

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Driver Policy					
Immediate Suspension and revocation of licences	11	Not specified	If a driver is suspended due to safeguarding concerns, if the LADO (Local Authority Designated Officer) or Police have not been informed, the Licensing Authority will forward the information that they have been provided to them for investigation.	Make the process clear	Already in effect
Age and experience	12	Must have held DVLA driver licence for 3 years	Must have held DVLA driver licence for 12 months	In-line with Department for Transport Guidance and other Glos. LA's	01.01.2024
Driver Assessment	12	None	All new applicants must obtain a driver assessment certificate prior to licensing	To ensure that drivers have been assessed prior to licensing and in-line with other Glos. LA's	01.01.2024
Mandatory Safeguarding and Equality Awareness Training	13		<p>Include that the training must be the content agreed by the Gloucestershire Councils</p> <p>Any licence holder who does complete the refresher training will be suspended.</p>	To make this requirement clearer and to maintain a joint approach	Already in effect
HMRC (Tax Conditionality)	13	Not specified	Outlines legal requirement of supplying a tax code for driver licence applications	Legal requirement	Already in place
Medical Examination	14	Certificate valid for 3 months	Certificate valid for 4 months	Same timescale as DVLA Group 2 examination	01.01.2024
			Any change in medical notify the Council within 48 hours	Specified in conditions (Appendix F as 7 days – updated to 48 hours)	01.01.2024

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

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Driver policy continued					
Proof of right to work in the UK	15		Revised wording	More simplified	
National Register of Refusals, Revocations and Suspensions (NR3S)	15	National Register of Refusals and Revocations (NR3) Retention period 25 years	National Register of Refusals, Revocations and Suspensions (NR3S) Retention period 11 years	Update to NAFN (National Anti-Fraud Network) Initiative and Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022	Implemented April 2023
Grant and renewal of licences	16			Simplified wording and clear expectations on late/invalid applications	Already in effect
Change of details	17		Include change of email address and change notice period to 48 hours		
Change of operator	17	Currently no requirement	If drivers are working as a private hire driver, they must notify us within 48 hours if they change the private hire operator that they work for. If this notification is by email, they must copy the private hire operator email address into the email to the licensing team. If this notification is by letter, they must get the operator to countersign this.	For the licensing team to maintain accurate records	01.01.2024
Refunds	17		New section – no refunds will be due on any surrendered or revoked licence	Clear wording	01.01.2024
Suspension of a driver’s licence (public safety)	27		Cases where immediate effect is required – authorised Officer	Clear wording	Currently permitted under scheme of delegation

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

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Vehicle Policy					
Maximum age of vehicles	20	No age limit		Removed and replaced with proposed age and emissions policy	01.01.2024
Age and emissions policy	20	None	<p>New policy proposed: New vehicle applications and change of vehicle applications from 1 January 2024</p> <p>A new application for a taxi or private hire vehicle licence will be refused if a vehicle is more than 5 years old from date of first registration. It must also be Euro 6 compliant, ULEV or EV.</p> <p>An application to transfer a taxi or private hire vehicle licence (including a temporary change) will be refused if a vehicle is more than 5 years old from date of first registration. It must also be Euro 6 compliant, ULEV or EV.</p> <p>EVs (Electric Vehicles) and ULEVs (Ultra Low Emission Vehicles) are exempt from the above policy and there is no age restriction on these vehicles.</p> <p>New WAVs (Wheelchair accessible vehicles) are exempt from the above age policy but will be refused if the WAV is not Euro 6 compliant or ULEV or EV</p>		<p>01.01.2024</p> <p>01.01.2024</p> <p>01.01.2024</p> <p>01.01.2024</p>

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

			<p>Vehicle Renewal Applications From 1 January 2024, an application to renew a taxi or private hire vehicle will be processed until 31 December 2025. Any vehicle licence that expires after this date must comply with the above requirements.</p> <p>From 1 January 2026 - An application to renew a taxi or private hire vehicle will be refused if the vehicle is not Euro 6 compliant or ULEV or EV and over 10 years of age.</p> <p>Tewkesbury Borough Council 's aim to be carbon neutral by 2030 1 April 2028 - The Council will review the above vehicle policy to consider whether a move to EV or ULEV is appropriate.</p> <p>1 April 2030 (provisional) – Ambition that new vehicle applications and change of vehicle applications will be ULEV or EV.</p> <p>1 April 2033 (provisional) - Ambition that renewal vehicle applications will be ULEV or EV.</p>		<p>01.01.2024</p> <p>01.01.2026</p> <p>01.04.2028</p> <p>01.04.2030</p> <p>01.04.2033</p>
Converted vehicles	21	Deadline for current vehicles to provide IVA by 30.04.23		Remove sentence as deadline has passed	
Vehicle Testing	22	MOT requirements	Amended wording to implement Council Vehicle Testing at approved test stations	Current testing is not vigorous enough to ensure that the public are safe	01.06.2024 (due to procurement work required)

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

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Vehicle Policy continued					
LOLER	22		All tail lifts whether underslung, internal or externally fitted, must have a Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) Certificate issued every 6 months to ensure the lift is safe to use. A satisfactory LOLER certificate must be submitted with all relevant vehicle applications. Certificates must be retained for 2 years and available for inspection upon request.	New section to cover legal requirements	Already in effect
Plate exemption for private hire vehicles	23		Addition of policy in Appendix I	Better clarity	01.01.2024
Environmental Considerations	22	It is important that emissions from hackney carriages and private hire vehicles are reduced as far as possible. In the event that central government introduces measures to control emissions or local emission controls were to be required by an air quality action plan the council may review the policy on emission standards for licensed vehicles.		Removed wording as proposed age and emissions policy supersedes this	01.01.2024
Accidents	23	3 working days	Update to include accident or damage to vehicle Change notice period to 48 hours		01.01.2024
Insurance Write Offs	24		A vehicle must not be structurally damaged or have been an insurance write-off, except where repaired and certified to the Council's satisfaction.	Clarification as no information currently in the policy	Already in place

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Vehicle Policy continued					
Grant and Renewal of licences	24			Simplified wording and clear expectations on late/invalid applications	Already in effect
Change of details	24	7 days	Include change of email address Change notice period to 48 hours		
Refunds	24		New section – no refunds will be due on any surrendered, suspended or revoked licence	Clear wording	01.01.2024

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Operators Policy					
Duration of licences	25	5 years	1 or 5 years	Choice of licence holder	Already in effect
Record keeping	26		Addition of price agreed for the journey or if the journey is to be carried out on a meter	Not currently specified	01..01.2024
Address from which an operator may operate	26		The address should also have any relevant planning permission required to operate a private hire business.	Not currently state	Already in effect
Grant or renewal of licences	26			Simplified wording and clear expectations on late/invalid applications	Already in effect
Change of details	27	7 days	Include email address Change notice period to 48 hours		
Refunds	27		New section – no refunds will be due on any surrendered, suspended or revoked licence	Clear wording	01.01.2024

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Appendix A – table of delegations	28	Applications for driver’s licence, with relevant convictions – currently states Officer can assess traffic offences	All applications that have convictions that are outside of relevance of convictions timescales can be assessed and issued by an authorised Officer. All applications whereby there are offences within the relevance of convictions timescales, or there is concerning information that may affect the suitability of the applicant, will be referred to a Licensing Sub Committee for determination	Currently, incorrect wording	This is already in practice
Appendix D – Licence conditions and specifications for hackney carriage vehicles					
Equipment	42	Currently require spare wheel, jack and tools, spare lamp kit, warning triangle and torch		Remove these items in line with other Gloucestershire Authorities	01.01.2024
Insurance and other documentation	42		Update to include information that only a licensed driver can drive a licensed vehicle	Additional information for licence holders	Already in effect
Convictions/change of particulars of proprietor	45	Seven days	48 hours	In line with Gloucestershire Common Standards	Already in effect
Appendix E – Licence conditions and specifications for private hire vehicles and operators			Update to Licence conditions and specifications for private hire vehicles		

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Equipment	46	Currently require spare wheel, jack and tools, spare lamp kit, warning triangle and torch		Remove these items in line with other Gloucestershire Authorities	01.01.2024
Appendix E – Licence conditions and specifications for private hire vehicles and operators continued					
Insurance and other documentation	47		Update to include information that only a licensed driver can drive a licensed vehicle	Additional information for licence holders	Already in effect
Meters/Fare card	48		<p>If the licence holder chooses to fit the private hire vehicle with a meter it must be compliant with the Measuring Instruments (Taximeters) Regulations 2006 (S.I. 2006/2304). The meter shall be maintained in a sound working condition at all times. The meter shall be set to a tariff and sealed by the approved testing stations to prevent unauthorised adjustment of that meter.</p> <p>A fare card must be fixed in such a position so that the fare to be charged is visible to all passengers within the vehicle at all times, and the figures shall be illuminated for this purpose. The fare card shall clearly display the vehicles licence number.</p>	New section to provide clarity	Already in effect

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

			A copy of the calibration certificate, and a copy of the table of fares that the meter has been calibrated to, must be submitted to the Council within 48 hours of being set.		
Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Appendix E – Licence conditions and specifications for private hire vehicles and operators cont.					
Plate Exemption	49			Remove – replaced with policy at Appendix G	01.01.2024
Novelty Vehicles	50	Currently require spare wheel, jack and tools, spare lamp kit, warning triangle and torch	Include in-date first aid kit	Same requirements as hackney carriage/private hire vehicles	01.01.2024
	50	No age limit will be set for novelty vehicles but they are required to be tested as per private hire vheicles		These vehicles will be subject to the same age/emissions policy as private hire vehicles	01.01.2024
Appendix F - Licence conditions and specifications for private hire operators			Insertion of separate conditions for private hire operators		01.01.2024
	52		Updated booking record details	Replicates Gloucestershire Common standards	Already in effect
	52		New conditions for operators: All Operators must inform the Licensing Authority, within 48 hours, if a driver no longer works for them.	Better record keeping	01.01.2024

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

			<p>All Operators must inform the Licensing Authority, within 48 hours, if a new driver commences work with them.</p> <p>All Operators must submit a list of all licensed drivers and vehicles on the last working day of each month to the Licensing Authority.</p> <p>Any person named on the private hire operator’s licence must notify the Council in writing within 48 hours if the information supplied in his/her application for a private hire operator’s licence is altered for any reason including a change of address.</p>		
Section	Page	Current requirement	Proposed amendment	Reason	Effective from
Appendix G – licence conditions and code of conduct for hackney carriage and private hire drivers			Update to Appendix G		01.01.2024
4	54	Seven working days to notify of any convictions etc.	48 hours	In line with Gloucestershire Common Standards	Already in effect
5	54	If a driver is given notice to undertake a random DBS check by the council they must do so within 28 days of the request.		Delete as all drivers will be on update service which can be checked automatically	01.01.2024
6	54	A driver shall give notice in writing to the council within seven working days of any change in medical condition. If required by the council	Change to 48 hours	Standardise 48 hours of any notifiable issues	01.01.2024

Appendix C - Table of Amendments – Draft Hackney Carriage and Private Hire Licensing Policy Review July 2023

		a new medical may be required to determine if the driver is a 'fit and proper person'.			
Appendix H – Plate exemption policy	57			New section to provide further clarity and enhance current policy	01.01.2024