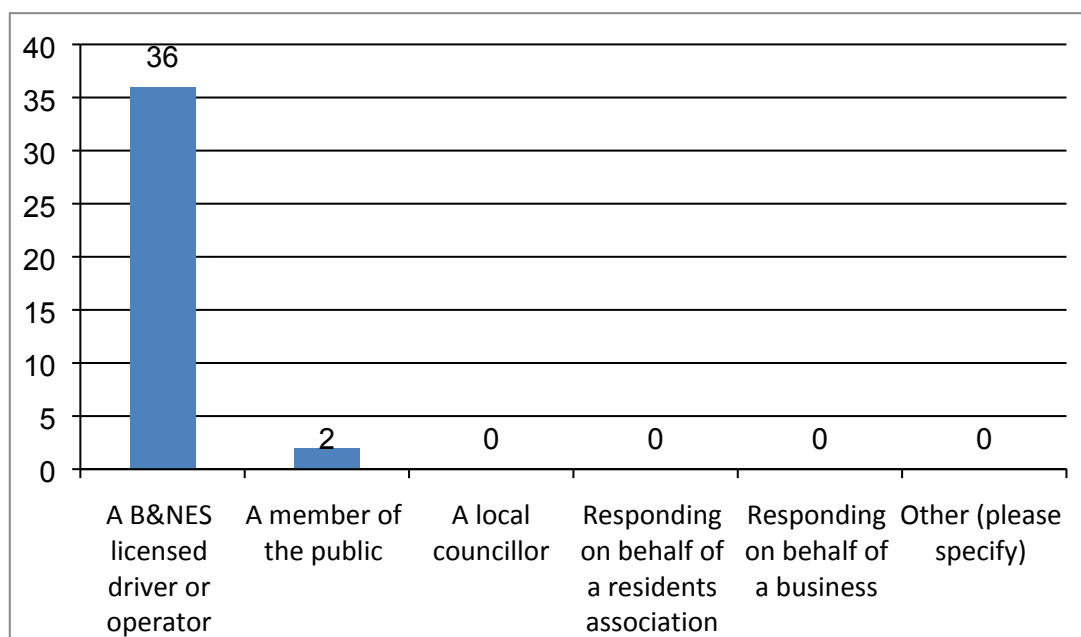


Hackney Carriage and Private Hire Policy and conditions review 2018- Public Consultation analysis

Question 1:

In what capacity are you responding to the consultation?



95% of people who responded were either B&NES licensed drivers or operators; 5% were members of the public.

Question 2:

During the life of the new taxi policy one or more Clean Air Zones may be introduced to help reduce harmful levels of air pollution in the area to within legal limits. A Clean Air Zone will impose charges for all vehicles driving within it which do not meet specified emission standards. All vehicles licensed by the Council must be (as a minimum) compliant with the terms of the Clean Air Zone and meet with its emission standards. Currently Euro 6 diesel and Euro 4 petrol vehicles may meet standards for central Bath however technical modelling is ongoing and no decision about these types of vehicle has yet been made. Fully electric and hydrogen fuel cell vehicles would meet standards for central Bath and would not be subject to a charge. In the interests of both the public and drivers' health, the Council is encouraging use of hybrid, plug-in hybrid or fully electric powered vehicles providing the minimum specifications set down in the relevant Private Hire or Hackney Carriage vehicle licence conditions are met. Please provide any comments about these proposals, particularly on how the Council can assist vehicle owners in achieving compliance.

15 people responded to this question; the comments are provided in the following table, together with officer responses.

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Comment	Officer's response
More time please, most drivers have hire purchase/ lease agreements of up to 5 years.	The Government has mandated the Council to reduce levels of nitrogen dioxide in the shortest time possible and by 2021 at the latest. Discussions with the trade began in April 2018 to ensure that as much notice as possible was given.
Most drivers have bought their vehicles over 5 years, so though I agree that vehicles should be cleaner I don't think it is fair to only give 2 years notice.	See above comment.
If the pollution in specific area, in my view to make some roads just for taxi, cycling and buses, then we can decrease pollution.	There are exceedances in nitrogen dioxide levels throughout B&NES and so it is necessary to take a wide-ranging approach in reducing these levels.
Euro 5 diesels and Euro 6 are nearly the same.	On average, Euro 6 vehicles are significantly better in terms of vehicle emissions than Euro 5 diesels.
How much will the tax be per year for diesels older than 2015?	The assumption is being made that this query relates to the charge for non-compliant vehicles to enter the Clean Air Zone. This will be confirmed in October 2018.
I really worry that your proposals are punishing low income residents once again. I'm sure we'd love to do more for the environment and everybody's health. Unfortunately, not everyone has the funds to buy a low emission vehicle within the next 2 years. Will there support schemes in place? What about targeting bus companies? How will they fare? I've seen some electric buses, but not many. And how will they achieve a more reliable service to offer a real alternative for Bath residents. Unfortunately, jobs and living locations seem to be increasingly apart and commuting times and costs ever increasing. You want to encourage people to leave their cars at home and use alternatives, but I do not feel that there are valid alternatives available at the moment. Also, if you are encouraging electric vehicles, where is the charging infrastructure? I live in a block of flats. There is no way I could have an electric vehicle, as there is no charging point nearby!	<p>The Council is considering concessions for the taxi trade to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.</p> <p>Bus companies are also included within the terms of the Clean Air Zone and will be required to provide compliant vehicles.</p> <p>The Council is encouraging the use of electric vehicles and is applying for funding from the Office of Low Emission Vehicles for the installation of electric charging points for use by the taxis trade.</p>
Ban all diesels from being plated, give 3+ years notice so everyone can sort out their finance/lease reduce minimum CC for engines down to 1.0 or change from CC to HP as modern petrol engines have	Proposed vehicle specifications are given in the policy documents which are compliant with Government guidance for Clean Air Zones. These are at least a Euro 6 standard diesel and at least a Euro 4 standard petrol vehicle.

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changed and improved a lot in the recent years. I personally suggest a petrol engine with 80+ HP as that would be above the standard for 1.4L engines ~10 years ago	
I'm just curious how it's going to be policed and every car complies only ask because of out of town cars they have to comply as well or they let off as per normal. It's just bath taxis being penalised.	The Clean Air Zone will be enforced by ANPR (Automatic Number Plate Recognition) cameras which are linked to the DVLA database. Every vehicle entering the zone will be required to comply, unless it has been granted a specific exemption.
Put fares up as we are losing money cause of Uber.	The Council regulates the fares for Hackney Carriage vehicles and agreed a 2.9% increase in 2018 because of inflation increases in motoring costs. Fares cannot be increased due to reasons of competition.
Just think it's a new money making scheme for the council and all councils.	The aim of introducing a Clean Air Zone is to reduce levels of nitrogen dioxide to below acceptable limits. Government guidance states that any income raised as a result of the implementation of the Clean Air Zone must be reinvested back into green transport schemes.
I drive a 2012. Diesel /hybrid yet this won't be "legal" when rules are implemented.. yet it's a hybrid	The Council is considering concessions for the taxi trade, including hybrid vehicles, to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.
Some drivers have only recently purchased new vehicles. The vehicle change to drivers should be phased in, you can expect every taxi driver to be able to fund a new vehicle at the drop of a hat, especially after giving Uber a licence and forcing Banes drivers to work longer hours in competition with cars plated by Bristol, Wiltshire , TFL , Mendip , Devon , Wolverhampton, Gwent .	The Council is considering concessions for the taxi trade to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.
We need more time for achieving compliance.	The Clean Air Zone will come into force sometime in 2020 and the Council is considering concessions for the taxi trade to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.
When will the clean air zone come into force? Though I agree with the principal of the CAZ, many owners/ drivers are 2 years or less into 5 year hire purchase agreements ON	The Clean Air Zone will come into force at some point in 2020.

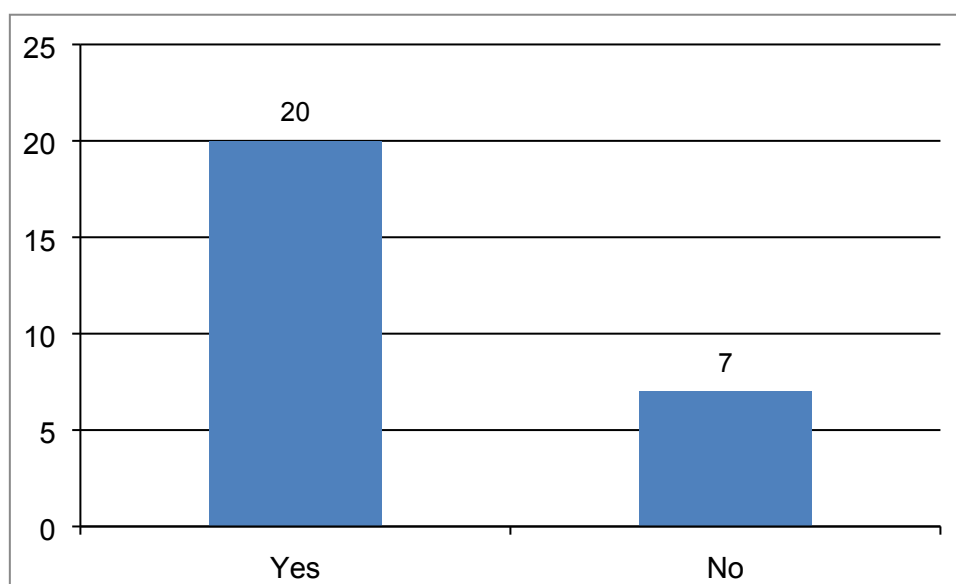
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VEHICLES THAT WILL NOT COMPLY.	
The current price of electric wheelchair accessible vehicles far outweighs the earning capabilities of a BANES taxi, and to my knowledge there are no hybrid WAVS currently available.	It is proposed to provide an exemption for WAV's licensed by B&NES from the Clean Air Zone in recognition of the valuable service they provide to the community.

Question 3:

The Council is proposing that all drivers should receive mandatory awareness training around child sexual exploitation. This is because taxi drivers are in a unique position to spot people who maybe vulnerable and being exploited. This 1 hour training course will be delivered by the Council so that we can keep costs for drivers to a minimum. It is anticipated that it will cost between £10 - £20 and this will be added to the licence application fee. Do you agree with the introduction of this mandatory training?

27 people answered this question.



74% of respondents to this question agreed that yes, mandatory awareness training around child sexual exploitation should be introduced for all drivers.

Two respondents provided further comments:

Comment	Officer's response
Done one of these courses already think it's a very grey area and your putting taxi drivers on the spot were not qualified in this field	The Council does not expect drivers to be experts or qualified in this field. The aim of the course is to raise awareness of situations that may cause the driver to be concerned and to provide useful information to empower the driver to feel confident in being able to report any concerns to the responsible authority. The main result of the course is that drivers

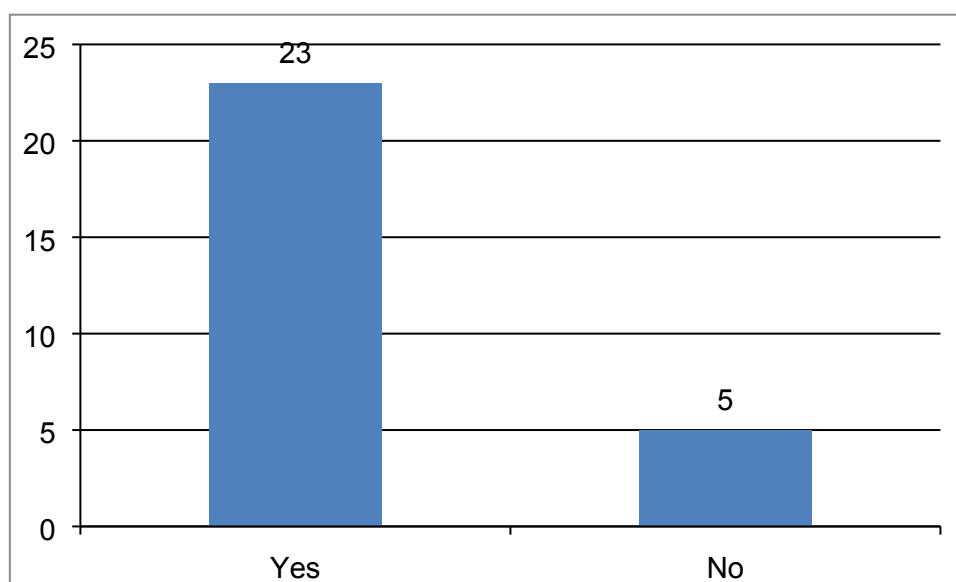
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	awareness of some of the signs of potential CSE is raised along with providing the driver with greater confidence in knowing what to do and who to approach with appropriate information should they find themselves in a situation which raises there concerns.
Drivers that do school runs have to do this course anyway, it makes sense.	No further comment

Question 4:

The Council is proposing to introduce a mandatory English speaking test for all new applicants as it is essential for public safety that a driver can communicate clearly with passengers and Emergency Services in the event of an emergency situation. This will be completed as part of the licence application process. Do you agree with the introduction of this mandatory training?

28 people answered this question.



82% of respondents to this question agreed that yes, a mandatory English speaking test for all new applicants should be introduced.

4 respondents provided further comments.

Comment	Officer's response
Because driver if see something Suspicious will call police straightway.	No further comment.
If you introduce this for all out of town drivers make it a level playing field but as per normal it's just bath drivers.	This condition relates to all new drivers licensed by B&NES. Other licensing authorities have already introduced a similar condition. Research by the DfT in 2017 indicated that 58% of 292 licensing authorities required some form of training by both hackney carriage and private

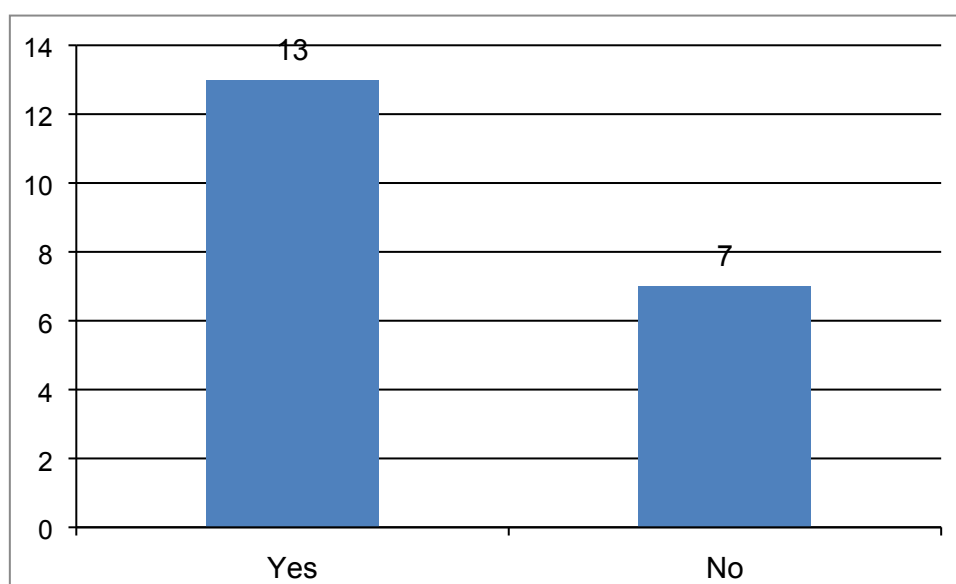
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	hire drivers.
Also all drivers should have a uk ???? licence	All applicants licensed by B&NES are required to hold a full UK driving licence with the required three year driving entitlement.
Yes, and ban Sat nav use for taxi drivers in the city centre. A map or an A to Z is what many of us learned our profession with.	This idea was suggested at the last taxi policy review in 2014 and was rejected by the Licensing Committee at that time after they considered the representations of other taxi drivers and developments in technology. However the Council agrees that local knowledge is essential and is committed to applicants passing a local knowledge test before issuing a combined hackney carriage/private hire drivers licence.

Question 5:

The Taxi Policy is being updated so that we can be sure it remains relevant and is fit for purpose. All the proposed changes are highlighted in red in the document which can be downloaded from the website. In general terms, do you agree with the proposed policy?

20 people answered this question.



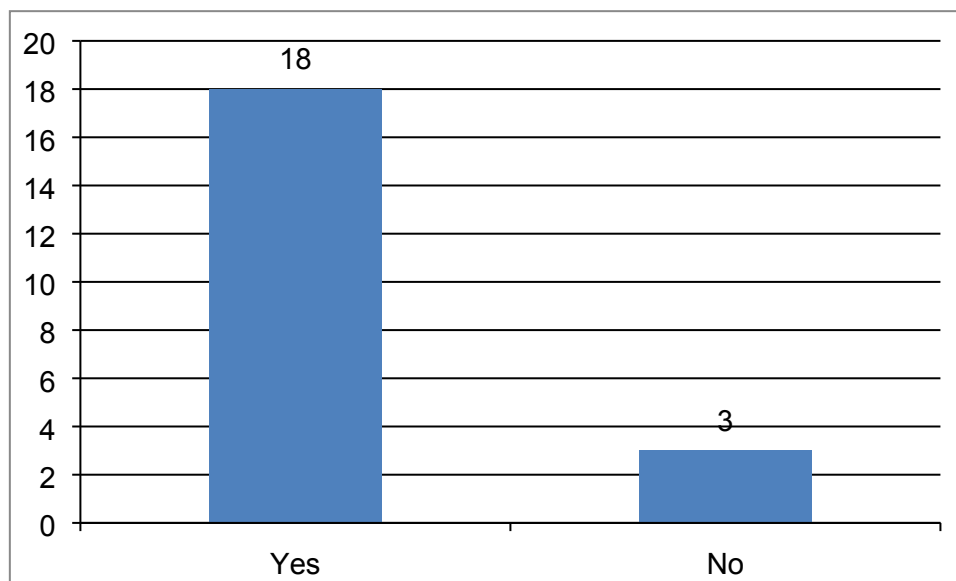
65% of respondents said yes, in general terms they agreed with the proposed policy. Nobody provided further comments.

Question 6:

The Hackney Carriage Vehicle Conditions are being updated so that they remain relevant and are fit for purpose. All the proposed changes are highlighted in red in the document which can be downloaded from the website. In general terms, do you agree with the proposed conditions?

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21 people answered this question.



86% of respondents said yes, in general terms they agreed with the proposed Hackney Carriage Vehicle Conditions.

1 respondent provided a further comment.

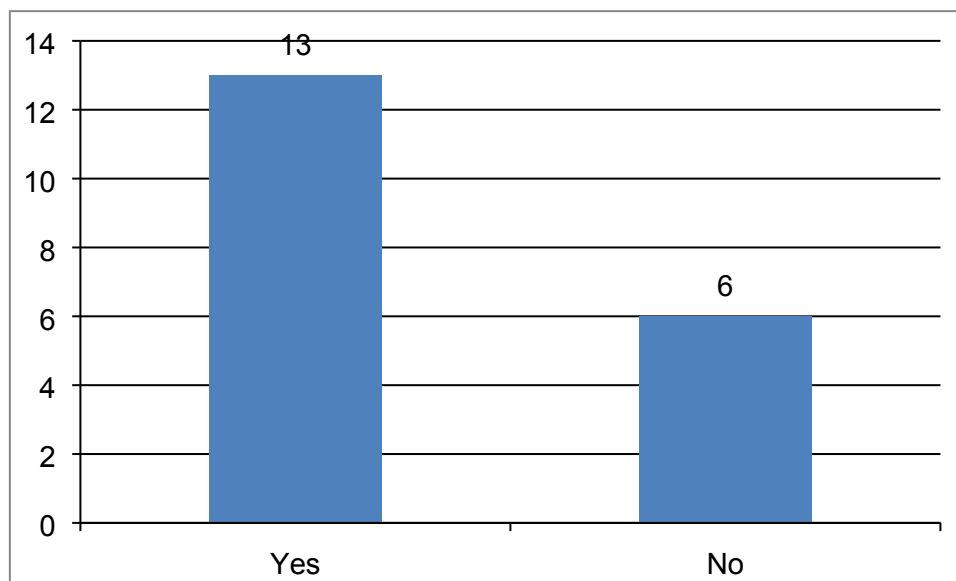
Comment	Officer's response
As before the price of available compliant WAVS will discourage drivers providing an essential service	It is proposed to provide an exemption from the Clean Air Zone for WAV's licensed by B&NES in recognition of the valuable service they provide to the community.

Question 7:

The Private Hire Vehicle Conditions are being updated so that we can be sure they remain relevant and are fit for purpose. All the proposed changes are highlighted in red in the document which can be downloaded from the website. In general terms, do you agree with the proposed conditions?

19 people answered this question.

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68% of respondents said yes, in general terms they agreed with the proposed Private Hire Vehicle Conditions.

3 respondents provided further comments.

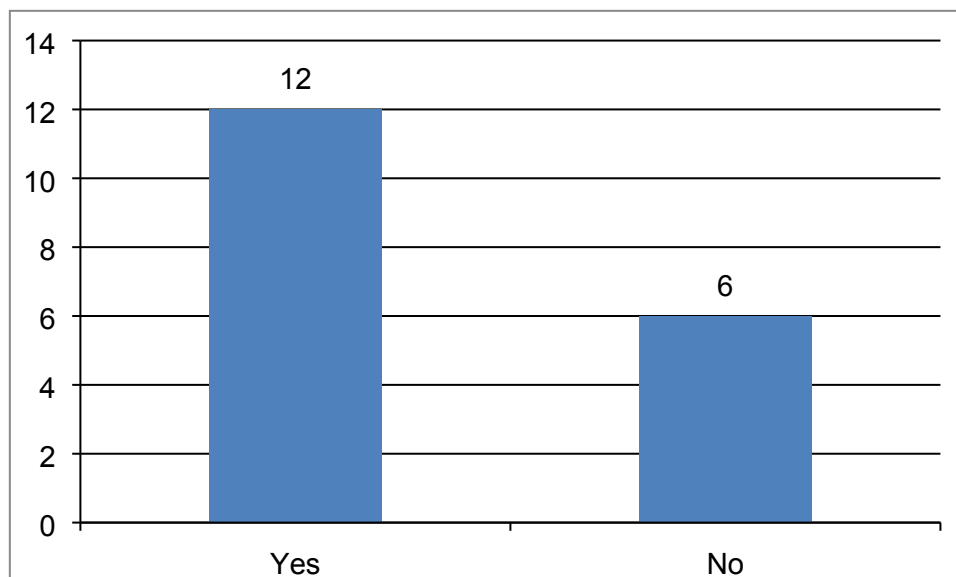
Comment	Officer's response
Will the council be ensuring that vehicles from other licensing authorities that are working in Bath for companies licenced by BANES such as Uber be subject to the same conditions	The Council is not able to impose any conditions on vehicles, drivers or operators licensed by other Councils. There is no legal mechanism to do so.
App based companies who are licenced and operate in bath such as Uber use a lot of vehicles from neighbouring licencing authorities, will they be subject to the new minimum standards, door signs etc. or will the council allow a uneven playing field ??	Only vehicles licensed by B&NES will be affected by the new policy and conditions. B&NES has no legal powers to impose terms and conditions on any vehicles or operators licensed by other authorities.
Short should be able to be worn if the temp is over 21 degree	It is expected that taxi drivers in B&NES dress in tidy and professional attire. However dress codes are often viewed subjectively by individuals and one person's idea of an acceptable dress code can be very different from another person's. The wearing of shorts and the fit and length of shorts can vary widely. One driver's idea of an acceptable pair of shorts may be unacceptable to a person travelling in a licensed vehicle and may make them feel uncomfortable. The majority of vehicles have air conditioning systems which allow the driver and passenger to travel in a comfortable environment.

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Question 8:

The Driver Conditions are being updated so that we can be sure they remain relevant and are fit for purpose. All the proposed changes are highlighted in red in the document which can be downloaded from the website. In general terms, do you agree with the proposed conditions?

18 people responded to this question.



67% of respondents said yes, in general terms they agreed with the proposed Driver Conditions.

2 respondents provided further comments.

Comment	Officer's response
I do not agree that we can no longer wear tidy shorts, we have recently experienced temperatures in the mid to late 30's and often have to sit in our vehicles on the taxi ranks for up to an hour at a time in the full sun. we cannot leave our vehicles to seek the shade as this is against council regulations, so wearing shorts is essential, will the council be banning miniskirts as well ?????,(shorts are short trousers miniskirts are short skirts!!!) Surely our health should be considered.	It is expected that taxi drivers in B&NES dress in tidy and professional attire. However dress codes are often viewed subjectively by individuals and one person's idea of an acceptable dress code can be vastly different from another person's. The wearing of shorts and the fit and length of shorts can vary widely. One driver's idea of an acceptable pair of shorts may be unacceptable to a person travelling in a licensed vehicle and may make them feel uncomfortable. The majority of vehicles have air conditioning systems which allow the driver and passenger to travel in a comfortable environment. Many drivers exit vehicles whilst waiting at taxi ranks for various reasons. For equalities sake it is agreed that this should extend to miniskirts. There are not considered to be any health implications associated with the proposed condition.
Tidy shorts should be permitted in hot weather also how can drivers be expected to take lost	We are aware of the difficulties and the new conditions for operators allow them to introduce

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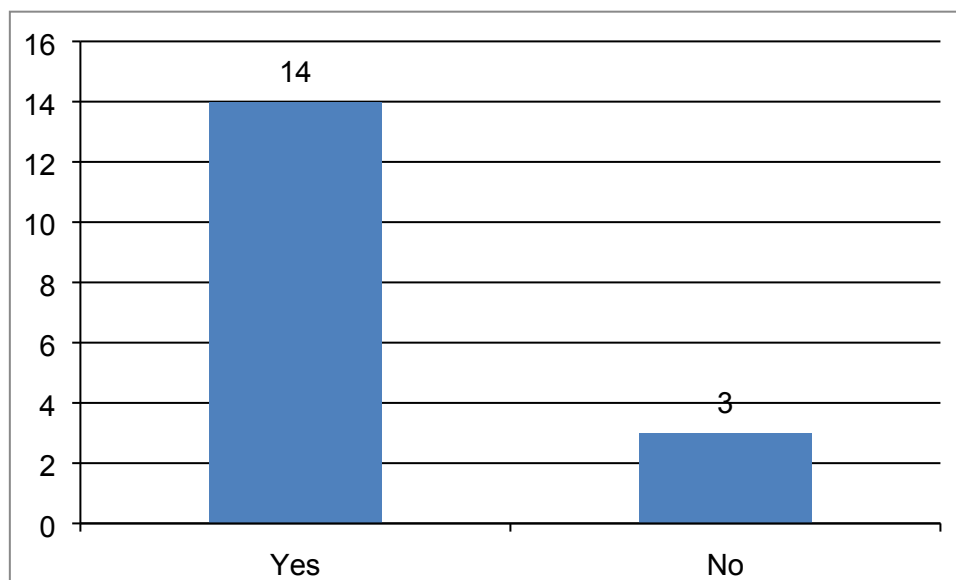
property to the police station when Bath does not have one (to stop at the one stop shop will incur a parking charge to the driver and is not open 24hr a day and travelling to Keynsham will be a great inconvenience to the driver and will also incur significant costs.

their own lost property retention schemes which will remove the requirement to take lost property to the Police. There will still be a Police Office in Manvers Street for drivers who are unable to use the facility provided by an operator. Drivers are advised to be extra vigilant at the end of a fare and ensure that the passenger has all their belongings to minimise incidents of lost property. From the Licensing Authority's experience of dealing with lost property incidents, many of them could be avoided with basic communication and a more vigilant and professional approach from the driver. Many lost property incidents are currently resolved by Licensing where identification of the vehicle is provided and the driver contacted before any property is handed into the Police.

Question 9:

The Private Hire Operator Conditions are being updated so that we can be sure they remain relevant and are fit for purpose. All the proposed changes are highlighted in red in the document which can be downloaded from the website. In general terms, do you agree with the proposed conditions?

17 people responded to this question.



82% of respondents said yes, in general terms they agreed with the proposed Private Hire Operator Conditions.

2 respondents provided further comments.

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Comment	Officer's response
Could there be more enforcement to ensure that the private hires comply with their current regulations such as picking up flyers (non booked fares or even putting their roof signs on their vehicles etc ?????) as the council don't seem to be able to enforce their existing rules so how will they enforce new ones?	There is regular enforcement to ensure that all licensed vehicles and drivers are complying with the regulations. There are regular Officer patrols to monitor activities and the team will respond to any issues raised by concerned drivers, whatever may be the cause.
The telephone number of a local office should be displayed on the exterior p/h signage so customers can contact the operator 24hr a day so as to report lost property etc., or any problems with the journey/driver	It is proposed that all private hire vehicles display signs that indicate which operator they are currently working for and the telephone number. In the absence of a telephone number then a website will be sufficient. It is not expected for all operators to be available 24hrs a day.

Question 10:

Please provide any other comments regarding the proposed changes.

3 respondents provided further comments.

Comment	Officer's response
Taxis should be exempt from the charge as we are PUBLIC transport and this charge will force many older drivers out of the job before retirement age as those with a couple of years to go before retirement should not be forced to work past their retirement date to pay for a car they don't want or need most drivers buy their cars on 4 to 5 year plans .I should think a fairer way would to wait until the car is changed to insist on a euro 6 diesel. The electric cars are far too small for the use as taxis.	<p>Taxis are included in all classes of a Clean Air Zone as stated in the Clean Air Zone Framework.</p> <p>The Council is considering concessions for the taxi trade to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.</p> <p>The Council welcomes the use of electric vehicles as taxis and has provided a specification and vehicle conditions.</p> <p>Electric vehicles are an emerging market and whilst the models available are limited at this time, manufacturers will be providing a wider range of vehicles to stay competitive and provide vehicles that cater to a wider range of usage.</p> <p>With regard to size of taxis there is scope for vehicles of all sizes with some authorities licensing Smart Cars for City use where journeys predominantly only require a single passenger.</p>

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Not allowing shorts after this spell of weather is pathetic, petty and vindictive	This is intended to provide a standard condition where no member of the public travelling in a licensed vehicle is made to feel uncomfortable by a driver whose choice of shorts (or other clothing) may be inappropriate and make them feel uncomfortable. The dress code whilst subjective in manner is there to encourage drivers to convey a professional appearance thereby improving the confidence of the public in choosing licensed vehicles as a preferred form of transportation.
Whilst I agree changes have to be made, as I stated previously, a vehicle change is something that would need to be phased in, charging taxis to come into the city to provide the service Banes requires is ludicrous. The A36 & A46 should have been linked years ago, the London road is a polluted mess but the majority of traffic is using it as a through road as there is no other alternative. I can't see how a tax will improve this situation on the London road	<p>The Council is considering concessions for the taxi trade to mitigate any negative impacts from the introduction of a Clean Air Zone in Bath. These will be confirmed in October 2018.</p> <p>Regarding through traffic on London Road, its important to recognise that the vast majority of traffic in fact comes into Bath City Centre, with less than one in seven trips on London Road being through trips.</p>

4 people submitted responses on email via licensing@bathnes.gov.uk. The comments and officer's responses are provided below:

Comment:

Apologies for not booking a surgery slot regarding this, I left it too late.

If possible I would like to make a representation concerning the section about magnetic door signs on Private Hire vehicles. Whilst I agree with the principal of displaying the operator's details, I am slightly adverse to using magnets as over time they can cause scratches and paint fading. If the operator were to agree the supply of some kind of transparent plastic film signs to go in the rear passenger windows, would this be an acceptable alternative?

Yours sincerely,

Officer response:

Door signs are already in use by companies in B&NES and have been for a number of years with a very large number of drivers already using them without any reported issues. Magnetic door signs allow drivers who may work for more than one Operator to quickly change them when undertaking work for a different company with the minimum of disruption and fuss and can be easily transported flat in the vehicle and do not take up any space. Any film on the windows would not be as convenient and unless applied professionally would result in varied applications (as is

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the case with aftermarket window tints which are prohibited) and would not make it a simple task to change the displayed name of the Operator when required. Door signs provide a visual point of reference when a passenger is approaching a vehicle which is not provided by the rear window. Drivers visibility could also potentially be impaired by any application of film signs in the vehicle rear passenger window which is not something to be encouraged.

Comment:

Hope alls well. Just seen the updated regulations, like to mention congratulations on these certainly a step in the right direction in raising standards.

Do these come into force now or at renewal stage ?

Kind regards

Officer response:

It is intended that a Cabinet decision on the new policy and conditions will be made in December 2018, prior to the driver renewals in January 2019 when the proposed driver's conditions will take effect. The proposed new conditions for vehicles will take effect with any new vehicles licensed after this date and will affect Hackney Carriage renewals in May 2019 and Private Hire renewals in October 2019.

Comments were received from Uber Britannia Limited which is shown in the document attached to this Appendix.

The officer response is below:

Complaints Reporting

It is expected that Operators will deal with the majority of complaints regarding journeys taken themselves through internal protocols and procedures and to keep a record of these actions that can be inspected by the Council as part of normal Operator inspections or where a customer contacts the Council in the event of an unresolved dispute. With regard to complaints that involve violent, dishonest or sexual misconduct then the complainant should be referred directly to the Council and/or the Police. In such circumstances as these where it is likely to be a criminal matter the Operator should not be involved in an investigation of these matters as it may be prejudicial to later investigations by the appropriate authority. The Operator would be expected to be fully compliant in providing all relevant details to the Council or the Police when a potential criminal offence is being investigated and will be provided with the relevant data protection form should it be necessary. Complainant information would be gathered by the Operator in the normal course of business and the conditions require that the nature and method of any complaint is recorded by the Operator. It is expected that as Operators records are liable to inspection at any reasonable time by virtue of the legislation under which the licence is issued that this information would be forthcoming to the Council on request should it be necessary in unusual circumstances. Our licensing conditions apply to large corporate organisations such as Uber and small individuals who are sole traders. A large number of our Operators are based at home residential addresses and

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do not have secure data storage facilities and whilst they are required to comply with the Data Protection Act we do not wish to impose overly onerous data recording and storage requirements on our smaller Operators.

We agree the inclusion of the term “discrimination” is a desirable addition.

Decoupling Private Hire Drivers Licence from Hackney Carriage Drivers Licence

The combined Hackney Carriage/Private Hire driver’s license issued by B&NES allows a successful applicant to work in either sector of the trade without the need to apply for a separate licence depending on what type of vehicle he or she wishes to drive. Applicants often come into the “taxi trade” (to use a generic term) with a vague idea of how they wish to work and no clear idea of the difference between the two licence categories and the differences between the two methods of working either from the ranks for immediate public hire or through an operator for advance private hire bookings. The dual licencing regime has advantages not just for the applicant but for hackney carriage vehicle owners and private hire vehicle owners and operators who can all be assured that any driver they take on who is licensed by B&NES is fully legal for each type of vehicle and that the applicant having gone through the knowledge test process not only has a competent knowledge of the local area including shops, restaurants, sports facilities, pubs, nightclubs etc and has demonstrated that they can competently navigate the city by an appropriate route. It is of equal importance that the knowledge test also includes modules on the legal aspects of driving a private hire or hackney carriage vehicle which we believe is essential knowledge and prevents new drivers inadvertently falling foul of the law. Many of the points raised suggest that the Council should be facilitating an easier pathway for drivers who sign up to the Uber platform for the reasons they have put forward such as not carrying cash, or wishing to drive for limited hours whilst studying or having other commitments. We feel that the process in B&NES provides a better standard of licensed driver with a greater knowledge of the local area and the legislation and local licensing conditions that govern how they work. B&NES is committed to raising the professionalism of newly licensed drivers and the feedback that is received from applicants who complete the knowledge test is that it is a valuable experience in many cases. Since Uber have been operating in B&NES a great deal of time and resources has been spent investigating incidents and complaints about vehicles from other licensing authorities parking or picking up and dropping off from B&NES appointed hackney carriage stands. When we have investigated these incidents and interviewed drivers from other authorities they usually inform us that they were unaware that they stopping on our ranks is illegal as neither the licensing authority or operator had given them any information regarding the legalities of the job they are doing. The Council is committed to producing professional full time or part time licensed drivers who are knowledgeable of the local area, local conditions and the national legislation which governs them and are able to move fluidly between the two sectors should they require to without the additional burden of applying for a new license.

Receipt For Fare

We agree with the response from Uber and recommend the amendment suggested.

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Condition 8

*The definition of a vehicle “proprietor” is contained within section 80 of the provisions of the Local Government (Miscellaneous Provisions) Act 1976 and is defined in law as: - “**proprietor**” includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement”. The Council can only issue licenses in accordance with the provisions of the current legislation. Whilst it is suggest that this will limit the provision of wheelchair accessible and electric vehicles in B&NES they do not currently have an scheme for the provision of either type of vehicle in B&NES and have not informed us of any intention to do so in this area. Should this arise then we would work to facilitate such provision as long as it complies with the current legislation in force. It should also be noted that there are a number of vehicle rental companies who provide vehicles for drivers on a long term basis and this provision ensures that there is a clear demarcation of responsibility for the driver who is possession of the vehicle and becomes the licensee and subject to the various vehicle licensing conditions.*

A comment was also received regarding the provision of roof signs on private hire vehicles in B&NES although there are no proposals to alter or amend the existing condition requiring them. The comments and Officer response to the individual points is included below.

I hope you are well.

I would like to put forward a suggestion to stop the usage of roof signs for Private hire vehicles in B&NES and I hope you will take this request in to consideration and discuss it with the relevant party's. I will list my reasons below.

Firstly with the proposed changes to displaying liveries in or on vehicles. I feel that the public have an extra layer of protection now in knowing that they are indeed entering a Private hire vehicle they have pre booked. Once in the vehicle a plate is of course displayed in the windscreen and drivers have badges so there can be no confusion they are getting into a licensed vehicle.

Officer response:

The point of the requirement of door signs is to add an extra layer of identity to allow the public to distinguish between Operators. The roof sign does not do this but allows all members of the public to easily identify a fully licensed B&NES vehicle and provide an eye level licence number unique to the vehicle. The majority of enquiries we get from the public whether they are complaints or lost property quote the number from the roof sign.

Door signs in your own words add “and extra layer of protection” so it would be counterproductive to on one hand add an extra layer of production whilst on the other hand removing the most visible identification feature of a licensed private hire vehicle.

Secondly the public in general I find have no clue what the difference is between a hackney roof sign and a Private hire one. So much so that I regularly get hailed by the public when driving through the city to a pick up (obviously I ignore them) I have had many conversation with clients when on board and they often ask what the difference is. I am also convinced that some PH drivers do stop when hailed so eliminating a roof sign I feel would stop this temptation because the public will no longer hail them.

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Officer response:

The Hackney Carriage trade in Bath claim (backed by our Significant Unmet Demand public use surveys) that there is no “hailing culture” in Bath. In our experience the majority of plying for hire incidents occur when stationary vehicles are approached. Even if hailing was a major factor it is a lot easier to simply ignore and continue to drive. The provision of fully signed, plated easily distinguishable vehicles also makes it harder for rogue elements to take advantage of unsuspecting customers by roaming the streets hoping for a pick up.

As long as there is a two tier licensing system there will always be certain drivers who act illegally and ply for hire whether by accepting flag downs or being approached whilst stationary. It is up to the driver to act within the confines of the law. The public on a night out will attempt to hail or enter any vehicle they think they can whether or not a roof sign is displayed which is evident from the problem being existent in all towns in the UK whether or not roof signs are displayed. This problem is rampant in Bristol where private hires do not display roof signs. Thankfully in B&NES we have a great pool of responsible drivers who act lawfully but the small percentage of drivers who don't would do so irrespective of required roof signs or any other signage.

Thirdly in my position as you know I specialise in long distance and tours so I very rarely operate within B&nes area anyway except during a pick up or drop off. I spend most of the journey out of area so I feel even more so a company like mine has no need when undertaking airports and tours.

Officer response:

Our conditions provide for the removal of roof signs on motorway journeys. With regard to journeys taken on roads where normal speed limits apply the roof sign requires no maintenance or specific action from the licensee, and in that respect is no different from the required licence plates.

I also feel that if roof signs were no longer needed to be paid for then the funds could be directed into saving us the car owners some money and also making more money available for the licensing dept to monitor and enforce the more important rules such as safety of vehicles etc.. which I personally feel is much more of an important matter.

Officer response:

The cost of a roof sign is currently £46 which is a reasonably small investment for a self-employed business venture and that initial investment of £46 can last for many years so in the long term is an incredibly small amount of money to part with in the setup of a small business venture. Your suggestion that there would be any funds available for the licensing team to monitor and enforce the rules is incorrect. Any enforcement costs are legally not allowed to be funded by the sale of roof signs in the first place and if they were then the removal of roof signs would remove a revenue stream not provide one. The Council makes no profit from the sale of roof signs and merely facilitates the provision of them from our offices for the convenience of new licensees and existing licensees in the case of theft or loss. As licensing is a self-financing function then all costs of running the service and enforcement are provided by licensing fees which are calculated on very controlled time recording system annually and allow us to reduce the licence fees or increase them where appropriate based on actual recorded hours.

Hackney Carriage and Private Hire Policy and conditions review 2018- Public Consultation analysis

My final point and I think this is the most convincing point of all is that south Gloucestershire Private hire vehicles now operate within the city limits under the Uber banner in great numbers. None of these vehicles have roof signs at all. There for if Licensing and B&NES have no issue with these vehicles plying for hire within Bath and not having roof signs I am struggling to see why vehicles who pay to be licensed here have to. I think this in itself is a good enough reason to stop the rule of having them.

Officer response:

It is not that licensing have "no issues" with vehicles from other areas fulfilling private hire bookings. There is simply no legal mechanism to prevent them and we don't have any control over what is required of them by the authorities that licence them. Other vehicles operating in Bath with lower standards are not a good reason for B&NES vehicles to lower our standards to match. The final point would actually go a long way to encouraging more of a free for all environment where totally unlicensed vehicles would be more able to come to Bath and blend in with other vehicles that display little or no signage. The roof signs on our vehicles provide an easily recognisable point of reference that ensures confidence in the hirer that the vehicle they are about to enter is legitimate and driven by a properly licensed driver and in the unlikely event of a problem provides an eye level source of an easily remembered three digit number that can be quoted to the Police or the Council should a complaint or loss or property need to be reported.

My final point is ask yourself if it was one of your loved ones in a city they were visiting and needed a private hire vehicle would you prefer a vehicle with highly visible identification markings which confirm its legitimacy thereby ensuring confidence for them that the vehicle is safe to use or a vehicle with very little readily visible signage and no easily distinguishable features that confirm its licensed status? We have no real problems here with illegal vehicles unlike other areas where vehicles do not display as much identification and unlicensed vehicles are rife and some horrendous incidents occur where drunken passengers are taken advantage of by rogue drivers. I think you only have to look at the stories in Private Hire Monthly about the sexual assaults that occur elsewhere in the country in vehicle that are mistaken for private hire vehicle to see the value of readily identifiable licensed vehicles. Thankfully we have never had a serious incident such as this in one of our licensed vehicles and I firmly believe that the signs and identification features on our licensed vehicle are a contributing factor to this.

Officer response:

Our overriding concern as a licensing authority is public safety and the roof signs provide a very important factor in ensuring that the travelling public in B&NES do so in a safe, secure and easily identifiable manner.

I look forward to yours and B&NES response to this matter. I have discussed this with other drivers in recent months and other small operators and they all agree with me and feel the same so I hope this suggestion is taken into serious consideration.

Officer response:

Your email will be included in the consultation responses and will be considered by elected Members who may have a different view than my points above, thank you for taking the time to provide your perspective it is appreciated.