

Appendix E

Amendments to Policy

Hackney Carriage and Private Hire Driver's Licence Consultation		
Section	Changes	
Introduction	No Update	
Strategies and Legislation	Additional legislation included: Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 Taxis and Private Hire Vehicles (Disabled Persons) Act 2022	
Equality, Diversity, and Inclusion	No Update	
Delegations	Wording updated to reflect change in committee structure – Waste and Street Scene	
Information Sharing	No Update	
Legislative Background	Removed Statutory Standards Information	
Fit and Proper Person Requirement	Reworded	
Examinations, Tests and Application Requirements	No Update	
Certificate in the Introduction to the Role of the Professional Taxi and Private Hire Driver	Pre-Consultation The Licensing Authority requires individuals to undertake and pass a nationally recognised qualification as the first stage in application process.	Post Consultation The Licensing Authority requires individuals to undertake and pass a nationally recognised qualification if: <ul style="list-style-type: none"> • They are a new applicant • They have previously been licensed, but their licence expired more than 12-months ago and they have not taken the qualification before
	Safeguarding Training	No Update
Disability Awareness Training	Pre-Consultation Existing licensees that have not yet undertaken training will have 12 months....	Post Consultation Existing licensees that have not yet undertaken training will have 3 years...

Language Proficiency	Pre-Consultation Removed the requirement for all licensees to evidence English language proficiency.	Post Consultation New applicants only are required to evidence language proficiency – <i>Certificate in the Introduction to the Role of the Professional Taxi and Private Hire Driver is the required standard.</i>
Knowledge Test	Pre-Consultation The Licensing Authority requires individuals to undertake and pass a knowledge test to ensure that they have sufficient knowledge in...	Post Consultation The Licensing Authority requires individuals to undertake and pass a nationally recognised qualification if: <ul style="list-style-type: none"> • They are a new applicant • They have previously been licensed, but their licence expired more than 12-months ago The test ensures that applicants have sufficient knowledge in:
	Individuals that fail three successive knowledge tests will be required to wait a period of not less than six months (from the date of the most recent failure) before reapplying.	Wording removed
		Additional Wording: The questions will be set by the Authority and will change periodically to reflect any changes in routes, legislation, safeguarding etc. The Authority will set the pass for each section at 80%.
Driving Standards Examination	Individuals that fail three successive knowledge tests will be required to wait a period of not less than six months (from the date of the most recent failure) before reapplying.	Wording removed
Age and Experience	No Update	
Disclosure and Barring Service (DBS) Checks	Reworded	
Overseas Convictions	No Update	

Licensee Self-Reporting	No Update	
Common Law Police Disclosure	Removed last paragraph - repetitive	
Sharing Licensing Information with Authorities and Police	No Update	
Relevance of Convictions, Cautions, Reprimands, Warnings and Complaints	Altered wording	
Fit and Proper Threshold	<p>Renamed section 'Fit and Proper'</p> <p>Removed wording:</p> <p>Any convictions or unacceptable behaviour will have a negative impact and will weigh heavily against an individual.</p> <p>Where an individual has one or more conviction and where this shows a pattern or tendency irrespective of the time since the conviction, the Authority will give serious consideration as to the fit and properness.</p> <p>Where a conviction is listed on the Fit and Proper Threshold, that individual will be automatically referred to the Licensing Committee</p> <p>The Fit and Proper Threshold sets out time periods that are expected to have elapsed following completion of the sentence or offence.</p> <p>The Authority will assess each case on its own merits, but the criteria set down in the Fit and Proper Threshold will be considered in the determination of a licence, only in truly exceptional circumstances will the criteria be deviated from.</p> <p>Replaced with:</p> <p>Where an individual has one or more conviction recorded for any of the above offences, they will be automatically referred to the Licensing Committee.</p>	
	<p>For Driving convictions, the rehabilitation periods have been removed, replaced with the wording:</p> <p>"The licensee will be automatically referred to the Licensing Sub-Committee."</p>	
	Medical Assessment	<p>Pre-Consultation</p> <p>In exceptional circumstances, and with prior agreement from the Licensing Authority, a</p>

	<p>medical assessment may be carried out by another registered GP practice, but only if the individual's medical history has been viewed and assessed, and the GP carrying out the medical confirm that they have viewed the applicant's full medical history. The GP must be approved by the Licensing Authority. A list of approved practitioners will be provided by the Authority.</p>	<p>Licensing Authority. A list of approved practitioners will be provided by the Authority.</p>
Medical Exemptions	No Update	
Right to Work in the UK	No Update	
Tax Conditionality Checks	No Update	
Hackney Carriage and Private Hire Driver's Licence	No Update	
Safeguarding Children and Vulnerable Passengers	No Update	
Plying for Hire	<p>Removed:</p> <p>The hackney carriage trade being unable to ply their trade effectively</p>	
	<p>Pre-Consultation</p> <p>Where a licensee has been convicted of plying for hire, they will normally not be granted a licence for a period of not less than 7 years form the date of conviction/ licence revocation, whichever is the most recent.</p>	<p>Post Consultation</p> <p>Where a licensee has been convicted of plying for hire, they will normally not be granted a licence for a period of not less than 12 months from the date of conviction/ licence revocation, whichever is the most recent.</p>
		<p>Removed Wording</p> <p>Where a licensee has been convicted of plying for hire for a second time, they will normally not be granted a licence for period of not less than two years from the original date of conviction/licence revocation, whichever is the most recent.</p>
Byelaws	No Update	
Hackney Carriage and Private Hire Driver's Conditions	Pre-Consultation	Post Consultation

	The licensee, whilst transporting passengers for the purposes of hire and reward, must not drink or eat in the vehicle, or play any radio or sound reproducing instrument or equipment in the vehicle other than for the sending and receiving of messages in connection with the operation of the vehicle. In any case, the licensee must conform to all road traffic regulations.	The licensee, whilst transporting passengers for the purposes of hire and reward, must not drink or eat in the vehicle. The licensee must conform to all road traffic regulations.
Committee Referral Criteria	No Update	
Compliance and Enforcement	No Update	
Better Regulation Delivery Office: Regulators' Code, 2014	No Update	
Better Regulation Unit: Enforcement Concordat	No Update	
Enforcement and Non-Compliance Options	No Update	
Complaints	Removed wording: Where complaints are received, the driver will be contacted by the Licensing Authority and concerns raised, and where appropriate, the private hire operator will be made aware.	
Consultation	No Update	