

Consideration of Statutory Taxi and Private Hire Standards

Recommendation	Considerations
Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.	<p>Private Hire Licensing Policy been in place for several years and is reviewed on a regular basis in order to keep the Policy relevant in order to protect the public.</p> <p>KPI standards are in place for the Department and reported to Committee on a quarterly basis. An annual enforcement report is reported to Committee.</p> <p>Policy states 3 year review so amended to 5 year in line with the Standards</p>
Short term licences to only be issued when asked by an applicant or licence holder, if immigration issues or when appropriate but not to be used on a probationary period.	<p>Currently, 3 year licences are issued to all applicants unless there is a restriction on their immigration rights and the Committee think it is appropriate to issue for a lesser time in the circumstances of the case. Do not issue licences for less time if requested by applicant.</p> <p>Policy amended so licences can be issued for a period of less than 3 years if requested in writing by the applicant. No fee currently in place for a 2 year driver's licence so new fee to be introduced in a report to be considered by Committee.</p>
Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly. Local authorities should ensure they have an effective 'whistleblowing' policy and that all staff are aware of it.	Procedures are in place including a corporate whistleblowing policy for staff to raise any concerns. Staff are aware of the whistleblowing policy and how to raise any concerns to the Senior Licensing Officer or higher as required.
Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in	Policy changes are consulted to local neighbouring authorities and Officers regularly attend the Derbyshire Licensing Forum which discusses any proposed and upcoming changes to any authorities licensing regime.

<p>neighbouring areas; and licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.</p>	
<p>Any changes in licensing requirements should be followed by a review of the licences already issued.</p>	<p>Every change to a Policy is followed by a review of existing licences and action taken as appropriate.</p>
<p>Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.</p>	<p>Currently, the conditions state 72 hours so conditions have been amended to read 48 hours.</p>
<p>Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.</p>	<p>No information sharing procedures and protocols are in place with the Police for private hire licensing purposes. The Licensing Authority has requested such procedures and protocols are put in place several times over the past few years however this has not been supported by the Police.</p> <p>However, the recommendations regarding procedures and protocols within the Standards have been notified to the Police and they have an initial meeting is to be arranged for procedures and protocols to be considered.</p>
<p>A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS</p>	<p>Internal procedure is in place to refer such cases to the DBS.</p>
<p>Action taken by the licensing authority as a result of information received should be fed-back to the police</p>	<p>Internal procedure is in place to notify the Police during the course of an investigation and the outcome of any investigation as a result of Police information.</p>
<p>Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have</p>	<p>This is a question on the application form for a licence.</p>

had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.	
Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of nondisclosure of relevant information by applicants.	This Licensing Authority is a member of NR3 (database for the refusal or revocation of taxi and private hire driver licences) and is used on a regular basis to check applicants and to notify any other authorities in relation to action taken by this Licensing Authority.
All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees	Licensing database used to record all complaints received. Complaints are analysed through the quarterly KPI Standards report and the annual enforcement report. Action is taken if trends are identified to reduce the number of complaints received.
Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character' from overseas in this circumstance to properly assess risk and support the decision-making process.	Any applicant that has lived abroad for more than 6 months since the age of 18 years old is required to submit a Certificate of Good Conduct from the relevant country as part of their application.
All individuals that determine whether a licence is issued should be required to undertake sufficient training.	All Members of the Licensing Committee receive annual training and are not permitted to sit on any hearing until the training has been completed.
All licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.	Under the Constitution, the Head of Legal and Democratic Services can immediately revoke a private hire driver's licence as required.
In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.	The Council has adopted the Conviction Policy produced by the Institute of Licensing and it is within the Policy not to issue a licence to any individual that appears on either barred list.
All licensing authorities should provide safeguarding advice and guidance to the trade	All new and existing drivers have undertaken safeguarding training. All drivers must undertake refresher training which is commencing in January 2021.

and should require taxi and private hire vehicle drivers to undertake safeguarding training	
A licensing authority's test of a driver's proficiency should cover both oral and written English language skills.	All new drivers must prove their language proficiency through the knowledge test and through conversations with Officers. The procedure is to refer to Committee if there are any concerns.
Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually	Currently, this is not covered by the Private Hire Licensing Policy so amendment to the Policy proposed to include this in future applications.
All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.	The Licensing Authority has a CCTV policy in place but it is not mandatory to have CCTV within private hire vehicles. A consultation will take place in early 2021.
Stretch limousines should be licensed under the Licensing Authorities Policy	Stretch limousines are licensed by this Licensing Authority.
Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually	All operators, who are not licensed drivers, are required to submit a basic DBS on application and on an annual basis.
Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.	It is a condition of the private hire operator's licence that a register of booking and dispatching staff is kept by the operator.
Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above.	It is a condition of the private hire operator's licence to have an ex-offender policy for any booking and dispatching staff.
Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking: • the name of the passenger;	All are a condition of the booking records for an operator except there is no requirement to put the dispatcher name or person who dealt with the booking so conditions amended to include this.

<ul style="list-style-type: none">• the time of the request;• the pick-up point;• the destination;• the name of the driver;• the driver's licence number;• the vehicle registration number of the vehicle;• the name of any individual that responded to the booking request;• the name of any individual that dispatched the vehicle.	
<p>The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker</p>	<p>Not currently in the conditions so conditions amended to include this.</p>