

Draft Swale Taxi and Private Hire Licensing Policy 2025-2030

Incorporating:

Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England November 2023

The DfT Best Practice Guidance sets out a framework of policies that licensing authorities can take into account to when exercising their functions. The guidance is primarily intended to assist local authorities, but it does not intend to give a definitive statement of the law; any decisions made by an authority remain a matter for that authority, based on local need, Guidance can therefore be departed from as long as such a departure is not unreasonable.

The following table sets out comments within the guidance and possible implications for this licensing authority. Where necessary the proposals set out in the Guidance have been incorporated into the draft Swale Taxi and Private Hire Licensing Policy 2025-2030

Heading	Best Practice recommendations	Current Position and changes made to policy where necessary
<p>Introduction 1.2 Terminology and 1.3. Scope of best practice guidance</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#introduction</p>	<p>Ensuring that authorities differentiate between hackney carriages where more recent legislation refers to this type of vehicle as a 'taxi' and private hire vehicles.</p> <p>The scope of the best practice guidance is not to give a definitive statement of the law and it remains a matter for each local authority to decide local policy and to make decisions accordingly.</p>	<p>Swale only use the term 'hackney carriage' when communicating with the licensed trade and on any official documentation such as a relevant licence.</p> <p>When communicating with the travelling public the terms 'taxi' and 'private hire' are used and the Swale website also reflects this terminology.</p> <p>Whilst Swale will always strive to ensure that its licensing processes and policies are in accordance with the best practice guidance, it also acknowledges that there will times when departure from the guidance in line with local needs and policies will be necessary.</p>

<p>2 The role of taxis and private hire vehicles</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#the-role-of-taxis-and-private-hire-vehicles</p>	<p>Acknowledging that taxi and private hire vehicle services provide a vital part in local transport and the safety of the travelling public.</p>	<p>Swale acknowledges the importance of the taxi trade within the borough and the contribution it makes to the safety of the travelling public especially vulnerable women and girls and the night-time economy in getting people home safely at night. Any policy changes will always consider these elements.</p>
<p>3 The role of licensing authorities</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#the-role-of-licensing-authorities</p>	<p>Outlines the approach authorities should take when developing taxi and private hire policy. It recognises that ensuring the safety of passengers is important, but also highlights that regulation should protect equality and enable fair competition. It outlines the guidance provided by the competition and market authority and points to 4 tests that authorities should apply when developing policy:</p> <ul style="list-style-type: none"> • Will the measure directly or indirectly the number or range of suppliers • Will the measure limit the ability of suppliers to compete • Will the measure limit suppliers' incentive to compete • Will the measure limit the choices and information available to consumers <p>The Guidance suggest that all authorities produce one cohesive policy document that brings together its key information on taxi and private hire licensing.</p> <p>Licensing authorities should consult on proposed changes in licensing rules that may have significant</p>	<p>Swale has produced a comprehensive taxi policy for a number of years which has been regularly reviewed to take into account Guidance and Statutory Standards issued by the DfT, together with amendments to the policy based on local need.</p> <p>Face to face meetings take place with the taxi trade before any draft policy is then put out to full public consultation so that the licensing team best capture the feelings of the trade regarding any proposals to change the taxi policy. Newsletters are also sent to all licensees detailing the proposed changes and how to lodge representations or comments.</p> <p>Comments received following a consultation are thoroughly analysed and commented on, and, where deemed appropriate, changes to the draft policy are suggested for Members of the Licensing Committee to consider.</p>

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	<p>impacts on passengers and/or the trade. Such consultation should include not only all taxi and private hire licensees but also groups likely to be the trades' customers.</p>	
<p>4 Accessibility</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#accessibility</p>	<p>The government wants disabled people to be able to travel easily, confidently and without additional cost and it is important that all transport services play their part in making this a reality.</p> <p>Licensing authorities must ensure that due regard is given to the Equality Act 2010 when taking licensing decisions.</p> <p>The Equality Act 2010 (as amended by the Taxi and Private Hire Vehicles (Disabled Persons) Act 2022) places an obligation on all licensed drivers and operators' specific duties to provide assistance to any disabled person.</p> <p>Inclusive Service Plan (ISP): licensing authorities should develop and maintain an inclusive service plan (ISP), either as a standalone document or as an integral element of a wider strategy.</p> <p>ISPs should be developed collaboratively with organisations representing the interests of disabled people and people with other protected characteristics. ISPs should be updated at least every 5 years.</p>	<p>Whilst officers are satisfied that there is a suitable provision of wheelchair accessible vehicles within the existing taxi fleet, we will explore potential unmet demand, if any, and measures to encourage an increase in the availability/number of licensed wheelchair accessible vehicles in the area. Any proposals arising from such a consultation will be brought to a future Licensing Committee.</p> <p>Officers will devise a list of consultees to engage with disabled passengers and groups on their experience and specific engagement is planned for inclusion in the consultation.</p> <p>Officers to liaise with other departments and groups that cover disability within the Council.</p>
<p>5 Enforcing the licensing regime</p>	<p>Points-based system: To increase compliance with licensing requirements consideration should be</p>	<p>Swale has had a points-based system within its' taxi policy for a number of years, and it is an extremely</p>

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<p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#enforcing-the-licensing-regime</p>	<p>given to operate a points-based system, which allows minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches to the licensing committee.</p> <p>Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area.</p>	<p>useful tool to ensure consistency of approach by all officers. Any driver who accrues 12 points or more during a rolling 36-month period is required to attend a Licensing Sub-Committee hearing where Members can decide on appropriate enforcement action.</p> <p>The penalty points system is shown as Appendix G of the current Swale taxi policy https://swale.gov.uk/news-and-your-council/strategies-and-policies/taxi-policy</p> <p>Officers have participated in joint working with other Kent authorities and actively work with another local authority which has issued private hire licences to operators within Swale.</p>
<p>6 Driver licensing</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#driver-licensing</p>	<p>Covers the following:</p> <ol style="list-style-type: none"> 1. Duration of driver licences 2. Fit and Proper test 3. Disability awareness 4. Driver proficiency 5. Acceptance of non-UK driving licences 6. Medical and vision assessment 7. Immigration checks 8. Age Limits 9. Language proficiency 10. Vocational training and assessment 11. Topographical knowledge 12. Intended use policies for taxi drivers 13. Vehicle condition check 	<p>See separate table below</p>

<p>7 Private Hire Vehicle Operator licensing</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#private-hire-vehicle-operator-licensing</p>	<p>Disability awareness – The licensee and all staff in customer facing roles and people managing service delivery should be trained in disability awareness, or have their knowledge and skills assessed, and be encouraged through targeted and general communications to uphold the highest standards of customer service</p> <p>Health & Safety responsibilities –</p> <p>Health and safety law creates duties on businesses where requirements apply to workers in the same way as they do for employees. Any assessment should identify the significant risks affecting workers and others, and, importantly, identify measures to reduce those risks.</p> <p>In the department’s view, although it may not be the role of licensing authorities to enforce Health and Safety legislation, it is reasonable for any breaches of this legislation to be considered as part of the ‘fit and proper’ test. As stated in this guidance, the primary and overriding objective must be to protect the public.</p> <p>Compliance with employment law -</p> <p>In the DfT’s view, where an employment tribunal or a court of law has ruled on the employment status of a driver or drivers working for an operator, whether the operator is complying with that decision in respect of the driver(s) referred to in the ruling, should reasonably be considered by a</p>	<p>Whilst there is nothing explicit in Swale Council operator conditions, a high standard of customer service and disability awareness is considered reasonable from all operator staff. This is and will continue to be communicated to taxi operators.</p> <p>The draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this at paragraph 1.6 -1.6.3</p>

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	licensing authority as part of the 'fit and proper' test for a private hire vehicle operator.	
<p>8 Vehicle licensing</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#vehicle-licensing</p>	<p>Includes the following:</p> <ol style="list-style-type: none"> 1. Specification of vehicle types that may be licensed 2. Vehicle Age Limits 3. Environmental considerations 4. Imported vehicles – type approval 5. Tinted windows 6. Vehicle identification and signage 7. Partitions in vehicles 8. CCTV in vehicles 9. Emergency equipment 10. Frequency of vehicle testing 	See separate table below
<p>9 Quantity restrictions outside London</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#quantity-restrictions-of-taxi-licences-outside-london</p>	<p>Impacts of quantity restrictions –</p> <p>Quantity restrictions are not necessary to ensure the safety of passengers, or to ensure that fares are reasonable. However, they can harm passengers by reducing availability, increasing waiting times, and reducing the scope for downward competitive pressure on fares</p> <p>Most licensing authorities do not impose quantity restrictions. The department regards that as best practice</p>	Swale do not impose quantity restrictions on the number of taxis and private hire vehicles we will licence, and it is not intended that we will do so. The reasons for this approach are detailed in paragraph 2 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030.
<p>10 Taxi Fare rates</p>	Maximum fare rates should be designed with a view to practicality and reviewed regularly, including any variability of the fare rates dependent on time of day or day of the week.	It was the decision of the Licensing Committee on 4 th October 2022 that there should be an automatic annual increase to the taxi tariff and that the

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<p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#taxi-fare-rates</p>	<p>Authorities should consider adopting a simple formula for deciding on fare changes as this will increase understanding and improve the transparency of the process for passengers. The Department recommends that in reviewing fare rates, authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers the ability to earn a sufficient income and so incentivise them to provide a service when it is needed.</p> <p>There is likely to be a case for higher fare tariffs at times of higher demand to encourage more drivers to make themselves available or when the journeys are required at anti-social times</p>	<p>increase should be based upon the National Rail fare increase, subject to a statutory consultation. This approach provides certainty to the taxi trade that there will be an increase to the tariff and also consistency for the travelling public that the fare increase will be in line with the National Rail increase which is based on CPI other than when government has deemed that a differing increase is appropriate.</p> <p>There are differing rates on the tariff to take into account working late at night and bank holidays.</p>
<p>11 Taxi ranks and roadside infrastructure</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#taxi-ranks-and-roadside-infrastructure</p>	<p>The provision of taxi ranks should be subject to regular reviews. This will help authorities establish whether a change is required to the current provision and how to make necessary amendments to the ranks for the benefit of the travelling public.</p> <p>In the absence of regular engagement with the taxi trade on this issue, a review of at least every 5 years should occur and, where possible should align with the production of local transport plans.</p> <p>As well as the taxi trade, licensing authorities should seek the views of residents and other interested parties such as businesses in the night-time economy and transport hub providers.</p>	<p>The provision of taxi ranks within Swale has not been considered for a number of years.</p> <p>We will therefore work to remedy this by working with relevant officers of the council prior to consultation.</p> <p>It is anticipated that consultation will firstly take place with the taxi trade on this issue and, dependent on comments received, consultation may also then take place with the public and businesses.</p>

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<p>12 Taxi zones</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#taxi-zones</p>	<p>The areas of some licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire in one zone only. Sones exists for historical reasons, due to local authority boundary changes.</p> <p>The DfT recommends the abolition of taxi zones.</p>	<p>Does not apply to Swale.</p>
<p>13 Flexible transport services</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#flexible-transport-services</p>	<p>The DfT encourages licensing authorities, as a matter of best practice, to play their part in promoting flexible taxi services to increase the availability of transport to the travelling public. It should be borne in mind that vehicles with a higher seating capacity (eg. 6, 7 or 8 seats) may be used for flexible services and should be considered for licensing in this context.</p> <p>The main legal provisions under which flexible services can be offered are:</p> <ol style="list-style-type: none"> 1) Shared taxis and private hire vehicles – advance bookings S11 Transport Act 1985: licensed taxis and private hire vehicles can provide a service at separate fares for passengers sharing the vehicle. The operator takes the initiative to match up passengers who book in advance and agree to share the vehicle at separate fares (lower than for a single hiring) 2) Shared taxis – immediate hiring S10 Transport Act 1985 – a scheme is at the initiative of a local authority who can set up 	<p>Neither of these provisions are actively used in Swale.</p> <p>With regards to (1) the licensing team will remind all operators of their ability to operate shared taxis under this provision.</p> <p>With regards to (2) the licensing team will consult with the trade to ascertain if there is an appetite for this type of hiring.</p>

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	<p>such a scheme whereby taxis (not private hire vehicles) can be hired at separate fares by people from ranks or other places that have been designated by the local authority. Authorities are required to set up such a scheme if holders of 10% or more of the taxi licences in their area ask for one.</p>	
<p>14 Local transport plans and strategy</p> <p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#local-transport-plans-and-strategy</p>	<p>The Transport Act 200 requires all local transport authorities in England, excluding London, to produce a Local Transport Plan (LTP) having regard to Government policy.</p> <p>An LTP is a public facing document that sets out the future of transport in the local authority. LTPs should clearly articulate an integrated transport strategy drawn from a robust evidence base and vision for the local area, and also include an implementation plan that list the policies and interventions that will deliver the strategy.</p> <p>All modes of transport including taxi and private hire vehicle services have a valuable part to play in the provision of local transport, and so licensing authorities are likely to have a role to play in delivering LTPs. The key policy themes for such services could be availability and accessibility.</p>	<p>Local Transport Plans fall to Kent County Council to develop and adopt. Swale actively participate in the strategy and the licensing team contribute if required.</p>
<p>15 Tax checks in taxi and private hire vehicle licensing</p>	<p>HMRC introduced a tax registration check (tax check) for renewed applications in England and</p>	<p>Since April 2022 the licensing team conduct tax checks on all applicants wishing to renew their</p>

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<p>https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance/taxi-and-private-hire-vehicle-licensing-best-practice-guidance-for-licensing-authorities-in-england#tax-checks-in-taxi-and-private-hire-vehicle-licensing</p>	<p>Wales to drive taxis and private hire vehicles and to operate a private hire vehicle business in April 2022.</p> <p>An applicant who wishes to renew a licence needs to carry out a tax check. The licensing authority must obtain confirmation from HMRC that the applicant has completed the check before being able to consider their renewed licence application.</p>	<p>driving or operators' licence. No licence will be processed without this information</p>
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COMMENTS FOR SECTIONS 6 AND 8

<p>6. Driver licensing recommendations</p>	<p>Current Swale position and changes made to policy where necessary</p>
<p>Duration of licences – Set a standard of 3 years, any shorter durations should only be issued when the licensing authority think it's appropriate.</p>	<p>Driver licences are issued for 3 years up until the driver turns 65 years old when licences may be issued for 1 year as many drivers of that age prefer to licence on a year-by-year basis.</p> <p>Licences may also be issued for less than three years subject to an applicants' right to work status, their medical condition or the expiry date shown on their DVLA driving licence.</p>
<p>Fit and Proper Test - Before making a decision on a person's application for, or for the renewal of, a drivers' licence a licensing authority must search the database provided by the National Anti-Fraud Network, the National Register for Revocations, Refusals and Suspensions (NR3S) for entries relating to the applicant</p> <p>This requirement to search the database arises under the Taxis and Private Hire Vehicle (Safeguarding and Road Safety) Act 2022.</p>	<p>No driver licence is issued without the NR3 register being interrogated first.</p> <p>Data is also submitted by this authority if a driver has had their Swale licence revoked, refused or suspended so that an authority could make enquiries with the licensing team as to the circumstances for this, subject to data protection regulations being observed.</p> <p>The details of the NR3 Register are shown as Appendix K of draft Swale Taxi and Private Hire Licensing Policy 2025-2030.</p>

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<p>Disability Awareness – Drivers should be trained in disability awareness and/or have their knowledge and skills assessed. Drivers should be encouraged, through targeted and general communications, to uphold the highest standards of customer service.</p>	<p>The licensing team intend to use a bespoke taxi training company Blue Lamp who have devised a course for new and existing drivers based on the best practice guidance in this respect.</p> <p>This is detailed at paragraph 3.13 of the revised policy</p>
<p>Driver Proficiency – Licensing authorities should require drivers, as professional drivers, to display a higher degree of driving aptitude and diligence. There should be a requirement for drivers to undertake training and/or assessment focussed on attitudes and behaviours at first application and renewal (every 3 years).</p>	<p>As above</p>
<p>Acceptance of non-UK driving licences – Individuals can drive legally in the UK with non-UK car and motorcycle licences for up to 12 months. Some individuals will then be required to (or may wish to) exchange a licence issued by another country.</p>	<p>Section 5.5 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this.</p>
<p>Medical and vision assessment – Licensing authorities should apply the Group 2 medical standards required for an entitlement to drive lorries (category C) and for buses (category D). It is the responsibility of licensing authorities to assess the medical information they receive and</p>	<p>Section 1.7 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this</p>

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<p>decide whether a taxi or private hire driver licence should be issued.</p> <p>Though it is not a requirement the DVLA recommends that drivers submit a medical report from a doctor with access to their full medical records.</p>	
<p>Immigration checks – The Immigration Act 2016 amended existing licensing regimes in the UK to prevent illegal working in the taxi and private hire sector.</p> <p>Licensing authorities are prohibited from issuing a licence to anyone who is disqualified by reason of their immigration status</p>	<p>Section 1.7 of draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this</p>
<p>Age limits – It is not appropriate to set a maximum age limit for drivers. Medical fitness to drive should be regularly assessed. Minimum age limits, beyond the statutory periods for holding a full driving licence, also seem inappropriate. Applicants should be assessed on their merits, to do otherwise may be contrary to the Equality Act 201, unless such restrictions can be justified in the public interest.</p>	<p>Section 3.2 of draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this</p>
<p>Language proficiency – The Statutory Taxi and Private Hire Vehicle Standards recommend that a licensing authority's test of a driver's proficiency should cover both oral and written language skills. Written proficiency is relevant because this could affect a drivers' ability</p>	<p>Section 3.1.4 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this</p>

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<p>to understand written documents such as policies and guidance relating to the protection of children and vulnerable adults. Oral proficiency will be relevant in identifying potential exploitation through communicating with passengers and their interaction with others.</p>	
<p>Vocational training and assessment –</p> <p>The Statutory Taxi and Private Hire Vehicle Standards are clear that all drivers should be required to undertake safeguarding training to understand policies and guidance relating to the protection of children and vulnerable adults to identify and act on signs of exploitation.</p> <p>Whilst the minimum recommended requirements for safeguarding and disability awareness training could be met by requiring drivers to undertake vocational qualifications, it does not have to be delivered through this route.</p>	<p>Safeguarding training is a part of the Street Knowledge Test for all new applicants for licensing as a driver and has been since 2018.</p> <p>The licensing team are exploring various options available from external training companies in order to roll training out to all existing drivers but have decided that this could best be delivered ‘in-house’ with no cost to drivers and are currently developing this and expect to roll this out in the coming months.</p>
<p>Topographical knowledge –</p> <p>Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired immediately. Licensing authorities should therefore require prospective taxi drivers to pass a test of topographical knowledge as a pre-requisite to the first grant of a licence.</p>	<p>Currently, topographical knowledge forms part of the Street Knowledge Test (SKT). There are two pass marks with a higher mark to achieve a dual taxi/private hire badge and a lower one for private hire only. A private hire driver then can then apply to take the test again to upgrade to a dual licence.</p> <p>The licensing team have concerns about removing the topographical part of the SKT for applicants who only want a Private Hire licence and this is dealt with in the main body of the report on the draft policy to Licensing Committee.</p> <p>Appendix E of the draft Swale BC Hackney Carriage Policy 2025 – 2030 has been completely rewritten to reflect this and other proposed changes</p>

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<p>Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger must go through an operator, the operator should gather sufficient information from the passenger to identify the collection and drop-off points, this will enable the driver to check the details of a route before starting a journey and plan or enter it in a navigation system. Given the availability, reliability and ease of use of sat nav systems, licensing authorities should not require any topographical or navigational tests for private hire vehicle drivers.</p>	
<p>Intended use policies for taxi drivers –</p> <p> Holders of taxi licences are permitted to carry pre-booked fares anywhere in England and Wales, reflecting that taxi drivers may carry passengers beyond the boundary of their licensing authority, the ‘compellable area’, and seek a return fare to avoid additional miles without a fare. Licensing authorities should require an applicant for a taxi driver licence to declare that they intend to work predominantly within the licensing authority’s area. The residential address provided by the application should be considered in assessing the likelihood of this declaration being adhered to when assessing an application for a taxi driver licence.</p> <p> This measure acts to help minimise ‘licence shopping’ where a person may obtain a licence in one borough and work in an area in the country,</p>	<p>At the moment Swale does not have an intended use policy</p>

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<p>thereby bypassing local controls and avoiding regulation by the local licensing authority</p>	
<p>Vehicle condition check –</p> <p>The driver of a vehicle is always legally responsible for its condition while in use. Licensing authorities should require drivers to conduct a walkaround check as part of a driver’s core role. Drivers can be fined up to £2,500, be banned from driving and get three penalty points for driving a vehicle in a dangerous condition.</p> <p>Drivers should be required to retain a vehicle checklist as proof that they have undertaken the required vehicle check. Drivers should be made aware that they may be subject to sanctions if they are unable to produce this or it is clear that while the form has been completed, the check has not. Further sanctions may result against them, as well as vehicle proprietors, if they are found using a defective vehicle, especially if the condition of the vehicle is such that it is obvious no routine checks have occurred over several days.</p> <p>The DfT have provided a model vehicle checklist with the Best Practice Guidance</p>	<p>Swale do not mandate a vehicle check presently although we are aware that some operators do require this of their drivers.</p> <p>It is common sense that this suggestion is implemented. The DfT template will be sent to the taxi trade for their use.</p>

<p>8. Vehicle licensing</p>	
<p>Specification of vehicle types that may be licensed</p>	<p>Appendix A of the current Swale Taxi and Private Hire Licensing Policy 2022-2027 deals with this in length. In short, we only restrict the licensing of differing types of vehicles based on engine capacity, length of vehicle and width of seats.</p>

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<p>Licensing authorities should adopt the principle of enabling as many different types of vehicles as possible to be licensed. They should set down a range of general criteria, leaving it open to the trade to put forward vehicles of their own choice which can be shown to meet the criteria</p>	
<p>Vehicle Age Limits</p> <p>The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5 year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.</p> <p>Licensing authorities should not impose age limits for the licensing of vehicles and should instead consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low</p>	<p>There will be a difference in the condition of vehicles that are owned by operators, and which may be driven by multiple drivers, and those vehicles that are owned by an independent driver who is likely to take greater care of their car.</p> <p>We have therefore retained the current age criteria within the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 but with the caveat that any requests for an extension to licence a vehicle beyond the age limit is made on a case-by-case basis.</p>
<p>Environmental considerations</p> <p>Licensing teams should work with council colleagues with air quality and climate responsibilities to ensure taxi and private hire vehicle fleets play their part in work to tackle local emissions.</p>	<p>The current Swale Taxi and Private Hire Licensing Policy 2022-2027 states:</p> <p>2.3 From 1 April 2023, all vehicle licence applications for newly licensed vehicles (i.e. all applications other than those to ‘renew’ an existing vehicle licence for the same vehicle by the same holder) must be for low emission vehicles (LEV) - either all electric, electric/fuel hybrid or Euro 6 diesel and Euro 6 petrol compliant. Older</p>

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<p>Licensing authorities should carefully and thoroughly assess the impact of vehicle emission requirements to enable the sector to plan for the future. The short-term objective should be to mitigate the harm from internal combustion engines through the setting of high EURO emission standards for example, EURO 6 but, in the long-term, the trade will need to be fully prepared for the end of the sale of new petrol and diesel cars and the need to transition to zero emission vehicles.</p> <p>Licensing authorities should set out their own long-term plan in good time.</p>	<p>vehicles have over 3 times and some as much as 6 times the permitted emissions limit of Euro 6 diesel and petrol.</p> <p>2.4 From 1 April 2023, all Euro 6 diesel and Euro 6 petrol vehicles will be licensed for a maximum period not to exceed 1 April 2033. Wheelchair and Executive vehicles are exempted from this requirement.</p> <p>2.5 From 1 April 2027, all new vehicle licence applications must be for vehicles that are ultra-low emission (ULEV) ie: less than 75 grams of CO2. ULEV includes battery electric vehicle (BEV), extended range electric vehicle (E-REV) plug-in hybrid electric vehicle (PHEV) or fuel cell electric vehicle (FCEV-hydrogen vehicle).</p>
<p>Imported vehicles – type approval</p> <p>It may be that, from time to time, an authority will be asked to license a taxi or private hire vehicle that has been imported independently (by somebody other than the manufacturer). Such a vehicle might meet the authority’s criteria for licensing, but the authority may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the ‘type approval’ rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either a GB vehicle type approval or an individual vehicle approval.</p> <p>Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. The technical standards applied (and the safety and environmental risks covered) under each of the above</p>	<p>Appendix B Conditions for Executive Vehicles and Limousines of the draft Swale Taxi and Private Hire Licensing policy 2025 - 2030 deals with this in-depth.</p> <p>Any application for licensing such a vehicle is take on its individual merits.</p>

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<p>are proportionate to the number of vehicles entering service.</p>	
<p>Tinted windows</p> <p>For most cars on the road today, the minimum light transmission for windscreens is 75% and 70% for front side windows. There are no rules for tinting the windows rear of the B-pillar and vehicles are often manufactured with glass in the rear that is darker than the front, especially in luxury, estate and people carrier style vehicles.</p> <p>There is a significant cost and inconvenience associated with requiring drivers to replace the standard manufacturer or factory specifications for window glass. Some passengers may feel more comfortable in vehicles that do not have very heavily tinted rear windows but there is a lack of evidence to suggest that these are detrimental to public safety. Balancing these factors, the department considers that licensing authorities should not require the removal of windows rear of the B-pillar if they have a minimum light transmission of 30% or above. This should maintain passenger confidence whilst ensuring a wide range of vehicles may be licensed.</p>	<p>Section 1.3 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this It states:</p> <p>There is no restriction to the level of tint for glass windows in the passenger compartment. However, for the safety of passengers, tinted glass in the windscreen and front doors must comply with The Road Vehicles (Construction and Use) Regulations 1986 which states</p> <p>Motor Vehicles first used before 1 April 1985: The windscreen and front side windows must allow at least 70% of light to be transmitted through them.</p> <p>Motor Vehicles first used on or after 1 April 1985: The light transmitted through the windscreen must be at least 75%. The front side windows must allow at least 70% of light to be transmitted through them. This includes chameleon tinting.</p>
<p>Vehicle identification and signage</p> <p>Members of the public can often confuse private hire vehicles with taxis, failing to realise that they are not available for immediate hire and that a private hire</p>	<p>Section 4 of the draft Swale Taxi and Private Hire Licensing policy 2025-2030 states:</p> <p>Paragraph 4.8 has been amended to include signage for Private Hire vehicles.</p>

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<p>vehicle driver can only fulfil pre-booked requests. Greater differentiation in signage will help the public to distinguish between the two elements of the trade. To achieve this, licensing authorities should seek to differentiate the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator.</p> <p>Licensing authorities should not permit roof signs of any kind on private hire vehicles and should require all taxis to display a 'taxi' roof sign/box that can be illuminated when available for hire.</p> <p>Licensing authorities should not impose a livery requirement on private hire vehicles. The more distinctive a private hire vehicle is made to appear, the greater the chance that this might be confused with a taxi. To assist the differentiation further, licensing authorities which require taxis to be a particular colour should prevent private hire vehicles from being that same colour, unless they are easily identifiable i.e. they are purpose-built vehicles as is the case in many of our cities.</p> <p>Licensing authorities' private hire vehicle signage requirements should be limited to the authority licence plate or disc and a "pre-booked only" door sign.</p>	
<p>Partitions in vehicles</p> <p>Vehicles used by the trade that are not purpose built are unlikely to have a partition between the front and rear of the vehicle which may provide protection for the driver</p>	<p>Within our existing taxi fleet there are vehicles that have partitions fitted as standard. These vehicles are plated for a number of passengers which does not include the front passenger seat.</p>

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<p>from assault. Partitions can be made from materials that withstand a knife attack or hard body impact and can be fitted and taken out easily.</p> <p>The fitting of in-vehicle partitions must not cause the vehicle to be a danger to anyone in the vehicle or on the road.</p> <p>In order that the partition is effective in providing a means to separate drivers and passengers, the front passenger seat should not be included in the seating capacity of the vehicle licence where a partition is fitted.</p>	<p>Protective screens were of particular significance and safety for taxi drivers in the Covid-19 pandemic and licensing officers were happy that screens were fitted provided that they were installed by bespoke companies who manufactured them.</p> <p>The requirements of the Council are included as paragraph 2.6.6 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030.</p>
<p>CCTV in vehicles</p> <p>The Statutory Taxi and Private Hire Vehicle Standards (https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehiclestandards) set-out the department's position on this matter - that CCTV can provide additional deterrence to prevent crime and investigative value when it occurs.</p>	<p>Section 2.6 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this in depth and is in accordance with the guidance set out in the Statutory Standards of 2020 and the Best Practice Guidance.</p>
<p>Emergency equipment</p> <p>The Highway Code advises that should a vehicle catch fire, the occupants should get out of the vehicle quickly and to a safe place and not to attempt to extinguish a fire in the engine compartment, as opening the bonnet will make the fire flare. The National Fire Chief Council (NFCC) recommends that licensing authorities that require fire extinguishers to be provided in vehicles,</p>	<p>Swale removed the requirement to have fire extinguishers in licensed vehicles in an earlier version of the taxi policy in line with recommendations from the NFCC</p>

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<p>should ensure that suitable and sufficient training is received by the drivers</p>	
<p>Frequency of vehicle testing</p> <p>Licensing authorities must only license vehicles that are safe. It is therefore appropriate and proportionate that authorities require vehicles to pass rigorous safety checks. There is considerable variation between licensing authorities on vehicle testing, including the related but separate question of age limits. The following can be regarded as best practice.</p> <p>An annual test for licensed vehicles of whatever age (including vehicles that are less than three years old) seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. More frequent tests may be appropriate for older vehicles which may be more prone to mechanical defects</p>	<p>Section 2.8 of the draft Swale Taxi and Private Hire Licensing Policy 2025-2030 deals with this, in particular:</p> <p>2.8.3 There will be an annual test for all licensed vehicles. The test must be carried out by a Swale Borough Council approved garage.</p> <p>2.8.4 All vehicles over 5 years old will be required to pass two Certificates of Compliance in respect of a satisfactory test from a Swale accredited test station, 6 months apart.</p> <p>The licensing team see no good reason to depart from these requirements</p>