



Licensing Committee

Monday 12 October 2020

**Revised Hackney Carriages and Private Hire Licensing
Vehicles Policy 2020-2025**

Report of the Executive Manager – Neighbourhoods

1. Purpose of report

- 1.1. This report seeks to review and update the Council's Hackney Carriages and Private Hire Licensing Policy considering recent legislative changes by the Department of Transport.
- 1.2. The Committee is asked to approve the policy changes for consultation prior to final approval at Council in December.

2. Recommendation

It is RECOMMENDED that the Committee approve the policy changes for further consultation.

3. Reasons for Recommendation

The Department of Transport (DOT) has released a statutory Taxi and Private Hire Vehicle Standards report, the government are expecting all councils to adopt the document by placing it in the Policy. This is to protect children and vulnerable adults using the Council's licensed vehicles. The Department of Transport require a report in January as to the measures the Council have put in place, and if not, a satisfactory explanation must be provided.

4. Supporting Information

- 4.1. It is a legal requirement for the Council to have a policy for the licensing of Hackney carriages and private hire vehicles.
- 4.2. The proposed revised policy has been updated to reflect new statutory vehicle standards as outlined in the Department of Transport report.
- 4.3. Significant changes include:
 - 4.3.1. **Section 5, page 8 and Appendix R at page 98**
New provisions relating to whistleblowing enabling Licensing officers to be confidentially informed of a safeguarding issue. The Government

guidelines make the grounds for a robust policy which is provided at Appendix R.

- 4.3.2. **Section 6, page 8,**
New paragraph relating to the use of Common Law Police Disclosure to obtain details on an applicant if they have been arrested, bailed, not charged or suspected of being involved in an offence (previously the Notifiable Occupation Scheme).
- 4.3.3. **Section 6.1 page 9**
New provision for the inclusion of the “Harm Test” to identify whether an applicant has currently or previously been involved in violence where harm has been caused to a child or vulnerable adult.
- 4.3.4. **Section 6.5 page 12**
Amends existing requirements for all drivers to undertake a knowledge test orally / reading or other to show they can communicate with the passenger.
- 4.3.5. **Section 6.8 page 14**
Amends safeguarding requirements. All drivers must undergo Safeguarding Vulnerable Passengers training which can be carried out by the Council or by an approved contractor. The Council are using a charity called the Blue Lamp trust who run this course at no charge to the authority. Safeguarding refresher training is being delivered across Nottinghamshire. This training will be mandatory for all renewing drivers including disability awareness and training for the Hackney drivers on loading wheelchairs.
- 4.3.6. **Section 6.11 page 15**
New provision relating to a new code of conduct when working with vulnerable passengers.
- 4.3.7. **Section 7.1 page 18**
Broadens the types of vehicles that can be licensed to include stretch limousines and other adapted vehicles. See also page 21 Para 7.7 for the addition of the category on specialised vehicles. This covers vehicle types not normally used and includes stretch limousines.
- 4.3.8. **Section 9.2 page 26**
Amends the requirements in respect of “fit and proper” persons.
- 4.3.9. **Section 9.3 & 9.4 pages 27-28**
This is a particularly helpful new provision relating to staff working on bookings and dispatch who are now required to be DBS checked if they come into contact with the public or over the phone. This is intended to reduce the risk of grooming of vulnerable persons or the sharing of sensitive information to criminals. There are also new requirements for operators to keep records of bookings.

4.3.10. **Section 9.5 Page 28**

A new provision requiring operators to have a policy on the employment for Ex-Offenders specifically for the type of work to be undertaken.

4.3.11. **General Comments.**

The DOT are requesting Councils to give consideration to mandating the fitting of CCTV within all licensed vehicles. Currently there are only two English Councils who have mandated a CCTV system. It is intended that this proposal be included in the consultation following Committee approval.

4.4. The Council will launch a consultation exercise on the revised policy changes following support by this Committee which will run for a four-week period. It is intended the final policy will then be submitted for approval by Council in December 2020

5. Alternative options considered and reasons for rejection

5.1. No alternative options have been considered as the update to the policy is required to comply with current legislation and guidance.

6. Risks and Uncertainties

6.1. Some of the proposed changes may impact on existing Taxi / Private Hire Operators and licence holders. However it is considered unlikely that this will reduce the number of vehicles significantly as many of the changes seek to improve professional standards and public safety which the trade should support.

7. Implications

7.1. Financial Implications

The financial implications arising from this policy are considered to be insignificant.

7.2. Legal Implications

The Council adopted the policy in December 2019 in accordance with its legal obligations, the Council is required to update and review the policy from time to time particularly to ensure compliance with legislation.

7.3. Equalities Implications

An Equalities Impact Assessment has been undertaken which has identified no major or adverse impact.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

This policy supports the importance of ensuring strong public safety standards within the taxi and private hire trade.

8. Link to Corporate Priorities

Quality of Life	The implications of this amended policy will further protect the public and users of licensed vehicles
Efficient Services	None
Sustainable Growth	None
The Environment	The implications of this policy will impose improvements to licensed vehicles to reduce emissions to atmosphere and improve local air quality.

9. Recommendations

It is RECOMMENDED that the Committee approve the policy changes for further consultation.

For more information contact:	Geoff Carpenter, Environmental Health Manager 0115 9148229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Licensing Committee 13 November 2019
List of appendices:	Appendix 1 - Hackney Carriage and Private Hire Licensing Policy 2020– 2025 Appendix 2 – Equality Impact Assessment