

LR000 Policy Departure for Driving Miss Daisy Ltd

Driving Miss Daisy Ltd propose to depart from the following sections of the Council's Statement of Licensing Policy with respect to Hackney Carriage and Private Hire Vehicles, Drivers and Private Hire Operators. They have provided reasons and mitigation for each proposal, which is summarised below for ease of reference.

Policy Section / Condition	Reason(s)	Risk(s)	Mitigation
<p>Policy section 6.1(a): All petrol and diesel vehicles when licensed for the first time must be less than five years from the date of first registration. The vehicle must be renewed on a year by year basis at the discretion of an Authorised Officer.</p> <p>Policy section 6.1(b): All electric and hybrid private hire vehicles when licensed for the first time must be less than eight years old from the date of first registration. The vehicle must be renewed on a year by year basis at the discretion of an Authorised Officer.</p>	<p>Some of Driving Miss Daisy's current vehicles exceed these limits specified. All vehicles are maintained to an excellent standard and fitted with specialist equipment beyond the requirements of Winchester City Council's policy.</p>	<p>This section of the Policy was introduced in 2020 to ensure that licensed vehicles meet a high standard beyond simply being roadworthy, and to assist in the Council goal of improving air quality in the district.</p>	<p>Portsmouth City Council have offered to utilise our existing data sharing agreement to share details of all vehicle inspection reports undertaken by their appointed testing station, which will demonstrate that vehicles are in excellent condition and maintained to an excellent standard that does not compromise public safety.</p> <p>It is proposed that any vehicle licensed by Driving Miss Daisy Ltd is still subject to the upper age limits for licensed vehicles specified in the Policy, i.e. a maximum end of working life age of twelve years for petrol/diesel, and fifteen years for hybrid/electric. This will ensure that older vehicles are not indefinitely licensed and will contribute to the Council's carbon neutrality goals.</p>
<p>Policy section 6.4: All vehicles when licensed for the first time must display permanently fixed approved Winchester City Council door signs (both sides) on the front doors of the vehicle, with the exception of those private hire vehicles undertaking corporate work only and that hold a valid plate exemption certificate issued by the Licensing Authority.</p> <p>Vehicle condition 16: The Vehicle must display a permanent sign on the front doors of the Vehicle (both sides) at all times as required in the Policy. The sign shall meet the specification as set out in the Policy.</p>	<p>Driving Miss Daisy's vehicles feature bright blue livery with a daisy print, designed for clinical reasons to assist clients in safely identifying trusted vehicles.</p> <p>The addition of a Winchester City Council door sign would obscure the existing branding.</p>	<p>No significant safety risk to clients; the existing livery is designed to assist clients in safety identifying vehicles and is fit for purpose.</p> <p>Clients and members of the public will not be able to easily see whether the vehicle is licensed and by which authority.</p> <p>May increase number of requests from other vehicle proprietors to have bespoke livery; note that requests of this nature would need to be determined as having either exceptional or compelling reasons.</p>	<p>Driving Miss Daisy Ltd are a well recognised and trusted brand with clearly identifiable vehicles.</p> <p>The omission of a door sign confirming the name of the relevant licensing authority has reportedly not caused Portsmouth City Council any issues and no complaints have been received on this basis.</p>
<p>Vehicle condition 4(a): PAINT WORK. All panels on a vehicle should be in one matching colour.</p> <p>Vehicle condition 17: No signs, notices, plates, marks, letters figures, symbols, emblems or devices whatsoever (collectively referred to as 'sign') other than those mentioned in paragraph 17 below shall be displayed on in or from the Vehicle.</p>	<p>Driving Miss Daisy's vehicles feature bright blue livery with a daisy print, designed for clinical reasons to assist clients in safety identifying trusted vehicles.</p>	<p>No significant safety risk to clients; the existing livery is designed to assist clients in safety identifying vehicles and is fit for purpose.</p>	<p>Driving Miss Daisy Ltd are a well recognised and trusted brand with clearly identifiable vehicles.</p> <p>The requirement for all panels to be in one matching colour is intended to prevent vehicle proprietors from replacing panels with different colours, causing the vehicle to look untidy and unprofessional.</p> <p>The prohibition of any signage or emblems other than those required by the Council or by law is intended to prohibit advertising or use of untidy or unsightly stickers or decoration.</p>

Policy Section / Condition	Reason(s)	Risk(s)	Mitigation
<p>Policy section 6.6: All new private hire vehicles must have a licence plate permanently fixed to the rear of the vehicle to the satisfaction of the Licensing Authority, with the exception of those private hire vehicles undertaking corporate work only and that hold a valid plate exemption certificate issued by the Licensing Authority.</p> <p>Vehicle condition 25: The Internal Licence Plate shall be displayed on the front nearside of the windscreen, or in the case of vehicles that have a partition, displayed on this partition.</p> <p>Vehicle condition 26: The External Licence Plate shall be permanently affixed and displayed on the rear of the Vehicle to the satisfaction of an Authorised Officer.</p>	<p>Driving Miss Daisy's vehicles do not currently display Portsmouth City Council licence plates as the business does not undertake 'on demand' work; all journeys must be pre-booked, risk assessed, planned and quoted for in advance of the journey.</p> <p>It is likely that members of the public will see the licence plate and mistake the vehicle for a typical taxi or private hire vehicle which can be obtained at relatively short notice.</p>	<p>No significant safety risk to clients; the existing livery is already sufficient for clients to identify a trusted vehicle.</p> <p>Clients and members of the public will not be able to easily see whether the vehicle is licensed, by which authority, and when the licence expires.</p> <p>May increase number of requests from other vehicle proprietors to have plate exemptions granted. Requests of this nature are already considered on a case-by-case basis and licence holders must submit evidence supporting their request to the satisfaction of the Licensing Manager.</p>	<p>The Council already issues plate exemptions to a 40+ licensed private hire vehicles in the district, primarily for vehicle used for high-end chauffeuring work. Comments or complaints from the public about no licence plate being displayed are very rare, but any received are investigated and the plate exemption is reviewed to determine whether it still necessary and not a risk to public safety.</p> <p>Plate exemptions are not granted indefinitely and may be reviewed on receipt of information that raises concerns around public safety.</p> <p>Vehicles display a wallet-sized exemption card in the windscreen containing the same information as a licence plate, and must carry a plate exemption letter in the vehicle at all times for inspection by police or other authorised officer.</p>
<p>Policy section 8.6(a): All applicants must apply for an enhanced Disclosure and Barring Service (DBS) certificate, including checks of the Barred Lists, using the Council's approved provider only. Full information on how to apply for an enhanced DBS can be found on the Council's website. A basic or standard DBS certificate will not be accepted.</p>	<p>All of Driving Miss Daisy's drivers are currently licensed by Portsmouth City Council and already have valid Disclosure and Barring Service (DBS) certificates.</p> <p>To obtain an additional certificate when the current one is valid would be an additional and unnecessary expense to the business or driver.</p>	<p>Drivers who have not signed up to the DBS Update Service will not be able to consent to Winchester City Council checking their DBS online.</p>	<p>Those drivers who are signed up to the DBS Update Service need only provide Winchester City Council with their original certificate and a consent form permitting the Council to undertake 6-monthly checks on their DBS online.</p> <p>This check would be undertaken prior to issuing a licence to ensure that no convictions or other relevant information would not prohibit the driver from obtaining a licence in accordance with the Policy.</p> <p>Drivers who have not signed up to the DBS Update Service will be required to obtain a new DBS certificate prior to Winchester City Council considering granting a licence.</p>
<p>8.14(a): All applicants must undergo and pass a medical examination that meets the DVLA Group 2 Medical Standards of fitness to drive and must provide a medical assessment form completed by the examining doctor. This must be provided to the Licensing Authority no later than 28 days from the date of the examination.</p>	<p>All of Driving Miss Daisy's drivers are currently licensed by Portsmouth City Council, which requires the same level of medical fitness as per the DVLA Group 2 Medical Standards of fitness to drive.</p> <p>To obtain an additional medical examination when the current one is valid would be an additional and unnecessary expense to the business or driver.</p>	<p>Drivers whose medical fitness has changed since their last medical examination may not have paperwork to evidence that they are still fit to drive.</p>	<p>Those drivers who have a medical report that is less than five years from the date of issue (or less than 12 months where the driver is aged 65 or over) will be considered to have a valid medical report, sufficient for them to obtain a licence in Portsmouth and therefore sufficient for them to gain a licence in Winchester. Any medical reports outside of the limits specified above will be rejected and a new one must be obtained.</p> <p>All drivers will be required to sign a declaration as part of their application form, confirming that there have been no changes to their physical or mental health since their last medical report was issued. It is an offence to knowingly provide false information on an application.</p> <p>Condition 8 of all hackney carriage and private hire driver licences requires drivers to immediately notify</p>

			<p>the Council of any change in their physical or mental health that affects their fitness to drive.</p> <p>The licensing authority reserves the right to require a new medical report where concerns are raised in relation to the driver's medical fitness to drive.</p> <p>Portsmouth City Council have agreed to assist with the secure transfer of medical data relating to all drivers on receipt of written consent from the drivers.</p>
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