

Hackney Carriage & Private Hire - Licensing Policy

Introduction and Background

Cambridge City Council has responsibility for licensing Hackney carriage, Private Hire and Dual Drivers, proprietors and operators within the City.

Cambridge City Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which governs the licensing of Private Hire Vehicles, Private Hire Operators and drivers. The adoption of this act also encompasses the adoption of the Town Police Clauses Act 1847, which governs the licensing of Hackney Carriages.

The Hackney Carriage and Private Hire Licensing Policy applies to all drivers, vehicles and operators.

The policy is intended to ensure that both the trade and the public have a document that fully explains the Council's Licensing requirements in context for all parties in a clear and transparent manner.

The current policy has been in effect since 24th October 2011 and, as stated within the policy, will remain effective for a maximum period of five years. The policy is therefore now due for review. Over the five years the policy has been updated when there have been changes in policy and procedure which has been approved by Licensing Committee.

In addition to the Policy document the "Taxi Guide" exists as an operational guide which outlines the processes associated with the administration and enforcement of the Licences and is subject to amendment by the Environmental Health Manager

Whilst the adopted policy of 24th October 2011 has been fit for purpose it should now be subject to a consultation on a revised draft policy document, which will ensure that it complies with government best practice guidance and will provide protection for the public using the service.

Consultation

Cambridge City Council is conducting a consultation to review the current policy document. This will ensure that it complies with government best practice guidance and will provide protection for the public using the service.

The consultation is open to the public and the closing date for submitting consultation responses is **22 August 2016**.

All feedback is encouraged and all comments will be considered as part of the review and in preparation of the final policy document.

The results of the consultation exercise will be put to Members at the next Licensing Committee in October 2016 to take account of the feedback from the trade and other stakeholders in order to consider any amendments to the Hackney Carriage and Private Hire Licensing Policy.

Any comments that you forward to the Licensing Authority should clearly state your name and any organisation or persons you may be responding on behalf of.

Send your response:

- By email to taxi@cambridge.gov.uk please include the words 'Taxi Policy' in the subject field; or
- In writing to Licensing & Enforcement, Environmental Services, Cambridge City Council, and PO Box 700, Cambridge, CB1 0JH.

Summary of Main Changes

We would welcome your comments and in particular we would ask you to consider the specific areas of the policy, as detailed below:

- i) Accessibility & Disability Awareness
- ii) Code of Conduct
- iii) Driver Safety
- iv) DBS Update Service
- v) Eligibility to live & work in the UK in accordance with the Immigration, Asylum & Nationality Act 2006
- vi) Enforcement Management System
- vii) Environmental Considerations
- viii) General Administration (such as notification of change of details etc.)
- ix) Grounds for Disbarment
- x) Online Applications
- xi) Safeguarding Training (including fees)

- xii) The Taxi Guide
- xiii) Vehicle Standards

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Attached to this consultation document is an updated Hackney Carriage and Private Hire Licensing Policy, along with an updated Taxi Guide document for your consideration.

PART	SUMMARY OF MAIN CHANGES
1.Summary	- Update summary to reflect the aim of the Policy, the Council's vision and the considerations of the Policy.
2. Aims & Objectives	<ul style="list-style-type: none"> - Update and clearer definition of aims and objectives of the Policy in protecting the public. - Detail of the Licensing Authority working in partnership with the trade and key stakeholders. - Reference to the Taxi Guide (to become the Taxi Handbook).
3. Powers and Duties	- Minimal changes, re-formatting
4. Best Practice Guidance	- Minimal changes, re-formatting
5. Status	- Detail of the Policy status, including clear information on departing from the Policy.
6.The Licensing Regime	- New section added
7. Implementation	- Minimal changes

8. Principles, Process, Delegation and Decisions	- New section added
9. Fees	- No changes
10.Licensing Profile	- Minimal changes
11. Limitation of Vehicle Numbers	- No changes
12. Definitions, Specifications and Conditions	- Clearer definitions given on types of vehicle
13. Fares	- Reformatted and moved from section further in Policy
14. Meters	- Reformatted and moved from section further in Policy
15. Accessibility and Equality	<ul style="list-style-type: none"> - Reference to Disability Access Statement in the Handbook - Proposal of mandatory attendance at Accessibility and Equality training as part of the application process for new drivers.
16. Vehicle Testing	<ul style="list-style-type: none"> - Clearer information on vehicle testing and responsibilities - Detail of action if vehicle is damaged

17. Vehicle Inspections	- No changes
18. Signage, Livery and Advertising	- Reformatted for clearer understanding and amalgamated with previous section 15, Hackney Carriage Crests.
19. Exemptions	- Additional information provided on vehicle exemptions.
20. Stretched Limousines and Prestige Vehicles	- Reformatted for clearer understanding and amalgamated with previous section 26
21. Contract Vehicles	- Reformatted, minimal changes
22. Wedding Vehicles	- Reformatted
23. Funeral Vehicles	- Reformatted
24. Safeguarding	- New section added detailing mandatory safeguarding training for all licence holders and new applicants as adopted by Licensing Committee 21 March 2016.
25. Driver Safety	- Clearer details given on CCTV, that it is not mandatory but if installed there are a number of set criteria
26. Hackney Carriage Stands	- Reformatted
27. Vehicle Application Procedures	- Reformatted

28. Grant of Vehicle Licences	<ul style="list-style-type: none"> - Reformatted and defined detail on applicants providing completed, full applications.
29. Environmental Considerations (this item was on the Agenda at Environment Scrutiny Committee on 28 June 2016)	<ul style="list-style-type: none"> - Review and update of Environmental Considerations. - In addition to this, there are some further areas for consideration within the policy consultation which detail potential measures to facilitate the uptake of low emission taxis (Electric Vehicles & Petrol Electric Hybrids) in Cambridge: <p>Following a Feasibility Study, for the taxi trade, which took place in February 2016 the Council is aware that in order to implement electric vehicles a charging infrastructure needs to be considered and planned in to enable electric vehicle uptake within the City.</p> <p>There are plans over the next few years for such aelectric vehicle charging infrastructure to be provided and in order to obtain a clearer view on the priorities for the trade, customers and other stakeholders alike we would be grateful if you could consider the following additional, potential incentives and policy changes and rank the order of priority for you.</p> <p>Please see points for consideration overleaf, along with ranking system:</p>

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30. General (Drivers)	- Reformatted
31. Fit and Proper	- New section added
32. Driver Licences	- Reformatted and defined detail on applicants providing completed, full applications.
33. Eligibility to Live and Work in the UK	- More detail and clearer guidance given on requirements for individuals who are not UK or EEA Nationals
34. Disclosure & Barring Service	<ul style="list-style-type: none"> - Clearer detail on the DBS and the requirements of the Licensing Authority. - Proposal that any proprietors and operators that are not already licensed drivers with the City Council undertake an Enhanced DBS check upon application and every three years thereafter. Current practice is to only request a Basic DBS. - Detail given on the declaration of criminal convictions and information on Notifiable Occupations.
35. Certificates of Good Conduct	- Reformatted
36. Driving Licence Records	- New section added, detailing existing process.
37. Medical Examination	<ul style="list-style-type: none"> - Detail given on Group II Medicals - Proposal that medicals for drivers are undertaken upon application and every five years thereafter until the age of 60.

	<ul style="list-style-type: none"> - Proposal that once a driver reaches the age of 60 a medical is required annually. - Current practice is that medicals are required for new applicants and then at the age of 45. Once a driver has reached 45 the medical is required five yearly until the age of 65 when it is required annually.
38. Knowledge	- Reformatted detail of the Knowledge Test including the update of information for applicants which came into effect 1 st July 2016 whereby an applicant must pass the Knowledge test before they can continue with the rest of the application process.
39. Driving Proficiency	- Reformatted
40. Driver Application Procedures	- Reformatted
41. Conditions of Driver Licences	- Reformatted
42. Code of Good Conduct	- Reformatted to accompany changes made to the Code within the Handbook.
43. Private Hire Operators Requirements and Obligations	- Reformatted to incorporate DBS changes (as per section 35 above)
44. Insurance	- Reformatted

45. Private Hire Operator Licence Duration	- Updated to reflect the de-regulation in 2015.
46. Record Keeping	- Reformatted
47. Address from which an Operator may operator	- Reformatted
48. Sub Contracting	- New section added
49. Cross Border Hiring	- New section added
50. Enforcement	- Reformatted
51. Compliance	- New section added

To accompany the Hackney Carriage and Private Hire Licensing Policy, the Taxi Guide has been reviewed and updated to reflect operational process changes. The revised document will be referred to as the Hackney Carriage and Private Hire Handbook.