

HACKNEY CARRIAGE AND PRIVATE HIRE POLICY AND PROCEDURE MANUAL REVIEW 2018

MATRIX OF PROPOSED CHANGES

Consideration	Options/Proposal/Change
<p>The Council is permitted by law to issue a certificate of compliance confirming that a vehicle has reached the standard required to pass an MOT test plus additional requirements of the Council concerning safety, comfort and the aesthetics of the vehicle. The compliance certificate only relates to a vehicle for a maximum period of 12 months, provided that the vehicle is licensed as a hackney carriage or private hire vehicle during that period. The Council reserves the right to request that the compliance test be completed at any time at the proprietor's expense.</p>	<p>Representatives from the Trade have requested that the Certificate of Compliance is to be an annual process and not on a six monthly basis.</p>
<p>The Policy states that vehicles will be subject to periodic, random inspections by authorised officers of the Council, or its agents to ensure the vehicle and/or its taximeter is fit for purpose. Where a delegated Officer is satisfied that a vehicle fails in any respect to meet any specification or condition of licence or the relevant construction and use regulations require by law they may suspend a vehicle licence for any specified period. Where an authorised officer of the Council has reasonable grounds to suspect that the condition of the vehicle poses a danger to either passengers or other members of the public, he/she may serve on the driver/proprietor a vehicle defect notice. In such cases the vehicle licence shall immediately be suspended until such time as the defect(s) have been remedies. The suspension shall not be lifted until it is proved to the authorised officer that the vehicle defect has been corrected.</p> <p>Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 refers.</p>	<p>Representatives from the Trade have requested that vehicle inspections that are currently done by the Council to be undertaken by the Testing Stations to save time</p>
<p>When granting and renewing vehicle licences and providing all requirements are met, the Council will issue a 12 month vehicle licence for vehicles under 7 years old for a private hire vehicle and non-wheelchair accessible hackney carriages and 10 years old for a purpose built hackney carriage and providing it has passed a Council compliance test at an appointed test station. In the final year of licensing the Council</p>	<p>Representatives from the Trade have requested that the age limits in respect of all vehicles to be increased to ten years for Private Hire and fifteen years for Hackney Carriage vehicles</p>

<p>will issue a licence until the day before the vehicle is 7 years old for a Private Hire Vehicle and non-wheelchair accessible Hackney Carriages and 10 years old for a purpose built Hackney Carriage.</p> <p>Private hire and non-wheelchair accessible hackney carriage vehicles over 3 years of age will be issued with a yearly licence but will be required to be compliance tested after six months of the licence being issued. Wheelchair accessible hackney carriages over 5 years will be required to be compliance tested after six months of the licence being issued. The pass certificate from that test must be produced as evidence that the vehicles still meets the required standard.</p>	
<p>The Council adopted the Group I medical standards for fitness to drive hackney carriages/private hire vehicles in accordance with the DVLA and Department for Transport best practice guidance. All medicals for applications for a hackney carriage or private hire driver's licence must be carried out by the applicant's own GP or another doctor in the same practice. Further medicals will be required every three years unless specified by the GP. Medicals will not be accepted if they are over 3 months old. The certificate is for the confidential use of the Council and any fee charged is payable by the applicant.</p>	<p>Representatives from the Trade have requested that the Policy is amended to include the right to visit any GP and not just the applicant's own</p>
<p>The Council requires hackney carriages and private hire vehicles to clearly indicate to the public that they are licensed vehicles. Hackney carriage and private hire vehicles must be clearly distinguishable to allow the public to clearly identify them from other vehicles and each other. The Council accepts that clear signage and door panels can achieve this. The Council has set standards on the acceptable type of signage for hackney carriages and private hire vehicles; they include:</p> <ul style="list-style-type: none"> • The permitted position of licence plates • Colours to be used for licence plates • Permitted positioning of door panels for private hire vehicles • Permitted positioning of door panels for hackney carriage vehicles 	<p>Representatives from the Trade have requested that plate and door panels to be optional</p>

<ul style="list-style-type: none"> Requirements for internal signage such as display of tariff in hackney carriage vehicles and no smoking signage. <p>The Council does not permit advertising on hackney carriage and private hire vehicles. Hackney carriage and private hire proprietors must use the design of door panels provided by the Council. The acceptable size for the door panels are 35cm by 25cm. A template will be provided to all proprietors on submission of an application for a vehicle licence. The company name on the door panels must be exactly the same as the name on the operator's licence. The door panels must be displayed at all times. The only exemption is when the vehicle is parked outside the address to which the vehicle is licensed or there is plate/panel exemption in force. Door panels are subject to approval being received from licensing officers.</p>	
<p>The proprietor of the vehicle can only apply to licence a vehicle from a hire company if the vehicle is not in a roadworthy condition and is suspended or the vehicle is going into a garage for repair.</p>	<p>Representatives from the Trade have asked that where a hire company vehicle is used, can a licensed vehicle plate be granted on a yearly basis instead of an individual basis each time a vehicle is hired.</p>
<p>The Health Act 2006 requires all vehicles used for public vehicles to be smoke free at all times which includes when they do not have passengers. The purpose of this is for the passenger to know absolutely that they will be able to remain free from the risk of second hand smoke exposure.</p>	<p>The Enforcement Team have requested the existing Policy is amended to include the exclusion of electronic cigarettes or 'vapes' from being used inside licensed vehicles</p>
<p>In the final year of licensing the Council will issue a licence until the day before the vehicle is seven years old for a Private Hire Vehicle and non-wheelchair accessible Hackney Carriages and ten years old for purpose built Hackney Carriages. The same work is carried out by the Licensing Officer irrespective of whether the licence fee is for 12 months or less and currently the fee is not set on a pro rata basis.</p>	<p>Representatives from the Trade have requested the introduction of a pro rata fee for vehicles that require less than 12 months licence.</p>
<p>The Institute of Licensing have introduced Guidance on determining the suitability of</p>	<p>To adopt the Guidance issued by the Institute of Licensing on determining the suitability of</p>

applicants and licensees in the hackney carriage and private hire trade	applicants and licensees in the hackney and private hire trades : <ul style="list-style-type: none"> • To amend the term 'fit and proper' to 'safe and suitable' • In the event an applicant has, from the age of ten years, spent six months or more living outside the UK, evidence of a Criminal Record check from the country/countries covering the relevant period should be required
Before any application for a vehicle licence can be accepted, the vehicle, which is intended to be licensed, has to meet all aspects of the licensing authority vehicle specifications. This is achieved by making an appointment for a vehicle inspection with the Licensing Team and also by presenting the vehicle to one of the Council's appointed testing stations where the vehicle will be subjected to the licensing authority vehicle compliance test. All vehicles must pass this test and be awarded a compliance test pass certificate by the testing station. Once received the test pass certificate shall only be valid for a period of 14 days. If a licence is not granted within that time, the vehicle must be presented for a further test and a new compliance test pass certificate obtained.	Representatives from the Trade have requested the 14 day validity of the test pass certificate to be extended.
The Council requires all applicants to demonstrate certain competencies in relation to their knowledge of East Staffordshire and importantly customer care. These competencies are achieved by completing a Knowledge test conducted by a Licensing Officer. The knowledge test will be a written assessment and will be split into SIX four parts, part one conditions test, part two a receipt exercise, part three identification of landmark/premises locations and part four identification of routes. Part five will include recognising and reporting child sexual exploitation and part six will be in respect of Disability Discrimination and customer care. Verbal knowledge tests will be considered however the applicant should have undertaken the written test in the first instance.	To extend the Knowledge test to include an oral test.

<p>The Policy currently states: Production of documents following licensing. It is the vehicle proprietor's responsibility to ensure that continuous cover of insurance and compliance test certificates are produced to the licensing office. One telephone reminder will be made to the proprietors on the working day prior to the document expiring, but this is just a courtesy service. No further calls will be made.</p>	<p>Proposed wording of the Policy to be amended to: Text reminders will be sent from the Licensing Office before the document expires. This is just a courtesy service. It is the proprietor's responsibility to ensure that documents are submitted to the Licensing Office in time. Documents can be submitted via email or in person by prior appointment.</p>