

HACKNEY CARRIAGE AND PRIVATE HIRE POLICY REVIEW 2024-29
MATRIX OF IMMEDIATE EFFECT CHANGES & PROPOSED CHANGES

	<p><u>DFT Statutory Taxi and PHV Standards 21 July (Immediate Effect)</u> Note - the below sections are already incorporated into the Council's processes but will now be embedded in policy also.</p>	Comment
1.	Disclosure and Barring Service (DBS) licensed drivers are required to have an enhanced DBS check every six months and therefore must subscribe to the DBS update service. Licensing Officers will then conduct a biannual check.	
2.	Vehicle proprietors (only) will also be required to obtain a basic DBS certificate.	
3.	Private Hire Operators are required to obtain a basic DBS annually. All those listed as part of the company or partnership are also required to provide a DBS.	
4.	Private Hire Operators have to evidence that they have seen a DBS for all booking and dispatch staff. They must also keep a register of all staff taking bookings.	
5.	Private Hire Operators must record bookings with a standard list of booking requirements.	
6.	Operators are able to outsource bookings but are required to provide evidence of comparable protections applied by the company.	
7.	Operators are to have a policy in place on employing ex-offenders. The Statutory Standards state that Operators should have in place a policy for employing ex-offenders.	
8.	The Authority have registered with National Anti-Fraud Network. The Authority will check the register for new and renewal applications. It will also share information on the NR3 Register to establish if licences have been revoked, suspended or refused within the last 25 years.	

9.	The licensing team have introduced a link on the licensing web page which enables those who wish to make a comment to the Council about a Private Hire or Hackney Carriage vehicle, driver or operator to do so more easily.	

10.	A notice to be displayed in licensed vehicles has also been produced to be prominently displayed advising customers of how to contact the Council should they have a comment to make about the experience with any driver, vehicle or operator.	
11.	<p>Overseas Convictions – the DBS cannot access criminal records held overseas. Therefore, a DBS check may not provide a complete picture of an individual’s criminal record where the applicant has spent periods living or working overseas. The same applies when an applicant has previously spent an extended period (three or more continuous months) outside the UK. It should be noted however that some countries will not provide a Certificate of Good Character unless the individual has been resident for six months or more.</p> <p>The authority will seek to require applicants to provide where possible criminal records information or a Certificate of Good Character from overseas in these circumstances to properly assess risk and support decision making process. Should a Certificate of Good Conduct not be provided the person will be required to appear before the licensing committee to consider their ‘fit and proper’ status.</p>	

12.	The DfT Statutory Standards require Authorities to provide safeguarding advice, guidance and training for both new and existing drivers and operators. The training will be required on application and every three years thereafter.	
13.	The licensing authority will continue to work in partnership with the police to share information as quickly as possible	
14.	Authorities may jointly authorise officers from other local authority areas so that compliance and enforcement action can be taken against licensees from outside the area when they cross over boundary	
15.	The DfT's view of CCTV in vehicles is that it can provide an additional deterrent. The standards state that licensing authorities should consult on the installation of CCTV in vehicles. This document provides a medium for consultation on this matter. The current policy contains information on the use of CCTV in vehicles. CCTV is not mandatory however proprietors are encouraged to consider the benefits of CCTV within vehicles.	
16.	Vehicle licences can now be applied for by an individual, company or partnership. A current DBS certificate is required for all applicants.	
	<p>Legislative Changes</p> <p>Note - the below sections of legislation are already incorporated into the Council's processes but will now be embedded in policy. We still welcome comment on these aspects.</p>	
17.	Tax Registration Check's, under the Finance Bill 2020-21, are required from April 2022 for Drivers and Operators. The Authority will be required to ensure a check has been completed prior to considering an application.	
18.	EU Settlement Scheme – officers will ensure applicants and existing licensees are compliant with the scheme and have the right to remain and work in the UK prior to issuing licences.	
19.	The Taxis and Private Hire (Safeguarding and Road Safety) Act 2022 formerly introduces the requirement for local authorities to subscribe and use the NR3 register. This entails	

	uploading historical data in respect of those that have been refused, revoked and suspended over the last 25 years and to check the register for new and renewal applications.	
20.	Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 requires local authorities to publish a list of wheelchair accessible vehicles. It also imposes duties on licensees to provide reasonable assistance to a disabled person.	
	<u>PROPOSED POLICY CHANGES</u>	
21.	New vehicle applications and cherished plates must be accompanied by the full log book, bill of sale or green slip.	
22.	Vehicle tax and MOT status will be confirmed online.	
23.	The previous Certificate of Compliance must be provided to the testing station when being produced for the compliance certificate.	
24.	New window acetate for fares to be displayed in Hackney Carriage vehicles	
25.	Photographic evidence will be a requirement for accidents and damage to vehicles or alternatively an engineer's report.	
26.	Those licensed must notify the Council if any change of name or address or contact details within 14 days.	
27.	Guidelines on the Relevance of Convictions Appendix 1 - having regard to the Statutory Standards, the relevance of convictions has been updated to include lists of minor and	

	major traffic offences, and offences up to 9 points on a DVLA driving licence it is proposed to be dealt with under Officer delegation. (see point 33 on Appendix 1).	
28.	The Council operate an Intervention Scheme and have updated this process within Appendix 1 (point 33). It is proposed that Warnings stay live for a period of 1 year. Also that 3 stages are followed before referral to Licensing Committee. For non-compliance Stage 1 = Written Notice issued, Stage 2 = Formal Warning letter and Stage 3 = Officer Caution.	
29.	Medicals – Best Practice Guidance for Licensing Authorities in England document 2022 states that Licensing Authorities should apply the Group 2 Medical requirement. It is proposed that all applications and renewals require a medical assessment by a GMC registered medical practitioner at Group 2 standard. The assessment will be required on application and every 3 years.	
30.	Fire Extinguishers – it is proposed that Taxi and Private Hire Vehicles no longer be required to carry fire extinguishers. The National Fire Chiefs Council advice is that drivers get out and stay out of the vehicle and call 999 rather than attempting to fight a fire.	
31.	<p>Vehicle Age Limits – currently taxis are licensed until 10 years old and Private Hire until 7 years old. Further consideration of age limits is detailed below;</p> <p>Following meetings and discussions between relevant members and officers, it has been agreed that the following vehicle age limit options should be put forward during the consultation:</p> <ul style="list-style-type: none"> a. 5 year age limit (<i>no upper age limit, but must be Euro 6 compliant</i>); b. 8 year age limit (<i>no upper age limit, but must be Euro 6 compliant</i>); c. Unlimited vehicle age limit (<i>no upper age limit, but must be Euro 6 compliant</i>). 	
32.	Certificate of Compliance – it is proposed that compliance testing will now take place annually as opposed to every 6 months. The Council would however reserve the right to request that vehicles undertake a further Certificate of Compliance assessment should the	

	need arise.	
33.	<p>Vehicle Identification and Signage – It is proposed to continue with livery on vehicles. Livery provides an element of safety particularly for vulnerable passengers. Passengers can identify the vehicle company through door panels. Therefore door panels will continue to be required however it is proposed that Hackney Carriage vehicles will only be required to display the current panel with a blank colour section below. It is also proposed that external front plates no longer be required on Private Hire Vehicles. The front plate will be replaced by an internal sticker which will be required to be placed in the top corner of the front window on the passenger side. The internal plate is being introduced due to the number of vehicles that have sensors in the front of the vehicle.</p>	
34.	<p>Driver Vehicle Condition Checks – Drivers of a vehicle have responsibility for its condition whilst in use. Driver’s must conduct a daily walk around and complete the checklist provided. Drivers/Proprietors may be subject to enforcement actions if found using defective vehicles.</p>	
35.	<p>Electric/Hybrid Vehicles – The use of electric and hybrid vehicles as private hire and hackney carriage vehicles are fully encouraged and will be included in the vehicle specification in line with the Council’s climate change ambitions.</p>	