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For all enquiries relating to this agenda please contact Rebecca Barrett
(Tel: 01443 864245 Email: barrerm@caerphilly.gov.uk)

Date: 19th May 2021

Dear Sir/Madam,

A meeting of the **Taxi and General Committee** will be held via Microsoft Teams on **Thursday, 27th May, 2021 at 10.00 am** to consider the matters contained in the following agenda. Councillors and the public wishing to speak on any item can do so by making a request to the Chair. You are also welcome to use Welsh at the meeting, both these requests require a minimum notice period of 3 working days.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the recording on the Council website at www.caerphilly.gov.uk

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy', enclosed in a large, loopy oval shape.

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

1 To receive apologies for absence.

2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

A greener place Man gwyrddach



To receive and consider the following report(s):-

- | | | |
|---|---|--------|
| 3 | Green Fleet Taxi Pilot Livery Advertising. | 1 - 6 |
| 4 | Future Review of the Council's Licensing Requirements for Hackney Carriage (Taxi) and Private Hire Vehicles, Drivers and Operators. | 7 - 10 |

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth, J. Bevan, P.J. Bevan, D. Cushing, W. David, M. Davies, Ms J. Gale, D.C. Harse, D.W.R. Preece, Mrs D. Price, J.E. Roberts, J. Simmonds (Chair) and W. Williams (Vice Chair)

And Appropriate Officers

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Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at www.caerphilly.gov.uk. except for discussions involving confidential or exempt items.

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TAXI AND GENERAL COMMITTEE – 27TH MAY 2021

SUBJECT: GREEN FLEET TAXI PILOT LIVERY ADVERTISING

REPORT BY: CORPORATE DIRECTOR, ECONOMY AND ENVIRONMENT

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1. PURPOSE OF REPORT

- 1.1 Welsh Government have funded a number of electric, wheelchair accessible, Nissan Dynamo hackney carriage vehicles as part of a Green Fleet Pilot scheme within Caerphilly CBC. The scheme seeks to encourage the taxi trade to switch to zero-emission vehicles. The pilot is intended to assist Welsh Government in achieving its target of de-carbonising the taxi fleet entirely in Wales by 2028.
- 1.2 Currently the authority only permits livery advertising for company/proprietor details of hackney carriage and private hire vehicles, unless permission is obtained from the council. The Vehicles supplied by Welsh Government contain livery for Welsh Government and Cardiff Capital Region. The council's existing specification for vehicles and advertising requires amendment.

2. SUMMARY

- 2.1 This report seeks to permit signage / livery for Welsh Government (WG) and Cardiff Capital Region (CCR) on entirely electric, wheel chair accessible Nissan Dynamo vehicles as part of a green fleet pilot scheme to encourage electric vehicle take vehicle take up by the hackney carriage and private hire vehicle trade in the borough. These vehicles, supplied by Welsh Government, aim to increase interest in the take up of electric vehicles by licensees in the borough. The vehicles that will be supplied would not meet the council's existing vehicle specification in relation to advertising / livery.

3. RECOMMENDATIONS

- 3.1 To permit the usage of livery for Welsh Government and Cardiff Capital Region on electric Nissan Dynamo vehicles as part of a Green Fleet Pilot scheme.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Members are recommended to adopt the proposal to permit vehicles displaying the livery of Welsh Government and Cardiff Capital Region on electric Nissan Dynamo

vehicles as part of a Green Fleet Pilot Scheme. It is hoped that the scheme will encourage the taxi and private hire trade to take up usage of such vehicles with a view to all such vehicles in Wales having zero emissions by 2028.

5. THE REPORT

- 5.1 The current vehicle specification regarding signage and advertising on licensed Hackney Carriage and Private Hire vehicles as detailed within the Council's Vehicle Inspection standards details the following Paragraph 9.1(c) *'All bodywork free of advertising matter except for hackney carriage and private hire vehicles company details. Additional advertising material shall only be permitted if the written prior approval of the Council has been obtained and is provided at the time of the test.'*
- 5.2 Welsh Government are introducing a Green Fleet Pilot scheme in three areas across Wales including the authorities within the Cardiff Capital Region. The scheme will operate a 'try before you buy' initiative, allowing taxi drivers to try a fully electric, wheelchair accessible vehicle for 30 days free of charge. The trial will include free electric charging, insurance, vehicle licensing and breakdown cover funded by Welsh Government.
- 5.3 The vehicles (5) allocated to Caerphilly CBC for the purpose of the initiative over a 3 year period for licensed Caerphilly CBC drivers contain livery on the body work pertaining to Welsh Government (WG) logo and Cardiff Capital Region (CCR). Members are asked to permit the livery displayed on the vehicles for the purposes of the duration of the 'try before you buy initiative'. A photograph detailing the size and location of the signage is reproduced for Members information as **Appendix 1**.
- 5.4 On completion of the trial, drivers will be asked to complete an evaluation survey and be provided with information on schemes/assistance available for long term ownership/lease of zero-emission vehicles.
- 5.5 The pilot is intended to assist Welsh Government in achieving its target of de-carbonising the taxi fleet entirely by 2028 as it is hoped it will help taxi drivers to realise the financial and environmental benefits of zero-emission vehicles and in turn contribute to the transition from diesel/petrol vehicles to zero-emission vehicles.

5.6 Conclusion

The Welsh Government initiative supports the drive for zero emission by tailpipe by 2028 and the change to the existing vehicle specification is considered to be relatively minor. Given that the livery relates to only Welsh Government and Cardiff Capital Region legend / logos and the green nature of the initiative, Members are therefore encouraged to approve the change for the trial period.

6. ASSUMPTIONS

- 6.1 No assumptions have been made or were thought necessary.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 Amending the current vehicle advertising requirements to enable the trial of electric vehicles will generally have a positive impact. It will increase the amount of licensed

wheelchair accessible vehicle's available in the borough and encourage take up of zero emission vehicles in support of Welsh Governments long term de carbonisation strategy. Signage and logos on the vehicle are bilingual and it contributes towards the Corporate Plans wellbeing Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impact on the environment . There is a neutral impact on the licensed trade as the amendment will only apply to these specific vehicles.

[Link to Integrated Impact Assessment](#)

8. FINANCIAL IMPLICATIONS

8.1 There is no cost to the authority in relation to the provision of the vehicles. There is no cost to the trade as the initiative is being fully funded by Welsh Government

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications associated with this report.

10. CONSULTATIONS

10.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

11. STATUTORY POWER

11.1 Local Government Miscellaneous Provisions Act 1976, Town Police Clauses Act 1847

Author: Lee Morgan , Licensing Manager, morgal16@caerphilly.gov.uk

Consultees: Cllr, Julian Simmonds, Chair, Taxi & General Licensing Committee
Cllr, Walter Williams, Vice Chair, Taxi & General Licensing Committee
Cllr Nigel George, Cabinet Member for Waste and Public Protection
Mark S. Williams, Corporate Director Economy and Environment
Robert Hartshorn, Head of Public Protection, Community and Leisure Services
Robert Tranter, Head of Legal Services and Monitoring Officer
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager
Steve Harris, Head of Corporate Finance, S.151 Officer
Paul Adams, Senior Assistant Accountant
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)
Shaun Watkins, HR Manager

Background Papers: None

Appendices:

Appendix 1 Photos of trial vehicle with various logos.

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TAXI AND GENERAL COMMITTEE – 27TH MAY 2021

SUBJECT: FUTURE REVIEW OF THE COUNCIL'S LICENSING REQUIREMENTS FOR HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE VEHICLES, DRIVERS AND OPERATORS

REPORT BY: CORPORATE DIRECTOR, ECONOMY AND ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 To inform Members of the requirements of the Department for Transport (DfT) Statutory Taxi & Private Hire Vehicle Standards and Welsh Government's Harmonisation Guidance on Taxi and Private Hire Vehicle Licensing in Wales.

2. SUMMARY

- 2.1 The Department of Transport (DfT) and Welsh Government agree there is a need for common core minimum standards for the taxi and private hire vehicle sector in order to improve public safety and standardisation. The Licensing Authority is required to review its current requirements in line with statutory Standards and Welsh Government's recommended harmonisation guidance.

3. RECOMMENDATIONS

- 3.1 That Members note the content of the report and the need to review our existing requirements, policies and conditions of licence in order to comply with Statutory Standards and Welsh Government Guidance.
- 3.2 To approve a consultation process with the licensed trade on the proposed changes prior to submission of detailed reports to this Committee for their consideration.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To improve public safety, clarity for the licensed trade and consistency and standardisation across Wales.
- 4.2 To comply with DFT Statutory Standards.

5. THE REPORT

- 5.1 In July 2020 the Department for Transport (DfT) published Statutory Taxi & Private Hire Vehicle Standards with the focus on protecting children and vulnerable adults. The DfT state that following a detailed consultation it is clear there is a consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector.
- 5.2 The DfT standards have effect in Wales even though responsibility for taxi and private hire vehicle policy has been devolved to the Welsh Assembly. However, should the Welsh Government introduce legislation to regulate on these matters, the DfT standards would cease to apply. Caerphilly CBC and all other licensing authorities in the UK will be expected to meet the minimum requirements of the DfT Statutory & Best Practice for taxi and private hire licensing or explain why they do not.
- 5.3 In March 2021, the Welsh Government published the Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales. This document follows the Welsh Government's white paper 'Improving Public Transport' published in 2018. The aim of the recommendations contained in the document is to provide 'quick fixes' to improve the consistency of licensing standards and increase public safety across Wales. The recommendations form the basis for further development by Welsh Government into national standards. This non-statutory guidance has been produced jointly between the Welsh Government, the Welsh Local Government Association (WLGA) and representatives of local authorities across Wales via the Directors of Public Protection Wales.
- 5.4 Due to the overlap between the Standards and the Guide, and as taxi regulation is devolved, the Secretary of State for Transport has confirmed he is content for Welsh Government to monitor compliance with the Department for Transport (DfT) Standards as part of their wider work with policy alignment recommendations.
- 5.5 Adopting the recommendations will lead to increased public safety, consistency of standards across Wales, harmonised enforcement, increased accessibility of vehicles and better standards of customer service.
- 5.6 **Changes to existing requirements**
- 5.6.1 Some of the practices that are referred to in both documents have already been implemented into Caerphilly CBC procedures / policies either in respect of our driver policy or vehicle specification. Examples include the usage of the National Register for Revocations and Refusals (NR3) and driver and operator Suitability Policy, however some of the proposed changes will require our existing policies to be subject to amendment. This is being undertaken to bring about greater consistency amongst licensing authorities.
- 5.6.2 Some of the matters referred to in the harmonisation document will have implications for the taxi trade in the borough. One of the significant changes that are proposed relate to a requirement for 6 monthly Disclosure and Barring (DBS) checks for drivers, primarily via the DBS Update Service. Another change relates to increased criminality checks for Private Hire Operators and their staff. Our requirements for Group 2 Medicals will also require minor amendment to enable certification from the applicants' own GP or other Doctors with access to their medical records.
- 5.6.3 In summary, the main changes for consideration are as follows:

Drivers

- Requirement for drivers to join the Disclosure & Barring Service (DBS) Update Service and have a DBS check every 6 months.
- Overseas criminal record check for drivers.
- Adopting the Welsh Government's Driver Code of Conduct.
- Updating the Private Hire Driver Conditions in line with the Welsh Government's Recommendations

Vehicle

- Requirement for vehicle proprietors to have an annual DBS check.
- Overseas criminal record check.
- Adopting the Welsh Government's policy on CCTV and Video Point of Impact Systems (VIPS)/Dash Cams in taxis and private hire vehicles.
- Impose the Welsh Government's recommendations for accessibility conditions on vehicle proprietors of taxis and private hire vehicles.

General

- To commit to reviewing Licensing Policies every 5 years in accordance with the DfT's Statutory Standards.

5.7 It is proposed that consultation will take place with the trade and stakeholders on the various changes recommended in the guidance document prior to submission of further more detailed reports to this Committee for your consideration. Both the DfT and Welsh Government Harmonised Standards have already been circulated to drivers, vehicle proprietors and operators where the e-mail addresses are held for their information. The documents have also been forwarded to representatives of the Caerphilly County Borough Taxi Driver Association (CCBTDA)

5.8 **Conclusion**

5.9 The Authority is required to review its compliance with the Statutory Standards and Harmonisation Guidance and implement any required changes or publish reasons why it has decided not to do so. Licensing Officers will start the review process in consultation with the licensed trade and relevant stakeholders starting with the changes to Disclosure and Barring requirements and the minor modifications to the Group 2 Medical requirements.

6. **ASSUMPTIONS**

6.1 No assumptions have been made or were thought necessary.

7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 The report is for information purposes only so an Integrated Impact Assessment has not been undertaken.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications associated with this report.

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications associated with this report.

10. CONSULTATIONS

10.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report. As detailed in 5.7 above, the information has also been circulated via e-mail to drivers, vehicle proprietors and operators where an e-mail address is held.

11. STATUTORY POWER

11.1 Policing and Crime Act 2017, Local Government Miscellaneous Provisions Act 1976, Town Police Clauses Act 1847

Author: Lee Morgan, Licensing Manager, morgal16@caerphilly.gov.uk

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Mark S. Williams, Corporate Director Economy and Environment
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Jacqui Morgan, Trading Standards, Licensing and Registrars Manager
Steve Harris, Head of Corporate Finance, S.151 Officer
Paul Adams, Senior Assistant Accountant
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)
Shaun Watkins, HR Manager

Background Papers:

[Department for Transport, Taxi and Private Hire Licensing Guide: Best Practice Guide](#)

Harmonisation of Taxi and Private Hire Vehicle Licensing in Wales –
[Taxi and private hire vehicles: licensing guidance | GOV.WALES](#)