
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	30 th MAY 2019	CATEGORY: RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	EMMA McHUGH 01283 595 716 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	UPDATE TO PRIVATE HIRE LICENSING POLICY AND CONDITIONS	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 That the proposed changes to the Private Hire Licensing Policy and Private Hire Vehicle, Driver and Operator Conditions are approved to come into effect on 1st July 2019.
- 1.2 That the proposed fee for a private hire vehicle licence for a hire vehicle is approved to come into effect on 1st August 2019.

2. Purpose of Report

- 2.1 To provide Members with the necessary information to be able to give full consideration to the recommendation contained in paragraph 1.1 of this report.

3. Detail

- 3.1 In light of local and national changes to the private hire trade, the Private Hire Licensing Policy and Conditions have been reviewed and updated.
- 3.2 Prior to consultation, in summary, the main proposed amendments were:
- Vehicles aged between 8 years and 10 years (or 15 years if wheelchair accessible vehicle) will not automatically be renewed. The vehicle must be maintained in an exceptional condition and be inspected by an Authorised Officer who will determine if the vehicle licence will be renewed. In addition, any vehicle aged between 8 years and 10 years (or 15 years if wheelchair accessible vehicle) may have their renewal application refused or their vehicle licence revoked if the vehicle fails its Depot test on any issues which could undermine the public safety objective.

- Vehicles that have tinted windows that prevent clear vision into the vehicle will not be licensed. All windows in a private hire vehicle must have a minimum light transmission of 70%.
- Internal stickers to be displayed in the back of the vehicle as well as the wind screen.
- Vehicles licensed by hire companies will only be issued a licence for a period of 3 months.
- Applicants for a private hire driver's licence will have to demonstrate a good level of English which will be assessed at the initial application appointment.
- The knowledge test will include questions on giving the correct change to customers.
- New applicants must provide their disability awareness training certificate before a licence is granted.
- All drivers must undertake refresher Safeguarding Training every 3 years.
- Online criminal record checks will be carried out every 6 months.
- Any applicant who has lived overseas for more than 6 months since the age of 18 will be required to submit a certificate of good conduct as part of their application.
- The Council will be a member of the National Register of Taxi Licence Refusals and Revocations enabling the Council to carry out a check on new and existing drivers to establish if they have had a licence revoke or refused at another Council.
- A private hire operator must demonstrate what steps they take to ensure that drivers remain fit and proper to hold a driver's licence. An operator must carry out basic criminal record checks on any booking staff.
- A driving history check will be completed on all private hire operators.
- The Conviction Policy has been updated and reflects the Institute of Licensing's Guidance on Determining the Suitability of Applicants and Licensed Drivers.

In addition, further minor amendments have been made to internal and external procedures.

Consultation

- 3.3 Officers conducted an 8 weeks consultation exercise on these proposals with all existing licence holders and members of the public via the Council's website.
- 3.4 Seven responses were received during the consultation period. A summary of the responses is attached as **Appendix 1**.

- 3.5 During the consultation period, a Driver's Forum was held where 29 operators and drivers were in attendance. The proposals were discussed and a summary of the responses is attached as **Appendix 2**.
- 3.6 A copy of the draft Policy and Conditions with the proposed changes highlighted are attached as **Appendix 3 to 6**.

Hire Vehicle Fee for Private Hire Vehicle Licence

- 3.7 Under the Local Government (Miscellaneous) Provisions Act 1976, the Council may charge such fees to cover in whole or part of the reasonable cost of the administration of determining an application and the control and supervision of a private hire vehicle.
- 3.8 As a private hire vehicle licence for a hire company will only last 3 months, the fee for a hire vehicle has been reviewed and it is proposed to charge £121 per application. The proposed fee must be advertised so the new fee will come into effect on 1st August 2019 if no objections to the proposed fees are received.

4. Financial Implications

- 4.1 There are no financial implications to the Council.

5. Corporate Implications

- 5.1 These proposals will continue to demonstrate to members of the public that the Council takes the protection of local residents, children, and vulnerable adults from the potential harms of private hire licensing seriously, which contributes to the theme of safety and security.

6. Background Papers

Local Government (Miscellaneous Provisions) Act 1976