial in helping our vision of carbon neutrality. The Staffordshire Leaders Board which has Climate Change as one of its six priorities might be an appropriate way to take this forward.

The County also believe that the electric charging infrastructure needs to be extended as this is a key requirement in supporting the introduction of zero emission vehicles.

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

The County Council is clear that in their view, licensing non-wheelchair accessible vehicles as Hackney Carriages is prejudicial to passengers with disabilities and a policy to ensure all wheelchair accessible vehicles are Hackney Carriages would be welcomed by the County Council.

The County Council believes it may also be beneficial to consider whether Private Hire Operator Licence holders for above a set number of PHVs should be obliged to have a minimum level of availability of WAVs for pre-booked journeys.

The County would welcome any measures which are designed to increase the number of WAVs available within Staffordshire. Their experience is that they have to source a significant number of WAV's from out-of-County.

Section 4. CCTV In licensed vehicles

Response

The County Council say that in their view there is a legitimate aim for CCTV to be fitted in the interests of safeguarding and public protection. This is, of course, subject to any system having all necessary security measures in place to comply with Information Commissioners Office (ICO) guidelines. They say however, that a phased approach might be beneficial, to align with the investment that will be required by drivers/operators in low emission and zero carbon vehicles.

In respect of vehicle owners being permitted to choose whether to fit CCTV in their vehicles, the County Council would support this position in the first instance, but believe it may be beneficial to move to a mandated approach at a later date.

The County Council support a ban on dashcams as they are aware that most of these do not meet ICO requirements. A secure CCTV system would enable proprietors/drivers to replace non-compliant dashcams with a proper alternative.

The County Council advocate that the Licensing Authority become the data controller of the CCTV systems. The County would have a concern if the responsibility was with drivers, proprietors and private hire operators as they say, they do not all have the skills or resources to manage compliance with the necessary standards.

The County Council contend that the technical specification is reasonably comprehensive. More detail would be useful on the camera requirements as the specification does not set out whether these are internal or external, or what they should cover.

The County Council agrees with the proposal in respect of darkened windows, albeit this should be on the strict condition that CCTV has been fitted.

Section 5 Vehicles subject to insurance write off

The County Council say that in their view this proposal carries too many risks for public safety and non-compliance.

Appraisal of comments by the Authority:

The Council is grateful for SCC response and our appraisal of the consultation response is as follows:

Questions on air quality

Response:

The County Council's agrees that the Council should cease to license non Euro 6 compliant vehicles.

The County Council's suggests that the number of WAV's can be increased by means of an easement for vehicles capable of carrying two or more wheelchairs. This Council understands that on a school contract basis, these vehicles are very useful to the County Council, however from a district council perspective, there would be very little justification for requiring operators to run these vehicles on a hire and reward basis.

Questions on electric & hybrid vehicle

Response:

The County Council's comments are noted but this Council believes that coupling the proposals with a maximum mileage requirement would be another barrier into entering the trade.

The County Council's comments are noted with respect to requiring all hackney carriages to be wheelchair accessible vehicles however, the Council believe this to be impracticable at this time. The CCDC licensed taxi trade is also resistant to this type of approach and there may be unintended consequences as outlined elsewhere in the Council's response to the consultation.

On the question of helping the Council reach its vision of carbon neutrality, the County suggest a coordinated approach between all licensing authorities in Staffordshire. It is believed however, that CCDC is the first authority in Staffordshire to consult in this manner, and as a result, there is no consistent approach with respect to licensing policies. This is a further area where the Staffordshire Leader's Board could assist in ensuring all Staffordshire Authorities commit to common goals and minimum standards for vehicle emissions, improved accessibility and enhanced safeguarding and safety in the taxi and private hire trades.

Questions on wheelchair accessible vehicles

The Council notes the view that licensing non wheelchair accessible vehicles as Hackney Carriages is prejudicial to passengers with disabilities however, we also know that some disabled passengers prefer to travel in saloon type vehicles and WAV only approach of this type would be difficult to justify on the grounds of necessity and expense.

Requiring private hire operators and hackney carriage vehicle proprietors to have a minimum level of availability of WAVs for pre-booked journeys may be of some merit and will form part of our long-term policy approach.

Questions on CCTV in vehicles

The County Council's comments in respect of a legitimate aim for CCTV to be fitted in the interests of safeguarding and public protection are noted. Following consultation however there is no clear and compelling reason or justification at a local level for the introduction of mandatory CCTV.

A phased approach to fitting CCTV in licensed vehicles maybe beneficial where this is aligned with the investment that will be required by drivers/operators in the purchasing of low emission and zero carbon vehicles. In the first instance however, proprietors and drivers should be permitted the choice whether to fit CCTV in their vehicles with the policy option left open for the Council to move to a mandated approach at a later date. Should we reach this point, the Information Commissioners Office (ICO) would require the Council to become the data controller

The County Council supports a ban on dashcams, as most of these do not meet ICO requirements. It is true that a secure CCTV system would enable proprietors/drivers to replace non-compliant dashcams with a proper alternative however, there may be a significant cost difference in cost. If the aim of the Dashcam is to monitor the outside of the vehicle, then a dashcam may be sufficient to do so. If the dash cam has the capability of recording inside the vehicle, then this cannot be permitted for data protection reasons.

An appropriate CCTV technical specification will be formalised in due course but it is clear that the proposed specification in the consultation document is reasonably comprehensive.

Although the County Council agrees with the proposal in respect of darkened windows albeit on the strict condition that CCTV has been fitted, this matter has been addressed in other consultation responses and requires careful consideration.

Questions on vehicles subject to insurance write off

Public safety is of paramount importance to the Council however, with proper safeguards, we consider that written off vehicles can be licensed by the Council in accordance with the proposed new policy requirement.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from the County Council. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/07

Date received:

17 July 2022

Name and address of respondent

Mr Majid Hussain
CCDC licensed Hackney Carriage and Private Hire Driver and member of the Council's Hackney Carriage and Private Hire Liaison Group.

Comments/observations made by respondent:

Section 1. Air Quality

Response:

In response to the questions of air quality, Mr Hussain feels that it is unreasonable to stop licensing non-hybrid internal combustion engine (ICE) vehicles after 1st April 2024. He says that after the last major policy amendment, he purchased a 6-seater vehicle under the pretext that it would continue to be eligible for relicensing while it is kept in pristine condition.

Mr Hussain says that the purchase of his vehicle was considered to be a long-term investment however he is concerned that although we were emerging from the effects of the pandemic, we are having a cost-of-living crisis. He says this is totally unprecedented and the increasing costs of fuel and servicing/maintenance put additional pressure on the trade.

Mr Hussain says that the change from ICE to full electric must be gradual as there is a lack of electric charging points in the District. He also contends that the focus must be on switching to hybrid and then to full electric in the near future. Mr Hussain says the switch from ICE to hybrid and EV's on 1 April 2024 is too much, too soon due to the current economic climate.

Mr Hussain is concerned that if there is no change to this date, then the financial impact of upgrading will be detrimental and affect the livelihood of our licence holders.

Section 2. Electric and Hybrid Vehicles

Response:

Mr Hussain feels there should be more leniency on the new to licensing age of the vehicles. He says that these vehicles are high-priced so it will be difficult for the trade to upgrade.

Section 3. Wheelchair Accessible Vehicles (WAV's)

Response:

Mr Hussain has made no response to the question of WAV's.

Section 4. CCTV In licensed vehicles

Response

Mr Hussain feels that there is no pressing need to make CCTV mandatory in CCDC licensed vehicles. Although CCTV can be used to prevent /detect crime in licensed vehicles, he says he has never experienced any crime while driving a licensed vehicle.

Mr Hussain believes that CCTV should be optional so drivers who fear being victims of crime can employ them.

With respect to dashcams in licensed vehicles, Mr Hussain thinks that they should only be permitted to record images of the outside of the vehicle and believes that this can help in preventing and detecting crime.

With respect to our policy on darkened windows, Mr Hussain says that most manufacturers are making vehicles with slightly darkened rear windows. These are road legal and can make journeys more comfortable for the public. UV rays are restricted and the heat from the sun will not burn the occupants. Less air con is needed therefore there is lower fuel consumption. He says that changing the manufactures specification of a vehicle can make insurance void if not reported.

Mr Hussain says that requiring manufacturers' windows to be replaced is placing an unreasonable burden on the licence holders and that the benefits of doing so, does not outweigh the cost.

Section 5 Vehicles subject to insurance write off

Response:

Mr Hussain has made no response to the question of insurance write offs

Appraisal of comments by the Authority:

The Council is grateful for Mr Hussain's response and our appraisal of the consultation response is as follows:

Questions on air quality

Mr Hussain confirms that his consultation response is a personal view but he feels that it is unreasonable to stop licensing non-hybrid ICE vehicles after 1st April 2024.

His concerns about the cost of running and replacing a licensed vehicle are noted by the Council however, the general consensus is that to stop licensing non Euro 5 Standard vehicles within a reasonable timescale must be the first step towards improving air quality and carbon neutrality. This timescale however, may need to be extended following the consultation responses.

Questions on electric & hybrid vehicle

Mr Hussain's comments are noted and following the consultation process, the Council agrees that it may be prudent to re-consider the timescales given within the original consultation proposals.

Questions on wheelchair accessible vehicles

Mr Hussain has made no response to the question of WAV's.

Questions on CCTV in vehicles

Mr Hussain's views on this matter are consistent with other consultation responses in so far as he does not believe there is a pressing need to make CCTV mandatory in licensed vehicles.

With respect to dashcams in licensed vehicles, the Council agrees that they should be permitted to record outside the vehicle as this can help in preventing and detecting crime. However, dashcams which are capable of recording images inside of a licensed vehicle, will be prohibited.

With respect to the prohibition on darkened rear windows, it is true that many car manufacturers are making vehicles with darkened rear windows and these are road legal. As a result, it is becoming more difficult and more expensive for licence holders to replace the darkened windows in line with current Council policy.

Questions on vehicles subject to insurance write off

Mr Hussain has made no response to the question of WAV's.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Mr Hussain. Please see the full consultation response document.

Signed:

Agreed:

Date:

CANNOCK CHASE COUNCIL
CONSULTATION RESPONSE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY
REVISED POLICY 2024-2030

Reference number:

Taxi Policy 2023/08

Date received:

12 July 2022

Name and address of respondent

Mr David Lawrie
Director of the National Private Hire & Taxi Association and Safe Systems CCTV Ltd.

Comments/observations made by respondent:

Mr Lawrie has made comment on the Introduction to the consultation document and then answered the 6 questions asked on the CCTV section of the consultation. His comments and responses are reproduced below as they were originally offered by Mr Lawrie.

Section 4. CCTV In licensed vehicles

Introductory comments within the consultation document

1. CCTV Systems in licensed vehicles are used to prevent and detect crime as well as reduce the fear of crime and protect the driver and the public travelling public. CCTV systems can capture important evidence which can act as an additional safeguard. This provides protection confidence and re-assurance to the public as well as to drivers who can be victims of violence, abuse. CCTV evidence can also prevent drivers losing their licence if an accusation against them is proven to be false.

Mr Lawrie's comment:

Wow, that is an extremely refreshing approach / introduction to the topic!

I would maybe expand on it to explain that not only does it have the potential to save drivers the added expense of legal representation as a result of such allegations, but it also saves the council too, based on the cost of interview under cautions, subsequent writing of transcripts, committee reports, committee meetings for determination, and potential legal costs in the event of appeals, which makes this subject a mutually beneficial topic.

Introductory comments within the consultation document:

In considering how to approach the issue of CCTV in its fleet of licensed vehicles, the Council must have regard to the Surveillance Camera Commissioners (SCC) guidance on the matter. This document requires that the use of surveillance camera systems in licensed vehicles must always be for a specific purpose which is the pursuit of a legitimate aim and necessary to meet an identified pressing need. The SCC is clear that there must be strong justification for making CCTV mandatory within licensed vehicles and the Council clearly acknowledges this.

Mr Lawrie's comment:

Worth noting that time taken in such committee meetings, and subsequent appeal hearings would suffice as being strong enough justification, but we, both as the largest specialist trade representative body which is the national private hire and taxi association, (the NPHTA) and personally as director of the most nationally recognised supplier of bespoke CCTV systems for taxi and private hire vehicles, do not support mandatory conditions, we are very clear that funding should and can be sourced, and that it should remain voluntary.

The SCC Guidance can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1035067/Surveillance_Camera_CoP_Accessible_PDF.pdf

Introductory comments within the consultation document:

As part of the Council's broader work to strengthen safeguarding measures within the licensed taxi and private hire trades, the Council is consulting on whether or not the use of CCTV in licensed vehicles should be compulsory. If the Council's approach is to make CCTV in vehicles compulsory, then the data controller for all CCTV equipment in all of our licensed vehicles may need be a council officer. If our approach is to permit vehicle licence holders and drivers to make their own decision as to whether they fit CCTV into their vehicles, then the vehicle licence holder or a nominated third party may be the data controller.

Mr Lawrie's comment:

As above, we do not promote the move towards mandatory, but we do believe that anyone that doesn't want such a device installed in order to protect themselves and their licenses, really needs to understand the way the industry is moving, and just how fast their livelihoods, their reputation and their freedom may be snatched away, or indeed how they can be attacked both verbally and physically.

The key points here are the data controller aspect, the Information Commissioners Office (ICO) is very clear on this in that where it is mandatory, then the local authority MUST be the data controller, (not necessarily a named officer as suggested here); having said this, the local authority already is a registered data controller in order to process existing CCTV devices, and to hold identifiable information about licensees.

The voluntary approach, specifically the nominated third-party approach, actually applies to both scenarios, which on the surface may seem a little confusing, but I will expand to explain further.

For mandatory, where the council is the data controller, the "access to data policy" will read "data may only be accessed by a council officer, a police officer, or an authorised officer" so in this scenario, a third party may be nominated or "authorised" which then saves officer time, and of course removes the element of "what if the council go fishing through all data".

Whilst we all know that this cannot and must not happen, since according to the ICO, there must be a "legitimate interest" which means only the time and date which relates directly to an alleged crime having been committed; drivers may not understand that, or indeed believe that it will never happen.

Conversely, for vehicle owners, they may not wish to run the risk of doing anything wrong under the data protection regulations (UKGDPR) and may therefore prefer to not have the headache and indeed as you suggest here, "nominate a third-party" which then satisfies all angles.

Introductory comments within the consultation document

2. The Council is also consulting on the prohibition of dashcam type equipment within licensed vehicles unless that dashcam equipment meets the same requirements as the specifications for CCTV.

This is considered necessary because many dashcams which are currently fitted within our licensed vehicles are capable of making recordings of the inside of the vehicle and the visual data recorded can generally be downloaded onto mobile phones or other portable devices. The data images obtained therefore, cannot be considered secure. Dashcams fitted with a viewing screen which is activated whilst driving are already prohibited by law.

Mr Lawrie's comment:

Prohibition of dashcam type devices is very much welcomed and encouraged, for many reasons as dictated by ICO / UKGDPR regulations as listed below:-

1. **All devices must be securely mounted** – dashcams are merely stuck to the windscreen using a sticky pad or suction cup and can be easily removed within a matter of seconds
2. **Data should be stored away from the camera head and protection from unauthorised removal** – see above regarding removal, in the case of dashcams, the data is stored on a self-contained SD card, which is simply pushed into the device, and therefore is extremely easy to remove.
3. **All data must be encrypted to a minimum standard of FIPS 140-2** – in the case of dashcams, whilst "some" may have a certain level of encryption, the playback software can be easily downloaded from the manufacturers websites, rendering the encryption useless.

4. **Devices must not record audio unless there is a visible and accessible “panic switch” to activate the audio only when justifiable** – in the case of most off the shelf dashcams, the audio is active as default, with no visible audio activation switch at all.

Having said all of the above, the presence of a monitor to display live images, is not actually prohibited by law, in fact the DVSA standards and criteria for rear view mirrors has actually been updated to allow for their use within MOT testing criteria for around 8 years now since the introduction and popularity of reversing cameras.

Introductory comments within the consultation document

3. Further, the Council also proposes to amend its existing Taxi Policy which relates to darkened rear windows in hackney carriage vehicles. We propose that hackney carriage vehicles which are new to licensing and have darkened rear windows can retain the said darkened windows on condition that they have an approved CCTV system fitted within the vehicle.

This proposal is intended to strike the balance between promoting the safety of the travelling public and ensuring that proprietors can enjoy a wide choice of vehicle they can present as new to hackney carriage licensing.

Mr Lawrie's comment:

We must admit, we do not like the suggestion here that CCTV must be installed in order to accept manufactured specification tinted windows, as we see it as an “either or” situation, both of which are at no small expense to vehicle owners; but we do see the logic being used, and the justification in order to substantiate a move away from existing tinted window restriction policies, but we would still encourage this to remain voluntary, with a focus more towards subsidising the cost on the grounds of safety, and the reduced burden on officer time.

Consultation questions:

QUESTIONS ON CCTV IN VEHICLES

Question 1 response:

Yes, it provides cost savings for drivers and council staff in the event of allegations, provides additional security, and evidence gathering in the event of any incidents.

Question 2 response:

No, we do not agree with mandatory as this places far too much of a cost burden onto an already financially stretched industry.

Question 3 response:

Yes, provided a strict criterion is observed, which rules out non-compliant devices such as dashcams which have the ability to record internally, even if that is only audio recording.

Question 4 response:

The data controller, which is the council where mandatory, or could be the vehicle owner in the case of voluntary (since even where voluntary, it may still be conditioned that the council is the data controller as is evidenced in Sheffield, Rochdale, Bury, Bolton, Wigan and various other regions) or could be a nominated third party or "authorised officer" which then effectively locks out the driver or vehicle owner from direct access to data, this way we can be sure that data access is completed correctly, with no concerns of unauthorised access.

Question 5 response:

It seems very vague, with very little detail or reasons given for the conditions, We will attach a more detailed criterion for you as has been approved by the ICO, and adopted by various local authorities including Herefordshire, York, Craven, Oxford, Cambridge, and various others, it is important right now that a national standard is adopted in order to simplify the approach throughout the country, not only for local authorities, but for vehicle owners and suppliers alike.

Question 6 response:

Not entirely sure the term appropriate is correct when introducing one condition, to replace another, since both are at a high cost, although we do agree that CCTV does far more to provide protection for drivers and passengers, than simply change a piece of glass could ever hope to achieve, the ability to see through a piece of glass will do nothing to calm down an angry passenger, nor will it provide any evidence in the event of a situation arising.

This is further reinforced by a freedom of information request that was sent to all police forces throughout the UK asking if the presence of darker glass in licensed vehicles had ever been considered to be a cause or contributing factor to any incidents that had taken place, the response was a resounding "no, it has never been considered to be a factor".

This topic was recently covered in great detail within PHTM articles last year, which included the many reasons why manufacturers are now moving towards darker glass as standard, including passenger safety and comfort, links below.

<https://content.yudu.com/web/43sy4/0A43sy5/PHTMJULY2021/html/index.html?page=6&origin=reader>

<https://content.yudu.com/web/43sy4/0A43sy5/PHTMAUGUST2021/html/index.html?page=6&origin=reader>

Appraisal of comments by the Authority:

The Council is grateful for Mr Lawrie's response and our appraisal of the consultation response is as follows:

Questions on air quality

Mr Lawrie has made no response to this section of the consultation.

Questions on electric & hybrid vehicle

Mr Lawrie has made no response to this section of the consultation.

Questions on wheelchair accessible vehicles

Mr Lawrie has made no response to this section of the consultation.

Questions on CCTV in vehicles

Mr Lawrie does not believe that there is a pressing need to require all licensed vehicles to fitted with CCTV. He does however support the fitting of CCTV as, he says, it provides cost savings for drivers and council staff in the event of allegations, provides additional security, and evidence gathering in the event of any incidents. This may be true however we agree with him that at a local level there seems to be little evidence that there is a compelling reason to mandate CCTV in our licensed vehicles.

We also agree with Mr Lawrie that it is appropriate for the Council to allow vehicle proprietors and drivers to decide for themselves if they wish to fit CCTV into their licensed vehicles. The decision as to who becomes the data controller is for the council to decide but there is a general consensus that this must be the Council if CCTV is mandated or the proprietor of the vehicle or a nominated 3rd party where the CCTV is fitted voluntarily.

Mr Lawrie is the Director of the National Private Hire and Taxi Association and safe systems cctv ltd. He says that the CCTV specification given in the consultation document It seems very vague. The Council will work with other companies to ensure that the CCTV is robust and fit for use.

With respect to relaxing our current policy on darkened rear windows in HCV's where CCTV has been fitted Mr Lawrie is concerned that it may not be appropriate to introduce one condition, to replace another, since both are at a high cost. He does however contend that CCTV does far more to provide protection for drivers and passengers, than simply changing the window glass. The Council will carefully consider its response to this matter.

Questions on vehicles subject to insurance write off

Mr Lawrie has made no response to this section of the consultation.

Proposed response by the Authority:

The local authority has carefully considered the consultation response from Mr Lawrie. Please see the full consultation response document.

Signed:

Agreed:

Date:



CANNOCK CHASE COUNCIL
PROPOSED RESPONSE TO THE JUNE 2022
CONSULTATION ON THE
HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE
AND OPERATOR LICENSING POLICY

Note: The proposed Policy changes on vehicle emissions and the licensing of Electric and Hybrid vehicles may be subject to future review and change because of unforeseen circumstances which may affect the vehicle market.

1) Vehicle Emissions:

With effect from 1 April 2024, the Council proposes to stop licensing vehicles which are of Euro 4 emissions standard and are powered solely by an internal combustion engine (ICE). Currently, there are 2 licensed vehicles which will be affected by this requirement. This will not affect electric or hybrid vehicles.

From 1 April 2025, until 31 March 2026, the Council proposes to accept renewal applications for the last time in connection with vehicles which are of the Euro 5 emissions standard and are powered solely by an ICE. This is because these vehicles do not meet the current Euro 6 emissions standard.

There are approximately 70 licensed vehicles which will be affected by this requirement. This policy decision will not affect electric or hybrid vehicles. The above policy changes will mean that from April 2027, all ICE vehicles licensed by the Council will, as a minimum, meet the Euro 6 emissions standard.

From 1 April 2026, the Council proposes to stop the new to licensing of vehicles which are powered solely by an ICE. This will not affect the renewal of ICE vehicles already licensed by the Council. Further, it will not affect the new to licensing or renewal licensing of electric or hybrid vehicles.

On 31 March 2030, the Council proposes to stop the renewal licensing of vehicles which are powered solely by an internal combustion engine ICE. This will not affect electric or hybrid vehicles.

These changes are illustrated in the table below:

April 2024	Stop licensing Euro 4 vehicles
April 2025 to March 2026	Transition period to end licensing of Euro 5
April 2026	Stop licensing ICE vehicles presented for the 1 st time
April 2023	Stop licensing all vehicles only powered by ICE

2) The Licensing of Electric and Hybrid Vehicles:

Having considered the consultation responses, the Council proposes that:

- 1) With immediate effect, all Electric and Hybrid saloon type vehicles which are presented as new to licensing, will be no more than 7 years old. The Council will, however, rely on other aspects of their taxi policy to ensure that all such vehicles which are presented as new to licensing, are of a sufficiently high standard. These vehicles will be subject to 2 full taxi inspections per annum at the Council's Hawks Green Depot.
- 2) With immediate effect, all Electric and Hybrid wheelchair accessible type vehicles which are presented as new to licensing, will be no more than 10 years old. The Council will, however, rely on other aspects of their taxi policy to ensure that all such vehicles which new to licensing are of a sufficiently high standard. These vehicles will be subject to 3 full taxi inspections per annum at the Council's Hawks Green Depot.

3) Wheelchair Accessible Vehicles (WAV's) Licensed by CCDC

The consultation process resulted in a number of suggestions which might help increase the number of WAVs licensed by the Council. There is no single suggestion of particular note however, and the Licensing Unit will continue to consult with our licensed proprietors and operators with the aim of increasing the number of WAV's licensed by the Council.

4) CCTV and Dashcams in Licensed Vehicles

Having considered the consultation responses, the Council proposes to continue to supporting and encouraging the use of CCTV in licensed vehicles but does not consider that there is a compelling need to require the mandatory fitting of CCTV.

As a result, the Council will not be required to be the Data Controller for any licensed vehicle fitted with CCTV. Where CCTV is fitted into a licensed vehicle on a voluntary basis, the Proprietor of that vehicle will be the Data Controller.

What are the benefits of installing CCTV?

- There is no structural change to the vehicle,
- Lower insurance costs.
- Increased safety of both drivers and passengers; including lone women and vulnerable children.
- Images of alleged incidents will be properly captured and recorded.
- Efficiency savings would be increased in the event of the need for interviews, committee hearings, court appeals, and legal fees would be massively reduced.

Having considered the consultation responses on this matter the Council now proposes to separate the fitting of CCTV into licensed vehicles from the need to do so because the vehicles has darkened rear windows. It is proposed that these matters will be dealt with separately within the revised council policy.

Dashcams

The Council propose that dashcams will be permitted within licensed vehicles where:

- They are fitted so as to show the outside of the vehicle only.
- They are not capable of being turned round so as to show the interior of the vehicle.
- They do not have a screen which can be seen from within the vehicle.
- Vehicles carry an appropriate Dashcam warning sign.

5) Darkened rear windows:

The Council's current policy prohibits any vehicle with darkened rear windows from being licensed as a hackney carriage (HCV/Taxi). This policy requirement has been in place for many years and has been informally challenged by the trade on number of occasions.

As a result of this challenge, the Council decided to formally consult on the matter and several responders voiced clear opposition to the Council's current policy on darkened windows within licensed hackney carriages.

The current policy options available to anybody who wishes to license a vehicle with darkened rear windows are as follows:

- Replace the rear windows with standard (clear) glass and license the vehicle as a HCV (Taxi).
- License the vehicle as a Private Hire Vehicle (PHV) where no such darkened windows policy restriction currently exists.
- Ask for a referral to the Council's L&PPC for the consideration and determination of the matter as a of public safety issue.

The reason for the different requirements between taxis and private hire vehicles, is that unlike hackney carriages, PHVs must be pre-booked prior to the journey taking place.

This is a requirement of law and the Council places licence conditions on all private hire operator licences which ensures that licence holders record a significant amount of information about the passenger(s) who has booked a journey. This legal requirement helps to ensure that the public are kept safe and assists both the police and/or CCDC licensing officers should an investigation into alleged wrong doing by the driver or passenger(s) be necessary.

The rationale behind the current Council policy restriction on darkened windows in HCVs is to help ensure that the public can travel as safely as possible in so far as all passengers are clearly visible to the outside world and the number of passengers can be confirmed.

If rear windows are fitted with standard clear glass, passengers can be seen sitting comfortably and safely in their seats at all times and vulnerable passengers such as children and the elderly are not "hidden" behind darkened glass. Standard clear glass also helps protect the driver from being threatened or abused by angry or aggressive

passengers. Although this may seem like a common sense approach, there is no empirical evidence that the fitting of clear or standard glass into vehicles does anything to improve public safety.

Things have also moved on and changed. In more recent years, even the most basic saloon cars are manufactured with darkened rear windows. As a result, finding replacement windows in order to comply with Council policy is more difficult than ever. Even where standard clear glass is available, those windows may need to be sourced abroad. This has a cost implication and can cause difficulty, delay and extra expense to the licence holder.

As this issue is now becoming more frequent and more problematic, some local authorities throughout the country now require the mandatory fitting of CCTV into licensed vehicles which have darkened rear windows. The argument is that this helps to ensure public safety because any complaints made to the Council's Licensing Unit or to the Police, might be quickly and effectively dealt with by viewing the CCTV images and the culprit may then be readily identified.

In this way, any justified complaint of improper conduct by a licensed driver can be readily dealt with by watching CCTV images and that driver can then be dealt with swiftly and appropriately. Equally, if a licensed driver can be seen to have acted in a proper manner, any allegation of misconduct can be dismissed and the unjustified complaint can be dealt with accordingly.

With this in mind, the Licensing Unit has, on a trial basis for the last 12 months, offered vehicle licence holders a choice. The choice was to replace darkened rear windows with standard glass in vehicles which were new to licensing, or, to fit CCTV to the newly licensed vehicle.

Within that trial period, 50% of the licence holders chose to fit CCTV into their newly licensed vehicle and 50% chose to replace the windows. Changing the windows was generally considered the slightly cheaper option. It should be noted however, that the fitting of CCTV into the vehicle may be a better longer-term, cost-effective option as CCTV systems can last for many years and can be moved from one vehicle to another.

The trial period led officers to the conclusion that it would now be prudent to consider removing the current policy restriction on darkened windows in hackney carriages.

In light of the consultation response from the local trade and the National Private Hire and Taxi Association and others, officers are persuaded that:

- More and more newly manufactured vehicles are now fitted with darkened rear windows as standard and the replacement of the darkened glass has additional legal and cost implications to licence holders.
- Replacing rear windows potentially interferes with the vehicle's construction and use. This could void the vehicle warranty, and insurance since the vehicle is no longer within manufacturer specifications.

- The current Council policy potentially restricts the choice of vehicles available for purchase to the local Taxi and PH trade.
- Darkened rear windows reduce harmful UV rays and the levels of light entering the vehicle. This can improve the passenger experience.
- Reduction of the amount of sunlight passing through rear windows reduces the heat within the vehicle. This can reduce the need to use air conditioning which helps improve fuel economy. This, in turn reduces vehicle emissions and assists with achieving carbon neutrality within the Taxi and PH trade.
- Although it may seem obvious that being able to see passengers sitting inside a vehicle is safer than not being able to see them, there is no empirical evidence available that supports the contention that darkened windows actually compromise public safety. UK Police forces do not generally record darkened windows as a factor in their investigations. As a consequence of this, if we continue with our current policy on darkened windows, the Council may be open to challenge through the courts on the grounds that our existing policy condition on darkened windows is not “reasonably necessary”. All such Taxi and PH licence conditions of licence are required to be so by law.
- Should the Council continue with its current policy, taxi proprietors may decide to license their vehicles with another, perhaps nearby local authority whose policy and fees for the licensing of vehicles may be less robust and cheaper than our own. The possibility then exists that those vehicles would return to the Cannock Chase area and work here on a lawful cross border basis. This would mean a loss of revenue for this Council and a loss of control over the vehicle licence.

Council policy should still prevent the licensing of any vehicle fitted with darkened windows which were not present at the time of manufacture. The fitting of aftermarket window tints and dark films will not be permitted.

6) Vehicles subject to Insurance write off

Having considered all of the consultation responses, the Council proposes to permit the licensing of Category S and N vehicles where it is safe to do so. All such vehicles must have documented confirmation of the extent of the damage and the necessary repair. The vehicle will also be subject to a full taxi inspection at the Council's Hawks Green Depot.

All such vehicles must comply with all other aspects of the Council's Policy.

- Category S vehicles have some structural damage but are repairable.
- Category N vehicles have non-structural damage which are repairable.

All S and N category vehicles intended for licensing with this authority must comply with all detailed aspects and requirements of the Council's Hackney Carriage/Private Hire Driver, Vehicle & Operator Licensing Policy. This includes any new to licensing age restriction and road traffic collision requirements on notification and inspection.

CHANGES TO THE CANNOCK CHASE DISTRICT COUNCIL HACKNEY CARRIAGE/PRIVATE HIRE DRIVER, VEHICLE & OPERATOR LICENSING POLICY 2023	
AMENDMENTS TO EXISTING POLICY	REASON
The transfer of a vehicle from one proprietor to another may only take place if the said vehicle has a valid licence at time of the transfer.	For clarification and the avoidance of doubt.
From 1 April 2024, replacement part worn tyres shall not be fitted on licensed vehicles This includes any spare tyre contained within the vehicle.	The continual improvement of vehicle quality and In order to ensure public safety. The Council has employed a phased approach to improving the quality of tyres used on licensed vehicles.
Any driver who has had their licence suspended for public safety or road safety reasons will have their details recorded on the NAFN National Register of Refusals and Revocations (NR3).	To comply with new legislation. This is in addition to the existing requirement to record drivers who have been refused a licence or had their licence revoked by this authority.
Licensed drivers are not expected to be trained in the use of the fire extinguisher or first aid kit which are carried within licensed vehicles.	For Policy clarification.
Any dishonesty by any applicant or other person on the applicant's behalf which is discovered during any part of the Hackney Carriage/Private Hire Drivers' Licence application or renewal process will result in the licence being refused.	For clarification and the avoidance of doubt.
The Council will permit the licensing of Category S and N vehicles where it is safe to do so. All such vehicles must comply with all other aspects of the Council's Policy and subject to a full inspection at the Council's Hawks Green Depot.	For Policy clarification.
Upon arrival at their pickup point, licensed drivers must strike a balance between ensuring that customers are given a reasonable period time to acknowledge their arrival and get into the waiting vehicle, and dealing with the realisation that the passenger will not appear.	For clarification of Council expectations
With immediate effect, all Electric and Hybrid saloon type vehicles which are presented as new to licensing, may be no more than 7 years old.	In order to contribute towards the Council's vision on air quality and carbon neutrality.

With immediate effect, all Electric and Hybrid wheelchair accessible type vehicles which are presented as new to licensing, may be no more than 10 years old.	In order to contribute towards the Council's vision on air quality and carbon neutrality.
On 1 April 2024, the Council will stop licensing Euro 4, non-electric or hybrid vehicles powered only by an internal combustion engine (ICE).	In order to contribute towards the Council's vision on air quality and carbon neutrality.
Between 1 April 2025 and 31 March 2026, the Council will accept renewal applications for the last time in respect of Euro 5, non-electric or hybrid vehicles powered only by an internal combustion engine (ICE).	In order to contribute towards the Council's vision on air quality and carbon neutrality.
On 1 April 2026, the Council will stop licensing non-hybrid vehicles powered only by an internal combustion engine (ICE) and which are not already licensed by the Council before that date.	In order to contribute towards the Council's vision on air quality and carbon neutrality.
On 1 April 2030 the Council will stop licensing all vehicles which are only powered by an internal combustion engine (ICE). This does not include hybrid vehicles.	In order to contribute towards the Council's vision on air quality and carbon neutrality.
Within 24 hrs of the incident occurring, drivers must report to the Council's Licensing Unit any injury suffered by any of their passengers or any other person associated with any journey to whom the driver has a duty of care.	For clarification and the avoidance of doubt.
Licensed drivers who are banned from driving by the Courts for 55 days or less, will not have their licence application considered by the Council until at least 3 months have passed since the expiry of their ban.	For clarification and the avoidance of doubt.
Licensed drivers who are banned from driving by the Courts for 56 days or more, will not have their licence application considered until at least 6 months have passed since the expiry of their ban.	For clarification and the avoidance of doubt.