



Changes commencing 1st December 2023 (2023)

You will no doubt have heard that the Licensing Committee has agreed some changes to taxi policies in Burnley. This note explains what they are and how they will affect you.

VEHICLE AGE LIMITS WILL CHANGE FROM 1ST DECEMBER 2023.

The trade has raised concerns that vehicle age limits required review. The Council has listened to those concerns and introduced a framework that retains vehicles on the fleet for longer providing certain criteria are met.

Hackney Carriages have been subject to a vehicle safety exceptional condition for a number of years. This has allowed Hackneys to remain on the fleet where specific vehicle safety conditions are met. Hackneys have consistently performed better at targeted intervention checks because vehicles have been well maintained. As a result, the upper limit for hackney carriages meeting the exceptional condition has been increased to 17 years.

Exceptional Conditions have now been extended to the private hire fleet to allow safe private hire vehicles to stay on the fleet for longer. The compliance history of the vehicle will be checked before the licence is renewed, and **where exceptional conditions are not met, licence renewal will be refused**. We will retain records of compliance check fails and vehicle suspensions to assist with this. We will also introduce a variety of new compliance activities to check vehicles and may suspend vehicles which do not meet safety standards, including defective light-bulbs, tyre treads, engine light illumination, bodywork etc. The intention is to encourage drivers to check their vehicles and mirror the impact that exceptional condition criteria have had on the Hackney fleet, by bringing about a similar improvement in vehicle safety standards across the private hire fleet.

The vehicle safety exceptional condition standards will apply to vehicles that are continuously relicensed on the fleet and that continue to meet the required vehicle safety standard:

- saloons & small MPVs will be subject to exceptional condition at 8 years, with an upper limit of 12 years, and
- non wheelchair accessible large MPVs will be subject to exceptional condition at 10 years, with an upper limit of 12 years, and
- wheelchair accessible large MPVs and minibuses will be subject to exceptional condition at 13 years, with an upper limit of 15 years.

In addition to the vehicle safety exceptional condition, a new emissions exceptional condition has also been introduced for alternative fuel/cleaner emission vehicles, so that where both safety and emissions standards are met, a higher age limit applies across both hackney and private hire fleets. This gives vehicle owners some assurance that investment in vehicle maintenance and electric/alternative fuel vehicles will be rewarded by a longer life on the Burnley fleet. To give wheelchair-bound passengers greater choice, wheelchair accessible vehicles will have an unlimited life if they continue to meet both the vehicle safety and emissions standards.

The new age limits are attached. **Please note, the new age limits do not enable a vehicle that has left the fleet to return.** Exceptional Conditions are only available to vehicle licences being renewed, where the Council holds a record of the vehicle's safety. Any vehicle safety issues including serious compliance test fails and/or suspensions are recorded on vehicle records.

NB Licensing Officers will no longer carry out individual exceptional condition checks of vehicles at renewal. These checks will be incorporated into the compliance test at renewal and reported to the licensing office.

A table providing this information can be found at Appendix 17 of our Taxi Policy.

MOT AND MANUFACTURER RECALLS

From December all vehicles must have a valid MOT certificate and not be subject to outstanding manufacturer recalls. This will be checked on publicly available websites.

DRIVER LICENCE SURRENDER

Drivers will no longer be able to surrender their private hire or Hackney Carriage driver licence. This is to prevent drivers avoiding sanctions by surrendering licences where police or other complaint investigations are taking place.

NEW BEST PRACTICE GUIDANCE ISSUED ON 17th NOV

The Department for Transport have recently released new guidance on taxi & private hire licensing which we are working through to identify if further changes are required to our Policy. Initial thoughts are:

- The Guidance deals with drivers working for more than one operator, and indicates that the licensing authority should not impose conditions that prevent this. As you know Burnley require all driver and vehicle applications to be endorsed with the operator's stamp. Burnley conditions require drivers to notify the Council within 7 days when they change operator, and Operators are required to keep lists of attached drivers and vehicles up to date. Vehicle door signage must indicate which licensed operator is taking bookings for the vehicle. This allows all journeys to be quickly traced from booking records when necessary. We will need to consider how our policy should change to accommodate this, but in the meantime **any driver working for more than one operator must notify the Council of ALL operators on the appropriate form**, and obtain operator stamps to support this.
Drivers should limit driving to 10 hours a day and make use of vehicles appropriately signed so that it is clear which operator is carrying out the journey. **Vehicles cannot currently be attached to more than one operator.**
- Disability issues feature through the document. Many passengers have disabilities, which are not always obvious. Operators should always ask if a person booking a journey has any special requirements, and never discriminate. You are reminded that the policy specifically requires drivers to:

Carriage of Assistance Dogs

- Drivers of Hackney Carriages & Private Hire Vehicles are under a duty to carry any guide, hearing or certain other

assistance dogs in their vehicles. They cannot charge extra for this. Dogs should stay on the floor of the vehicle and be always kept under control.

- If a taxi operator/depot fails or refuses to accept a booking, they will be committing an offence and could be fined up to £1,000.
- A driver who refuses to carry a dog, or makes a charge for doing so, is guilty of an offence and could be fined up to £1,000.
- Drivers who have a medical condition, such as severe asthma, which is aggravated by contact with dogs, can apply for an exemption certificate.
- A driver who has been granted an exemption will display their 'Notice of Exemption' on the near side of the windscreen of their vehicle. The front of the notice will have the letters 'ED' (Exemption Dogs) and will show the driver's licence number.

Carriage of Disabled Passengers

Hackney Carriage & Private Hire drivers could face a fine of up to £1,000 if they refuse to transport a disabled user, or if they attempt to charge more than the standard fare prices.

Where the vehicle is wheelchair accessible, taxi and private hire vehicle drivers are obliged to transport wheelchair users in their wheelchair, provide passengers in wheelchairs with appropriate assistance, charge wheelchair users the same as non-wheelchair users, and show no discrimination against an individual with a disability.

All taxi and minicab drivers must make sure they do not discriminate against disabled people and should therefore not treat them less favourably than non-disabled customers. You should also make any 'reasonable adjustments' to your service to make the journey easier.

[Taxi and Private Hire Vehicles \(Disabled Persons\) Act 2022
\(legislation.gov.uk\)](https://www.gov.uk/legislation/government-publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2)

<https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2>

Drivers and operators have to help disabled passengers. This could include:

- help getting in and out of the vehicle
- help finding a vehicle
- putting a mobility aid in the boot
- reading out the total on the taximeter
- explaining the route you are taking