

TAXI AND PRIVATE HIRE VEHICLE LICENSING - CONSULTATION ON REVISED BEST PRACTICE GUIDANCE

Pro-forma for use when responding

<i>Name of respondent</i>	Melvyn Wood - Licensing Manager
<i>Organisation (if applicable)</i>	Tonbridge and Malling Borough Council
<i>Interest (eg trade; local authority; passenger interest)</i>	Local Authority
Q1. Have you found the Best Practice Guidance useful?	Yes
Q2. Has your local authority, since publication of the Guidance in October 2006, undertaken a review of its taxi and PHV licensing policies?	A review is currently being undertaken
Q3. Can you offer any examples of instances where local policies have been amended to reflect the advice in the original Best Practice Guidance?	No
Q4. Do you consider that any issues in the original guidance where changes are not proposed should be revised?	No
Q5. Do you consider that there are issues which are not currently covered in the Guidance which could usefully be covered?	No
Q6. Do you have any comments on the proposed guidance about accessibility (paras 13-19)	No comment at present. Awaiting conclusions of the accessibility consultation exercise.

<p>Q7. Do you have any comments on the proposed guidance about the duty to carry assistance dogs (paras 20-21)?</p>	<p>No</p>
<p>Q8. Do you have any comments on the proposed guidance about duties under the Part 3 of the Disability Discrimination Act 1995 (paras 22-25)?</p>	<p>Transport needs for the disabled will be factored in to the revised licensing policy to ensure that it is not unreasonably difficult or impossible for a disabled person to use the facilities.</p>
<p>Q9. Do you have any comments on the inclusion of a reference to the national inspection standards drawn up by the Public Authority Transport Network (para 32)?</p>	<p>An annual test for all vehicles under 5 years of age and 6 monthly tests for vehicles over 5 years would seem appropriate.</p>
<p>Q10. Do you have any comments on the proposed guidance about drivers' personal security (paras 29; and 33-35)?</p>	<p>Drivers are actively encouraged to improve their personal security. There are currently no public funds available to assist drivers.</p>
<p>Q11. Do you have any comments on the proposed guidance about stretched limousines (paras 38-40)?</p>	<p>No. Compliant stretched limousines are included in this authority's licensing regime.</p>
<p>Q12. Do you have any comments on the proposed guidance about criminal record checks on drivers (paras 54-57)?</p>	<p>It is a requirement in this area that all drivers, at inception and on renewal, undertake an enhanced CRB check. The new vetting scheme will be considered when implementation proceeds.</p>
<p>Q13. Do you have any comments on the proposed guidance about the Notifiable Occupations Scheme (paras 58-61)?</p>	<p>Notifications made following conviction could result in undue delay in the local authority being made aware of issues which could affect the "fit and proper person" criteria for a driver. Notification upon arrest or charge would seem more appropriate.</p>
<p>Q14. Do you have any comments on the proposed guidance about Immigration checks (para 62)?</p>	<p>No. Regular checks are made with the Border and Immigration Agency.</p>

<p>Q15. The Government is minded to remove reference to the exceptional C1 arrangements in the original guidance. However, in making a final decision, we would welcome feedback from stakeholders about the possible change. Do you have any evidence about the extent to which taxi/PHV drivers are currently licensed on the basis of the C1 arrangements (paras 63-64)?</p>	<p>No evidence. C1 and C1+E are a category on a driving licence referring to small lorries and to small lorries with a trailer. This class of vehicle falls within the Group 2 licence entitlement and prior to April 2001 new applicants or existing drivers were barred in law from driving this group if on insulin. In April 2001 the rules changed for group C1 only if the subject could satisfy 6 qualifying conditions.</p> <p>These conditions are</p> <ol style="list-style-type: none"> 1. No hypoglycaemic attacks whilst driving within the previous 6 months. 2. Condition stable for at least one month. 3. Regular checking of blood glucose level at least twice daily and at times relevant to driving. 4. Examination by specialist consultant every 12 months. 5. No other condition that would render them a danger. 6. Sign an undertaking to comply with doctor's directions and to report to DVLA any significant change of condition. <p>These conditions did not apply to other Group 2 categories which included public service vehicles and minibuses.</p>
<p>Q16. Do you think that it is appropriate for the proposed guidance to make no reference to the use of the C1 arrangements for insulin-treated drivers; please explain your reasons (paras 63-64)?</p>	<p>The inclusion of reference to the C1 arrangements for insulin treated drivers could be counter productive. Applicants could assume that the six qualifying conditions applicable to C1 could equally apply to taxi and PH drivers who are more closely aligned to the PCV category which is not subject to the C1 exceptional case.</p>
<p>Q17. Do you have any comments on the proposed guidance about medical fitness (other than comments in relation to the C1 arrangements) including the proposed references to use of medical practitioners who are trained in the application of Group 2 medical standards? Would this add to costs? If so, would this be</p>	<p>At present in this area the requirement for medicals following the grant of a licence is age related.</p> <p>The best practice requirement for a medical at each renewal would increase the cost of a renewal by approximately 20%. It is my view that this cost is justified on the grounds of public safety.</p>

justified? (paras 63-66)?	
Q18. Do you have any comments on the proposed guidance about language proficiency (para 69)?	The basic concept of being able to communicate with and to be understood by customers would be appropriate.
Q19. Do you have any comments on the proposed guidance about other training (para 70)?	No
Q20. Do you have any comments on the proposed guidance about topographical knowledge (paras 71-72)?	Agreed that topography tests for Hackney drivers would be appropriate.
Q21. Do you have any comments on the proposed guidance about criminal record checks on PHV operators (para 74)?	The provision of a “Basic Check” by the CRB would be appropriate and will be considered when made available.
Q22. Do you have any comments on the proposed guidance about the repeal of the PHV contract exemption (paras 78-79)?	No
Q23. Do you have any comments on the proposed guidance about enforcement (paras 80-84)?	No
Q24. Do you have any comments on the proposed guidance about taxibuses (para 90)?	No