

Appendix 3

Review of Hackney Carriage and Private Hire Policy – Proposed Policy Changes

Proposal (within consultation)	Number of respondents	Consultees in support of proposal	Consultees not in support of proposal	Final Proposal / Recommendation
<u>Duration of Licences</u> To stop issuing of a 1-year driver's licence for new drivers. Applicants would be required to pass a knowledge test that includes safeguarding and disability awareness prior to the granting of a standard 3-year licence.	9	6	3	The issue of a standard 3-year driver's licence is a key element of the statutory standard published by the Department for Transport. The proposed change has been retained within the draft policy. To introduce the change on a phased basis from 1 January 2023 by applying to all new applications and all renewal applications.
<u>DBS Check</u> To introduce a routine criminality (DBS) check for new information every 6 months To either introduce a policy and licence condition requiring drivers to subscribe to the DBS update service or to continue to encourage licence holders to subscribe	9	4 - Make subscription to the DBS update service mandatory	5 - Continue to encourage	The introduction of a 6 monthly criminality (DBS) check is a key element of the statutory standard published by the Department for Transport. The proposed change has been retained within the draft policy. It is recommended that the council continues to encourage all drivers to subscribe to the update service, rather than making a subscription a requirement. For drivers subscribed to the update service, the council could make a check without any interaction with the driver. Any licensed driver choosing not to subscribe to the update service would be required to submit a DBS application every 6 months to enable the routine 6 monthly check to be carried out.
<u>Licensee self-reporting</u> To amend the notification period requiring licence holders to notify the	9	8	1	The proposed change has been retained within the draft policy.

council of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence from 7 days to 48 hours.				The timeframe has been amended from 48 hours to 2 working days to address potential issues during the weekend.
<u>Criminal convictions and rehabilitation</u> To adopt the Assessment of Previous Convictions policy annexed to the statutory standard?	9	7	2	Prior to the publishing of the statutory standard convictions policies differed significantly from one licensing authority to another. Consistency is an important factor when assessing a licence holders' fitness. The proposed change has been retained within the draft policy.
<u>Safeguarding Awareness</u> To add safeguarding awareness to the knowledge test to be completed prior to being granted a licence. To review the current requirement for drivers to undergo safeguarding training within the first 12 months of holding a licence To introduce a condition upon the grant of a licence requiring drivers to undergo refresher safeguarding awareness training	9	6	3	Adding safeguarding awareness to the knowledge test to be completed prior to being granted a licence would ensure that every driver has a basic knowledge of safeguarding before they start work. The proposed change has been retained within the draft policy. Adding safeguarding essentials to the knowledge test would not provide a driver with the same level of knowledge as the current formal training. It is recommended the current requirement to undertake the formal training within the first 12 months be retained. It is important that policy is put in place to ensure that drivers maintain a good knowledge base. It is proposed to provide drivers with a safeguarding briefing sheet at the time of renewal and require drivers to confirm that they have read and understood its content through the application process.
To introduce an annual basic disclosure from the DBS for all vehicle proprietors	9	5	4	After considering the additional public safety control from introducing a check against the burden placed on the applicant /

(Would not apply if they also hold a driver licence)				licence holder, it is considered proportionate and necessary to introduce the change. The proposal has been retained within the draft policy.
To require licence holders to notify NWLDC of any change in directors / partners	9	9	0	The proposed changes have been retained within the draft policy.
To apply the 'fit and proper' test (annual basic DBS check) to each of the directors or partners in a company or partnership.	9	9	0	The proposed changes have been retained within the draft policy.
To consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or adverse net effect on safety and considering potential privacy issues.	9	5	4	The Information Commissioners Office has made it clear that it is disproportionate and unlawful for a licensing authority to require all vehicles to be fitted with internal CCTV. The comments received have been noted. No changes have been made to the current taxi policy relating to the use of in-vehicle CCTV.
To introduce an annual DBS check (basic disclosure) for private hire operators	9	6	3	After considering the additional public safety control of introducing a check, against the burden placed on the applicant / licence holder it is considered proportionate and necessary to introduce the change. The proposal has been retained within the draft policy.
To introduce as a condition of granting a private hire operator licence, a requirement to keep a register of all staff that will take bookings or dispatch vehicles.	9	2	7	The consultation feedback has been noted. The requirement to maintain a register is contained within the statutory standard and does not place a significant burden on the company. The proposed change has been retained within the draft policy.

To introduce a points-based system for recording breaches of licence conditions	9	7	2	The council has a system of ensuring that drivers are aware of the policies they must adhere to and of the repercussions for failing to do so. It is noted that the majority of consultee respondents felt that a points-based system would improve on the current process. It is proposed to introduce a points-based system within 12 months of the commencement of the policy, to allow sufficient time to develop the administrative processes required to operate the scheme.
Should NWLDC change the vehicle minimum power output from 105bhp to 57KW (75bhp)?	8	2	6	Existing licence holders are not adversely affected by the proposal. Permitting vehicles with a lower power output reflects advances in technology and provides vehicle proprietors with more flexibility when choosing their next vehicle. The proposed change has been retained within the draft policy.
To require a step to be provided if the vertical height from the road to the vehicle floor exceeds 300mm.	9	3	6	Licensed drivers are required by law to provide reasonable assistance to passengers when accessing the vehicle. All drivers undertake disability awareness training. Licensing Officers are not aware of any vehicles currently licensed where the height from the road to the vehicle floor exceeds 300mm. The proposed change has been removed from the draft policy.
To permit door signs to be fixed to either both front doors or rear panels of private hire vehicles (currently must be on front doors)	9	5	4	The change would provide vehicle operators with more flexibility. The proposed change has been retained within the draft policy.
To permit commercial advertising on private hire vehicles	9	3	6	The council has not received any requests from the trade to have commercial advertising on a private hire vehicle. The majority of respondents did not support the proposal. The proposed change has been removed from the draft policy.

To require private hire operators and vehicle proprietors with 5 or more licensed vehicles to provide at least one vehicle which is fully wheelchair accessible. (Capable of carrying a person who remains seated in the wheelchair)	9	6	3	The proposed change has been retained within the draft policy. It is proposed to introduce a period of 12 months to comply.
To reduce the licence vehicle fee for a fully wheelchair accessible vehicle by 25%?	9	6	3	The proposed change has been retained within the draft policy. It is proposed to introduce the change on 1 April 2023 in line with the new fees and charges (financial year).
To make changes to the process of carrying out visual inspection of vehicles	9	5	4	The changes make the process of applying for a vehicle licence more efficient for both the vehicles proprietor and the council. The proposed change has been retained within the draft policy.
To introduce a requirement for luggage trailers to be examined every 12 months?	9	9	0	The proposed change has been retained within the draft policy.
To reduce the frequency of mechanical examinations of limousines from every 4 months to every 6 months?	9	6	3	The proposed change has been retained within the draft policy.
To change the age policy permitting limousines of 10 years or newer to be licensed	9	7	2	The proposed change has been retained within the draft policy.
To introduce a financial standing check to help assure ourselves that the company is suitable to be licensed to operate as a private hire operator	7	5	2	The proposed change has been retained within the draft policy. It is proposed to introduce on a phased basis by applying to all new and renewal applications.
To introduce a requirement for private hire operators to sit and pass a	9	7	2	The proposed change has been retained within the draft policy.

<p>knowledge test prior to being granted a licence (only to apply to new applicants)</p> <p>Anyone licensed before the commencement of any change would be required to undertake safeguarding training within 12 months of being granted a licence.</p>				<p>It is proposed to introduce the requirement from 1 April 2023 to allow time for the knowledge test to be devised.</p>
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