

Proposed Amendments to Taxi and Private Hire Policy June 2021

1. Driving Experience - Paragraph 2.4

Proposed Change:

To increase **Minimum driving licence** of 12 months to 3 years to enhance customer safety. (remove condition 2.4 d) and amend 2.9 a) accordingly)

Rationale:

To increase passenger safety and raise driving standards.

Responses

2. Requirement to Provide References - Paragraph 2.6

Proposed Change:

To remove this requirement as part of the application process.

Rationale:

There seems to be little benefit of retaining this additional administrative burden for new applicants. Does not increase standards overall.

Responses

3. Safeguarding – Paragraph 2.13

This will be agreed under Officer Delegation and is for information only:

2.13 c) all drivers proprietors and operators will be required to pass a safeguarding course and test as **approved** by this Authority.

2.13 d) all existing drivers to have passed an online course within 12 months of new Policy or licence will be suspended. **2.13 e)** deleted.

Rationale:

With the pandemic, it has been impossible and impractical for the Council to deliver the training in-house. Moving to a high-quality online course would enable drivers to safely and efficiently obtain the necessary skills and learning in a timely manner.

Responses

4. Surrender of Licences - Paragraph 2.23

Proposed Change:

2.23 – Surrender of Licence, would be accepted in exceptional cases only, and not where the licence holder is subject to current investigation and/or legal proceedings.

Rationale:

To allow surrender of licences in exceptional circumstances,

Responses

5. Hackney Carriage Vehicles – Paragraphs 3.6 c) and 3.16

Proposed Change:

The Policy has had a requirement that all Taxis will be WAV since 2019, but this has not been effectively implemented.

All existing hackney carriages to be white and WAV by December 2023.

Any newly licensed vehicles to meet this standard on implementation of the Policy changes.

Rationale:

With the pandemic this has hindered progress, so would propose a “slip” of this so that all Hackney Carriages licenced by this Authority (i.e. to include current fleet changeover) to be wheelchair accessible and white in colour by 31 December 2023.

Responses

6. Fixing of licence plates – Paragraphs 3.6 e) and k)

Proposed Change:

3.6 e) and k) licence plates must be securely fixed to the vehicle as directed by the Licensing Authority. The use of magnets, Velcro or other similar fittings is prohibited.

Rationale:

It is proposed that greener and more cost-effective plates could be obtained which would fix directly to the bodywork of the vehicle, thereby removing the need for brackets. Removing this restricting allows for alternative plate solutions to be identified.

Responses

7. CCTV – Paragraph 3.10

Proposed Changes:

Policy mandated all vehicles to have CCTV by March 2021, this has not been implemented and the specification has not been provided. Consider that serious re-consideration needs to be given to this again in light of DfT Statutory Standards for Taxis and PHV.

“Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification

Rationale:

There has previously been significant Officer, Member and Trade involvement in this matter. However, due to the pandemic and other factors, there has been limited progress on moving this forward, and DfT guidance regarding proportionality which had not been a factor when the policy was introduced. Trade views are now sought to re-assess opinions.

<p>and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).” Suggest that the Authority encourages voluntary use of CCTV, and this will be reviewed (evidence based) periodically.</p>	
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Responses	
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8.General vehicle conditions – Paragraphs 3.12, 3.16, 3.19, 3.27	
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<p>Proposed Changes:</p> <p>3.12 Certificate of Compliance - every 12 months for all vehicles (six monthly is probably no longer appropriate due to the implementation of age limits for vehicles). However, where an Officer considers necessary, a Certificate must be produced every 6 months.</p> <p>3.16 Accessibility – remove the terms “disabled people” and replace with “wheelchair users”.</p> <p>3.19 Exempt vehicles, executive chauffeur services. Delete the word(s) “and plate” so that exemption certificates only will be issued.</p> <p>3.27 Age Limits; The current policy stipulates a 9-year age limit for all vehicles from December 2021, considering the pandemic and to continue to offer support to the trade propose this is slipped to 31 December 2023.</p> <p>Environmental Considerations</p> <p>3.27 Policy currently mandates that from 1 December 2021, all newly licensed vehicles must be zero or ultra-</p>	<p>Rationale:</p> <p>Six monthly requirement is an addition burden which is no longer appropriate due to the introduction of age limits for vehicles. Allowing some flexibility will ensure high standards remain.</p> <p>More appropriate term.</p> <p>To increase efficiency, it proposed that a certificate for exemption be provided, and not also a plate.</p> <p>In order to support the trade following the pandemic, it is proposed that allowing an additional twelve months for drivers to change their vehicles would be a reasonable step and would support the Council’s Business Plan priority area of supporting the local economy to recover post-pandemic.</p> <p>As above rationale to support the trade post-pandemic</p>
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low emission. It is proposed that this requirement is extended to a later period such as 31 December 2024.

3.27 (i) Delete the reference made to aligning with City of Cambridge Policy .

Appendix D (i) – remove “and to an angle of at least 60 degrees” (doors).

Appendix D (i) insert new requirement

Maximum number of seats

All vehicles licensed to carry in excess of four passengers will only be licensed where:

- (i) the access and egress of passengers can be achieved without the need to remove existing seating, and
- (ii) all seats are fitted with seat belts in accordance with legal or manufacturer standards, and
- (iii) the height between the seat and the foot well of the rear seats is consistent.

The Policy is set by South Cambridgeshire District Council, and therefore any amendments should be determined as **this** Authority feels appropriate.

Not necessary as some car model doors now slide open.

The proposal will ensure that passengers do not have to tip-up or climb over seats to exit the vehicle for example in the case of an accident or emergency, and in general terms are travelling in the same comfort level as other passengers. If recommended, existing MPV and other vehicles licensed in excess of 4 passengers would be entitled to renew their plate as per the policy.

Responses

9. Tax Conditionality Requirements – New Insertion in Policy

Insert:

“From 4 April 2022 (or the date set by the government) all drivers of Private Hire or Hackney Carriage Vehicles or Private Hire Operators must meet the Tax Conditionality requirement, before a Licence may be granted.

This Authority will follow the HMRC guidance about tax compliance, and will require:

Rationale:

The addition of this requirement is mandatory.

<p>All applicants for the grant of a licence (or application following lapse of a previous licence) to confirm they are aware of the above guidance.</p> <p>All applicants for the renewal of a licence must provide to the HMRC information prescribed to enable a tax check to be performed. The HMRC will complete the check once they are satisfied that the applicant has complied with their tax reporting obligations.</p> <p>Before a Licence may be renewed, the Authority must receive confirmation from HMRC that the applicant has completed a tax check, which must have been completed no more than 120 days before the Authority requests the confirmation.”</p>	
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Responses

10.Right to Work Evidence - removal of EU Passport as sufficient evidence.	
<p>Right to work checks – the Policy refers to a EU Passport being sufficient evidence to check an applicant’s right to remain and work in the United Kingdom, however as of July 2021, this has been replaced by a right to work code check via the Gov.Uk website. The Policy will require amendment accordingly. (Out of scope of the consultation)</p>	<p>Rationale: The revision is mandatory.</p>

11.Amendments to Appendices and Driver Handbook	
<p>Appendix A Code of Conduct</p> <p>Delete duplications at 12, 16 and 25 (Competency Test, Safeguarding and DBS update). as these are covered elsewhere in the Policy and/or conditions.</p> <p>Appendix E Private Hire Exemptions</p>	<p>Rationale:</p> <p>Duplication not required.</p> <p>Not required subject to Policy amendments above.</p>

1. Remove the word “plate” and replace “notice” with “certificate”
2. Delete not required
3. Delete “internal licence”
4. Delete “internal plate”
5. Replace “notice” with “certificate”

Driver Handbook

31. Competency Test

Scope to move to an external provider which offers combined competency with driving skills, so replace **c)** course as approved by the Council. Delete the rest in this section.

32. Replace **b)** with as approved by the Council. Delete the rest of this section.

34. References – proposed this requirement is removed as above.

39. DBS

Reword **a)** Applicants are required to apply online for an enhanced DBS ...
Delete **b)**, Reword **c)** The Authority will require evidence of your identity to complete the online DBS

Administrative changes only to reflect move to online assessments.

The moving to requiring the applicant to complete their own DBS check online will increase efficiency, and there will be less time delay for the application process (as the applicant can complete in their own time in advance of applying for a licence).

Responses

Note: where any policy changes are approved, by default where appropriate sections within the appendices will be revised/deleted accordingly, as too, where appropriate references to aligning with the City of Cambridge.