

## EQUALITY ANALYSIS

This Equality Analysis considers the effect of Bury Council/ Bury CCG activity on different groups protected from discrimination under the Equality Act 2010. This is to consider if there are any unintended consequences for some groups from key changes made by a public body and their contractor partners organisations and to consider if the activity will be fully effective for all protected groups. It involves using equality information and the results of engagement with protected groups and others, to manage risk and to understand the actual or potential effect of activity, including any adverse impacts on those affected by the change under consideration.

For support with completing this Equality Analysis please contact [corporate.core@bury.gov.uk](mailto:corporate.core@bury.gov.uk) / 0161 253 6592

SECTION 1 – RESPONSIBILITY AND ACCOUNTABILITY	
Refer to Equality Analysis guidance page 4	
1.1 Name of policy/ project/ decision	<p><b>Consultation in Relation to Hackney Carriage &amp; Private Hire Policy Revisions</b></p> <p><b>Project:</b> To commence a public consultation to inform policy revisions. Once completed a further report will be brought before the Licensing and Safety Committee in October 2023 for their consideration.</p> <p>This EIA sets out some of the challenges faced by licensing authorities due to the negative impacts of extensive out of area working within the private hire industry, including the decline in taxi and private hire license numbers in Bury and the approach made by trade representatives for amendments to key policy areas.</p> <p>The assessment will look at the proposed Hackney Carriage / Private Hire Vehicles and Private Hire Operators changes to determine whether any amendments to address equality impacts are required through Public Consultation.</p>
1.2 Lead for policy/ project/ decision	<b>Ben Thomson / Michael Bridge</b>
1.3 Committee/Board signing off policy/ project/ decision	<b>Licensing and Safety Committee</b>
1.4 Author of Equality Analysis	<p><i>Name: Michael Bridge</i></p> <p><i>Role: Licensing Unit Manager</i></p> <p><i>Contact details: 0161 253 5209</i></p>
1.5 Date EA completed	
1.6 Quality Assurance	<p><i>Name: Sam McVaigh</i></p> <p><i>Role: Director of People &amp; Inclusion</i></p> <p><i>Contact details: <a href="mailto:s.mcvaigh@bury.gov.uk">s.mcvaigh@bury.gov.uk</a></i></p> <p><i>Comments:</i></p>

1.7 Date QA completed	
1.8 Departmental recording	Reference: Date:
1.9 Next review date	Annual

## SECTION 2 – AIMS AND OUTCOMES OF POLICY / PROJECT

Refer to Equality Analysis guidance page 5

2.1 Detail of policy/ decision being sought	<p>Consultation on the following policy revisions:</p> <ol style="list-style-type: none"> <li>1. To modify the requirement for Operator stickers on private hire vehicles to replace all existing operator signage with new Passenger Side Windscreen signage (w10.5cm x h8.5cm) indicating operator, which must be updated and changed to reflect operator.</li> <li>2. To remove the future requirement for bonnet stickers on private hire vehicles.</li> <li>3. To modify the requirement for the current rear passenger door sticker “Private hire vehicle (not a taxi) The driver can only take passengers who have pre-booked with this company” to be replaced with a new Council issued sticker which is to be displayed on the rear door of a private hire vehicle stating, “Private hire vehicle not insured unless pre booked with operator” (magnetic signage is not permitted)</li> <li>4. To modify the current knowledge test for the hackney carriage and private hire drivers.</li> <li>5. To modify the requirement from mandatory to advisory for the provision of a fire extinguisher and first aid kit and modify the Council’s vehicle compliance testing manual.</li> <li>6. To remove the requirement for front plates on Hackney Carriage and Private Hire Vehicles and replace with Council issued windscreen signage which must be displayed at all times.</li> <li>7. To remove the pre-requisite requirement of driving standards assessment before making an application to the Licensing Authority.</li> <li>8. To introduce a re-application policy in relation to breaks in licence for the pre-requisites and Knowledge tests only.</li> </ol>
2.2 What are the intended outcomes of this?	<p>Bury is continuing to lose licensees and without intervention from Central government, with no current plans to prevent licence shopping through legislative change, this trend is only likely to continue. It is important to also note that the pandemic had a detrimental impact on the trade.</p> <p>In continued support for the objectives in Bury's Lets do it Strategy by encouraging and enabling a licensed fleet of drivers, vehicles and</p>

	<p>operators, that are safe, greener, skilled and provide a professional level of service to residents and visitors.</p> <p>The proposals seek to encourage new applications as well as encourage existing licence holders to remain licensed with Bury. This in turn will enable Bury to retain levels of control and influence over local licence holders and support growth and place making in Bury as a place destination to live, visit and work.</p> <p>The consultation seeks to balance these objectives against the desire to support the licensed trade to remain viable and assist in their continued recovery from the impacts of the pandemic and make Bury licensed drivers and vehicles the preferred travel option for passengers.</p>
--	---

SECTION 3 – ESTABLISHING RELEVANCE TO EQUALITY & HUMAN RIGHTS		
Refer to Equality Analysis guidance pages 5-8 and 11		
Please outline the relevance of the activity/ policy to the Public Sector Equality Duty		
General Public Sector Equality Duties	Relevance (Yes/No)	Rationale behind relevance decision
3.1 To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by Equality Act 2010	Yes	<p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.</p> <p>The Licensing Service has undertaken this EIA as part of this proposed policy review process. The assessment will look at the proposed Hackney</p>

		Carriage / Private Hire Vehicles and Private Hire Operators changes to determine whether any amendments to address equality impacts are required to ensure the Licensing Authority fulfils its duties under Equalities Act 2010.
<b>3.2</b> To advance equality of opportunity between people who share a protected characteristic and those who do not.	<b>No</b>	
<b>3.3</b> To foster good relations between people who share a protected characteristic and those who do not	<b>No</b>	
<b>3.4</b> Please outline the considerations taken, including any mitigations, to ensure activity is not detrimental to the Human Rights of any individual affected by the decision being sought.		
The proposed public consultation has no impact on individual rights is not detrimental to the human rights of an individual. The proposed public consultation will follow a defined robust and fair legal process which allows feedback from the trade and wider public. The proposal supports the delivery of statutory licensing authority which respects the rights of families and for a private life. The proposed consultation does not discriminate against the enjoyment of other human rights. The proposed consultation supports the Councils statutory Licensing Authority role which ensures the dignity of all providers and users of the hackney carriage and private hire trade securing everyone's right for a private life.		

<b>SECTION 4 – EQUALITIES DATA</b>			
Refer to Equality Analysis guidance page 8			
<b>Protected characteristic</b>	<b>Outcome sought</b>	<b>Base data</b>	<b>Data gaps (to include in Section 8 log)</b>
<b>4.1</b> Age	No barriers to usage	Data available	Not all protected characteristic data is held for licence holders.  Consideration to be given to future approach to data collection to allow monitoring/ review.  Ongoing monitoring of live data including licence holders only. Do not know what to put in here
<b>4.2</b> Disability	No barriers to usage	Limited data available with some gaps	
<b>4.3</b> Gender	No barriers to usage	Data available	
<b>4.4</b> Pregnancy or Maternity	No barriers to usage	Not held	
<b>4.5</b> Race	No barriers to usage	Not held	
<b>4.6</b> Religion and belief	No barriers to usage	Not held	
<b>4.7</b> Sexual Orientation	No barriers to usage	Not held	
<b>4.8</b> Marriage or Civil Partnership	No barriers to usage	Not held	
<b>4.9</b> Gender Reassignment	No barriers to usage	Not held	
<b>4.10</b> Carers	No barriers to usage	Not held	
<b>4.11</b> Looked After Children and Care Leavers	No barriers to usage	Not held	
<b>4.12</b> Armed Forces personnel including veterans	No barriers to usage	Not held	
<b>4.13</b> Socio-economically vulnerable	No barriers to usage	Not held	

## SECTION 5 – STAKEHOLDERS AND ENGAGEMENT

Refer to Equality Analysis guidance page 8 and 9

	Internal Stakeholders	External Stakeholders
<b>5.1</b> Identify stakeholders	Licensing Service within the Operations Department	Residents/Applicants/licence holders of Hackney Carriage/Private hire vehicles and Private Hire Operators  Public Consultation to be promoted and published utilizing the Council's Social media/media platforms
<b>5.2</b> Engagement undertaken	Licensing	Trade liaison meeting utilised to deliver information regarding the development and implementation of the consultation.
<b>5.3</b> Outcomes of engagement	To be announced following consultation	To be announced following consultation
<b>5.4</b> Outstanding actions following engagement (include in Section 8 log)	Report to be considered by the Licensing and Safety Committee in October 2023.	Report to be considered by the Licensing and Safety Committee in October 2023.

## SECTION 6 – CONCLUSION OF IMPACT

Refer to Equality Analysis guidance page 9

Please outline whether the activity/ policy has a positive or negative effect on any groups of people with protected inclusion characteristics

Protected Characteristic	Positive/ Neutral Negative/	Impact (include reference to data/ engagement)
<b>6.1</b> Age	Neutral	<p>The impact assessment will be reviewed during the process to consider any demographic adversely impacted or disadvantaged. As a statutory licensing authority we will monitor the impact to ensure that the Consultation process is conducted with fairness, openness and transparency without any discrimination ensuring no one is disadvantaged due to a protected characteristic.</p> <p>We will ensure that the process is fair and equitable, and any relevant adjustments will be made if any disadvantage is identified. The licensing authority will further commit to ongoing accessible communication and engagement in terms with specific consideration to language and diversity and will utilise existing resources including the Business Engagement Officer to reach out and ensure no disadvantage to any protected characteristic group.</p>
<b>6.2</b> Disability	Neutral	
<b>6.3</b> Gender	Neutral	
<b>6.4</b> Pregnancy or Maternity	Neutral	
<b>6.5</b> Race	Neutral	
<b>6.6</b> Religion and belief	Neutral	
<b>6.7</b> Sexual Orientation	Neutral	
<b>6.8</b> Marriage or Civil Partnership	Neutral	
<b>6.9</b> Gender Reassignment	Neutral	
<b>6.10</b> Carers	Neutral	
<b>6.11</b> Looked After Children and Care Leavers	Neutral	
<b>6.12</b> Armed Forces personnel including veterans	Neutral	

<b>6.13</b> Socio-economically vulnerable	Neutral	
<b>6.14 Overall impact</b> - What will the likely overall effect of your activity be on equality, including consideration on intersectionality?	<p>There will be no detrimental equality impact.</p> <p>The impact assessment will be monitored to evaluate the impact on affected demographics and/or those with special characteristics to ensure they are not adversely impacted or disadvantaged. The Licensing Authority will ensure that the process is fair and equitable, and any relevant adjustments will be considered if any disadvantage is identified.</p>	

<b>SECTION 7 – ACTION LOG</b>			
Refer to Equality Analysis guidance page 10			
Action Identified	Lead	Due Date	Comments and Sign off (when complete)
<b>7.1 Actions to address gaps identified in section 4</b>			
<p>As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination</p> <p>The Licensing service will look at the data currently held and consider ways to better understand the demographics of the associated community.</p>	B.Thomson (BT)	31/7/2023	<p>Data Gaps - Not all protected characteristic data held for licence holders. Ongoing monitoring of live data including licence holders only. As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination</p> <p>As a statutory licensing authority the Council must ensure licence applications are received and processed without prejudice and deal with all application equally without any discrimination</p>
<b>7.2 Actions to address gaps identified in section 5</b>			
Ongoing engagement with the Trade and community undertaken.	B.Thomson (BT)	31/7/2023	Licensing fees and charges relate to regulatory compliance and enforcement. They further relate to the provision of a wide range of regulatory services through the processing of formal application requests within the different disciplines including Licensing. The application and processing of all public protection work has no discriminatory factors in the implementation of these fees and charges.
<b>7.3 Mitigations to address negative impacts identified in section 6</b>			
Not Applicable			
<b>7.4 Opportunities to further inclusion (equality, diversity and human rights ) including to advance opportunities and engagements across protected characteristics</b>			
No current action required.			

<b>SECTION 8 - REVIEW</b>			
Refer to Equality Analysis guidance page 10			
Review Milestone	Lead	Due Date	Comments (and sign off when complete)
Review of impact on demand once implemented	Ben Thomson	25/9/2023	Responses from the Consultation have been reviewed by Ben Thomson and Michael Bridge. Due to the outcome of the consultation vehicle licence conditions will be required to be reviewed, this will be included in the report to Licensing and Safety Committee
Discuss and review with Laura Swann (AD) and Cllr Morris Executive Member	Ben Thomson	9/10/23	Update LS and CM on the report that is due to be considered by Licensing and Safety Committee on 11 October 23
Report to Licensing and Safety Committee	Michael Bridge	11 October 2023	Decision: Adopted or Refused
Full Council	Michael Bridge	22 November 2023	Decision: Adopted or refused

**Please make sure that every section of the Equality Analysis has been fully completed. The author of the EA should then seek Quality Assurance sign off and departmental recording.**

<b>SECTION 9 – QUALITY ASSURANCE</b>		
Refer to Equality Analysis guidance page x		
Consideration	Yes/No	Rationale and details of further actions required
Have all section been completed fully?	Yes	
Has the duty to eliminate unlawful discrimination, harassment, victimization and other conducted prohibited by the PSED and Equalities Act been considered and acted upon?	Yes	
Has the duty to advance equality of opportunity between people who share a protected characteristic and those who do not been considered and acted upon	Yes	
Has the duty to foster good relations between people who share a protected characteristic and those who do not, been consider and acted upon	Yes	
Has the action log fully detailed any required activity to address gaps in data, insight and/or engagement in relation to inclusion impact?	Yes	

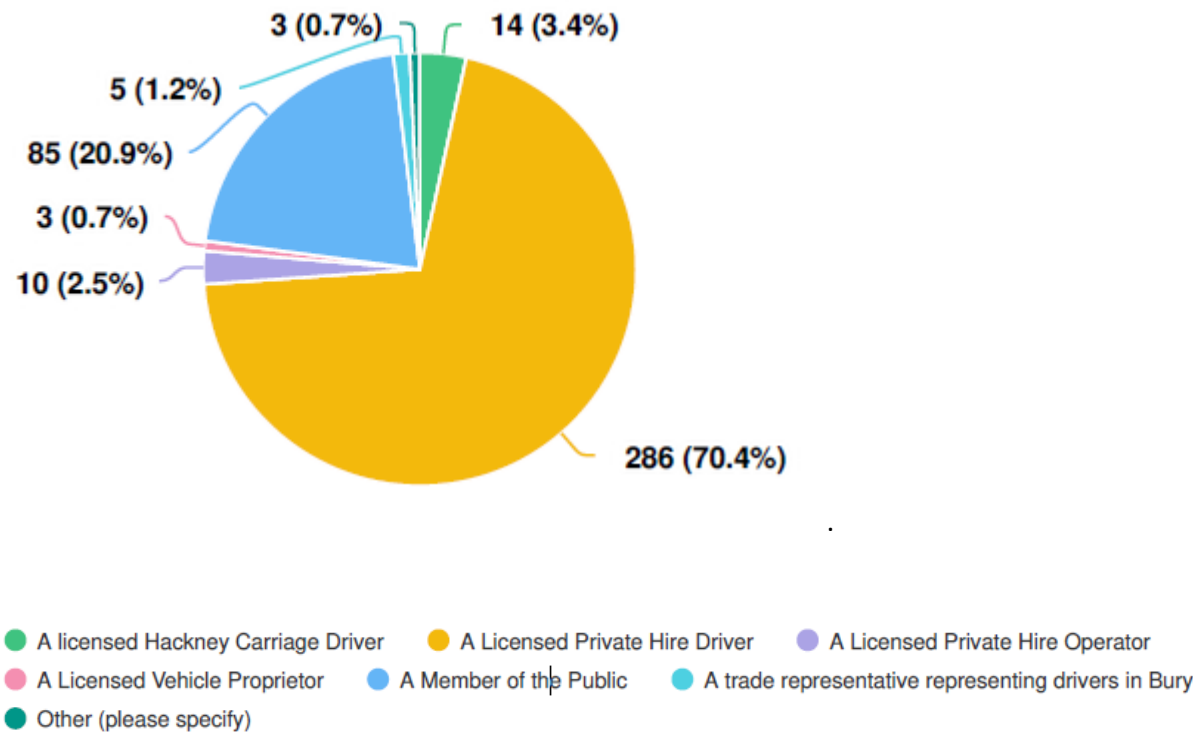
Have clear and robust reviewing arrangements been set out?	Yes	
Are there any further comments to be made in relation to this EA	No	



**APPENDIX 1:**

**Consultation Findings:**

**2.1** A public consultation was undertaken between 7 August 2023 to 15 September 2023. The consultation was accessed by 1,195 people with 436 informed participants leading to 405 who were actively engaged with the consultation. The breakdown in participants included licensed drivers from the private hire and hackney carriage trade, licensed private hire operators, licensed vehicle proprietors, members of the public and trade representatives.



- 2.2 Interestingly responses were received with a similar equivalent proportion of licensed divers participating in the consultation. Responders identifying themselves as a hackney carriage driver were 13 (92.9%) licensed in Bury (with 1 (7.1%) licensed elsewhere), and participants identifying themselves as a private hire driver were 263 (92.0%) licensed in Bury (with 23 (8.1%) licensed elsewhere).
- 2.3 Only 2 identified participants recoded themselves as a vehicle proprietor (66.7%) licensed in Bury (with 1 (33.3%) licensed elsewhere). The remaining responses were anonymous with responders choosing not to identify themselves.

### **3.0 Consultation Findings Overview**

**3.1** The following table shows the general response to the published proposals showing whether responders agreed or disagreed.

<b>Proposal</b>	<b>Agree</b>	<b>Disagree</b>
Front plates/livery	88%	12%
Mandatory door signs	83%	17%
Driving standards assessment	76%	24%
Knowledge tests	46%	54%
Re-application	91%	9%

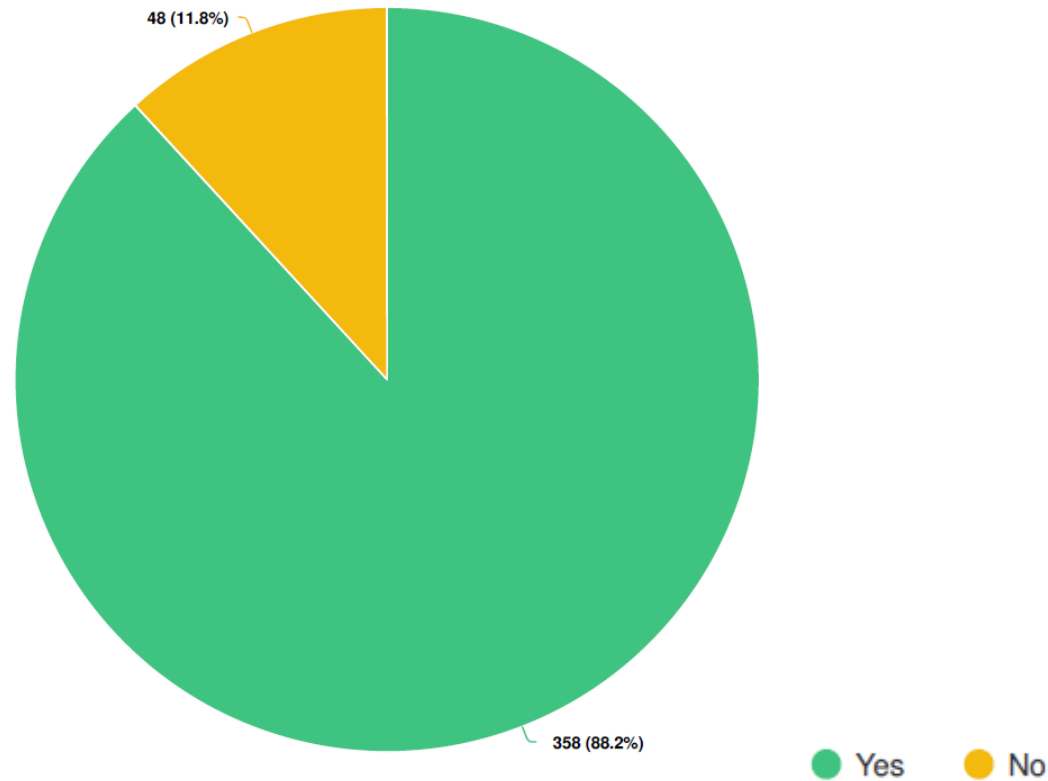
3.2 The largest responses for each proposal have been highlighted in green. The table shows the following

- 88% of respondents agreed with the proposals regarding front plates and livery.
- 83% agreed with the proposals about mandatory door signs.
- 76% agreed with the proposal around driving standards assessments.
- 54% disagreed with the proposals around knowledge tests, however 46% did agree.
- 91% agreed with the proposals around changes to the re-application process.

### **4.0 Consultation Findings Detail**

4.1.1 **Question:** Do you agree with the proposals above regarding Front Plates/Livery?

Overwhelmingly 358 (88.2%) of participants agreed with proposal 1 with 48 (11.8%) disagreeing.



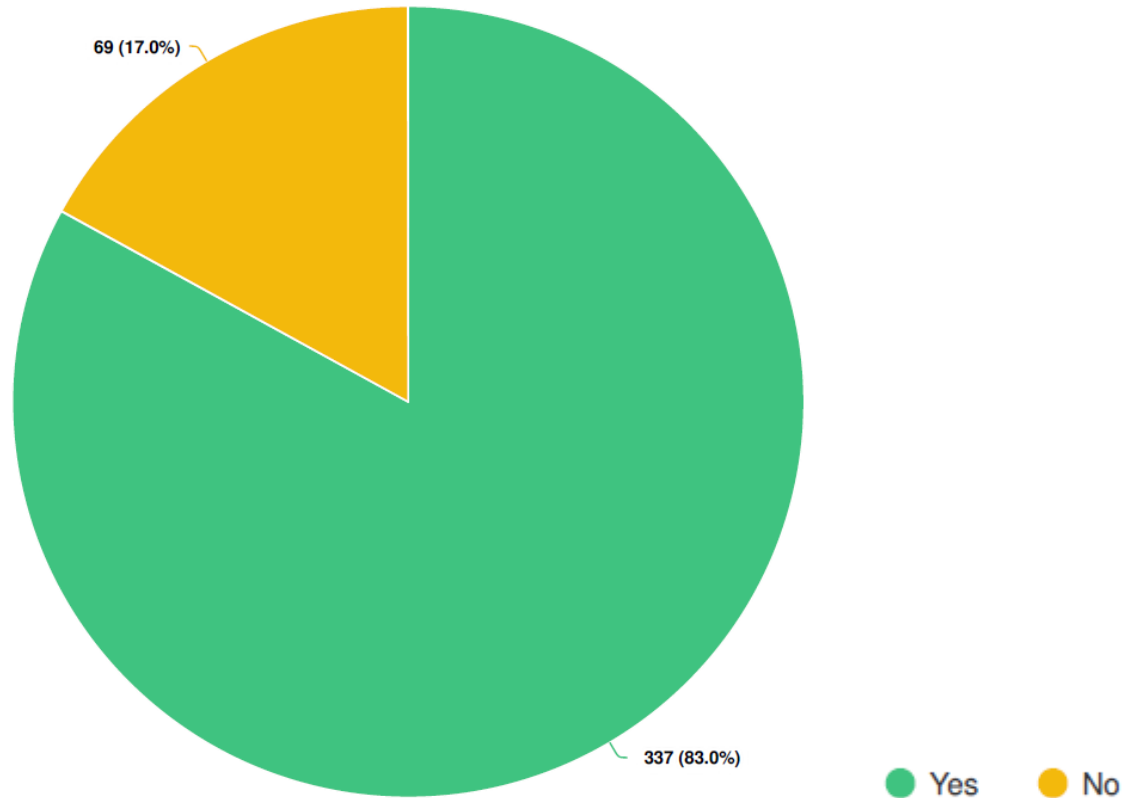
**4.1.2 Rationale:** It is recognised that national guidance, due to be released later this year (2023), is not likely to mandate the need for front plates on licensed vehicles. In addition to this, it is widely known and accepted that many other licensing authorities are no longer imposing this requirement and see no detriment to the visibility and enforcement of licensed vehicles due to this. Furthermore, the Service listen to concerns of the trade and fears that current arrangements may facilitate targeted anti-social behaviour towards licensed vehicles.

**4.1.3 Recommendation:** Members to approve the removal of the front plate requirement on modification hackney carriage and private hire vehicles. Members to approve the implementation of a council issued front windscreen vehicle

identification sign for hackney carriage and private hire vehicles to be positioned in the bottom passenger side of the front windscreen in a Council issued holder.

**4.2.1 Question: Do you agree with the proposals regarding changes to mandatory door signs?**

Overwhelmingly 306 (75.4%) of participants agreed with proposal 2 with 100 (24.6%) disagreeing.



**4.2.2 Rationale:** The Licensing Service acknowledges the views of the trade through ongoing engagement who believe large door signs contribute to alleged anti-social behaviour and targeting of licensed vehicles. The Licensing Service

acknowledge these ongoing concerns but also recognise the importance that door signs play a huge role in identifying a licensed vehicle for customers.

New draft guidance by Department of Transport states licensing authorities should seek to minimise the profile of private hire vehicles as these can only be legally engaged through a booking with a licensed operator. The guidance further states 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.

It was proposed that the requirement for the current rear passenger door sticker stating, "Private hire vehicle (not a taxi) The driver can only take passengers who have pre-booked with this company" to be replaced with a new Council issued sticker which is to be displayed on the rear door of a private hire vehicle stating, "Private hire vehicle not insured unless pre booked with operator" (magnetic signage is not permitted)

**4.2.3 Recommendation:** Members to approve the removal the current requirement to display the name of the operator on the front doors, front windscreen, and rear windscreen on private hire vehicles. Members to approve the implementation of an operator window sign, in a council issued window mounted wallet (which can be changed by the licensed driver to advise passengers of the operator currently being used to fulfil the booking). The window mounted wallet is to be displayed in the bottom passenger side corner of the vehicle windscreen alongside the (new) vehicle identification sign. A window wallet issued by the Council, must be displayed at all times next to the proposed window vehicle identification sticker also displayed in a pouch. The operators name must be clearly legible, printed in a digital format (not handwritten) and must fill the corresponding wallet/holder space.

Current Standard	<p>Bury Council requires all Hackney Carriage and Private Hire vehicles to <b>display front and rear plates.</b></p> <p>In respect of Private hire vehicles, they must display the following as well as the plates:</p> <ul style="list-style-type: none"><li>• Operator stickers on two front doors.</li><li>• The name of the operator's firm on the front windscreen at the top left-hand side, the name of the operator's firm at the bottom of the back windscreen.</li></ul>
------------------	--

	<ul style="list-style-type: none"> <li>• Bury Insurance stickers on two rear doors.</li> <li>• We do not allow any signage to be on magnets.</li> <li>• The operator signage is currently approved and then provided by the Operator.</li> <li>• All signs, including phone numbers and logos, must be between 4cm and 7cm high.</li> </ul> <p>Vehicles must also display the following signs:</p> <ul style="list-style-type: none"> <li>• The name of the operator’s firm on the front windscreen at the top left-hand side.</li> <li>• The name of the operator’s firm at the bottom of the back windscreen.</li> <li>• The name, phone number and logo of the operator’s firm on the two front-door panels.</li> </ul> <p>All signs, including phone numbers and logos, must be between 4cm and 7cm high. New signs must be checked with our Licensing Officer before you use them.</p> <p>You must not display a sign or note saying:</p> <ul style="list-style-type: none"> <li>• Taxi;</li> <li>• Cab; or</li> <li>• For hire</li> </ul>
New Standard	<p>Bury Council requires all Hackney Carriage and Private Hire vehicles to display a rear plate and a front vehicle windscreen vehicle identification sign.</p> <p>In respect of Private hire vehicles, they must display the following as well as the plate:</p> <ul style="list-style-type: none"> <li>• An operator window sign, in a council issued window mounted wallet (which can be changed by the licensed driver to advise passengers of the operator currently being used to</li> </ul>

	<p>fulfil the booking). The window mounted wallet is to be displayed in the bottom passenger side of the vehicle windscreen alongside the (new) vehicle identification sign. A window wallet, issued by the Council, must be displayed at all times. The operators name must be clearly legible, printed in a digital format (not handwritten) with operators logo if applicable, and must fill the corresponding wallet/holder space.</p> <ul style="list-style-type: none"> <li>• A rear passenger door sticker (on each rear door), issued by the Council, stating "Private hire vehicle not insured unless pre booked with operator"</li> <li>• Passenger window signs, issued by the Council, shall be affixed permanently to all passenger windows of the vehicle and are not removed whilst the vehicle is licensed. The window signs must contain ??????????</li> <li>• We do not allow any signage to mounted on magnets.</li> <li>• The operator signage in use must be approved by the Council and issued by the Operator.</li> </ul>
--	--

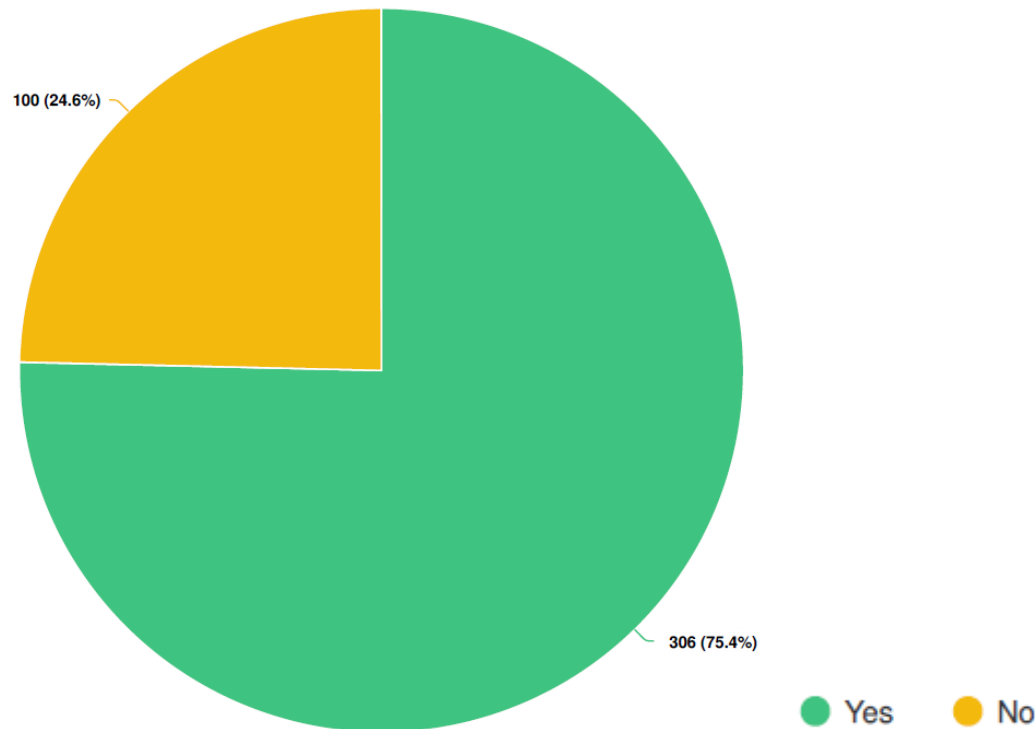
The above standard would come into effect following procurement and availability of relevant peripherals. Once procured, the new standard would be implemented for all new hackney carriage/private hire vehicle licences. Existing vehicle licence holders will transition at their next renewal of their vehicle licence.

Should any existing licence holder wish to transition to the new standards before their renewal date a process will be implemented to enable new peripherals to be purchased at an additional cost and exchanged for their existing front plate and will be required to adopt the new licence conditions for the remainder of their current vehicle licence.

Members are asked to delegate authority to amend the implementation date of this standard to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee. Any changes to the amendment date would be reported at a subsequent Licensing & Safety Committee meeting.

**4.3.1 Question: Do you agree with the proposals above regarding Driving Standards Assessment (DSA) – Pre-requisites?**

Overwhelmingly 306 (75.4%) of participants agreed with proposal 2 with 100 (24.6%) disagreeing.



**4.3.2 Rationale:** The Council requires all applicants who wish to become a licensed Hackney Carriage/Private Hire driver in Bury to undertake a driving standards assessment. This assessment is undertaken by qualified driving instructors. The assessment is based on modern driving practices and the standard is set at a level suitable for full driving licence



holders. The Licensing Service recognises that applicants must hold a valid driving licence issued by the DVLA or other countries. Therefore, we comments were sought on the removal of this requirement.

**4.3.3 Recommendation:** Members to approve the modification of the current licensing standards related to Driving Standards Assessment (DSA) – Pre-requisites? as outlined below.

Current Standard	All applicants will need to provide proof that they have passed the practical driving assessment for taxi drivers, issued by either of our approved driver training companies
New Standard	All new driver applications will be required to possess a valid UK Driving Licence

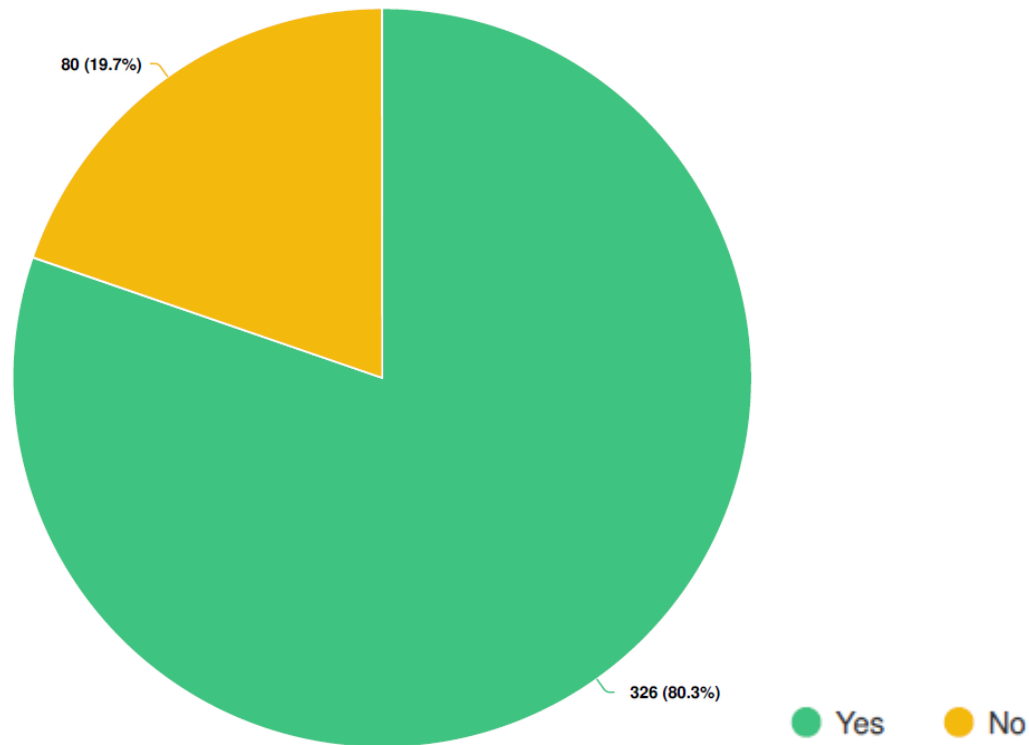
The above standard would come into effect for all new applications for hackney carriage and private hire drivers commencing from 1 January 2024.

Members are asked to delegate authority to amend the implementation date, if necessary, of this standard to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee. Any changes to the implementation date would be reported at a subsequent Licensing & Safety Committee meeting.

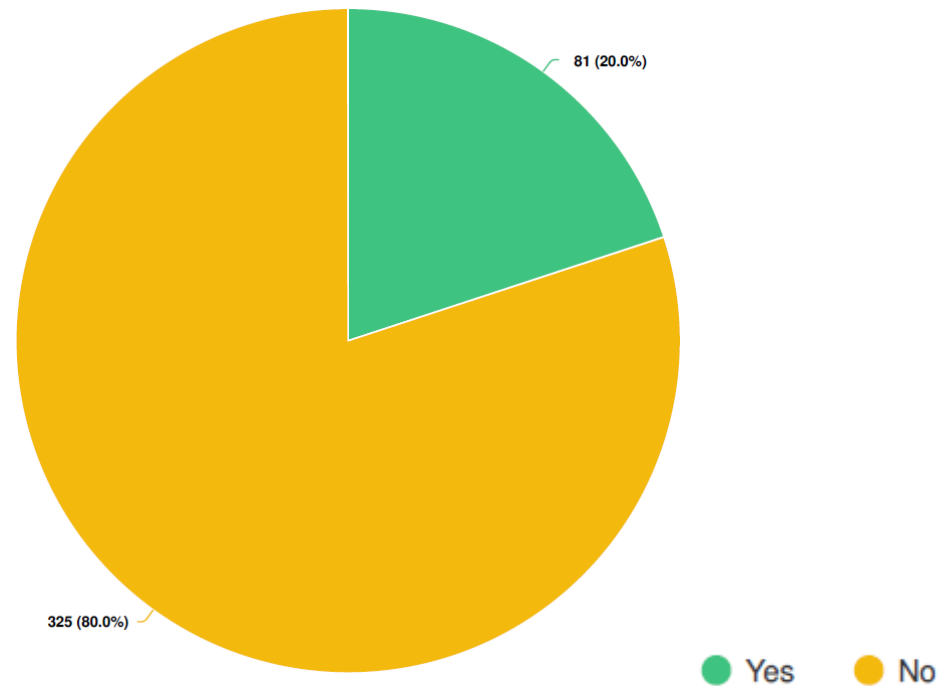
#### **4.4.1 Question: Review on the provision of fire extinguishers and first aid kits**

Participants were given two options to consider regarding modifying the provision of fire extinguishers and first aid kits. When asked about Option 1 namely; removal of the mandatory provision for fire extinguisher and first aid kit. Vehicle owners would be strongly encouraged to maintain the provision of a fire extinguisher and first aid kit but will be able to use their own discretion regarding the provision of these items in their vehicle.

Overwhelmingly 326 (80.3%) of participants agreed with the proposal with 80 (19.7%) disagreeing.



Option 2 (below) sought views on the introduction of mandatory training, in line with recently revised national guidance recommendations, on the use of fire extinguishers (with an additional cost to the licence holder) which brought a definitive response with 325 (80.0%) disagreeing with this option and only 81 (20.0%) agreeing.



Consequently, when responders were asked their preferred option 325 (82.5%) selected Option1 and only 71 (17.5%) selected Option 2.

**4.4.2 Rationale:** Draft revised national guidance now includes more detail around the practicalities of the provision and use of fire extinguishers and first aid kits. The draft new national Guidance recommends Fire Extinguishers only be mandated alongside specific safety training and in the absence of fire safety training fire extinguishers should not be provided.

**4.4.3 Recommendation:** Members approve a revised standards regarding the recommendation not mandating the provision of fire extinguishers and first aid kits in licensed vehicles.

Current Standard	<p>Ensure that any fire extinguisher is in a serviceable condition (where applicable).</p> <p>Ensure that the vehicle has a full and complete first aid kit (check that contents are not out of date)</p>
New Standard	<p>Vehicle owners are encouraged to maintain the provision of a fire extinguisher and first aid kit. Where a fire extinguisher is provided it is advised that licence holders undertake training (to be undertaken privately and independently of Bury Council) on the safe handling and use of fire extinguishers. Licence holders can use their own discretion regarding the provision of these items in their vehicle.</p>

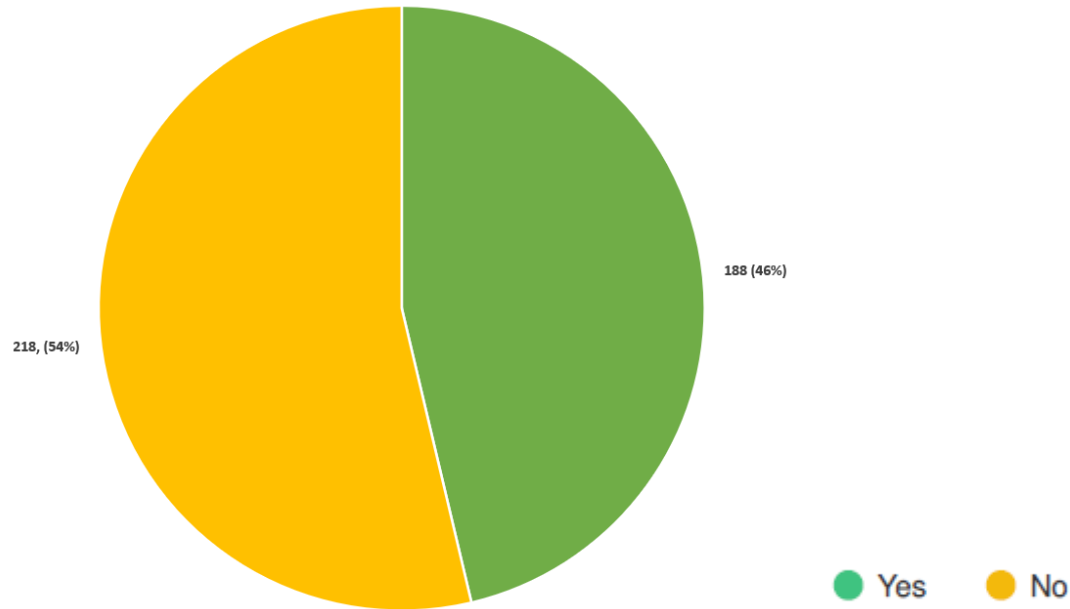
The above standard would come into effect for all new applications for hackney carriage and private hire drivers commencing from 1 January 2024.

Members are asked to delegate authority to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee to revise and amend the vehicle inspection testing manual to reflect the changes in relation to this standard regarding fire extinguisher and first aid kit provision from mandatory to recommended (with suitable training).

Members are also asked to delegate authority to amend the implementation date, if necessary, of this standard to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee. Any changes to the implementation date would be reported at a subsequent Licensing & Safety Committee meeting.

#### **4.5.1 Question 5: Knowledge Test – Geographical Element**

Interestingly when asked about changes to the current mandatory requirement to pass a sat knowledge test 172 (\*42.4%) of responders agreed and 234 (\*57.6%) of participants disagreed. \*However, when drilling into the qualitative data it was noted that 16 of the 234 responders provided comments outlining clear agreement with the proposed to removal of the knowledge test (even though they responds with 'disagree'. The full list of redacted responses and comments can be found in Appendix 1. Therefore, taking these into qualitative responses, adjustments have been made in this report to reflect these changes, therefore amended responses show 188 responders (46.3%) were in agreement with the proposed changes and 218 (53.7%) disagreed with the proposed changes.



4.5.2 **Rationale:** The Licensing Service in view of changes to modern operational practices and increased provision use and availability of GPS equipment a review of the necessity for a geographical knowledge test has been undertaken, and responders comments on the risk and benefits of removing the requirement for applicants to undergo this part of the test were sought.

The proposal was for the removal of the geographical elements only (a, b, and d). Currently applicants complete a four part knowledge test consisting of the following

- a) Three locations to be located by the use of a physical map
- b) Road names of where premises are located (15 questions)
- c) Conditions (10 questions)
- d) Journeys by the shortest route between two specific locations (from memory)

A knowledge test would remain a mandatory requirement and be revised to cover other topics in greater depth which are relevant to public safety i.e., licence conditions, safeguarding, road signs etc.

#### **4.5.3 Evaluation and consideration of responses**

The outcome of the responses were balanced with a slight favour towards retaining the current knowledge test in its current form as outlined below.

The licensing service has considered the responses along with challenges posed by a reducing fleet of private hire and hackney carriage drivers and vehicles and reducing numbers licensed locally and therefore subject to our own locally controlled standards.

Responses from 85 members of the public were equally divided and views echoed the those of the trade. 45 (52.9%) responded No (don't agree) with the proposal with (47.1%) responded yes (agree) with the proposal.

A number of written responses were received which are contained within this report in Appendix 2 – 4. A private hire operator (Appendix 2) held a forum with their drivers licensed on their platform and reported agreement with the removal of the geographical element whilst maintain a focus on other issues critical to public safety i.e. licence conditions safeguarding an road signs. A further private hire operator (Appendix 3) with significant numbers of drivers on their platform supported the removal of the geographical element of the knowledge test. A national trade body (Appendix 4) representing significant number of national members also recorded support for the removal of the geographical element.

Conversely there were many comments on both sides of the proposals including those responders who were against the removal of the geographical element of the knowledge test.

#### **4.5.4 Trade Views**

A licensed private hire operator with Bury responded No (don't agree) but left "no comment", a further unidentified private hire operator responded No (don't agree) adding "should be the same and have to take a knowledge test". A further licensed private hire operator licensed in Bury said Yes (agree) adding "Should be made easy for bury drivers who wants become private hire vehicles drivers or hackney carriage drivers". Further licensed private hire operator in Bury responded Yes (agree) "Everybody uses GPS now and I do not think that knowing roads etc is of any benefit, also the GPS allows for diverted routes in the event of traffic or accident to get to the destination faster for driver and customer", and another also agreed adding ""Geographical knowledge is not required in this current age due to modern tools such as GPS systems. Such systems can now take into account shortest routes and also how to avoid the likes of traffic situations depending on time of day. Also in our business we charge by the hour as opposed the journey so it's

a completely different rate system". A further licensed private hire operator in Bury responded in agreement stating Bolt agrees with the council's proposals for the removal of the geographical elements of the knowledge test. GPS and modern technology is now commonplace. "XXX supports retention of a conditions test and a focus on other issues such as which are critical to public safety i.e., licence conditions, safeguarding, and road signs".

Interestingly a further licensed private hire operator licensed in Bury responded No (don't agree) stating "I think a bit of knowledge is required" however adding "But it's true that all our drivers rely on satnav".

One vehicle proprietor responded yes (agree) "now a days you have GPS and its is more accurate as it tells you live update about traffic too".

A representative of 60 drivers within and outside of Bury responded yes (agree) adding "the quality of drivers must keep getting better".

A trade body representing only Bury Licensed drivers responded no (don't agree) adding "Drivers must adhere to local routes and should have knowledge of the local routes as keep one eye on ur navigation is a huge distraction when driving in a busy town". Similarly, a vehicle proprietor outside of Bury responded no (don't agree) "This should be removed all together it's outdated and unnecessary all new vehicles and phones are fitted with sat-navs this is made for when people used maps and compasses to get around it's the most unnecessary test I've sat in my entire life"

It must be noted that with a general equal divide in responses with a slight balance towards retaining the geographical element of the knowledge test. The licensing service is aware that similar changes in Council Policy has resulted in a significant number of new applications to become a licensed driver in a neighbouring Greater Manchester Authority has reversed the recent downward trend of locally licensed drivers, and vehicle proprietors and is actively reducing the number of licence drivers and vehicle proprietors seeking to obtain a licence from another licensing authority (out of town) which is a priority for the Councils licensing service. The loss of locally controlled licence holders (both drivers and vehicle proprietors) has been to the detriment of the Council's Licensing service through loss of income. The proposal to remove the geographical element of the knowledge test will stimulate the growth and sustainability of Bury's licensed drivers and vehicles and will hopefully attract additional applicants who wish to become licensed drivers in Bury who are locally licensed and will help to address the concerns of trade expressed to the Licensing Service through the trade liaison meeting and business engagement officer around diminishing numbers and increasing numbers of out of town licensed drivers and vehicles. This will promote the Councils 'LET'S do it' strategy especially in the elements of LOCAL and ENTERPRISE.

**4.5.5 Recommendation:** Members approve the removal of the geographical element of the knowledge test as outlined below.

Current Standard	<p><b>Paper A</b></p> <p>This paper asks three questions to demonstrate the ability to use an A to Z. The applicant has to find three given roads or streets in the Bury Official Street Plan and state the page number the location(s) appear on and the name of a street which forms a junction with that street.</p> <ul style="list-style-type: none"><li>• Time for test: up to 10 minutes</li><li>• Please note this paper will not form part of the scored test.</li></ul> <p><b>Paper B</b></p> <p>This is made up of 15 questions, each question is worth 1 mark. The applicant is given the name of 15 premises within the borough, such as; pubs, clubs, schools, medical centres or supermarkets and the applicant has to know the name of the road or street they appear on.</p> <ul style="list-style-type: none"><li>• Time for test: up to 10 minutes</li><li>• Pass mark: 12 marks (80 percent)</li></ul> <p><b>Paper C</b></p> <p>This paper asks 10 questions. They could be based on statements which are either True or False or could be questions with multi choice answers of which only one answer is correct.</p>
------------------	---



The questions will be based on the terms and conditions of the Hackney Carriage Vehicle and Driver Conditions and bylaws or the Private Hire Drivers and Vehicle Conditions depending on what licence the applicant is applying for.

If a licensed Private Hire Driver subsequently decided to apply for a Hackney Licence, they would have to sit and pass paper C based on the conditions attached to a Hackney Licence.

- Time for test: up to 20 minutes
- Pass mark: 8 marks (80 percent)

### **Paper D**

This paper asks 10 questions, each worth 1 mark. Without the use of an A to Z, the applicant is required to know the names of the roads or streets they would take and the turns they would take on the shortest route by distance between two given locations. If you are asked a question concerning a destination outside the borough, such as Manchester Airport, the start point for such out of the borough destination will always be from the large roundabout on Bury New Road above junction 17 of the M60 motorway.

- Time for test: up to 50 minutes
- Pass mark: 8 marks (80 percent)
- Test result: we will contact all applicants by telephone to inform them of the test result within 7 days of the test.

In addition to the above, before a drivers licence is issued to an applicant for a Hackney Carriage Drivers licence who has passed the above knowledge test, they have to demonstrate how to safely load and properly secure a wheel chair into a Hackney

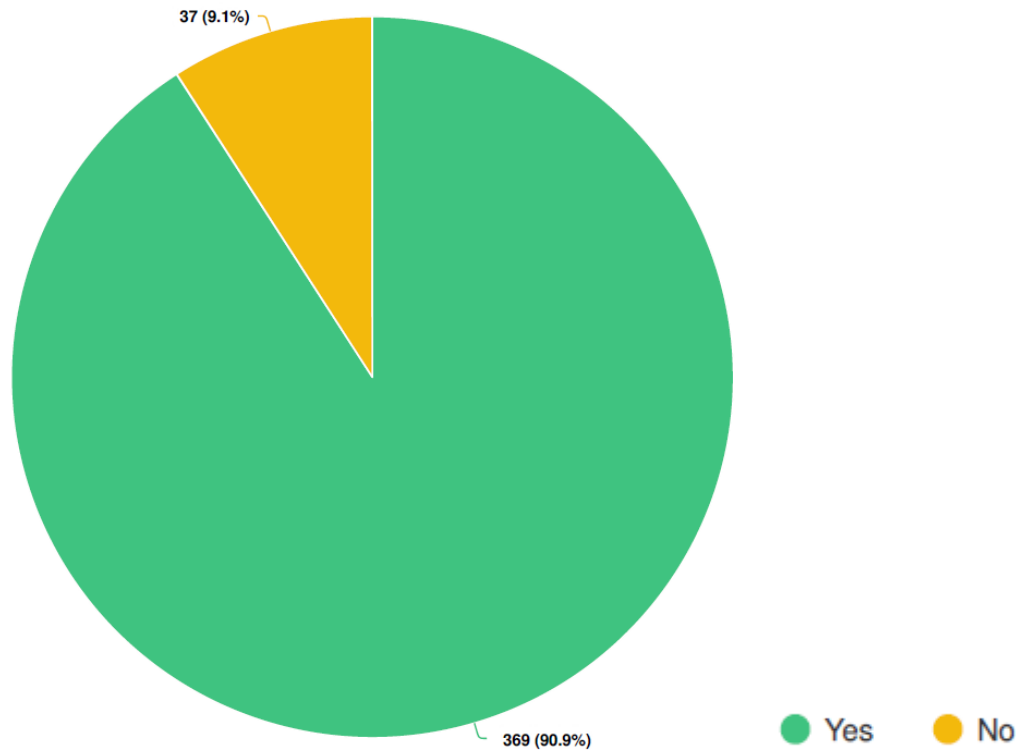
	<p>Carriage vehicle with the use of the wheelchair ramps, for example.</p> <p>This demonstration will normally take place at 4pm on a Wednesday afternoon, unless otherwise arranged with the Licensing Staff, on the Knowsley Street Car Park. It will be up to the applicant to arrange the provision of a Hackney Carriage for this purpose.</p>
New Standard	<p>The removal of the geographical elements only (a, b, and d) as outlined below.</p> <ul style="list-style-type: none"> <li>a) Three locations to be located by the use of a physical map</li> <li>b) Road names of where premises are located (15 questions)</li> <li>c) Conditions (10 questions)</li> <li>d) Journeys by the shortest route between two specific locations (from memory)</li> </ul> <p>A knowledge test will remain a mandatory requirement and be revised and enhanced to cover other topics in greater depth which are relevant to public safety i.e., licence conditions, safeguarding, road signs etc.</p>

The above standard would come into effect for all new applications from 1 January 2024.

Members are asked to delegate authority to amend the implementation date of this standard (if required) to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee. The implementation date would be reported at a subsequent Licensing & Safety Committee meeting.

**4.6.1 Question 6:** proposals above regarding Re-application (breaks in licence for any reason)

Interestingly when asked about proposal regarding re-application (following breaks in licence for any reason) 369 (90.9%) of responders agreed and only 37 (9.1%) of participants disagreed.



**4.6.2 Rationale:** The Licensing Service understand where drivers can demonstrate they have previously completed and possess the following criteria below, they will be able to be relicensed following a break in their licence of no longer than six months (of their hackney carriage/private hire driver licence).

**4.6.3 Recommendation:** Members approve the new standard as outlined relating to re-application.

Current Standard	Currently there is no standard in relation Re-application (breaks in Licence for any reason)
------------------	--

New Standard	<p>Driver (applicants) will be able to be relicensed following a break in their licence of no longer than six months (of their hackney carriage/private hire driver licence) where applicants can demonstrate ALL of the following criteria:-</p> <ul style="list-style-type: none"> <li>• The driver/applicant has previously sat the written Knowledge test and passed there is no requirement to resit, however if the driver has not sat the written knowledge test they will be expected to complete the knowledge test before the licence is granted;</li> <li>• The driver/applicant has completed all the pre-requisites required by the Council i.e., Safeguarding training, driving assessment (<i>subject to removal under this consultation</i>) and the communication and numeracy skills assessment (If applicable);</li> <li>• The driver/applicant has undertaken a group 2 Medical within the last 4 months;</li> <li>• The driver/applicant has previously undertaken an enhanced DBS which was within 6 months of the date of issue of the certificate or if the driver has an Enhanced DBS Certificate registered with the DBS update service;</li> <li>• The Licensing Service are provided the right to place an application for a Hackney Carriage/Private Hire Drivers licence before the Licensing and Safety Committee if they deem it appropriate.</li> </ul>
--------------	--

The above standard would come into effect for all new applications from 1 January 2024.

Members are asked to delegate authority to amend the implementation date of this standard (if required) to the Head of Public Protection in conjunction with the Chair of Licensing & Safety Committee. The implementation date would be reported at a subsequent Licensing & Safety Committee meeting.