

Appendix A – Summary of points raised during the public consultation

Page Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable) and officer comments.
From Page 30	Penalty Points – Driver & Operator	Low	A penalty points system is seen as an open and transparent way of dealing with breaches of policy, legislation, and conditions. It is a guide for officers and licence holders but ultimately each case will be dealt with on its own merits.
From page 30	Penalty Points – Specifically in relation to dress code	Low	Concerns raised about what would constitute “offensive” - was explained that someone not liking what was being worn wouldn’t mean the clothing was offensive. Examples of “offensive” given included swear words, hate speech and graphic images
From page 30	Penalty Points – Specifically in relation to “No Smoking” signs	Low	The current requirement is 3 “No Smoking” signs. This can be amended to the standard legal requirement of one clearly visible sign.
From page 44	Convictions Policy	High	The Institute of Licensing (IoL) published its <i>Guidance on determining the suitability of</i>

Appendix A – Summary of points raised during the public consultation

			<p><i>applicants and licensees in the hackney and private hire trades</i> in April 2018. The document was produced by a working party commissioned by the IoL, in recognition that in the absence of any recent Statutory or Ministerial Guidance, decision making across the country was inconsistent, leading to licence shopping where drivers refused licences in one area may subsequently be granted a licence in another area. The intention of the IoL's guidance was to provide licensing authorities with a national set of standards which they could then consider using as a basis for their own local policies, and in doing so provide a more consistent approach across the country. The Guidance was produced in partnership with the Local Government Association (LGA), National Association of Licensing and Enforcement Officers (NALEO) and Lawyers in Local Government (LLG). Institute of Licensing</p>
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Appendix A – Summary of points raised during the public consultation

			Ultimately it is for Members to decide on whether on an appropriate timescale.
58	Group 2 medical Process	Low	Current requirement is for medicals to be carried out by GPS with access to full medical history. According to the LPHCA over 100 local authorities allow summary records to be used. Ultimately for Members to decide on the best approach.
59	Driver Licence & Badges – Concerns around driver safety displaying badges and bogus drivers replicating badges	Low	The identification of drivers is considered important information for passengers to report any concerns to the Licensing Teams.
59	Medical Exemption in relation to assistance dogs	Low	Ultimately it is a legal requirement for all assistance dogs to be carried unless a driver has a specific medical exemption from their GP
66	Food and drink being banned in vehicles	Low	Can be amended to reflect that this should be down to the drivers discretion.
90	Contracted Approved Garages/Testing Stations	Low	There are currently 3 operating models in the sovereign areas for testing licensed vehicles; Northampton – use two approved

Appendix A – Summary of points raised during the public consultation

			<p>contracted testing stations. Officer checks are undertaken at spot checks</p> <p>Daventry – use one approve contracted testing station and Licensing Officers arrange checks.</p> <p>South – accept an MOT from any garage along with the service history of the vehicle and Licensing Officers check vehicles.</p> <p>Having reviewed the comments regarding testing stations and vehicle service history the proposal is to move to the Northampton model and procure contracts for testing stations across the West</p>
90	Vehicle Service History	Medium	See Testing Stations above
108	Vehicle Specifications – Emissions Policy	Low	An emissions policy is aimed to meet with the Councils corporate objective for a cleaner, greener communities and has previously been in place in the Northampton area.

Appendix A – Summary of points raised during the public consultation

108	Vehicle Specifications – Tinted Glass	Low	The policy has been amended to conform with the national DFT standards
108	Vehicles Specifications – side opening windows, seat widths	Low	The requirement for vehicle specifications is to consider public safety & passenger comfort. It is considered reasonable that existing licensed vehicles are granted grandfather rights until the purchase of a new vehicle is necessary. The Licensing Team will continue to review if amendments to the vehicle specifications should be amended in line with any developments in makes and models of vehicles that may be suitable.
108	Vehicle Specifications – PHV Maximum 4 passengers – Reducing Toyota Prius from 6 to 4 seater	High – impact on the trade	A review of the types of vehicles that are suitable to be licensed as private hire vehicles needs to be undertaken and a transitional period allowed for current vehicle proprietors to adapt to any changes. Existing licensed vehicles will continue to be renewed until they are replaced, or no longer meet the required emission standards.
126	Signage – Roof signs/door magnetic signs	Medium	Signage in other neighbouring

Appendix A – Summary of points raised during the public consultation

			<p>local authorities is mostly door signage with no roof signs. Consistency is a key factor in raising educational awareness around the difference between taxi and private hire vehicles. Members will need to decide on the signage required for PHVs. Ideally any signage will make it clear that the vehicle is licensed by WNC.</p>
150	Use of the word Taxi for Private Hire Operators	Low	<p>It is accepted with the advancement of technology and a high volume of bookings being taken over the internet, the word "Taxi" is accepted as a layman's term by members of the public when looking online to book a journey with a private hire operator.</p> <p>The word "Taxi" should not be permitted on private hire vehicles to differentiate between hackney carriages that can be "hailed" and picked up at ranks without a booking and those private hire vehicles which must be booked</p>

Appendix A – Summary of points raised during the public consultation

			<p>The Local Government (Miscellaneous Provisions) Act 1976 s48(1)(a)(ii) prescribes that a vehicle cannot be licensed as a private hire vehicle unless the licensing authority is satisfied that the vehicle is “not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage”</p> <p>The Transport Act 1980 s64 prohibits the word taxi to be displayed on or above the roof of a private hire vehicle, although there is no legislation prohibiting the word Taxi being displayed anywhere else on the vehicle</p>
151	Driver Working Hours	Low	In light of the comments received we have decided that this would be difficult to monitor by licensing officers. Unlike HGVs, PHVS and HCs are not fitted with tachographs which would make enforcement of working hours

Appendix A – Summary of points raised during the public consultation

			almost a matter of trust. We recommend this section is now removed.
N/A	Driver Safety		The Licensing Teams engage with the Councils Community Safety Teams and Northamptonshire Police to communicate any safety messages when areas of concern are highlighted. The Council & Northamptonshire Police will consistently review the safety messages as appropriate
N/A	Competition Commission	Low	There are no identified risks of breaching any competition commission guidance Regulation of taxis and private hire vehicles: understanding the impact on competition - GOV.UK (www.gov.uk)
N/A	Adopt Training – instead of points	Low	The Policy does not restrict the opportunity to offer training in circumstances where it may be an alternative option. This will be considered on the individual merits of each case
Appendix	Comment Chauffeur Exemption	Low	A Chauffeur Exemption section can be included within the policy

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