



GUILDFORD
BOROUGH

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Taxi and Private Hire Newsletter July 2020



Welcome to July's newsletter. It has probably been the busiest month yet for the licensing service as Guildford's pubs, bars and restaurants have begun to re-open earlier this month following their enforced closure, and we have been working hard to provide support to the licensed trade on re-opening.

In addition to this, the Government has announced relaxation to licensing legislation to support the hospitality industry, allowing businesses an automatic entitlement to 'off sales' and a new Pavement Licence permission, administered by Borough Councils, providing a fast track process for businesses to place tables and chairs outside as they reopen under social distancing measures.

Finally in respect of the Taxi and Private Hire trade, we have also been kept busy as the Government has finally announced 'National Standards' for the sector to help protect passengers. More details on this important and long awaited development is outlined below.

As always, we would remind the trade that the latest Government advice is available at: www.gov.uk/coronavirus. Please do stay safe and well.

Reminder about delaying renewals

As we have previously communicated, we have allowed the trade the option to delay renewing a licence for a period of up to 3 months. This means that licences can expire and provided we would have granted the renewal application when the licence expired, we will then accept a late renewal application, for a period of up to three months.

We do however require licence holders to notify us that they will not be renewing on time.

However as restrictions have begun to lift, we are no longer offering the 3 month delay for licences expiring after 31 July. **As such, any licences expiring from 1 August must now be renewed on time.**

If licence holders are genuinely experiencing difficulties then they are advised to contact us.

Please note that if you allow your licence to expire, when wishing to resume work you would still need to apply in good time to allow the application to be processed before you wished to resume using the licence and obviously if a licence has expired it cannot be used again until it is renewed.

Police reminder to report 'suspicious' activity

There have been concerns that the taxi and private hire trade is being used to transport individuals dealing drugs in Guildford and as such Surrey Police have asked us to remind the licensed trade of their duties to report 'suspicious' activity.

Any concerns can be reported by calling 101 or online via the Surrey Police website. If there is a risk of immediate danger or a crime is being committed then you should call 999.

The Home Office has also produced material to assist the 'taxi' trade in identifying the signs of 'County Lines' where drug dealers use vulnerable people to expand their dealing network. This is available at: <https://www.gov.uk/government/publications/county-lines-posters-for-taxi-and-private-vehicle-hire-staff>

MOT Update

Mandatory MOT testing is to be reintroduced from 1 August 2020 as COVID-19 restrictions are slowly lifted.

Due to the coronavirus outbreak, drivers were granted a 6-month exemption from MOT testing in March to help slow the spread of the virus. However, as restrictions are eased when safe to do so, all drivers whose car, motorcycle or van is due for an MOT test from 1 August will be required to get a test certificate to continue driving their vehicle.

MOT tests are important for road safety and ensure that vehicle parts, including tyres, seatbelts, brakes, lights and exhausts, are in proper working order.

Drivers with an MOT due date before 1 August will still receive a 6-month exemption from testing. However, all vehicles must continue to be properly maintained and kept in a roadworthy condition, and people are able to voluntarily get their MOT sooner should they wish, even if they are exempt from the legal requirement. Motorists can be prosecuted for driving an unsafe vehicle.

Reminder contacting the licensing service and application timeframes

When contacting the licensing service, we would again remind the trade to include your name, the relevant licence number and a brief reason for contacting us, as this will ensure that at this busy time we can respond efficiently.

We have also received a lot of applications to renew 'late' and would again remind the trade that we ask to allow a period of 10 working days from receipt of a full, valid application to process it.

Vehicle Plates

We are currently still not producing vehicle plates, but are working towards being able to do so and provide licence plates to vehicles which have renewed over the past few months.

Face Coverings

The trade will also be aware of the government announcement for all passengers using public transport to wear face masks.

Face coverings are particularly important where two metre social distancing is hard to maintain, for example when travelling on public transport. While the Government legislation on face covering doesn't explicitly cover the use of taxi and private hire services, they are recommended and the advice below is intended to mirror the arrangements put in place on public transport and we would ask the trade to consider implementing this voluntarily to promote public confidence in the service.

The advice to the public is at: <https://www.gov.uk/guidance/coronavirus-covid-19-safer-travel-guidance-for-passengers#taxis-and-private-hire-vehicles>.

A face covering is not the same as the surgical masks or respirators used by healthcare and other workers as part of personal protective equipment. These should continue to be reserved for those who need them to protect against risks in their workplace, such as health and care workers, and those in industrial settings, like those exposed to dust hazards.

Face coverings can be a simple cloth covering that covers the face and mouth. They can be made using many items found in the home or in many shops.

Information on how to wear and make a face covering can be accessed via these links: <https://www.gov.uk/government/publications/how-to-wear-and-make-a-cloth-face-covering/how-to-wear-and-make-a-cloth-face-covering>

Alternatively, disposable or reusable face coverings can be obtained from a number of online or local retail outlets. Face coverings should not be used if they are no longer in good condition or become too damp.

Any drivers wearing a face covering should follow the Government guidance on the use of face coverings:

- A cloth face covering should cover your mouth and nose while allowing you to breathe comfortably. It can be as simple as a scarf or bandana that ties behind the head
- Wash your hands or use hand sanitiser before putting it on and after taking it off and after use. Avoid touching your eyes, nose, or mouth at all times and store used face coverings in a plastic bag until you have an opportunity to wash them, if they are reusable
- Do not touch the front of the face covering, or the part of the face covering that has been in contact with your mouth and nose. Once removed, make sure you clean any surfaces the face covering has touched
- You should wash a face covering regularly. It can go in with other laundry, using your normal detergent
- When wearing a face covering, take care to tuck away any loose ends

We also recommend that drivers carry a pen and paper to help communication with some passengers (e.g. someone who lip reads, someone who has a hearing impairment). Separate pen and paper should be available for the driver and passengers.

Whilst passengers are not required to wear a face covering in a taxi or private hire vehicle, we suggest that many will look to follow the advice to do so. It will be down to driver's and operators risk assessment and professional discretion as to whether they will require their passengers to wear a mask.

If a passenger is not wearing a face covering and the driver wishes them to, then taxi and private hire drivers may refuse to carry them, taking into account any mitigating circumstances.

The driver should explain to the passenger that they are required to wear a face covering while travelling in a taxi or PHV. Please note drivers still retain duties under Equalities legislation not to discriminate against any particular group and the legislation of refusing a fare only with reasonable cause still applies.

If drivers and operators will require passengers to wear face coverings, passengers that are making journeys that are booked through a private hire operator should be informed, in advance, of the requirement. In instances where a taxi is hailed on the street or at a rank, a passenger may not be aware that they should use a face covering if the driver requires this. In either instance, we would expect drivers to explain to the passenger that they need a face covering to be permitted to travel in the vehicle and to direct them to a nearby retail outlet or transport hub where face coverings can be obtained. For their own safety we recommend drivers avoid getting into a lengthy discussion with passengers.

Screens in licensed vehicles

By way of a reminder should you wish to install a partition screen in a licensed vehicle the you will need to contact the Council for approval.

Government Announces National Standards for Taxi and Private Hire Vehicles

Finally, this week, on 21 July the Government has introduced new standards for the taxi and private hire vehicle sector across England and Wales to protect passengers. The new recommendations follow the consultation last year on draft Guidance issued under the Police and Crime Act and will help improve consistency across local authorities.

The standards have been introduced by way of guidance which licensing authorities are expected to follow, and not by way of much needed legislative reform.

The Statutory Standards can be viewed at:

<https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>

The standards, which local authorities are expected to implement by January 2021, are designed to improve consistency in the licensing system, reducing the risk of harm posed to children and vulnerable passengers in the process. It follows historic and serious cases of taxi and PHV drivers abusing their position of trust.

Criminal record checks for drivers every 6 months form a key part of the standards, as does safeguarding training to help drivers identify and respond to passengers that may be being abused or exploited. A recommendation for licensing authorities to consider whether the use of CCTV would be beneficial or proportionate in their areas is also included, which sets out that potential privacy issues must be taken into account.

We will be incorporating these standards into a revised Taxi and Private Hire Licensing Policy which we envisage that we will be consulting upon later this year.