

**CONSULTATION ON DRAFT NORTH NORTHAMPTONSHIRE
HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AND CONDITIONS**

North Northamptonshire Council is reviewing its policies in respect of Hackney Carriage and Private Hire Licensing, as it is currently operating under the four former sovereign council policies and conditions in respective areas of North Northamptonshire.

A draft policy and conditions have been formulated by combining the four sovereign policies and conditions as far as possible, whilst incorporating relevant updated guidance and statutory requirements.

Due to the complex nature of combining and updating four separate policies and licensing conditions, it is not possible to map existing changes from the previous policies to the new draft one. As such, this consultation has been devised to permit the widest possible scope of responses, as we want to implement a new policy and conditions which fairly balances the interests of all parties and stakeholders, whilst maintaining appropriate standards.

Due to the scope of this consultation it has been set up to be managed via electronic media. However, should anyone require paper copies of any documentation, please contact the relevant licensing team for that area using the contact details overleaf.

The consultation is running for 8 weeks from 1st June to 27th July 2022

Responses can only be accepted in writing and must be submitted by 5pm on the closing date above. Late responses will not be accepted. The process for consultation, review and implementation of the amended policies is outlined below:

- Consultation for 8 week period;
- Consultation responses considered, amendments made where appropriate and draft report compiled for Licensing and Audit Committee; Recommendations from Licensing and Audit Committee to Full Council;
- Proposed amendments and draft policies considered by Full Council;.
- Policy ratified by Full Council;
- New policies and conditions of licensing come into force

1	Licensing Policy			
	Section Reference Number	Comment on Policy Section	Likely Impact or Justification For Comment	Reference to Evidence (if applicable)
	2.6	Licence Holders would need sufficient time (to be agreed by both parties) to implement such changes from their existing Licence criteria	Without sufficient time it would impact directly on individuals income and livelihood	
	3.2	Setting standards is essential and long overdue in the interest of safeguarding their passengers/clients, and should be discussed one on one with a credible operator who is presently running their business and meeting all the existing requirements of their Local Licencing Authority	Without this duty of care and safety standards may be compromised	
	3.2	Assessing “fit and proper” persons is in place with Local Licencing Authorities at the present time.	There does not appear, within the current Licencing process, for regular and ongoing policing of driving standards as they appear to deteriorate considerably once licences have been granted. It is likely that Local Licencing Authority may need to monitor/police driving standards by implanting the requirement of “blackbox” technology to record speeding, acceleration, bad driving etc.	
	4.1.2	This is noted but needs further clarification viz a viz “Exceptional Age Vehicles”	Exceptional Age Vehicles are usually of a “classic/specialist genre” i.e. Stretched Limousines and purchased by the Operator to meet the needs of a specific market sector clientele. Thus, by definition, require ongoing investment in order to maintain them in as close to concours condition as can be achieved. Therefore “grandfather rights” would need to last longer than 5 years with this type of vehicle in order for the Operator to achieve a return on his investment	
	6.1.1.1	Purchase of a specialist vehicle e.g. Stretched	Again we would refer to “classic/specialist genre” (as	

		Limousine or Classic Car/Vehicle may (and with classic cars – does) mean that it is more than 4 years old.	per 4.1.2. above) which would mean that the licenced vehicle would likely be more than 4 years of age. Thus, given that operators meet all the other “exceptional age vehicles” requirements laid down by the local Licencing Authority, as Operators we cannot see why this would or should be a problem.	
6.1.2.4		Operators will need as a matter of urgency, clarification on reference to a Class 6 MOT for Stretched Limousines	We are unable to find any reference to a “Class 6 MOT” It is important to note that at the present time Stretched Limousines undertake their MOTs as a Class 4 which allows for vehicles carrying up to 8 passengers.	DVLA Website used as point of reference/evidence
6.2.1		An imported vehicle over 10 years of age is EXEMPT from an IVA (Individual Vehicle Approval.)	As stated on the DVLA website	DVLA Website used as point of reference/evidence
6.2.7		It would appear that no reference has been made or is given to Stretched Limousines	Stretched Limousines carrying 8 passengers MAXIMUM plus the driver; this section appears to have been overlooked	
6.2.13		By definition a stretched limousine cannot carry luggage other than small items of hand luggage that can be easily accommodated/carried with and by the passengers.	The original car was designed to take 4 passengers plus their luggage. Now – a stretched limousine carries 8 passengers and thus there is no room for luggage per say.	
6.2.14		As an operator we would like clarification as to the need for this.	The conversion would have been carried out, safety inspections would have been carried out by servicing garage and MOT stations as appointed by the Local Licencing Authority, so we would need to understand why additional expense would have to be incurred to do this and the rationale’.	

6.2.16	<p>This important issue affects any and ALL drivers. However, there are a number of important factors that appear to have been omitted or overlooked. Working to eliminate any form of pollutant is a universal goal – however there are those of us in the Private Hire Business (as an example) are very aware of this issue and make every endeavour to minimise our carbon footprint. However, it is important for policy makers within ALL Licencing Authorities to have a full and complete technical awareness of the issues relating to general transportation.</p>	<p>In our particular case our stretched limousine was purchased with an LPG conversion. It's emissions are far LOWER than most conventional petrol engine vehicles. I believe this needs to be taken into account on two counts :</p> <ol style="list-style-type: none"> 1. LPG 2. Emissions <ul style="list-style-type: none"> • From 1.4.2025 – no mention has been made relating to synthetic fuels which are presently being designed and developed to significantly reduce emissions. • Such fuels are being developed by companies such as Shell, McLaren & Porsche plus others and thus for Licencing Policy purposes more than justify investigation on a local level. • At this point in time, there is not available an electric/hydrogen stretched limousine! • The Licencing Authority should be prepared to commit, at the earliest possible opportunity, to a sufficient number of electric charging points and assess their practical locations and specifically for use by Private Hire and Hackney Carriages ONLY. These would need to take full cognizance of the technical differences with electric vehicles, i.e. connections and charging power. • Licencing Authorities MUST appreciate and take full cognizance of the extremely high costs of electric vehicles at this point in time and the ability of the Operators to afford the vehicles and the high costs of making the transitions to electric vehicles. • At present the lifespan of the batteries is unknown; this could potentially impact on the purchase of a pre-owned electric vehicle which in turn could create an added financial burden 	<p>As operated by Vista Limousines & Events V885 EPN Lincoln Town Car Stretched Limousine</p> <p>For illustration Shell offer such a scheme as does Federation of British Historic Vehicle Clubs:</p>
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			<p>to the Operator!</p> <ul style="list-style-type: none"> • We must therefore ask the question - will exceptions be made for “Exceptional Age Vehicles?” • On an environmental level – it is important to balance this subject out by recognising that there are organisations and schemes that will offset the carbon footprint by planting trees • Whilst the policy is commendable for investing efforts in the reduction of pollution, it is important not to skirt over or overlook the ethical side effects and the overall environmental damage caused by the mining of materials for batteries/electric vehicles. Lithium leaves pools of toxic waste behind, nickel and cobalt are being mined by children and in bad humanitarian conditions <p>These are issues that need to be addressed as a whole, not in part on a national or local level, nor indeed just for Private Hire.</p> <p>This is a critical issue and a circular one and involves far more than policy implementation for Private Hire. “Doing one’s bit” requires the same effort by the super powers if the whole plant is to benefit.</p>	
6.5		Why has the length of time for an application increased to at least 6 weeks?	This is not practical from a planning view point as the second or third test (as required by Licencing) will keep moving	Example: Any car that requires by Licencing to have 2 combined tests per year, i.e. 6 months apart, then the first test will be at 6 months and thereafter would be at 4 or 5 months, and that will keep rolling forward making planning very difficult for the Operators and possibly the Test Centres.

6.6.3	Full clarification of this point in respectfully requested	Essential understanding necessary for those Operators who may wish to sell their businesses or an Owner/Driver who may wish to sell his vehicle	
6.9.9.	Point 1V	Generally there will be some sign of rust on most vehicles of any age, including those under 5 years of age. Weather conditions and bad road maintenance all contribute to damage to any coatings on the underside of a car which can lead to rusting and often very quickly by virtue of the weather conditions in the UK	Any rust or deterioration issues should be identified at the time of the MOT and should be dealt with at that time. There are technical issues attached to these points i.e. surface rust versus severe rusting that can cause structural issues. Any such issues can occur BETWEEN TESTS.
6.9.10	Judging the merits of the condition of the vehicle	Who makes that judgement and based on what knowledge base/qualification?	
8.1.3	This point needs revisiting by Licencing.	If an Operator elects to purchase an imported Special Occasion Vehicle which has been in the UK for some time, how can that Operator evidence legal importation? Certain assumptions have to be made by the Operator therefore Licencing would need to issue certain guidelines. One also has to assume that if a vehicle has a V5 then it will have been imported legally!	
8.1.5.		This can also easily be proven by the VIN	
8.1.7	Full clarification of this point in respectfully requested	SVA has been replaced by the IVA. Will Licencing now please confirm that this will be a voluntary IVA	
8.1.8	Inspection by Authorised Officer of the Council	Who makes that judgement and based on what knowledge base/qualification?	
8.1.11	How does an Operator acquire conformity certification for seat belts, if required	This is the first time this Operator has seen such a request/requirement and presumably this would be covered by the vehicle's insurance policy.	

8.1.12	Driver/Passenger partitions	Some stretched limousines are only built with a solid partition and usually these are left down. In such a case where it needs to be raised would CCTV be an acceptable option or would it need to be disconnected. If it is disconnect then the hirer will not be afforded privacy if they should request it.	
8.2.4	We belie this may be affected by GDPR and Commercially Sensitive Information	If a client wishes absolute privacy when arranging a hire, Operators are obliged to adhere to such requests. In addition billing arrangements between companies should remain Company Confidential.	Our own experience of Celebrity request and a specific request from a member of the public
8.2.6	Exemption from display of plates viz a viz type of work undertaken	<p>This is an important consideration when hire is made by celebrity/dignitaries etc. (and the associated security implications.)</p> <p>Equally for obvious reasons, neither weddings, nor funerals should be expected to utilise limousines with external plates, neither function requires operator to have PHV and our limousines are used for both event types.</p> <p>We need to understand the reasoning behind the need for American stretched Limousines and “novelty vehicles” to be plated as this is not something we are aware of with other Licencing Authorities.</p>	

Please use additional lines or a separate sheet if necessary

2	Appendix A			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	Table 1	<p>Serious issues surrounding the following :</p> <p>“Convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person”</p>	<p>As a general statement this is understandable however, totally impractical and totally unjust. EACH APPLICATION should be thorough evaluated by qualified individuals who have a FULL understand or the specific case and other licencing requirements e.g. PSV.</p> <p>If an applicant has served their time specifically relating to the issue of death, and have actually been reissued with other passenger carrying licences i.e. PSV and are also able to carry passengers in non-PHV vehicles i.e. for weddings, then it is not logical for them to be denied another licence as this restricts their ability to earn a living.</p> <p>Simple example:</p> <p>A wedding limousine WHICH IS NOT on a Private Hire Licence can be driven by such an individual</p> <p>The same wedding limousine WHICH DOES CARRY a Private Hire Licence - CANNOT be driven by that same individual</p> <p>It must be borne in mind that such an individual effectively carries a “life sentence” by causing said death, and it is unjust and unfair that they should be penalised still further, especially when they are undertaking the same employed Licenced (PSV) chauffeuring/driving duties elsewhere and not requiring a Private Hire Licence.</p> <p>Equally when that individual is able to provide references of his driving/chauffeuring experience within the Royal Household and for senior officials of The Police Force, full cognizance should be taken of their</p>	<p>Specific reference is offered by virtue of this Operators direct experience with a highly qualified applicant during 2022.</p>

			<p>trust and confidence in being driven safely.</p> <p>We do feel, however, that a sensible but reasonable period between the return/removal of licence/points, the full discharging of the sentence, should be seriously considered in order NOT to make a nonsense of such policies/examples as shown and highlighted above.</p>	
<p>Please use additional lines or a separate sheet if necessary</p>				

3	Appendix B			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	3.7	In the first instance the Driver should report directly to his Operator and the Operator then report to Licencing, Police, Crimestoppers.	Paper trail especially if a serious incident occurred or likely to occur. Accessibility to these agencies 24/7 – not always possible. Ongoing support from the Operator should this prove necessary.	
Please use additional lines or a separate sheet if necessary				

4	Appendix C			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	11.2	All Private hire Vehicles should be specifically SANITISED between hires.	Prevention of spread of Covid-19 and similar pandemics, viruses. Mere cleaning cannot guarantee to be clean enough.	
	11.3	Natural day to day wear and tear will occur on all vehicles and Licencing need to set a minimum standard acceptable which can be policed and monitored during the routine Council test	To meet the requirements of 11.3	
	17.0	Full clarification and reasoning of this point in respectfully requested		
Please use additional lines or a separate sheet if necessary				

5	Appendix D			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
Please use additional lines or a separate sheet if necessary				

6	Appendix E			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	4.9	Sub-contracting - how do you wish this to work. We would need to know whether the sub-contractor operators under North Northants Conditions and paperwork or the condition of whoever they are Licenced with.	Clarification for record keeping and to ensure no breach of licencing conditions.	
	9.2 and 9.4	Why has the period of record keeping increased from 12 months to 3 years. What is the edict for retaining records for such a long period.	GDPR, any inspection during the following 2 years will only show records for 12 months – not 3 years – as anything over 12 months old will have been destroyed as per GDPR requirements.	
	9.5	Full clarification point referring to “10.4 above” is respectfully requested	Does it refer to another appendix?	
Please use additional lines or a separate sheet if necessary				

7	Appendix F			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	2.4	We would reiterate that a vehicle over 10 years of age is exempt from an IVA	As previously noted	DVLA website
	2.5		As previously covered	
	2.14	Full clarification and reasoning of this point in respectfully requested	Earlier in the document the referenced age is 13 years and we need to know which it should be.	
Please use additional lines or a separate sheet if necessary				

8	Appendix G			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
Please use additional lines or a separate sheet if necessary				

9	Appendix H			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
Please use additional lines or a separate sheet if necessary				

10	Appendix I			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
	1.3 and 1.7	Previously limousines have been exempt from displaying external Licence Plates	For example a PROM is NOT a private hire duty per say but considered a “life event” and therefore a special occasion hire. As limousines that we also use for weddings, having an external licence plate would not be acceptable to the client (Bride/Groom/Entourage) and indeed weddings are NOT covered by the Private Hire Licence rules and regulations	
	1.5	Why specifically the Chauffeurs Guild?	Livery/clothing MUST be at the discretion of the Client – who may request full livery or lounge suits or casual, depending on their function. Therefore it is for the Operator in liaison with the hirer at the booking stage to evaluate which is required on a “bespoke” basis. It would also make it more difficult to find quality drivers/chauffeurs as the financial burden of that membership may prohibitive. We are aware that the Chauffeurs Guild can also provide temporary drivers in which case do they also have to be licenced with North Northants	
Please use additional lines or a separate sheet if necessary				

11	Appendix J			
	Section Reference Number	Comment	Likely Impact or Justification	Reference to Evidence (if applicable)
Please use additional lines or a separate sheet if necessary				

Do you have any other general comments or observations on the Councils Draft Taxi and Private Hire Licensing Policy and Conditions?

In no particular order of priority we would comment as below :

1. It is overdue for ALL licencing to be generic to the whole of England
2. It is overdue for each Hire category to be clearly identified separately i.e.
 - Private Hire
 - Hackney Carriage
 - Executive Hire
 - Chauffeured Hire

for greater clarity to the Operators, even though much of the policy will be common to all 4 area

3. Licencing for all English Licencing Authorities need to be the same for each Council as there is clearly disparity between many in basic areas e.g. medicals – in one Council area we find a one page document required and in the adjoining Council area a 6 page document is required!!
4. With all due respect to Council Officers, Private Hire and Hackney Carriages need to be overseen within each Licencing Authority by an individual with a good comprehension of :
 - Vehicles, including specialist vehicles
 - DVLA Regulations
 - Technical elements i.e. fuels, vehicle engines, emissions, technological advances
 - Comprehensive understanding (and ideally experience) of running a Private Hire business or similar
 - Regular liaison and collaboration (where appropriate) with industry associations e.g. LPHCA | The Licensed Private Hire Car Association <https://lphca.co.uk> and/or <https://www.thenlca.co.uk>
 - National Limousine and Chauffeurs Association dealing directly with operators regulated according to UK Transport Law
5. It would be appreciated if consultations between Licencing Authorities and Operators for the purpose of policy discussions regarding the fast changing technological issues around emissions, fuels etc., autonomous vehicles and the financial implications and ramifications and burdens on Licenced Operator/Drivers could be arranged

6. It would be appreciated if ALL Councils Rules & Regulations thereby making it easier to sub-contract into a different area by virtue of ALL Licencing Rules & Regulations being the same. This may facilitate locally Licenced Drivers being able to work in other areas e.g. A North Northamptonshire Driver could take work in for example Oxford without having an Oxford Licence, simply because he would be operating within an identical set of Rules.
7. To achieve this the Driver would be required to purchase the Licence specifically in the area in which he resides (thereby not affecting the Council's income), but still be able to undertake work for a Licenced Operator within another area/s.
8. We feel it is important that a named spouse or partner should be allowed to drive a vehicle which is under his or her partners Private Hire Licence Number to alleviate the financial burden of having to purchase a second car for the family for such basic drives as shopping, school runs etc. (but obviously they could not use it for Private Hire assignments.)
9. We feel that this document should be considered the foundation for a National Industry Sector Standard, but it is very apparent within the Consultation document itself, that no mention has been made of Limousine Hire BROKERS!
 - So, how are these "policed" by the Licencing Authority (whose rules and regulations applied to the rest of us) in terms of checking that they are meeting all the rules and regulations of their local Licencing Authority?
 - There is at least one Limousine operator in the Wellingborough area that does not appear on the Council Register and MAY be utilising limousines that are not licenced with any Authority.
 - Also as a "bonifide" address is given in the area and on its website (Google shows this as a field in a lane in Wollaston!) and is also shown on Yell.com and Google!! As it is advertising specific event services including Proms etc., should this company not have an Operators Licence and adhere to the Authority Rules as applied to other Operators in the Area. It is also important to note that they are using an 0800 telephone number which could be anywhere in the country.
 - We believe this to be a National issue regarding Limousine Brokers per say.

In order to minimise the opportunity of multiple responses from one individual or organisation, anonymised responses will be highlighted as such and may not be given as much weight or credence as other responses. The same will apply to those responses which are not anonymised but which are clearly duplicated.

Please provide the following information:-

Name of respondent [REDACTED]

Representing Organisation (if applicable) [REDACTED] **VISTA LIMOUSINES & EVENTS LTD**

North Northamptonshire Council Licence holder? YES If Yes please state licence number [REDACTED]

Contact telephone number [REDACTED]

Contact e-mail address [REDACTED]

Please note responses received from this consultation may be published in public reports.

If you do not wish your comments to be attributed to you or your organisation in any published report please tick the box below. Please be aware that any submission may still be disclosable:

Thank you for taking the time to respond to this consultation exercise.

Please note that all comments must be received in writing by North Northamptonshire Council by **5pm on 27th July 2022**. Any comments received after this date will not be considered as part of the consultation review.

All responses should be returned to: licensing.BCW@northnorthants.gov.uk **marked** with the subject header titled “**Taxi Consultation response**”.

Please mark the envelope to Kettering Licensing - Taxis

Or by post to:
North Northamptonshire Council,
Sheerness House,
41 Meadow Road,
Kettering, NN16 8T

If you require this document or any related consultation documents in any other format, please contact:
licensing.BCW@northnorthants.gov.uk or
Telephone: 01933 231966