

Licensing Committee (Non Licensing Act 2003 Functions)

Date: **13 February 2024**

Time: **3.00pm**

Venue **Council Chamber, Hove Town Hall, Norton Road, Hove, BN3
3BQ - HTH/CC**

Members: **Councillors:** Daniel (Chair), Sheard (Deputy Chair), Pickett (Opposition Spokesperson), Davis, Baghoth, Cattell, Czolak, Fowler, Hewitt, Lyons, McGregor, Nann, Robinson, Theobald and Thomson

Contact: **Thomas Bald**
Democratic Services Officer
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AGENDA

18 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

19 MINUTES OF THE PREVIOUS MEETING

To consider the minutes of the previous meeting held on 12 October 2023.

20 CHAIR'S COMMUNICATIONS

21 CALLOVER

- (a) Items (24 – 26) will be read out at the meeting and Members

invited to reserve the items for consideration.

- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

22 PUBLIC INVOLVEMENT

7 - 8

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented to the full council or at the meeting itself;

(1) Ahmed Abuorof – Penalty Points System

- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 7 February;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 7 February.

23 MEMBER INVOLVEMENT

To consider the following matters raised by councillors:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

24 HACKNEY CARRIAGE & PRIVATE HIRE DRIVER ENFORCEMENT AND MONITORING

9 - 14

Contact Officer: Martin Seymour
Ward Affected: All Wards

Tel: 01273 296659

25 HACKNEY CARRIAGE AND PRIVATE HIRE PENALTY POINTS SCHEME

15 - 52

Contact Officer: Alex Evans
Ward Affected: All Wards

26 HACKNEY CARRIAGE FARE REVIEW

53 - 64

Contact Officer: Martin Seymour
Ward Affected: All Wards

Tel: 01273 296659

27 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 28 March Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FURTHER INFORMATION

For further details and general enquiries about this meeting contact , (01273 291354, email thomas.bald@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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- Do not re-enter the building until told that it is safe to do so.

Date of Publication - Monday, 5 February 2024

Brighton & Hove City Council

Licensing Committee

Agenda Item 22 (a)

Subject: Petitions

Date of meeting: 13 February 2024

Contact Officer: Name: Thomas Bald
Email: thomas.bald@brighton-hove.gov.uk

Ward(s) affected: All

1. Purpose of the report and policy context

1.1 To receive any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

2. Recommendations

2.1 That the committee responds to the petition either by noting it or where it is considered more appropriate, calls for an officer report on the matter.

3. Context and background information

3.1 To receive the following petition signed by 549 people at the time of publication:

https://www.change.org/p/penalty-points-system-opposes-against?source_location=search

(1) Petition to oppose Penalty Points for Brighton & Hove Taxi Drivers:

Dear Brighton & Hove city council,

We are writing to express our deep concern and disappointment regarding the proposed penalty points system proposed for taxi drivers in Brighton and Hove. It has come to our attention that this system could cause significant challenges and hardships for many hardworking taxi drivers in our community.

While we understand the importance of maintaining high standards and ensuring passenger safety, we believe that the proposed penalty points system may be excessively punitive and does not take into account the unique circumstances that taxi drivers often face. As members of our local community, taxi drivers provide an essential service, and they play a crucial role in our city's transportation network.

Our concerns and those of many others in our community are as follows:

1. Driver Shortage: We are facing a shortage of new taxi drivers joining in Brighton & Hove, and imposing penalty points could discourage individuals from entering or staying in the profession.

2. Complex Violations: Some violations by taxi drivers may involve complex circumstances or disputes that are better addressed through arbitration or mediation rather than a straightforward penalty points system.

3. Economic Impact: Considering current economic impact on taxi drivers and council itself, this will cost money to implement, plus the excessive use of penalty points could lead to financial hardship for drivers.

4. Focus on Core Issues: Councils may prioritise addressing more significant

issues in the taxi industry, such as safety concerns, vehicle standards, or customer service, and may choose to allocate resources accordingly.

5. Enhancing vehicle standards: By applying Vehicle suitability test every 6 months, rather than waiting for the driver to commit an offence and issue him a penalty point.

6. It is already implemented in the British Law: If a driver commits a driving offence, he will be issued with penalty points and if it is serious, driver will lose his driving licence and taxi licence at the same time.

7. Monitoring and Improvement: Councils may opt for continuous monitoring and improvement programs for taxi services, where they work closely with drivers to identify and rectify issues without resorting to penalty points.

8. Educate and do not prosecute: Educating taxi drivers effectively by training courses, communication, online seminars and support do not wait till the driver makes a mistake to be prosecuted.

9. Inconsistent Enforcement: The application of penalty points appears to be inconsistent and sometimes arbitrary. Drivers often receive points for minor infractions that do not necessarily pose a threat to passenger safety.

Brighton & Hove City Council

Licensing Committee (Non-Licensing Act 2003 Functions)

Agenda Item 24

Subject: Hackney Carriage & Private Hire Driver Enforcement and Monitoring

Date of meeting: 13 February 2024

Report of: Executive Director of Housing,
Neighbourhoods & Communities

Contact Officer: Name: Martin Seymour / Alex Evans
Tel: 01273 296659
Email: martin.seymour@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 This report was requested by Members to update Members on enforcement action taken against Hackney Carriage & Private Hire Drivers and Applicants between October 2023 and January 2024.

2. Recommendations

2.1 That Members note the contents of this report and that officers should continue to act as appropriate.

3. Context and background information

3.1 Legislation in relation to the Town Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 which applies to both hackney carriages and private hire vehicles is enforced by the local authority. Non-criminal enforcement can also be affected by means of action taken against the licence held by the person who has transgressed such as warnings, suspensions, or revocations.

3.2 Any driver must be a fit and proper person. It is not possible to give a precise definition of what this is, but at its heart is keeping passengers safe and free from risk. It is the responsibility of the applicant to satisfy the council that they are fit and proper and that they are safe and suitable to hold a licence.

3.3 The council can suspend, revoke, or refuse a hackney carriage or private hire vehicles and/or driver licences. However, a driver licence cannot be suspended and then revoked at a later date such as at the conclusion of a prosecution. Other actions are available to officers such as verbal or written

warnings which can be applied in line with the Councils Licensing Enforcement Policy.

3.4 All cases are looked at on their own individual merit and if necessary, such as in Child Sexual Exploitation (CSE) cases multi agency meetings may be held to review available evidence. When acting against a licence, decisions are investigated by officers and a recommendation is made to a manager who makes the decision in consultation with a lawyer. In addition, the most difficult matters would come to the Chair and to the two lead members for discussion. If a matter was serious and required immediate suspension, then officers would come to members as soon as possible after they had acted.

3.5 On the 27 April 2023 the Government announced that it had brought the remainder of the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 into force. This means that it is now mandatory for all licensing authorities in England to use the National Register for Revocations, Refusals and Suspensions (NR3S) Hosted by the National Anti-Fraud Network (NAFN).

Licensing authorities in England must:

- Record refusals, suspensions and revocations of taxi and private hire vehicle driver licences relating to safeguarding or road safety reasons.
- Search the NR3S database for every application for a new or renewed taxi and private hire vehicle driving licence and have regard to any information found.

This is in addition to the requirements that came into effect in May 2022 which require licensing authorities in England to:

- Report serious safeguarding and road safety concerns about licensed drivers operating in their area but licensed by another authority to the relevant licensing authority.
- Consider suspending or revoking a driver's licence if another GB licensing authority reports a serious safeguarding or road safety concern and inform the reporting authority of its decision.

3.6 On the 17 November 2023 the Department for Transport published its updated Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England. [Best Practice Guidance](#) The guidance states:

Implementing an effective framework for licensing authorities, to ensure that a full range of information is made available to suitably-trained decision makers who are supported by well-resourced officials, is essential to a well-functioning taxi and private hire vehicle sector. Whilst this helps prevent the licensing of those that are not deemed 'fit and proper', it does not ensure that those already licensed continue to display the behaviours and standards expected.

3.7 In addition to day-to-day enforcement work, officers normally carry out weekly out of hours enforcement work, normally at weekends and weekday evenings. This includes monitoring of hot spot areas for over and illegal ranking and plying for hire, vehicle inspections and occasional test purchase

- 9.1 Licensing authorities must ensure that a safe hackney carriage and private hire service is freely available to meet the demand across all sectors of the public, especially those vulnerable groups to whom a taxi or private hire vehicle is often the only means of completing a journey.

10. Sustainability implications

- 10.1 None – for information only

11. Other Implications [delete any or all that are not applicable]

Social Value and procurement implications

- 11.1 None – for information only

Crime & disorder implications:

- 11.2 None – for information only

Public health implications:

- 11.3 None – for information only

Supporting Documentation

1. Appendices

1. Actions taken against Drivers.

Enforcement Actions Since Licensing Committee February 2024

	Licence Type	Date	Brief Description of Case	Other Information:	Enforcement Action Taken:
1.	Hackney Carriage & Private Hire Dual Driver Licence	09/10/2023	Medical not supplied so unable to confirm driver meets DVLA Group 2 Medical Standard		Licence Suspended pending further information
2.	Private Hire Driver Licence	09/10/2023	Medical not supplied so unable to confirm driver meets DVLA Group 2 Medical Standard		Licence Suspended pending further information
3.	Hackney Carriage & Private Hire Dual Driver Licence	10/10/2023	Driver does not meet DVLA Group 2 Medical Standard		Licence Suspended pending further information
4.	Hackney Carriage & Private Hire Dual Driver Licence	23/10/2023	Driver does not meet DVLA Group 2 Medical Standard		Licence Suspended pending further information
5.	Hackney Carriage & Private Hire Dual Driver Licence	23/10/2023	Driver does not meet DVLA Group 2 Medical Standard		Licence Suspended pending further information
6.	Hackney Carriage & Private Hire Dual Driver Licence	24/10/2023	Driver does not meet DVLA Group 2 Medical Standard	Licence Reinstated 15/11/2023	Licence Suspended pending further information
7.	Hackney Carriage & Private Hire Dual Driver Licence	24/10/2023	Driver does not meet DVLA Group 2 Medical Standard	Licence Reinstated 20/11/2023	Licence Suspended pending further information

8.	Private Hire Driver Licence	31/10/2023	Driver does not meet DVLA Group 2 Medical Standard	Licence Reinstated 08/11/2023	Licence Suspended pending further information
9.	Private Hire Driver Licence	01/11/2023	Driver does not meet DVLA Group 2 Medical Standard		Licence Suspended pending further information
10.	First Applicant	15/11/2023	Not fit & proper to hold a licence	Previously Revoked	Application Refused
11.	Hackney Carriage & Private Hire Dual Driver Licence	24/11/2023	Driver does not meet DVLA Group 2 Medical Standard	Licence Reinstated 14/12/2023	Licence Suspended pending further information
12.	Hackney Carriage & Private Hire Dual Driver Licence	11/12/2023	Under investigation by the Police for sexual assault on female passenger		Licence Revoked
13.	Hackney Carriage & Private Hire Dual Driver Licence	20/12/2023	Driver does not meet DVLA Group 2 Medical Standard	Licence Reinstated 22/12/2023	Licence Suspended pending further information
14.	First Applicant	08/01/2024	Not fit & proper to hold a licence	Conviction involving domestic violence in 2018	Application Refused
15.					
16.					

Brighton & Hove City Council

Licensing Committee (Non-Licensing Act 2003)

Agenda Item 25

Subject: Penalty Point System for Hackney Carriage & Private Hire Drivers, Proprietors & Operators

Date of meeting: 13 February 2024

Report of: Executive Director of Housing, Neighbourhoods & Communities

Contact Officer: Name: Martin Seymour / Alex Evans
Tel: 01273 296659
Email: martin.seymour@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 Members are asked to consider the introduction of a Taxi Penalty Points System for Drivers, Proprietors and Operators.

2. Recommendations

2.1 That Committee agrees to introduce a Penalty Point System for Licensed Drivers, Proprietors and Operators.

2.2 That Committee agree that Officers review the system 12 months after implementation and make any minor changes as necessary. Officers will also update committee on how the PPS is working and any issues via the Taxi Enforcement report which is presented to each licensing committee.

3. Context and background information

3.1 Hackney Carriage and Private Hire Operators, Drivers and Vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Council's Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.

3.2 The aim of this policy is to improve the levels of compliance with licensing regulations and requirements and to help raise standards, improve safety and enhance the protection of members of the public affected by the actions of licensed drivers, operators and vehicle proprietors.

3.3 The Council is committed to ensure that only fit and proper persons become, and remain, as hackney carriage and private hire drivers, operators, and vehicle proprietors. The procedure also seeks to improve the level of transparency and consistency in which the licensing system is administered and enforced.

- 3.4 The penalty point system works in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. Its purpose is to record misdemeanors and to act as a record of driver's behaviour and conduct so as to ascertain whether they are a fit and proper person. It does not prejudice the Council's ability to take other actions.
- 3.5 If Operators, Drivers or Proprietors of Vehicles currently commit an offence or breach rules, regulations or conditions of licence, the persons involved are asked to attend the Council offices for an interview. Once investigations are completed options include no further action, formal words of advice, warning letters, additional relevant training, suspension or revocation of licence.
- 3.6 Several neighboring authorities, including Lewes District Council, Worthing Borough Council Mid-Sussex District Council, Rother & Wealden District Council and Crawley Borough Council already have a Penalty Point Systems in place.
- 3.7 **How will it work?**

A flow chat of the complaint process can be seen in appendix 3. The process of investigating usually begins with the receipt of a formal complaint, the report may come from various sources, such as a passenger, other drivers, law enforcement agencies or members of the public or officers on enforcement duties. The complaint is evaluated to determine its credibility and seriousness. If the complaint appears to involve a potential offence or beach of regulation the investigation moves forward and further information is gathered, this may include witness statements, CCTV footage, photographs, documentation, or any other evidence that can shed light on the alleged offence. The complainant, any witnesses and the driver may then be interviewed, with the aim to gather additional details, clarify any inconsistencies, and allow the involved parties to provide their side of the story.

Based on the finding of the investigation, appropriate action is taken if the evidence supports that an offence has been committed. The specific consequences depend on the severity of the offence or breach and the applicable laws and regulations. Words of advice, warnings, additional relevant training, suspension, revocations, and legal prosecutions or the imposition of penalty points may be given.

If penalty points are deemed to be appropriate this allows officers to allocate points depending upon the nature and severity of the alleged misdemeanor

Penalty Points will remain current for 3 years for drivers and proprietors & 5 years for Operators from the date the points were issued. The period is on a roll forward basis, to allow any older points to be considered as spent and therefore excluded from the running total recorded against any individual licensee.

Points issued to either the proprietor(s) of a vehicle, operator or a driver will be confirmed in writing.

Where a licensee accumulates 12 penalty points in a current 3-year period for drivers and proprietors & 5 years for Operators period consideration will be made as to whether the driver is a fit and proper person to hold a licence. A decision will then be made as to whether the licence should be suspended or revoked.

Appeals regarding the issuing of penalty points by Officers will be referred to the Regulatory Services Manager who has been independent of any investigation, this allows the drivers to present additional evidence or challenge the finding. The Regulatory Services Manager who will have discretion to award a lesser number of points than displayed on the tariff if the complaint is upheld. Drivers must appeal any points issued by Officers to the Regulatory Services Manager in writing within 7 days from the date of any points issued. There is no right of appeal against the awarding of points by the Regulatory Services Manager. The only recourse to a legal challenge is by way of judicial review.

The system will operate without prejudice to the Council's ability to take other action that it is entitled to take under legislation, byelaws, and regulations. However, if points are issued to a proprietor/driver for a matter which is also a criminal offence, e.g., bald tyres, no badge, those persons(s) will not then be the subject of a prosecution by the Council.

- 3.8 The penalty point system allows officers to allocate points depending upon the nature and severity of the alleged misdemeanor. Where there is a scale of points the number of points issued will depend on the seriousness of the offence such as giving a false address, false names, Date of Birth, not declaring previous revocations or having been arrested as. An investigation will still take place. All options referred to above will still exist including, suspension, revocation or refusal.
- 3.9 Penalty Points will remain current for 3 years for drivers and proprietors & 5 years for Operators from the date the points were allocated. The period is on a roll forward basis, so as to allow any older points to be considered as spent and therefore excluded from the running total recorded against any individual licensee. In effect on the 3 year or 5 year anniversary of points being awarded the numbers are re set.
- 3.10 The majority of drivers who come to the notice of the council do so only the once. This system will act as an evidence gathering tool to identify a pattern of behaviour which will be taken into account when deciding if a person is a fit & proper person to hold a licence. Upon reaching the limit of allowed points (proposed to be 12 in 3 years for drivers and proprietors and 12 in 5 years for operators) the driver/operator is reported consideration will be made as to whether 'is he/she still a fit and proper person'.
- 3.11 Disputes regarding the issuing of penalty points by officers will be referred to the Regulatory Services Manager. Drivers must appeal any points issued by Officers to the Regulatory Services Manager within 21 days of the points being issued.
- 3.12 On the 17 November 2023 the Department for Transport published its updated Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England. [Best Practice Guidance](#)
- 3.13 The Best Practice Guidance refers to points-based systems such as the one proposed.

5.5 Points-based enforcement systems

To increase compliance with licensing requirements some licensing authorities operate a points-based system, which allows minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches to the licensing committee (or other bodies charged with reviewing). Such systems can provide greater consistency in enforcement and make better use of the licensing committee's time. Authorities that operate a points-based enforcement system should make clear to licensees that these are separate to the 'penalty points' (endorsements) that the courts can put on a motorist's licence. As set out at 5.1, licensing authorities that use a points-based system should ensure that licensees are aware of the policies to which they must adhere, are properly informed of what is expected of them, and the repercussions for failing to do so - the points for specific breaches should be clearly set out.

Where a points-based enforcement system is in operation points incurred should remain on the record for a fixed period. The usual duration of a driver and private hire vehicle operator licence is 3 and 5 years respectively. To ensure that all past behaviour is taken into account when considering whether to grant a new licence, the department recommends that points should remain on the record from the date of the incident for a minimum of 3 years for drivers and a minimum of 5 years for private hire vehicle operators.

It should be noted that reaching a points limit must not result in an automatic action but should be used to trigger a review of the conduct of the licensee and whether further action is necessary to address any concerns. Such action might be undertaking additional training not just a suspension or revocation. Licensing authorities should however consider whether a review is undertaken in situations where points are incurred within a short period but have not reached a review point; for example, a rapid accumulation of points may indicate deteriorating standards or increasingly unsatisfactory conduct.

- 3.13 In July 2020 the Government published the Statutory taxi and private hire vehicle standards [Statutory taxi and private hire vehicle standards \(updated November 2022\)](#) These standards also recommends a penalty point system.

9.2 Setting expectations and monitoring

Licensing authorities should ensure that drivers are aware of the policies that they must adhere to and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.

The provision of a clear, simple and well-publicised process for the Public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity. This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Consultation

4. Consultation has been undertaken through the Brighton & Hove Hackney Carriage and Private Hire Consultation Forum, including meetings and submissions from representatives from the Taxi Forum, all licensed Drivers, Vehicle Proprietors and Operators as well as lead Councillors. Prior to the formal consultation Officers also held meetings with the trade where the system was discussed and amended as agreed
- 4.1 The initial consultation was for Penalty Points to remain current for 2 years for drivers and proprietors & 2 years for Operators from the date the points were allocated. However, the Best Practice Guidance published after the consultation started recommends that points should remain on record for 3 years for drivers and 5 years for operators. Driver licences are granted for 3 years and Operator licences for 5 years. Officers have decided to bring the Brighton & Hove system in line with this recommendation.
- 4.2 The draft policy was emailed to all 1363 drivers, proprietors and operators for consultation which was open from the 02 October 2023 until 19 November 2023. This was later extended to the 01 December 2023. A total of 69 responses were received.
- 4.3 The results of the consultation can be seen at Appendix 2. 5 were in favour of the system and 64 were against a large proportion of objections were identical. The biggest objection seems to be that drivers from other authorities would not be subject to the system. It should be noted that other local authorities in the vicinity of Brighton & Hove have their own penalty point systems.

Sample of Consultation Responses – Objections

- *Driver Shortage: We are facing a shortage of new taxi drivers joining the Brighton & Hove taxi trade (they prefer to join Uber with fewer rules), and imposing penalty points could discourage individuals from entering or staying in the profession.*
- *Unfairness: With the cross borders being in place, the Hackney Carriage officers have no enforcement powers over any cars coming from outside the city, allowing these outside drivers to get away with violations BH drivers will be punished for. This is unfair, and this proposal will only create more resentment towards the outside-the-city drivers, conflict and unfair treatment for the local taxis. This can also lead to disappointed customers who might think it is BH drivers who provided dissatisfactory service, when in reality it was out-of-city drivers.*
- *Privacy infringement: Under The Proposal, the officers can stop any BH Hackney / Private Hire car at any time. As per the vehicle insurance, our cars can be used for private use (time with our families etc) and the vehicle can get messy (we might eat there or move furniture etc). During this time we are private citizens, and should be treated as such.*
- *Complex Violations: Some violations by taxi drivers may involve complex circumstances or disputes, that are better addressed through arbitration or mediation, rather than a straightforward penalty points system.*

- *Economic Impact: Considering the current economic impact on taxi drivers and the Council itself, The Proposal will cost money to implement, plus the excessive use of penalty points could lead to financial hardship for drivers.*
- *Focus on Core Issues: The Council may prioritise addressing more significant issues in the taxi industry, such as safety concerns, vehicle standards, or customer service, and may choose to allocate resources accordingly.*
- *Enhancing vehicle standards: By applying a Vehicle suitability test every 6 months, rather than waiting for the driver to commit an offence and issuing him a penalty point.*
- *It is already implemented in British Law: If a driver commits a driving offence, he will be issued with penalty points by the Police and if it is serious, the driver will lose his driving licence and the taxi licence at the same time.*
- *Blue Book: Brighton and Hove taxi trade rule book, aka 'The Blue Book' already requires a high level of performance from the Taxi Drivers, which sets us apart from the rest of the UK.*
- *Monitoring and Improvement: The Council may opt for continuous monitoring and improvement programs for taxi services, where they work closely with drivers to identify and rectify issues without resorting to penalty points.*
- *Educate and do not prosecute: Educating taxi drivers effectively through training courses, communication, online seminars and support as prevention, instead of waiting until the driver makes a mistake to be prosecuted.*
- *Inconsistent Enforcement: The current application of penalty points (as per the Blue Book) appears to be inconsistent and sometimes arbitrary. Drivers often receive points for minor infractions that do not necessarily pose a threat to passenger safety.*
- *Viability: There have been no viability studies or any statistical figures that have been raised by the Council to reflect that we have a problem that warrants this proposal.*
- *Increased anxiety and stress: as professional drivers who spend our work shift behind the wheel, we already face more pressure than regular drivers; we ferry rowdy, drunk or ill passengers in all weather conditions, day or night, as well as navigating traffic and ever-changing roadworks. Coming to work worrying about receiving penalty points would make drivers more anxious and stressed, and this could lead to more accidents.*

Sample Consultation Responses – Supportive

- It seems like a good idea but it would only fair if it applies to all drivers I mean to say the amount of out of city cars are operating in Brighton they outnumber Brighton registered vehicles, If it doesn't apply to them then it is unfair. The way they drive in Brighton it is disrespectful I have seen them smoking in there vehicles I do agree the attitude of a very few drivers in Brighton are not up to standard this comes from the passengers I had picked which can only be true.
- Will there be a Scale off thee offence minor offence *1 point as to severity off offences 1 point, 2 points, 3 points And so on. With severity off offence rather than making points up as you go along as each HCO officer may have there own opinion on points TO ISSUE. LIKE THE IDEA
- I agree with the Penalty point scheme overall. I think dress code should be a part of the scheme you want to see some of them out there. I also agree that you have got to put up license fees. But more important than anything is you (we) have got to get these out-of-town cars out of Brighton some are Just taking the p.

As I keep saying get them out of the bus lanes for a start If we go to London we are not allowed to go in bus Lanes Surely you must be able to talk to LEWES district Council about when they license these cars they ask where they're going to work because all they are doing is licensing them and they're coming straight into Brighton. I don't even mind about Uber Just as long as all the cars that work for them in Brighton are Brighton licensed. Sorry to be a pain But we have all got to be under the same umbrella

- I believe this is a golden opportunity for enforcement at the front of Brighton station. There is no reason whatsoever why we can't insist on one of the penalty point offences being ranking at the front of Brighton station. It has already been specifically for bitten by HCO VIA THE LETTER SENT OUT TO EVERY DRIVER. I appreciate it has been difficult to enforce. Maybe two or three points penalty for ranking at the front of the station would be an easy enforcement method

4.4 Despite objections officers believe that the system should be implemented to increase compliance with licensing requirements to allow minor breaches of the rules to be recorded and considered in context, while referring those with persistent or serious breaches for a review of their licence. Officers believe that the system would provide greater consistency in enforcement and make better use of Officer time. The system will help to uphold professional standards within the taxi trade fostering a sense of accountability among drivers and passengers alike. Overall the penalty point system would play a crucial role in regulating and maintaining the integrity of the taxi trade making it a valuable tool promoting public safety and driver professionalism.

4.5 Officers have also amended the list of offences and suggested points to be awarded against them following the consultation process. The final table can be seen at Appendix 1

5. Analysis and consideration of alternative options

5.1 The Licensing Committee could decide to just rely on the enforcement of the statutory legislation in relation to Hackney Carriages and Private Hire. However due to the age and prescriptive nature of this legislation this would be resource intensive and it is suggested should only be used in the most serious cases.

6. Conclusion

6.1 The aim of this policy is to improve the levels of compliance with licensing regulations and requirements and to help raise standards, improve safety and enhance the protection of members of the public affected by the actions of licensed drivers, operators and vehicle proprietors as recommended in the Governments Best Practice Guidance and Statutory Guidance.

6.2 The Council is committed to ensure that only fit and proper persons become, and remain, as hackney carriage and private hire drivers, operators and vehicle proprietors.

6.3 The procedure also seeks to improve the level of transparency and consistency in which the licensing system is administered and enforced.

7. Financial implications

7.1 There are no immediate financial implications contained in this report. Members should note that any additional resourcing issues requiring funding would have to be funded through the taxi licensing regime and would not therefore impact on council tax payers.

Name of finance officer consulted: Michael Bentley Date consulted: 22/01/24

8. Legal implications

Penalty Point schemes are recognised in the Department for Transport Best Practice Guidance as well as caselaw and are used by other authorities. The proposed scheme is in line with the Best Practice Guidance.

Name of lawyer consulted: Rebecca Sidell Date consulted (15/01/24)

9. Equalities implications

9.1 Under the Equality Act 2010, Section 149 of the Equality Act 2010, a public authority must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act,
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 An Equalities impact assessment regarding the scheme has been undertaken.

10. Sustainability implications

10.1 No direct carbon/environmental impacts arising from the recommendations.

11. Other Implications

Crime & disorder implications:

11.1 The aim of this policy is to improve the levels of compliance with licensing regulations and requirements and to help raise standards, improve safety and enhance the protection of members of the public affected by the actions of licensed drivers, operators and vehicle proprietors.

Supporting Documentation

1. Appendices

1. Penalty Point System

2. Consultation Responses
3. Flow Chart

Brighton & Hove City Council Hackney Carriage & Private Hire Penalty Point Scheme

Introduction

Hackney Carriage and Private Hire Operators, Drivers and Vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Council's Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.

The aim of the penalty point scheme is to regulate and ensure the safety, quality, and fairness of taxi services. It is used to monitor and enforce compliance with regulations and conditions and to provide the public and licenced drivers operators and proprietors with a professional service.

It provides a formalised stepped enforcement plan to help those providing taxi services to learn from their mistakes to improve customer satisfaction and maintain a safe and profession service.

How will it work?

The process of investigating usually begins with the receipt of a formal complaint, the report may come from various sources, such as a passenger, other drivers, law enforcement agencies, members of the public or Officers on enforcement duties. The complaint is evaluated to determine its credibility and seriousness. If the complaint appears to involve a potential offence or beach of regulation the investigation moves forward and further information is gathered, this may include witness statements, CCTV footage, photographs, documentation, or any other evidence that can shed light on the alleged offence. The complainant, any witnesses and the driver may then be interviewed, with the aim is to gather additional details, clarify any inconsistencies, and allow the involved parties to provide their side of the story.

Based on the finding of the investigation, appropriate action is taken if the evidence supports that an offence has been committed. The specific consequences depend on the severity of the offence or breach and the applicable laws and regulations. Words of advice, warnings, additional relevant training, suspension, revocations, and legal prosecutions.

If penalty points are deemed to be appropriate this allows officers to allocate points depending upon the nature and severity of the alleged misdemeanour

Penalty Points will remain current for 3 years for drivers and proprietors & 5 years for Operators from the date the points were issued. The period is on a roll forward basis, to allow any older points to be considered as spent and therefore excluded from the running total recorded against any individual licensee.

Points issued to either the proprietor(s) of a vehicle, operator or a driver will be confirmed in writing.

Where a licensee accumulates 12 penalty points in a current 3-year period for drivers and proprietors & 5 years for Operators period consideration will be made as to whether the driver is a fit and proper person to hold a licence. A decision will then be made as to whether the licence should be suspended or revoked

Appeals regarding the issuing of penalty points by Officers will be referred to the Regulatory Services Manager who has been independent of any investigation, this allows the drivers to

present additional evidence or challenge the finding. The Regulatory Services Manager who will have discretion to award a lesser or greater number of points than displayed on the tariff if the complaint is upheld. Drivers must appeal any points issued by Officers to the Regulatory Services Manager in writing within 7 days from the date of any points issued. There is no right of appeal against the awarding of points by the Regulatory Services Manager. The only recourse to a legal challenge is by way of judicial review.

The system will operate without prejudice to the Council's ability to take other action that it is entitled to take under legislation, byelaws, and regulations.

If points are issued to a proprietor/driver for a matter which is also a criminal offence, e.g., bald tyres, no badge, those persons(s) will not then be the subject of a prosecution by the Council.

If a licence holder has had their licence revoked, they may apply for a new licence, but its Council policy that such an application under the Penalty Point Scheme will not be entertained until a suitable period from the date of revocation has elapsed, as detailed below:

- i. where the penalty points which resulted in the revocation included any infringements that attracted 10 or more points, then this period will be 24 months.
- ii. where none of the infringements individually attracted more than 10 points, then this period is reduced to twelve months.

	Details of the misconduct	Points Applicable	Driver	Vehicle Proprietor	Operator
1	Providing false or misleading information on licence application form / failing to provide relevant information	6-12	✓	✓	✓
2	Failure to notify, in writing, the Council of change of address within 7 calendar days	3	✓	✓	✓
3	Refusal to accept hiring without reasonable cause e.g., Drunk, or rude customer	3-12	✓		
4	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	3	✓		
5	Plying for hire by Private hire drivers	6	✓		
6	Using unlicensed vehicle or vehicle without insurance	12		✓	✓
7	Failure to produce relevant documents with timescale when requested by an Authorised Officer	3	✓	✓	✓
8	Unsatisfactory condition of vehicle, interior or exterior	3	✓	✓	
9	Private hire vehicle – No door signs displayed.	3	✓		
10	Failure to provide proof of insurance cover when requested or have a current copy in vehicle	3	✓		
11	Failure to produce Hackney Carriage or Private Hire vehicle for testing when required such as for an interim check	3		✓	
12	Knowingly using a vehicle subject to a suspension order issued by an Authorised	12	✓	✓	✓

	Officer or a police officer				
13	Knowingly using a vehicle for which the licence has been suspended or revoked	12	✓	✓	✓
14	Failure to report within 72 hours, any accident or damage materially affecting the safety, performance, or appearance of the vehicle	3	✓	✓	
15	Carrying more passengers than stated on the vehicle licence	6	✓		
16	Failure to display external/internal licence or plate	3	✓		
17	Carrying an offensive weapon in the vehicle	12	✓		
18	Failure to notify transfer of Private Hire or Hackney Carriage vehicle licence	3		✓	
19	Displaying unauthorised or inappropriate sited signs or advertisements in or on the vehicle	3		✓	
20	Using an unauthorised roof light	3	✓		

	Offence/Breach of Condition	Points Applicable	Driver	Vehicle Proprietor	Operator
21	Failure to produce on request records of drivers' work activity	3		✓	✓
22	Using a non approved or non-calibrated taximeter (HC)	3		✓	
23	Obstruction of an authorised officer or police officer	12	✓	✓	✓
24	Evidence of the driver or passengers smoking in vehicle	3	✓		
25	Drivers must not eat or drink whilst carrying passengers	3	✓		
26	Displaying any feature on private hire vehicle that may suggest that it is a taxi (Private Hire)	6		✓	
27	Using a vehicle, the appearance of which suggests that it is a Taxi	6		✓	
28	Failure to carry an assistance dog without requisite medical exemption certificate	12	✓		
29	Driver not holding a current DVLA licence	12	✓	✓	✓
30	Failure to wear driver's badge	1	✓		
31	Failure to notify, in writing, of any medical conditions which impacts your ability to drive	6	✓		
32	Unsatisfactory appearance of driver as described in the Blue Book	3	✓		
33	Failure to observe rank discipline (HC)	3	✓		
34	Failure to maintain proper records of private hire vehicles and drivers	6			✓

35	Failure to keep or produce records of Private Hire bookings or other documents required to be kept or produced	6			✓
36	Misleading use of the words 'Taxi' on advertising materials	3		✓	✓
37	Failure to return vehicle internal/external licence plate within 7 days after due notice following expiry, revocation, or suspensions of such licence	3		✓	
38	Failure to notify the Council in writing, of any motoring or criminal convictions within 7 days or conviction or cautions during period of current licence	6	✓	✓	
39	Failure to behave in a civil and orderly manner including unprofessional conduct between drivers, proprietors, or operator	3	✓	✓	✓
40	Failure to display a correct tariff card (HC)	3	✓	✓	

	Offence/Breach of Condition	Points Applicable	Driver	Vehicle Proprietor	Operator
41	Failure to attend punctually at appointed time and place without sufficient cause (Such as for Licence Interviews or to download CCTV as requested etc)	3	✓	✓	✓
42	A licensed vehicle with a defective tyre	3 per tyre	✓		
43	Failure to comply with any other driver, vehicle, or operator licence conditions.	3	✓	✓	✓
44	Waiting or stopping on double yellow lines, or stop on private land (without the owner's permission) unless requested by a paying customer or in any other busy area such as Brighton Station, Seafront, Pubs and Clubs etc	3	✓		
45	Driving whilst using a non-hands-free mobile phone	12	✓		
46	Leaving a licensed vehicle unattended on Taxi rank	3	✓		
47	Private hire vehicle parking in a prominent position such as on a hackney carriage stand or within line of sight of a hackney carriage stand Hackney Carriage and Private Hire vehicles standing or waiting in prominent areas such as Brighton Railway Station, the Sea Front when not picking up or dropping off passengers	6	✓		
48	Not having a current Compliance Certificate	12	✓	✓	
49	CCTV system deliberately turned off, cameras tampered with, recordings deleted or downloaded by someone other than an	6	✓		

	approved Data Processor.				
50	Failure to have a working card payment machine available in a hackney carriage vehicle	3	✓		

Consultation Responses – Penalty Point Scheme

1.	Will these proposed penalties also apply to out of town vehicles, or just licenced Brighton & Hove vehicles?
2.	Propose Taxis Penalty Point Scheme wasn't at all supported in TAXI FORUM MEETING. what licensing committee doing now by sending individual emails to all the drivers it's completely illegal. I do not support this above proposal.
3.	<p>Hi I would like to share my thoughts regarding this policy It seems like a good idea but it would only fair if it applies to all drivers I mean to say the amount of out of city cars are operating in Brighton they outnumber Brighton registered vehicles, If it doesn't apply to them then it is unfair. The way they drive in Brighton it is disrespectful I have seen them smoking in there vehicles I do agree the attitude of a very few drivers in Brighton are not up to standard this comes from the passengers I had picked which can only be true. Thanks for your attention</p>
4.	<p>GMB are a national general trade union, with over 600,000 members who are either users or workers within the transport sector across the UK.</p> <p>This response comes from GMB Southern Region where we have around 90,000 members who are comprised of many different industries including those who drive buses, taxis, private hire vehicles and ambulances or who work in road freight and distribution. Overall, GMB recognises the important role a safety policy provides but is clear in its belief that a policy must be inclusive of the protections afforded to Taxi and Private Hire drivers and their rights.</p> <p><u>Brighton & Hove City Council Hackney Carriage & Private Hire Penalty Point Scheme</u></p> <p>Brighton & Hove City Council has a long history of having the highest standards in terms of licensing policies and procedures. For instance, ensuring the safety of passengers and the general public, as well as granting licensed drivers fairness and flexibility. Such should be celebrated, the licensing department and councillors of Brighton & Hove should be proud of its rich history of high standards.</p> <p>GMB Union recognise the requirement for passenger safety and safeguarding however on Penalty Point Scheme, GMB emphatically disagree with this plan and feel that bias could be visited upon drivers and that there may not be the same proportionality in each instance leading to targeting of individual drivers.</p> <p>GMB Union are also disappointed to find the Penalty Points Scheme does not recognise/mention driver protections and safety or speak to driver health or mental health issues that drivers face.</p>

	<p>Using a system that is intended to punish is not viable as a policy especially when it is subjective. And the fact that externally licensed drivers working locally would not be subject to the same system may drive drivers away. Ultimately this scheme will fail and not deliver what you are trying to achieve, instead resulting in losing control of the city and safety of riders/Brighton & Hove residents with more out of town cars with weak safety measures.</p> <p>Up and down the country we see so many pointless conditions applied to Taxi and Private Hire Drivers & vehicles and this scheme is one of them. Such baseless and unfair conditions are already pushing people away from this vital trade. We are seeing shortages of drivers in many cities and lack of driver availability is causing difficulty for the public getting transportation. Without drivers you have no safety, especially at night when lack of buses and other transport is limited for safe travel home.</p> <p>GMB recommendation to Brighton & Hove City Council is not to go ahead with the consultation, scrap the whole plan and work with the trade to identify areas of concerns and make improvement(s) based on current standards/rules that you already have in place and these are GOOD standards.</p> <p>GMB Union will be reaching out to its members in coming weeks, in making preparations for campaigns & pushing back against any such move in regards to the scheme and pointless consultation. What we see is yet more attacks on working people and running tick box exercises and no proper real change when it comes to protecting ALL parts of the trade.</p> <p>This response has been produced on behalf of GMB Southern Region</p>
<p>5.</p>	<p>Will there be a Scale off thee offence minor offence *1 point as to severity off offences</p> <p>1 point 2 points 3 points And so on</p> <p>With severity off offence rather than making points up as you go along as each HCO officer may have there own opinion on points TO ISSUE</p> <p>LIKE THE IDEA</p>
<p>6.</p>	<p>I agree with the Penalty point scheme overall</p> <p>I think dress code should be a part of the scheme you want to see some of them out there</p> <p>I also agree that you have got to put up license fees</p> <p>But more important than anything is you (we) have got to get these out-of-town cars out of Brighton some are Just taking the p</p>

	<p>As I keep saying get them out of the bus lanes for a start</p> <p>If we go to London we are not allowed to go in bus Lanes</p> <p>Surely you must be able to talk to LEWES district Council about when they license these cars they ask where they're going to work because all they are doing is licensing them and they're coming straight into Brighton</p> <p>I don't even mind about Uber Just as long as all the cars that work for them in Brighton are</p> <p>Brighton licensed</p> <p>Sorry to be a pain</p> <p>But we have all got to be under the same umbrella</p>
7.	<p>Dear sir /madam</p> <p>I am a private hire taxi driver badge number xxxx As I am fit and proper taxi driver I disagree with taxi penalty scheme because I fully obey the regulations of the road traffic and the safety of other drivers and roads regulations</p>
8.	<p>I believe this is a golden opportunity for enforcement at the front of Brighton station. There is no reason whatsoever why we can't insist on one of the penalty point offences being ranking at the front of Brighton station. It has already been specifically for bitten by HCO VIA THE LETTER SENT OUT TO EVERY DRIVER. I appreciate it has been difficult to enforce.</p> <p>Maybe two or three points penalty for ranking at the front of the station would be an easy enforcement method.</p> <p>I'm sure there will be further feedback from myself and others in the meantime. Just wanted to get the above off my chest sooner rather than later :-).</p>
9.	<p>My comment on this is a worry that it will be used to bully some drivers while those protected by large organisations will have much more leeway.</p> <p>I would like to suggest the appeal be looked at by other drivers ,to give a proper independent appeal.</p> <p>I recently found out Brighton Council paid over £50K to a drunk passenger who wasn't wearing a seat belt as an unlicensed person was driving a hackney taxi</p> <p>If such a owner can't keep their licensed taxi from falling into the hands of someone not licensed ,they would have lost their licence.If this isn't worth 24 points im not sure what does, and why was the claim made against the council not the drivers insurance.Is this true?How was no action taken against the owner if not.</p> <p>But we will find petty reasons to allow members of the public to report</p>

	<p>drivers other drivers to carry out vendettas ,where we have no legal recourse against them.</p> <p>I feel the process is already in law without the need for further legislation just to have us live with threats of unlimited reasons and is open to abuse and bullying</p>
<p>10.</p>	<p>I am writing to reject this proposal.</p> <p>Brighton and Hove have some of the most stringent rules and regulations by implementing the Blue Book, this provides a high level of performance that sets us apart from the rest of the UK.</p> <p>The hackney carriage officers who monitor the rules have the ability to act immediately if they deem it necessary. These officers are already overworked with the number of cars that they have to monitor, why add more work for no benefit?</p> <p>With the cross borders being open the hackney carriage officers have no enforcement powers over any cars coming from different county's, this is unfair as they are working in my town and do not have to obey the applicable laws that are already in place – this proposal will only create more conflict – we haven't even resolved the issue with the differing CCTV requirements (especially in the home to school transport between Brighton and Hove and Lewes council) because the criteria is different.</p> <p>It is not fair to subject our drivers to this while other drivers can do what they want in our town, and no one can say anything to them.</p> <p>There have been no visibility studies or any statistical figures that have been raised by the council to reflect that we have a problems that warrant this proposal.</p> <p>Due to all the above I would like to voice my rejection to the above proposal.</p>
<p>11. x15</p>	<p>I am writing to reject this proposal due to the fact that our Blue Book provides a high level of performance that sets us apart from the rest of the UK.</p> <p>With the cross borders being in place the hackney carriage officers have no enforcement powers over any cars coming from out of city this is unfair as they are working in my city and do not have to obey the applicable laws that are already in place – this proposal will only create more conflict and unfair treatment for the local taxis</p> <p>It is very harsh to subject our drivers to this while other drivers can do what they want in our city and no one can say anything to them.</p>

	<p>There have been no visibility studies or any statistical figures that have been raised by the council to reflect that we have a problems that warrant this proposal.</p> <p>Due to all the above I would like to voice my rejection to the above proposal.</p>
12.	<p>Response to the consultation on the taxi and PH Penalty Points Scheme</p> <p>Having fully engaged with licensing officers, following the publication of the initial draft, I can confirm that I support the proposals/scheme in the latest draft.</p> <p>It's worth pointing out, before I detail why I support the proposals, that what officers are proposing is nothing new. They are not requesting councillors to re-invent the wheel. The Penalty Points Scheme is being used in over a hundred councils, some of them for the best part of 30 years. It has been approved by the Department of Transport, the Local Government Association, and the Law Commission. It even gained judicial approval in the case of Singh v Cardiff City Council in 2012.</p> <p>It will have little or no effect on the vast majority of license holders</p> <p>It will come as no surprise to officers and councillors that the vast majority of license holders are, as the law requires them to be, fit and proper. It is my view that at least 95% of the trade will never get a point. Most rarely have any contact with officers, other than when relicensing. Of the other 5%, most will mend their ways once they realised what the outcome could be if they breach their licensing requirements, and the few that don't behave deserve not to be called fit and proper anymore.</p> <p>Transparency and Clarity</p> <p>Most licensed drivers have never read the licensing Blue Book, that's not a criticism of them, merely a fact. They rely on the very few drivers that have. The proposed scheme reduces the 100 pages of the Blue Book down to 3 or 4 pages of A4.</p> <p>For a significant number of licensed drivers English is their second language, therefore reducing 100 pages of legal speak to 3 or 4 pages of A4 is a huge positive step forward in helping those drivers understand the requirements of the council, and the law.</p> <p>Stopping drivers breach licensing requirements (such as reporting in good time to the council following an accident) due to their naivety is a win win situation in my view.</p> <p>It's also worth remembering that every single requirement in the proposed Penalty Points Scheme already exists, there is nothing new being proposed. They have been put in place by a number of licensing committees over the last 40 years in respect of private hire requirements, and over 150 years in respect of taxi bylaws.</p>

	<p>Economic Impact It has been suggested by those opposed to the Penalty Points Scheme that it's adoption would cause significant financial hardship. I do not share those concerns. In fact, I'm struggling to see any negative financial aspects to the proposed scheme. Maybe keeping your car clean is now considered by some to be a negative impact. In my opinion the only negative impact that's being mentioned is by those suggesting two taxi tests a year as an alternative to the Penalty Points Scheme. This suggestion will negatively affect 100% of the trade, down solely to the unlawful actions of a small minority of drivers who really don't care. Not fair in my view.</p> <p>Appeals Process Under the existing enforcement process any license holder that is found to have breached their licensing requirements, and is aggrieved by that, has no option other than to appeal to the courts. This is increasingly costly and long winded, both for the license holder and the council. I welcome the inclusion of an internal appeal process in the proposed Penalty Points Scheme. It is a major step forward.</p> <p>Driver Shortages A few trade reps opposed to the Penalty Points Scheme have suggested that it will lead to driver shortages. Two things come to mind. Firstly, that this scheme hasn't restricted the number of drivers licensed by Lewes District Council, who according to the information passed on by Mr Peters, show an increase of 1000% in the last ten years or so. Secondly, if an applicant is concerned about this scheme enough to be put off from licensing in B&&H then one must wonder if that person is really someone we want in our trade. In conclusion I wish to commend officers for the time they have taken in bringing forward this proposal, and the openness they have shown in listening to those who had concerns at some of the recommendations. Dealing with license holders that breach licensing requirements is no easy task, and if officers believe this scheme will help them keep the residents and visitors to our city safer, then I for one will fully support giving them the required tools to carry out that task.</p>
<p>13.</p>	<p>I am writing this email on behalf of Utda. United Taxi Drivers Association strongly opposes to implement this scheme. Reason: 1/ Hackney Carriage and private hire operators, drivers and vehicles are principally governed by the local government(miscellaneous provisions)act 1976, town police clauses act 1847, councils by laws and rules, regulation and conditions set by the licensing Committee which already covers all code of conduct or breach of conditions. This scheme will put additional pressure on drivers on their day to day work which will impact their livelihood whereas the cost of living is already a top concern nationwide.</p>

	<p>2/ There will be a high possibility of misuse of this scheme by the officers, drivers may be subjected of humiliation depending on nature of individual manner rather than law enforcement.</p> <p>3/ If Brighton and Hove Hackney Carriage office implement this scheme, it will be applicable only for the driver, proprietors and operators licensed by BCCC, but vehicles and drivers are working in this city licensed by other councils. In that case, Brighton and Hove drivers will fall into unfair competition whereas we are already victims of multiple hassles caused by the drivers of other councils. also, different rules cannot be applicable for different drivers.</p> <p>4/ OFFENCE/BREACH of condition no 35 or 42 can be used to subject any driver, proprietor of unfair practice and put them into a legal battle to get their right back which will severely impact their livelihood. Doors of discrimination will be open by implementing this scheme.</p> <p>5/ This penalty point scheme will simply be a additional hassle for drivers, proprietors of vehicles and spreaded out a fear within the trade that more injustices are upcoming.</p> <p>6/ Finally implementing the rules will discriminate against the Brighton taxi licence holders. For example, an Uber driver/licence holder from a different council who comes from out of town will not have to comply with these rules because their council has not adopted the same ones.</p>
<p>14.</p>	<p>I am writing to express my deep concern and disappointment regarding the proposed Penalty Points System applying to the taxi drivers in Brighton and Hove.</p> <p>I believe the Proposal could cause significant challenges and hardships for many hardworking taxi drivers in our community. While I understand the importance of maintaining high standards and ensuring passenger safety, I believe that the proposed penalty points system may be excessively punitive and does not take into account the unique circumstances that taxi drivers often face. As members of our local community, taxi drivers provide an essential service, and they play a crucial role in our city's transportation network. My concerns and those of many others in our community are as follows:</p> <ol style="list-style-type: none"> 1. Driver Shortage: We are facing a shortage of new taxi drivers joining the Brighton & Hove taxi trade (they prefer to join Uber with fewer rules), and imposing penalty points could discourage individuals from entering or staying in the profession. 2. Unfairness: With the cross borders being in place, the Hackney Carriage officers have no enforcement powers over any cars coming from outside the city, allowing these outside drivers to get away with violations BH drivers will be punished for. This is unfair, and this proposal will only create more resentment towards the outside-the-city drivers, conflict and unfair treatment for the local taxis. This can also lead to disappointed customers who might think it is BH drivers

who provided dissatisfactory service, when in reality it was out-of-city drivers.

3. Privacy infringement: Under The Proposal, the officers can stop any BH Hackney / Private Hire car at any time. However, as per the vehicle insurance, our cars can be used for private use (time with our families etc) and the vehicle can get messy (we might eat there or move furniture etc). During this time we are private citizens, and should be treated as such.

4. Complex Violations: Some violations by taxi drivers may involve complex circumstances or disputes, that are better addressed through arbitration or mediation, rather than a straightforward penalty points system.

5. Economic Impact: Considering the current economic impact on taxi drivers and the Council itself, The Proposal will cost money to implement, plus the excessive use of penalty points could lead to financial hardship for drivers.

6. Focus on Core Issues: The Council may prioritise addressing more significant issues in the taxi industry, such as safety concerns, vehicle standards, or customer service, and may choose to allocate resources accordingly.

7. Enhancing vehicle standards: By applying a Vehicle suitability test every 6 months, rather than waiting for the driver to commit an offence and issuing him a penalty point.

8. It is already implemented in British Law: If a driver commits a driving offence, he will be issued with penalty points by the Police and if it is serious, the driver will lose his driving licence and the taxi licence at the same time.

9. Blue Book: Brighton and Hove taxi trade rule book, aka 'The Blue Book' already requires a high level of performance from the Taxi Drivers, which sets us apart from the rest of the UK.

10. Monitoring and Improvement: The Council may opt for continuous monitoring and improvement programs for taxi services, where they work closely with drivers to identify and rectify issues without resorting to penalty points.

11. Educate and do not prosecute: Educating taxi drivers effectively through training courses, communication, online seminars and support as prevention, instead of waiting until the driver makes a mistake to be prosecuted.

12. Inconsistent Enforcement: The current application of penalty points (as per the Blue Book) appears to be inconsistent and sometimes arbitrary. Drivers often receive points for minor infractions that do not necessarily pose a threat to passenger safety.

13. Viability: There have been no viability studies or any statistical figures that have been raised by the Council to reflect that we have a problem that warrants this proposal.

	<p>14. Increased anxiety and stress: as professional drivers who spend our work shift behind the wheel, we already face more pressure than regular drivers; we ferry rowdy, drunk or ill passengers in all weather conditions, day or night, as well as navigating traffic and ever-changing roadworks. Coming to work worrying about receiving penalty points would make drivers more anxious and stressed, and this could lead to more accidents.</p> <p>Due to all the above I would like to voice my rejection to the above proposal.</p>
<p>15. X 36</p>	<p>I, am writing to express my deep concern and disappointment regarding the proposed Penalty Points System applying to the taxi drivers in Brighton and Hove.</p> <p>I believe the Proposal could cause significant challenges and hardships for many hardworking taxi drivers in our community. While I understand the importance of maintaining high standards and ensuring passenger safety, I believe that the proposed penalty points system may be excessively punitive and does not take into account the unique circumstances that taxi drivers often face. As members of our local community, taxi drivers provide an essential service, and they play a crucial role in our city's transportation network. My concerns and those of many others in our community are as follows:</p> <ol style="list-style-type: none"> 1. Driver Shortage: We are facing a shortage of new taxi drivers joining the Brighton & Hove taxi trade (they prefer to join Uber with fewer rules), and imposing penalty points could discourage individuals from entering or staying in the profession. 2. Unfairness: With the cross borders being in place, the Hackney Carriage officers have no enforcement powers over any cars coming from outside the city, allowing these outside drivers to get away with violations BH drivers will be punished for. This is unfair, and this proposal will only create more resentment towards the outside-the-city drivers, conflict and unfair treatment for the local taxis. This can also lead to disappointed customers who might think it is BH drivers who provided dissatisfactory service, when in reality it was out-of-city drivers. 3. Privacy infringement: Under The Proposal, the officers can stop any BH Hackney / Private Hire car at any time. However, as per the vehicle insurance, our cars can be used for private use (time with our families etc) and the vehicle can get messy (we might eat there or move furniture etc). During this time we are private citizens, and should be treated as such. 4. Complex Violations: Some violations by taxi drivers may involve complex circumstances or disputes, that are better addressed through arbitration or mediation, rather than a straightforward penalty points system. 5. Economic Impact: Considering the current economic impact on taxi drivers and the Council itself, The Proposal will cost money to

	<p>implement, plus the excessive use of penalty points could lead to financial hardship for drivers.</p> <p>6. Focus on Core Issues: The Council may prioritise addressing more significant issues in the taxi industry, such as safety concerns, vehicle standards, or customer service, and may choose to allocate resources accordingly.</p> <p>7. Enhancing vehicle standards: By applying a Vehicle suitability test every 6 months, rather than waiting for the driver to commit an offence and issuing him a penalty point.</p> <p>8. It is already implemented in British Law: If a driver commits a driving offence, he will be issued with penalty points by the Police and if it is serious, the driver will lose his driving licence and the taxi licence at the same time.</p> <p>9. Blue Book: Brighton and Hove taxi trade rule book, aka 'The Blue Book' already requires a high level of performance from the Taxi Drivers, which sets us apart from the rest of the UK.</p> <p>10. Monitoring and Improvement: The Council may opt for continuous monitoring and improvement programs for taxi services, where they work closely with drivers to identify and rectify issues without resorting to penalty points.</p> <p>11. Educate and do not prosecute: Educating taxi drivers effectively through training courses, communication, online seminars and support as prevention, instead of waiting until the driver makes a mistake to be prosecuted.</p> <p>12. Inconsistent Enforcement: The current application of penalty points (as per the Blue Book) appears to be inconsistent and sometimes arbitrary. Drivers often receive points for minor infractions that do not necessarily pose a threat to passenger safety.</p> <p>13. Viability: There have been no viability studies or any statistical figures that have been raised by the Council to reflect that we have a problem that warrants this proposal.</p> <p>14. Increased anxiety and stress: as professional drivers who spend our work shift behind the wheel, we already face more pressure than regular drivers; we ferry rowdy, drunk or ill passengers in all weather conditions, day or night, as well as navigating traffic and ever-changing roadworks. Coming to work worrying about receiving penalty points would make drivers more anxious and stressed, and this could lead to more accidents.</p> <p>Due to all the above I would like to voice my rejection to the above proposal.</p>
<p>16.</p>	<p>1/ Hackney Carriage and private hire operators, drivers and vehicles are principally governed by the local government(miscellaneous provisions)act 1976, town police clauses act 1847, councils by laws and rules, regulation and conditions set by the licensing Committee which already covers all code of conduct or breach of conditions. This</p>

	<p>scheme will put additional pressure on drivers on their day to day work which will impact their livelihood whereas the cost of living is already a top concern nationwide.</p> <p>2/ There will be a high possibility of misuse of this scheme by the officers, drivers may be subjected of humiliation depending on nature of individual manner rather than law enforcement.</p> <p>3/ If Brighton and Hove Hackney Carriage office implement this scheme, it will be applicable only for the driver, proprietors and operators licensed by BCCC, but vehicles and drivers are working in this city licensed by other councils. In that case , Brighton and Hove drivers will fall into unfair competition whereas we are already victims of multiple hassles caused by the drivers of other councils. also, different rules cannot be applicable for different drivers.</p> <p>4/ OFFENCE/BREACH of condition no 35 or 42 can be used to subject any driver, proprietor of unfair practice and put them into a legal battle to get their right back which will severely impact their livelihood. Doors of discrimination will be open by implementing this scheme.</p> <p>5/ This penalty point scheme will simply be a additional hassle for drivers, proprietors of vehicles and spreaded out a fear within the trade that more injustices are upcoming.</p> <p>6/ Finally implementing the rules will discriminate against the Brighton taxi licence holders. For example, an Uber driver/licence holder from a different council who comes from out of town will not have to comply with these rules because their council has not adopted the same ones.</p>
<p>17.</p>	<p>I personally have not seen any driver who has indicated a positive response from your this penalty point system.. I feel like we are treated like do as you are told because our voices are not been heard and our opinion doesn't matter..</p> <p>Personally, I absolutely love my job and very passionate about it but the same time am increasingly feel scared, vulnerable and voiceless ...</p>
<p>18.</p>	<p>Without knowing the exact numbers there seems to be as many Lewes and Chichester cabs working in the city will they be penalised under this new point system .If not Brighton cabs who pay into the city will be penalised and the out of town will do as they please because the rules will not concern them .I have regularly seen out of town cars sitting on hackney stands and hanging round the station surely if we're being brought to task they should be penalised under the same rules . This would be one of the obvious concerns I see as I notice these parking issues on a regular basis. Personally I'm not in favour of the proposed system as I think we're regulated enough but I</p>

	thought I'd put my concerns forward. Thanks for the chance to reply to your email
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Dear Brighton & Hove City Council, Hackney Carriage Office.

We, **Brighton and Hove Taxi, Private Hire and Operators Trade Forum-BTPOTDF-**

1-Brighton and Hove Middle East Taxi Forum.

2-Arab Taxi Association.

3-Brighton Station Association.

4-Afghan Taxi Forum.

5-UTDA

6-BSTF.

7-BSF(Cabbies Corner).

8-Radio Cabs.

9-StreamLine.

10-City Cabs.

11-Taxi 4You.

12- Independent Hackney.

13-Brighton Uber Drivers.

are writing to express my deep concern and disappointment regarding the proposed Penalty Points System applying to the taxi drivers in Brighton and Hove.

We believe the Proposal could cause significant challenges and hardships for many hardworking taxi drivers in our community.

While We understand the importance of maintaining high standards and ensuring passenger safety, We believe that the proposed penalty points system may be excessively punitive and does not take into account the unique circumstances that taxi drivers often face. As members of our local community, taxi drivers provide an essential service, and they play a crucial role in our city's transportation network. Our concerns and those of many others in our community are as follows:

1. Driver Shortage: We are facing a shortage of new taxi drivers joining the Brighton & Hove taxi trade (they prefer to join Uber with fewer rules), and imposing penalty points could discourage individuals from entering or staying in the profession.

2. Unfairness: With the cross borders being in place, the Hackney Carriage officers have no enforcement powers over any cars coming from outside the city, allowing these outside drivers to get away with violations BH drivers will be punished for. This is unfair, and this proposal will only create more resentment towards the outside-the-city drivers, conflict and unfair treatment for the local taxis. This can also lead to disappointed customers who might think it is BH drivers who provided dissatisfactory service, when in reality it was out-of-city drivers.

3. Privacy infringement: Under the Proposal, the officers can stop any BH Hackney / Private Hire car at any time. However, as per the vehicle insurance, our cars can be used for private use (time with our families etc) and the vehicle can get messy (we might eat there or move furniture etc). During this time we are private citizens, and should be treated as such.

4. **Complex Violations:** Some violations by taxi drivers may involve complex circumstances or disputes, that are better addressed through arbitration or mediation, rather than a straightforward penalty points system.
5. **Economic Impact:** Considering the current economic impact on taxi drivers and the Council itself, The Proposal will cost money to implement, plus the excessive use of penalty points could lead to financial hardship for drivers.
6. **Focus on Core Issues:** The Council may prioritise addressing more significant issues in the taxi industry, such as safety concerns, vehicle standards, or customer service, and may choose to allocate resources accordingly.
7. **Enhancing vehicle standards:** By applying a Vehicle suitability test every 6 months, rather than waiting for the driver to commit an offence and issuing him a penalty point.
8. **It is already implemented in British Law:** If a driver commits a driving offence, he will be issued with penalty points by the Police and if it is serious, the driver will lose his driving licence and the taxi licence at the same time.
9. **Blue Book:** Brighton and Hove taxi trade rule book, aka 'The Blue Book' already requires a high level of performance from the Taxi Drivers, which sets us apart from the rest of the UK.
10. **Monitoring and Improvement:** The Council may opt for continuous monitoring and improvement programs for taxi services, where they work closely with drivers to identify and rectify issues without resorting to penalty points.
11. **Educate and do not prosecute:** Educating taxi drivers effectively through training courses, communication, online seminars and support as prevention, instead of waiting until the driver makes a mistake to be prosecuted.
12. **Inconsistent Enforcement:** The current application of penalty points (as per the Blue Book) appears to be inconsistent and sometimes arbitrary. Drivers often receive points for minor infractions that do not necessarily pose a threat to passenger safety.
13. **Viability:** There have been no viability studies or any statistical figures that have been raised by the Council to reflect that we have a problem that warrants this proposal.
14. **Increased anxiety and stress:** as professional drivers who spend our work shift behind the wheel, we already face more pressure than regular drivers; we ferry rowdy, drunk or ill passengers in all weather conditions, day or night, as well as navigating traffic and ever-changing roadworks. Coming to work worrying about

receiving penalty points would make drivers more anxious and stressed, and this could lead to more accidents.

Due to all the above We would like to voice my rejection to the above proposal.

Date: 1st Dec. 2023

Name: Ahmed Abuorof (Chairman) **BTPOTDF**

Brighton and Hove Taxi, Private Hire and Operators Trade Forum

Signed:

A handwritten signature in blue ink, appearing to read 'Ahmed Abuorof', written over a set of horizontal lines.



Proposed Penalty Points System

The Brighton & Hove Cab Trade Association is a closed to public, private online group of Brighton & Hove licensed hackney carriage/private hire drivers & proprietors as members. The current collective membership of the group is 504 of which around 50% is directly made up of locally licensed hackney carriage/private hire drivers & proprietors.

The main purpose of the BHCTA is to provide a centralised hub to disseminate local licensing information provided by the Licensing Department and to discuss and debate such matters for representation at the councils regular Taxi Trade Forum.

Guests such as local councillors and local and national media representatives are also members who are welcome to view and participate on the local and national taxi/private hire trade issues and news items.

Specially invited guest taxi reps and trade experts from around the UK are also members which allows for a broader spectrum of inter-local licensing and shared issues.

The hub also provides a very successful local network system of reporting out-of-town cars/drivers to respective licensing authorities of breaches of conditions of licensing, a point of which is quite suitable given the context of the proposed Penalty Points System.

Proposed Penalty Points System

The members of the BHCTA were provided with the following information:

BHCTA Trade Members - Proposed Penalty Points System

You will be aware that B&HCC has proposed to introduce what is commonly known as a 'Penalty Points System' for drivers, proprietors & operators.

Please go to: <https://bhcta.co.uk/pps1> which has the full council details and reasons.

The Penalty Points Table can be viewed at: <https://bhcta.co.uk/pps2>

This is following a recommendation for such a system as outlined in the 2022 DoT '**Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England**'. **Consultation Guide. Please view that section here.** <https://bhcta.co.uk/Dot-Penalty-Enforcement>

At the Trade Forum meeting at the town hall on September 13 2023 I stated, as minuted:

"AP – Was against it 8 years ago but I was happier this time around now that there is an appeal process in place, but that also needs to be improved and that it was better to work with the council then against it.

I will present a balanced view to my group view on why it should be introduced as well as reasons why it should not be introduced noting that this would not apply to out-of-town drivers who work here without respective enforcement."

Therefore, I am offering an unbiased and hopefully balanced platform here for discussion on the PPS proposal.

The consultation runs until November 19 and nearer that date a poll will be available here but restricted to Brighton & Hove licensed drivers. Whatever that decision is will be presented to Licensing and may also contain various comments raised.

The report of the trade consultation will go to the Licensing Committee in February 2024.

Reasons for a PPS

Looking through the PPS clauses it would be considered that it would not apply to a good 90% of the drivers/proprietors and none of the operators. As stated by Licensing.

Of that low 5% that it may apply to it could be the case that these drivers are not quite up to the standard as their colleagues which is where the PPS could be used to raise their standards in offering the facility to avoid a possible suspension of a driver/vehicle licence.

One of the main complaints that a lot of drivers have is 'Cherry Picking' of jobs from the ranks. This has been discussed many times by the Trade Reps at the forum meetings with Licensing and councillors. This is often an issue raised on the BHTPH Whatsapp group. Trade Reps have asked Licensing to take action several times such as with Secret Shoppers. So, with a PPS in place, Licensing would be able to deal with this in an appropriate way.

At a fairly recent 'Multi-Agency Joint Enforcement' two Brighton & Hove cars were found to have defective tyres down to the cords which is not acceptable under any circumstances. In this case under Clause 43 of the PPS the driver of the vehicle would receive 3 points as a warning.

Reason against a PPS

The 'Best Practice Guide' is not law so no council is compelled to have this in place.

However, although Lewes DC does have a PPS, this seems hardly worth the paper it is written on based on the very clear fact Lewes Enforcement on Lewes drivers and cars that predominantly work here in the city is non-existent.

So, whilst the Brighton & Hove trade has continuous Enforcement carried out around the city, Lewes drivers/car can work here without fear of ever having the PPS used against them.

Just the plain fact that over the last couple of years over 130 reports of breaches of Lewes vehicle conditions of licencing have been sent to Lewes Licensing from the Brighton & Hove trade which speaks volumes of:

1: The disregard that some Lewes drivers have of standards

2: The disregard that Lewes Licensing has on Enforcement, being reliant on the Brighton & Hove trade to supply such information.

Brighton & Hove drivers may consider that the PPS will be oppressive with overzealous Licensing Officers, which may not now be the case, but could be in the future.

I would advise that if there are specific concerns then it would be best to contact Licensing directly to pose any specific questions. hco@brighton-hove.gov.uk

However, I am prepared to send in such questions and concerns on behalf of drivers to Licensing and to have the replies posted back on here.

I may also be able to directly address some questions.

There is a petition against the PPS which has been organised via the BHT&P H Whatsapp group which you can go to here:

<https://chnq.it/mrvnmjKj>

However, I must point out that the petition (oddly) **supports six monthly compliance tests** which has not been an item of discussion by the taxi trade forum. So please be aware of this should you sign it after fully reading it.

AP – BHCTA Admin

Penalty Points System – Full Details

The full details of the PPS consultation that was provided by the licensing department was made available for the BHCTA members to read and download from the BHCTA website at: bhcta.co.uk/pps1

BHCTA – Online Poll

The provision of an online poll was available to vote either 'For' the PPS, 'Against' it, or if 'Undecided'.

The poll was restricted to voting by only Brighton & Hove licensed drivers/proprietors.

The result of the poll of those members who took part was:

47 Against - 2 For

The poll demonstrates that the introduction of a Penalty Points System is not supported.

Comments & Concerns

The Licensing Department & Licensing Committee may like to address the following comments submitted by drivers:

"I would have voted yes, because if you "walk the line" you should have nothing to fear. My problem with it, is you can accrue too many points for just making mistakes...you don't have to do anything "bad" to lose your licence through "totting up". I also think the expiry time for points should be 12 months in the case of "minor faults" and 24 for something major."

"My problem with this is if you are wrongly accused of something like I was and you receive a letter from the police to prove your innocent which I did all at my own expense, will the council reimburse your costs? I was accused of do something on a day I could clearly prove that I wasn't even working."

Out-of-Town Uncontrolled Enforcement

The council will be aware of the massive numbers of drivers/cars that are not licensed by Brighton & Hove council from Lewes, Chichester, Southampton, Portsmouth, Havant and other areas that predominantly work here in the city.

Based on this, one main concern that was not only raised in the general discussion within the BHCTA, but also a point raised within the local trade is the complete lack of respective local licensing enforcement on these 'Out-of-Town' cars.

On this basis there is concern that whilst the locally licensed trade would be under a Penalty Point System for misdemeanours/breaches of licensing conditions, those 'Out-of-Town' cars will continue to work here in the city without any care of being penalised under any such Penalty Point System.

This argument is even more pertinent considering that Chichester, Havant, Southampton, Portsmouth or Havant do not currently have such a Penalty Points System in place.

Lewes District Council & Eastbourne Borough Council both have a Penalty Points System and whilst we do not have Eastbourne BC private hire drivers/vehicle predominantly working in the city, there are a huge number of Lewes DC private hire drivers/vehicles that do. In fact, there is no hesitation in stating that the vast majority of the 400+ Lewes private hire vehicles never leave Brighton & Hove and work here uncontrolled.

Along with all the other 'Out-of-Town' drivers/vehicles, these work 'out-of-sight' and 'out-of-mind' of Lewes Licensing Enforcement and it is **only** the local taxi network here that continues to provides evidence of breaches of respective licensing conditions which to date has been in excess of over 130 reports. This includes such drivers/vehicles using taxi ranks in the city. Many similar reports have been sent to Southampton, Chichester and Portsmouth Licensing Departments and it is pleasing to say that the Licensing Officers from these areas respond and act very quickly, unlike our experience with the Lewes Licensing Department that never replies to any reports although unknown action may still have be taken.

On this basis would it be fair to impose a Penalty Point System on the Brighton & Hove licensed taxi trade when 'Out-of-Town' drivers/vehicles predominantly work here without any fear or concern about being penalised for breaching respective licensing conditions?

If the council does introduce a Penalty Points System, then the Brighton & Hove licensed taxi/private hire trade needs assurance that a new robust system is in place where a better way of reporting is provided to the local taxi trade. This is not only for breaches of respective licensing conditions but also for the direct reporting of the abuse of the city ranks being used without care or concern by 'Out-of-Town' cars.

Whilst Lewes DC does at times participate in the 'Joint Enforcement Agency Operations' in the city, which involves the Brighton & Hove Licensing, Police, DVSA and 'occasionally' Licensing Officers from other areas, there are no other times when there is Lewes Licensing Enforcement in the city, nor indeed Licensing Enforcement from all the other areas

This is quite an ironic situation where there can be as many drivers/vehicles not licensed by Brighton & Hove Council working in the city as there are fully licensed Brighton & Hove private hire and hackney carriage drivers/vehicles

It is known that Brighton & Hove council has a concordant arrangement with Lewes District Council which provides a limited level of Enforcement on Lewes DC licensed drivers/vehicles.

The council should ask the Lewes Licensing department for a public statement on its methods of Enforcement of its licensed vehicles that predominantly work here in the city. Additionally, as to whether its own Penalty Points System is applied when such vehicles are in breach of conditions of licensing when working outside of the Lewes Licensing Authority and where these use the city taxi ranks.

For example, the Lewes PPS states:

'6: Private hire vehicle parking or waiting on a taxi rank - 9 Points'

Does this apply to when using Brighton & Hove taxi ranks?

Conclusion

- The BHCTA poll on the introduction of a Penalty Points System shows that this is not supported.
- This is especially relevant where the city is flooded with drivers/vehicles that predominantly work here, 'Out-of-Sight' and 'Out-of-Mind' of respective local Licensing Enforcement.
- If a Penalty Points System is put in place, then the Brighton & Hove taxi/private hire trade needs full assurance that a robust and swift acting protocol will be put in place to deal with out-of-town cars that commit offences within the city.

Andrew Peters

BHCTA

November 28 2023

Penalty Points System – How does it work?



Brighton & Hove City Council

Licensing Committee (Non-Licensing Functions)

Agenda Item 26

Subject: Hackney Carriage Fare Review

Date of meeting: 13 February 2024

Report of: Executive Director of Housing, Neighbourhoods, and Communities

Contact Officer: Name: Martin Seymour
Tel: 01273 296659
Email: martin.seymour@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 To seek the Committee's approval and authority to advertise proposed fare increases following the hackney carriage trade's request for an increase in fares.

2. Recommendations

2.1 That Committee approves the proposed fare increases and authorises the Head of Safer Communities to advertise the proposed variation in fares and invite any objections in accordance with the legal requirements.

2.2 Agree that if no objections are made, or if any objections which are made are withdrawn, the varied table of fares will come into force in accordance with the statutory scheme.

2.3 Reconsider the matter at the next meeting of this Committee if valid objections are made but not withdrawn. As there are strict legal timescales relating to fare reviews a special meeting of this Committee may be required.

3. Context and background information

3.1 The council may fix the rates for hackney carriage fares within the district as well as time and distance and all other charges in connection with the hire of a vehicle or with the arrangements for hire of a vehicle to be paid in respect of the hire of a hackney carriage. The council does not have the power to set private hire vehicle fares but historically the local operators follow the hackney carriage tariffs set by the council.

- 3.2 On the 17 November 2023 the Department for Transport published its updated Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England. [Best Practice Guidance](#)
- 3.3 The Best Practice Guidance refers to Setting taxi fare rates.

10.2 Setting taxi fare rates

Maximum fare rates should be designed with a view to practicality and reviewed regularly, including any variability of the fare rates dependent on time of day or day of the week. Authorities should consider adopting a simple formula for deciding on fare changes as this will increase understanding and improve the transparency of the process for passengers. The Department recommends that in reviewing fare rates, authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give taxi drivers the ability to earn a sufficient income and so incentivise them to provide a service when it is needed. There is likely to be a case for higher fare tariffs at times of higher demand to encourage more drivers to make themselves available or when the journeys are required at anti-social times.

To ensure that taxi tariffs reflect the costs of the trade they should be reviewed following significant changes in licensing fees and other major costs such as fuel. Regular reviews will assist drivers in maintaining their earnings and so continue to attract those seeking to become taxi drivers and provide existing licensees with greater confidence to remain in the trade and plan for future investment in new vehicles. Regular reviews will also avoid large changes in fares for passengers that infrequent reviews are more likely to result in.

- 3.4 The Trade have submitted the following reasons for requesting a fare increase at this time:

As requested I've collected the forum's reasons to justify our request for the agreed fare review.

- Most importantly to keep tabs on the rate of inflation. As shown in the calculation tables, our detailed fare request matches just under the CPI rate tracked from August 2019 to now.*
- Increased expenditures to keep our vehicles on the road, and licensed to the high standards demanded by the blue book which we are proud to comply with. Fuel has levelled off for now, however it is still a lot higher than back in 2019. Insurance however, has sky rocketed to an average of around 20% increases for most renewal quotes seen this year!*
- Unfortunately we have dropped from 8th to 41st in the national fares table comparing with all the UK LA's. Our calculations simply place us back to 11th in table.*
- Government living wage going to £11.44 per hour so we need to work backwards in costs to make sure this is achievable for the lowest paid*

ie a journeyman. So a journeyman on 50/50 would need to take at least £22.88 per hour to collect living wage if he wasn't 50/50 on fuel.

- *We are NOT requesting a flag fall increase. Simply just a yardage decrease to make it a fairer adjustment for journeys of all lengths across the board. Keeping the flag fall low protects those vulnerable customers taking shorter journeys through necessity, whilst not necessarily being able to afford a taxi. Keeping that initial flag fall where it is really does limit the impact for those customers mentioned above, and enables them to manage any increase in their journeys.*

The way we have engineered this years fare review will enable our drivers and proprietors to maintain their licensed vehicles, whilst simultaneously providing for their families and themselves. The current rate of inflation increase has slowed, however it is still well above the Bank of England's target of 2%. Any rate of inflation means goods and services must follow in order to maintain any reasonable standard of living. We can see the council recognises this, with the proposed increased licensing fees table sent out a couple of months ago. Business sectors up and down the country have demonstrated their empathy towards their workforces, Introducing similar increases to battle the current cost of living crisis. Moving forward, using the calculations table provided we will easily be able to check the suitability and sustainability for any future fare review increases. We will be looking to review this on an annual basis.

- 3.4 Applications for hackney carriage fare increases are made through the Taxi Forum and based on the Consumer Price Index (CPI) inflation produced by the Office of National Statistics. If the consensus of the trade agrees with a fare increase, representatives of the trade will be called to a meeting to discuss any proposals with officers of the Council and the lead councilor of the licensing committee who will then present any proposal agreed by that meeting to the next available meeting of the Licensing Committee for their consideration.
- 3.5 The proposal from the trade is based on the Consumer Price Index (CPI) inflation produced by the Office of National Statistics which shows the increase in CPI inflation from August 2019 to September 2023 to be 20.12%. The proposal gives an increase of 18.61% since August 2019 which is below the CPI rate and approximately 8.4% increase since the last increase in October 2022.
- 3.6 The proposal from the trade equates to a 30p increase per mile to £3.00 and the proposed Table of fares can be seen at Appendix 1 and a % change tables can be seen at Appendix 2.
- 3.7 Tariffs 6 to 10 are in effect 1.5 x the tariffs of 1 to 5 which was introduced to encourage proprietors purchasing wheelchair accessible vehicles and is applied to vehicles carrying 5 or more passengers.
- 3.8 Currently in the national league tables for fares shows that Brighton & Hove is positioned joint 44th (December 2023) for Tariff 1 at the 2-mile point and

9. Equalities implications

- 9.1 Licensing authorities must ensure that a safe hackney carriage and private hire vehicle service is freely available to meet the demand across all sectors of the public, especially those vulnerable groups to whom a taxi or private hire vehicle is often the only means of completing a journey.

10. Sustainability implications

- 10.1 The role of the taxi trade is included in the Local Transport Plan, which identifies it as a key element in providing sustainable transport choices. It creates important links in the transport network to other forms of sustainable transport providing a seamless connection. It will contribute to three of the government's four shared transport priorities – reducing congestion, improving air quality and accessibility. Use of taxis for school transport, licensed vehicles using bus lanes, locating ranks at railway stations and the city coach station, approved use of liquid petroleum gas and provision of Rapid Charging Hubs all contribute to reducing congestion and moving passengers quickly.

11. Other Implications

None

Supporting Documentation

1. Appendices

1. Proposed Tariff Card
2. % Change Sheets for proposed tariffs
3. League Table

CURRENT TARIFF

TARIFF 1		TARIFF 2		TARIFF 3		TARIFF 4		TARIFF 5	
Name :	TARIFF 1	Name :	TARIFF 2	Name :	TARIFF 3	Name :	TARIFF 4	Name :	TARIFF 5
Date:	01/10/2022	Date:	01/10/2022	Date:	01/10/2022	Date:	01/10/2022	Date:	01/10/2022
Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00
Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)
Flag fall:	£3.00 A	Flag fall:	£4.00 A	Flag fall:	£5.00 A	Flag fall:	£4.50 A	Flag fall:	£6.00 A
Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B
Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C
Price unit :	0.3 D	Price unit :	0.3 D	Price unit :	0.3 D	Price unit :	0.45 D	Price unit :	0.6 D
Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54

PROPOSAL - Feb 2024

TARIFF 1		TARIFF 2		TARIFF 3		TARIFF 4		TARIFF 5	
Name :	TARIFF 1	Name :	TARIFF 2	Name :	TARIFF 3	Name :	TARIFF 4	Name :	TARIFF 5
Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00
Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)
Flag fall:	£3.00 A	Flag fall:	£4.00 A	Flag fall:	£5.00 A	Flag fall:	£4.50 A	Flag fall:	£6.00 A
Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B
Unit thereafter:	176 C	Unit thereafter:	176 C	thereafter:	176 C	Unit thereafter:	176 C	Unit thereafter:	176 C
Price unit :	0.3 D	Price unit :	0.3 D	Price unit :	0.3 D	Price unit :	0.45 D	Price unit :	0.6 D
Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54

PROPOSAL Oct-22

Distance (miles)	TARIFF 1			Distance (miles)	TARIFF 2			Distance (miles)	TARIFF 3			Distance (miles)	TARIFF 4			Distance (miles)	TARIFF 5		
	Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change
Flag	£3.00	£3.00	0.00%	Flag	£4.00	£4.00	0.00%	Flag	£5.00	£5.00	0.00%	Flag	£4.50	£4.50	0.00%	Flag	£6.00	£6.00	0.00%
1	£5.40	£5.70	5.56%	1	£6.40	£6.70	4.69%	1	£7.40	£7.70	4.05%	1	£8.10	£8.55	5.56%	1	£10.80	£11.40	5.56%
2	£8.10	£8.70	7.41%	2	£9.10	£9.70	6.59%	2	£10.10	£10.70	5.94%	2	£12.15	£13.05	7.41%	2	£16.20	£17.40	7.41%
3	£10.80	£11.70	8.33%	3	£11.80	£12.70	7.63%	3	£12.80	£13.70	7.03%	3	£16.20	£17.55	8.33%	3	£21.60	£23.40	8.33%
4	£13.50	£14.70	8.89%	4	£14.50	£15.70	8.28%	4	£15.50	£16.70	7.74%	4	£20.25	£22.05	8.89%	4	£27.00	£29.40	8.89%
5	£16.20	£17.70	9.26%	5	£17.20	£18.70	8.72%	5	£18.20	£19.70	8.24%	5	£24.30	£26.55	9.26%	5	£32.40	£35.40	9.26%
6	£18.90	£20.70	9.52%	6	£19.90	£21.70	9.05%	6	£20.90	£22.70	8.61%	6	£28.35	£31.05	9.52%	6	£37.80	£41.40	9.52%
7	£21.60	£23.70	9.72%	7	£22.60	£24.70	9.29%	7	£23.60	£25.70	8.90%	7	£32.40	£35.55	9.72%	7	£43.20	£47.40	9.72%
8	£24.00	£26.70	11.25%	8	£25.00	£27.70	10.80%	8	£26.00	£28.70	10.38%	8	£36.00	£40.05	11.25%	8	£48.00	£53.40	11.25%
9	£26.70	£29.70	11.24%	9	£27.70	£30.70	10.83%	9	£28.70	£31.70	10.45%	9	£40.05	£44.55	11.24%	9	£53.40	£59.40	11.24%
10	£29.40	£32.70	11.22%	10	£30.40	£33.70	10.86%	10	£31.40	£34.70	10.51%	10	£44.10	£49.05	11.22%	10	£58.80	£65.40	11.22%

Average Increase 8.40%
Average from 2019 18.61%

7.88%
17.33%

7.44%
N/A

8.40%
18.61%

8.40%
18.61%

Note: CPI 20.12% From August 2019 to September 2023

Proposal Feb 24

CURRENT TARIFF

TARIFF 6		TARIFF 7		TARIFF 8		TARIFF 9		TARIFF 10	
Name :	TARIFF 6	Name :	TARIFF 7	Name :	TARIFF 8	Name :	TARIFF 9	Name :	TARIFF 10
Date:	01/03/2022	Date:	01/03/2022	Date:	N/A	Date:	01/03/2022	Date:	01/03/2022
Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00
Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)	Wait:	36 (secs)
Flag fall:	£4.50 A	Flag fall:	£6.00 A	Flag fall:	£7.50 A	Flag fall:	£6.75 A	Flag fall:	£9.00 A
Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B	Initial yardage:	293 B
Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C	Unit thereafter:	197 C
Price unit :	0.45 D	Price unit :	0.45 D	Price unit :	0.45 D	Price unit :	0.7 D	Price unit :	0.9 D
Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54

PROPOSAL - N Feb-24

TARIFF 6		TARIFF 7		TARIFF 8		TARIFF 9		TARIFF 10	
Name :	TARIFF 6	Name :	TARIFF 7	Name :	TARIFF 8	Name :	TARIFF 9	Name :	TARIFF 10
Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00	Soiling charge:	£100.00
Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)	Wait:	54 (secs)
Flag fall:	£4.50 A	Flag fall:	£6.00 A	Flag fall:	£7.50 A	Flag fall:	£6.75 A	Flag fall:	£9.00 A
Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B	Initial yardage:	176 B
Unit thereafter:	176 C	Unit thereafter:	176 C	thereafter:	176 C	Unit thereafter:	176 C	Unit thereafter:	176 C
Price unit :	0.45 D	Price unit :	0.45 D	Price unit :	0.45 D	Price unit :	0.7 D	Price unit :	0.9 D
Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54	Initial Waiting Time (secs):	54

Distance (miles)	TARIFF 6			Distance (miles)	TARIFF 7			Distance (miles)	TARIFF 8			Distance (miles)	TARIFF 9			Distance (miles)	TARIFF 10		
	Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change		Current	Proposed	% Change
Flag	£4.50	£4.50	0.00%	Flag	£6.00	£6.00	0.00%	Flag	£7.50	£7.50	0.00%	Flag	£6.75	£6.75	0.00%	Flag	£9.00	£9.00	0.00%
1	£8.10	£8.55	5.56%	1	£9.60	£10.05	4.69%	1	£11.10	£11.55	4.05%	1	£12.35	£13.05	5.67%	1	£16.20	£17.10	5.56%
2	£12.15	£13.05	7.41%	2	£13.65	£14.55	6.59%	2	£15.15	£16.05	5.94%	2	£18.65	£20.05	7.51%	2	£24.30	£26.10	7.41%
3	£16.20	£17.55	8.33%	3	£17.70	£19.05	7.63%	3	£19.20	£20.55	7.03%	3	£24.95	£27.05	8.42%	3	£32.40	£35.10	8.33%
4	£20.25	£22.05	8.89%	4	£21.75	£23.55	8.28%	4	£23.25	£25.05	7.74%	4	£31.25	£34.05	8.96%	4	£40.50	£44.10	8.89%
5	£24.30	£26.55	9.26%	5	£25.80	£28.05	8.72%	5	£27.30	£29.55	8.24%	5	£37.55	£41.05	9.32%	5	£48.60	£53.10	9.26%
6	£28.35	£31.05	9.52%	6	£29.85	£32.55	9.05%	6	£31.35	£34.05	8.61%	6	£43.85	£48.05	9.58%	6	£56.70	£62.10	9.52%
7	£32.40	£35.55	9.72%	7	£33.90	£37.05	9.29%	7	£35.40	£38.55	8.90%	7	£50.15	£55.05	9.77%	7	£64.80	£71.10	9.72%
8	£36.00	£40.05	11.25%	8	£37.50	£41.55	10.80%	8	£39.00	£43.05	10.38%	8	£55.75	£62.05	11.30%	8	£72.00	£80.10	11.25%
9	£40.05	£44.55	11.24%	9	£41.55	£46.05	10.83%	9	£43.05	£47.55	10.45%	9	£62.05	£69.05	11.28%	9	£80.10	£89.10	11.24%
10	£44.10	£49.05	11.22%	10	£45.60	£50.55	10.86%	10	£47.10	£52.05	10.51%	10	£68.35	£76.05	11.27%	10	£88.20	£98.10	11.22%

Average Increase 8.40%
Average from 2019 18.61%

7.88%
17.33%

7.44%
N/A

8.46%
21.84%

8.40%
18.61%

Note: CPI 20.21% From August 2019 to September 2023

THE NATIONAL HACKNEY FARES TABLE

DECEMBER 2023

NATIONAL AVERAGE 2 MILE HACKNEY FARE TARIFF ONE IS NOW £7.22

RISE IN 2023	
RISE IN 2022	
RISE IN 2021	RISE IN 2014
RISE IN 2020	RISE IN 2013
RISE IN 2019	RISE IN 2012
RISE IN 2018	RISE IN 2011
RISE IN 2017	RISE IN 2010
RISE IN 2016	RISE IN 2009
RISE IN 2015	NO SET FARE

UPDATED DAILY
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POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
1	£14.20	LONDON (HEATHROW)
2	£10.40	TIL
3	£10.40	EPSOM & EWELL
4	£10.00	GUILDFORD
5	£9.70	LUTON AIRPORT
6	£9.40	CARADON
7	£9.40	NORTH CORNWALL
8	£9.50	ELMBROGE
9	£9.26	JERSEY
10	£9.15	ST ALBANS
11	£9.00	READING
12	£8.80	MIDLOTHIAN
13	£8.70	GUERNSEY
14	£8.70	SEVENOAKS
15	£8.70	WOKING
16	£8.60	WEST BERKSHIRE
17	£8.52	PERWITH
18	£8.50	GREAT YARMOUTH
19	£8.50	STROUD

POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
20	£8.50	CLACKMANNAN
21	£8.40	CHELTENHAM
22	£8.40	EAST SUFFOLK (NORTH)
23	£8.40	EDINBURGH
24	£8.40	LEEDS
25	£8.40	MD SUSSEX
26	£8.40	SOUTHAMPTON
27	£8.40	TONBRIDGE & MALLING
28	£8.40	WATFORD
29	£8.30	HUNTINGDONSHIRE
30	£8.30	LINCOLN
31	£8.30	UTTERSFORD
32	£8.20	BCP
33	£8.20	BROXBORNE
34	£8.20	CARRICK
35	£8.20	MID HERTS
36	£8.20	GLASSOW
37	£8.20	HART
38	£8.20	MANCHESTER
39	£8.20	RESTORMEL
40	£8.20	WOKINGHAM
41	£8.20	WORKING
42	£8.11	FOREST OF DEAN
43	£8.10	BRENTWOOD
44	£8.10	BRIGHTON & HOVE
45	£8.10	PLYMOUTH
46	£8.10	SOUTH OXFORDSHIRE
47	£8.10	VALE OF WHITE HORSE
48	£8.08	MOLE VALLEY
49	£8.05	CENTRAL BEDFORDSHIRE
50	£ 8.00	ARUN
51	£8.00	BRECKLAND
52	£8.00	COVENTRY
53	£8.00	MAIDSTONE
54	£8.00	NOTTINGHAM
55	£8.00	RIBBLE VALLEY
56	£8.00	RUSHCLIFFE
57	£8.00	TANDRIDGE
58	£8.00	TORRIDGE
59	£8.00	TUNBRIDGE WELLS
60	£8.00	YORK
61	£7.90	ISLE OF MAN
62	£7.90	ROTHER
63	£7.90	SHALE
64	£7.80	ADUR
65	£7.80	BRACKNELL FOREST
66	£7.80	EASTBOURNE
67	£7.80	HASTINGS
68	£7.80	NORTH YORKSHIRE
69	£7.80	SOUTH GLOUCESTER
70	£7.80	SOUTH HAMS
71	£7.80	SURREY HEATH
72	£7.80	WAVERTLEY
73	£7.70	CHELMSFORD
74	£7.70	DACROMB
75	£7.70	HIGH PEAK
76	£7.70	SHWIND
77	£7.70	WALDON
78	£7.60	EAST DEVON
79	£7.60	WILTSHIRE
80	£7.62	SHEPHERD ISLES
81	£7.60	BASINGSTOCK & DEANE
82	£7.60	BRISTOL
83	£7.60	EAST AYRSHIRE
84	£7.60	FFE

POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
85	£7.60	KERRER
86	£7.60	MONMOUTHSHIRE
87	£7.60	RUSHMOOR
88	£7.60	SOUTH SOMERSET
89	£7.60	STEVENAGE
90	£7.60	TEST VALLEY
91	£7.60	THREE RIVERS
92	£7.60	WEYMOUTH & PORTLAND
93	£7.60	WINCHESTER
94	£7.51	TORRAY
95	£7.50	BATH & N. E. SOMERSET
96	£7.50	CARDIFF
97	£7.50	CHESTER
98	£7.50	DIETER
99	£7.50	IPSWICH
100	£7.50	MID SUFFOLK
101	£7.50	MILTON KEYNES
102	£7.50	NORTH HERTS
103	£7.50	OXFORD CITY
104	£7.50	SOUTH NORFOLK
105	£7.50	TAMESIDE
106	£7.40	BIRMINGHAM
107	£7.40	CANTERBURY
108	£7.40	EAST HAMPSHIRE
109	£7.40	EAST RENFREW
110	£7.40	EASTLEIGH
111	£7.40	GLOUCESTER
112	£7.40	LEICESTER
113	£7.40	LEWES
114	£7.40	NORTH TYNESIDE
115	£7.40	PORTSMOUTH UA
116	£7.40	SOUTHULL
117	£7.40	SOUTH AYRSHIRE
118	£7.40	TEWKESBURY
119	£7.40	WEST OXFORD
120	£7.37	NEWARK & SHERWOOD
121	£7.35	NEW FOREST
122	£7.30	ZAFHOD
123	£7.30	BLACKBURN
124	£7.30	CAMBRIDGE CITY
125	£7.30	DARTFORD
126	£7.30	DURHAM COUNTY COUNCIL
127	£7.30	NORTH DEVON
128	£7.30	NORWICH
129	£7.30	SHROPSHIRE
130	£7.30	SOUTH CAMBRIDGE
131	£7.26	MORAY
132	£7.26	TEIGNBRIDGE
133	£7.25	NUNEATON & BEDWORTH
134	£7.20	BASILDON
135	£7.20	DENBY
136	£7.20	DORSET
137	£7.20	GOSPORT
138	£7.20	HARLOW
139	£7.20	NORTH EAST LINCOLNSHIRE
140	£7.20	BRIGHTON & BANSTEAD
141	£7.20	SLOUGH
142	£7.20	STOCKPORT
143	£7.20	WEST NORTHANTS
144	£7.20	WEST SUFFOLK
145	£7.16	CHESTERFIELD
146	£7.14	TAMWORTH
147	£7.13	ARMYLL & BUTE
148	£7.10	COTSWOLD
149	£7.10	CRAWLEY

POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
150	£7.10	DOVER
151	£7.10	HIGHLAND
152	£7.10	ISLE OF WIGHT
153	£7.10	MENDIP
154	£7.10	OLDHAM
155	£7.10	RUGBY
156	£7.10	WINDSOR & MAIDENHEAD
157	£7.10	RUNNYMEDE
158	£7.09	HARBOROUGH
159	£7.05	BARBERGH
160	£7.00	BROMSGROVE
161	£7.00	CARLISLE
162	£7.00	CARMARTHENSHIRE
163	£7.00	CHESTER
164	£7.00	EAST LOTHIAN
165	£7.00	GRAVESHAM
166	£7.00	HERTSMERE
167	£7.00	HORSHAM
168	£7.00	KINGS LYNN & WEST NORFOLK
169	£7.00	MACCLESFIELD
170	£7.00	MIDWAY
171	£7.00	NEWPORT
172	£7.00	Pembrokeshire
173	£7.00	SWANSEA
174	£7.00	WELWYN HATFIELD
175	£7.00	WESTERN ISLES
176	£6.92	SANDWELL
177	£6.90	BRAINTREE
178	£6.90	BURY
179	£6.90	COLCHESTER
180	£6.90	WORCESTER CITY
181	£6.90	AMBER VALLEY
182	£6.90	BEDFORD
183	£6.80	BOSTON
184	£6.80	BROGEND
185	£6.80	BROXTOWE
186	£6.80	CEREDIGION
187	£6.80	EAST CAMBRIDGESHIRE
188	£6.80	EAST LINCOLN
189	£6.80	KINGSTON-UPON-HULL
190	£6.80	LIVERPOOL
191	£6.80	MANSFIELD
192	£6.80	MID DEVON
193	£6.80	NORTH KESTEVEN
194	£6.80	NORTH NORTHANTS
195	£6.80	NORTH WARWICK
196	£6.80	SEDEGMOOR
197	£6.80	SOMERSET WEST & TAUNTON
198	£6.80	S. LANARKSHIRE (Central/West)
199	£6.80	SOUTH STAFFORDSHIRE
200	£6.80	SOUTHEND ON SEA
201	£6.80	TENDRING
202	£6.80	TRAFFORD
203	£6.80	VALE OF GLAMORGAN
204	£6.80	WEST LOTHIAN
205	£6.80	WIDAN
206	£6.80	WIRRAL
207	£6.80	WOLVERHAMPTON
208	£6.79	DUNDEE CITY
209	£6.75	CHARWOOD
210	£6.74	ABERDEENSHIRE
211	£6.72	MALVERN HILLS
212	£6.70	ANGUS
213	£6.70	BLARY
214	£6.70	CONGLETON

POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
215	£6.70	EAST DUNBARTONSHIRE
216	£6.70	FYLDE
217	£6.70	NORTH SOMERSET
218	£6.70	CADRY & WIGSTON
219	£6.70	SHEFFIELD
220	£6.70	SOUTH LAKELAND
221	£6.60	ABERDEEN CITY
222	£6.60	CARNOCK CHASE
223	£6.60	CONWAY
224	£6.60	DUDLEY
225	£6.60	EDEN
226	£6.60	FARHAM
227	£6.60	FOLKESTONE & HYTHE
228	£6.60	HAVANT
229	£6.60	LANCASTER
230	£6.60	NORTH LINCOLNSHIRE
231	£6.60	ROCHFORD
232	£6.60	S. LANARKSHIRE (E. & West)
233	£6.60	SOUTH TYNESIDE
234	£6.60	STRATFORD ON AVON
235	£6.60	SUNDERLAND
236	£6.60	WAKEFIELD
237	£6.50	MARROW IN FURNESS
238	£6.50	BASSETLAW
239	£6.50	CALDERDALE
240	£6.50	DUMFRIES & GALLOWAY
241	£6.50	ERERASH
242	£6.50	GESLING
243	£6.50	HALTON
244	£6.50	LUTON
245	£6.50	ORNEY
246	£6.50	ROSENDALE
247	£6.50	SEFTON
248	£6.50	STAFFORD
249	£6.50	STIRLING
250	£6.50	TORVAEN
251	£6.48	DONCASTER
252	£6.40	HYNDURN
253	£6.40	BLAENAU GWENT
254	£6.40	CASTLE POINT
255	£6.40	COUNTY OF HEREFORD
256	£6.40	CREWE & NANUTWICH
257	£6.40	DERBYSHIRE DALES
258	£6.40	ELLESMERE PORT
259	£6.40	HINCKLEY & BOSWORTH
260	£6.40	MILTON
261	£6.38	NORTH AYRSHIRE
262	£6.40	NORTHUMBERLAND
263	£6.40	WEST LINCOLN
264	£6.38	WYRE
265	£6.38	WARRINGTON
266	£6.33	PERTH & KINROSS
267	£6.30	ANGLESEY
268	£6.30	BARNLEY
269	£6.30	CLYDEBANK
270	£6.30	DARLINGTON
271	£6.30	SOUTH HOLLAND
272	£6.30	SOUTH RIBBLE
273	£6.30	ST HELENS
274	£6.25	REDDITCH
275	£6.21	THANET
276	£6.20	CHORLEY
277	£6.20	COPELAND
278	£6.20	EAST SUFFOLK SOUTH
279	£6.20	FAIRFAX

POSITION	TARIFF ONE 2 MILE FARE	COUNCIL
280	£6.20	FENLAND
281	£6.20	NEWCASTLE-UPON-TYNE
282	£6.20	SPELTHORNE
283	£6.20	WYCHAVON
284	£6.15	RENFREWSHIRE
285	£6.14	WYRE FOREST
286	£6.10	BRADFORD
287	£6.10	S. LANARKSHIRE (Central)
288	£6.06	NORTHERN IRELAND
289	£6.05	SCOTTISH BORDERS
290	£6.00	ALLERDALE
291	£6.00	BLACKPOOL
292	£6.00	BOSTON
293	£6.00	BUCKINGHAMSHIRE
294	£6.00	DENBIGHSHIRE
295	£6.00	DUNBARTON & VALE OF LEVEN
296	£6.00	EAST STAFFORDSHIRE
297	£6.00	GATEHEAD
298	£6.00	GWYNEDO
299	£6.00	KIRKLEES
300	£6.00	KNOWSLEY
301	£6.00	NORTH WEST LEBECSTER
302	£6.00	PETERBOROUGH
303	£6.00	POWYS
304	£6.00	PRESTON
305	£6.00	ROTHERHAM
306	£6.00	SALFORD
307	£6.00	TILFORD & WREKIN
308	£6.00	THURROCK
309	£6.00	WARWICK
310	£5.90	STOKE-ON-TRENT UA
311	£5.90	VALE ROYAL
312	£5.90	MILLSALL
313	£5.85	EAST RIDING
314	£5.80	TUNTSHIRE
315	£5.80	WICHFIELD
316	£5.80	MERTHYR TYDFIL
317	£5.80	HEATH PORT TALBOT
318	£5.80	NORTH NORFOLK
319	£5.80	RHONDDA CYNON TAFF
320	£5.75	NORTH EAST DERBYSHIRE
321	£5.70	CAERPHILLY
322	£5.60	ASHFIELD
323	£5.60	NORTH LANARKSHIRE
324	£5.60	GLANARSHIRE (North)
325	£5.60	WROTHAM
326	£5.55	NEWCASTLE-UNDER-LYNE
327	£5.54	INVERCLYDE
328	£5.50	EPPING FOREST
329	£5.50	PENKLE
330	£5.50	BIDCAR & CLEVELAND
331	£5.50	ROCHDALE
332	£5.40	HARTLEPOOL
333	£5.30	SOUTH KESTEVEN
334	£5.20	STAFFS MOORLANDS
335	£5.20	WEST LANCASHIRE
336	£5.10	STOCKTON ON TEES
337	£5.08	CHERWELL
338	£5.00	BURNLEY
339	£4.90	MIDDLESBROUGH
340	£4.60	BOLSOVER
341	£	BALDON
342	£	BUTLAND
343	£	SOUTH DERBYSHIRE
344	£	WEST DEVON

