

Public Document Pack  
**Licensing Committee**  
**7 July 2022**



**Lewes District Council**

**Time and venue:**

**10:30am in the Ditchling and Telscombe Rooms, Southover House, Southover Road, Lewes, East Sussex, BN7 1AB**

**Membership:**

**Councillor Sean MacLeod (Chair); Councillor Christine Robinson (Vice-Chair); Councillors Sam Adeniji, Graham Amy, Liz Boorman, Roy Clay, Johnny Denis, Isabelle Linington, Emily O'Brien and Linda Wallraven**

**Quorum: 3**

*Published: Wednesday, 29 June 2022*

## **Agenda**

**1 Minutes (Pages 5 - 6)**

To confirm and sign the minutes of the previous meeting held on 20 January 2022 (attached herewith).

**2 Apologies for absence**

**3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

**4 Urgent items**

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.

**5 Written questions from councillors**

To deal with written questions from councillors pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

**6 Approval of additional Licensing Fee 2022/23 (Pages 7 - 8)**

Report of Director of Service Delivery

**7 Supporting the transition to low vehicle or zero emission vehicles in the taxi and private hire sector (Pages 9 - 182)**

Report of Director of Service Delivery

**8 Date of next meeting**

To note that the next meeting of the Licensing Committee is scheduled to be held on Thursday, 13 October 2022 in the Ditchling and Telscombe Rooms, Southover House, Southover Road, Lewes, BN7 1AB, commencing at 10:30am.

## **Information for the public**

**Accessibility:**

Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

**Filming/Recording:**

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**Public participation:**

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

## **Information for councillors**

**Disclosure of interests:**

Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

**Councillor right of address:**

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that Committee or Sub-Committee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

**Other participation:**

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

## Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

**Email:** [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

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## Licensing Committee

**Minutes of the meeting held in the Ditchling and Telscombe Rooms, Southover House, Lewes, BN7 1AB, on 20 January 2022 at 10:30am**

**Present:**

Councillor Sean MacLeod (Chair); Councillors Sam Adeniji, Liz Boorman, Roy Clay, Johnny Denis, Isabelle Linington and Jim Lord.

**Officers in attendance:**

Jo Dunk (Senior Specialist Advisor, Regulatory Services)  
Jennifer Norman (Committee Officer, Democratic Services)  
Dr Michele Wilkinson (Lawyer, Housing & Regulatory)  
Rebecca Wynn (Regulatory Services Lead)

**9 Minutes**

The minutes of the meeting held on 29 July 2021 were submitted and approved, and the Chair was authorised to sign them as a correct record.

**10 Apologies for absence**

Apologies for absence were received from Councillors Graham Amy, Christine Robinson (Vice-Chair) and Linda Wallraven.

**11 Declarations of interest**

There were none.

**12 Urgent items**

There were none.

**13 Written questions from councillors**

There were none.

**14 Approval of Licensing Fees**

The Committee considered the report which sought its recommendation to Full Council that the licensing fees proposed within Appendix 1 apply from 1 April 2022.

The Regulatory Services Lead (RSL) presented the report and its findings, highlighting the taxi licensing surplus and its change in presentation within the

report from the previous year; reduced private hire driver fees; the introduction of new software; and the substantial increase in the licence fees relating to Dangerous Wild Animal Licences, as set out in the report and Appendix 1.

The Committee discussed costing surplus figures related to paragraph 3.4; a timeline for reviewing figures; new DBS requirements; training; and the deficit as referenced in paragraph 4.1 of the report.

The Committee requested an update on its previous request for child safeguarding training and disability awareness training, as referenced in bullet point 14 of Appendix 1. Officers explained that the Council was currently looking for suppliers to implement the training programs.

The Committee queried its previous request in respect of officers providing an expanded list of MOT providers to taxi and private hire licensees. Officers explained that the priority had been the implementation of the new guidance and the fixed door sign rollout, but that the matter was in hand.

**Resolved:**

That Full Council be recommended to approve the licensing fees proposed within Appendix 1 to apply from 1 April 2022.

**15 Date of next meeting**

That it be noted that the next meeting of the Licensing Committee was scheduled to be held on Thursday, 3 March 2022 in the Ditchling and Telscombe Rooms, Southover House, Lewes, BN7 1AB, commencing at 10:30am.

The meeting ended at 10:59am.

Councillor Sean MacLeod (Chair)

# Agenda Item 6

<b>Report to:</b>	<b>Licensing Committee</b>
<b>Date:</b>	<b>7<sup>th</sup> July 2022</b>
<b>Title:</b>	<b>Approval of additional Licensing Fee 2022/23</b>
<b>Report of:</b>	<b>Director of Service Delivery</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>To recommend the licensing fees proposed.</b>
<b>Officer recommendation(s):</b>	<b>To recommend to Full Council to approve the licensing fees proposed.</b>
<b>Reasons for recommendations:</b>	<b>To ensure that the licensing fees are considered and recommended for approval by the Licensing Committee.</b>
<b>Contact Officer(s):</b>	<b>Name: Jo Dunk Post title: Regulatory Services Lead E-mail: <a href="mailto:jo.dunk@lewes-eastbourne.gov.uk">jo.dunk@lewes-eastbourne.gov.uk</a> Telephone number: 07342065628</b>

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## **1 Introduction**

- 1.1 Licensing fees should be considered by the Licensing Committee and then recommended to Full Council.
- 1.2 Following the fees report submitted to the Licensing Committee on the 20th January 2022 there were some costs relating to the new taxi and private hire guidance in Lewes District Council which were unknown at the time of the report.
- 1.3 The new taxi and private hire guidance has been implemented from 4th April 2022. There are elements of the new guidance which prior to implementation require fees to be approved.
- 1.4 All new applicants and current licensed drivers will be required to adhere to a 6 monthly DBS check, this can be undertaken through the gov.uk website or alternatively can be processed by Lewes District Council. The cost of this service for Lewes District Council requires an increase from £40 to £65 to take into account an administration fee. It is intended that this will be a requirement implemented from September 2022 by the Licensing team.

1.5 Please see table below in summary of the proposed fee changes:

	New Applicants	Existing Applicants
6 monthly DBS check	Included in application fee	£65.00 at six monthly intervals or alternatively gov.uk website can be used

## 2 Financial appraisal

2.1 The costs of a DBS are £40.00 which needs to be undertaken every 6 months. To administer this on behalf of the taxi driver we will need to recover £25.00 per DBS which covers one hour of staff time. Alternatively, the taxi driver can obtain a DBS directly themselves and provide proof to us of their compliance. 2.2. This meets the Council's requirement to set fees for these services on a cost recovery basis with appropriate adjustments for any over or underspend from the previous year.

## 3 Legal Implications

3.1 The Local Government (Miscellaneous Provisions) Act 1976 section 53(2) controls the fees of hackney and private hire drivers licences and states that the Council may demand such fees as it considers reasonable with a view to recovering the costs of issue and administration.

3.2 In deciding what is reasonable case law has clarified that reasonable does not imply a wide discretion but that the fees and charges shall relate to the levels of costs reasonably incurred in providing the service. Further, Members are advised to take account of the European Services Directive 2006 (although the Directive does not strictly apply to private hire/hackney licences) which reinforces the principles to be applied to the setting of local fees and charges in that such a process shall be reasonable, proportionate, non-discriminatory, justifiable, clear and transparent.

3.3 The Legal section considered this report on 28 June 2022 (IKEN-11107-LDC-MW).

## 4 Risk Management implications

4.1 There are no risk management implications.

## 5 Equality analysis

5.1 There are no equality analysis implications.

## 6 Environmental Sustainability Implications

6.1 There are no environmental sustainability implications.

## 7 Background papers

7.1 None.



<b>Report to:</b>	<b>Licensing Committee</b>
<b>Date:</b>	<b>7<sup>th</sup> July 2022</b>
<b>Title:</b>	<b>Supporting the transition to low vehicle or zero emission vehicles in the taxi and private hire sector</b>
<b>Report of:</b>	<b>Director of Service Delivery</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>For Members to consider ways of supporting the transition to low or zero emission vehicles in the taxi and private hire vehicle sector.</b>
<b>Officer recommendation(s):</b>	<b>(1) The Licensing Committee agrees that a feasibility study is undertaken into all options. The Lead for Regulatory Services to investigate grant funding to cover the costs of the feasibility study; and  (2) The Licensing Committee agrees that, as an immediate incentive, the Hackney Carriage and Private Hire Licensing Guidance at Appendix, be amended so that low and zero emission vehicles may have an extended licence span.</b>
<b>Reasons for recommendations:</b>	<b>For the Licensing Committee to consider steps to transition to low and zero emission vehicles in the taxi and private hire sector.</b>
<b>Contact Officer(s):</b>	<b>Name: Joanna Dunk Post title: Lead for Regulatory Services E-mail: <a href="mailto:jo.dunk@lewes-eastbourne.gov.uk">jo.dunk@lewes-eastbourne.gov.uk</a> Telephone number: 07342065628</b>

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## **1 Introduction**

- 1.1 Lewes District Council is responsible for the licensing of drivers, vehicles and operators in relation to the hackney carriage and private hire trade.
- 1.2 In exercising its discretion in carrying out its licensing functions, the Licensing Authority shall have regard to the Hackney Carriage and Private Hire Licensing Guidance.
- 1.3 The current Hackney Carriage and Private Hire Licensing Guidance applies to all drivers, vehicles and operators and was implemented on the 4<sup>th</sup> April 2022. (See Appendix 1.)

## 2 Background

- 2.1 In July 2019 Lewes District Council declared a Climate Emergency. The Climate Emergency Strategy demonstrates a commitment by the Authority to progress towards being Carbon Neutral by 2030. (See appendix 2.)
- 2.2 In 2005 an Air Quality Management area was declared in Lewes town centre and in 2014 for the Newhaven gyratory.
- 2.3 Air Quality and climate change are high priorities for Lewes District Council. This is the reason that a strategy has been developed to support a more environmentally sustainable future.
- 2.4 There are a number of schemes which have been undertaken throughout the United Kingdom by various licensing authorities to encourage a transition to changing vehicles through a variety of schemes.
- 2.5 To support the move to low and zero emission vehicles Lewes District Council will be installing 30 charge points in public car parks throughout the District by the end of 2022.
- 2.6 East Sussex County Council is responsible for facilitating charging hubs on the highway. This is ongoing work currently in partnership with all authorities throughout East Sussex to identify locations for charging hubs to be set up.
- 2.7 Members are asked to consider some examples of such practices below in other Council areas:
- a) **Electric Vehicle Taxi Transition in Cambridge** (See Appendix 3.) In Cambridge new policies and incentives were introduced to the taxi and private sector to encourage a shift to low and zero emission vehicles. e.g. a mandated policy for all new vehicles and fee exemptions. Please see current and prospective Actions Summary Table for reference for the strategy adopted.
  - b) **Fleet Transition to zero emission through home charging scheme in Leeds** (See Appendix 4.) In Leeds, a home charging pilot scheme was introduced to enable the adoption of a more EV fleet and overcome current barriers regarding charging points. Improving the current infrastructure of charging points
  - c) **Go Ultra Low Oxford** (See Appendix 5.) In Oxford, there was a trial of 100 charge points through funding of the Office for Low Emission Vehicles (OLEV). Oxford City Council developed a bespoke concession framework to incentivise the trial period.
  - d) **Emissions Standards for Taxis in London** (See Appendix 6.) In London, a number of financial incentives and amendments to policies relating to the emissions from vehicles have been introduced to encourage the transition to zero and low emission vehicles.

### **3 Recommendations**

3.1 Members are asked to note that this is the start of the discussion process.

- 1) To approve for the Lead for Regulatory Services to investigate grant funding to cover the costs of a feasibility study; and
- 2) Members are asked to agree that, as an immediate incentive, the Hackney Carriage and Private Hire Licensing Guidance, be amended so that low and zero emission vehicles may have an extended licence span.

3.2 The following are the recommended changes to the Guidance giving effect to 3.1(2) above:

- i) Vehicles presented for first licensing shall not be more than five years old and vehicles presented for re-licensing shall not be more than ten years old apart from in exceptional circumstances at the discretion of an Authorised Officer.
- ii) An addition inserted - For new and relicensed vehicles defined by the Vehicle Certification Agency as Ultra Low Emission Vehicles and Zero Emission Vehicles shall not be more than 15 years old in age.
- iii) Applications to re licence vehicles over their licensable age must be made in writing to the Council citing what is considered to be an 'exceptional circumstance'.

Financial matters nor the condition of the vehicle come into this exceptions category and will not be considered in the determination.

### **4 Financial appraisal**

4.1 There are no financial implications, at this stage.

### **5 Legal implications**

5.1 The Legal Section considered this Report on 28 June 2022 (IKEN-11127-LDC-MW).

### **6 Risk Management Implications**

6.1 There are no implications around risk.

### **7 Equality analysis**

7.1 There are no implications around equalities.

### **8 Environmental sustainability implications**

8.1 This report supports a more sustainable environment and reduction of emission of vehicles.

## **9 Appendices**

Appendix 1 - Taxi and Private Hire Guidance

Appendix 2 - LDC Climate Emergency Summary

Appendix 3 - Electric vehicle and infrastructure Strategy Cambridge

Appendix 4 - Leeds City Council – Fleet Transition to zero emission

Appendix 5 - Go Ultra Low Oxford

Appendix 6 - Taxi and private hire action plan for London Taxis

## **10 Background papers**

10.1 None.



**Lewes District Council**

**Lewes District Council**

## **Hackney Carriage and Private Hire Licensing Guidance**

COMMENCES 4 April 2022

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Licensing Section  
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**Lewes District Council**  
**Hackney Carriage and Private Hire Licensing Guidance**

Effective Date: 4 April 2022

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## **Part 1: Introduction**

This Licensing Guidance is written pursuant to the powers conferred by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, as amended, which place on Lewes District Council (“the Council”) the duty to carry out its licensing functions in respect of hackney carriage and private hire vehicles. In addition the Council will have due regard to all other relevant legislation and guidance in its decision making process. The Council has responsibility for the licensing of vehicles, drivers and operators within the district of Lewes and in exercising its discretion the Council will have regard to this Guidance.

The Council recognises the important role that hackney carriage and private hire vehicles play as part of an integrated transport system as they provide essential services particularly in those situations where public transport is either not available, for example in rural areas, and for those individuals with mobility difficulties.

In setting out this Guidance the Council seeks to;

- a. Ensure the safety and welfare of the public, which is the overriding objective,
- b. Encourage environmental sustainability,
- c. Ensure an efficient and effective hackney carriage and private hire provision,
- d. Monitor and improve standards of service in the trade

Notwithstanding the existence of this Guidance, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to substantially depart from this Guidance, in exceptional circumstances, reasons will be given for doing so.

This Guidance will be introduced on 4 April 2022 and will be kept under review and amended as and when necessary to reflect changes in legislation, case law, statutory guidance and best practice.

Minor amendments to this Guidance required for example by virtue of legislative change or administrative procedural change may be made by the Functional Lead - Quality Environment in consultation with the Chair of the Licensing Committee and the Cabinet Member with responsibility for Licensing.

Significant amendments to the Guidance will require a full public consultation prior to consideration by the full Licensing Committee. Significant amendments include those that will have a significant procedural or financial impact on applicants, licence holders or the public and those which are inconsistent with the Guidance objectives.

When any revisions are made to the Guidance the Council will publish a statement of the revision on its website along with the revised Guidance.

Any changes to the licensing requirements will be followed by a review of the licences currently issued. If requirements are changed regarding vehicle specification or licence holders will need to undertake additional training, then reasonable time will be allowed for these changes to take place. Where a more subjective change has been introduced, for example an amended policy on previous

convictions, the licensing authority will consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, the licensing authorities will consider doing so.

### **Transitional Arrangements**

This Guidance will have a phased introduction between 4 April 2022 and 30 September 2022. Apart from the Vehicle Licence Conditions which for new applicants for a vehicle licence will take effect from the date this Guidance becomes effective, and for existing vehicle licence holders will take effect from when they change the vehicle to which the licence applies.

### **Part 2: Definitions**

The 1847 Act	Town Police Clauses Act 1847
The 1976 Act	The Local Government (Miscellaneous Provisions) Act 1976
Authorised Council Officer	Means an Officer of the Council authorised under the Council's Scheme of Delegation to administrate the licensing function
Best Practice Guidance	Means Best Practice Guidance on Taxi and Private Hire Vehicles Licensing issued by the Department of Transport in March 2010 as amended or as may be replaced.
Council or Licensing Authority	Means Lewes District Council in its licensing function
Driver	Refers to a hackney carriage, private hire, dual and restricted driver, unless expressly stated or the context indicates otherwise
Hackney Carriage	Means a vehicle licenced under the 1847 Act to stand or ply for hire throughout the district controlled by the Council
He/his	shall apply to female equivalent
Plate	means the identification plate with the Council's licence reference number fixed to the rear exterior of the vehicle.
Private Hire Operator	Means a person who in the course of business makes provision for the invitation or acceptance of bookings for private hire vehicles



Private Hire Vehicle	A motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers
Proprietor	Refers to owners of either hackney carriage or private hire vehicles, unless expressly stated or the context indicates otherwise and includes a part proprietor
Restricted Private Hire Driver	Only undertake school transport work in a private hire vehicle. The driver would be responsible for driving a child to and from their school and the licence does not permit the licence holder to undertake any other work.
Vehicle	Refers to a hackney carriage or private hire or specialist vehicle, unless expressly stated or the context indicates otherwise.

### **Part 3: Vehicles**

#### **Limitation of Numbers**

The Council currently has no limit on the number of hackney carriages which may be licensed within the District and has no intention of introducing one unless evidence of no significant unmet demand can be provided.

No powers exist for the Council to limit the number of private hire vehicles that it may licence.

#### **Specifications and Conditions**

The Council has a wide discretion over the type of vehicle it can licence and the Best Practice Guidance suggests that local licensing authorities should adopt the principle of specifying as many different types of vehicle as possible.

The Council is empowered to impose such conditions as it considers reasonably necessary in relation to vehicles licences. Licence conditions relevant to the type of vehicle are contained in Appendix 1.

#### **Environmental Considerations**

The Council has given careful consideration to introducing tougher emissions standards for all licenced vehicles and considers its responsibility in protecting the environment to be an important objective of the Guidance.

The Council is committed to reducing emissions through raising awareness of environmental issues with the trade and other interested parties.

However, at this time the Council considers that its requirement for all vehicles to be tested every six months means that it does not require tougher emission standards for licensed vehicles other than the relevant Euro standard.

### **Maximum Age of Vehicles**

Vehicles presented for first licensing shall not be more than five years old and vehicles presented for re-licensing shall not be more than ten years old apart from in exceptional circumstances at the discretion of an Authorised Officer.

Applications to re licence vehicles over ten years old must be made in writing to the Council citing what is considered to be an 'exceptional circumstance'.

Financial matters nor the condition of the vehicle come in to this exceptions category and will not be considered in the determination.

### **Vehicle Testing**

No vehicle may be used unless it has a current MOT pass certificate and a certificate of compliance following a satisfactory test both of which must be dated no earlier than one calendar month prior to the licence commencement date. Vehicles that are less than one year old will be exempt from obtaining a current MOT pass certificate but will still be required to obtain a Vehicle suitability test (VST).

All vehicles will be subject to an annual MOT and six monthly VST. Each application for a grant or renewal of a vehicle licence must be accompanied with proof of compliance.

The licence of any vehicle which fails its testing requirement will be automatically suspended until such time as the vehicle has been re-examined and the necessary pass certificate obtained.

In addition, the Council will undertake a programme of inspections between formal testing dates. All vehicles must be available for inspection, at any location within the District, at all times, when requested by an Authorised Officer or a Police Officer. All vehicle documentation must be produced within 24 hours, or at such time as specified, when requested by an Authorised Officer or a Police Officer. In the event of any concerns in relation to vehicle safety the vehicle will be referred for a formal assessment. Where in the opinion of an Authorised Officer the testing requirements would not be met they may agree a period of time for rectification and re-inspection or they will suspend the vehicle until such time as the re-testing requirements shall be met.

Responsibility for ensuring the vehicle is tested and licensed remains with the licence holder.

Vehicle Suitability test Inspections are only to be carried out by local authority designated DVSA approved garages.

### **Livery**

The Council believes that the requirements of this Policy ensure that hackney carriages and private hire vehicles are easily distinguishable.

1. All new applications for Hackney Carriage vehicles will require the vehicle to be white in colour.
2. All new Private hire vehicles to be any colour other than white.
3. Door signs are provided by the Council. All vehicles are required to display an approved door sign on the middle portion of the front driver and passenger doors as supplied by the council.
4. All Hackney carriage vehicles will display a roof sign as specified within the vehicle conditions.

### **Change of Ownership**

Any change to the proprietor named on a vehicle licence must be notified to the Council within fourteen days of any change.

When the proprietor of a vehicle licence wishes to transfer the licence to another person, company or partnership he must notify the Council, using the prescribed application form and paying the appropriate fee, before such a change takes place.

### **Unauthorised Use**

The proprietor shall not allow the vehicle to be driven and/or used for hire by any person who does not hold an appropriate current driver licence.

### **Intended Use (Hackney Carriages only)**

A hackney carriage vehicle licensed by one local authority can be used to fulfil pre-booked hiring's on behalf of private hire operators licensed by another local authority. In order that the Council may retain local control over the hackney carriages it licenses, applicants will be asked as part of the application process which area they intend to entirely or predominantly operate from for the purposes of fulfilling pre-booked hiring's. It will be incumbent upon the applicant to demonstrate to the Council's satisfaction that they intend to ply for hire predominantly within the District.

If the applicant indicates that they will not predominately work within the District the application will normally be refused.

If the vehicle is found to be operating in contravention to the information supplied in the application form then enforcement action will be considered, which may include revocation of the licence.

This section is not intended to act as a restraint of trade since applicants may make applications to any local authority in which area they intend to ply for hire.

### **Accident Reporting**

Any accident in a vehicle 'causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers' must be reported to the Council as soon as reasonably practicably and in any case within 72 hours of the event.

Following any accident, as defined above, if it is the intention of the proprietor to continue licensed use the vehicle must be inspected by a DVSA approved garage in the District to determine its fitness. It is the responsibility of the licence holder to

notify the Council that this requirement has been satisfied. The Council may suspend the use of the licenced vehicle until it is suitably repaired and conforms to the testing requirements.

A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be temporarily replaced by another vehicle provided that the damage or defect has been reported to an Authorised Officer, and the replacement vehicle meets the requirements of this Guidance and is suitable to be used for hire purposes.

### ***CCTV (Implementation date to be confirmed)***

1. The Council considers that it is important to mandate the requirement for CCTV in all licensed vehicles to protect the travelling public and drivers. The Council considers that the security of drivers and passengers is of paramount importance and CCTV can be a valuable deterrent and useful to confirm or rebut complaints made against drivers.
2. The Council understands that there is a need to balance its responsibilities to protect drivers and the travelling public with the individual's privacy rights.
3. CCTV equipment are to be installed and operated in all licensed Hackney Carriage and Private Hire vehicles (other than Private Hire vehicles issued with a plate exemption for executive and VIP work and those vehicles used solely for this purpose).
4. The system must be approved by the Council which will maintain a list of such CCTV systems and approved providers on a list available on its website. For those vehicles that have a CCTV system installed before the implementation of compulsory CCTV those systems may be allowed at the discretion of an Authorised Officer.
5. All CCTV media and its data must be secure, password encrypted and not accessible to anyone other than the data controller or their appointed administrator or agent.
6. The Council will become the Data Controller and will publish a Data Protection Statement.
7. The CCTV systems must be installed in vehicles to be confirmed.
8. The installation and operation of the CCTV systems shall comply with the requirements of the Information Commissioner's CCTV Code of Practice and the Home Office Surveillance Code of Practice. The CCTV system shall comply with any legislative requirements as regards safety, technical acceptability and operational/data integrity.
9. The CCTV system shall comply with any legislative requirement as regards safety, technical acceptability and operational/data integrity.

10. The CCTV system will remain at all times the property of the proprietor of the vehicle who will be responsible for the maintenance of the system and will ensure that it is checked regularly and maintained in working order at all times.
11. It will be the responsibility of the driver of a vehicle to report to the Council within 48 hours any breakdown of or other issues that may affect the efficient working of the CCTV system.
12. Any failure to install, maintain or operate a system is likely to lead to the vehicle licence being suspended, revoked or the licence not being renewed. Such a failure may also call into question the fitness and propriety of the driver.
13. The CCTV system must be capable of date, time and vehicle identification. It must be capable of capturing images during daytime and darkness of sufficient quality to enable the identification of any person travelling in the vehicle and be of such quality that it can be used for prosecution purposes, where necessary.
14. The positioning of the CCTV camera and hardware should be such that the hard disc or data card is not accessible to any passenger travelling in the vehicle. The equipment must be securely fixed such that it cannot be tampered with or damaged by any person travelling in the vehicle.
15. The CCTV system shall not be used to record conversations between members of the public, since that is highly intrusive, and if any system is equipped with a sound recording facility then that functionality shall be disabled.
16. All vehicles with a CCTV system shall display prominent notices, visible both outside and inside the vehicle, to inform passengers that a CCTV system is in operation. The signage shall include where a subject access request may be made.
17. An Authorised Officer or Police Officer may, on reasonable notice, examine any camera installation or any footage from the CCTV.
18. The Council shall be permitted to access data where they have received a complaint involving the vehicle or its driver and the complaint cannot be fully investigated without access to the recording. Any material recorded on the CCTV equipment shall only be used as evidence in court proceedings or to aid the investigation of crime, to confirm or rebut complaints made against the driver or as evidence in motor insurance matters. The licence holder shall co-operate with any Police investigation where access to the CCTV footage may assist.
19. The driver of the vehicle and or Operator will not attempt to access, or tamper with the CCTV equipment or attempt to download or tamper with any of the equipment or data
20. The CCTV system must be capable of recording and storing images for a minimum of 28 days.

## **Vehicle Specification**

The Council's general specifications are;

Vehicles shall be fitted with a minimum of four side doors of a size to permit easy access.

Vehicle engines shall meet the following Euro standards:

Diesel powered vehicles shall meet the Euro 6 standard for emissions and Petrol vehicles Euro 4 standard.

The vehicle shall be designed to permit the specified number of passengers to be carried in comfort and safety. The rear seat must be at least 48 inches wide and all seats shall have a minimum width of 16 inches per person

The vehicles shall be provided with adequate luggage space for the number of passengers for which the vehicle is licensed.

Vehicles may be of the saloon, estate, hatchback or MPV type and all vehicles must be approved by the Council. Estate vehicles must be fitted with a grill or parcel shelf sufficient to prevent luggage coming into contact with passengers using rear seats.

Left hand drive vehicles will not normally be licensed, except with the agreement of an Authorised Officer.

A comprehensive vehicle specification list shall be available on the council's website.

## **Stretched Limousines and Other Specialist Vehicles**

Any stretched limousine capable of carrying eight passengers or less which is offered for hire will require a licence.

For the purposes of this Guidance a stretched limousine is a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures that is capable to carrying up to but not exceeding 8 passengers.

The Individual Vehicles Approval Inspection regime introduced by the Vehicle and Operator Services Agency will apply to all limousine and speciality vehicles that do not meet the standard vehicle specification.

The Council recommends that anyone wishing to licence a limousine or specialist vehicle should contact the Council before purchasing a vehicle to ensure that advice is given about meeting the required standards.

## **Funeral and Wedding Vehicles**

There is no requirement for a vehicle to be licensed when it is being used in connection with a funeral or is being wholly or mainly used by a person carrying out the business of a Funeral Director for the purposes of funerals.

A vehicle does not need to be licensed whilst it is being used in connection with a wedding. For clarification, the exemption only applies to journeys directly relating to

the wedding service itself for example transporting the bride/and or groom to the wedding service, from the service to the reception and from the service/reception to home. Transport to other locations such as the airport would be considered a licensable activity.

### **Wheelchair Accessible Vehicles**

Wheelchair Accessible Vehicles must always have the appropriate equipment available and in working condition to carry wheelchair customers, otherwise the vehicle licence will be immediately suspended.

### **Ambulance and Other Patient Transport**

Ambulances defined by, 'vehicles conforming to original manufacturers specifications and equipped and used for the carriage of sick, injured or disabled people with permanent rear compartment and means of carrying passengers in a recumbent position together with an attendant seat for use by accompanying medical professionals, readily identifiable as a vehicle used for the carriage of such people by being marked ambulance on both sides', will be exempt from private hire vehicle licensing.

In addition, the Council will exempt from licensing those vehicles being used by volunteer drivers (unpaid) to take patients to and from hospital.

### **Courtesy Vehicles**

Courtesy vehicles used for example for transporting customers to and from garages, airports, hotels and night clubs without charge but with a clear business benefit should be licensed even though there may not be a separate charge for using the vehicle. For clarification, in addition the operator and the driver should also be licenced.

### **Executive Private Hire Vehicles**

The Council does not anticipate granting Livery Exemptions to vehicles that are used for what would be termed 'day to day private hire work' such as, but not limited to - School Runs, Home to Railway Stations, Airports ,Places of interest, hospitality venues , shopping trips etc.

The Council does not consider this type of work to be compatible with the granting of a Livery Exemption. It believes that the vehicle is either 'Livery Exempt' for all work it undertakes or not at all.

In the interests of public safety, which is the main reason for the display of Livery, it does not consider a vehicle should combine exempt and non-exempt work.

There are a number of Private Hire Operators within this and neighbouring Council Areas that provide exclusively ' Executive ' vehicles to satisfy local demand.

### **Dual Plating**

The Council will not grant a vehicle licence for any vehicle already licensed by another licensing authority.

## **Part 4: Drivers**

### **Licences**

The Council issues the following types of drivers' licences;

- Dual Drivers – holding both a hackney and private hire drivers licence
- Restricted Private Hire

All new and renewal driver licences will be granted for 36 months from the date of issue

The only exceptions are:

- a) In cases where the licence holder is working under visa conditions attached to their passport the licence will only cover up to the expiry date on the visa.
- b) Where the Council considers it appropriate in exceptional circumstances.
- c) The financial circumstances of the applicant will not be deemed as an exceptional circumstance

It is the responsibility of the existing driver to ensure their licence is renewed. Application forms, appropriate fees and supporting documentation must be submitted at least 14 days prior to the expiry of the previous licence.

The statutory and practical criteria and qualifications for all drivers are broadly the same. Therefore this section applies equally to hackney carriage, private hire, dual and restricted private hire drivers unless otherwise stated.

### **Age and Experience**

The Guidance does not set a minimum age limit for new drivers. However, a licence will not be granted to anyone who has not held a full DVLA or equivalent driving licence, for a period of at least twelve months immediately prior to the application.

An applicant who meets the licensing requirement by virtue of an acceptable non UK driving licence must obtain a full UK driving licence within 12 months of the issuing of the driver licence. Where this requirement is not satisfied the driver's licence will be automatically suspending pending compliance. This requirement is to ensure appropriate regulation of any penalty points issued by the courts in relation to road traffic offences and is an integral part of the 'fit and proper person' test.

There is no maximum age limit for drivers but once the licence holder reaches the age of 65 they will be required to provide to the Council annual medical checks.

### **Fit and Proper Test**

The Council has duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee.

The test used by the Council when considering whether a licence holder is a 'Fit and Proper' Person is:



Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence. All decisions on the suitability of an applicant or licensee will be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and will take into consideration conduct that has not resulted in a criminal conviction.

### **Driver Tests**

Applicants will be required to meet the following, as detailed below. Applicants for a restricted private hire driver's licence are not required to take the local area knowledge test.

#### **1. Knowledge Test**

The knowledge test includes questions on locations of places of interest, policy and law, Highway Code, road signs, numeracy, English comprehension, equalities, child exploitation, safeguarding, and disability awareness.

Applicants are limited to three attempts at the test per application and the test must be passed within six months of receipt their application. If they fail the tests, their application will be rejected and they must wait for at least six months before reapplying.

Any person found cheating will be disqualified from the test and will not be granted a licence for at least three years.

Applicants are required to provide photographic identification on the day of the test, for example a passport, and if they fail to provide photographic ID their test will be cancelled.

The cost of the first knowledge test is included in the application fee. Each subsequent test is paid for at the time of booking and the fee is non-refundable.

#### **2. Driving Proficiency Test**

New applicants are required to undertake a driving proficiency test to an equivalent standard required by the Driver Standards Agency (DSA). Details of local companies who offer the test will be provided at the application stage.

#### **3. Medical Examination**

In order to promote the Council's public safety objective it is a requirement for an applicant to provide a Group 2 medical assessment from either their own GP or a registered medical practitioner confirming their fitness to drive.

This requirement to produce a medical assessment applies to any applicant unless the applicant is the holder of a current passenger services vehicle or heavy goods vehicle licence and is able to provide proof of medical examination undertaken in the three months prior to the application being made.

A current licence holder must advise the Council forthwith if there is any deterioration in their health that may affect their driving capabilities.

Licensed drivers are required to have a medical assessment at least every five years from the ages of 45 to 65 and after the age of 65 to provide an annual medical assessment. The Council may also require a driver to provide more frequent checks if in the opinion of a medical practitioner that is necessary.

The prescribed form is available from the Council. The medical examination will normally be carried out by the applicant's GP, but can be from any other medical practitioner if an Authorised Officer agrees, who has accessed the applicants medical records for at least the last two years. On completion the form must be submitted to the Council.

The applicant/licence holder will be responsible for any fees incurred in obtaining a medical examination.

In addition, drivers between the ages of 60 to 65 years of age must pass an annual eye sight test.

### **Disclosure & Barring Service (DBS) Disclosures**

A DBS check on a driver is an essential safety measure in assessing whether or not an applicant is suitable to hold a licence therefore an Enhanced Disclosure provided by the DBS is required for all applicants whether in relation to new or renewal applications.

The Rehabilitation of Offenders Act 1974 (as amended) does not apply to applicants for drivers licences therefore applicants are required to disclose all convictions etc including those that would normally be regarded as spent but only relevant 'spent' convictions will be taken into account by the Council. Further details are provided in Appendix 2 Guidelines on Relevance of Convictions etc.

All new applicants for a drivers licence will be the subject of a Disclosure Barring Service (DBS) Enhanced Disclosure check. The Council is an approved (DBS) body; Checks will be carried out by the Council via an approved company. Applicants will be charged the appropriate fee.

In the case of new applicants with less than five years residence in the UK a Certificate of Good Conduct must be supplied from the relevant embassy of each and every country where they have lived for a period of more than three months, in addition to an Enhanced Disclosure covering their time in the UK.

In the case of renewal applicants who have been out of the UK for a period of more than six months they will need to provide a Certificate of Good Conduct for each and every Country that they have resided in. If a Certificate of Good Conduct cannot be

provided then written reasons as to why it cannot be provided must be supplied and those reasons will be considered by an Authorised Officer.

All Certificates of Good Conduct must be translated into English by an accredited translator and accompanied by a declaration to that effect.

An Enhanced DBS check of Criminal Convictions for current drivers will be carried out by the Council every six months. This will be carried out by way of the DBS Update Service (see below for details) or the more traditional method of obtaining a paper record. Licensed Drivers must be aware that the Council considers it imperative that all drivers subscribe to the Update Service. The Council can also request another disclosure at any time if a further check is considered necessary.

The DBS Update Service allows the applicant to pay a subscription fee direct to the Disclosure and Barring Service, in return for ongoing monitoring of the official records for information relating to the applicant. Subscribers will be able to give employers and licensing authorities permission to carry out a status check, in order to verify whether an original DBS certificate remains valid, even if it is several years later. Therefore we will allow taxi and private hire drivers to use the Update Service as an alternative to obtaining a new certificate every six months. In such cases, the original certificate that the Update Service relates to must initially be produced to the Licensing Section for verification that it is suitable.

The applicant must have subscribed within 19 days of the issue of the last certificate. If the subscription lapses, or if the driver doesn't subscribe and police records show new information since the certificate was issued, we will not be able to obtain a status check, and the applicant will need to apply for a new disclosure certificate at their own cost.

All licensed drivers will be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Should the check reveal that new information is available the DBS certificate will no longer be relied upon and a new DBS certificate will be requested.

All applicants are required to disclose if their have ever held a licence with any other Authority and additionally if they have ever had a licence refused, revoked or suspended by any other licencing authority. Where an applicant has made a false statement or a false declaration or omitted this information on their application for the grant or renewal of a licence, the licence will normally be refused. The Council will check all new applicants against the National Revocation and Refusals Register.

The Council is bound by the rules of confidentiality and will not disclose information obtained to any third party save as required by the law. The applicant for an Enhanced Disclosure will be sent a certificate to their home address and will need to provide the original to the Council.

### **National Register of Taxi Licence Refusals and Revocations.**

The Council provides information to the National Register of Taxi Licence Refusals and Revocations (NR3). This allows licensing authorities to share details of

individuals who have had a hackney carriage or private hire licence revoked. All applications for a new licence or licence renewal will automatically be checked on NR3. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.

### **DVLA Licence Checking**

In order to ensure the Council have a driver's complete driving history the Council will check with the DVLA for all new applications and upon renewal.

Any discrepancies between the DVLA record and the applicants driving licence will be brought to the attention of the DVLA and the Police, as appropriate.

All new applicants and current drivers applying for renewal of their licence will be subject of a DVLA check of the driving record. A licence will not be issued or renewed until this check is complete and the results considered. It complies with the Council's policy on convictions (See Appendix 6.)

Since the abolition of the Driving Licence paper counterpart the Licensing Department have been unable to easily check current driving endorsements that may have accrued.

Local Authorities are no longer be able to request an extended mandate for an extract of an applicant's driving history. The DVLA provides a free service to check a driver's current endorsements. This service will be used by the Council for all new and current drivers so the Licensing Authority can ensure drivers remain 'fit and proper' persons.

All new applicants and existing licensed drivers will be expected, and conditioned, to provide a shared driving licence code in order that relevant checks can be made of the DVLA online service.

Checks may also be made by the Council, requiring the applicant or licensed driver to provide a shared DVLA driving licence code at other times. This will either be where the Council believes an applicant or licence holder has been convicted of an offence not previously declared, there has been a delay in the application process and the Council wish to ensure they have updated details before determining an application or, as part of periodic compliance checks of licensed drivers.

If an applicant is unable to use the free Shared Driving Licence Service, he/she will be required to give written consent to the Council to apply to the DVLA for their driver record. The applicant must pay the reasonable administrative fees of the Council as well as those of the DVLA. Utilising this service will result in delays in the Council processing an application.

### **Right to Work**

In addition all applicants will be required, prior to the grant or renewal of the licence, to demonstrate their right to work in the UK and details are contained in Appendix 4.

## **English Language Proficiency Test**

### New Applicants

- a) All new applicants for a Hackney and Private Hire Dual Drivers Licence will be required to undergo a proficiency test to demonstrate their ability to communicate effectively in the English Language.
- b) The test will be conducted in a form approved by the Council.
- c) An outline of the test requirements can be found at appendix (10)

### Current Drivers

- a) Current drivers appearing before the Licensing Sub Committee may be required to take the aforementioned test should the Committee consider that the driver's spoken English is inadequate. Each case will be considered on its merits.

## **Safeguarding Training**

All new applicants and current licensed drivers are required to undertake recognised Disability Awareness and Safeguarding training as part of their professional development. The Training must be provided by an agreed supplier to ensure that all drivers operate to a consistent standard and can provide a safe and suitable level of transport service to disabled and vulnerable passengers. Existing Lewes District Council licensed drivers that have not previously undergone recognised Disability Awareness/Safeguarding training must attend a session within 12 months from implementation of this revised policy. Failure to attend this training during the timescales outlined above will result in the licence being suspended until the training has been successfully attended.

## **Offences**

Existing holders of driver's licences are required to notify the Council in writing within 48 hours of receiving a driving licence endorsement, fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings (including their acquittal as part of a criminal case). In addition, licence holders must inform the licensing authority within 48 hours of their arrest for any matter (whether subsequently charged or not). To fail to do so, will raise serious questions for the licensing authority as to the honesty of the licence holder and will be considered as part of any subsequent renewal applications or licence review.

'How Did I Do' stickers are mandatory for all licensed vehicles and must be placed on the dashboard on the passenger side and on either the headrest of the driver's seat or passenger's seat facing the passengers. These stickers will be provided by the Council's Licensing Team.

## **Conditions**

The Council is permitted to apply conditions to private hire licences as it may consider reasonably necessary and those are contained in Appendix 5.

The Council is not permitted to apply condition to hackney carriage drivers but instead byelaws apply as contained in Appendix 6.

### **Duration**

The Council will licence drivers in accordance with the conditions on page 10 above.

### **Part 5: Private Hire Operators**

Any person who operates a private hire service using one or more private hire vehicles must have a private hire operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle.

An operator must ensure that every private hire vehicle has a current private hire vehicle licence and is driven by a person who holds a current Dual/Restricted Private Hire drivers licence. All three licences, operator, driver and vehicle must be issued by the same licensing authority.

### **Conditions**

The Council has the power to impose such conditions on an operator's licence as it considers reasonable, necessary and proportionate. These are found at Appendix 3.

### **DBS Disclosures**

Before an application for an operator's licence will be considered the applicant will be subject of a Basic Disclosure from DBS or a Certificate of Good Conduct. Applicants that hold a current drivers licence with the Council will be exempt from this requirement. A reference covering the applicant's financial records and/or business history may also be considered appropriate in some instances.

Private Hire Operators, who are not also licensed drivers, are required to provide a basic DBS Disclosure certificate every 12 months

Drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff. There is a person taking bookings (be it by phone or in person), the vehicle dispatcher who decides which driver to send to a user. These are positions that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults and the Council should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public.

Operators will be required as a condition of granting an operator licence, to keep a register of all staff that will take bookings or dispatch vehicles.

Operators will be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders.

Operators will have to provide their policy on employing ex-offenders in either of these roles.

### **Public Liability Insurance**

The Council may check that appropriate public liability insurance has been taken out for premises that are open to the public. Before an application for an operator's licence is made the applicant must either produce evidence that they have taken out appropriate public liability insurance for the premises to be licenced or signed a declaration that their premises are not open to the public.

### **Address From Which May Operate**

The Council will specify on the licence the address from which the operator may accept bookings and dispatch vehicles. The operator must notify the Council in writing of any proposed change of address during the period of the licence. The operator may not change the operating address until such time as the change has been approved by the Council.

The Council will not grant an operator's licence for an operating base that is outside the district. This is to ensure that proper regulation and compliance measures may be taken by the Council and is in no way intended to be a restraint of trade.

### **Sub-contracting of Private Hire Bookings**

A licensed operator may sub contract a booking to another licensed operator, whether in the same district or not. Both operators must be licensed within the area in which their operating base is located and should record details of the booking.

The initial booking must be taken within the area in which the operator is based and the sub contracted booking must be taken within the area in which the sub contracted operator is based.

### **Right to Work**

All applicants will be required prior to the grant of the licence to demonstrate their right to work in the UK and details are contained in Appendix 4.

### **Licence Duration**

The Council will ordinarily issue a successful applicant an operator's licence with a five year licence subject to the power to grant a licence for a year should this be appropriate in the circumstances or requested.

### **Complaints about Drivers**

All Operators are required to keep a record of all complaints received. These records must be made available for inspection by the Licensing Officer on request. Operators are required to advise the authority when any driver is subject to any complaints regarding safeguarding, dishonesty, abusing customers or more than one complaint which does not fall into these categories in any 12 months.

## **Part 6: Application Process**

This section of the Guidance is intended to give an indication of the application process relating to all application types. The Council notes that there are no prescribed time scales for dealing with applications but it will endeavour to deal with all applications in a timely manner.

### **Vehicles**

An application for a vehicle licence will only be considered complete when all of the following components have been received:

- Prescribed application form fully completed
- Appropriate fee
- V5 registration document
- Current valid insurance certificate or cover note
- Vehicle suitability test

### **Drivers**

An application for a drivers licence will only be considered complete when all of the following components have been received:

- Prescribed application form fully completed
- Appropriate fee
- Current valid full driving licence
- Approved Driving Assessment
- Enhanced DBS disclosure and/or Certificate of Good Conduct (as appropriate)
- Knowledge test pass
- Medical certificate
- English Language Proficiency Test pass
- Proof of right to work in the UK (new applicants and existing drivers where applicable)
- A passport sized, clear and easily identifiable photograph of the applicant
- Proof of identity. Applicants must submit one form of proof of address such as a utility bill (the proofs of address should not be more than three months old)



- DVLA Check Code
- Proof of passing the training in Equalities Awareness including Disability Awareness and Safeguarding.

### **Operators**

An application for an operator's licence will only be considered complete when all of the following components have been received

- Prescribed application from fully completed
- Appropriate fee
- Inspection of the operating premises by an Authorised Officer
- Proof of Public Liability Insurance ( as appropriate)
- A professional financial or business reference
- Basic Disclosure/Certificate of Good Conduct unless already licensed as a driver with the Council.
- A register of all staff that will take bookings or dispatch vehicles.
- Evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff.

The application form, appropriate fees and all supporting documentation should be submitted at least fourteen days prior to the expiry of the previous licence. Incomplete applications may be returned to the applicant for resubmission when complete. An application will not be processed without all supporting documentation being received which satisfies the requirements of this Guidance.

If a licence has not been issued at the point when an existing licence expires the licence holder must cease operating until the new licence has been received.

### **Renewal of Licences**

#### Process

- a. It is the responsibility of the licence holder as appropriate to ensure that applications are submitted to the Council for renewal in good time.
- b. The Council will send notification of an impending renewal to licence holders with 28 days' notice.
- c. All applications for renewal must be submitted to the Council with all relevant documentation and the correct fee at least 14 days before the expiry date.

- d. Late or incomplete applications may result in the licence holder being unable to work until it has been determined.
- e. A renewal application received after the expiry date is not deemed to be valid. Therefore a refusal by the Council to renew the licence, in those circumstances, may only be legally challenged by way of judicial review..
- f. There may be 'exceptional' circumstances' that allow the Council to consider applications received after the expiry date. These exceptional circumstances apply if the renewal application is received no more than three days late and the licence holder provides a good reason for the delay. These will be considered on a case by case basis. The Council will be guided by relevant case law in this matter notably *R (on the application of Exeter City Council) v Sandle*.
- g. The Council will from time to time have to deal with situations where it may not be possible to determine renewal applications on time. These may include but are not limited to national emergencies and situations beyond the control of Local Government.
- h. The Local Government (Miscellaneous Provisions ) Act 1976 does not allow expired licences to be extended. It is the responsibility of the licence holder as appropriate to ensure that applications are submitted to the Council for renewal in good time.

In such circumstances the following procedure will apply :

- i. In the event that the Council is unable to determine applications in the required time, it will issue a short term licence from the date of expiry until the date that a proper determination can be made.
- j. This is dependent upon the application being made before the expiry date of the current licence.
- k. In these cases a 'short term licence 'will be marked clearly as 'Issued without prejudice' thus recognising the Council has been unable to correctly assess all relevant documentation.
- l. Sections l – k above do not include circumstances where an applicant has failed to submit the relevant application, fee or documentation on time.

### **Consideration of Applications**

Unsuccessful applicants will be informed of the Council's reasons for the refusal and their right of appeal against the decision to the Courts.

## **Part 7 – Disciplinary and Enforcement Measures**

### **Enforcement**

It is recognised that well directed enforcement activity by the Council benefits not only the public but also the responsible members of the hackney carriage and private hire vehicle trade. In order to balance the protection of public safety with the need to prevent unnecessary interference in a licence holder's business, the Council will ensure that its enforcement is reasonable, proportionate, transparent and consistent. Enforcement action will not normally constitute a punitive response to minor technical contraventions but repeated minor technical contraventions will be subject to appropriate action.

### **Complaints against licence holders**

All complaints will be fully investigated and will often involving the taking of statements from the complainant, driver and any witnesses. An Authorised Officer will consider all evidence and mitigating circumstances arising from the investigation before referring the matter to the Senior Specialist Advisor, if appropriate. The outcome of any complaint will be advised to the complainant in the form of a written response.

### **Penalty Points Scheme**

The Council have introduced a Penalty Points Scheme for drivers and operators. The aim of the penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan.

The purpose of the scheme is to record misdemeanours 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. The primary objective of the penalty points scheme is to improve the levels of compliance and help improve the standards, safety and protection of the travelling public.

The scheme is explained at Appendix 7.

### **Suspension**

#### **Vehicles**

Vehicles must be kept in an efficient, safe, tidy and clean condition at all times. Compliance with the vehicle specification and conditions of this Guidance is essential and will be enforced by random vehicle inspections by the Council. Where it is found that any vehicle is not being properly maintained, a defect(s) notice will be served on the licence holder setting out the defect(s) and the required action.

Where there is a risk to public safety the further use of the vehicle will be suspended until the defects have been remedied. The suspension will not then be lifted until the vehicle has undergone a further test at a DVSA approved garage in the District, at the licence holder's expense, and the vehicle meets the requirements of this Guidance.

## **Drivers**

The Council may exercise its discretion to suspend the operation of a driver's licence for a specified period at the discretion of the Senior Specialist Advisor.

## **Revocation**

The Senior Specialist Advisor may revoke the licence. Ordinarily, any revocation is stayed pending the period for appeal expiring or in the case of an appeal the appeal being determined. Where necessary for public safety, the Senior Specialist Advisor may determine that a revocation takes immediate effect and is not stayed pending any appeal.

## **Refusal to Renew**

As an alternative to revocation, the Senior Specialist Advisor may decide that the appropriate action, in a situation where the licence is shortly to expire, is to order that the licence shall not be renewed. The Senior Specialist Advisor may suspend the existing licence for the remainder of its licence period depending on the individual merits of the case.

## **Section 68 (Stop) Notices**

An Authorised Officer or a Police Officer may serve notice in writing for a vehicle, or the taximeter affixed to such a vehicle, to be examined at a DVSA approved garage in the District at a time specified in the notice. This notice may only be served if there are concerns as to the condition of the vehicle or the accuracy of the taximeter.

In addition the vehicle licence may be suspended until such time as the Council's testing requirements have been complied with if it is deemed necessary for public safety. The suspension notice will remain in force until an Authorised Officer has issued written confirmation that the Council's testing requirements have been met.

If an Authorised Officer is not satisfied that appropriate action has been taken to allow the suspension notice to be withdrawn within a period of two months from the date of issue the vehicle licence will be deemed automatically revoked.

## **Cautions and Fixed Penalty Notices**

In the interests of natural justice before a Caution or FPN is administered there must be sufficient evidence of guilt to give a realistic prospect of a conviction, the offender must admit the offence and the offender must understand the significance of the Caution or the FPN and give informed consent.

Where a person declines the offer of a Caution or a FPN, it will be necessary for the Council to consider taking alternative enforcement action. Whilst this would ordinarily mean prosecution this is not inevitable.

## **Prosecution**

The decision to prosecute is significant as it may impact on the licence holder's future employability. Generally, the circumstances that may warrant a prosecution include, but are not limited to;

- Blatant or repeated disregard for legislation and/or this Guidance, particularly where the economic benefits for the breaches are substantial

- When there has been blatant and/or reckless disregard for the safety of passengers or other road users

## **Part 8: Equalities and Accessibility**

The Council is committed to social inclusion and ensuring a wide variety of opportunities are available particularly to those with mobility difficulties.

The Council requires all proprietors, drivers and operators to be compliant with the relevant provisions of the Equality Act 2010 and any subsequent legislation.

The Council will actively encourage the licensing of sufficient accessible vehicles and will maintain a designated list of wheelchair accessible vehicles in the District which can be found on the Council's website. The Council want to ensure that passengers in wheelchairs are better informed about the accessibility of vehicles in the District and are confident of receiving any assistance they require.

Before a vehicle is placed on the designated list it must be capable of carrying a 'reference wheelchair' and more details on reference wheelchairs can be found on the Council's website.

The Council notes the duty on operators and drivers of designated wheelchair accessible vehicles to carry a passenger while in the wheelchair and not to make any additional charge for doing so. If the passenger chooses to sit in a passenger seat the driver shall carry the wheelchair and to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort. The driver will be responsible to assisting the passenger to get in and out of the vehicle and for loading the passengers luggage and/or wheelchair into and out of the vehicle.

The Council notes that the operator or driver hired by a disabled person who is accompanied by an assistance dog or by another person who wishes to be accompanied by a disabled person with an assistance dog should accept a booking, carry the assistance dog and allow it to remain with the passenger and not make an additional charge for doing so.

All licensed drivers are under a legal duty to carry guide, hearing and any other assistance dogs in their vehicles without additional charges to the passenger. A licensed driver may only refuse to do so where they have a medical exemption. A medical exemption may only be granted by the Council where the licensed driver has provided detailed medical evidence that shows a medical condition will be aggravated by exposure to dogs. If the medical exemption is granted, the licensed driver will be issued with an exemption certificate and a notice of exemption. The notice must be displayed in the vehicle by fixing it in a prominent position facing outwards on the dashboard.

Sections 165, 166 and 167 of the Equality Act 2010 deal with the imposition of duties on the drivers of wheelchair accessible taxis and private hire vehicles to assist passengers who use wheelchairs.

Section 165 places duties on drivers of designated wheelchair accessible taxis and private hire vehicles.

Exemptions from the duties - Section 166 allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties. Drivers who wish to be exempt from a duty to assist passengers in wheelchairs must apply in writing to the Licensing Authority.

The Council will accept evidence from the driver's own GP in support of an exemption period of no more than three months.

Applications for exemptions beyond three months will only be considered when supported by evidence from the driver's Consultant and will be determined by a Senior Specialist Advisor.

Applications for extensions beyond six months will be determined by the Licensing Sub Committee.

No Exemption will last longer than twelve months.

If an application for an exemption is refused the vehicle must still be fully used as a Wheelchair Accessible Vehicle. If the driver is unable to fulfil this commitment he/she will not be permitted to use the vehicle and his driver's licence may be subject to suspension until such time as he is declared fit.

The measures outlined here are intended to support the driver and to ensure that the wider community is not indefinitely denied the facility of a Wheelchair Accessible Vehicle.

## **Part 9: Fares**

### **Hackney Carriages**

The Council will consider the fare scales following a formal proposal from the Trade evidencing that at least 51% of the trade are in support. Before setting the fares the Council will follow the appropriate procedures detailed in the 1976 Act.

When determining the level of fares, consideration will be given to what it is reasonable to expect the travelling public to pay as well as the need to give the drivers an incentive to provide a cost-effective service at the times it is needed.

Hackney Carriage fares, set by the Council, are a maximum and can be negotiated downwards by the hirer.

The fare for any journey that starts and ends within the District cannot exceed the metered fare based on the Council's maximum fare tariff. The meter should only be started when the passenger(s) is/are in the vehicle and the journey commences. The fare for any journey that starts or ends outside of the District can be negotiated prior to the commencement of the journey without using the meter.

The maximum fares currently prescribed by the Council are set out on the Council's website. A table of authorised fares will be provided to each hackney carriage

licence holder, which must then be displayed in each vehicle so that it is easily visible to all hirers.

A hackney carriage driver must, if required by the passenger, provide a written receipt for the fare paid.

Where payments for journeys by credit/debit card are accepted, it is not permissible to set a minimum card payment amount.

### **Private Hire Vehicles**

The fare for a journey in a private hire vehicle must be agreed with the private hire operator at the time of booking. The driver should charge no more than the fare agreed with the operator at the time of booking.

The agreement between the hirer and the operator can either be for a fixed monetary sum, or an agreement that the fare will be calculated using the meter within the vehicle. In the case of a metered fare, the starting point for engaging the meter must be agreed at the time of booking.

A private hire driver must, if requested by the passenger, provide a written receipt for the fare paid.

Where payments for journeys by credit/debit card are accepted, it is not permissible to set a minimum card payment amount.

## **Part 10: Licence Fees**

### **Fee Structure**

The legislation and established case law provides that licence fees should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands, and administering the control and supervision of hackney carriages and private hire vehicles. In simple terms, the Council can only set fees on a reasonable cost recovery basis and cannot make a profit from licence fees when analysed over a typical three-year cycle.

The fees currently payable for the grant and renewal of hackney carriage and private hire licences are set out on the Council's website. The fee structure is reviewed annually as part of the Council's budgetary process.

### **Payment**

The Council is able to accept payment by debit or credit card, cheques, or BACS payments. Cheques must be payable to Lewes District Council.

The Council is unable to accept cash payments, save for exceptional circumstances.

### **Refunds and Duplicate Copies**

In the case of any licence where the licence holder voluntarily surrenders their licence prior to the expiry date, the Council may make a refund in respect of the whole month/s of the unexpired portion of the licence fee.

In the case of a licence that has been suspended, revoked or otherwise ends early due to disciplinary matters, no refund will be made by the Council.

Where the Council receives a request for a duplicate copy of any previously issued licence, an appropriate fee will be paid to cover the associated administrative costs.

### **Part 11: Appeals**

Appeals against the decisions of an Authorised Officer or Licensing Members may be made to the Magistrates' Court.

Any decision notifications will include detailed information on how to appeal and the applicable time limits.

#### **Contact Us;**

Lewes District Council  
Southover House  
Southover Road  
Lewes  
BN7 1AB

Web Site: [www.lewes-eastbourne.gov.uk](http://www.lewes-eastbourne.gov.uk)

E mail: [customerfirst@lewes-eastbourne.gov.uk](mailto:customerfirst@lewes-eastbourne.gov.uk)

Telephone Main Switchboard – 01323 415100



## **Appendix 1: Conditions Private Hire Vehicles, Hackney Carriage and Specialist Vehicles**

1. These conditions apply to all vehicles unless expressly stated.

### **Maintenance of Vehicle**

2. The vehicle and all its fitting and equipment shall at all times when the vehicle is in use or available to hire be kept in a safe and clean condition.
3. All relevant statutory requirements including in particular those contained in the Motor Vehicle (Construction and Use) Regulations shall be fully complied with.
4. All vehicles shall undergo an inspection by a DVSA approved garage within the District every six months.

### **Identification Plate**

5. The plate identifying the vehicle shall at all times be securely fixed to the outside on the rear of the vehicle in a conspicuous position in such a manner as to be easily removed by an Authorised Officer or Police Officer. Magnetised fittings are not permitted.
6. On written application the Council may exempt certain specialist or executive vehicles from the need to display external plates, and operator identification.
7. The private hire licence plate provided by the Council for display inside the vehicle must be fixed to the front windscreen of the vehicle in a position where it may be conveniently read by passengers travelling in the vehicle.

### **Signage and Advertising**

8. Hackney Carriages must be fitted with an illuminated external roof mounted sign. The sign may either display the word 'Taxi', or the words 'For Hire'. The roof sign and lettering shall be of an appropriate size to enable it to be clearly identifiable to the public. The roof sign must be switched off when the vehicle has been hired and illuminated when available for hire.
9. Private Hire Vehicles must not carry a roof sign of any description or have any markings that give the impression that it is a hackney carriage. They must display Council approved signage on the vehicles stating that the vehicle is only able to undertake pre-booked journeys. Any signage or advertising on a private hire vehicle must not include the words 'taxi', 'cab', 'hackney carriage' or 'for hire' save for the word 'taxi' or 'cab' being part of the company name.
10. The proprietor shall cause to be affixed and maintained in the vehicle in a conspicuous position and in accordance with the directions of the Council any sign or notice which the Council may from time to time require.

11. No other signs will be permitted to be displayed anywhere on the vehicle without the written permission of an Authorised Officer.
12. Restricted first party advertising is allowed so long as the advertising material is limited to the metal surfaces on the rear doors, providing it does not cause an obstruction, the advertising material shall be non-reflective and nothing shall be advertised which may reasonably cause offence to any section of the community. The proprietor of any vehicle displaying an advertisement that does not comply with this condition will be required to remove the offending advertisement and until it has been removed the vehicle's licence will be suspended.

### **Miscellaneous**

13. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time the licence is in force.
14. A suitable First Aid kit shall be provided and maintained in the vehicle at all times when in use or available for hire.
15. A suitable Fire Extinguisher which conforms to British and European standards shall be provided and maintained in the vehicle at all times when it is in use or available for hire. The fire extinguisher will be visible and readily available for immediate use in an emergency.
16. The proprietor shall notify the Council in writing of any change of his address within seven days of such change taking place.
17. The proprietor shall within seven days disclose to the Council in writing details of any conviction, caution, FPN, civil injunction, or Acceptable Behaviour Contract imposed on him or if the proprietor is a company or partnership on any directors, company secretary or partners.
18. If the proprietor permits or employs any other person to drive the vehicle then before that person commences to drive the vehicle the proprietor shall cause that driver to deliver to him their private hire drivers or hackney carriage licence.
19. Any accident in a vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of person carried therein must be reported as soon as practicable and in any case within 72 hours of the occurrence.
20. Licensed vehicles may be fitted with Dark Tinted Windows (Manufacturers standard fit). All vehicles must comply with the Road Vehicles (Construction and Use ) Regulations 1986 Regulations (10) and (11)
21. Where payments for journeys by credit/debit card are accepted, it is not permissible to set a minimum card payment amount.

22. Vehicles presented for first licensing shall not be more than five years old and vehicles presented for re-licensing shall not be more than ten years old, apart from in exceptional circumstances at the discretion of an Authorised Officer. Applications to re licence vehicles over ten years old must be made in writing to the Licensing Authority citing what is considered to be an 'exceptional circumstance'. Financial matters nor the condition of the vehicle come in to this category and will not be considered in the determination.

**CCTV (*Implementation date to be confirmed*)**

23. The Council considers that the security of drivers and passengers is of paramount importance and CCTV can be a valuable deterrent.

24. CCTV systems are to be installed in all licensed Hackney Carriage and Private Hire vehicles (other than Private Hire Vehicles issued with a plate exemption for executive and VIP work and are used solely for this purpose). The system must be approved by the Authority and be capable when required of audio recording. The Authority will become the Data Controller and will publish a Data Impact Statement and guidance to drivers. The CCTV system must be installed in vehicles date by - to be confirmed.

25. The installation and operation of the CCTV systems shall comply with the requirements of the Information Commissioner's CCTV Code of Practice. Following the installation of any CCTV installed into the vehicle it is incumbent upon the operator, proprietor or driver to handle relevant data in an appropriate or secure manner.

26. The CCTV system shall comply with any legislative requirement as regards safety, technical acceptability and operational/data integrity.

27. The CCTV system will remain at all times the property of the proprietor of the vehicle who will be responsible for the maintenance of the system and will ensure that it is checked regularly and maintained in working order at all times. If at any time the CCTV system is not working it must be reported to an Authorised Officer within 72 hours.

28. The CCTV system must be capable of date, time and vehicle identification. It must be capable of capturing images during daytime and darkness of sufficient quality to enable the identification of any person travelling in the vehicle and be of such quality that it can be used for prosecution purposes, where necessary.

29. The positioning of the CCTV camera and hardware should be such that the hard disc or data card is not accessible to any passenger travelling in the vehicle. The equipment must be securely fixed such that it cannot be tampered with or damaged by any person travelling in the vehicle.

30. The CCTV system shall not be used to record conversations between members of the public, since that is highly intrusive, and if any system is equipped with a sound recording facility then that functionality shall be disabled.

31. All vehicles with a CCTV system shall display prominent notices, visible both outside and inside the vehicle, to inform passengers that a CCTV system is in operation.
32. An Authorised Officer or Police Officer may, on reasonable notice, examine any camera installation or any footage from the CCTV. The Council shall be permitted to access data where they have received a complaint involving the vehicle or its driver and the complaint cannot be fully investigated without access to the recording. The licence holder shall co-operate with any Police investigation where access to the CCTV footage may assist.
33. The CCTV system must be capable of recording and storing images for a minimum of 28 days.

## Appendix 2: Byelaw

### LEWES DISTRICT COUNCIL

#### BYELAWS

**Byelaws made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Lewes District Council with respect to hackney carriages in the district of Lewes.**

#### Interpretation

1. Throughout these byelaws "the Council" means the Lewes District Council and "the District" means the district of Lewes.

#### Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.  
  
(b) A proprietor or driver of a hackney carriage shall:
  - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
  - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

#### Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:
  - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
  - (b) cause the roof or covering to be kept watertight;
  - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
  - (d) cause the seats to be properly cushioned or covered;
  - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;

- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
  - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
  - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
  - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached, and maintained as to comply with the following requirements, that is to say:-
- (a) the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
  - (b) such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
  - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
  - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
  - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
  - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

**Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.**

5. The driver of a hackney carriage provided with a taximeter shall:-

- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
  - (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
  - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half an hour after sunset and half an hour before sunrise and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
- (a) proceed with reasonable speed to one of the stands appointed by the Council pursuant to Section 63 of the Local Government (Miscellaneous Provisions) Act 1976;
  - (b) if a stand, at any time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
  - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
  - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place

shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:
  - (a) convey a reasonable quantity of luggage;
  - (b) afford reasonable assistance in loading and unloading; and
  - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

**Provisions fixing the rates or fares to be paid for hackney carriages within the district and securing the due publication of such fares.**

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council, which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.



**Provisions securing the safe custody and redelivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof.**

16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-
  - (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station in the district and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and
  - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police station in the district, whichever be the greater) but not more than five pounds.

**Penalties**

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefor.

**Repeals**

19. The byelaws relating to hackney carriages which were made by the Lewes District Council on the 12 day of January 1995 and which were confirmed by the Secretary of State for Transport on the 14 day of March 1995 are hereby repealed.

GIVEN under the COMMON SEAL of LEWES DISTRICT COUNCIL this Twenty-second day of February 2001 in pursuance of a Resolution of the Council passed on the Twenty-first day of February 2001

THE COMMON SEAL of LEWES DISTRICT COUNCIL was hereunto affixed in the presence of:- LS 27/01

**C. F. W. Bailey**  
**Senior Solicitor**

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into force on the 11<sup>th</sup> day of April 2001

J. M. E. Rogers 28.03.01  
Signed by authority of the Secretary of State

Link to Hackney Carriage Byelaw is [here](#) or can be viewed on [www.lewes-eastbourne.gov.uk](http://www.lewes-eastbourne.gov.uk) and search for byelaws.

### **Appendix 3: Private Hire Drivers Conditions of Licence**

1. The driver shall behave in a civil and orderly manner and shall take reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the licensed vehicle.
2. The driver shall be clean and tidy in appearance at all times and dressed smartly with long or short sleeved shirt or blouse and long trousers, tailored shorts or skirts. Suitable footwear for driving must be worn.
3. The driver shall ensure that the vehicle is presented in a clean and tidy condition for each journey.
4. The driver must carry assistance dogs when required unless they have a Certificate of Exemption from the Council.
5. The drivers of a designated wheelchair accessible vehicle shall carry a passenger while in the wheelchair and not to make any additional charge for doing so. If the passenger chooses to sit in a passenger seat the driver shall carry the wheelchair and to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort. The driver will be responsible to assisting the passenger to get in and out of the vehicle and for loading the passengers luggage and/or wheelchair into and out of the vehicle. The driver must ensure that any occupied wheelchair being transported in a wheelchair accessible vehicle must be safely secured using the restraint system carried in the vehicle, provided such system is compatible with the wheelchair being transported.
6. A driver who has agreed to be in attendance at a certain time at a specified place or whose operators has informed them must be in attendance at a certain time and place shall unless delayed or prevented by some sufficient cause must so attend.
7. A driver must carry in the vehicle any luggage to which the passenger requests provided that it can be properly secured with the luggage constraints.
8. A driver must provide reasonable assistance in loading and unloading such luggage.
9. A driver must provide reasonable assistance in removing any luggage to or from of an entrance of any building or place the passenger may be taken up or set down.
10. A driver must provide reasonable assistance to any passenger in alighting or entering the vehicle.
11. The driver of a vehicle equipped with a taxi meter shall set the meter into operation at the point at which the hirer commences his journey unless the hirer pre-agrees a fare.

12. The driver shall at all time when acting as a private hire driver wear the badge issued by the Council in such a manner to be distinctly visible. The driver shall not lend the badge to any other person or cause or permit any other person to wear it.
13. The driver must not allow a passenger into their vehicle unless they have first confirmed that there is a booking in place for that passenger.
14. Where any of the following occur the driver must notify the Council in writing so that the notification is delivered to the Council within seven days;
  - Any change to the driver personal details including home address, contact telephone number or email address
  - If they change from one private hire operator to another
15. Existing holders of driver's licences are required to notify the licensing authority in writing within 48 hours of receiving a driving licence endorsement, fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings (including their acquittal as part of a criminal case). In addition, licence holders must inform the licensing authority within 48 hours of their arrest for any matter (whether subsequently charged or not). To fail to do so, will raise serious questions for the licensing authority as to the honesty of the licence holder and will be considered as part of any subsequent renewal applications or licence review.
16. A driver shall not at any time permit the noise from any radio or sound system in the vehicle to be a source of annoyance or nuisance to any person, whether inside or outside the vehicle. The driver must turn off their radio/stereos if requested by a passenger.
17. The driver shall not between the hours of 23:30 and 07:00 sound his horn to notify the hire of his presence.
18. The driver shall not, without the consent of the hirer, convey any other person in the vehicle other than the hirer.
19. The driver shall not demand for any hirer a fare in excess of any previously agreed for that hirer between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare the fare shown on the face of the taximeter.
20. A driver shall, if requested by the hirer, provide him with a written receipt for the fare paid.
21. A driver must supply on request his badge number or plate number to any person on request.
22. A driver stopped by an Authorised Officer or a Police Officer must produce their licence on demand.

23. The driver shall not wilfully or negligently cause or permit the vehicle licence plate to be concealed or allow the plate to be so defaced as to make any figure or information illegible.
24. The driver when hired to drive to a particular destination shall proceed to that destination by the shortest available route unless otherwise instructed by the hirer.
25. The driver must not cause or permit the vehicle to stand on a public road so as to suggest that it is plying for hire.
26. The driver shall not smoke or 'vape' in the vehicle.
27. The driver must not use a mobile phone whilst driving unless it is designed for hands free operation.
28. The driver shall not convey or permit to be conveyed any greater number of persons than the number specified on the vehicles licence.
29. The driver must return forthwith all licence, badges and plate to the Council when the driver ceases to be licensed.
30. The driver must cease driving any private hire vehicle and contact the Council immediately if they know of any medical condition which may affect their driving ability or the health or safety of themselves or any passengers.
31. The driver shall ensure that he complies with the law and best practice in relation to seat belts in relation to children under the age of fourteen.

## **Appendix 4: Private Hire Operators Conditions**

### **Records**

1. The operator shall keep a record of every booking of a private hire vehicle invited and accepted by him whether direct from the hirer or by undertaking the bookings at the request of another operator. The records shall be made available for inspection by an Authorised Officer or Police Officer upon request. The records entries must be made before the commencement of the journey and shall include;
  - the name of the passenger;
  - contact telephone number of the passenger;
  - the time of the request;
  - the pick-up point;
  - the destination;
  - the name of the driver;
  - the driver's licence number;
  - the vehicle registration number of the vehicle dispatched;
  - the name of any individual that responded to the booking request;
  - the name of any individual that dispatched the vehicle.
2. All records shall be kept by the operator for a period of at least 12 months from the date of the journey.
3. The operators shall keep written records of the particulars of all vehicles operated by him which include the;
  - Type, make, model, colour and engine size of the vehicle
  - The date the vehicle was first licensed for private hire
  - Vehicle registration number
  - Number of seats for passengers
  - Owner of the vehicle
  - Valid certificate of insurance of the vehicle
  - Method of charging i.e. whether or not a meter is fitted
  - Vehicle plate number.
4. The operator will securely retain a copy of the licences of all drivers (whether private hire or hackney carriage) engaged to work for them and make them available for inspection by an Authorised Officer or Police Officer upon request.
5. The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted by private hire vehicle operator without the informed consent of the person making the booking.

### **Display of Licence Plates**

6. The operator shall ensure that the licence plates issued by the Council are affixed to such position as shall be approved by an Authorised Officer.

7. The operator shall ensure maintenance of such licence plates in clean and legible conditions and shall inform the Council immediately should it be lost or broken or become defaced.

## **Miscellaneous**

8. The operator shall ensure that any staff they employ act in a civil and courteous manner at all times.
9. The operator shall ensure that a private hire vehicle which has been hired shall be in attendance at the appointed time and place unless delayed or prevented by sufficient cause.
10. The operator must not accept a booking by any person to hire a private hire vehicle unless the passenger or someone on his behalf previously requested the hiring by any means, for example telephone, email, text or personal call, to the licence holder.
11. The operator must not accept a request for hire (a booking) which has been communicated to them via a driver. For clarification, the operator must not accept a booking made by a driver on behalf of a potential customer where the person approached the driver in the street seeking to hire the vehicle.
12. The operator must ensure that none of his staff or agents tout for business on the street, touting in this context means approaching any person in the street and asking if they want to book a vehicle.
13. The operator is required to undertake reasonable checks as to fitness or suitability of their employees or agents who take bookings.
14. The operator shall ensure that every driver engaged has obtained a private hire drivers licence obtained by the same Licensing Authority which issued the operator's licence. If any documents expire the operator must ensure that driver does not work until the documents have been submitted to the operator.
15. The operator may only operate from an address within the District they are licensed. Upon the grant of a licence the Council will specify the address from which the operator may operate.
16. The licence must be kept in the possession of the operator and must be provided when requested by an Authorised Officer or any Police Officer. In the event of loss or damage to this licence the Council must be informed immediately so that a replacement licence can be issued. The licence must not be altered or defaced in any way.
17. The operator must not operate more vehicles than the maximum number specified on their licence. If the number of vehicles they operate significantly increases during the period of their licence the operator shall apply to the Council for a variation and an amended licence fee (pro rata to reflect the increase) will apply for the remainder of their licence.

18. The operator shall keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access whether for the purpose of booking or waiting. Any waiting area provided by the operator shall have adequate seating facilities.
19. The operator must not refuse a booking because the person wishing to make the booking proposes that an assistance dog is to travel with them. The operator must not make an additional charge for the carriage of a passenger's assistance dog.
20. The operator may only trade under this licence using one of the following, his name, the company's name, the trading name or one of the names which the licence holder included on the application form or another trading name provided that the operator notified the Council at least fourteen days prior to the intended change of name.
21. The operator must notify the Council in writing within seven days of the event occurring;
  - Any change to the licence holders personal details including home address or if a company the registered address, contact telephone number or email address
  - If the licence holder is charged with any criminal offence
  - Any conviction, caution or FPN given to a person or in the case of a company any director or company secretary or any partner for any criminal offence.
22. The operator shall ensure that all drivers have a badge issued by the Council and that the driver wears the badge which is distinctly visible at all time whilst available for hire.
23. The operator shall notify the Council forthwith and in writing of any complaints, concerning a contract for hire from his business he reasonably considers the Council should be aware of. Such notification must include the action taken or proposed as a result of the complaint.
24. Before an application for an operator's licence will be considered the applicant will be subject of a Basic Disclosure from DBS or a Certificate of Good Conduct. Applicants that hold a current drivers licence with the Council will be exempt from this requirement. A reference covering the applicant's financial records and/or business history may also be considered appropriate in some instances.
25. Currently Private Hire Operators who are not also licensed drivers are required to provide a basic DBS Disclosure certificate every 3 years. The Authority will require this check to be completed annually.
26. Operators will be required as a condition of granting an operator licence, to keep a register of all staff that will take bookings or dispatch vehicles.



27. Operators will be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. Operators will have to provide their policy on employing ex-offenders in either of these roles.
  
28. All Operators are required to keep a record of all complaints received. These records must be made available for inspection by the Licensing Officer on request. Operators are required to advise the authority when any driver is subject to any complaints regarding safeguarding, dishonesty, abusing customers or more than one complaint which does not fall into these categories in any 12 months.

## **Appendix 5: Right to Work**

The Council is under a legal duty to ensure that driver and operator licences are only issued to applicants who have lawful immigration status and the right to work in the UK. By law, the Council cannot issue a licence to any applicant that does not satisfy this requirement.

All applicants will need to attend the Council Offices where an Authorised Officer will check their original valid documentation evidencing their right to work in the UK. The applicant must attend in person and bring evidence of their right to work in the UK. Only certain types of documentation are acceptable.

### **For applicants who are British Citizens**

Need to provide a British passport confirming they are a British Citizen.

If they do not have a British passport they can produce any of the other documents contained within List A.

### **For applicants who are not British Citizens but have no restrictions on their right to work in the UK**

Need to provide any of the other documents contained within List A.

### **For applicants who have restrictions on their right to work in the UK**

Need to produce any of the documents contained within List B. If the documentation proves a right to work expires prior to the normal licence expiry date the licence will only be granted for the period the Council have proof of a right to work.

The Council will not accept a visa that confirms their right to reside in the UK but which is attached to an expired passport. The applicant will need to apply to the Home Office to obtain acceptable proof, such as a biometric residence permit. Once a valid application to the Home Office has been confirmed, a six month licence can be granted to allow time for the Home office to process the application.

An applicant must bring original documentation (not a photocopy) and it is the applicant's responsibility to make sure they can provide acceptable forms of documentation.

The Authorised Officer will check that the documentation is acceptable based on either List A or List B (depending on your circumstances), check that the document is an original and relates to the person providing it, and take a photocopy for Council's records.

If the documentation provided demonstrates that the applicant has a permanent right to work in the UK (from List A) they will not be required to produce documentation for future applications. In other cases, the applicant will be required to provide documentation when they next apply to renew their licence so their right to work can be verified again at that point in time.

## List A

- (i) A passport showing the holder, or a person named in the passport as the child of the holder, is a British Citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- (ii) A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- (iii) A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- (iv) A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- (v) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK.
- (vi) A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- (vii) A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- (viii) A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- (ix) A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- (x) A certificate of registration or naturalisation as a British Citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

## List B

- (i) A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- (ii) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- (iii) A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- (iv) A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK and is allowed to do the type of work in question, together with

an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

(v) A Certificate of Application issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with Verification from the Home Office Evidence and Enquiry Unit.

(vi) A Verification issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person may stay in the UK because they have an in time application, appeal or administrative review and which is outstanding.

## Appendix 6: Guidance on the Relevance of Convictions

### Convictions Guidance

#### 1. Introduction

- 1.1 The purpose of this document is to provide guidance on the criteria taken into account by the Council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.
- 1.2 The overriding aim of the Council is to protect the safety of the public. The Council is concerned to ensure:
- That a person is a fit and proper person
  - That the person does not pose a threat to the public
  - That the public are safeguarded from dishonest person
  - The safeguarding of children, young persons and vulnerable adults
- 1.3 This document provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:
- Applicants for drivers' licences
  - Existing licensed drivers whose licences are being reviewed or renewed
  - Licensing Officers
  - Members of the licensing sub-committee ('sub-committee')
  - Magistrates and Judges hearing appeals against the Council's decisions
- 1.4 Where Officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing sub-committee. Whilst officers and the sub-committee will have regard to the guidelines contained in the guidance each case will be considered on its individual merits and, where the circumstances demand, the sub-committee may depart from the guidelines.
- 1.5 For renewal applications and current licence holders the guidance will not be applied retrospectively. However the guidance will be applied if any additional convictions are incurred or brought to the attention of the licensing authority that would call into question a person's suitability to hold a licence.

- 1.6 There is no judicially approved test of fitness and propriety and, accordingly, a number of local tests have developed. These tend to be based on a test similar to the following:

The test used by the Council when considering whether a licence holder is a 'Fit and Proper' Person is:

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence. All decisions on the suitability of an applicant or licensee will be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and will take into consideration conduct that has not resulted in a criminal conviction.

- 1.7 The Council will undertake whatever checks it considers necessary to ensure that licences are not issued to unsuitable people. In assessing the suitability of an applicant or licence holder, the licensing authority will take into consideration the following factors:

- Criminality
- Number of endorsed DVLA driving licence penalty points
- The conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process).
- The previous licensing history of existing / former licence holders.

In addition, the Council will also consider further information from sources such as, but not limited to, the Police (including abduction notices), Children and Adult Safeguarding Boards, Multi Agency Safeguarding Hub, Immigration Service, Social Services other licensing authorities, other departments within the Council, and other statutory agencies.

- 1.8 As licensed drivers often carry unaccompanied and vulnerable passengers, the licensing authority will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. A licensed PHV or taxi driver is expected to be trustworthy. In the course of their working duties drivers will deal with cash transactions and valuable property may be left in their vehicles. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. Taking drugs and driving poses an obvious risk to public safety, whilst applicants who have convictions for the supply of drugs should also be treated with considerable concern, The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered carefully. As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public.
- 1.9 The Council reserves the right to overturn or annul a decision that has previously been made, or refuse a renewal of a licence, where clear errors are discovered.
- 1.10 In this Guidance the word "applicant" refers to either new applicants, existing licence holders who are seeking renewal and existing licence holders that are the subject of periodic auditing or having their licence reviewed by the Council as part of the Guidance implementation process. It also includes existing licence holders who are being considered by the Guidance by virtue of offending activity having recently come to light.
- 1.11 In this policy, the word "conviction" is to be defined as including convictions, cautions, warnings, reprimands and other relevant information.

## **2. General Guidance**

- 2.1 Whilst the Sub Committee may consider that a person with a conviction for a serious offence need not be automatically barred from obtaining a licence, it would normally be expected that the applicant would be required to:
- Remain free of conviction for an appropriate period as detailed below;

and

- Show adequate evidence that her or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence).

(Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence).

- 2.2 The standards and criteria set out below are those that would normally be applied to applications and licences. Each case will be considered on its own merits, and the Guidance may depart from these criteria, however it must only do so in exceptional circumstances. The otherwise good character and driving record of the applicant of licence holder will not ordinarily be considered as exceptional circumstances.
- 2.3 Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
- 2.4 Where an applicant has been convicted of a criminal offence, the Council cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)].

### **3 Pre-requisites to making an application**

- 3.1 The Council requires every application for a licence to drive a Hackney Carriage and/or Private Hire Vehicle must be accompanied by satisfactory evidence of the following matters (and that applications that are incomplete will not be deemed to have been made until such time as they are completed) –
- That the applicant has the right to live and work in the country
  - An enhanced criminal record check and evidence that they are not on a child and/or vulnerable adult barring list
  - A certificate of their current medical fitness [to Group 2 standard]
  - That the applicant is authorised to drive a vehicle of the same



classification as that which the licence will allow them to drive together with a check of any current driving endorsements held by the driver

- That the applicant has successfully completed of an advanced driving assessment (DSA Test)
- That the applicant has provided two personal references
- That the applicant has passed a local knowledge test
- That the applicant has sufficient ability to speak English and to understand spoken English to provide the service that they wish to be licensed for
- (For persons who seek to be authorised to drive a wheelchair accessible vehicle) that the applicant has the ability to safely load and secure wheelchair users in a wheelchair accessible vehicle whilst in their chair.

3.2 If an applicant has spent six continuous months or more overseas the Council will need evidence of a criminal record check from the country/countries covering the period before a licence application can be made.

#### **4. Appeals**

4.1 Any applicant refused a driver's licence on the grounds that the Council is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal (Local Government (Miscellaneous Provisions) Act 1976, s 52

4.2 Any applicant refused an operator licence on the grounds that the s not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.

4.3 Any licensee whose licence is suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of the notice of suspension or revocation.

#### **5. Powers**

5.1 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the Council to suspend, revoke or refuse to renew a licence if the applicant/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to

comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

- 5.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002 allows the Council to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Applicants need to be aware that, in accordance with this Act, all convictions, cautions, warnings and reprimands must be declared.
- 5.3 In this guidance the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

## **6. Consideration of disclosed criminal history**

- 6.1 Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the Council is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers licence and/or private hire vehicle operator's licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:
- How relevant the offence(s) are to the licence being applied for
  - How serious the offence(s) were
  - When the offence(s) were committed
  - The date of conviction
  - Circumstances of the individual concerned
  - Sentence imposed by the court
  - The applicant's age at the time of conviction.
  - Whether they form part of a pattern of offending
  - Any other character check considered reasonable (e.g. personal references)
  - Any other factors that might be relevant for example:

The previous conduct of an existing or former licence holder,  
Whether the applicant has intentionally misled the council or  
lied as part of the application process,  
Information provided by other agencies/council departments

- 6.2 In this Guidance 'from date sentence has ended' is taken to be the date which is reached once the whole of the period as sentenced by the court has elapsed and not necessarily the length of time served by the applicant. For example, if a sentence is five years imprisonment then the date that the sentence ends will be five years from the date of sentencing - regardless of the amount of time actually served by the applicant. If the sentence is amended by a court at a later date then this new sentence becomes relevant for the purposes of this policy. The term 'since completion of sentence' is to be construed in a similar way.
- 6.3 Existing holders of driver's licences are required to notify the Council in writing within forty eight hours of receiving a driving licence endorsement, fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings (including their acquittal as part of a criminal case). In addition, licence holders must inform the Council within forty eight hours of their arrest for any matter (whether subsequently charged or not). To fail to do so, will raise serious questions for the Council as to the honesty of the licence holder and will be taken into account as part of any subsequent renewal applications.
- 6.4 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence (Section 57 Local Government (Miscellaneous Provisions) Act 1976). Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused. Any offences or behaviour not expressly covered by this Guidance may still be taken into account.
- 6.5 The Guidance is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Guidance other licensing authorities, and information disclosed by the police.

6.6 Admission of guilt is required before a Police caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

6.7 Applicants can discuss further what effect a caution/conviction may have on any application by contacting an Authorised Officer or advice.

## **7. Options when determining an application/licence**

7.1 When determining an application or reviewing an existing licence in relation to convictions or other relevant information the Council have the following options:

- grant the licence or take no further action
- grant the licence with additional conditions
- refuse, revoke, or suspend the licence
- issue a warning

7.2 If a current licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.

## **8. Serious offences involving violence**

8.1 Licensed drivers have close regular contact with the public. A firm line will be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.

8.2 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving
- Terrorism offences
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

8.3 A licence will not normally be granted where the applicant has a conviction for an offence of similar offence(s) which replace the below offences and the conviction is less than 10 years prior to the date of application:

- Arson
- Malicious wounding or grievous bodily harm which is racially aggravated
- Actual bodily harm
- Grievous bodily harm with intent
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Common assault
- Violent disorder
- Resisting arrest
- Any racially-aggravated offence against a person or property
- Affray
- Any offence that may be categorised as domestic violence
- Any offence that may be categorised as stalking
- Harassment, alarm or distress, intentional harassment or fear of provocation of violence
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

8.4 A licence will not normally be granted until at least 5 years have passed since the completion of any sentence and / or licence period following conviction for an offence shown below:

- Obstruction
- Criminal damage
- Any offences (including attempted or conspiracy to commit offences) that are similar to those above.

8.5 A licence will not normally be granted if an applicant has more than one conviction for an offence of a violent nature.

## **9. Offences involving a weapon**

- 9.1 If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to carry the public.
- 9.2 Depending on the circumstances of the offence, an applicant should be free of conviction for 7 years (or at least 7 years must have passed since the completion of the sentence, whichever is longer), before a licence is granted.

## **10. Sexual and indecency offences**

- 10.1 As licensed drivers often carry unaccompanied and vulnerable passengers, the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences will be considered as serious. Applicants with convictions for sexual or indecency offences that involve a third party will normally be refused a licence.
- 10.2 An application will normally be refused where the applicant has a conviction for an offence such as:

- Rape
  - Assault by penetration
  - Offences involving children or vulnerable adults
  - Sexual assault
  - Indecent assault
  - Exploitation of prostitution
  - Trafficking for sexual exploitation
  - Possession of indecent photographs, child pornography etc.
  - Indecent exposure
  - Soliciting (kerb crawling)
  - Or **any** sex or indecency offence that was committed in the course of employment as a taxi or PHV driver
  - Or any similar offences (including attempted or conspiracy to commit) offences
- which replace the above.

- 10.3 In addition to the above the Council will not grant a licence to any applicant who is currently on the Sex Offenders Register.

## **11. Dishonesty**

- 11.1 A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. Taxi drivers are required to deposit such property with police within 24 hours. PHV drivers must pass lost property to the operator. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.
- 11.2 In general, a minimum period of 7 years free of conviction or at least 7 years from completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:
- theft
  - burglary
  - fraud
  - benefit fraud
  - handling or receiving stolen goods
  - forgery
  - conspiracy to defraud
  - obtaining money or property by deception
  - other deception
  - taking a vehicle without consent
  - and any similar offences
  - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
- 11.3 A licence will not normally be granted if an applicant has more than one conviction for a dishonesty offence.
- 11.4 Applicants or existing licence holders that are found to have intentionally misled the licensing authority or lied as part of the application or renewal process, will not be issued with a licence.

## **12. Drugs**

- 12.1 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues

which should be considered.

- 12.2 A licence will not normally be granted where the applicant has an isolated conviction for an offence related to the supply of drugs and has not been free of conviction for 10 years.
- 12.3 A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.
- 12.4 An applicant who has an isolated conviction for an offence related to the possession of drugs (other than for supply) within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.
- 12.5 If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.
- 12.6 A licence will not normally be granted if an applicant has more than one conviction for a drugs related offence.

### **13. Driving offences involving the loss of life**

- 13.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
- Causing death by dangerous driving
  - Causing death by careless driving whilst under the influence of drink or drugs
  - Causing death by driving: unlicensed, disqualified or uninsured drivers
  - or any similar offences

### **14. Drink driving/driving under the influence of drugs/using a mobile phone whilst driving**



- 14.1 As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. Normally at least 5 years after the restoration of the driving licence following a drink/drug drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed. If an applicant has more than one conviction for driving or being in charge of a vehicle while under the influence of drink or drugs the application should normally be refused.
- 14.2 Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research (see for instance <http://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf>) which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they:
- are much less aware of what's happening on the road around them
  - fail to see road signs
  - fail to maintain proper lane position and steady speed
  - are more likely to 'tailgate' the vehicle in front
  - react more slowly, take longer to brake and longer to stop
  - are more likely to enter unsafe gaps in traffic
  - feel more stressed and frustrated.
- 14.3 There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, an equally serious view should be taken of convictions for driving whilst using a mobile phone as for driving under the influence of drink or drugs.
- 14.4 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.

## **15. Other Motoring Offences**

- 15.1 There are many motoring offences which attract penalty points and fines. Some of these are not necessarily a bar from an applicant being granted a licence or an existing driver retaining a licence.
- 15.2 Traffic offences such as driving without due care and attention, reckless driving, more serious speeding offences (usually dealt with by a court), or offences of a similar nature will give rise to serious doubts about the applicant's suitability to be a driving professional. An applicant with any such convictions will be required to show a period of at least 1 year free of such convictions. For applicants with more than one offence this should normally be increased to 5 years.
- 15.3 In cases where the courts have imposed a disqualification in respect of the DVLA driving licence, the periods stated above should normally commence from the date of the restoration of the licence.
- 15.4 In this Guidance the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
- 15.5 In "totting up" cases where disqualification is considered by the Court, even if the court does not disqualify (e.g. because of exceptional circumstances) a driver, the Guidance is likely to refuse a hackney carriage or private hire driver's licence because different criteria apply. An applicant will normally be expected to show a period of 12 months free from conviction from the date the court made its finding of exceptional circumstances justifying the non-disqualification.

## **16. Licensing Offences**

- 16.1 Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 5 years has passed since .
- 16.2 A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.

## **17. Insurance offences**

- 17.1 A serious view will be taken of convictions of driving or being in

charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years; however strict warning should be given as to future behaviour.

- 17.2 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.
- 17.3 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will normally have his operators' licence revoked immediately and be prevented from holding a licence for at least three years.
- 17.4 Where a specific offence is not mentioned, a suitable period will be determined by reference to offences described. The Council reserves the right to refuse a licence where there are aggravating circumstances, even where these guidelines would otherwise indicate that a licence might be granted.

#### **18.0 Outstanding charges or summonses**

- 18.1 If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings.
- 18.2 If the outstanding charge or summons involves a serious offence and the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.

#### **19. Non-conviction information**

- 19.1 If an applicant has been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration may be given to refusing the application or revoking an existing licence.
- 19.2 The Guidance will take into account intelligence it receives which has not led to a conviction. This may include but not be limited to information regarding acquittals, circumstances in which convictions were quashed due to misdirection to the jury, circumstances where

the decision was taken not to prosecute, situations where the person has been arrested and bailed but not yet charged, and complaints from the public. In considering the most appropriate action to take following the receipt of information), the credibility of the witness / complainant and the licence holder will be taken into account.

- 19.3 In assessing the action to take, public safety will be the paramount concern. Decisions will be taken on balance of probability.

## **20. Once a licence has been granted**

- 20.1 If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.
- 20.2 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If the matter is appealed to a Magistrates or Crown Court it will take effect at the conclusion of those proceedings. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.
- 20.3 A suspension or revocation of the licence of an Operator takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If the matter is appealed to a Magistrates or Crown Court it will take effect at the conclusion of those proceedings

## **21.0 Licences issued by other licensing authorities**

- 21.1 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.
- 21.2 Licensees who are licensed by multiple authorities are expected to

inform all such authorities of the authorities that they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take it into account as appropriate.

## **22.0 Summary**

- 22.1 To summarise, a criminal history in itself will not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.
- 22.2 Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.
- 22.3 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

# **Lewes District Council Taxi and Private Hire Licensing, Penalty Points Scheme**

## **Introduction**

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 Guidance set by the Licensing Committee.
2. The aim of the penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of driver's behaviour and conduct so as to ascertain whether they are a fit and proper person.
3. It does not prejudice the Council's ability to take other actions.

## **How will it work?**

4. If Operators, Drivers or Proprietors of Vehicles commit an offence or breach rules, regulations or conditions of a licence, the persons involved are asked to attend the Council offices for an interview. Once investigations are completed, letters are sent out detailing the outcome and a permanent record kept on the persons' file. The outcome may result in no further action being taken, penalty points being awarded, a formal warning, referral to the Licensing Sub Committee and/or prosecution.
5. Penalty Points will remain current for 12 months from the date the penalty points are issued. 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.
6. Points issued to either the proprietor of a vehicle or a driver will be confirmed in writing, normally within 10 working days from the discovery of the contravention.
7. Where a licensee accumulates 12 penalty points in any 12 month period, the matter will be referred to the Council's Licensing Sub Committee for it to consider whether the driver is a fit and proper person.
8. The Sub Committee may then suspend or revoke a licence, or issue a warning to the Licensee, depending upon the circumstances. Periods of suspension by the Committee will be dependent on the nature of the breaches of the legislation/conditions and the compliance history of the individual.
9. Suspension periods will normally vary between 7 to 31 days.

10. Disputes regarding the issuing of penalty points by Officers will be referred to the Licensing Sub Committee. They will have discretion to award a greater number of points than displayed on the tariff, if the complaint is upheld. Drivers must appeal any points issued by Officers to the Licensing Sub Committee within 21 days.

11. 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 person(s) will not then be the subject of a prosecution by the Council.

**Appendix 7 Penalty Points Scheme**

	<b>Details of the misconduct</b>	<b>Points Applicable</b>	<b>Driver</b>	<b>Vehicle Owner or Operator</b>
1	Providing false or misleading information on licence application form / failing to provide relevant information or pay the relevant fee (including dishonoured cheques)	6	✓	✓
2	Failure to notify, in writing, the Council of a change of address within 7 calendar days	3	✓	✓
3	Refusal to accept hiring without reasonable cause	6	✓	
4	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	6	✓	
5	Plying for hire by Private hire drivers or Hackney Carriage drivers plying for hire outside the district	9	✓	✓
6	Private hire vehicle parking or waiting on a taxi rank	9		✓
7	Inappropriate behaviour at a taxi rank,	1-12*	✓	
8	Leaving a taxi unattended at a rank	4	✓	
9	Using unlicensed vehicle or using a licensed vehicle without insurance or without a valid VCT	12	✓	✓
10	Failure to produce relevant documents within timescales when requested by an Authorised Officer	4	✓	✓
11	Unsatisfactory condition of vehicle, interior or exterior	4	✓	✓
12	Failure to undergo the 6 monthly VCT on time	6		✓
13	Failure to provide proof of insurance cover when requested	6	✓	
14	Failure to produce Hackney Carriage or Private Hire vehicle for re-testing when required	4		✓

15	Using a vehicle subject to a suspension order issued by an Authorised Officer or a police officer	12	✓	✓
16	Using a vehicle for which the licence has been suspended or revoked	12	✓	✓
17	Failure to report, in writing, within 72 hours, accident or damage to licensed vehicle, which would cause the vehicle to breach licence conditions	4	✓	✓
18	Carrying more passengers than stated on the vehicle licence	6	✓	
	<b>Details of the misconduct</b>	<b>Points Applicable</b>	<b>Driver</b>	<b>Vehicle Owner or Operator</b>
19	Failure to display external/internal licence plate in a fixed position or failure to display appropriate door signs	6	✓	✓
20	Carrying an offensive weapon in the vehicle	12	✓	
21	Failure to notify a transfer of Private Hire or Hackney Carriage vehicle licence within 14 days of transfer	4		✓
22	Failure to carry fire extinguisher	4		✓
23	Failure to carry first aid kit	3		✓
24	Displaying unsuitable or inappropriate sited signs or unauthorised advertisements in or on the vehicle	3		✓
25	Failure to use authorised roof light	4	✓	
26	Failure to maintain records in a suitable form of the commence and cessation of work of each driver each day	4		✓
27	Failure to produce on request records of drivers' work activity	4		✓
28	Using a non-approved or non-calibrated taximeter (HC)	6	✓	✓
29	Obstruction of an authorised officer or police officer wishing to examine a licensed vehicle	12	✓	✓
30	Evidence of smoking in vehicle	3	✓	✓
31	Evidence of food or drink in Vehicle	3	✓	✓
32	Displaying any feature on private hire vehicle that may suggest that it is a Hackney Carriage	6		✓
33	Using a vehicle, the appearance of which suggests that it is a Taxi	6		✓
34	Failure to carry an assistance dog without requisite medical exemption certificate	12	✓	✓
35	Driver not holding a current DVLA licence	12	✓	✓



36	Failure to have the driver's badge clearly displayed	4	✓	
37	Failure to notify, in writing, a change in medical circumstances	6	✓	✓
38	Unsatisfactory appearance of driver	4	✓	
39	Failure to observe rank discipline (HC)	3	✓	
40	Failure to maintain proper records of private hire vehicles	3		✓
	<b>Details of the misconduct</b>	<b>Points Applicable</b>	<b>Driver</b>	<b>Vehicle Owner or Operator</b>
41	Failure to keep or produce records of Private Hire bookings or other documents required to be kept or produced	6		✓
42	Misleading use of the words 'Taxi' or 'Cab' on advertising materials	3		✓
43	Failure to issue receipt on request.	6	✓	✓
44	Using a licensed vehicle in a dangerous condition	9	✓	✓
45	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspensions of such licence	4		✓
46	Unsatisfactory behaviour or conduct of a driver.	1-12*	✓	
47	Failure to notify the Council in writing, of any motoring or criminal convictions within 21 days or conviction or cautions during period of current licence	6	✓	✓
48	Failure to behave in a civil and orderly manner or bringing the trade into disrepute.	1-12*	✓	✓
49	Failure to provide reasonable assistance to a passenger	1-12*	✓	✓
50	Failure to display a correct up to date fare card (HC)	3	✓	✓
51	Carrying two or more separate fares without the appropriate consent	9	✓	
52	Failure to carry a legal spare wheel (or appropriate alternative) and the necessary tools to fit the spare wheel	4	✓	✓
53	Failure to attend punctually at appointed time and place without sufficient cause	4	✓	✓
54	A licensed vehicle with a bald or dangerous or defective tyre	4 per tyre	✓	✓
55	Failure to submit licence renewal application including documents and attendance at a vehicle inspection	6	✓	✓

56	Failure to display an applicable fare card AND the Councils valid fare card together	3	✓	✓
57	Waiting or stopping on a double yellow area, bus stop or private land (without the owner's permission) unless requested by a paying customer present in the vehicle	3	✓	
58	Motoring Convictions	3-12*	✓	✓
59	Driving whilst using a mobile phone	9	✓	
60	Appeal of points by way of Licensing Sub-Committee	4-12*	✓	✓

\*- discretionary points up to a maximum of 6 points can be issued by officers, but greater awards of points can only be issued by the Licensing Panel

Officers may refer any mandatory award of points to Members where there are aggravating features to a case.

Ticks indicate potential recipients of points for infringements but are not limited to those only. Certain cases may result in drivers and/or proprietors and/or operators receiving penalty points. Points may be awarded to one or several persons depending upon the circumstances of the case, but each case will be considered on its individual merits.

# Climate Change and Sustainability Strategy 2021



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Photo © Sussex Express



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# Introduction

**In July 2019 we declared a climate emergency. The main purpose of this is was to commit to becoming carbon net zero and fully climate resilient by 2030. In some ways it was an easy thing to do; climate change was high profile once again and a report by the Independent Panel on Climate Change had stated that it is likely temperatures will exceed 1.5 degrees between 2030 and 2052 at current levels of CO<sub>2</sub> with highly negative impacts on humanity and nature.**

The difficult bit comes next. It requires legislation and action at all levels, from the national to the local and partnerships between council, business, local organisations and communities.

I started working in Lewes at the Community Recycling Centre in Lewes just over one week before the floods in 2000 which caused so much heartache and devastation to the town. The flood was a wake-up call to local people and decision makers to consider the impacts of climate change in all that we do. This culminated with the Coastal Communities 2150 Project in 2012 which was a community partnership brought together to communicate the risks of climate change to communities along the coast and the Ouse Valley.

The partnership approaches which had formed over the years were essentially ended by the 2008 recession as resources focused on sustainability and climate change diminished. With the declaration of the climate emergency this work has begun again with renewed focus and vigour.

Our corporate plan emphasises the priority of tackling climate change. We have already begun decarbonising our social housing stock,

supporting natural flood and infrastructural flood alleviation schemes, initiating hydrogen projects and expanding wildflower and tree planting amongst many other carbon reduction initiatives.

It is a priority for me that we engage with our communities on climate change. We supported the partnership that successfully bid for funds to implement a climate partnership along the Ouse Valley. We've initiated a Community Climate Action Forum and Youth Climate Action Forum as well as Walking and Cycling Forum. It is vital that we work closely with the many active community groups in the District as well Town and Parish Councils.

This strategy and action plan sets out our blueprint moving forwards. It will change as new partnerships form and new opportunities arise, but it sets out clearly our carbon baseline, where we need to focus and what we need to do to tackle greenhouse gas emissions and adapt to a changing climate.

2020 was one of the three hottest years (with 2016 and 2019) and flood warnings were issued in Seaford 7 times.

## **We have a limited window to act**

One of the few rays of light from the otherwise tragic experiences of Covid-19 was the rise in cycling due to less cars on the road, the increased appreciation of local nature and the rise in online working with less need to travel.



Whether we will see a resumption of former behaviours and CO<sub>2</sub> emissions remains to be seen but we have had a glimpse of how a better balance positively impacts not only on CO<sub>2</sub> emissions but also on our lives and we must ensure that this is not wasted.

## **Matthew Bird**

Lead Cabinet Member for Sustainability

# Part 1

## The Vision for 2030



# The Vision

**By 2030 we will have a net zero carbon and fully climate resilient council. Through our partnerships we will have enabled the district as a whole to progress to net zero carbon and to address the ecological emergency.**

Lewes District is a mix of urban and rural communities, coast and countryside, modern and historic buildings, agricultural and industrial businesses.

We have a beautiful district but it can be congested at times, it contains pollution hotspots particularly in Newhaven and Lewes town, it has rural areas with limited public transport, it lacks comprehensive cycling and walking routes, it's vulnerable to flooding and is suffering biodiversity losses in line with the alarming national and international trends. It has areas requiring economic regeneration, it needs more affordable housing and we need to reduce income inequality.

As a result we accept and acknowledge that we have a huge amount of work ahead of us to meet our ambition of becoming a net zero carbon and climate resilient council by 2030 and that we will be doing this with uncertain financial resources.

There is enormous enthusiasm and capacity in our local communities to help us meet these challenges. We have seen how fast we can act and come together and enable massive change when faced with the urgent and

common threat posed by the Coronavirus pandemic. We need to translate this urgency to tackling the climate change and ecological emergency. Although climate change will occur and impact on our lives we have a small window in which to reduce the more severe impacts of climate change, as long as we act now to cut emissions and prepare our communities for some inevitable changes.

Our own experience of flooding within the district, the stark predications of the effects of sea level rise on our coastal communities in and around Seaford and Newhaven, and the impacts of cliff erosion in Peacehaven, drives our resolve to enable climate resilient and sustainable communities.

Arresting biodiversity loss is inextricably tied to climate resilience, flooding impacts, and the ability to sequester and store carbon. Committing to nature-based solutions is essential for our recovery from the current Covid-19 crisis, and to better avoid future pandemics promoting healthy, thriving and resilient communities for the future.

The 'Declaration of the Climate Emergency' is our public statement that work the Council



PHOTO © SDNPA Charlie Hellewell

and others, locally and nationally, already do to mitigate and adapt to climate change must be ramped up and progressed at pace.

## **But we cannot do this alone.**

We have committed to becoming a net zero carbon Council by 2030. This means reducing our directly controllable emissions to as low as possible and then, if required, investing in solutions to reduce the remaining carbon emissions (offsetting).

We have also committed to support and work with others to make the district net zero carbon by 2030 though this target will be much harder to achieve.

We will use our influence and lobbying function to enable this and we will lead by example. We will work in partnership with the community to break down current barriers and enable delivery of projects.

# Working together locally

**We can only deliver on our vision and strategic goals effectively by understanding all the aspects the council can directly act on and those that we can only deliver by working with others in public, private and voluntary sectors across the district.**

## **Regional Partnerships and Networks**

Various partnerships and networks already exist and will be developed to further both district and regional zero carbon aims. New partnerships are in development to further objectives for specific purposes such as retrofitting the social housing stock.

The **Greater Brighton city region** has pledged to help tackle the climate change crisis and place itself at the centre of partnership efforts to effect real change.

Together the partners can use their combined authority, lobbying power, expertise and knowledge to work towards **ten pledges** on a range of environmental issues chiefly concerning water and energy conservation.

## **The Sussex Local Nature Partnership**

aims to work across sectors and organizations to secure the healthiest ecological system possible thereby protecting and enhancing the natural environment and all that it gives us. This vision is the key guiding principle behind the work of the LNP, both in terms of its direct delivery and in terms of any advice it may give, the statements it makes and the positions it

may hold. **The Green Growth Platform** is the South East Regional Hub of Clean Growth UK, a national business-innovation network that has collectively supported 1000s of businesses across the UK to innovate and grow. Clean Growth UK has hubs in Brighton, Liverpool and Portsmouth. They provide access to university led research and skills through the Greater Brighton city region working groups.

Partnerships have also developed to enable funding bids to take place, these include:

**Ouse Valley CARES** a partnership formed of local organisations and community groups including Lewes District Council and South Downs National Park. The partnership was successful in obtaining funding from the National Lottery Community Fund to develop a range of projects tackling climate change along the Ouse Valley.

**Changing Chalk** is focused on the chalk grassland landscape of the Sussex Downs and the communities of the coastal urban fringe of Brighton and Hove, Eastbourne and Lewes. Development funding of £138,300

has been awarded by The National Lottery Heritage Fund to help the Changing Chalk partnership progress their plans to apply for a full grant in 2021. This partnership, led by the National Trust will bring together people and nature, over a five-year period, to tackle the threats, grasp the opportunities and celebrate the heritage that the area offers.





# Harnessing Community Action and Expertise

The district is home to a multitude of individuals, organisations, charities, schools, Community Interest Companies and businesses that are like-minded to achieve sustainability goals such as lowering carbon emissions, reducing pollution, improving the natural environment, reducing poverty, promoting community cohesion and more. We are also lucky enough to be close to 2 world leading universities in the fields of sustainability, environment policy and engineering solutions.

**Local initiatives include:** Plastic Free groups in Newhaven, Seaford and Lewes; Greenhavens Network; Cycle Seahaven; Cycle Lewes; Lewes Walking and Cycling Forum; Refill; OVESCO; Transition Town Lewes; Lewes Climate Hub; Seaford Alliance; amongst many others both long running and newly emerging.

There is so much knowledge, experience and expertise that the council desired to bring this together and make it available to others who may be struggling to know how to get started on their sustainability journey. We commissioned 3VA and the Sustainable Business Partnership to facilitate the community [Climate Action Forum](#).

The forum will develop over 2021 to provide a space for the community and youth to engage with the climate change agenda and develop new local action and ownership of the problem as well as the solutions.

Residents (including young people), businesses and organisations can get involved by joining [here](#).



# The Youth Voice

Young people are key to the reduction of greenhouse gas emissions in the longer term. They will inherit our legacy and live with the consequences of climate change. Working closely with young people now will help ensure that sustainability behaviours and climate awareness are taken forward into adulthood. We need to embrace their energy and enthusiasm and enable, rather than stifle, their ideas but they also need to see us act swiftly and decisively for their future.

The **East Sussex Youth Council** is the elected youth voice for East Sussex. It made 'protecting the environment' top of their list of priorities for 2020 mirroring the Youth Parliaments 'Protect our Future' campaign. There is also the **Green United Forum** and schools network. OVESCO have engaged with local schools to install solar panels and many have taken up the environmental challenge by seeking to make their schools more sustainable in many other ways.

**Kings Academy** in Ringmer is nationally recognised for its sustainability work and is an **Ashden Award** winner. The school generates 70% of its heat on site through a variety of measures including a biomass boiler and heat pumps. They have on-site solar panels and a wind turbine generating **25% of their electrical energy use**. Rainwater flushes the toilets and extensive insulation has been installed.

Most impressively **25%** of their students are actively engaged as **ECO Reps**.

In order to encourage engagement with the district's Climate Action Forum young people from Seaford, Lewes, Ringmer, Chailey and Peacehaven were brought together at the end of October 2020 to speak about how they wanted to address the climate emergency in the Lewes District Area at a facilitated youth specific forum. Some of these young people were also representatives of the East Sussex Youth Cabinet, Seaford Environmental Alliance, Home Schools Network and their own school and college climate action and sustainability groups. The group chose 'campaigning' as their preferred type of action and to focus this within schools and colleges in the area. They also decided to vote for a representative to feedback from the youth group into the wider Climate Action Forum.



ABOVE Youth Climate Action Forum & 3VA

BELOW Rapid Charger installed at Kings Academy, Ringmer



## Part 2

# Why do we need a strategy?

Page 91



Photo © Sussex Express

# Why do we need a strategy?

**Overwhelming consensus has been gained through global and national research from the likes of the Intergovernmental Panel on Climate Change and the Met Office's UK Climate Projections to set in motion a policy framework that requires us to step up and take responsibility for our local emissions and environmental impacts.**

We must act now to mitigate the impacts of a changing climate, to adapt and manage the risks to service provision, local communities, the natural environment, infrastructure and businesses whilst taking a grasp of the multitude of positive opportunities that the changes we need to make will offer us.

The council has a key role to play as a community leader and through the services we provide but we cannot do it alone. The strategy aims to act as a path directing us towards the net zero target and to bring together all the amazing work going on in our communities and expand upon it, to build resilience and adapt to our changing climate.



## **This strategy will:**

- Set out a vision for Lewes District in 2030
- Set out how the council will act as a community leader and reduce its emissions to net zero carbon by 2030
- Provide a framework for action by the council and other partners to assist the district in becoming net zero carbon by 2030
- Enable best practice to be shared and replicated
- Bring together workstreams occurring across the district to monitor progress against the net zero carbon target.

## **This strategy will not:**

- Be delivered by the council alone. The Evidence Base sets the path we need to take based on current evidence. Many of the things that need to happen cannot be delivered by the council but we can influence them. The Action Plan details the current actions we and others are taking and plan to take over the coming years in order to reduce emissions from our own operations and from the district. It is a live document and will be updated as plans are refined and progressed.
- Detail everything going on within the district or all the actions we need to take in future years. The council will monitor, review and update the strategy as required and formally once per year.

## **Policy Framework**

The policy framework is set out on the following page – click through the links to find out more about each item – this isn't a comprehensive list but provides insight into major pieces of policy and how they link to our climate change and sustainability strategy.

Aerial photos pages 9 and 10:  
Lewes flood in 2000 © Sussex Express

# Policy Framework

## Global

### Paris Agreement

Reduce emissions to limit temperature rise to 2°C

### UN Sustainability Goals

## National

### **Climate Change Act: Net Zero by 2050**

#### **Current Strategy:**

- Clean Growth Strategy
- Road to Zero
- Green Future: Our 25-Year Plan to Improve the Environment
- Clean Air Strategy
- Gear Change

#### **Strategy is delivered by:**

- The Environment Bill (due 2021)
- The National Planning Policy Framework and Building Regulations (specifically Part L)
- The Agricultural Bill

#### **Strategy in development:**

- Transport Decarbonisation Plan
- Energy White Paper
- Heat and building strategy
- Future Homes Standard

## Regional

- East Sussex Environment Strategy 2020
- South2East Energy Strategy 2018
- East Sussex Local Transport Plan
- Transport for the South East – Transport Strategy
- Greater Brighton Energy Plan & Greater Brighton Water Plan
- South Downs National Park Climate Adaptation Strategy
- Sussex Natural Capital Investment Strategy

## Local

- Lewes District Climate Change and Sustainability Strategy and Action Plan
- Corporate Plan 2020-2021
- Lewes Local Plan



# UN Sustainable Development Goals

The Sustainable Development Goals (SDGs) are a set of 17 goals with 169 targets that were adopted by every country in the world in 2015. They set out a blueprint to achieve a better and more sustainable future for all by 2030. The goals are to be achieved by everyone everywhere and seek to make sure that 'No One is left behind'. They address the interconnected global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace and justice.

Lewes District Council would like to seek to achieve the UN goals in the same period as the net zero carbon target. Many actions within the climate change and sustainability action plan will help deliver the goals but we have not yet gone through a process of detailed analysis.

The table on the following page provides examples of how our 2030 net zero action areas (and their respective goals) align to the SDGs.



# UN Sustainable Development Goals Alignment



**LDC Action Area:**

- Circular economy & Community Wealth



**LDC Action Area:**

- Agriculture & Food



**LDC Action Area:**

- Sustainable Transport & Air Quality
- Biodiversity



**LDC Action Area:**

- Cross cutting theme and part of the green, post covid recovery



**LDC Action Area:**

- Not specifically mentioned



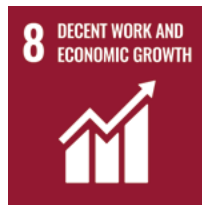
**LDC Action Area:**

- Water



**LDC Action Area:**

- Energy & the built environment



**LDC Action Area:**

- Cross-cutting themes
- Circular economy & Community Wealth



**LDC Action Area:**

- Cross-cutting theme
- Energy & the built environment



**LDC Action Area:**

- Circular Economy & Community Wealth
- Energy & the built environment



**LDC Action Area:**

- All action areas and cross-cutting themes



**LDC Action Area:**

- Circular Economy & Community Wealth
- Energy & the built environment
- Reducing emissions from waste



**LDC Action Area:**

- All action areas and cross-cutting themes



**LDC Action Area:**

- Biodiversity
- Water



**LDC Action Area:**

- Biodiversity



**LDC Action Area:**

- Circular Economy & Community Wealth



**LDC Action Area:**

- Cross-cutting themes
- Expert Panel
- Climate Action Forum
- Circular Economy & Community Wealth

# Part 3

## Developing the strategy

### HIGH AMBITION PATHWAY: 2030 SUMMARY

By 2030, the emissions profile for Lewes is predicted to look very different from today. Concerted local actions can have a significant effect on district emissions, making reductions of around 65%.

#### Tackling residual emissions - closing the gap to carbon neutrality

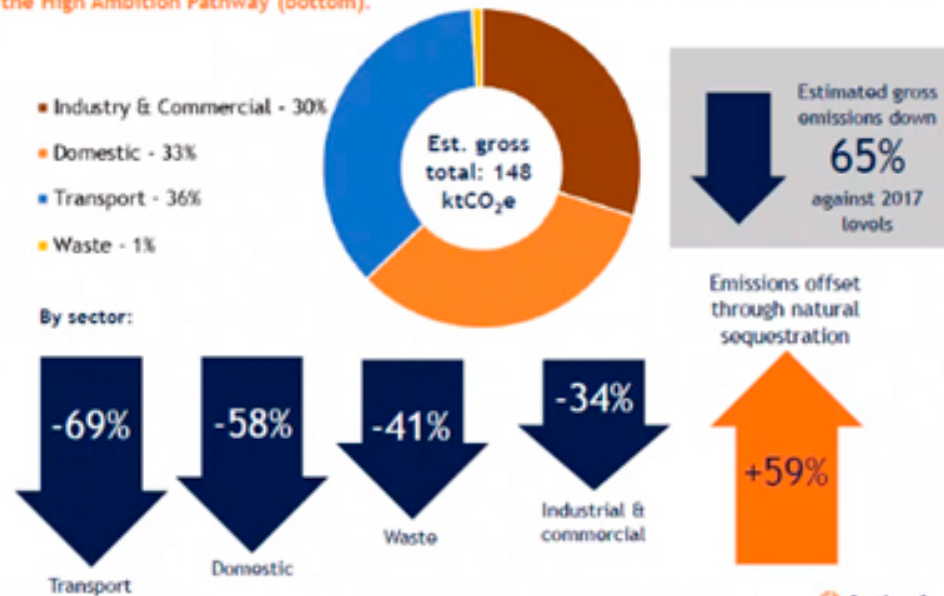
Despite the aggressive actions described, hard-to-remove emissions in industry and freight transport persist. Whilst emissions from the domestic and waste sectors are massively reduced, the scale of improvement is not enough to reach zero by 2030.

Offsetting strategies are recommended as a means of addressing these residual emissions.

Lewes District Council | Executive Summary

Adoption of the High Ambition Pathway interventions delivers emissions reductions of around **two-thirds** by 2030.

Figure iii: Estimated 2030 emissions profile (top). Emissions reductions in key sectors under the High Ambition Pathway (bottom).



Anthesis 9



White, James



Jones, Oliver



Thompson, Nathan



McDevitt, Millie



Richardson, Kate



# Developing the strategy

The strategy has been developed over the period June to December 2020 during which time we engaged with around 140 individuals and organisations throughout the district.

Initial guidance was provided in 2019 by the setting up of the Climate Change Scrutiny Panel, a cross-party group that has fed into the development of the engagement plan and of the strategy goals and actions, and the Sustainability Expert Panels set up to provide the council with expert insight into developing the climate change strategy.

Experts include: individual experts in their field (eg. Planning and architecture); organisations such as the Sussex Wildlife Trust, University of Sussex, Environment Agency, NFU; and other councils such as East Sussex County Council.

A series of thematic workshops took place involving the 27 representatives on the Expert Panel, to review the draft Climate Change and Sustainability Framework.

The Council will continue to work with the group as a critical friend and will actively engage the group to deliver and progress the action plan.

The draft framework and goals were initially developed using an evidence base collated

from national research (such as the [UK Climate Projections](#)) and the locally specific emission baseline reports such as the district and council carbon baseline reports that were completed by July 2020 and can be found at [www.lewes-eastbourne.gov.uk/climatechange](http://www.lewes-eastbourne.gov.uk/climatechange)

In August 2020 the council commenced the public engagement using the draft framework which ran to the end of October 2020. This coincided with the first virtual meeting of the Climate Action Forum which was also used to engage with the attendees on the draft framework.



The engagement work and responses to the survey has provided direction and specificity to the revised over-arching goals and provided confidence to the council that we are heading in the right direction with our science-based ambition.

## The Evidence Base

The need for a clear strategic path and a prioritised action plan has required an evidence base to inform its production. The Strategy and its appendices bring together this evidence to enable the action we must undertake as a local authority to 'get our own house in order' as well as activity the council shall need to do in the wider district to enable others to work towards the district wide net zero target.

Global and national research is useful at a high level, with the UK Climate Projections [insert link] being of most use locally, but we required an in-depth district analysis, this has been provided in the form of 2 Anthesis reports 'Lewes District Council Carbon Emissions Analysis and Pathways' and the subsequent 'Agriculture and Land-Use' study.

We have also carried out a baseline report on council operations.

A summary of the projections and the district and council baselines can be found in this section of the strategy and the full baseline reports can be found at [www.lewes-eastbourne.gov.uk/climatechange](http://www.lewes-eastbourne.gov.uk/climatechange)

# Adapting to Climate Change

**The district must become resilient to the effects of climate change through adaptation, for example by preventing homes from overheating, and preventing further increases in emissions which will make these effects worse (mitigation).**

The latest [State of the UK Climate 2019](#) report shows several indicators consistent with the expected effects of a warming climate.

General climate change trends projected over UK land for the 21st century in UK Climate Projections 2018 are broadly consistent with earlier projections (2009) showing an increased chance of warmer, wetter winters and hotter, drier summers along with an increase in the frequency and intensity of extremes.

You can find out more about how climate change may affect you by using this interactive tool developed by the BBC using the Met Office Climate Projections data. Click [here](#) to access the tool.



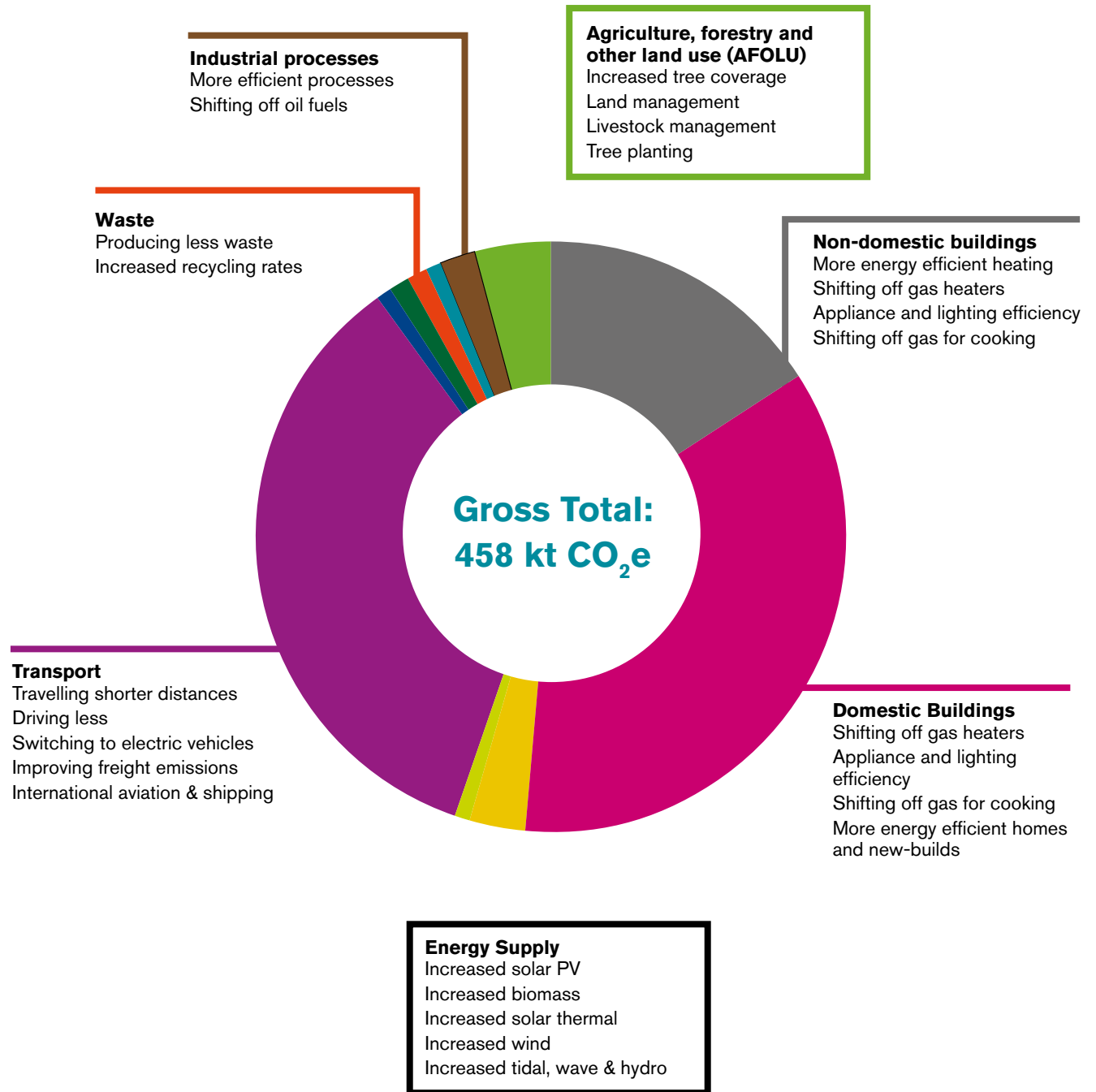
PHOTO © Sam Buckland  
Sussex Wildlife Trust

# The District Baseline

Anthesis uses the SCATTER local authority emissions inventory tool to define an emissions profile for Lewes district based on 2017 data. SCATTER stands for Setting City Area Targets and Trajectories for Emissions Reductions.

The doughnut chart below defines the baseline emission profile and a summary of the high-level measures modelled within SCATTER to tackle and reduce those emissions.

- Industrial & institutional buildings **16%**
- Residential buildings **36%**
- Commercial buildings & facilities **3%**
- Agricultural fuel use **1%**
- On-road transport **35%**
- Rail transport **1%**
- Off-road transport **<1%**
- Solid waste disposal **<1%**
- Wastewater **1%**
- Industrial processes **2%**
- Livestock **4%**



# The District Pathway to Net Zero

**Baseline**  
**458,000**  
tonnes CO<sub>2</sub>e

**56%**  
BUILDINGS  
EMISSIONS

**7%** OTHER SOURCES:  
WASTE, INDUSTRY  
LIVESTOCK

**8%**  
CURRENT  
LAND USE  
CARBON SINK

**37%**  
TRANSPORT  
EMISSIONS

Page 100

This is a simplified summary of some large scale actions that have been modelled to meet our target based on current technology – for more information click [here](#) to read the full baseline report and the action plan.

**1**

## Demand reduction

- 25% reduction in miles travelled per person
- More than 16,500 medium and deep retrofits to existing housing
- New homes built to PassivHaus standard or equivalent
- Waste has reduced by at least 24%
- At least 65% of waste is recycled
- Industrial process have become more efficient
- 20% reduction in consumption of meat and dairy

**2**

## Decarbonise energy

- Get buildings off oil and gas
- At least 200 MW of renewable energy generation installed
- EV charging infrastructure in place

**3**

## Tackle residual emissions

- 148,000 tonnes to be captured per year by 2030
- 24% increase in forest cover by 2030
  - Planting a minimum of 48 hectares woodland per year
  - Community and council investment enabled for energy and nature projects

**10%**

**0** CO<sub>2</sub>

NET ZERO  
CARBON  
BY 2030

# The Council Baseline

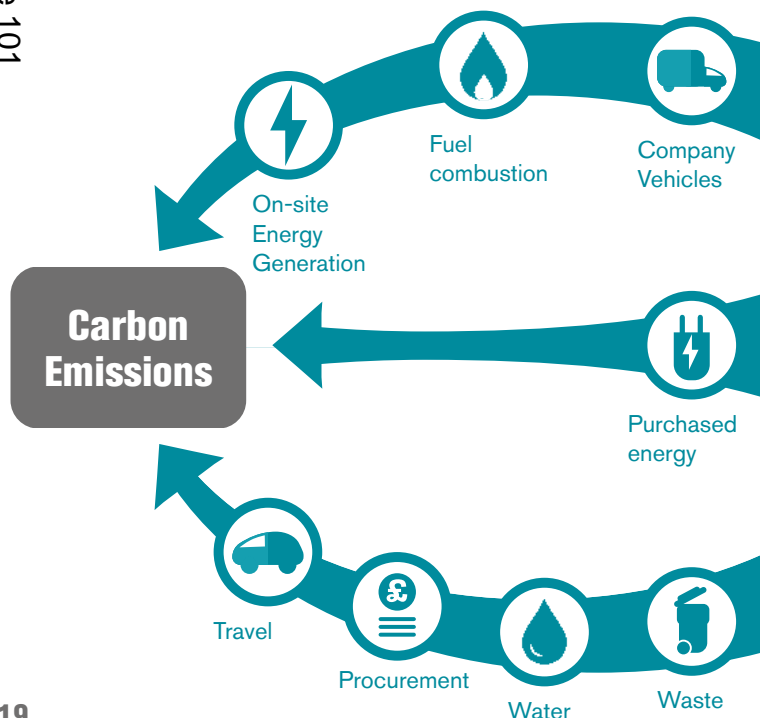
**The Council's baseline is based on the Council's directly controllable consumption of gas, electricity and fuel; the baseline emissions for 2018/19 financial year are approximately 1,590 tonnes CO<sub>2</sub>e (tCO<sub>2</sub>e). This figure is included within the District wide emissions of 458,000 tCO<sub>2</sub>e. As such the Council's baseline emissions account for just 0.3% of the overall footprint for the District.**

Emissions are divided into three categories referred to as Scope 1, 2 and 3 as illustrated below.

Baseline emissions are reported as carbon dioxide equivalents (CO<sub>2</sub>e) and are calculated using the Scope 1 and 2 emissions detailed in the table below.

Scope 3 emissions are not something we directly control, they occur when we buy a product or service and the emissions are produced somewhere else. They can be more

difficult than scope 1 and 2 to determine accurately. We will report these emissions as our data collecting procedures improve and where we feel the figures will be accurate. Our ability to reduce emissions from scope 3 sources will also be more difficult but we will work to report them and will clarify those where we have influence or not (for example- our emissions from water use is within our sphere of influence, we can try to reduce consumption once we know what we consume accurately)



Category	Description	Data used in this analysis
<b>SCOPE 1</b>	<b>Direct emissions from sources owned or controlled by Lewes District Council</b>	<b>Metered gas data (for buildings where the Council pay the gas bills) Litres of fuel consumed for fleet vehicles</b>
<b>SCOPE 2</b>	<b>Indirect emissions from the generation of energy purchased by Lewes District Council</b>	<b>Metered electricity data (for buildings where the Council pay the electricity bills)</b>
<b>SCOPE 3</b>	<b>Indirect emissions that result from other activities that occur in the value chain, either upstream or downstream</b>	<b>Not reported this year</b>

# The Council's Pathway to Net Zero

2019

Climate  
Emergency  
Declared

Baseline  
1,590  
tonnes CO<sub>2</sub>e

DIESEL

55%

GAS

23%

ELECTRICITY

22%

2020

- Engagement and review of how we achieve net zero
- Decarbonising Our Housing Stock Project starts
- Greater Brighton Hydrogen working groups started
- 100% Green Tariff Electricity
- Over 200 trees and hedging plants planted

2021

Climate Change  
and Sustainability  
Strategy and Action  
Plan published

BY  
2025

- 60% reduction in council operations CO<sub>2</sub>e emissions
- Solar Panels on all suitable buildings (including housing stock)
- 25% saving in emissions from diesel
- Clear picture of emissions and action plan in place to reduce these
- Community investment in our projects has been enabled

2030

NET ZERO CARBON

- Zero Carbon Fleet including waste and recycling vehicles
- Decarbonised heat for all assets
- Remaining emissions captured through investment in local projects

# Part 4 – The Strategic Action Areas



# Part 4 - The Strategic Action Areas

The 7 action areas set out in this Strategy provide the framework for the action plan through which we will focus our efforts in reducing emissions and improving climate resilience.



Some areas cross over, for example the built environment will link with aspects of sustainable transport, so some actions may impact on more than one area.

Each section provides a one-page overview with some facts on the current situation and the 2030 strategic goals. The second page provides a summary of the targets for the area along with key actions happening now or in the near term and the third page highlights a particular case study.

For more information and detail on the actions happening within each theme area please see the full Action Plan in section 6.

In developing the strategy, it became clear that some issues ran throughout all our action areas. These cross-cutting themes are:

## Education & training

- Awareness raising and communication with residents- to enable and empower
- Education and training of the next generation
- Upskilling of existing trades to enable the transition to a low carbon economy
- Ongoing upskilling of council officers

## Funding

- Developing community investment mechanisms to enable local sustainability and climate initiatives.
- Support of community initiatives by the council to provide confidence to investors/donors and provide oversight on project delivery and carbon savings.

## Evidence and targets

- Good quality and reliable data and evidence is needed to back up our decision making and action prioritisation.
- Data and targets will need collating and updating- we need to ensure we are not duplicating the work of others or creating unnecessary work.

## Planning policy and building control

- Strengthen planning policy in our new local plan and through guidance for, and early conversations with, developers.

## Supporting the action of others

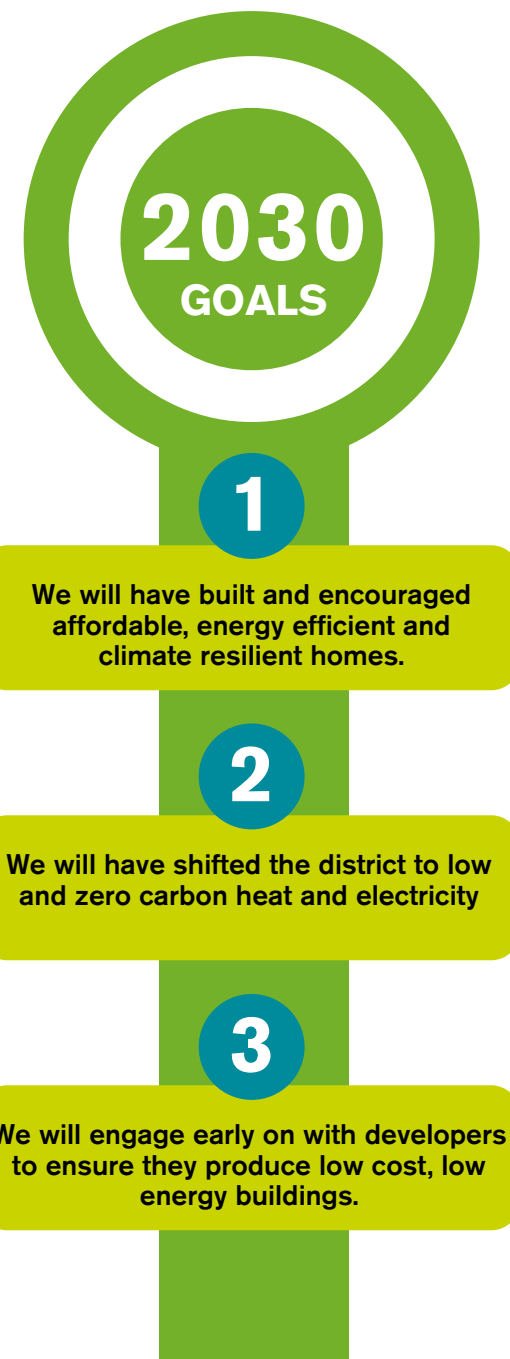
- Obviously the council cannot deliver a net zero district alone but the strategy can support partnership working and the work of others across all action areas.



# Energy and the Built Environment



Energy use is the largest source of emissions from our district. This action area covers all the energy consumed by everyone within our district with regards to heating and powering their homes and businesses. It also covers the councils own work to make its buildings net zero carbon and the things we can do to directly influence others such as through planning policy and our housing stock.





**12<sub>MW</sub>**

**INCREASE  
IN DISTRICT SOLAR  
CAPACITY  
BY 2025**

**50%**

**REDUCTION IN  
COUNCIL ENERGY  
CONSUMPTION  
BY 2030**

**60%**

**REDUCTION IN  
COUNCIL CARBON  
EMISSIONS  
BY 2025**

## Key Council actions for 2021/22

- Decarbonising Our Housing Stock project - developing and carrying out energy efficiency and low carbon pilot studies so we can plan a way to decarbonise all of our housing by 2030
- Complete the Asset Review for our non-housing buildings and land- this will allow us to determine our route to net zero buildings and make the most of our other assets for the benefit of the whole district
- Work with the Greater Brighton Economic Board to develop hydrogen hubs
- Support investment in local renewable energy projects
- Support private homeowners and renters in accessing energy efficiency advice and grants such as through Warmer Sussex and the Government Green Homes Grant scheme

## Key actions happening in the district:

- Solar schools - Regional work with community energy companies and East Sussex County Council to put solar panels on schools
- Projects to get rural villages off oil for heating and decarbonise electricity
- CommuniHeat Zero Carbon Village - Community Energy company OVESCO in conjunction with UKPN & Buro Happold and Community Energy South are producing a masterplan to decarbonise Barcombe by 2030
- Net Zero Firle - Community energy company BHESCO is leading this project to install a zero carbon micro grid for heat and power in this off-gas village

# Spotlight on: Ovesco



**OVESCO is the district's local community run energy services company enabling local investment in solar generation projects to reduce our dependency on imported energy.**

So far they have built over 5.25MW including projects on Harveys Depot, Priory School, Kings Academy, Brickyard Farm, Barcombe Nurseries and Landport Community Centre amongst others. **OVESCO** are partners in wider funding bids including Ouse Valley CARES and Communiheat Net zero carbon village at Barcombe.

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Installation on the roof of Priory School, Lewes © Andrew Aitchison

PV installation at Kings Academy, Ringmer © LHW for OVESCO

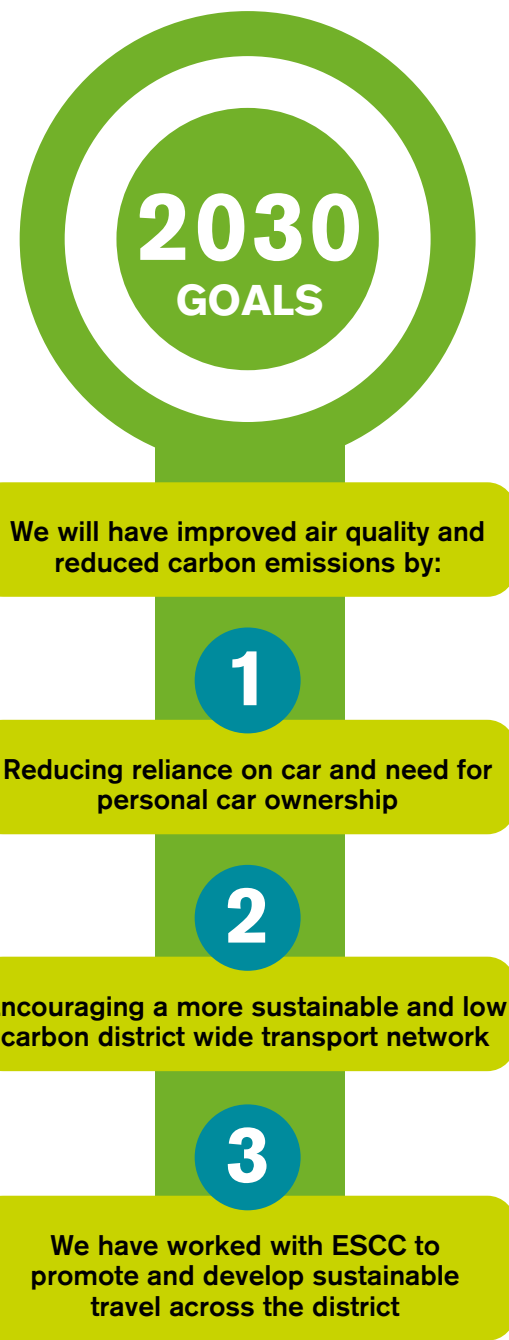
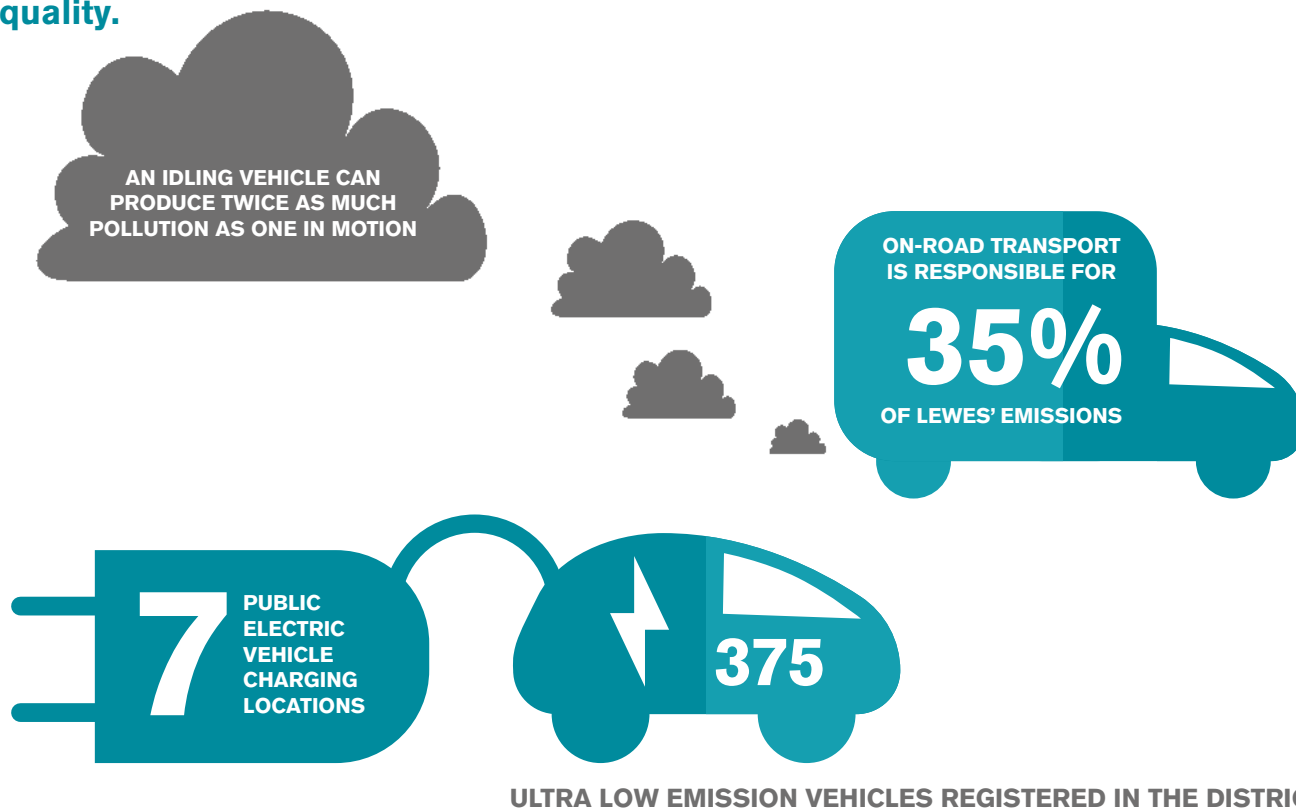
# Sustainable travel and air quality



On-road transport is the second largest source of emissions in the district but it is something that the district council can only influence indirectly. We will facilitate change where we can by working with the community and East Sussex County Council to reduce the need to travel in the first instance and to provide active and low carbon travel options regardless of where in the district you live or travel to.

We have 2 Air Quality Management Areas – one in Lewes town and one in Newhaven. Both these areas have levels of nitrogen dioxide likely to exceed national air quality objectives. Transport is the main reason for the poor air quality.

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**20%**  
REDUCTION  
IN FLEET  
FOSSIL FUEL  
USE BY 2025

WE WILL  
HAVE A ZERO  
CARBON FLEET BY  
**2030**

WE WILL  
HAVE EV CHARGE  
POINTS AND CYCLE  
PARKING IN ALL  
OUR CAR PARKS BY  
**2025**

NEW AIR QUALITY  
ACTION PLANS  
FOR LEWES AND  
NEWHAVEN BY END  
**2021**

**Key Council  
actions for  
2021/22**

- Production of the fleet pathway to be zero carbon by 2030
- Assess all car parks for electric vehicle charge points and start installations
- Develop a path towards a low carbon taxi fleet
- New Air Quality Action Plans to be produced for Lewes and Newhaven

**Key actions  
happening in  
the district:**

- Working with East Sussex County Council to improve rural public transport
- Work with East Sussex County Council to deliver the new Local Cycling and Walking Infrastructure Plan
- Decarbonisation of public transport through use of hydrogen buses and delivering solar power direct to the railway through the Riding Sunbeams project
- Development of Hydrogen fueling hubs

# Spotlight on: The Lewes Electric Car Show



**The Lewes Electric Car Show has run now for 2 years thanks to Transition Town Lewes, OVESCO, Sussex EV Group and hosts Harvey's Brewery.**

800 people visited the last show in 2019 which featured 21 hybrid and fully-electric cars and their owners plus a range of electric motorbikes and mopeds. The show has provided an opportunity for visitors to talk to real-life owners as well as EV experts on the realities of going electric.

Transition Town Lewes have put together some useful information on the show and EV's on their website [here](#).

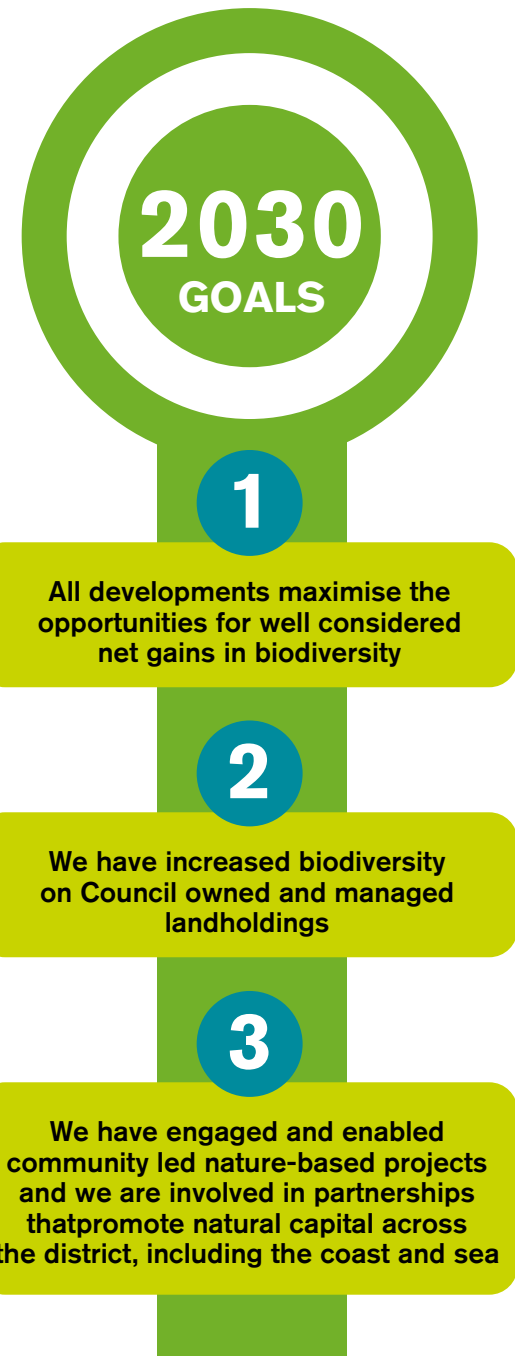
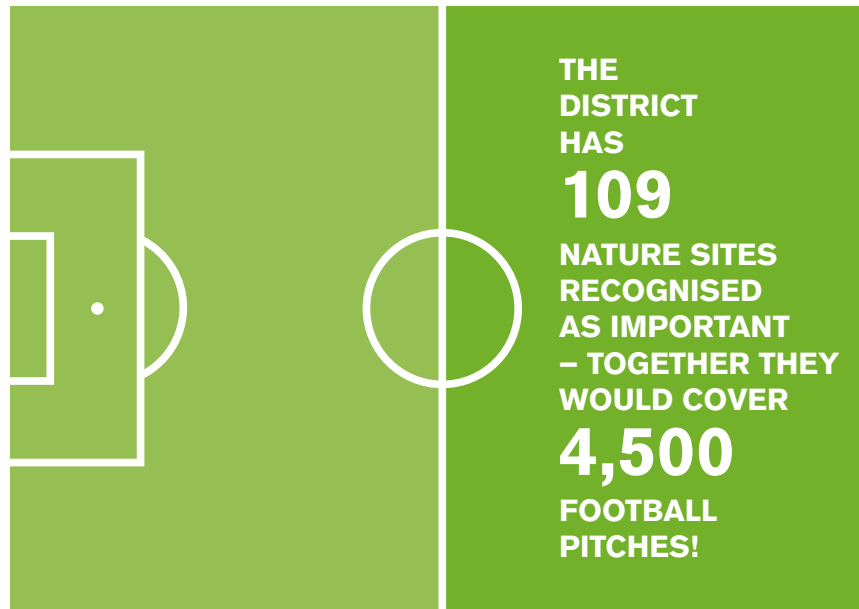
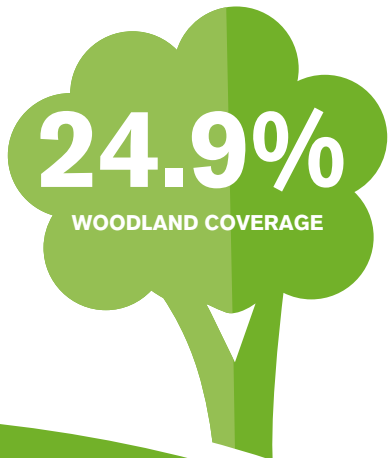
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Images courtesy of  
Transition Town Lewes



The land (soil and plants) within the district currently captures 23.9 kt CO<sub>2</sub>e per year. Biological diversity is essential and intrinsically linked to every part of our health, livelihoods and our future wellbeing. Healthy and resilient societies depend on giving nature the space it needs yet globally wildlife populations have reduced by 60% and insects by 75% since the 1970's. This action area includes work to improve our natural environment and capture carbon through nature based projects.





ALL MAJOR DEVELOPMENTS TO ACHIEVE AT LEAST  
**20%**  
BIODIVERSITY NET GAIN BY 2025

METHOD TO DETERMINE LOCATIONS FOR TREE PLANTING WITHIN THE DISTRICT BY  
**2022**

TO IMPLEMENT A CARBON CAPTURE FUND NO LATER THAN  
**2025**

## Key Council actions for 2021/22

- Adopt a Biodiversity Strategy and Action Plan
- Produce a Biodiversity Net Gain Technical Advice Note to advise developers
- Carry out biodiversity training for Officers
- Develop a way of funding community nature based projects
- Develop a method to measure the carbon capture of nature based projects

## Key actions happening in the district:

- Partnership delivery of the Local Nature Partnerships 'Sussex Natural Capital Investment Strategy'
- Ouse Valley Cares – development of projects for a National Lottery Grant bid led by the South Downs National Park
- Changing Chalk- Partnership bid led by the National Trust to connect people to nature and address challenges faced by the South Downs



# Spotlight on: Lewes Cemetery



**Much of Lewes Cemetery is a Designated Local Wildlife Site, recognised as a natural wildflower meadow with many special and exceptionally valuable native plants such as the beautiful purple triangles of the Pyramidal Orchids, the vibrant yellows of the Mouse-ear Hawkweeds, and the hue of delicate white and yellow Bedstraws.**

Lewes District Council has changed the management regime in parts of the Cemetery allowing 3.5 acres of traditionally mown grass to become a wildflower meadow. Surveys have been undertaken by the local group Wildflower Lewes and they have also undertaken wildflower plug planting.

To understand the importance of the bee and wasp populations in the cemetery, a series of visits was undertaken throughout summer and early autumn 2020 by James Power. These visits, which will only represent a snapshot of what is present, confirmed that the cemetery supports a good assemblage, including four nationally scarce species. In total, 72 bees and wasps were recorded, representing 34 species, 15% of the total number found in Sussex.

In November 2020 eighteen trees were planted around the perimeter of the Cemetery with the help and funding from the Friends of Lewes. Additionally in early 2021, with funding through the South Downs National Park Authority, works will be undertaken to create a hedgerow on the southern boundary and an area of disturbed ground will be returned to a chalk grassland wildflower meadow.

We are looking to manage the whole of the Cemetery more sensitively to wildlife; maintaining our pesticide free status and monitoring the condition of the wildflower populations to inform future cutting regimes.



Photo courtesy of Wilf Power

# Agriculture and food



Emissions from agriculture account for more than 37kt CO<sub>2</sub>e per year and are about 8% of the districts total emissions - this figure is slightly higher than is reported in our baseline report as we commissioned a further more detailed study into agricultural and land use that can be found [here](#)

About 75% of these emissions are from livestock with the remaining 25% from fertilizer application and are typically nitrous oxide emissions

The Council will work with landowners and others such as the National Farmers Union and Sussex Wildlife Trust to work toward more sustainable farming methods and we will develop the local food economy.





NFU TARGETS  
UK NET ZERO  
AGRICULTURE  
BY

**2040**

TO HAVE ENGAGED  
WITH ALL COUNCIL  
TENANTS ABOUT FOOD  
GROWING BY

**2022**

GOVERNANCE IN  
PLACE AND A  
DRAFT STRATEGY  
FOR A FOOD  
PARTNERSHIP BY

**2022**

## Key Council actions for 2021/22

- Work with council tenants to enable food growing
- Identify possible land that could be made available for food growing
- Work with existing farmers/local food markets to expand on good practice and access new communities
- Work with district and regional partners on food networks and partnerships

## Key actions happening in the district:

- Development of a district-wide food partnership
- Development of a food systems map
- Encouragement of nature friendly farming through the South East Downs Farm Cluster

# Spotlight on: Lewes Friday Food Market



Lewes Friday Food Market grew from an idea developed by volunteers from the Transition Town Lewes Food Group and has developed to be run by the Lewes Local Community Interest Company as a not-for-profit initiative. It has main aims of:

- Developing and supporting sustainable local food systems and culture
- Making it easier for people to buy good quality, healthy, seasonal food
- Supporting and providing a platform for small local food producers and growers
- Reducing the use of single use plastic
- Supporting distribution methods which reduce carbon emissions
- Supporting food related community initiatives and the local economy

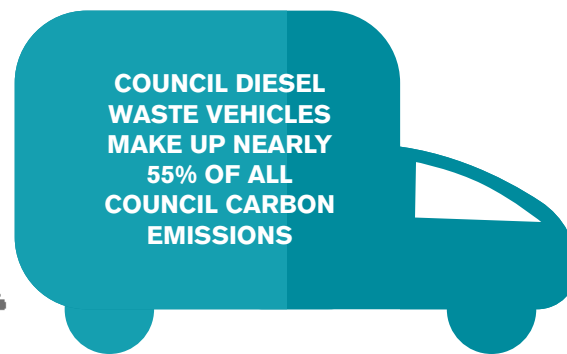


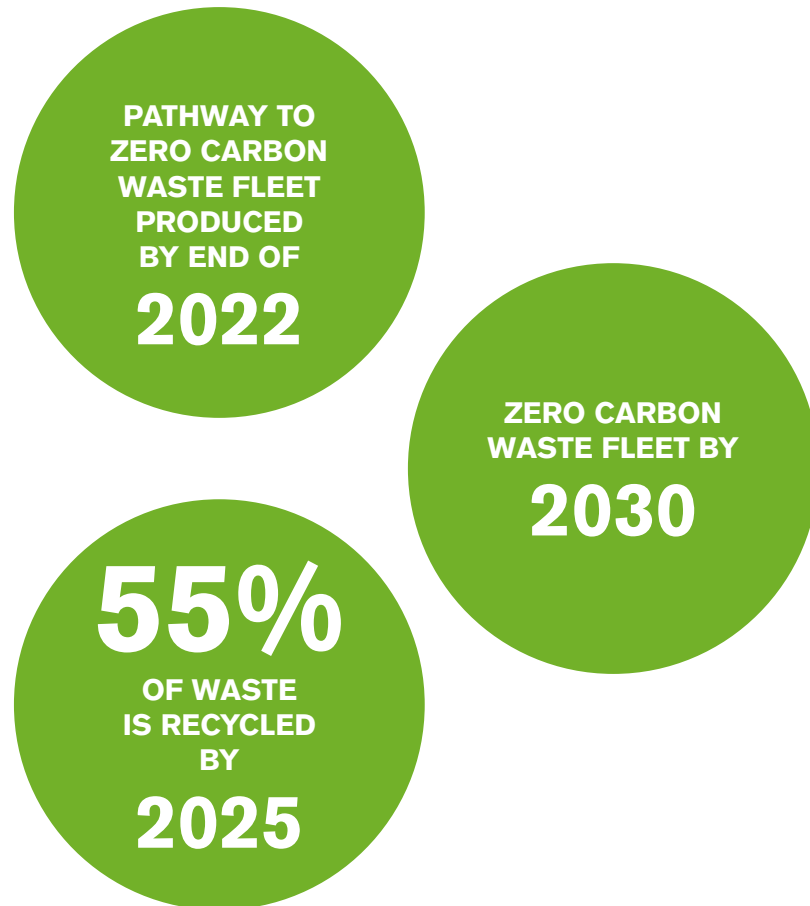
# Reducing Emissions from Waste



To reduce emissions from the waste we generate we must work to reduce the districts waste first, then increase the amount we recycle. The council collects around 278kg of waste per person per year and that which is not recycled is incinerated.

Within this action area we include the emissions from our waste collection vehicles, this source of emissions is over half of the total council carbon baseline. The vehicles are currently run on diesel which contains other pollutants as well that lead to poor air quality and pollution.





### Key Council actions for 2021/22

- Undertake the waste fleet review
- Eliminate use of unnecessary paper within Democratic Services
- Prepare a communications plan to encourage Reduce, Re-use, Recycle
- Develop and take forward new planning guidance to reduce construction waste

### Key actions happening in the district:

- Local REFILL campaigns to promote access to water and reduce plastic bottles [click [here](#)]
- Plastic Free initiatives [click [here](#)]
- East Sussex County Council review of the Waste and Mineral Local Plan (next consultation due 2021)

# Spotlight on: Refill Seaford & Newhaven



## Refill Seaford and Newhaven

In January 2018 a group of local people decided to take action, having completed beach and beauty spot litter picks in the past we decided to set up a Facebook Group to raise awareness and to encourage people to reduce single-use plastic from their lives.

The initial response has been encouraging from a variety of businesses, now we want to spread the word wider and involve more and more local organisations and businesses.

The official launch was at Frankie's Beach café on Seaford Esplanade on 1st September 2018 mainly sponsored by South East Water and assisted by some great local volunteers.

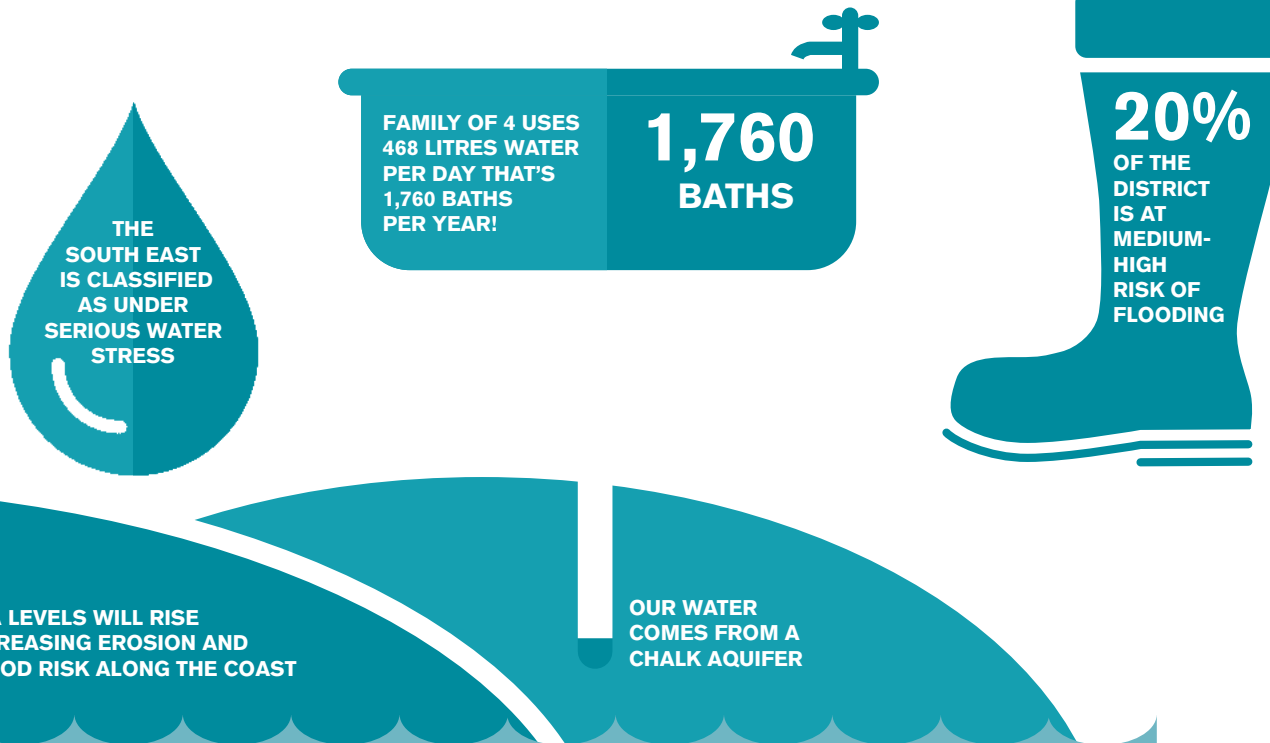




**This action area covers the full spectrum of water use and impacts within the district. It covers water consumption as well as flooding from rivers, surface water and the sea and also includes coastal erosion.**

We expect to see warmer and drier summers increase water consumption whilst milder and wetter winters will likely see us experience more flooding. Severe rainfall events are likely to increase throughout the year further increasing the risk of flooding.

Whether delivering coastal erosion or flood protection the mechanisms for delivery is complex and the works themselves are expensive, delivered at locations where are inherently dangerous. There is no duty to deliver flood or coastal protection, the Environment Agency and local authorities operate under permissive powers. Partnership working is essential and complex.



**2030 GOALS**

We will work in partnership with others to achieve:

- 1** Reduced water consumption in the district; conserved and protected our water resources, including our aquifer
- 2** Well managed and protected waterways and coastal areas that benefit residents and the natural environment
- 3** Communities that are resilient against flooding and coastal erosion





**100**  
LITRES  
OR LESS WATER  
CONSUMED PER  
PERSON PER DAY  
BY 2030

NEW BUILDS TO  
BE WATER  
NEUTRAL BY  
**2030**

SOUTHERN  
WATER TO  
DELIVER UP TO  
**50,000**  
WATER EFFICIENCY  
AUDITS BY END  
OF 2021

ZERO  
NEW BUILD  
UNITS APPROVED  
CONTRARY TO  
ENVIRONMENT  
ADVICE  
REGARDING  
FLOODING

## Key Council actions for 2021/22

- Work in partnership with the Environment Agency to explore the options viable to manage the risks posed by the undefended cliffs at The Esplanade, Telscombe Cliffs.
- Host coastal management workshop
- Prepare communications (in partnership with water companies) with residents on reducing domestic water use
- Work with partners to develop comms and possible incentives for developers to reduce water consumption and mitigate flood risk
- Produce guidance for developers targeting 100 litres per day in new builds

## Key actions happening in the district:

- Expansion of the successful Sussex Flow Initiative to promote natural flood management
- Southern Water's Target 100 campaign to reduce water use
- Southern Water's domestic water efficiency audits
- The Aquifer Partnership will continue to collate knowledge and understanding of our aquifer in order to help us all protect it.

# Spotlight on: Sussex Flow Initiative



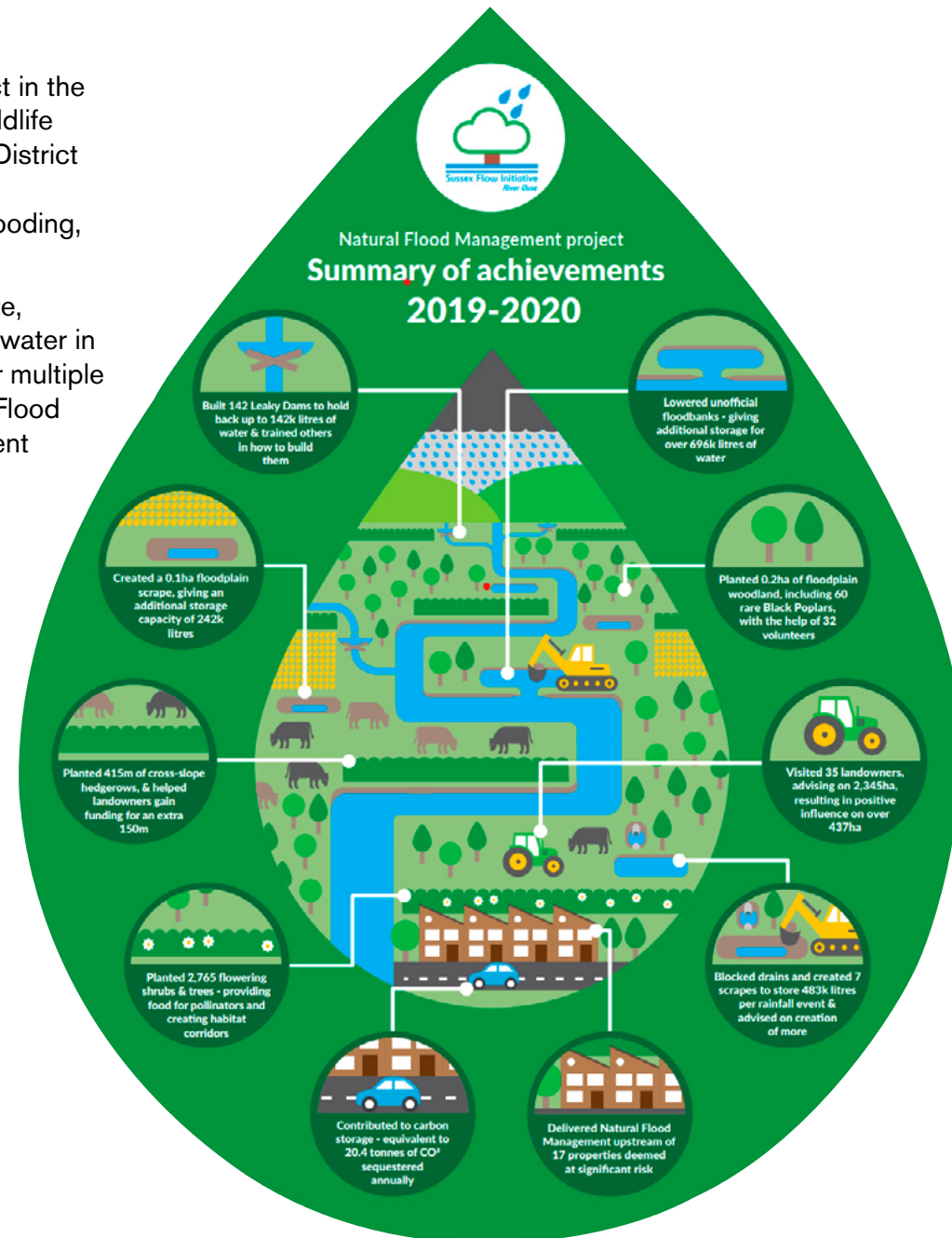
## Sussex Flow Initiative

Sussex Flow Initiative (SFI) is a natural flood management project in the River Ouse catchment, and is a partnership between Sussex Wildlife Trust, the Woodland Trust, the Environment Agency and Lewes District Council. The project was originally set up to see if Natural Flood Management (NFM) measures can create positive benefits for flooding, the environment and society in a lowland setting.

SFI works with landowners, local people and others to investigate, promote and create natural features designed to slow and store water in the landscape and to help reduce flood peaks. We aim to deliver multiple benefits for people and wildlife, as well as to show how Natural Flood Management can be used to support traditional flood management methods to help reduce flooding.

## Our Natural Flood Management work includes:

- Introducing Large Woody Debris – leaky dams
- Ditch blocking
- Flood storage areas
- Recreating and restoring washland meadows
- Managing and creating riparian corridors
- Cross-slope hedge planting
- Riparian tree planting (along riverbanks)
- Woodland planting and management
- Soil management to improve capacity to absorb water (infiltration)





The Community wealth building (CWB) approach sits alongside sustainability as the two key policy drivers for the council. As an anchor institution the council can use its spending power and influence to drive investment into the local economy enabling a green economic recovery and local job creation and retention.

The Circular economy seeks to keep resources in use for as long as possible then recover and regenerate the materials at the end of each service life – it links with the CWB agenda in that we can generate local employment and wealth by doing this within our community – re-use networks are a good example of this.

This action area links with many of the other areas within this strategy through things such as decarbonising our housing and creation of community investment vehicles.



1

The Council has a sustainable procurement policy that facilitates local supply chains and encourages a circular economy

2

The council has enabled local re-use networks

3

Investment has been made into the local urban, coastal and rural economies increasing local employment opportunities and reducing income inequality

4

Local skills, supply chains and employment opportunities are improved as a result of our partnerships with East Sussex College Group, public sector organisations, social enterprises, cooperative businesses, as well as other forms of business, particularly focussing on clean and green technologies

# Circular Economy and Community Wealth

The Council commissioned the Centre for Local Economic Strategies (CLES) to undertake a diagnostic study and consequently offer recommendations to the council on how it could deliver a CWB based approach to its work. This study was undertaken during the summer of 2020 and involved in-depth interviews with a range of council staff and partners, as well as consideration of various council policy and strategy documentation.

‘Re-imagining Lewes District Action Plan’ was informed by the final report and will develop 5 pillars of Community Wealth Building using the power and influence of the Council as an anchor institution with a procurement spend of over £7.5 million per year to build a platform for greater local and community ownership of the economy whilst building back a greener post-COVID economy.





COMMUNITY INVESTMENT IN LOCAL PROJECTS IS POSSIBLE NO LATER THAN  
**2025**

AT LEAST HALF OF ANNUAL COUNCIL SPEND IS WITH SUSSEX BASED PROVIDERS BY  
**2030**

ALL ANCHOR INSTITUTIONS WITHIN THE DISTRICT HAVE TAKEN UP THE CWB APPROACH

## Key Council actions for 2021/22

- Deliver the Reimagining Lewes District Action Plan
- Mobilise a district wide approach to develop the green economy
- Analyse procurement and commissioning spend
- Develop a localised social value framework
- Deliver the Net Zero Innovation Fund project – Alternative finance models

## Key actions happening in the district:

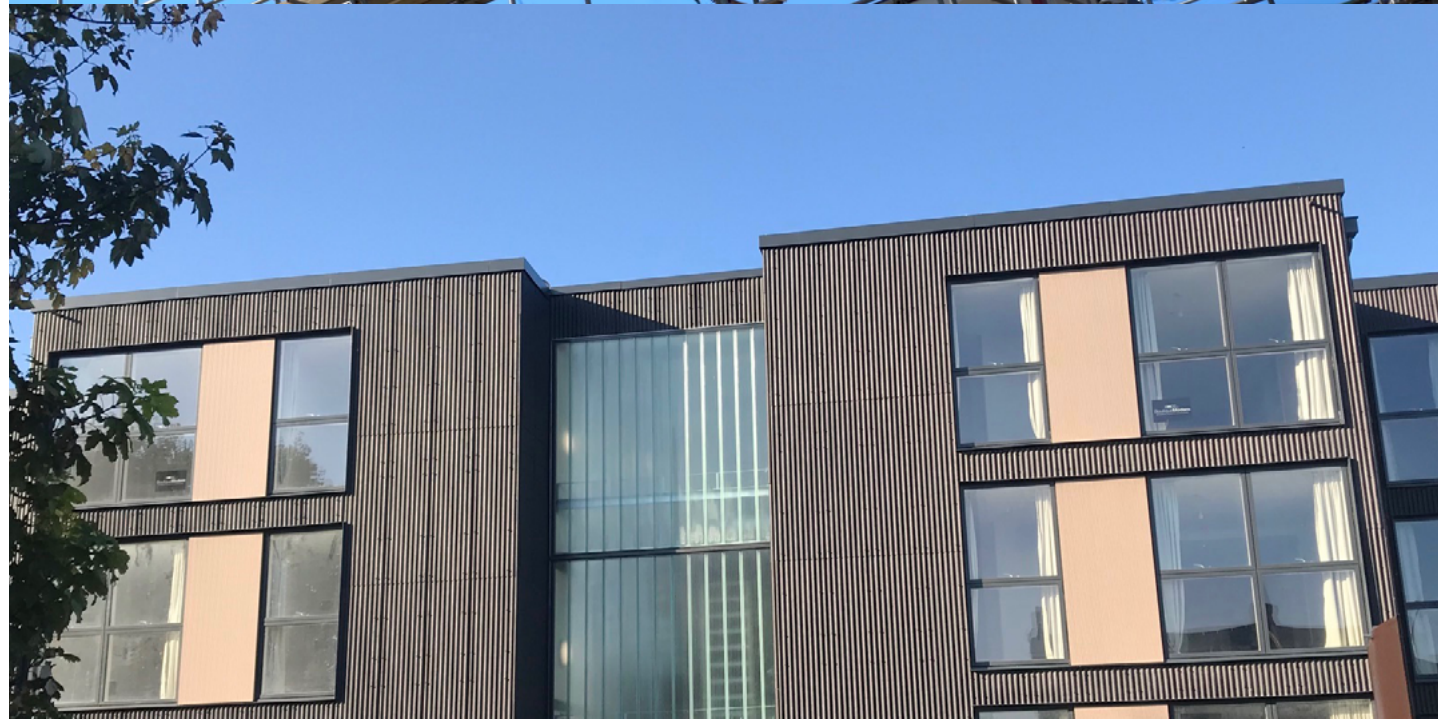
- Team East Sussex Plan- 'think local, act local' embedded as key mission to focus procurement on local providers.
- Greater Brighton Economic Board 3 pillar approach to recovery of economic, environmental and social resilience
- Set up of Lewes District Anchor Network

# Spotlight on: Locally constructed social housing



**A new development of highly sustainable council homes in Newhaven has been completed during 2020. The 13 modular flats in Fort Road incorporate a host of eco-friendly and sustainable features, including the latest solar panels that will feed energy into hi-tech batteries, effectively taking the homes 'off-grid' for up to three months of the year.**

The two-bedroom and one-bedroom apartments have been built by local employer Boutique Modern, a specialist manufacturer of modular homes. The firm designs and builds the properties in their local factory in Newhaven before moving them to the site for installation. 60% of the workforce on this project came from the local college.



## Part 5

# Delivering the strategy

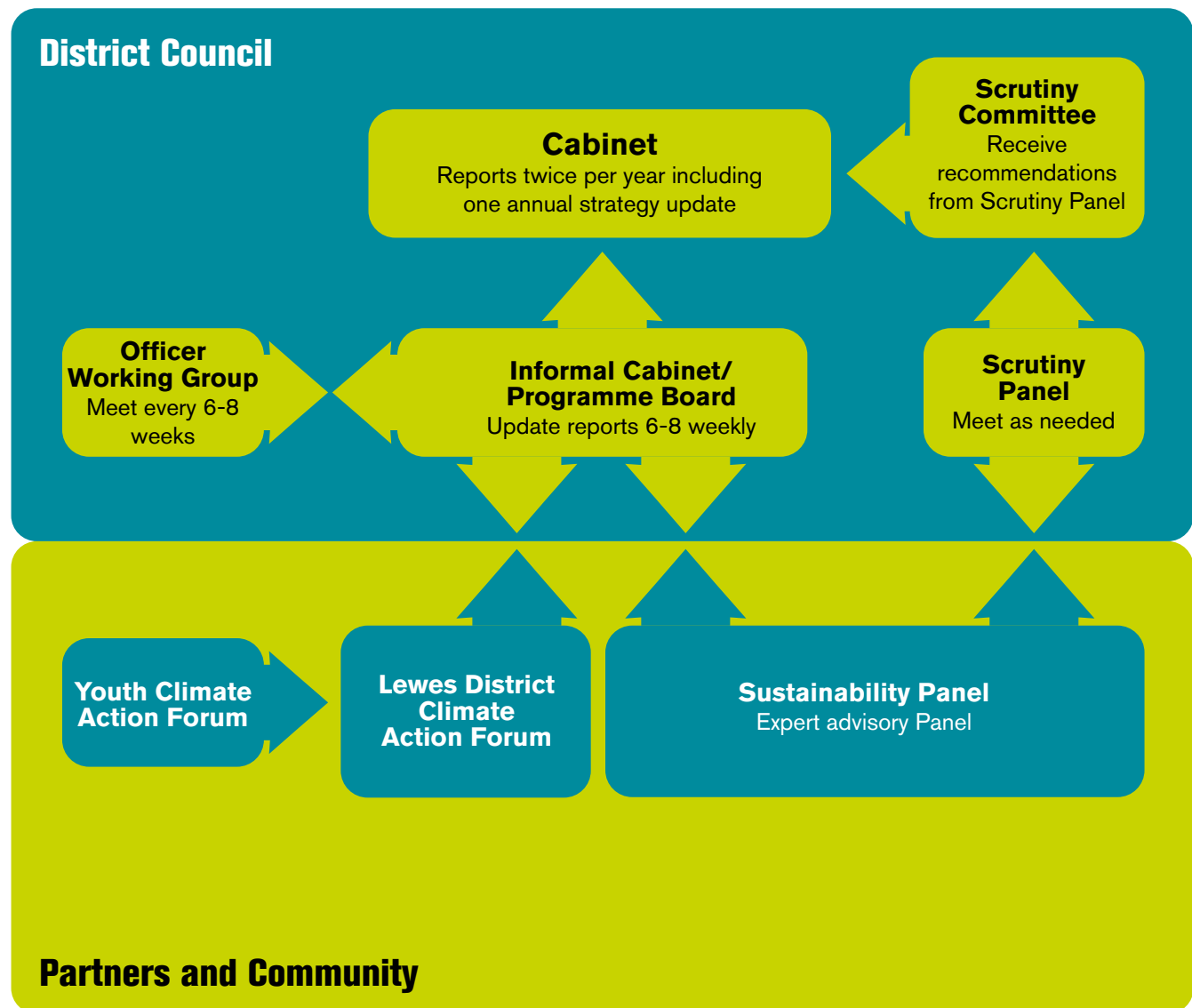


# Delivering the Strategy

The council acknowledges that some areas of the action plan are less developed than others and some workstreams will evolve over time as we work out the best solutions. We also appreciate the amount of time that can be spent on monitoring and reporting to the detriment of project delivery.

To ensure the action plan has appropriate monitoring and oversight at a senior level within the council the strategy will be overseen as follows:

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# Tackling Residual Emissions

**In order to achieve the net zero carbon goal it is expected that the Council will have to carry out some degree of offsetting.**

Offsetting is where we pay an amount of money towards projects that reduce carbon emissions somewhere else to the value of the emissions we are still generating.

We are clear that direct action to reduce consumption and emissions is our priority.

'Offsetting' will be considered only as a last resort when no other option exists.

There was clear direction from the draft framework engagement that locally-based projects should be considered before anything out of boundary (called 'Insetting'). It was generally accepted that due to cost the council should not be expected to offset emissions outside of its baseline (scope 3) but that the council should show clear reductions in these indirect emissions to 2030.

The council has committed to invest in projects to capture the residual emissions from its own operations (direct scope 1 & scope 2 sources) by 2030 and will assess the cost of including known scope 3.

We will explore opportunities for projects that capture carbon either through natural carbon sequestration (such as tree planting) or through technological innovation (such as investing in local solar power).

We will research and develop the methodology we could use for primarily local, but possibly regional projects to meet any council residual emissions by 2030.

We will use the opportunity provided to us by the Net Zero Innovation Fund to investigate the potential to **enable community investment** in these or similar projects. This may be in the form of some kind of **council backed community bond** or a **donation-based community fund**, or a combination of the two.

These alternative funding mechanisms will supplement other available funding streams.

It is possible that regional work (such as that by Ouse Valley CARES and the Sussex Local Nature Partnership) on this subject may offer alternative or complimentary models of tackling residual emissions.



ABOVE Planting trees at Lewes Cemetery. 27 trees were planted in November 2020 as part of a joint Lewes Urban Arboretum, (Trees Committee of Friends of Lewes), and LDC project to increase biodiversity at Lewes Cemetery - which is already a Local Wildlife Site.

## Part 6

# The Action Plan and Sustainability Indicators

The action plan details the actions underway and planned to start to address the strategic challenges and goals set out in this strategy. The action plan is a live document managed by the internal council Officer Working Group and the Strategy & Partnership Lead-Sustainability.

The plan will be updated and published annually in September.

Alongside this plan sits a suite of indicators. Those that can be reported now have been but some are still in development and depend on the ability to get baseline data. Finalising the indicators will be a key task for inclusion in the 2021 update report.



# The Action Plan 2021

## TIMEFRAMES

Short	2021-2022
Medium	2023-2026
Long	2027-2030

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME	RESOURCES
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## 1. Energy & the built environment

Actions by the council to enable the District to become net zero carbon by 2030

E1	Complete social housing stock condition surveys	Provides baseline information to enable retrofit and long term planning	Director of Planning and Regeneration & Cabinet Member for Housing	Jul-21			Can be delivered using existing resources
E2	Develop and deliver the project plan for the 'Decarbonising Our Housing Stock (DOHS)' project in conjunction with other stock holding authorities *January 2021- leaders meeting to establish extent of initial collaboration *Procurement routes to be established 2021 *Determine initial pilot projects 2021	Best value is achieved through collaborative working, best solutions are determined and method is agreed to deploy retrofit measures, initially as pilots with a plan developed for roll out of appropriate solutions across the portfolio	Director of Planning and Regeneration & Cabinet Members for Housing, Communities & Customers and Sustainability	Short Term			£500k allocated from HRA
E3	Develop and deliver a project plan to decarbonise all social housing based on findings and experience of the DOHS project (action E3)	All social housing is as energy efficient as it can be and carbon emissions are reduced as far as practicably possible	Director of Planning and Regeneration & Cabinet Members for Housing and Sustainability		Medium Term	Long Term	Delivery costs to be determined once plan is prepared
E4	Implement the actions defined in the Lewes Housing Strategy TBA	Housing standards in the rented sector improve	Director of Planning and Regeneration & Cabinet Member for Housing	Short Term	Medium Term		Can be delivered using existing resources
E5	Explore opportunities with Southern Water on capturing and using heat from waste water	Low carbon heat source enabled	Director of Planning and Regeneration & Cabinet Members for Planning & Infrastructure and Sustainability	Short Term	Medium Term	Long Term	Can be delivered using existing resources
E6	Support and progress development of hydrogen hubs	Enable and develop a clean hydrogen economy for transport and heating	Director of Planning and Regeneration & Cabinet Members for Planning & Infrastructure and Sustainability	Short Term	Medium Term		Can be delivered using existing resources

<b>E7</b>	Enable and invest in community energy schemes where this is financially viable	Community energy schemes are supported to deliver projects	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure and Sustainability	<b>Short Term</b>	<b>Medium Term</b>	<b>Long Term</b>	Project specific
<b>E8</b>	Introduce new sustainability Technical Advice Notes for developers (February 2021)- subsequently investigate potential for a more indepth Sustainable Design guide for developers that could link to circular economy work	Developers are advised as to expectations for new development and can easily access information on how to design for sustainability	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	<b>Short Term</b>			Can be delivered using existing resources
<b>E9</b>	Develop an ongoing programme of awareness raising and promotion of energy efficiency initiatives, especially in fuel poor and hard to reach communities	Educate and raise awareness, those most vulnerable benefit from energy efficiency advice and measures	Director of Planning and Regeneration & Cabinet Member for Communities & Customers	<b>Short Term</b>	<b>Medium Term</b>	<b>Long Term</b>	Can be delivered using existing resources
<b>E10</b>	Develop council web pages on sustainability and air quality to enable visitors to the web pages to better engage and understand the council's aspirations thereby increasing web traffic and raising public awareness.	Educate and raise awareness.	Director of Planning and Regeneration & Cabinet Member for Communities & Customers	<b>Short Term</b>	<b>Medium Term</b>	<b>Long Term</b>	Can be delivered using existing resources
<b>E11</b>	Develop comprehensive training and guidance for staff on climate change and carbon reduction. Also specific training to ensure decisions properly take into account the carbon emission implications	All staff will improve their environmental awareness to enable carbon reductions in their work and private life. It will be clear to Councillors, officers and the public the carbon consequences of all decisions	Director of Planning and Regeneration & Cabinet Members for Performance & People and Sustainability	<b>Short Term</b>			Can be delivered using existing resources
<b>E12</b>	Work in collaboration with others to advertise the Governments Green Homes Grant and associated funding streams	Private sector housing can access funds to help retrofit and improve energy efficiency	Director of Planning and Regeneration & Cabinet Member for Communities & Customers	<b>Short Term</b>			Can be delivered using existing resources
<b>E13</b>	Work in collaboration with others to develop bids for the Local authority delivery strands of the Governments Green Homes Grant and associated funding streams	Public and private sector housing can access funds to help retrofit and improve energy efficiency	Director of Planning and Regeneration & Cabinet Member for Sustainability	<b>Short Term</b>			
<b>E14</b>	Promote the Warmer Sussex retrofit scheme	Private sector homeowners have easier access to retrofitting advice and suppliers	Director of Planning and Regeneration & Cabinet Members for Housing and Communities & Customers and Sustainability	<b>Short Term</b>			Can be delivered using existing resources

E15	Support and facilitate access to the Warm Homes East Sussex scheme	Fuel poverty on the borough reduces	Director of Planning and Regeneration & Cabinet Member for Housing and Communities & Customers	Short Term	Medium Term	Long Term	Can be delivered using existing resources
E16	Support the roll out of smart meters through promotion of the SmartEnergyGB scheme	Supports transition to smart energy grid and makes energy use more visible to residents which enables reductions	Director of Planning and Regeneration & Cabinet Member for Housing and Communities & Customers	Short Term	Medium Term		Can be delivered using existing resources
E17	Support delivery of regional plans- the Greater Brighton Energy Plan and the South2East Energy Strategy	Decarbonisation at a regional level is progressed and joint aims are met	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term	Medium Term	Long Term	Can be delivered using existing resources
E18	Support the delivery of Communiflex- Zero Carbon Village	Transformation of Barcombe communities energy system to become the UK's first Net Zero Village	OVESCO leading	Short Term	Medium Term		Externally funded
E19	Support the delivery of Net Zero Firle Village	Creation of a local microgrid for heat and power	BHESCO	Short Term	Medium Term		Externally funded
E20	Support the delivery of Solar Schools to achieve regional aims	Expansion of PV on schools	ESCC in partnership	Short Term	Medium Term		Externally funded
<b>Actions to make the Council net zero carbon by 2030</b>							
E21	Complete the Asset Management Strategy (inc. work through Reset & Recovery Programme)	The strategy will enable a long term plan to be developed to reduce energy consumption and increase power generation on our assets	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term			Strategy can be delivered using existing resources- projects will then need costing on a case by case basis
E22	Once Asset Management Strategy is complete- Develop a carbon reduction plan for all remaining non-housing assets	Plan allows for structured and planned delivery to meet carbon neutrality goal	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term	Medium Term		Can be delivered using existing resources
E23	Deliver the carbon reduction plan for non-housing assets	Non-housing assets are energy efficient and generating energy	Director of Planning and Regeneration & Cabinet Member for Finance & Assets and Sustainability		Medium Term	Long Term	Delivery costs to be determined once plan is prepared
E24	Ensure the the council purchases a green electricity provider	100% of electricity supplied will be REGO backed energy that will qualify a 100% reduction in carbon emissions from consumed electricity	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term	Medium Term	Long Term	Completed October 2020

## 2. Sustainable Travel and Air Quality

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
Actions by the council to enable the District to become net zero carbon by 2030							
T1	Evaluate car parks for EV charging and prepare proposal for consideration by Councillors by June 2021	The council can make a decision as to how to progress with increasing charging infrastructure in the town and a new project delivery action will be created if this goes ahead	Director of Service Delivery & Cabinet Members for Finance & Assets and Sustainability	Short Term			Proposal can be delivered using existing resources- implementation TBC
T2	Prepare a plan during 2021 to hold regular Car Free Days/temporary road closures such as School Streets especially in areas of high foot fall	Gradual modal shift to reduce private vehicle travel and sustainable travel becoming the norm	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
T3	Prepare a plan during 2021 to promote active travel across Lewes District from a public health perspective - work with NHS partners to promote walking groups for example	Improved public health, better AQ and lots of engaging material for the LDC AQ/sustainability web pages/Twitter feed/local media	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
T4	Prepare a plan during 2021 to hold sustainability/air quality events with Theatre in Action groups, smoothie bikes, Dr Bike, community groups, etc.	Bringing awareness of AQ/ Sustainability issues to a personal level in a positive and fun environment	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
T5	Determine if the council can produce a Construction Code of Practice with guidance on use of low emission non-road mobile machinery and using on-grid energy instead of diesel generators where reasonably practicable	Lowering of emissions from construction sites, particularly in relation to NRMM	Director of Planning and Regeneration & Cabinet Members for Sustainability and Planning & Infrastructure	Short Term			Can be delivered using existing resources
T6	Ensure that local planning policy and guidance includes requirements for passive and active EVCPs and cycle parking on all new major developments	Increase of sustainable travel infrastructure utilising planning policy	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term	Medium Term	Long Term	Can be delivered using existing resources
T7	Work in partnership with ESCC to deliver new cycling and walking initiatives as detailed in the Draft East Sussex Local Cycling & Walking Infrastructure Plan (LCWIP) and seek opportunities for funding.	Additional cycling and walking routes	Director of Planning and Regeneration & Cabinet Members for Planning & Infrastructure and Sustainability	Short Term	Medium Term		Can be delivered using existing resources
T8	Support development of hydrogen hubs (as per action E6)	Enable and develop a clean hydrogen economy for transport and heating	Director of Planning and Regeneration & Cabinet Members for Planning & Infrastructure and Sustainability	Short Term	Medium Term		

<b>T9</b>	Support Greater Brighton to develop a network of EV chargepoints so that all residents are 'within a convenient distance' of a place to charge their car (Pledge #4)	Coherent network is developed	Director of Planning and Regeneration & Cabinet Members for Planning & Infrastructure and Sustainability	Short Term	Medium Term		
<b>T10</b>	Work in partnership with Greater Brighton to have enabled 50% of Greater Brighton's fleet vehicles to be low carbon by 2025 (Pledge #3)		Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term	Medium Term		
<b>T11</b>	Enable expansion of car clubs through discussions with operators, parking space owners and the community	Residents can car share instead of owning their own vehicle- reduces vehicle numbers in town and provides control over type/efficiency of vehicle used.	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term	Medium Term		Can be delivered using existing resources
<b>T12</b>	Determine how to support reduction in emissions from deliveries to local businesses/residents in particular 'last mile deliveries.' Eco - cargo bikes, restricted delivery times, provision of logistics facilities.	Reduction of traffic and emissions during peak travel times. Healthier, quieter and less polluted streets with potential to prioritise walkers/cyclists so increasing dwell time and improving local economy	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
<b>T13</b>	Determine if the council can install pocket parks, micro green/blue spaces to improve diversity and AQ encouraging active travel	Raises appeal of active travel to visitors and residents	Director of Planning and Regeneration & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources
<b>T14</b>	Develop a localised and targeted education campaign aimed at public service vehicles, consider adopting FPN powers	Discourage unnecessary idling by taxis, coaches and other vehicles	Director of Service Delivery & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
<b>T15</b>	Develop a pathway to a low carbon taxi fleet	Reduced carbon emissions and improved air quality	Director of Service Delivery & Cabinet Member for Sustainability	Short Term	Medium Term		Can be delivered using existing resources
<b>T16</b>	Organise partnership work on transport issues required at a county level and nationally, in partnership with community groups- in particular public transport and trains	Coherent district infrastructure is delivered to achieve transport decarbonisation aims	Director of Planning and Regeneration & Cabinet Members for Sustainability and Planning & Infrastructure	Short Term	Medium Term		Can be delivered using existing resources
<b>Actions to make the Council net zero carbon by 2030</b>							
<b>T17</b>	Complete Phase 1 of the waste and recycling vehicle fleet review	Optimisation of routes and fleet reduction	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources

<b>T18</b>	Produce pathway to decarbonise non- RCV fleet vehicles operated by the Council (small & medium vans, cars, other vehicles) TBD at Fleet Working Group 17 Dec	Plan to move to a low carbon fleet	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	<b>Short Term</b>			Fleet decisions to be costed at the appropriate time
<b>T19</b>	Remove fossil fuel fleet vehicles (small and medium vans, cars, other vehicles)	Low carbon fleet achieved	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces		<b>Medium Term</b>	<b>Long Term</b>	Fleet decisions to be costed at the appropriate time
<b>T20</b>	Introduce sustainability criteria into council procurement policies with weighting given to tenderers with proven sustainability policy particularly in the areas of logistics and servicing due to their high vehicle use and emissions	Support for sub-contractors with green credentials to work with LEC	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	<b>Short Term</b>			Can be delivered using existing resources

### 3. Biodiversity

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
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Actions by the council to enable the District to become net zero carbon by 2030 and to address the ecological emergency

<b>B1</b>	Develop and adopt a Biodiversity Strategy and action plan	We will have developed our aims and actions to deliver biodiversity improvements	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	<b>Short Term</b>			Can be delivered using existing resources
<b>B2</b>	Local Plans – work closely with Planning Policy and planners to achieve biodiversity wording that is fit for purpose and ambitious to arrest declines	Green and biodiversity beneficial Local Plans	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure		<b>Medium Term</b>		Can be delivered using existing resources
<b>B3</b>	Develop and adopt a Biodiversity Net Gain Technical Note- due February 2021	Developers have specific guidance to meet the biodiversity net gain requirement on all sites	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	<b>Short Term</b>			Can be delivered using existing resources
<b>B4</b>	Council Officer training in biodiversity to be completed - Sussex Wildlife Trust could provide this	Decision makers are better informed about biodiversity and	Director of Planning and Regeneration & Cabinet Member for Performance & People	<b>Short Term</b>			Can be delivered using existing resources
<b>B5</b>	Provide direct assistance when required to tree planting projects at suitable sites if required by others	Carbon capture and improved biodiversity	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	<b>Short Term</b>	<b>Medium Term</b>	<b>Long Term</b>	Can be delivered using existing resources



<b>B6</b>	To work with the Sussex Wildlife Trust to deliver their 'Vision for Sussex'	Sussex is a place where people and nature thrive	Sussex Wildlife Trust leading	Short Term	Medium Term		
<b>B7</b>	Investigate possible partnership with the Sussex Wildlife Trust to deliver a district wide approach to the wildlife crisis	To work with landowners, partnerships and community groups to build a resilient ecological network throughout the district	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			
<b>B8</b>	Develop pipeline of projects for biodiversity net gain and 'offsetting'	Increase in biodiversity and projects enabled	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term		Can be delivered using existing resources
<b>B9</b>	Review land holdings for possible biodiversity and nature based climate solutions and carry out feasibility work	Internal and Partnership projects enabled	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term		Can be delivered using existing resources
<b>B10</b>	Complete University of Brighton student GIS mapping project for areas of land suitable for large scale tree planting - Due July 2021	GIS tools are easily available for all officers to use to aid decision making	Director of Planning and Regeneration & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
<b>B11</b>	Support Changing Chalk bid and project if successful	Community ranger for countryside/nature/downland education and involvement	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources
<b>B12</b>	Continue work with community groups, education and communication	Community groups encouraged and work progressed	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term	Long Term	Can be delivered using existing resources
<b>B13</b>	Continue to provide project support for partnership projects, including expertise, volunteer management and fund raising support	Partners projects are enabled and supported to achieve multiple outcomes dependent on project	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term	Long Term	Can be delivered using existing resources
<b>B14</b>	Support Greater Brighton to re- establish a 10 mile Kelp forest off the coast of Sussex	A new kelp forest could capture 70,000 tonnes carbon per year and help prevent coastal erosion	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term	Medium Term	Long Term	Can be delivered using existing resources
<b>B15</b>	Support Greater Brighton and the University of Sussex in rewilding and rain garden research	Knowledge is developed and shared to enable more and better designed projects	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources

Actions to make the Council net zero carbon by 2030 and address the ecological emergency on its own land							
<b>B16</b>	Develop a programme of works on LDC land to increase joining up of biodiversity corridors & ecological networks	Increase in biodiversity Improved well being of residents	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term		Resources to be determined
<b>B17</b>	Determine & provide suitable land to enable tree planting and re-wilding	Carbon capture through trees, increased biodiversity, improved mental wellbeing, increased summer shading	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term	Medium Term		
<b>B18</b>	Improve and reduce mowing practices on District Council land	Improved habitat for insects	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources
<b>B19</b>	Reduce the use of pesticides on District Council land and lobby East Sussex County Council to do the same	Improved habitat for insects	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources
<b>B20</b>	Increase wildflower and pollinator planting where suitable	Improved habitat for insects	Director of Service Delivery & Cabinet Members for Sustainability and for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources

#### 4. Agriculture & Food

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
Actions by the council to enable the District to become net zero carbon by 2030 and to address the ecological emergency							
A1	Support local food growing initiatives by making suitable land available and incorporating it into our work with social housing tenants as part of DOHS	More residents can access local food and grow their own	Director of Regeneration & Planning & Cabinet Member for Housing	Short Term	Medium Term		Can be delivered using existing resources
A2	Work with SCDA and partners to develop a food partnership- led by SCDA and funded by ESCC	By end of 2021 SCDA intend to have-governance structure for district food partnership- draft strategy or action plan-food systems map	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
A3	Work with the food partnership to enable more local food distribution	Residents can access locally produced food more easily	Director of Regeneration & Planning & Cabinet Member for Sustainability		Medium Term		Can be delivered using existing resources
A4	Work with the Climate Action Forum and others to share best practice on local food distribution	Best practice (such as Lewes Friday Food Market) and knowledge is shared to help new market establish	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
A5	Support initiatives that promote or enable low carbon and nature-friendly farming locally eg South East Downs Farm Cluster	This wider working will facilitate local (Sussex) food production	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term	Medium Term	Long Term	Resources to be determined

## 5. Reducing Emissions from Waste

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
Actions by the council to enable the District to become net zero carbon by 2030							
W1	Review waste & recycling service provision to align them with the requirements of increasing recycling and decreasing residual waste.	We recycle more than we incinerate, and our collection methods and schedules enable that and champion it.	Director of Service Delivery & Cabinet Member for Recycling, Waste & Open Spaces	Short Term	Medium Term		Can be delivered using existing resources
W2	Continue with planned communications with regular emphasis on food waste reduction eg. 'How to use Christmas leftovers' and incorporate these comms into the overarching sustainability comms plan	Consistent messaging and comms planned on sustainability issues	Director of Service Delivery & Cabinet Member for Recycling, Waste & Open Spaces	Short Term			
W3	Help develop local reuse and repair schemes which divert waste, for example Freegle, Freecycle, repair cafes etc.	Encourages a local circular economy and these schemes provide the most help and benefit to people in greater need.	Director of Service Delivery & Cabinet Member for Recycling, Waste & Open Spaces	Short Term	Medium Term	Long Term	Can be delivered using existing resources
Actions to make the Council net zero carbon by 2030							
W4	Undertake fleet review - produce pathway to zero carbon RCV (refuse collection vehicle) fleet	Plan in place to deliver zero carbon waste and recycling fleet	Director of Service Delivery & Cabinet Member for Recycling, Waste & Open Spaces	Short Term			Can be delivered using existing resources
W5	Deliver on zero carbon RCV fleet	Zero carbon fleet achieved	Director of Service Delivery & Cabinet Member for Recycling, Waste & Open Spaces		Medium Term	Long Term	Financial implications to be assessed separately at the time
W6	Eliminate use of Single Use Plastic (SUP) at LDC operated events and third party events supported by LDC wherever possible	Reduced plastic waste.	Director of Service Delivery & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources
W7	Eliminate use of unsustainable paper for printed marketing materials and within democratic services	Reduced emissions from consumption of paper products	Director of Regeneration & Planning & Cabinet Member for Sustainability	Short Term			Can be delivered using existing resources

## 6. Water

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
Actions by the council to enable the District to become net zero carbon and climate resilient by 2030							
WA1	Complete the new Local Plan and ensure that planning policies and guidance reflect our strategic goals for water	New development is low carbon, energy efficient and is resilient to future climate change	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure		Medium Term		Can be delivered using existing resources
WA2	Expand upon the successful Sussex Flow Initiative and introduce other natural flood management projects	Flood risk is reduced using natural methods which also supports the environment	Director of Service Delivery & Cabinet Member for Sustainability	Short Term	Medium Term		Resources to be determined
WA3	Work in partnership with the Environment Agency to explore the options viable to manage the risks posed by the undefended cliffs at The Esplanade, Telscombe Cliffs.	The Environment Agency's larger technical capability and resources can be utilised to seek an appropriate solution to managing the risks posed by an eroding coast at this location.	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term	Medium Term	Long Term	Partnership working delivered using existing resources
WA4	Deliver a coastal management climate change workshop for experts early 2021 and subsequently determine next steps.	Will complete this important engagement that was not completed during the initial strategy engagement period and will start a process of re-engagement with members on this issue.	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term			Can be delivered using existing resources
WA5	Support the Greater Brighton partnership with Southern Water to install water recycling on a housing estate (Pledge #2) and evaluate the learning from the pilot	Research and knowledge is gained and can be transferred for use on new developments within our district	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term	Medium Term		Can be delivered using existing resources
WA6	Ensure planning policy reflects the need to avoid substantial development on flood plain	Essential flood plain is retained and flood risk is minimised	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure	Short Term	Medium Term	Long Term	Can be delivered using existing resources
WA7	Develop guidance to meet water consumption for new builds of no more than 80?? litres per day (part of GB pledge #10)	Preservation of water resources	Director of Planning and Regeneration & Cabinet Member for Planning & Infrastructure		Medium Term		Can be delivered using existing resources
Actions to make the Council net zero carbon by 2030							
WA8	Once Asset Management Strategy is complete- As per action E22- Develop a water consumption reduction plan for all remaining non-housing assets	Plan allows for structured and planned delivery to meet carbon neutrality goal	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term			Can be delivered using existing resources

## 7. Circular Economy and Community Wealth

Action reference	ACTION	OUTCOME	ACTION OWNERS (note: the Cabinet Member for Sustainability has oversight of all actions)	TIMEFRAME			RESOURCES
Actions by the council to enable the District to enable a green recovery and become net zero carbon by 2030							
C1	Implement the 'Re-imagining Lewes District Action Plan' As per the cabinet paper December 2020	The council will have delivered on the following work streams: 1. Lewes District Council as a community wealth building council 2. Progressive procurement of goods and services 3. Fair employment and just labour markets 4. Socially productive use of land and assets 5. Making financial power work for local places 6. Plural ownership of the economy	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term	Medium Term		Can be delivered using existing resources
C2	Produce a council sustainable procurement strategy with a focus on local and sustainable purchasing	Reduced emissions from procurement. Increased local spend and resulting improved community wealth	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term			Can be delivered using existing resources
C3	Complete the Net Zero Innovation Fund project on alternative finance models- DUE July 2021	Understanding of which projects are suitable for community funding and investment models, seed funding and project pipeline	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term			Can be delivered using existing resources
C4	Determine if the council can set up a community investment programme potentially using municipal bonds (utilising output of Net Zero Innovation Fund)	Incorporate this decision into September 2021 strategy update report	Director of Planning and Regeneration & Cabinet Member for Finance & Assets	Short Term			Can be delivered using existing resources

Cambridge City Council  
Environmental Health

Cambridge City Council,  
PO Box 700, Cambridge



# Electric Vehicle and Infrastructure Strategy

September 2019



Cambridge City Council



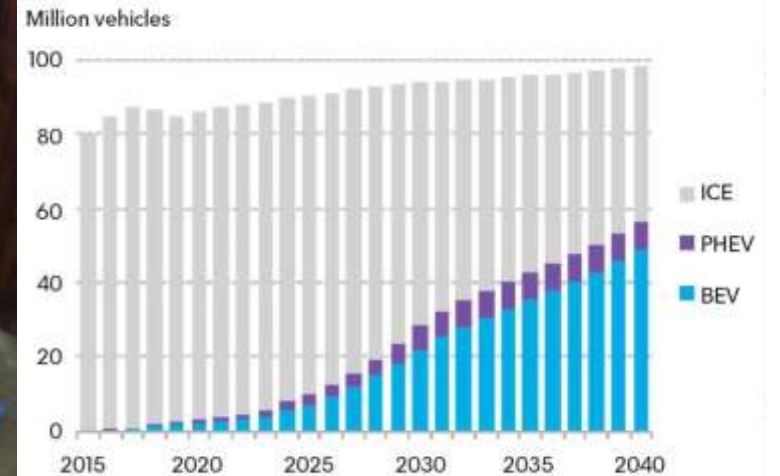
**An Overview of the Issues, Actions and  
Key Contacts for the support of the  
transition to Electric Vehicles in  
Cambridge**

## Executive Summary

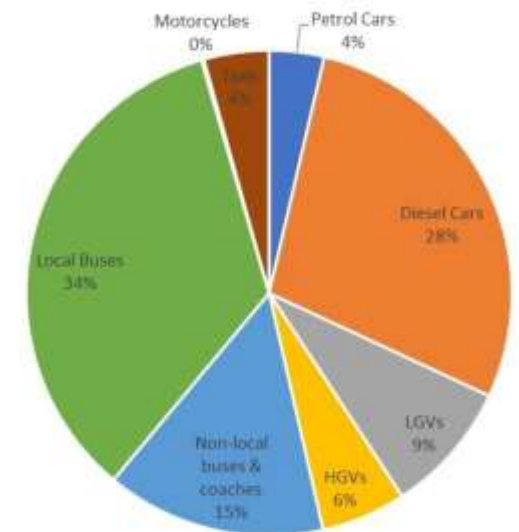
- Government have set the direction for the electrification of motor transport by banning sales of internal combustion engine cars by 2040 to deliver cleaner air and reduce carbon emissions.
- As a result demand for electric vehicles and charging infrastructure is growing daily.
- The move to ultra-low emission vehicles is necessary to meet our own climate change commitments to be net zero carbon by 2050 and to meet air quality objectives set out in the Cambridge Air Quality Action Plan.
- Electric vehicles are the current, established technology for effecting those improvements in emissions alongside modal shift to walking, cycling and greater use of public transport.
- Moving to an EV future presents many challenges both technical and social and as a second tier authority Cambridge City Council only has control over some aspects of the transition.
- Key areas where we can act and those where we are taking action are identified in this document and include Taxi Licencing; Fleet; Planning; and the management and operation of our car parks and housing developments.
- Those areas we can influence or where other public and private bodies have a role to play and current actions are identified in the document and range from small pilot charge point projects to strategic changes to the local electricity grid.
- This strategy confirms Cambridge City Council's commitment to supporting the uptake of electric vehicles and, where able, actively installing or requiring installation of the necessary infrastructure to support the transition.



Global long-term passenger vehicle sales by drivetrain



Source: BloombergNEF



Source: apportionment of road traffic NOx emissions in 2017 inside the inner ring road, Cambridge 2017



## Strategic Aims

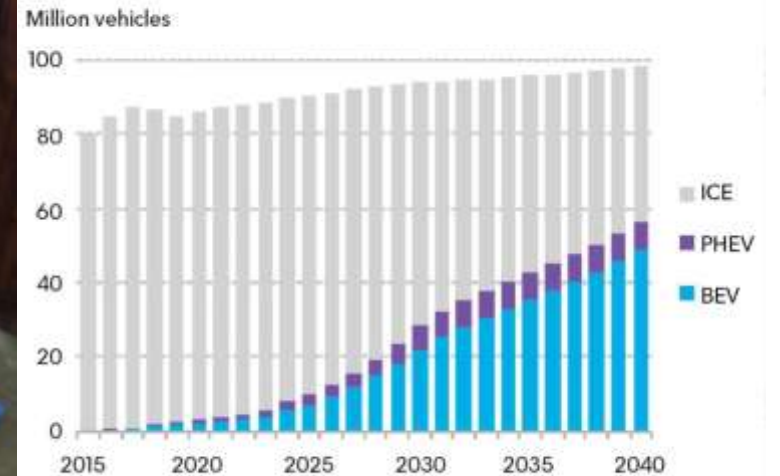
Four main aims have been identified to support the uptake of Electric Vehicles in Cambridge:

1. To identify sources of funding to develop and install EV Charging infrastructure and where appropriate pursue that funding.
2. To robustly consider EV as a preference for all City Council fleet replacement and new vehicle purchase where appropriate vehicles are available and meet our operational needs.
3. For the City Council to develop a commercial project to deliver charge points in our car parks in the short term and wider property holdings in the medium term.
4. To promote funding opportunities and provide support for partner organisations to deliver EV charging infrastructure where they are the most appropriate lead (e.g. County Council / on street charging).

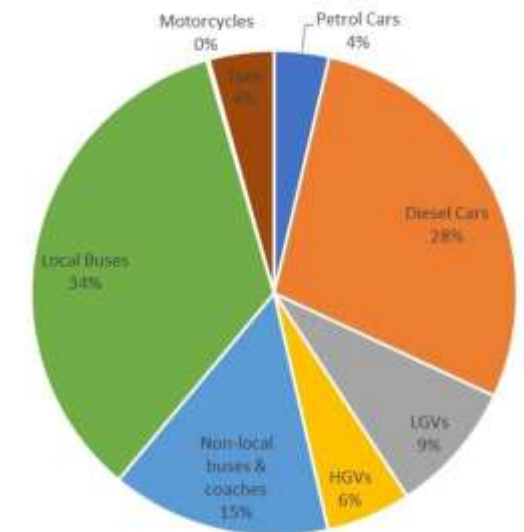
The summary action table on the following page sets out how some of these aims are being met and how others will be met.



Global long-term passenger vehicle sales by drivetrain



Source: BloombergNEF



Source: apportionment of road traffic NOx emissions in 2017 inside the inner ring road, Cambridge 2017

## Current and Prospective Actions Summary Table

Initiative	Brief Description	Lead Organisation & partners	Lead Team	Funding Bodies	Status (Underway, Funded, In Development, Required)
Rapid Chargers for Electric Taxis	Installation of 20+ 43/50kw rapid chargers to support the transition to EV Taxis	Cambridge City Council	Environmental Quality & Growth Team	OLEV; Cambridge City Council; Greater Cambridge Partnership	Underway Completion in 2021
On Street lamp post charge point trial	Up to 18 3/7kw chargers trialled in suburban Cambridge installed on street lamp posts	Cambridgeshire County Council (in partnership with Balfour Beatty / Ubitricity)	Highways	Balfour Beatty / Ubitricity	Underway Surveys carried out Delivery in 2020
Commercial Charge Point Strategy	Concession contract to deliver rapid and fast destination charging for City Council Car parks and other property assets	Cambridge City Council Commercial Partner(s) to be procured	Commercial Services	Commercial Investment	In Development Target for initial installations in Multi Storey Car parks in 2020
Fleet Review	Full review of the costs, use and operation of the City Council fleet to inform future fleet strategy including use of EV	Cambridge City Council	Commercial Services	Cambridge City Council	Underway
Parish charge point project	Public accessible fast chargers for villages	Cambridgeshire County Council	Energy Investment Unit	OLEV / Parish Councils	In Development
Greater Cambridge (& East Cambridgeshire): Energised for Growth	Wide ranging project to investigate and facilitate smarter energy provision and network support across Cambridgeshire through integrated policy development	Cambridgeshire County Council Key Partners: UK Power networks; Other Cambridgeshire District Councils; Other commercial investors	Energy Investment Unit	INNOVATE UK UK Power Networks & others TBA	In Development  Bid submission to Innovate UK in August 2019
Electric Vehicle Planning policy & Guidance	Measures to ensure delivery of suitable EV Infrastructure in new developments	Cambridge City Council	Shared Planning Service	Cambridge City Council	Underway Supplementary planning document out to consultation
At Scale on street charging solutions for Residents without Parking	To follow from on street lamppost trial and parish project. Tackling the need for those living in flats and terraced housing	Local authority Partners	Highways / Districts	OLEV / Local Authorities TBA	Required
Electrification of public transport	Ensuring that future public transport fleets are zero emission potentially through the implementation of a Clean Air Zone or other traffic regulation	Greater Cambridge Partnership Bus operators Transport Authorities (county Council / Combined Authority)	City Access (GCP)	GCP / Bus operators	Required
Signposting residents to relevant grant funding and information	Domestic Charge points Vehicle subsidies Commercial grants	Cambridge City Council	Environmental Quality & Growth Team	na	Underway
Identifying sources of funding and commercial partnerships for EV development		All Authorities	Environmental Quality & Growth Team	As identified	Underway – Networks established

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Environmental Health

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PO Box 700, Cambridge



**CAMBRIDGE**  
CITY COUNCIL



# Electric Vehicle and Infrastructure Strategy



Cambridge City Council

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## 1. Introduction and Format of this Document

The transition to electric vehicles is a significant and complex undertaking which requires the coordination of public bodies at all levels, industry specialists, businesses and the public.

It has the greatest potential in the near term to have the most significant impact on the decarbonisation of transport and to improve air quality.

Making this happen however will require multiple stakeholders to play their part and this document sets out the role of Cambridge City Council in the wider context and the areas of action departments within the City Council will need to develop.

### FORMAT

The Document is organised in to sections defined by key stakeholders and their distinct roles and areas of influence.

For each stakeholder the roles and responsibilities are clearly identified as are the linkages to areas of work on electric vehicles and charging infrastructure.

Stakeholder work areas are then further detailed on individual subject pages which identify the key officer contacts and highlighted panels setting out action which is underway as well as work being developed.

## The Development of work on electric vehicles in Cambridge

- Cambridge City Council has supported the move to electric vehicles (EV) for many years first introducing charging infrastructure in to car parks more than 10 years ago, and trialling electric fleet vehicles as early as 2006
- However mass adoption has not become mainstream until now as both a reliable mature vehicle and charging infrastructure market has developed.
- In 2015 (updated 2019) the City Council's Air Quality Action Plan was first considered which set out that in order to meet our air quality objectives a significant move away from Internal Combustion Engine (ICE) vehicles was needed and that EV would play a significant role in achieving this.
- As a result the first significant step was to use taxi licencing and central government funding through the Office For Low Emission Vehicles (OLEV) to effect a transition to zero emission electric taxis
- Alongside this we have invested in electric fleet vehicles where this meets our operational needs, and now run 11 small electric vans
- More recently we have developed planning policies through the local plan and supplementary planning documents which require EV infrastructure in new developments
- However there is much more action needed if the transition is to be effectively delivered over the next 10 years

### Key Actions :

*Are detailed in panels like this*

**Key Contacts: Are set out in panels like this**

#### AREA of Work:

#### Name—Job Title

Email contact details



*Car park provision of slow chargers*



## 2. Background

- This piece of work has been produced to acknowledge the scale, complexity and the need for coordinated action, within the Council and with external partners, to implement a move to an electrified Transport System.
- This document sets out the current state of work within the City Council, and the current local and national work to support the transition to electric vehicles, It aims to help provide the public, businesses and public transport operators the confidence and information to invest in and successfully manage this transition.
- It identifies the key stakeholders in the transition to electric vehicles ranging from those who will provide supporting infrastructure and finance to the end users who will be using electric vehicles and the locations, types and technology of infrastructure needed.
- It also sets out key areas of action both underway and where further work plans are needed for Cambridge City Council, other Cambridgeshire Districts, the County Council, Greater Cambridge Partnership and the Cambridgeshire and Peterborough Combined Authority with a view to ensuring that we support this transition in a coherent, competent and functional way whilst taking advantage of the significant opportunities for income, investment and technology development.

- It identifies why the City Council and other Cambridgeshire authorities should be active in this area and the role each needs to play in the transition and the gains for environment, productivity and investment that will flow from a positive and supportive approach to this strategic work.
- This Electric Vehicle and Infrastructure Strategy sets out what our actions and ambitions are to support work in this area over the medium term and identifies where others need to act to support this area of work.

### Key Stakeholders

- **Cambridge City Council**
- **Cambridgeshire County Council**
- **South Cambridgeshire District Council**
- **Greater Cambridge Partnership**
- **Cambridgeshire and Peterborough Combined Authority**
- **UK Power Networks**
- **Local Businesses**
- **Residents and Visitors**
- **Public Transport Operators**

### Key Actions (Underway)

- Taxi policy and dedicated Charging Provision
- Car parks - destination charging
- Planning Policy and Guidance
- New, City led, housing development
- On street charging trial

### Key Actions (Developing)

- Fleet Review (City)
- Commercial Charge Point Strategy for Car Parks and Council Assets
- Building regulations
- Smart grids and network support R & D
- Funding for provision of on street charging infrastructure



*Car park provision of slow chargers*



### 3. National Context

- Central Government have clearly indicated that a transition to Electric Vehicles (EV) is necessary in order to improve air quality and improve the sustainability of the transport sector to meet its climate change targets.
- This is underlined by the long term policy of phasing out the sale of internal combustion engine cars by 2040 as set out in the 'Road to Zero' policy document, and the support for EV in the government's industrial strategy.
- This transition however presents a significant challenge in that it is the biggest change to transport behaviour and technology in a hundred years. At the heart of this is the need for an EV charging infrastructure that serves all stakeholders allowing residents, workers, public transport operators and businesses to have confidence to make the successful transition and invest appropriately for the future.
- At the same time the opportunities afforded by this major disruption in the transport fuelling sector are enormous with many new players entering the market and a significant move away from central provision and market domination by the global petrochemical industry.
- There are significant dangers of failure also if there is a lack of direction and leadership during these early stages in the transition.
- Central Government is currently adopting an approach of setting the broad policy direction and funding some key R & D but allowing the market to largely respond to the changes required. There is no centrally driven plan to ensure the coherent and uniform deployment of charging infrastructure to support the change and therefore there is somewhat of a leadership deficit which is currently causing a lack of confidence in the uptake of vehicles and the slow and piecemeal deployment of infrastructure to support EV.
- There are already apparent a number of practical, infrastructure and technology barriers emerging which need to be tackled. The electricity network will be severely challenged by the level of demand generated by a wholesale shift to EV and this will require the identification of bottlenecks in the network and a series of smart and local solutions to overcome. The need to match local renewable supply and provide storage and buffering solutions to avoid network shocks
- Government do recognise that there is a need for the encouragement of the market and are providing several charge point and vehicle funding programs largely through the Office for Low Emission Vehicles (OLEV). This is a £1.5 billion program which consists of R & D funding; subsidies and funding programs for charging infrastructure as differing scales and EV vehicle subsidy schemes
- Cambridge City is one of a fairly small number of authorities which has taken advantage of this funding to support a transition to EV Taxis and is currently rolling out a £626000 program for a 21 strong rapid and fast charge point network for taxis but this is just a very small part of the picture and much greater ambition is needed to ensure a confident and successful transition to a fully EV future.
- A few authorities London, Oxford, Dundee, Nottingham, Bristol, Milton Keynes and York were awarded funding ranging from £5-13 million to become 'ultra-Low Cities' in 2016, acting as exemplars for the roll out of EV on a significant scale. Each of these Cities is currently looking at differing aspects of the EV transition, testing charge point equipment, and policy support through subsidy, transport and financing initiatives. Therefore there is a growing body of information available to help guide others to competent and successful action in this area.



*Car park provision of slow chargers*



## 4. Stakeholder— Cambridge City Council:

### Environmental Health

The Environmental Quality & Growth Team (EQG) team in Environmental Health have three key roles which impact on the EV transition: Delivery of cleaner air; professional consultation on the environmental impacts of development; and delivery of environmental projects

- Clean air is a significant driver for the move to EVs in Cambridge
- Planning policy and condition development and the expert scrutiny of applications in the team ensure the delivery of EV infrastructure and provision in to new developments
- The team have a good track record in winning funding and delivering environmental and energy projects and are currently delivering rapid charging infrastructure for Taxis for the Greater Cambridge Area
- Because of its early experience and expertise in EVs this team is assisting other services with the City Councils contribution to the EV transition

### Commercial Services

- Commercial Services cover both **car parks and fleet** and are therefore fundamental to this agenda. They are also the lead service for procurement which is vital to the City Council's role in taking EV forward
- Developing our car parks to support EVs will be necessary to support their continued success and to ensure that Cambridge remains a viable and desirable destination for EV users
- In terms of providing community leadership as a public body it is vital that our **fleet** reflects our commitment to EVs and that our air pollution impacts and carbon footprint are reduced to support our wider policy commitments.
- Commercial services is taking a lead in developing a route to a commercial partnership approach to providing comprehensive charging infrastructure provision not only for our car parks but across our property assets

### Planning

- Planning is key service for ensuring the adequate provision of EV infrastructure and supporting policies in new developments
- The joint City and SCDC planning services have most recently consulted on a 'Sustainable Design & Construction' supplementary planning document which has the most progressive EV guidance for new developments to date

### Housing Development Agency

- The City Council is through its CIP delivering new housing projects in the City
- Through these developments we are able to demonstrate our commitment to EV.
- Both the Mill Road and Cromwell Road developments are exemplars and will have significant EV charge point provision ahead of any national mandate and the emerging local planning policies.

### City Homes

- Cambridge owns and manages a significant portfolio of Council Homes.
- Our Council Tenants will need access to EV Charging points.
- Preliminary work is underway to identify suitable sites within our housing assets for EV infrastructure.



**CAMBRIDGE**  
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Newmarket Road Rapid Charger for Taxis

#### Key Contacts:

#### Charge Points for Taxis Project Manager:

**Justin Smith—Environmental Projects Team Leader**

justin.smith@cambridge.gov.uk

#### Taxi Licencing:

**Wangari Njiiri— Licencing Team Leader**

wangari.njiiri@cambridge.gov.uk

## 5. EV Taxis

Cambridge City Council have taken a significant lead in promoting the transition to Electric Taxis

We are one of a few local authorities committed to an ultra low emission taxi fleet through our licencing policy.

The transition is driven by a significant evidence base on the sectors contribution to poor air quality in the City Centre through the operation of high mileage, larger, diesel vehicles under business as usual.

Care has been taken in developing policies to involve the taxi trade in designing incentives, infrastructure support and the timing of regulation to move to a fully ultra low emission taxi fleet by 2028

## RAPID CHARGER NETWORK FOR TAXIS

In 2017 Cambridge City Council secured £426k in capital funding from the Office for Low emission Vehicles to support a rapid charging network for taxis.

Supported by a further £100k each from City Council and Greater Cambridge Partnership funding over 4 years a network of 20+ Rapid 50kw chargers are being rolled out.

Six Chargers are now operating at three locations: Adam and Eve Car park; Arbury Court Car park and Newmarket Road.

Two chargers are currently installed awaiting connection at Castle Hill Car Park and a site has been secured within the Eddington development.

Three sites within South Cambridgeshire—Cambourne, Sawston and Waterbeach are at the feasibility stage and three further locations in the City are under development.

The current infrastructure is supporting 30 licensed electric taxis and the number is growing quickly with one new EV taxi joining the fleet every 2 weeks over the past year.

This project is expected to be completed in 2021 and it is forecast that all City and South Cambridgeshire taxis will be ultra-low emission by December 2028

## LICENCING CHANGES

The following licencing requirements were introduced in June 2018 for Cambridge City and equivalent conditions are currently out for consultation for South Cambridgeshire District to support and deliver an ultra low emission fleet locally:

- **License Fee Exemption for Zero emission, Vehicles**
- **License Fee Discount (50% of fee) for Ultra-Low Emission Vehicles**
- **Extended Age Limit for Zero Emission Vehicles—15 years**
- **Extended Age Limit for Ultra-Low Vehicles 12 years**
- **A set date for all new Licensed Saloon Vehicles to be Zero or Ultra-Low Emission 1st April 2020**
- **A set date for all Licensed Saloon Vehicles to be Zero or Ultra-Low Emission April 2028**
- **A set date for all Wheelchair Accessible Vehicles to be Ultra-Low or Zero Emission as and when the market allows by Dec 2028**



A Cambridge Electric Taxi—Charging at the Adam And Eve Car Park





### Key Contacts:

#### Supplementary Planning Document:

Emma Davies—

#### Principal Sustainability Consultant

[emma.davies@cambridge.gov.uk](mailto:emma.davies@cambridge.gov.uk)

#### Air Quality & Planning—

#### Environmental Quality & Growth Team:

[Anita.lewis@cambridge.gov.uk](mailto:Anita.lewis@cambridge.gov.uk)

[Elizabeth.Bruce@cambridge.gov.uk](mailto:Elizabeth.Bruce@cambridge.gov.uk)

## 6. Planning

Cambridge City Council have taken a significant lead in requiring new developments to include EV charge points

Using actions to improve air quality as a policy spur, planning conditions have been developed requiring developers to ensure new developments have adequate charge point provision

Currently the City, South Cambs. Joint Planning service is consulting on its most ambitious Supplementary Planning Document for Sustainable Design and Construction to date.

The SPD document sets out what is expected from developers regarding charge point provision for both domestic and commercial developments (currently contained in Table 3.13 and 3.17)

Details of standard planning conditions can be found in Appendix iii of this document

## SUPPLEMENTARY PLANNING DOCUMENT FOR SUSTAINABLE DESIGN AND CONSTRUCTION

### Charge Points Provision

- Any new or replacement car park will have EV Charge Points
- Any increase in vehicle trip generation related to the intensification of use at a site will require additional EV Charge Point provision at an appropriate scale
- A site-wide EV charging strategy for large-scale Major sites – detailing the location and phasing of the charge point installations
- One slow EV Charge Point for each dwelling with allocated parking
- At least one slow EV Charge Point for every two dwellings with communal parking (at least half of all non-allocated parking spaces to have electric vehicle slow charging points)
- At least one slow EV Charge Point for every two parking spaces in non-residential developments
- At least one rapid EV Charge Point for every 1,000m<sup>2</sup> non-residential floor space (as per Institute of Air Quality Management guidance) or one fast EV Charge Point for every 1,000m<sup>2</sup> non-residential floor space (if the installation of a rapid charge point is technically impossible due to grid supply constraints (evidence must be provided)
- At least one rapid EV Charge Point for large-scale Major developments, or at least one fast EV Charge Point (if the installation of a rapid charge point is technically impossible due to grid supply constraints (evidence must be provided)
- Installation of passive charge points - electric vehicle charging infrastructure for

<https://democracy.cambridge.gov.uk/documents/s46399/Consultation%20Draft%20Sustainable%20Design%20and%20Construction%20SPD.pdf>

## Home Chargers

Around 40 manufacturers provide charging units suitable for residential use – examples of popular models are shown below. Typically the units are wall-mounted, and available either with a tethered Type 1 or Type 2 cable, which can be plugged straight into the car, or with a Type 2 socket for use with the vehicle's charging cable.

Most suppliers provide two power rating options: 3 kW or 7 kW. Expect to pay more for the 7 kW option which reduces charge time significantly if the car has a fast on-board charger. For example, a Nissan LEAF (with optional 6.6 kW on-board charger) on a 3 kW home charge unit will provide a full charge in 6-8 hours, whereas a 7 kW unit will give a full charge in 3-4 hours.





### Key Contacts: - Strategy

#### James Elms—Head of Commercial Services:

James.elms@cambridge.gov.uk

#### Delivery

#### Sean Cleary—Commercial Manager

Sean.cleary@cambridge.gov.uk

#### Jake Smith— Project Officer

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## 7. City Council Public Car Parks

The City Council operate five multi storey car parks and five smaller street level car parks on a commercial basis.

We recognise the demand for electric vehicle charging support both locally and for car parks as a destination.

Whilst there is minimal provision at present with just four spaces serviced by relatively slow chargers, work is underway to ensure much more comprehensive provision in the near future.

The redevelopment of Park Street multi storey car park is an opportunity for planned expansion of EV charger provision.

Retrofitting of both rapid and fast charging in our other car parks is being pursued through potential partnership

### EV CHARGE POINT COMMERCIAL STRATEGY

- The aim is to secure a commercial partner to provide a fully installed, serviced and maintained publicly accessible electric vehicle charging point network involving the design, installation, operation (including the provision of energy) and, the marketing and maintenance of the new charge points
- Finding (where possible) a solution to any grid constraint problems
- The initial stage is for provision of EV charging across multi storey parking portfolio it is hoped however that this project will provide the basis for a wider ranging delivery of ULEV charging infrastructure across Cambridge. The first phase forecast to be delivered by the end of 2020

### CURRENT PROVISION

Currently Cambridge car parks have very limited charge point provision with two spaces and one dual 7kw charger at Queen Anne Terrace car park and two 3kw chargers available at Grafton Centre East Car Park.

<https://www.cambridge.gov.uk/recharge-your-electric-car>

### PLANNED PROVISION

- The Rebuilding of Park St Car park will see active provision of 3/7kw chargers in at least 25 spaces with passive provision (cabling) for all spaces.
- The commercial strategy aims to secure provision of both fast and rapid, destination charging initially at all multi storey car parks and enhanced provision at surface car parks to follow.



7kw charge point Queen Anne Terrace car park Cambridge



### Key Contacts:

#### Fleet Manager—David Cox

david.cox@cambridge.gov.uk

#### Head of Joint Waste Services

#### Trevor Nicoll

Trevor.Nicoll@cambridge.gov.uk

## 8. City Council Fleet

The City Council operates a fleet of vehicles ranging from small vans to refuse freighters.

Currently we operate eleven Nissan E-NV200 small vans which are fully electric

Our fleet managers recognise the significant benefits both in reduced environmental impacts and significantly lower whole life costs of electric vehicles

This has to be balanced currently with high upfront costs and the availability of vehicles to meet service operational needs.

## FLEET REVIEW

We are preparing to review our vehicle fleet usage using a three-month data collection period. This review will cover every vehicle that we operate, from ride-on mowers to the largest lorries.

There is no predetermined reduction or savings target for the review - its overarching aim is to gather the data to allow a greater understanding of how our vehicles are used, are they correct size and type and are they in the right place.

The first step in this process is to complete a detailed examination of what the vehicles actually do. To enable that, services will need to monitor usage via the tracking system in the vehicle. The system that we use to do that is called Quartix. It provides the ability to track in both real-time and to collate reports over a given period, allowing visibility of how we use our vehicles.

This review will give service managers robust data that could help in the development of new ways of working across the council. Additionally, the review is hoped to formalise the route to an wholly electric fleet, how and in what timeframe we can move to delivering that wider strategic aim.

## CURRENT FLEET PRACTICE

- Electric vehicles are considered for all new vehicle purchases
- The availability and cost of suitable electric alternative vehicles are sought
- The operational range, payload and daily activity of the vehicle to be purchased is considered in the process.
- The market for electric commercial vehicles is developing fast with new models coming to market regularly but cost, supply and lead times are a cause for concern.
- Whole life costs are considered to ensure that the long term benefits of electric vehicles are considered when purchasing vehicles.



Fully Electric refuse freighter on trial in Cambridge on Clean Air Day



**Key Contacts:**

**Electric pool bikes Andy Wood:**  
Email: [andy.wood@cambridge.gov.uk](mailto:andy.wood@cambridge.gov.uk)

**Zedify Delivery Cycle/Van Courier  
(formally Outspoken)**  
Email: [cambridge@zedify.co.uk](mailto:cambridge@zedify.co.uk)

The City Councils Air Quality Action Plan 2018-1023, under measure 20 and 21;  
and the Cambridge Local Plan 2019 in policy TI/3  
both encourage and support the provision of infrastructure for electric bikes

### 9. EV Cycles and Deliveries

The transition to electric vehicles will not be enough alone to deliver on national carbon reduction emission ambitions.

A significant shift away from traditional motor transport modes for shorter journeys will also be required.

Electric bikes, cargo bikes and delivery trikes merit a special mention in this regard.

They are zero emission at the point of use, and can be more than 25 times as carbon efficient as an electric car:  
(Nissan Leaf 4 miles/ kwh)

(Electric bike 50-100miles /kwh)

### DELIVERIES

- The City Council uses the local courier firm Zedify which offers a national zero emission delivery service.
- Zedify use electric power assisted cargo bikes and trikes for the last leg of deliveries in Cambridge (and elsewhere)
- They can carry loads up to 250 kg

### ELECTRIC POOL BIKES

- We now have two new electric pool bikes available for staff to use on council business. One is based at Mandela House and one at the Guildhall.
- This is enabling those who need to travel a little further on council business within the city or for whom cycling could be a challenge to undertake visits without using a car.
- This is saving both money in mileage claims and carbon and polluting emissions.



Zedfy Cargo trike



## 10. Stakeholder— Cambridgeshire County Council:

Cambridgeshire County Council is the Local Transport Authority and as such are very important for any work on supporting Electric vehicles.

The County also has a lead role in strategic planning for transport, education, minerals, waste and energy infrastructure.

At a more practical level County Highways Services are responsible for the on street environment an area that is pivotal to a successful EV Strategy.

The County Council also own and run Park and Ride sites for Cambridge which have significant potential as places to charge EVs and smart grid development

The authorities **Energy Investment Unit** and **Smart Cambridge** are also vital services driving innovation and economic development in energy provision, management and the smart networks required to make a success of the EV transition . They are driving this through exemplar projects and engagement with a broad range of business and public sector players.

The County Council own and manage a large property portfolio which has the potential to host and develop EV assets.

This Strategy focusses on the Highways function and the work of the Energy



### Energy Investment Unit

- **Develop major renewable energy projects that deliver positive economic investment opportunities for the Council .**
- **Works with partners to identify and implement solutions to local grid capacity and network**
- **Promotes research and development of smart, local energy solutions bringing together, renewable generation of electricity, storage and consumption including EV Charging .**
- **Takes a strategic approach to current and future energy provision**

### Highways—key roles

- Responsible for the local road network.
- Regulate street works
- Manage road space and on street infrastructure and signage through traffic regulation orders (TROs)
- Responsible for parking enforcement in Cambridge

### Other key roles

- Park and Ride
- Development of property assets across the County





### Cambridgeshire County Council highways

#### Sonia Hansen—Traffic Manager

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#### Gary Baldwin—

Gary.Baldwin@cambridgeshire.gov.uk

## 11. On Street Charge Point Provision —

One serious barrier to residential uptake of Electric Vehicles is lack of access to off street parking in towns and cities. In Cambridge much of the City has terraced housing with on street parking for residents who therefore cannot install their own dedicated charge point. For overnight charging at home

The Highway authority is responsible for the on street environment in this case Cambridgeshire County Council. The City Council are engaged with the County highways team to take forward on street provision

This is both a practical and technical challenge to deliver and in recognition of this OLEV do provide up to 75% funding for on street charger installation. Both councils are working together to explore ways to make use of this funding.

County officers are also facilitating an on street trial with their contracted street light operator (see panel)

## LAMPOST CHARGING TRIAL

- 6 months trial being funded by Ubitricity and Balfour Beatty (PFI Contractor for County Council for lamp posts).
- 6-7 sockets will be installed free of charge at Cambridge City locations
- The first locatiobn have been identified by the council and site surveys have been carried out
- At the end of the 6 months feedback from trial participants, the council and Balfour Beatty would be collated and reviewed
- The purpose of the trial is to:
- Facilitate joint working with Ubitricity and Balfour Beatty as their first project together
- Training of Balfour Beatty staff for installations and maintenance so that this becomes a standard service offering
- This is our first joint project together and Balfour are keen to use this as a first step to evaluate the technology before potentially offering to other Balfour Beatty PFI projects
- Allow Cambridge to evaluate the technology and potential future revenue streams from use of the sockets at zero cost to the council
- Allows information to be gathered ahead of any future potential larger scale rollout utilising funding such as the OLEV on-street residential scheme

## ON STREET ISSUES FOR CHARGE POINTS

- Lack of adequate electricity supply in the street
- Lampposts at the back of footway
- Narrow pavement (no room for post)
- Parking conflicts (who has the charging space)?
- Significant regulatory burden to installations
- A wide range of available charging solutions of varying quality available
- Unlikely to be commercially viable due to low return on investment



*Dedicated street post charger*

## 12. Smart Grids and the Electricity Network

The transition to Electric Vehicles presents a significant challenge to our strategic electricity infrastructure, both the generation capacity and the distribution network.

It also presents a huge opportunity to support a more distributed and renewable electricity network as each EV battery is a significant energy storage asset which could be used to support the grid during renewable intermittency.

Local Authorities have a role to play in coordinating research and development, demonstrator projects and developing solutions to tackle traditional grid constraints which are a significant barrier to full scale EV uptake in Cambridge.

The City Council are supporting a number of initiatives in this area led by the County Councils Energy Investment unit.

Rapid progress and investment will be needed in this field for to support the full uptake of EVs

### ST IVES PARK AND RIDE SMART ENERGY GRID

Cambridgeshire County Council is developing a highly innovative smart energy grid project for a park and ride site. The project will install carports above the car parking, to which solar panels will be fitted. These panels will power the site, electric vehicle charge points and also sales of off-grid energy to local businesses. The project will be underpinned by battery storage to take the site completely off-grid.

Part funded by the European Regional Development Fund, this demonstrator will test new revenue generating business models for the Council, see the integration of energy and transport solutions, help develop local cleantech businesses, and build resilience to local energy grid capacity challenges.

More information available here : <https://www.mlei.co.uk/projects/renewable-energy-&-storage/st-ives-park-&-ride-smart-energy-grid/>



#### PROJECTS IN DEVELOPMENT

- **Greater Cambridge & East Cambridgeshire: Energised for Growth**

- **Planning for a Smart Future**

*Reviewing all smart energy opportunities and identifying and market-testing the range of technologies and business models that can be deployed*

- **An Integrated Energy Transition Plan**

*Developing a strategic plan for the whole energy system, integrated with local development plans and the Local Energy East Strategy to design the least cost energy system*

- **Financing & Investment Strategies**

*Identifying investment needs across the plan, exploring new and revamped financing strategies and commercial models, securing investment from public and private sources to deliver change*

- **Policy & Regulatory Impacts**

*Identifying and addressing policy and regulatory barriers to mobilising funding and delivering the energy transition plan*

- **Parish Charge Point Project**

*Facilitating the purchase of publicly accessible charge points in Cambridgeshire villages and built up areas with no off street parking*

*Providing procurement support and OLEV grant application support to parish councils*

**Cambridgeshire County Council**

**Energy Investment Unit**

**Sheryl French -Project Director**

**Emily Bolton— Energy Projects Officer**

[mlei@cambridgeshire.gov.uk](mailto:mlei@cambridgeshire.gov.uk)

### 13. Stakeholder—

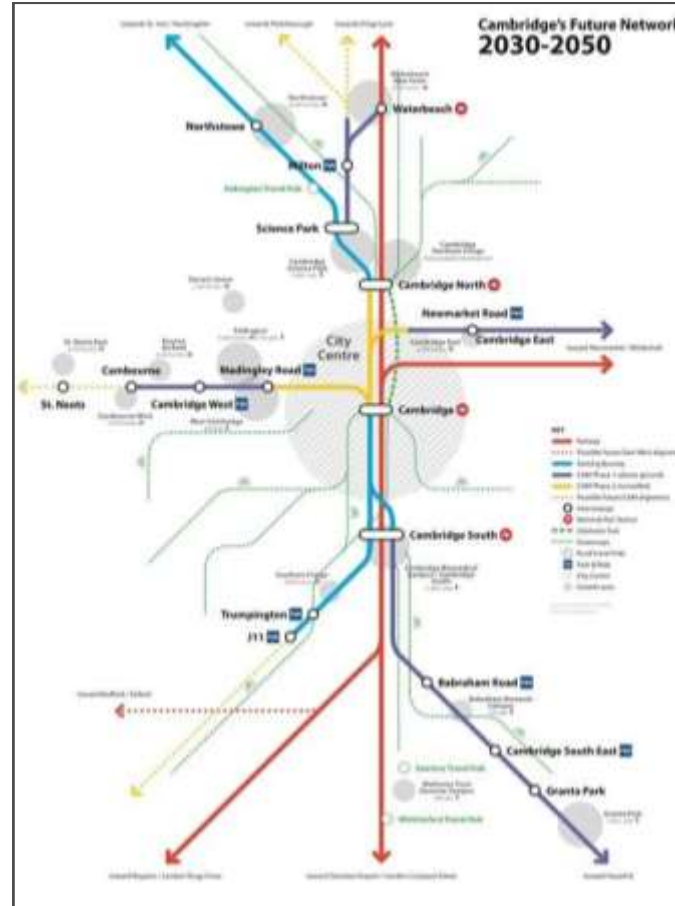
### Greater Cambridge Partnership: GCP

The Greater Cambridge Partnership is the local delivery body for a City Deal with central Government, bringing powers and investment, worth up to £1 billion over 15 years, to deliver vital improvements in transport infrastructure, supporting and accelerating the creation of 44,000 new jobs, 33,500 new homes and 420 additional apprenticeships.

The four GCP partners :

- [Cambridge City Council](#)
- [Cambridgeshire County Council](#)
- [South Cambridgeshire District Council](#)
- [University of Cambridge](#)

It is the largest of several City Deal programmes taking place in the UK and brings key partners together to work with communities, businesses and industry leaders to support the continued growth of one of the world's leading tourism and business destinations.



### Walking & Cycling

- The GCP are promoting and supporting the expansion of walking and cycling through strategic urban cycle links like the Chisolm Trail and a network of Greenways linking Villages and towns around Cambridge to the Cities.
- In Terms of an EV strategy this has the potential to increase the uptake of electric bicycles and encourage the shift away from petrol and diesel cars as well as wider modal shift

### Transport Infrastructure

- The Greater Cambridge Partnership aims to develop a sustainable transport network for Greater Cambridge that keeps people, business and ideas connected, as the area continues to grow; to make it easy to get into, out of, and around Cambridge by public transport, by bike and on foot.
- Through a range of projects, it will create a transport network fit for a small, compact city served by a growing network of rural towns and villages.

### Cleaner Air

- The GCP is committed to improving air quality and through its transport investments and policy influence it has great potential to move the electrification of transport forward.
- One possible mechanism is to develop a Clean Air Zone or Low Emission Zone. A feasibility study has been done and is being considered as part of a package of measures looking at how to tackle congestion, air quality and carbon emissions
- **Cambridge City Council is working to support GCP on Air Quality issues through detailed modelling of potential intervention scenarios and**







## 14. Stakeholder—

### South Cambridgeshire District Council:

As our neighbouring district and greater Cambridge partner South Cambridgeshire is important in the electrification of transport in Cambridge.

Clearly as a second tier authority they have similar roles and powers to Cambridge City Council.

Of relevance to this strategy is that many South Cambridgeshire residents travel to Cambridge for work and leisure and so ensuring they have access to electrified travel options will have a significant impact on emissions within the City

As a taxi licensing authority with a high number of private hire vehicles servicing the Cambridge area working with our neighbouring district to harmonise policy is helping to deliver on air quality and climate change commitments.

## Taxi Licensing

- South Cambridgeshire have a high proportion and number of private hire taxis in their licensed fleet when compared to Cambridge City.
- They have committed to work towards harmonisation of their taxi licensing conditions around vehicle emissions and ultra low emission vehicles with Cambridge.
- Cambridge City Council though their OLEV funded Taxi Charge point project will be supporting this policy transition by installing rapid chargers at three South Cambridgeshire

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**Air Quality Officer**



## 15. Stakeholder—

### Cambridgeshire and Peterborough Combined Authority

#### Partners

The Combined Authority (CA) is made up of eight founding members across Cambridgeshire and Peterborough under the leadership of a Directly Elected Mayor. Each partner is represented by their leader at Combined Authority meetings.

Key ambitions for the Combined Authority include:

- doubling the size of the local economy
- accelerating house building rates to meet local and UK need
- delivering outstanding and much needed connectivity in terms of transport and digital links
- providing the UK's most technically skilled workforce
- transforming public service delivery to be much more seamless and responsive to local need
- growing international recognition for our knowledge based economy
- improving the quality of life by tackling areas suffering from deprivation.

The Cambridgeshire and Peterborough Mayor for the Combined Authority can also exercise certain powers and functions devolved from Central Government including bus regulation.

The CA is also the strategic transport authority for the region

## The local Transport Plan

The Combined Authority is currently consulting on an Authority wide Local Transport Plan having taken that role from Cambridgeshire County Council. In terms of the EV agenda this is important at a strategic level because:

- The LTP sets out investment and policy priorities for the local strategic road network.
- It identifies long term investment priorities for public transport.
- This includes proposals for a Cambridge Autonomous Metro (CAM) envisaged to be an electrified public mass transit system

## Bus Services Review

- The Combined Authority is currently reviewing the regulation and provision of bus services
- The CA has the powers to instigate bus franchising or quality bus contracting in the future which could set the standards for future operations
- This could include emissions standards and potentially an EV standard for buses



## 16. Stakeholder Central Government—Office For Low Emission Vehicles

Central Government is playing a supportive role in enabling the vehicle market to transition to Electric Vehicles.

Through the creation of the Office For Low Emission Vehicles in 2009 the government has progressively invested in the EV sector from supporting research and development and manufacturing to the direct subsidy of both vehicle purchase and charge points and capital investment in key sectors such as EV Taxis and battery research. It provides independent advice on the market availability of vehicles and charging equipment.

The Office for Low Emission Vehicles (OLEV) is a team working across government to support the early market for ultra-low emission vehicles (ULEV). They are providing over £900 million to position the UK at the global forefront of ULEV development, manufacture and use. This will contribute to economic growth and will help reduce greenhouse gas emissions and air pollution on our roads.

**OLEV is the main distributor of capital support, through local authority competitions for charge point infrastructure in areas not currently supported by commercial markets. It also is directly subsidising both the commercial and private purchase of Electric vehicles**

### Grant Schemes

OLEV is currently operating a number of grant and subsidy schemes including:

- Domestic charge points grant (up to £500)
- On street charging grant (up to 75% of the cost)
- Workplace charging grant for employers
- Private (£3500 discount) and commercial (£8000 discount) electric vehicle subsidies
- Details of current grant schemes are set out in [appendix i](#)

### Information

- Under the Go Ultra Low brand consumers and fleet managers can access up to date information on Electric vehicles
- [www.goultralow.com](http://www.goultralow.com)
- It includes an interactive EV Car Selector
- Information on cost savings including an interactive journey cost calculator
- Owning an EV
- Available grants
- Charging and range
- Types and technologies for ultra low emission vehicles
- Business and fleet information

### Consultations

- OLEV runs consultations on new standards and regulations
- It is looking to mandate chargepoint provision in new developments through the Building regulations.

### Standards

- Minimum standards for grant funded, domestic chargers have been introduced
- A comprehensive set of technical and data collection requirements have been set out for grant funded public charging infrastructure.





### Key Contact:

#### Office for Low Emission Vehicles:

<https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

## 17. Legislation

The Seriousness with which central government is pursuing the transition to Electric vehicles is evidenced across numerous initiatives and by the passing of relevant legislation.

The Cross Departmental Office for Low Emission Vehicles (OLEV) is implementing legislation on a number of fronts:

Setting out minimum standards for charge point infrastructure they are prepared to fund;

Looking at regulations on access and payment for charging services ;

Approved Electric Vehicle dealerships and;

Consulting on changes to building regulations to ensure all new developments are supporting the transition to EV

## AUTOMATED AND ELECTRIC VEHICLES ACT 2018 (PART 2)

### Electric Vehicles

Since 2009 UK governments of all parties have sought to provide a framework in which electric vehicles, or 'ultra low emission vehicles' (ULEVs) can grow. The decarbonisation of both private cars and goods and passenger carrying vehicles is seen as critical to helping the UK achieve its climate change obligations and to improving air quality, particularly in cities such as London.

The measures in the Act are intended to help deliver the aim in the commitment for almost every car and van to be a zero emission vehicle by 2050. Taken together, the powers would allow Government to regulate if necessary in the coming years, to improve the consumer experience of electric vehicle charging infrastructure, to ensure provision at key strategic locations like Motorway Service Areas (MSAs), and to require that charge points have 'smart' capability.

The legislation is in essence a framework to give relevant departments the ability to introduce regulations to ensure infrastructure support and good standards for electric vehicles and chargers an example of this is the proposed changes to Building Regulations.

<http://www.legislation.gov.uk/ukpga/2018/18/contents/enacted>

## BUILDING REGULATION CONSULTATION

Government are proposing to alter building regulations for new:

- residential buildings to include requirements for electric vehicle charge points
- non-residential buildings to include requirements for electric vehicle charge point infrastructure
- introduce requirement for existing non-residential buildings to have electric vehicle charge points

A new build charge point installation costs on average less than £1000 per property, whilst retrofit is closer to £2000.

<https://www.gov.uk/government/consultations/electric-vehicle-chargepoints-in-residential-and-non-residential-buildings>



*Dedicated street post charger*



### 18. Stakeholder—

#### UK Power Networks (UKPN)

UKPN is the local Distribution Network Operator (DNO) for the East of England. It owns and maintains electricity cables and lines across London, the South East and East of England. It maintains and upgrades power equipment, move and connect new electricity cables.

To deliver the transition to EV at scale UKPN are a critical partner for ensuring that charging infrastructure is supported and delivered in the right places

Cambridge City Council works closely with UKPN through its Critical Friends Panel alongside our County Council colleagues at the Energy Investment Unit to ensure relevant connection constraints are identified and managed.

UK Power networks are active in developing their service to cope with the electrification of transport and have published relevant information:

<https://www.ukpowernetworks.co.uk/internet/en/about-us/documents/Future-Smart-What-our-stakeholders-said.pdf>

### Connections

- All charge points require an adequate electricity supply, demand can vary considerably depending on the power output required
- For public charging on street and rapid chargers over 22kw a new direct connection to the local network is likely required by the statutory undertaker (Usually UKPN in Cambridge).
- Local capacity is often a constraint and can render a location impossible or economically unviable.
- UKPN are able to advise on the detail of their network for EV Charge point connections

### 19. Stakeholder—

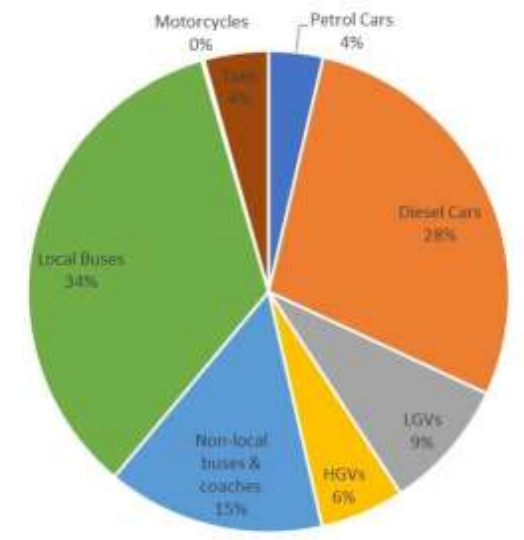
#### Bus operators

.Buses are the primary form of public transport in Cambridge and the current operating fleet is 100% diesel internal combustion engine powered.

- In Cambridge city centre buses are the largest single local source of oxides of Nitrogen (NO2) and with plans to improve and enhance bus service, frequencies and the number of routes.
- Greater Cambridge Partnership forecast that 100% increase in the bus operations will be required to alleviate congestion in Cambridge and accommodate the growth in employment, housing and associated travel.
- As big emitters of both carbon and pollutants electrification of the bus fleet is a priority identified in the Cambridge City Council Air Quality Action Plan

### Stage Coach East

- Currently operates the majority of bus services for Cambridge
- Has in the past made significant investments in new bus technology to improved air quality in the City by running a modern fleet of Euro IV, V and VI standard diesel buses
- Stagecoach will need to accelerate uptake of low and zero emission bus technologies to maintain and improve the air quality as the City and its bus services grow.
- Greater Cambridge Partnership and Stagecoach are currently running a trial of a fully Electric bus and a Hybrid drive bus on their no. 6 route



Source: apportionment of road traffic NOx emissions in 2017 inside the inner ring road, Cambridge 2017

# Performance indicators and Monitoring

The success of the four main aims will be assessed on a project by project basis using the following headline criteria:

**Aim 1—To identify sources of funding to develop and install EV Charging infrastructure and where appropriate pursue that funding.**

Metric: Amount of external funding applied for (reported annually)

**Aim 2—To robustly consider EV as a preference for all City Council fleet replacement and new vehicle purchase where appropriate vehicles are available and meet our operational needs.**

Metric: Number of EV fleet vehicles purchased (reported Annually)

**Aim 3 For the City Council to develop a commercial project to deliver charge points in our car parks in the short term and wider property holdings in the medium term.**

Metric: a. Contract let for EV infrastructure (End of financial year 2020/2021)

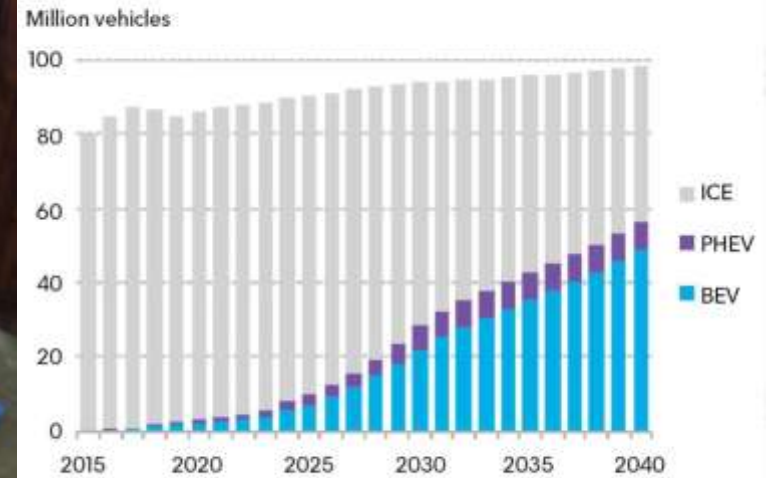
b. Number of car park spaces with access to a charger (reported Annually)

**Aim 4 -To promote funding opportunities and provide support for partner organisations to deliver EV charging infrastructure where they are the most appropriate lead**

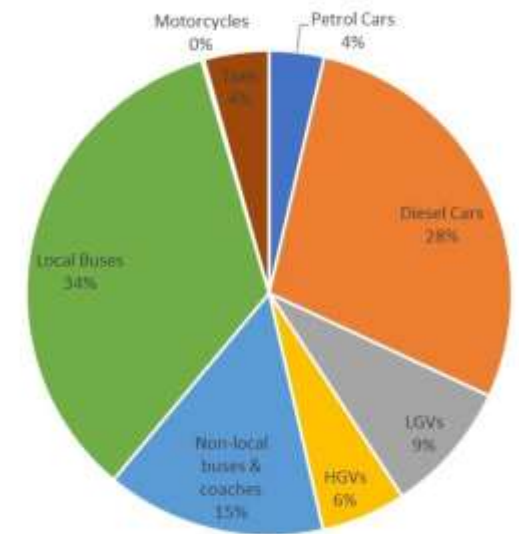
Metric: Number of charge points provided by partner organisations.



Global long-term passenger vehicle sales by drivetrain



Source: BloombergNEF



Source: apportionment of road traffic NOx emissions in 2017 inside the inner ring road, Cambridge 2017



## Links And Appendices

OLEV Grant / Subsidy schemes — <https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>

- i. Electric Vehicle home charge Scheme— <https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles#electric-vehicle-homecharge-scheme>
  - ii. Workplace Charging Scheme—<https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles#workplace-charging-scheme>
  - iii. On Street Residential Charge point Scheme - <https://www.gov.uk/government/publications/grants-for-local-authorities-to-provide-residential-on-street-chargepoints>
- i. Guide to Domestic Charge Points
  - ii. Example Planning Conditions to support EV

## LGA Article – 3 September 2019

(Transport Climate, environment and waste)

### Leeds City Council: Fleet transition to zero emission – home charging

Leeds' Fleet Replacement programme is designed to identify the lowest emission vehicle available when needing to be replaced. Where possible, this means electric vehicles (EVs) as the default option, however this requires appropriate charging point facilities to support this change. When vehicles are identified as suitable for EV replacement, details of their depot locations are mapped and collated and they're then replaced, however this was not always straightforward as this case study by Leeds City Council and the Energy Saving Trust explains.



Site surveys often revealed that locations would only be able to accommodate chargepoints for two to four vehicles, unless expensive upgrades to the electrical capacity were undertaken. This created a challenge to the plan for accelerated transition to a zero-emission fleet. It was determined that a home charging scheme could enable the adoption of more EVs in the fleet to overcome this barrier. A home

charging scheme pilot was launched involving 10 vehicles, to trial the operational feasibility of vehicles being taken home rather than stored at council sites overnight. This would require chargepoints being installed at officers' homes with a mechanism to repay them for the energy consumption of vehicles being charged, this can be done at a significantly lower cost than embarking on depot energy capacity upgrades. The pilot proved successful, generating highly positive feedback from drivers. Crucially, it also informed the development of the council's policy for fleet replacement enabling us to embark on ambitious plans to rapidly increase the number of EV's in our fleet. Leeds City Council has invested significantly in low emission vehicles following its comprehensive fleet reviews and the implementation of a home charging scheme. This has led the acquisition of over 95 EVs and more than 110 chargepoints to date, with the number of points projected to double across the council estate and up to 250 points being installed at officer homes – therefore enabling us to build rapidly on what is already believed to be the largest public sector fleet of EV's in the UK. It is estimated that the fleet of EVs will travel up to one million miles a year, offering significant fuel savings as electricity is cheaper than diesel (4p for electricity compared to 7p for diesel). The investment also hugely reduces the carbon, NOx and PM emissions of our fleet as well as demonstrating exemplar status of the council to key stakeholders across the city. These benefits will continue to aggregate as the fleet of EVs as projected to grow significantly in the next two years and beyond



# LGA Article – 3 September 2019

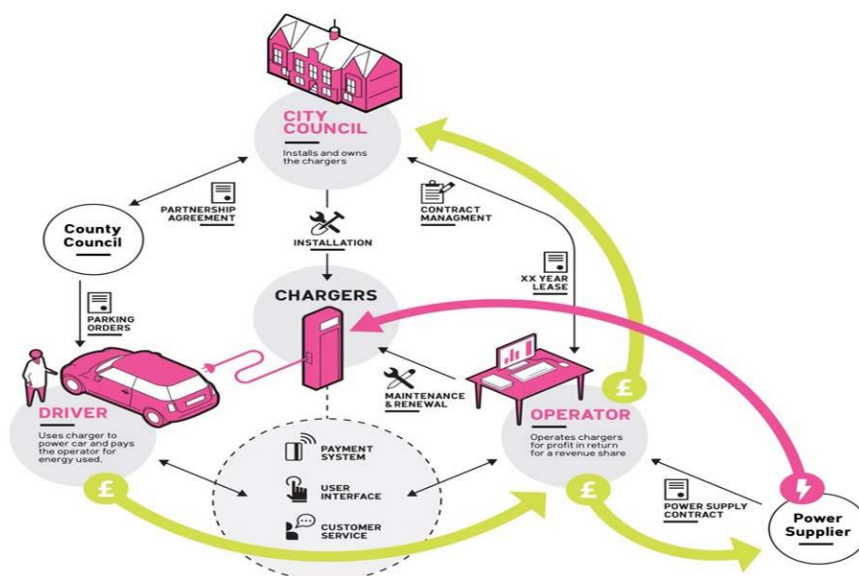
(Transport, Climate, environment and waste)

## Go Ultra Low Oxford

Run by Oxford City Council and Oxfordshire County Council, the Go Ultra Low Oxford project is trialling six types of charging infrastructure over 12 months to assess their suitability for on-street charging in residential areas. Case Study provided by the Energy Saving Trust.

The project was awarded £816,000 from the Office for Low Emission Vehicles (OLEV), which covers the capital costs of the trial and the subsequent roll-out of around 100 chargepoints.

Oxford City Council developed a bespoke concession framework, which reflects the time and resource intensiveness of this innovative trial. Their framework also considers relatively lower income typically generated by on-street residential chargepoints, when compared to rapid chargers, for example.



Using OLEV funding, Oxford City Council fully covered all capital costs (including equipment and installation) and therefore retains ownership of the chargepoints. The

chargepoints are then leased to commercial chargepoint operators for four years, with the option to extend the contract by a further four years.

The council do not pay a monthly fee to cover operational costs. Instead, the operator is responsible for the maintenance and operation of the chargepoints, including customer service, collection of payments and the power supply contract. They operate the chargepoint for profit, returning a revenue share to the council once the chargepoint is profitable. All units are Open Chargepoint Protocol (OCPP) compliant, which ensures they are compatible with a single back-office system provider, New Motion.



# Taxi and Private Hire Action Plan 2016

## About Transport for London

Part of the Greater London Authority family of organisations led by Mayor of London Sadiq Khan, we are the integrated transport authority responsible for delivering the Mayor's strategy and commitments on transport.

As a core element in the Mayor's overall plan for London, our purpose is to keep London moving, working and growing, and to make life in our city better. We reinvest all of our income to run and improve London's transport services and to make it more modern and affordable for everyone.

Our operational responsibilities include London Underground, London Buses, Docklands Light Railway, London Overground, TfL Rail, London Trams, London River Services, London Dial-a-Ride, Victoria Coach Station, Santander Cycles and the Emirates Air Line.

On the roads, we regulate taxis and the private hire trade, run the Congestion Charging scheme, manage the city's 580km red route network, operate all of the Capital's 6,300 traffic signals and work to ensure a safe environment for all road users.

We are delivering one of the world's largest programmes of transport capital investment, which is building the Elizabeth line, modernising Tube services and stations, transforming the road network and making it safer, especially

for more vulnerable road users, such as pedestrians and cyclists.

We work hard to make journeys easier through effective use of technology and data. We provide modern ways to pay through Oyster and contactless payment cards and provide information in a wide range of formats to help people move around London.

Real-time travel information is provided directly by us and through third party organisations, which use the data we make openly and freely available to power apps and other services.

We listen to, and act upon, feedback and complaints to constantly improve our services and work with communities, representative groups, businesses and many other stakeholders to shape transport provision in London.

Improving and expanding transport in London is central to driving economic growth, jobs and housing throughout the United Kingdom. Working with the Mayor, we are using our surplus land to provide thousands of new, affordable homes. Our own supply chain creates tens of thousands of jobs and apprenticeships across the country.

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# Message from the Mayor

As the world's greatest city, London deserves the best taxi and private hire services available. I am determined to create a vibrant taxi and private hire market, with space for all providers to flourish, while driving up standards to improve safety and the quality of service offered to all Londoners and the city's visitors.

London's taxi drivers are highly trained and are required to meet the strictest safety standards. They drive wheelchair-accessible vehicles, and possess the incredible geographical recall and sense of direction that only those with The Knowledge have. With the world's most qualified cabbies at the wheel, it's easy to understand why the iconic black cab is recognised across the globe and is a source of pride for Londoners.

The private hire trade also has an important role to play in the city's transport mix. Traditional minicab services exist all over London and remain prevalent in suburban areas, alongside suburban taxis, serving local communities. Meanwhile, chauffeur and executive services use high-end vehicles to serve London's thriving business and leisure industries.

In my manifesto, I set a clear objective to:

- Ensure the markets for licensed taxi drivers and private hire drivers are fair – with special privileges built in, as they always have been, for those who



- become a licensed London taxi driver
- Ensure driver safety standards are rigorously enforced across both industries
- Retain the exclusive right of licensed taxi drivers to use bus lanes and ply for hire

Making this happen means reinforcing the

two-tier system between taxis and private hire services and taking account of the phenomenal change seen in the industry in recent years – in particular the role of new technology in enabling journeys.

The taxi trade is an icon of our city and should be supported. While the

legitimate private hire trade is an asset to London, we must not be complacent in ensuring it is safe for passengers. The need for greater enforcement and compliance, as well as stricter entry requirements, is clear for all to see. I also want those drivers who work in the private hire industry to be reassured that it offers a secure working environment with a pathway to appropriate vocational and educational training. Ensuring the highest of standards in the private hire trade benefits everyone with a stake in the industry.

This plan is an important step, and sets out how Transport for London (TfL) will deliver my commitments to both passengers and to the trades themselves. However, it is also a first step, and as the industry changes and develops, this plan will be kept under review to ensure this rapidly changing industry, and the customers it serves, are fully supported now and in the future.

**Sadiq Khan**  
Mayor of London

# The journey so far

Taxis have a long and proud history in the Capital, dating back to the horse-drawn hackney carriages that were first seen on London's streets in the 1600s. In the mid-nineteenth century, taxi licensing was introduced, helping build a vital service that often operates when and where other forms of public transport are unavailable.

London's taxis provide a reliable and trusted service to Londoners, tourists and business people from home and abroad, offering customers safety, convenience, and a second-to-none knowledge of the Capital's streets. Companies such as Hailo and Gett have been at the forefront of an app revolution, as smartphones have transformed how many of us organise the way we travel. Crucially, all taxis are fully accessible for wheelchair users.

Today, the taxi industry is preparing to play a vital role in the future of a greener, cleaner Capital city, and will have a key part in tackling London's toxic air. From 1 January 2018, no additional diesel taxis will be licensed in London. Instead, all those presented for licensing for the first time in London will need to be Zero Emission Capable<sup>1</sup>. A number of taxi manufacturers are working on the next generation of vehicles offering significant environmental benefits and an improved travelling experience for customers.

Private hire vehicles (PHVs) first appeared on London's streets in the 1960s, and developed to meet the growing demand for pre-booked and suburban journeys in the Capital. The trade, which ranges from traditional minicabs to more specialist chauffeur and executive services, was unregulated until the late 1990s.

## Licensing

In 1998, the Private Hire Vehicles (London) Act was passed, while in 2000 TfL was created and took over responsibility for the Public Carriage Office from the Metropolitan Police Service (MPS). Licensing was introduced for operators in 2001, for drivers in 2003 and for vehicles in 2004. The private hire industry has also embraced new technology, with companies such as Addison Lee and Uber offering app-based facilities. This has proved popular with customers, while the number of private hire licensees has almost doubled in recent years – there are now over 110,000 private hire drivers and more than 80,000 PHVs in London, and we are currently legally obliged to issue licences to anyone who meets the licensing criteria.

This unprecedented rise has led to concerns around congestion, air quality and compliance. There is also a human cost – as the amount of drivers increases, so does the number of stories about minicab drivers struggling to make

enough money to support themselves and their families.

While it is of course the customer's choice which service to use, it is vital that regulations and policy keep pace with technology development, as well as with passengers' expectations about their safety and a high quality customer service.

## Fair competition

The aim is to allow fair competition across the taxi and private hire industry, protecting our iconic and thriving taxi trade and ensuring the continuation of a diverse and safe private hire service.

While change and innovation can mean benefits for customers, a fast-growing and dynamic industry can also lead to concerns around passenger safety, as well as wider issues linked to air quality, current legislation and engagement with TfL.

As the regulator for taxi and private hire services, we are reviewing our organisational and governance structure to ensure that we meet – and continue to meet – the changing needs of passengers and those who work in the taxi and private hire trades.

**This plan contains 27 measures under the following five themes:**

- 1 Enhancing public safety**
- 2 New initiatives for the taxi trade**
- 3 Delivering the greenest taxi fleet in the world**
- 4 Lobbying for additional powers**
- 5 Improving engagement with TfL**

1. ≤50g/km CO<sub>2</sub> with a minimum 30 mile zero emission range

# Enhancing public safety

Effective and strong regulation is the bedrock of passenger safety. To meet the safety challenges a dynamic taxi and private hire industry brings, we will bring in a number of new measures including:

- I. Implementing and ensuring compliance with the approved recommendations from the Private Hire Regulations Review such as:
  - Robust 'hire and reward' insurance requirements that will mean a policy has to be in place for the duration of the vehicle licence, including when the vehicle is presented to us for inspection
  - A formal English language requirement for all drivers – of a similar standard to that achieved in the early years of secondary school
  - An agreed fare or accurate fare estimate for customers in advance of their journey
  - The provision of driver and vehicle details to customers (including a photo of the driver) before the start of each journey, where customers are able to receive this information
  - Private hire operators ensuring that customers can speak to someone at the operating centre in the event of a problem with their journey (subject to the outcome of current legal proceedings)

These new private hire regulations came into force on 27 June 2016 following the Private Hire Regulations Review. For more complex regulations, existing licensees are expected to comply by 1 October 2016.

2. Quadrupling the number of on-street compliance officers with 250 more dedicated officers on the streets of London by summer 2017
3. Reviewing operator compliance costs to ensure the licence fee structure for private hire operators reflects the costs of compliance activity, by spring 2017
4. Investigating, by summer 2017 the feasibility of introducing a minimum three-year enhanced Disclosure and Barring Service check for drivers to guarantee that a full and comprehensive period of criminal history is available for consideration as part of the licensing process
5. Exploring the potential for private hire operators to have their own hire and reward fleet insurance, covering all their registered drivers and vehicles, by spring 2017. This will build on the stricter hire and reward insurance requirements, introduced in summer 2016
6. Working with the Department for Transport to produce national guidance



**More dedicated compliance officers on the streets**

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| <p>on ride sharing, by spring 2017, to ensure driver and passenger safety</p> <ol style="list-style-type: none"> <li>7. Improving, by summer 2017, the standards of driving across the industry by requiring that private hire drivers pass an advanced driving test before they can be licensed or relicensed. TfL is already progressing measures to improve safety standards by introducing an enhanced topographical test for private hire drivers before they can be licensed or re-licensed</li> <li>8. Requiring details of our customer complaints procedure to be clearly displayed in PHVs, as they currently are in taxis, ensuring customers can comment about a journey from winter 2016. This builds on the work already done to promote the fact that customers can comment on private hire – as well as taxi – journeys to TfL, via phone, online and twitter</li> <li>9. Ensuring transparency around enforcement and compliance activity, and clearer, regular reporting, including cases where drivers are</li> </ol> | <p>charged with cab-related sexual offences, by winter 2016</p> <ol style="list-style-type: none"> <li>10. Ensuring transparency around the reporting of personal injury collisions involving taxis and PHVs. The MPS will start recording the breakdown of this data from late 2016, enabling us to start reporting separately on taxi and private hire collision data from spring 2017 onwards</li> <li>II. Exploring additional training opportunities for taxi and private hire drivers, such as first aid training to enhance driver skills and driver behaviour awareness training linked to the Safer Travel at Night campaign</li> <li>12. Conducting, further to the commitment made at TfL Board on 17 March, a full review of in-venue private hire operators by spring 2017</li> </ol> <p>We are also exploring options for addressing the congestion caused by the rise in the number of PHVs, particularly in central London, and looking at what measures could be taken to address this.</p> |
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# New initiatives for the taxi trade

The Mayor is committed to ensuring a fair market for the Capital's taxi and private hire trades, with special privileges for those who become a licensed London taxi driver. Working with us, the Mayor has developed the following initiatives to help support the taxi trade:

13. The continued use of bus lanes – a right which we have previously defended successfully in court – to support quick and convenient journeys by black cab, as well as enabling access to additional bus lanes that taxis have previously not been allowed to enter. This includes:
  - a. Allowing taxis to access an additional 20 bus lanes on the TfL Road Network for the first time by the end of 2016. See appendix I
  - b. Writing to the London boroughs asking them to consider access for taxis to over 40 further bus lanes located on roads they control
14. Developing options for the use of technology to provide customers with information to help connect them with taxis more quickly and easily, including adding taxi information to our Journey Planner. Implementations of measures by summer 2017
15. Mandatory card and contactless payment options in taxis from 31 October to make it even easier for customers to pay, while giving drivers the time they need to prepare, and working with card payment providers to get the best deal for drivers

16. Delivering the Ranks Action Plan and increasing the number of taxi ranks in London by 20 per cent by 2020 (from 500 to 600), as well as improving accessibility at ranks, and improving and promoting ranks at, for instance, Night Tube stations
17. Raising the profile of The Knowledge by establishing accreditation as a formal qualification, potentially enabling applicants to apply for study loans
18. Giving taxi drivers better access to our facilities, such as toilets within our estate, from January 2017
19. Reviewing the annual taxi fares process to ensure drivers and customers get the best deal from April 2017



Card and contactless payments will be mandatory in taxis

# Delivering the greenest taxi fleet in the world

Pollution in London is a public health priority, with the equivalent of over 9,400 Londoners dying early every year. Historically, the trade has had a limited choice of heavy diesel vehicles to use. This has led to the fleet becoming a significant contributor to poor air quality, particularly in central London. We will help phase out diesel taxis and establish the Capital's fleet as the greenest in the world by:

20. Requiring that, from 1 January 2018, no more new diesel taxis are licensed in London and all newly registered taxis are Zero Emission Capable
21. Reducing the cost premium of new vehicles by providing a £3,000 grant towards the first 9,000 ZEC taxis licensed in London and lobbying Government to guarantee the plug-in car grant for these vehicles, enabling up to £7,500 in total
22. Delivering a rapid charging network from 2017 to enable drivers to maximise fuel savings and operate mostly in zero emission mode, with locations dedicated to the trade
23. Introducing a scrappage scheme for the oldest taxis from 2017. Up to £5,000 will be available to drivers who choose no longer to licence their vehicle in London, with the exact amount depending on the age of the vehicle



London's fleet will be the greenest

24. Recognising that the newest taxis today will be the last remaining diesel vehicles in the fleet and exploring options to convert to a cleaner fuel, such as Liquid Petroleum Gas
25. Rewarding drivers who pioneer green technology by offering exclusive access to certain facilities, for example, 'zero emission' ranks, and working with boroughs to explore areas where taxis and other vehicles must operate in zero emission mode



# Lobbying for additional powers

There are a number of measures that we would like to introduce to enhance public safety still further and to support law-abiding drivers. However, these would require changes to legislation.

26. We will lobby the Government for:

- Control over cross-border hiring for both taxi and PHVs licensed outside of London. Issues of cross-border hiring are increasingly commonplace and it cannot be right that Parliament intended private hire licensees to license themselves with one authority with, for example, the sole intention of working 100 per cent of the time in another authority. Introducing a requirement to ensure a journey either starts or ends in the area for which the driver and vehicle are licensed will still allow flexibility to undertake return journeys. A similar requirement exists in New York City
- Approval from the Secretary of State for us to issue Fixed Penalty Notices (FPNs), for example to drivers found not wearing a badge, which would act as an instant deterrent for more minor offences. Were the Secretary of State to agree to use his powers to allow us to issue FPNs for a broad range of offences, it would be another method of compliance to ensure passenger safety in the taxi and private hire trades

- The introduction of legislation to control and regulate pedicabs in London allowing us to ensure the safety of passengers and other road users. Currently, we do not have the authority to regulate, or license, pedicabs in London. The Government has announced that it will bring forward legislation that would bring pedicabs within our regulatory framework and be subject to our licensing regime

Being able to control, regulate and ban unsafe pedicabs would also benefit the London economy by helping to keep the city moving – the congestion caused by pedicabs is significant, especially in parts of the West End. In the meantime, we will continue to work with Members of Parliament and the London Borough of Westminster to run operations to tackle dangerous and antisocial behaviour from pedicab drivers

- A statutory definition of plying for hire and pre-booked services – as the law stands, plying for hire is difficult to prove and requires significant enforcement resources. While we will continue to enforce to the full extent of our ability, along with the Mayor we are firmly of the view that a statutory definition of plying for hire and pre-booked services will remove ambiguity and clearly define the difference between taxi and private hire services, maintaining the two-tier system
- Greater enforcement powers – changes in primary legislation to address common enforcement issues in London, for example, the power to seize vehicles that are found undertaking a passenger journey without hire and reward insurance cover, automatic disqualification from driving on conviction of anyone found guilty of a touting or unlawful plying for hire offence, and extend the power the police already have to take DNA samples for touting offences to include drivers caught unlawfully plying for hire



**The Government has announced that it will bring forward legislation that would bring pedicabs within our regulatory framework**

# Improving engagement with TfL

To ensure passengers have confidence in the safety and future convenience of the Capital's taxi trade, it is important that the trade has a productive and positive relationship with us. Having a relationship built on transparency and openness ensures all parties are clear on the role each plays in meeting the needs of passengers, with us as the regulator and licensing authority, and the trade as the front-line service provider.

27. TfL's Taxi Trade Engagement Policy is being updated to ensure it is more inclusive. It is proposed that our engagement with the trade will take place through regular scheduled meetings including:

- Quarterly one-to-one meetings with the Licensed Taxi Drivers Association (LTDA); London Cab Drivers Club (LCDC); Unite; National Union of Rail, Maritime and Transport Workers (RMT) – Taxi Branch; and United Cabbies Group (UCG) to discuss strategic issues
- A bi-monthly, independently chaired performance seminar with representatives from the major taxi trade bodies (LTDA, LCDC, Unite, RMT and UCG) and other interested parties on an ad-hoc basis. This will cover operational performance and a single topical policy item
- Ad-hoc meetings with smaller organisations and stakeholders

- Sessions with local organisations and other interested parties, for example, the suburban taxi forums, vehicle manufacturers, app developers, the Cab Ranks Committee, card payment providers and taxi radio circuits

These proposals will be discussed with the taxi trade during autumn 2016 before the taxi trade engagement arrangements are finalised.

Quarterly meetings with representatives of the private hire trade including the LPHCA, Private Hire Board and Chauffeur & Executive Committee, as well as one-to-one meetings with the larger operators and the GMB Union, which represents the interests of private hire drivers, are already well established and will continue.



Meetings with the trade have already been established

# Next steps

Implementation of the measures contained in this Action Plan is under way (as of September 2016) and regular updates will be provided at meetings with the taxi and private hire trades on a regular basis.



We will continue to update the trade through regular scheduled meetings

# Appendix I

Additional bus lanes on the TfL Road Network to which taxis will be allowed access for the first time:

Road	Indicative location
1 London Bridge northbound (part-time following completion of Tower Bridge works)	Glaziers Hall to Fishmongers Hall
2 Wandsworth gyratory	Ram Street
3 Catford one-way system	Catford Road
4 Tooley Street westbound	Shad Thames to Potters Fields
5 A2	In the vicinity of the Black Prince interchange eastbound
6 A2	In the vicinity of the Black Prince interchange westbound
7 Bishopsgate	Junction of Cornhill/Bishopsgate
8 Shoreditch High Street	Norton Folgate to Shoreditch High Street
9 Kidbrooke Park Road	North of Weigall Road northbound
10 Kidbrooke Park Road	North of Weigall Road southbound
11 Kidbrooke Park Road	On the approach to the Kidbrooke interchange
12 Bath Road	Nettleton Road to Bath Road
13 Malden Way	In the vicinity of South Lane
14 Tolworth Rise North	In the vicinity of Highfield Road
15 Westminster Bridge Road	Westminster Bridge Road to Victoria Embankment
16 Westminster Bridge Road	In the vicinity of Gassiot House
17 Kennington Road	In the vicinity of Stannary Street
18 Streatham High Road	Between Gleneldon Road and Stanthorpe Road
19 Grove Road	In the vicinity of High Street
20 Newington Butts	In the vicinity of Dante Road

In addition, we will be writing to the London boroughs to ask them to consider access for taxis to over 40 further bus lanes located on roads they control.



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