

Date Received	Position of Consultee	Comments	Section of Policy	Page of Policy	Officer Comments and Recommendations
10/12/2020	Ward Cllr	The amendments look good and constructive. I do not have more to add on the whole policy.	All	All	Thank you – no changes recommend.
12/12/2020	Taxi Driver	my opinion is new rules should not effect existing drivers .for example i have been doing my job 18 year and never had language problem.	Para 3.2.2.10		<p>Section 3.14 of the Statutory Standards clarifies that, “Any changes in licensing requirements should be followed by a review of the licences already issued. If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence,” but also that a pragmatic approach should be undertaken in terms of allowing reasonable time frames, etc.</p> <p>In addition, the requirement for drivers to be suitably proficient in the English language, in terms of oral, reading and written skills, is already set out in the current Policy.</p> <p>No changes to the draft 2021-26 Policy are therefore recommended</p>
12/12/2020	Taxi Driver	new rules should effect new drivers not existing drivers .specially language exam Thanks	Para 3.2.2.10		As above

21/12/2020	Ward Cllr on behalf of the Gravesham Access Group	<p>The tariff meter should be clearly visible to hearing impaired taxi users, as some of the meters are by the gear stick and cannot be seen clearly.</p> <p>Wheelchair accessible taxis please. Easy access for people with disabilities Help with putting on seatbelts for visually impaired taxi users.</p>	<p>Sections 2.5 and 3.22, Appendix B - Vehicle Conditions Appendix D – PH Driver Conditions</p>	<p>10 – 12 28 42 58</p>	<p>The current vehicle conditions set out in sections 21 and 24 of Appendix B already require that taximeters must be positioned so as to be plainly visible to any customer. If breaches of this are identified by customers, we would encourage them to be reported to the Licensing Team.</p> <p>Section 2.5 of the draft Policy sets out the council’s policy on wheelchair accessible vehicles, along with some background and associated information. For the reasons outlined in that section of the Policy, it is considered that the current approach and requirements, designed to continue to gradually increase the proportion of wheelchair accessible taxis are appropriate at the current time.</p> <p>Section 14 of Appendix B on page 42 places requirements on WAV proprietors in relation to easy and safe access to, and travel in, WAVs.</p> <p>The driver conditions require that drivers shall assist, where necessary, passengers’ ingress to and egress from vehicles, as well as take all reasonable steps to ensure the comfort, wellbeing and safety of persons conveyed in, or</p>
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03/01/2021	Taxi Driver	<p>Why has the age at which drivers require annual medicals changed from 70 to 65 when the pension age has gone up?</p> <p>Will I be charged every 6 months now or still annually now enhanced DBS checks are required every 6 months</p>		<p>Licensed drivers are subject to the Group 2 Medical Standards which advise that over 65's should be subject to annual medical checks. GBC were not previously aware of this and so applied the required to over 70s. Now that it is aware of this standard, it would be remiss of the council not to apply it (as a minimum) given the primary purpose of the taxi and PH licensing regime is public safety.</p> <p>There should not be any additional cost for drivers now subject to 6 monthly DBS checks as all drivers should be signed up to the DBS Update Service which enables the LA to carry out as many checks as it requires at no extra</p>

					<p>cost. Drivers will in fact make a substantial saving of £107 per annum by signing up to the Update Service over having individual DBS checks carried out. The only additional onus brought about by this new requirement will be on the Licensing Team tasked with carrying out the checks.</p> <p>No changes to the draft 2021-26 Policy are therefore recommended</p>
06/01/2020	Business Manager, Public Transport, KCC	<p><i>The Council may, in such circumstances, issue the proprietor of a private hire vehicle (only) with a notice exempting them from the requirement to display the plate(s) on their vehicle; either on a specified occasion or while the notice is carried in the vehicle</i></p> <p>Whilst understanding the reasons for certain vehicles being exempted from displaying plates, it can present problems from the County Council's perspective when those vehicles are being used to operate a contracted client transport service. Our contractual agreement with our suppliers requires all vehicles to display plates whilst operating the service, and we advise schools and parents that vehicles arriving to collect children will be displaying a plate. Perhaps it might be helpful to amend 2.10.4 to include a</p>	Chauffer Vehicles Para 2.10.4		<p>The exemption from displaying a plate is usually only available to proprietors of luxury vehicles, such as those manufactured by Rolls Royce or Bentley, as set out in 2.10.4.1 and so is ordinarily extremely rare. It is not necessarily limited however to vehicles providing a chauffeur service. Early on in the Covid pandemic during the first national lockdown, temporary exemptions were necessarily provided to proprietors renewing their vehicle licence to enable the trade to keep functioning when officers were physically unable to provide plates. A local authority exemption from displaying a plate would however not negate any contractual arrangements requiring display of a plate as part of a private contractual arrangement, and KCC would have every right to simply not offer a contract to someone who</p>

		<p>reference to the exemption applying only when the vehicle is providing a chauffeur service, or that it must display a plate when required as part of a contractual arrangement or words to that effect.</p> <p>Secondly,</p> <p><i>...during which they will automatically also be exempt from the requirement to wear a private hire drivers badge.</i></p> <p>Again, drivers working on contracted client transport services are required to wear their badge at all time. More importantly, it is our understanding that in accordance with the 1976 Act, Part II s54 (2), if a badge is issued to a driver, they are legally obliged to wear that badge so it would appear that it would be unlawful to include a clause in a policy which contravenes this obligation.</p>			<p>does not meet their contractual requirements. It is considered that this would be the most logical and practicable approach, and therefore no changes to this section are recommended.</p> <p>This is correct – thank you for bringing this to our attention.</p> <p>It is recommended that this part of Para 2.10.4 is removed.</p>
17/12/2020	Senior Licensing Officer	Basic disclosures can't be linked to the update service	Para 2.23.4.1	18	<p>This is a valid point. It is proposed that Para 2.23.4 be amended to read:</p> <p>2.23.4 Given that vehicle licences are issued for a standard one year period, all applicants, who are not already Gravesham-licenced drivers registered with the DBS Update Service, must provide a completed Basic DBS Check</p>

				<p>Certificate prior to the grant of each licence.</p> <p>...and that Para 2.23.4.1 and Para 2.23.6 be deleted.</p>
		<p>Are we no longer accepting checks carried out by KCC then?</p>	<p>Para 3.11.6</p>	<p>24</p> <p>The council does currently accept certificates obtained via a check through KCC provided the level of check is in no way less comprehensive than that carried out by ourselves or in any way considered to be less reliable/secure. It is considered that KCC is a licensing authority in its own right, albeit not for taxi licensing, and would therefore potentially already be captured within Para 3.11.6, however it is recommended that the following amendments are made as shown in italics:</p> <p>...the Council will <i>ordinarily</i> only accept enhanced DBS certificates obtained from an application made through itself or, alternatively, <i>directly</i> through another licensing authority provided that the certificate is less than 3 months old at the date of application and clearly states the position applied for as taxi driver or private hire driver, as appropriate. <i>The council may, at their discretion, also accept certificates obtained directly through other licensing authorities provided the level</i></p>

				<p><i>of check carried out is in no way less comprehensive, reliable or secure. The Council will is however not obliged to not accept enhanced DBS checks obtained in relation to any other purpose or profession or by any other means nor will it accept any that have been carried out by any other external Agency.</i></p>	
		It doesn't mention about staff needing a basic disclosure check here. Does it need to	Para 4.6	30	<p>It is considered that the inclusion of this requirement within the standard Operator conditions set out in Appendix F are sufficient and in accordance with the Statutory Standards which state, "<u>Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.</u>"</p>
		Basic disclosures can't be linked to the update service	Para 4.6.3.1-2 and 4.6.6	30 and 31	<p>This is a valid point. It is proposed that Para 4.6.6 be deleted, and that Paras 4.6.3.1 &amp; 4.6.3.2 be replaced with the following:</p> <p>4.6.3.1 All new applicants, who are not already Gravesham-licenced drivers registered with the DBS Update Service, must provide a completed Basic DBS Check Certificate at the point of their initial application to the satisfaction of the council.</p>

					4.6.3.2 All existing operators, who are not already Gravesham-licensed drivers registered with the DBS Update Service, must provide a current (less than 3 month old) Basic DBS Check Certificate annually, starting from the next anniversary of their licence start date or the start date of their next licence; whichever comes first. Any operator who fails to do so will be subject to suspension or other enforcement intervention as appropriate.
		Appendix A continues with paragraph 15 but then the rest of the Appendices start with 1		37	This administrative matter will be corrected in the final Policy.
06/01/2021	Taxi Driver Working Group	Can the council change its policy so that it now allows dual plating of private hire vehicles, to enable them to be licenced with licensing authorities, and work for operators licenced, outside of Gravesham, e.g. TfL/Uber. This will allow local drivers to gain more work.	Section 2, Para 2.11.1	14	<p>It is recommended that dual plating remains not permitted for the reasons already outlined in the policy, i.e. a vehicle is unlikely to comply with the requirements of two separate licensing authorities, could cause confusion to members of the public, impede the council's ability to take enforcement action, and force an unavoidable breach of policy.</p> <p>For the purpose of clarity, Officers have liaised with TfL who have confirmed that it would be unlikely for a vehicle licenced by another authority to comply with their licence (policy) requirements, giving the example that</p>



					<p>they (TfL) will not allow licence discs or signage (including plates) from another licensing authority to be displayed on or from a TfL licenced vehicle. This alone makes being dual licenced with TfL, to work for Uber, prohibitive – as Gravesham vehicles must display their Gravesham vehicle plate on the rear at all times (by law) and their internal vehicle plate in the front window/dash (by policy) which would put them in breach of a TfL licence requirements.</p> <p>Officers recognise the impacts of national app-based operators on local trades, and is keen to support local trades where possible, but it is considered that the possible adverse implications outlined above continue to make dual plating an unviable option and therefore no changes to the draft Policy are recommended.</p>
06/01/2021	Taxi Driver Working Group	Does the requirement for 'all vehicles licenced from the start date of this policy, other than stretched limousines and Wheelchair Accessible Vehicles, to meet or exceed the Euro 6 emission standards from the start date of the policy' include existing licenced vehicles at their next annual renewal, or just new vehicles being licenced for the first time? If it included existing vehicles, many	Section 2, Para 2.6.4	12	Further discussions have taken place to seek clarification on this. Upon reflection, it is felt that the subject of vehicle emissions and alternatively fuelled (e.g. electric) vehicles requires more extensive consideration. It is therefore proposed that the council's policy on this remains as is currently set out in the 2018-21 Policy whilst this takes place, with a view to carrying out an interim policy review and associated

		drivers would have to find money in this difficult climate to buy a new (used) car.			consultation of this element of the Policy as soon as practicable.
06/01/2021	Taxi Driver Working Group	We understand the reason for additional vehicle inspections at 6 monthly intervals, but are concerned about the possible extra cost implications of this	Section 2, Para 2.14.4	16	The policy does not yet introduce this requirement, but does identify it as likely to be introduced in order to be proactively transparent. The taxi and PH licensing regime's purpose is to protect public safety. An increase in inspections, or improvement to the way in which they are carried out, can only serve to support this and so this should remain in the final policy to allow implementation if/when appropriate. The council considers the impacts on licence holders carefully in all associated decisions it makes, and therefore any cost/time implications will be given due consideration if/when this policy requirement is introduced.
06/01/2021	Taxi Driver Working Group	Can the change to requiring annual medicals for the over 65s be delayed?	3.10.6	23	It cannot viably be delayed - licenced drivers are subject to the Group 2 Medical Standards which advise that over 65's should be subject to annual medical checks. GBC were not previously aware of this and so applied the required to over70s. Now that it is aware of this standard, it would be remiss of the council not to apply it (as a minimum) given the primary purpose of the taxi and PH licensing regime is public safety.

					As such, no changes to the draft Policy are recommended.
06/01/2021	Taxi Driver Working Group	Who is responsible for the cost of Operator Controller DBS checks, and are they definitely required? If so, why?	Appendix F Section 19	73	<p>This is a new requirement set out in the DfT Statutory National Standards. The reason for it being introduced is because the controllers take and managing bookings, i.e. sending vehicles and drivers to the traveling public, in practice and so it is important they are fit and proper people to be entrusted with this responsibility. Basic DBS checks cannot be carried out using the DBS Update Service and so must be applied for each time as the expense of the Operator, as the employer, or the individual - as may be determined by their employer.</p> <p>As such, no changes to the draft Policy are recommended.</p>
06/01/2021	Taxi Driver Working Group	Now that Enhanced DBS checks are required every 6 months, will there be an extra cost for drivers?	Appendix D 10.1	61	<p>There should not be any additional cost as all drivers should be signed up to the DBS Update Service which enables the LA to carry out as many checks as it requires. The only additional onus brought about by this new requirement will be on the Licensing Team tasked with carrying out the checks, and drivers will make a significant saving by signing up to the Update Service.</p> <p>As such, no changes to the draft Policy are recommended.</p>