

For hackney carriage and private hire drivers.

Consultation on proposals to amend the Authority's Licensing Policy

Cheltenham Borough Council (the authority) previously adopted the <u>Licensing Policy, Guidance and Conditions for</u> <u>Private Hire and Taxis Operating within the Borough of Cheltenham</u> which supports the authority in carrying out its responsibilities in administering, monitoring, and carrying out enforcement in respect of the taxi and private hire licensing regimes.

We will shortly begin consulting on proposed policy changes and amendments to this document. A previous consultation was carried out in Summer 2024, but no further developments took place due to a change in the structure of the licensing team. This will be a new 6-week consultation period.

If you submitted comments during the 2024 consultation, please ensure that you also respond to this consultation for your comments to be taken into consideration.

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.

This consultation will begin at 00:00 on 3rd March 2025 and close at 23:59 on 13th April 2025. Once live, it will be available to view and to respond to <u>on our website</u>.

If you have any questions about this consultation, please contact <u>licensing@cheltenham.gov.uk</u> before making the final decision in respect of these proposals.

Hackney carriage fares - meter certificates

The new hackney carriage fares came into effect on 17th February 2025. Please note that, before you are able to make use of the new fares, you must have your meter recalibrated and provide a copy of the meter certificate to the licensing team by email to <u>licensing@cheltenham.gov.uk</u>.

Copies of the new fare card <u>can be found online</u>, and a copy for your vehicle can be collected from reception.

March Races - taxi and private hire information

In advance of the Cheltenham Festival 2025, taking place between 11th - 14th March, the Racecourse has provided guidance to taxi and private hire drivers who will be working during the event. A copy of this information accompanies this Trade Times. They have provided information on:

- Pick up / drop off points
- Road closures and routes to the Racecourse
- Waiting restrictions
- Arrangements at the train station

We would ask that all drivers familiarise themselves with the guidance in advance of the Races so you are well prepared for the week ahead.

Enforcement during the Festival

Uber

It is likely, for the 2025 Festival, that we will see an unprecedented number of Ubers in the borough.

Where a customer books on the Uber app, and the app subcontracts the booking to the correct operator (i.e. for example, Gloucester, and provides a Gloucester vehicle and driver to fulfil the booking), these vehicles can enter Cheltenham and work lawfully, picking up and dropping off customers. It is also legal for these vehicles to remain in Cheltenham whilst they await a booking.

We appreciate that this is incredibly tough on the trade.

Plying for hire - domestic vehicles

Unquestionably, we have concerns regarding *unseen* unlawful pickups too. These are the truly dangerous cases for public safety where we have individuals using their personal vehicles, or even hire cars, to offer unlicensed and unseen taxi and private hire work. We have limited knowledge of who they are and their history (i.e. criminal history), and members of the public (often lone individuals) are getting into their cars. Please, if you see any car regularly stopping and appearing to pick up which appears to be unlicensed, report it to the Council or the Police if you think there is an immediate danger to life.

Legally, what is plying for hire?

To prove beyond all reasonable doubt whether a driver is indeed plying for hire, officers will need to prove the intention of that driver. That is, it was the driver's intention to take passengers who had not first pre-booked with their operator. Is the driver flashing their lights or hooting to members of the public? Is the driver approaching customers soliciting business? Do customers approach the driver and ask for a lift and negotiate a price (as opposed to the driver requesting they book through their operator)?

Case law has established that a car being positioned at the side of the road, near to where members of the public are, does not alone constitute plying for hire.

Reading Borough Council vs Ali [2019] and United Trade Action Group Limited vs Transport for London and TRANSOPCO UK Limited (2022) are good cases to read regarding this.

Officers will be conducting high visibility patrols during Cheltenham festival, and we will also have officers out operating covertly.

What to do if you suspect a vehicle is plying for hire or picking up unlawfully

- Do not approach.
- Take a photograph, or a video, of the vehicle if possible.
- Note the location and the time and date.
- Consider if you are willing to provide a statement. We cannot act on this information if we do not have a statement to go alongside this evidence.
- Email these details into <u>licensing@cheltenham.gov.uk</u>.

Private hire operators

All private hire operators should ensure they familiarise themselves with the information above and pass this onto their drivers. If you are employing a driver, you should be confident they will operate legally. You should remind them:

- They should only pick up pre-booked customers
- They should never ply for hire
- They should never stop on a taxi rank

Race week cover

Whilst the Council is open as normal during Race Week, enforcement duties mean our availability to administer applications and assist with queries as usual may be more limited. Throughout the week, we will continue to work hard to get back to those who have submitted applications, questions, or concerns but, to help us provide the best service we can, please make contact by email where possible and only attend the offices if you have an appointment with an officer.

Local authority contact details

If you notice an issue with an out-of-town licensed vehicle, please report them to their home authority. To help you identify the correct authority to speak to, details of the plates displayed by each authority are below:

Cheltenham Borough Council
licensing@cheltenham.gov.uk
Hackney carriage - green rear plate and internal plate
Private hire - yellow rear plate and internal plate
Cotswold District Council
ers@cotswold.gov.uk
Hackney carriage - rear plate and plate on internal front windscreen
Private hire - plate on internal front windscreen
Forest of Dean District Council
ers@fdean.gov.uk
Hackney carriage - internal and external plate
Private hire - internal and external plate
Gloucester City Council
licensing@gloucester.gov.uk
Hackney carriage - rear plate and internal plate
Private hire - front plate, rear plate, internal plate, and yellow door sign displaying name of operator
South Gloucestershire Council
taxis@southglos.gov.uk
Hackney carriage - rear plate and top signs. From April 2025 will also require front plate
Private hire - front and rear plate
Stroud District Council
licensing@stroud.gov.uk
Hackney carriage - long, white, narrow plate on rear and small internal plate in front windscreen
Private hire - long, yellow, narrow plate on rear and small internal plate in front windscreen
Tewkesbury Borough Council
licensing@tewkesbury.gov.uk
All vehicles - rear plate, small window plate and no smoking sign
City of Wolverhampton Council
Private hire - long, yellow, narrow rear plate

If you need to report infringements to parking restrictions within the borough, you should contact Highways at Gloucestershire County Council. If a high number of reports are received for a certain area, they will tailor their inspections accordingly.

Gloucestershire County Council Highways

parking@gloucestershire.gov.uk

Upcoming Safeguarding and Local Knowledge Test Dates

We continue to add dates to both our safeguarding sessions and Local Knowledge Tests (LKTs). The following are available to book via <u>our online</u> <u>form</u>:

Safeguarding Dates	Local Knowledge Test Dates
3rd April 2025	5th March 2025
	9th April 2025
	7th May 2025

All sessions are held at the Municipal Offices. Safeguarding sessions are scheduled to begin at 10:00am with a duration of two and half hours. LKTs begin at 11:00am, and last for approximately one and a half hours.

Licensing Contact Details

Licensing Department Municipal Offices Promenade Cheltenham GL50 9SA

censing@cheltenham.gov.uk)1242 264135)ttps://www.cheltenham.gov.uk/