



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 to 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

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.