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Our Ref: Taxi Policy Update
Please Ask For: Kevin Rowland
Direct Line: 01246 217873
Date: October 2018

Dear Sir/Madam,

Taxi Licensing Policy 2018

Earlier this year we consulted on draft Taxi Licensing Policies for both Bolsover and North East Derbyshire District Councils. Those policies has now been approved by the respective Councils and will be implemented over the coming months.

The reason for writing to you today is to make you aware of how you can access a copy of the revised policies and to set out some of the more important changes to the policies which may affect you and/or your business in the future. Please note the information provided below is not an exhaustive list of changes and you should refer to the relevant policy documents for the full details.

The full policies can be accessed and downloaded from the relevant Council website at the following websites:

Bolsover:

<http://www.bolsover.gov.uk/index.php/business/licensing-permits?accid=11>

North East Derbyshire District Council

<http://www.ne-derbyshire.gov.uk/index.php/business/licensing-permits?accid=11>

I recommend that you familiarise yourself with the relevant policies to ensure you comply with the legislation and licence conditions moving forward. If you are unable to obtain a copy of the policies from our website then copies can be obtained either from the Council Offices at Mill Lane, Wingerworth or by contacting us on the telephone number above.

For ease of reference, I have split the information regarding the policy changes into four

separate sections, those being general policy matters, drivers, vehicles (Hackney carriage and private hire) and private hire operators. The changes below apply to licences issued by both licensing authorities.

General policy changes

Fitness Criteria

The fitness criteria the Council uses to determine whether a person is fit and proper to hold a driver or private hire operator licence has been updated to reflect national guidance.

The revised fitness policy will be used to determine future driver and operator applications (both new and renewal) and it is possible some existing licence holders may no longer meet the required standard to be licensed by the Council due to their previous convictions. This element of the policy will be implemented from the 1st October 2018. Applicants will be assessed against the new policy when applying for their next licence. Should a person fail to meet the required standard they will be referred to the Licensing Committee for Members to determine the application.

Disclosure and Barring Service checks

All drivers and private hire operators are required to undertake Disclosure and Barring Service (DBS) checks when applying for a licence and then at intervals of not more than three years.

The Council will now, as a condition of licence, require all drivers and private hire operators join the DBS Update Service when they are granted their next licence. The cost of joining the service is currently £13.00 per annum. To offset this additional cost the Council is, as part of its on-going fee review, considering removing the DBS costs from the application fee and making the DBS payment a standalone fee.

All drivers subscribed to the Update Service will not be required to obtain a new DBS certificate in future, unless their criminal record changes or they fail to remain subscribed to the Update Service.

You will be able to sign up to the Update Service directly with the DBS Service, either within 28 days of making the DBS application or within 30 days of the DBS Certificate being issued. Once signed up to the Update Service you must retain the original DBS Certificate as we will be required to recheck the certificate as part of any ongoing checks.

Driver Licence policy changes

Practical driving tests

While not relevant to existing drivers, all new driver applicants are now be required to successfully complete a practical driving test. This requirement was discontinued when the DVLA ceased undertaking taxi driver tests in 2016. However, a number of other providers have been identified and the testing requirement has now been reintroduced for new applicants.

Medicals

Historically we accepted PSV or HGV (DVLA) driver licences as confirmation that drivers met the DVLA Group 2 Medical Standard, however, following the receipt of legal advice we are no longer able accept these licences as proof of medical status. All drivers will be required to complete medical assessments on first application, every five years between the ages of 45-65 and every year for drivers over 65.

Certificates of Good Conduct

All NEW driver applicants who have lived or worked outside the UK for a period of more than six months will be required to obtain a certificate of good conduct.

All driver applicants applying to RENEW their licence will be required to provide a certificate of good conduct if they have lived or worked outside the UK for a period of more than six months since their last licence was granted.

Smoking and Electronic cigarettes (Vaping)

Smoking has been prohibited in all licensed vehicles for a number of years, however, the use of electronic cigarettes will now no longer permitted in licensed vehicles.

Vehicle Licence policy changes

Six month licences

We have, over the last few years spent significant amounts of time chasing vehicle proprietors who fail to present their vehicles for six month inspections. Not only is this unacceptable, because it may put members of the public and drivers at risk, but it is also costly and time-consuming to chase missed tests. As a result we will, in the near future, be moving away from issuing twelve month vehicle licences and will move to six month licences. Other than the duration of the licence the current processes for licensing a vehicle will not change. Licence fees are currently under review and the revised duration of the licence will be reflected in any future fees.

Daily Vehicle Checks

It is essential that all licensed vehicles are maintained in a roadworthy condition. Failing to regularly check a vehicle is in a good state of repair could have a significant impact on public safety.

We will shortly be introducing a licence condition which will require a daily basic visual inspection of the vehicle prior to use. A record of the check, the defects noted and any remedial action taken will need to be recorded and a copy of the inspection book kept with the vehicle. As a minimum the following items will need to be checked on a daily basis:

- Lights
- Tyres/wheels
- Wipers
- Fluid levels
- Brakes
- Handbrake

To assist vehicle proprietors we will, for a minimum of twelve months following the introduction of this requirement, issue inspection books to every vehicle we licence.

Vehicle Licence and Insurance Documents

To aid enforcement the Council has and will continue to authorise Licensing staff from other Licensing Authorities to inspect our vehicles (these officers are issued with appropriate identification documents). To ensure that these officers can refer to the appropriate licence conditions when inspecting a vehicle, from the 1 January 2019 it will be a licence condition to carry a copy of the current vehicle licence & conditions in the vehicle at all times.

Approximately 12 months ago the Council instigated a trial whereby vehicle proprietors were requested to provide new insurance documents each time their existing policy expired. Following a review of this trial, it was decided not to continue with the interim checking process. However, from the 1 January 2019 it will be a condition of licence that the vehicle must carry a copy of the current vehicle insurance schedule and that it must be produced to an Authorised officer or the Police on request. Failure to carry the insurance documents will result in the vehicle being suspended until the insurance is produced.

Vehicle signage

From the 1st January 2019 all new vehicle licences will contain a condition requiring the vehicle to display operator signage to the front doors of the licensed vehicle.

The new licence condition will read:

All private hire vehicles and hackney carriages (undertaking pre-booked private hire work), shall at all times display a sign with the name of the private hire operator they are working for on the front doors of the vehicle. The sign may also include the telephone number or other contact details of the operator.*

The sign shall be a minimum of 15 inches (375mm) wide X 10 inches (250mm) high and the background and wording of the sign shall be of contrasting colours so as to enable the sign to be easily read.

**excluding any vehicle issued with a valid plate exemption certificate by the Council.*

Private Hire Operator Licence policy changes

Private Hire Operator Bases outside the Council's area

The Council will no longer grant licences for private hire operators with bases outside the boundary of the district. This is considered both a legal requirement and a means to ensure that proper regulation and enforcement measures may be taken.

The Council will cease to renew the licences of operators who are currently licensed for bases wholly outside the Council's area.

Driver and Vehicle records

Private Hire Operator licences will in future be issued with a condition which requires the operator to keep the following records:

For private hire vehicles:

- A copy of the vehicle licence
- A copy of a current insurance certificate
- Whether the vehicle is wheelchair accessible
- The seat-to-wheelchair configuration of wheelchair accessible vehicles

For private hire drivers:

- A copy of the HC/PHV driver's licence (*This should be kept for at least 12 months after either expiry of the licence or the driver leaves the operators service*)
- Details identifying the driver/s of each vehicle
- When any driver's service begins or ends
- The current address of any driver
- Details of any illness, disability or health condition which may affect the driver's ability to safely carry out his/her duties
- The expiry dates of drivers' badges
- The hours worked by each driver

And finally, we are currently in the process of reviewing our licence fees. Once the draft fees have been approved by the Licensing Committee they will be subject to a consultation period. The proposed changes will be advertised in a local newspaper and on the council website.

If you have any queries regarding any of the above matters then please do not hesitate to contact the Licensing Team on the above telephone number.

Yours sincerely,

Kevin Rowland
Licensing Team Leader