

## DRAFT WEST SUFFOLK TAXI POLICY – SUMMARY OF PROPOSED CHANGES

### Appendix C - Summary of Proposals

A comprehensive list of proposed changes to the policy and its requirements is set out in the below. The following changes are expected to have the largest impact so LT are asked to focus on these points:

The original document on which the changes have been made is attached and is colour coded according to the type of change made. A key for this colour-coding of policy text is set out below:

1. Original wording unchanged
2. Original wording moved but unchanged highlighted in yellow (e.g. Appendix A is the Criminal Convictions Policy that has been added to the main policy to have it all in one place)
3. Original wording amended
4. New wording

Section	Issue No.	Para No.	Proposed Change Details
Main body of the policy			
<b>All</b>	<b>1.</b>	N/A	Restructure the entire policy to ensure it is accessible for all, this includes moving guidance and application processes and conditions to the appendices
<b>Contents</b>	<b>2.</b>	N/A	Add existing convictions policy to the main policy as Appendix A
<b>Intro- duction</b>	<b>3.</b>	N/A	Add list of relevant legislation and West Suffolk policies
	<b>4.</b>	1.2	Add new text outlining the scope of the policy and update policy statement
	<b>5.</b>	1.3	Update definitions for hackney carriage, the licensee, private hire vehicle and operator
<b>Hackney carriage and private hire drivers</b>	<b>6.</b>	2.1-4	Replace text explaining the purpose and conditions of a combined badge/HCPHD
	<b>7.</b>	2.5-6	Add text defining the 'Fit and Proper Person' text, as referred to in statutory guidance
	<b>8.</b>	2.14-2.40	Add text from our existing applicant requirements regarding: <ul style="list-style-type: none"> <li>- DBS checks</li> <li>- Right to work in the UK</li> <li>- Convictions, cautions and driving offences</li> <li>- Medical fitness assessments</li> <li>- Assistance dogs</li> <li>- West Suffolk Tests (including DVSA disability awareness course)</li> </ul> Add new text requiring drivers to register with the DBS Update Service

	<b>9.</b>	2.30	Add new requirement for licensed drivers to undertake a refresher Safeguarding, CSE and Disability Awareness course from 1 January 2021
<b>Private Hire and Hackney Carriage Vehicle Licences</b>	<b>10.</b>	3.2	Add new specifications for the driver application process to supply the licensing authority with: <ul style="list-style-type: none"> <li>- Original V5 vehicle registration document</li> <li>- Original insurance/insurance cover note</li> <li>- MOTs required for vehicles over 12 months old must now be less than 28 days old</li> </ul>
	<b>11.</b>	Section 3	Add in text from our existing driver licence conditions (not currently included in our main policy): <ul style="list-style-type: none"> <li>- Insurance</li> <li>- Vehicle specifications</li> <li>- Licensed vehicle conditions</li> <li>- Identification of vehicles as PHVS or HCVs</li> <li>- Tyres</li> <li>- Accidents</li> <li>- Meters</li> </ul>
<b>Additional provisions for Private Hire Vehicles Only</b>	<b>12.</b>	Section 4	Add in text from our existing driver licence conditions (not currently included in our main policy): <ul style="list-style-type: none"> <li>- Advertisements</li> <li>- Taxi ranks</li> <li>- Executive Hire</li> <li>- Discrete plates</li> </ul>
	<b>13.</b>	4.3	Add notice that idling is not permitted on ranks to main policy, as it is currently only set out in the driver disciplinary code. This will make it easier to enforce.
	<b>14.</b>	4.11-14	Add in new text about the ways taxi licensing can reduce the environmental impact of taxi transport across West Suffolk
<b>Private Hire Vehicle Operators</b>	<b>15.</b>	Section 5	Add in text from our existing driver licence conditions (not currently included in our main policy): <ul style="list-style-type: none"> <li>- Requirement for a licence</li> <li>- Fitness and propriety</li> <li>- Insurance</li> <li>- Conditions</li> <li>- Operator responsibility</li> </ul>
	<b>16.</b>	5.7	Remove allowance to grant licences for those up to 10 miles outside of the West Suffolk District at the Council's discretion. This ensures that the licensing authority have the powers to take proper regulatory and enforcement measures as the Council does not have jurisdiction outside of the district.
<b>Driver, Vehicle and Operator Licence Conditions and Application Process</b>	<b>17.</b>	Section 6	Add in text from our existing driver licence conditions (not currently included in our main policy): <ul style="list-style-type: none"> <li>- Enforcement, compliance and complaints</li> <li>- Enforcement penalty points</li> <li>- Suspension or revocation of licence</li> <li>- Refusal to renew a licence</li> <li>- Prosecution of licence holders</li> <li>- Appeals</li> </ul>
<b>Appendices</b>			
<b>Appendix A: convictions policy</b>	<b>18.</b>	Entire appendix A	Add requirements to policy from our existing separate convictions policy. This makes the policy more comprehensive and allows the user to access all conditions in one place.
	<b>19.</b>	6.3	<i>Crimes relating to violence:</i>

			Increase amount of time to elapsed following a conviction before a licence application can be considered, based on the Institute for Licensing guidance, from 3 to 7 years.
	<b>20.</b>	6.5	<i>Racially aggravated offences:</i> Increase amount of time to elapse following a conviction before a licence application can be considered, based on the best practice guidance, from 3 to 5 years.
	<b>21.</b>	8.4	<i>Sex offences:</i> Increase amount of time to elapse following specific convictions before a licence application can be considered, based on the best practice guidance, from 3 to 5 years.
	<b>22.</b>	11.3	<i>Driving offences involving the loss of life:</i> Remove allowance for any applicants with a conviction to be considered before 7 years have passed, as we currently have some that can be considered after 3 years
<b>Appendix B: driver application process and conditions</b>	<b>23.</b>	Entire appendix B	Add in text from our existing driver guidance for both new drivers and licence renewal: <ul style="list-style-type: none"> <li>- New drivers</li> <li>- Stages 1-4 of the application process</li> <li>- DVLA validation check</li> <li>- Medical examinations</li> <li>- Insulin treated diabetes</li> <li>- Enhanced DBS</li> <li>- GB Group registration and contact details</li> <li>- ID varication</li> <li>- How to submit application form</li> <li>- Drivers to subscribe to DBS update service</li> </ul>
	<b>24.</b>	19.1 19.3 19.4 19.5 19.16 19.17 19.18  19.24-25 19.31	Update existing policy text about licensed driver conditions to clarify existing conditions about driver presentation and conduct: Remove requirement for driver to carry paper copy of the conditions at all times when the vehicle is in service Add requirement to have driver badge visible at all times (currently only guidance) Clarify further than taxi vehicles must be driven by a licensed driver Add requirement for drivers to submit their licence to employer Insert existing driver dress requirements here Add vehicle cleanliness requirement Clarify timespan for medical condition change Add a requirement for drivers to notify the Council about accidents within 72 hours of an incident Add in reference from the Equality Act 2010  Clarify existing requirement prohibiting smoking in the taxi vehicle at any time
<b>Appendix C – Vehicle application process and conditions</b> (separated into hackney carriage vehicle conditions and private hire vehicle conditions)	<b>25.</b>	Sections 1-4	Add in text from existing applicant guidance
	<b>26.</b>	6.3	Insert text regarding consultation on hackney carriage livery
	<b>27.</b>	Section 6	Remove requirements relating to zones A and B Remove requirement for driver to carry paper copy of the conditions at all times when the vehicle is in service
	<b>28.</b>	6.6	Add text to clarify that saloon vehicles must also be no more than five years of age upon first registration (as is the case for wheelchair accessible vehicles)
	<b>29.</b>	6.7 35.6	Add new maximum age requirement of 10 years to all vehicles, except electric/zero emission vehicles to ensure vehicle safety and ensure vehicles have functioning and up to date technology to reduce emissions

<i>(where they are the same/similar, updates to the hackney carriage and separate private hire conditions have been included in the same row)</i>	<b>30.</b>	7.7 36.6	Add extra requirements for vehicle tyres and possession of tyre sealant repair kit in order to ensure driver and passenger safety, as per best practice
	<b>31.</b>	7.9	Update roof sign requirements so they are sufficiently flexible for tesla vehicles with glass rooves, so that these roof signs can be moved
	<b>32.</b>	8.3	Add in specifications for how applications for door panel advertisements will be considered by the Council
	<b>33.</b>	Section 9 37.5	Update proprietor requirements according to health and safety requirements and smoking ban
	<b>34.</b>	10.1 – 6 38.2	Update text to make the taximeter requirements clearer, including visibility of the meter and that is must be sealed
	<b>35.</b>	11.2	Add existing requirements around advertising and roof signs can be used for advertising at the Council’s discretion
	<b>36.</b>	12.1 Section 39	Add text to clarify where and how licence plates and labels should be displayed to ensure they are visible to both passengers and the public (PHV only: Additional s75 exemption as executive vehicles are not required to show licence plates)
	<b>37.</b>	14.1 41.1	Add requirements for first aid kits to provide a definition for ‘good working order’. Add text to make the location of the first aid kit visible to all passengers
	<b>38.</b>	16.1 43.1	Add requirement for clear windows to ensure driver visibility and visibility into the vehicle for driver and passenger safety, including prohibiting the addition of tinted windows on a vehicle
	<b>39.</b>	17.1	Add requirement for location of temporary licence plates, to ensure it remains identifiable as a licensed vehicle for both enforcement and public safety purposes
	<b>40.</b>	17.5	Add in test and inspection requirement so temporary replacement vehicle conditions are consistent with wider vehicle conditions
	<b>41.</b>	18.1 45.2	Update engine capacity requirements to allow flexibility for alternatively fuelled vehicles, including removing the engine cubic capacity requirement
	<b>42.</b>	24.1 52.1	Update vehicle testing requirements so timing fits in with the annual licensing renewal process, to reduce the administrative burden on drivers and licensing officers
	<b>43.</b>	33.1 64.1	Update right of appeal requirements
	<b>44.</b>	35.2	Note that private hire livery is subject to consultation, in order to include in the proposals for public consultation
	<b>45.</b>	36.5 44.1 52.3	Add in text to ensure hackney carriage and private hire vehicle conditions are consistent where relevant: -Seat belt requirements -Temporary replacement vehicle allowances -MOT certificates
	<b>46.</b>	46.1	Add allowance for private hire vehicles to be wheelchair accessible vehicles that load from the rear. This allows flexibility for the private hire trade to choose different vehicle models given that they don’t use taxi ranks where space is limited
<b>Appendix D – Operator</b>	<b>47.</b>	1.1 to 4.7	Add text from existing operator guidance regarding: - The application process

<b>licence conditions</b>		6.1-2	<ul style="list-style-type: none"> <li>- DBS</li> <li>- Registration with GB Group</li> <li>- Insurance</li> <li>- Door signs and advertisements</li> <li>- Standard of service</li> </ul>
	<b>48.</b>	5.1-2	Add text to clarify the records that must be kept of all customer bookings and journeys, as per best practice guidance.
	<b>49.</b>	6.1	Add standards for presentation of operator premises and maintenance of communications equipment.
	<b>50.</b>	6.2	Add text to clarify that it is the responsibility of operators to ensure all drivers and vehicles they operate comply with all licence conditions, both for a driver's licence and a private hire vehicle licence
	<b>51.</b>	8.3	Update paragraph to further clarify the policy change made earlier this year: operators must keep records of all complaints made against them and this shall be kept for 3 years