

TABLE OF SIGNIFICANT AMENDMENTS MADE TO DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY 2021-26

Policy Section No. and Title	Policy Paragraph and Summary of Changes	Reasons
Executive Summary & Definitions	Updated to include reference to the Government-issued Statutory Taxi and Private Hire Vehicle Standards published in July 2020	The majority of amendments to the policy are to incorporate the national standards to which all Licensing Authorities must have regard in carrying out their licensing function.
1 Introduction	Para 1.2.3 added to provide overview on Statutory Standards	Statutory Standards
2 Vehicles and Proprietors	<p>2.1 Types of Vehicle Licence – new section added</p> <p>2.5 Wheelchair Accessible Vehicles - updated to reflect increased % of WAVs in taxi fleet since the publication of the current policy from 15% to 20%.</p> <p>2.6 Environmental Considerations - updated to reflect declaration of Climate Emergency and commitment to becoming a carbon neutral borough by 2030, and strengthening of emissions limits to Euro 6 or above.</p> <p>2.8 Inspections - updated to reflect potential increase in frequency of inspections from annually to six-monthly</p> <p>2.13 Smoking – updated to clarify that use of vaping/use of e-cigarettes is also not permitted in licenced vehicles</p>	<p>To provide additional clarity</p> <p>To demonstrate successful upwards trends that satisfies local need and justifies the retention of the associated policy requirements</p> <p>To highlight this important issue, improve air quality, and pre-empt future changes to policy/vehicle specification requirements in support of the council's carbon neutral commitment.</p> <p>To better ensure that the high standards required and expected by the council are maintained</p> <p>The use of e-cigarettes in a licenced vehicle could easily be perceived by the public as smoking, and be damaging to the reputation of the local trade. In addition, it would be difficult for council officers to differentiate vaping 'smoke' from tobacco smoke; making enforcement challenging.</p>

	<p>2.14 CCTV – removal of mandatory requirement (and associated removal of CCTV Code of Practice previously contained in Appendix C) in favour of discretionary option.</p> <p>2.23 Proprietor Criminal Record Checks – new section requiring vehicle proprietors, who are not also drivers, to provide an acceptable basic disclosure check from the DBS as part of every annual licence application.</p>	<p>Guidance from Information Commissioner’s Office confirms that a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles is responsible for the data and needs to register and act as the data controller, which is unmanageable due to cost and resourcing implications.</p> <p>Statutory standards</p>
<p>3 Drivers</p>	<p>3.2 Eligibility Criteria and Application Requirements – new requirements for applicants to:</p> <ul style="list-style-type: none"> • Attend disability awareness training and, if required, pass an associated test. • Be suitably proficient in the English language, in terms of oral, reading and written skills. <p>Expansion of safeguarding and CSE awareness training to include County Lines Exploitation awareness and allow further components to be added as may be required</p> <p>3.10 Medical Examination – updated to reflect requirement for annual medical checks for all drivers aged 65 of over (instead of 70)</p> <p>3.11 Criminal Record Checks – updated, notably to require enhanced disclosure checks every 6 months instead of every 3 years and, in order to</p>	<p>To promote equality and enhance the calibre of licenced driver for the benefit of the travelling public by increasing their knowledge, awareness and understanding of a range of disabilities.</p> <p>Statutory standards</p> <p>Statutory standards</p> <p>In accordance with the DVLA Group 2 Medical Standards guidance.</p> <p>Statutory standards</p>

	<p>facilitate this, all existing drivers not already registered with the DBS Update Service to ensure they are, at their expense, by 1 July 2021 – and face suspension for non-compliance.</p> <p>3.12 Relevance of Convictions and Cautions – updated to refer to the adoption of the statutory standards (as a minimum)</p> <p>3.13 Licensee self-reporting – new section requiring notification to the council within 48 hours of an arrest and release, charge or conviction.</p> <p>3.22 Disability Awareness – new requirement for drivers are required by condition to attend an approved Disability Awareness session and pass an associated test to demonstrate a satisfactory understanding of the matters covered.</p>	<p>Statutory standards</p> <p>Statutory standards</p> <p>To raise standards and equality through enhanced knowledge and awareness</p>
4 Private Hire Operators	<p>4.6 Criminal Record Checks – updated, notably to require Operators and their staff to provide an acceptable basic disclosure check from the DBS annually and for all existing Operators not already registered with the DBS Update Service to ensure they are, at their expense, by 1 July 2021 – and face suspension for non-compliance.</p> <p>4.14 Use of passenger carrying vehicles (PCV) licensed drivers – new section relating to new conditions to inform customers where a passenger carrying vehicle/driver will be used in place of a private hire vehicle/driver</p>	<p>Statutory standards</p> <p>Statutory standards</p>
5 Application procedures	No notable change	N/A

6 Determination of Applications	No notable change	N/A
7 Grant and Renewal of Licences	No notable change	N/A
8 Fares	No notable change	N/A
9 Taxi Ranks (a.k.a Stands)	No notable change	N/A
10 Lost Property	No notable change	N/A
11 Fees	No notable change	N/A
12 Payments	No notable change	N/A
13 Refunds, Transfers and Duplicate Copies	No notable change	N/A
14 Disciplinary and Enforcement	No notable change	N/A
Appendix A Vehicle Criteria	Updated to reflect removal of Euro 5 emission standards and require Euro 6 or above only	In support of declaration of Climate Emergency and commitment to becoming a carbon neutral borough by 2030
Appendix B Licensed Vehicle Conditions	Section 15 Smoking is updated to confirm vaping is not permitted Section 18 CCTV is updated to direct those with optional CCTV in their vehicles to the Code of Practice for Surveillance Cameras and Personal Information from the Information Commissioner's Officer	In support of 2.13 of main policy In support of 2.14 of main policy
Appendix C Guidelines Relating to Fitness and Propriety	Significantly updated to reflect national standards	Statutory Standards – designed to raise standards and protect public safety by enhancing the fit and proper person test
Appendix D Licensed Driver Conditions	Updated to reflect new/amended policy requirements outlined above	
Appendix E Penalty Points	No notable change	
Appendix F Private Hire Operator Conditions	Section 4 Bookings - updated to require Operators to keep more extensive records of bookings Section 7 Restricted Private Hire Drivers and Vehicles – new section added Section 13 Change of Details – new section added requiring changes of name or address, or company details,	Statutory Standards To provide clarity and ensure that only work authorised by a restricted PH licence is passed to restricted PH drivers To ensure records of licences are kept up to date

	<p>to be notified to the council.</p> <p>Section 17 Complaints – updated details of requirements placed upon Operators to report concerns and complaints about their drivers, etc. to the council</p> <p>Section 19 Staff – new section relating to new requirements for Operator staff to have DBS checks and Operators to have a policy on employing ex-offenders</p> <p>Section 20 - Use of passenger carrying vehicles (PCV) licensed drivers – new section to support 4.14 of main policy</p>	<p>Statutory Standards</p> <p>Statutory Standards</p> <p>Statutory Standards</p>
Appendix G Compliance and Enforcement Policy	No notable change	N/A