



**CHELTENHAM**  
BOROUGH COUNCIL

Consultation on proposals to amend the  
Authority's Licensing Policy, Guidance and  
Conditions for Private Hire and Taxis  
Operating Within the Borough of  
Cheltenham

## Introduction

Cheltenham Borough Council (the authority) has previously adopted a document – the Licensing Policy, Guidance and Conditions for Private Hire and Taxis Operating Within the Borough of Cheltenham - that supports the Licensing Authority in carrying out its responsibilities in administering, monitoring, and carrying out enforcement in respect of the taxi and private hire licensing regimes. These responsibilities primarily come from primary legislation, namely the Local Government (Miscellaneous Provisions) Act 1976 and the Police and Town Clauses Act 1847.

As one will note this legislation is quite dated, however the government has produced statutory guidance to support Licensing Authorities in carrying out their functions. The Statutory Taxi and Private Hire Vehicle Standards was published in July 2020, and the authority has previously taken steps to reflect several priorities contained therein.

More recently, the government published an updated version of the Taxi and Private Hire vehicle Licensing Best Practice Guidance for Licensing Authorities in England in November 2023. The authority has considered this best practice guidance in reviewing its existing taxi and private hire policy, and this is reflected in some of the amendments proposed.

This consultation sets out a wide range of proposals with a view to promote the following:

- To ensure that Cheltenham Borough Council licences a mixed fleet of hackney carriages (also referred to as “taxis”), that is to say a good proportion of Wheelchair Accessible Vehicles (WAVs) and non – WAVs. This is in response to feedback through a recent survey that many disabled customers prefer to travel in vehicles without a relatively high step to enter and exit the vehicle and/ or to travel in more comfort, ideally not remaining in their wheelchair (where this is possible).
- To ensure that the authority meets its priorities in respect of vehicle emissions and lowers them further over this policy period, but also confirms the authority’s intention to have a zero-emissions hackney fleet from 2030 and aspires for a zero emissions private hire fleet from that time.
- To continue to reduce or remove unnecessary regulatory burdens on the taxi and private hire trades, where it does not undermine public protection.
- To better target regulation of the taxi and private hire trades. This is in response to a disproportionate number of complaints made by the public and/or more appropriate regulation drawing from best practice elsewhere.
- To confirm certain matters that are effectively outside of the authority’s control and effect the administration or enforcement of the regimes. For example, changes that have happened in relation to the way DBS checks.

### **The Key Policy Principles**

The bullet points below summarise the proposals being consulted on by the authority:

- Confirmation of the existing requirement to display information to make a complaint in licensed vehicles.
- Clarification around DBS checks for new applicants for a driver licence and existing licence holders, namely that only an enhanced level check for ‘other workforce’ will be accepted and that all drivers must subscribe to the update service through the

DBS. Furthermore, that the authority will carry out a check for any changes to such subscriptions on a 6 monthly frequency.

- Medical assessment frequency brought into line with DVLA guidelines for bus and lorry drivers and the frequency reduced – see Annex 1 for details.
- Vehicles – confirmation of the aspiration for a mixed hackney carriage fleet of WAVs and non – WAVs; confirmation that from 2030 only zero emissions vehicles will be licensed as hackney carriages and confirmation that this is the authority's *aspiration* for the PHV fleet; WAV requirements to be relaxed in the hope of seeing more WAV vehicles licensed as hackneys and PHVs; vehicle emissions standards clarified for existing and new proprietors for hackney carriages and PHVs – the standard being Euro 6 or better and phasing out higher emission emitting vehicles.
- Confirmation that WAV hackney carriages licensed as such since first licence must remain as a WAV.
- However, WAV proprietors that changed their vehicle from a non – WAV to a WAV in anticipation of the final implementation date for the then authority policy of 31<sup>st</sup> December 2021 (that all hackneys carriages were being required to be WAV from that date – that was reviewed in September 2021) will be permitted to licence a non – WAV, whilst ideally keeping their WAV licensed.
- Clarification on what vehicles must be provided for a temporary replacement.
- Lessening the burden on vehicle proprietors for hackney carriage taximeter tests by reducing the frequency of these tests.
- Lessening the maximum period a vehicle test may be carried out before the start date of a new vehicle licence to 1 month.
- Clarification on roof sign dimensions.
- Confirmation that all taximeters in hackney carriages will be required to calendar controlled.
- Implementation of requirements for a director or person with management responsibility for each PHV operator to have carried out safeguarding training.
- Clarification of the situations where first aid kits and fire extinguishers should be used.
- Implementation of requirement for hackney and PHV proprietors to fit and ensure a card machine or device is available to take card payments, and sanctions for non – compliance without good cause or in certain situations, such as loss of mobile data signal.
- Changes proposed to make the medical exemption process less burdensome, whilst ensuring the system remains robust and is not open to abuse.

## **Consultation**

The authority believes that the proposals outlined in this consultation document will provide balanced and comprehensive improvement to the way it regulates the taxi and private hire industries.

However, the authority is keen to hear your views on these proposals, and is consulting with the trades it regulates, relevant stakeholders and the wider public.

We will host and facilitate at least 2 public engagement sessions for anyone with an interest in these proposals to attend in person or virtually.

We will also use the authority website to publicise the consultation taking place and our proposals. A pro forma to respond to the consultation will be available on our website and in

paper form available from the authority reception area at the Municipal Offices. In addition, we will discuss the proposals at our trade liaison meetings to explain our proposals.

We will also consult directly with the following:

- The Cheltenham Borough Authority – Licensing Committee
- The local MP
- Glos Police
- Gloucestershire School Transport
- Cheltenham Borough Members
- Cheltenham BID
- Cheltenham Safe
- Disability Groups
- Taximeter calibrators

### **How you can contribute**

To help us consolidate all responses in a meaningful way, we ask you to use the attached pro forma for your responses.

Please note the basic administration elements of the review are not incorporated into ANNEX 1, nor is confirmation of existing controls that are being reaffirmed and nor are the confirmations in relation to DBS checks.

We are focussing the consultation on the substantive elements of this review. Although of course respondents may feedback to us on any matters addressed through the review of the policy or even in areas that we have not discussed, where you believe that we should have put forward proposals.

*For example, the authority is bound by several factors in only being able to accept 'other workforce' enhanced level DBS checks from drivers. This has changed over recent years, but we cannot use any different workforce type on a DBS because our assessment of the driver's suitability for the role is not directly linked to the driver carrying out 'regulated activity' in relation to carrying children and/ or vulnerable adults even though they are very likely to carry out that work – as part of their role as a licensed driver.*

### **Responding to this consultation**

The consultation is open for comments until noon on 30<sup>th</sup> August 2024.

Your comments can be sent to [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk) or in writing to:

Licensing Section, Cheltenham Borough Council, Municipal Offices, Promenade  
Cheltenham. GL50 9SA

[Licensing consultations privacy statement](#)

If you have any questions about this consultation, please contact [licensing@cheltenham.gov.uk](mailto:licensing@cheltenham.gov.uk).

### **ANNEX 1**

## **Give Us Your Views**

Please use this form to let us know what you think.

Underneath each proposal below please let us know how strongly you support or object to each one by using the scoring below.

*5 = strongly support the idea*

*4 = you generally support the idea*

*3 = you have no view either way*

*2 = you generally disagree with an idea*

*1 = you strongly disagree with an idea*

In addition, please give your reasoning for you taking that position on the issue by using free text in the box provided.

There is also a box for general comments and for you to feedback on anything not otherwise picked up in the form.

### **Key Policy Principles**

#### 1. Vehicles

The authority's previous policy that aimed to ensure a 100% wheelchair accessible taxi fleet was postponed in December 2021 following further consultation with the licensed trade. An interim policy was adopted while a more comprehensive review of the taxi fleet's future accessibility requirements is undertaken in conjunction with work to transition the licensed fleet to a carbon neutral fleet by 2030.

As part of this comprehensive review, the authority undertook engagement with residents and disability groups. There was a clear response that a mixed fleet was the most appropriate option. Furthermore, the newly published Department for Transport's "Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England" (November 2023) made clear that a "truly inclusive transport system is one where a mixed fleet is available".

In light of the above, the authority has taken the view that a mixed licensed fleet with an appropriate mix of WAV and non-WAV vehicles is the correct policy. To this end, the authority is proposing to make the following changes to the current policy:

- The authority will only licence new hackney carriages from 1st January 2030 where they emit zero emissions.
- The authority will only permit replacement applications for existing licence holders from 1st January 2030 and renewal applications from 00:01 hours on 1st January 2030, where the vehicle subject to the application emits zero emissions.
- Where a hackney carriage is currently licensed as a WAV, it can only be replaced with another WAV, that meets the policy criteria.

However, please note the exception below:

With effect from 1st July 2025, the only exception that will be permitted is where a vehicle proprietor can demonstrate to the satisfaction of the Licensing Section that they changed

their previously licensed non-WAV for a WAV in the lead up to 31st December 2021, (the postponed policy). The authority proposes that in such instances, the WAV should continue to be licensed as a hackney carriage vehicle (providing it meets the requirements of this policy) and that the vehicle proprietor concerned will be permitted to licence an additional non-WAV as a hackney carriage. The authority may allow such a vehicle to be licensed as a new private hire vehicle and would exempt it from the relevant maximum age on first licensing.

Score	Reasons

2. Medical assessment frequency brought into line with DVLA guidelines for bus and lorry drivers and the frequency reduced, except for drivers over 65 years of age must carry out a medical assessment every year.

The rationale for this proposal is based on the [updated taxi and private hire best practice guidance for licensing authorities](#) that makes this recommendation.

Score	Reasons

*Note - All initial licence applications require a medical assessment by a registered medical practitioner (recorded on the authority's form). The same assessment is required again at 45 years of age and then every 5 years until the age of 65 years of age when they must be provided every year.*

3. Lessening the burden on vehicle proprietors for hackney carriage taximeter tests by reducing the frequency of these tests to initial application, vehicle transfer applications and when the approved schedule of fares is changed by the authority.

We are proposing to remove the requirement to undertake a hackney carriage taximeter test when submitting renewal applications.

Score	Reasons

4. Lessening the maximum length of time a vehicle test may be carried out before the start date of a new vehicle licence to 1 month, this will be the same for temporary replacements, renewals, and replacement applications. Currently there is no such limit for new applications and on renewals the testing can be done up to 2 months before the renewal date. It is felt to be appropriate to have a more recent test carried out before a vehicle licence starts to better promote public safety. Where a test is not carried out for 2 months or more before the licence starts, the mechanical soundness and/ or safety of the vehicle in question could deteriorate over such a period, particularly in the case of vehicles undertaking relatively high mileage.

Score	Reasons

5. Clarification on roof sign dimensions. See page 22 – 23 of draft new policy for detailed dimensions.

Score	Reasons

6. Confirmation all taximeters in hackney carriages must be calendar controlled by 1<sup>st</sup> January 2025.

Score	Reasons

7. Implementation of requirements for director(s) or person(s) with management responsibility for each PHV operator to have carried out safeguarding training of a standard approved by the authority.

Score	Reasons

8. Clarification of the situations where first aid kits and fire extinguishers should be used. That is to say only where it is safe to do so, and the driver has sufficient competence to use.

Score	Reasons

9. Implementation of a mandatory requirement for hackney and private hire proprietors to fit and ensure a card machine or device is available to take card payments, and sanctions for non-compliance without reasonable excuse as outlined in the draft card payment policy. See pages 49 – 50 of draft new policy for details.

Score	Reasons

10. Changes proposed to make the medical exemption process less burdensome, whilst ensuring the system remains robust and is not open to abuse. See pages 69 – 70 of draft new policy for the details.

Score	Reasons

Please let us know your views on the proposals in general terms, anything we have not covered that you believe needs consideration and any other points that you believe are relevant to this review.

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Please note your contact details given below will not be shared publicly, but we will include your name and other descriptors referred to below when the authority considers all responses received and determines its final policy.

Name: .....

Email address: .....

If you do not have an email address what is your home/ business address:

The data we capture from these forms will be summarised and anonymised to assist in determining the final proposals to be adopted. The information provided below will be considered as relevant to your feedback, as it helps put your comments into context, which will be important for the authority in deciding the final proposals to go forward and be implemented.

Are you a licence holder with us?

Yes / No

If yes, which licence type(s) do you hold – please tick all that you hold?

- Hackney carriage vehicle
- Private hire vehicle
- Hackney carriage driver
- Private hire driver
- Private hire operator

Do you consider that you have a disability or disabilities?

.....

What type(s) of disability affect(s) you?

.....

Do you use a wheelchair in your daily life?

.....

Do you use an assistance dog in your daily life?

.....

Do you use taxis or private hire vehicles?

Yes / No

If so, how frequently?

- More than twice a week
- Once a week or less

Once a month or less  
Once every 6 months or so  
Once a year or so  
Very rarely  
Never

Please let us know the main reasons for you using our licensed taxis and/ or private hire vehicles:

Is there anything that would be likely to increase the frequency that use a licensed vehicle?

Please let us know of positive and/ or negative experiences that you have had using licensed vehicles in Cheltenham.

Thank you for taking the time to respond. Your views are important to us, and will be considered prior to us making the final decision in respect of these proposals.