

Summary of changes to policy

All sections of the policy have been updated to provide greater clarity and detail. The following summary highlights the key changes to the existing policy.

Changes resulting from the Statutory Standards

General: A single a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing

1.4.3 **Policy status:** Requirement to review of licensing policy every five years,

2.18 **Whistleblowing:** Requirement that all staff are aware of whistleblowing policies

3.17 **DBS update service**, and Appendix C Private Hire Driver Licence Conditions: Requirement that all drivers subscribe to the DBS update service

2.5 **Overseas convictions:** requirement that the Council should advise the applicant to seek independent expert or legal advice on overseas convictions.

2.6 **Updating the Council of changes**, and Appendix B (policy of conviction information), C, E, and F (conditions): Requirement to notify Council of conviction etc within 48 hours (previously 3 working days)

2.9 **Decision making**, and Appendix K: requirement for a clear Scheme of delegations, including arrangements for dealing with serious matters that may require the immediate revocation of a licence

2.16 **Joint Warranting Arrangements:** All Surrey Authorities except Epsom & Ewell Borough Council entered a joint warranting arrangement some years ago. Whilst at the time there may have been good reason for the decision not to participate in the scheme, the Statutory Standards requires joint authorisations be implemented where the need arises, so that compliance and enforcement action can be taken against licensees from outside their area. In light of the Statutory Standards participation in the Surrey wide joint authorisations scheme now appears necessary.

3.13 **Knowledge Test**, and 3.14 English Language assessment (where necessary): Updated to include a written English test, and policy for assessing drivers who appear not to meet the English language part of the test.

4.7 **Application Process:** Requirement for a basic DBS check for vehicle proprietors who are not already licensed as drivers.

5.13 **Criminal Records Checks for Private Hire Vehicle Operator – Booking and Dispatch Staff**, and appendix J: DBS checks for booking and dispatch staff required by Statutory Standards.

Appendix B Policy regarding the relevance of convictions and other related information: periods required to be free of conviction updated to meet Statutory Standards

Appendix J Operator conditions: Record keeping requirement updated to match Statutory Standards requirement, and prohibition on use of PCV licensed drivers added as required.

Other key changes from existing policy

3.12 Age/driving experience: Removal of minimum age requirements (21) for drivers, and requirement for Hackney carriage drivers to have previously held a private hire driver licence for at least 6 years, as these appeared to be unreasonable barriers to accessing the trade. For less experienced drivers (under 21 or with less than 3 years driving experience) a driver proficiency assessment is required instead.

3.9 Medical Examination: The medical standard is now clearly shown as being the same as the DVLA group 2 standard, and when medical re-assessment is required now matches the DVLA Group 2 standard for vocational drivers (previously drivers aged 65 and 70 were required to provide a medical certificate every two years, now drivers over 65 require annual medicals)

4.6 Smoking in licensed vehicles: condition of licence extends smoke free provision to e-cigarettes and vapes

4.7 LOLER Certification: vehicles with lifts fitted for wheelchairs will need to evidence they comply with legal certification requirements

4.13 Partition screens: as a result of covid, post manufacture fitted driver safety screens have become more frequent place, and this policy sets necessary standards to allow for their installation.

4.14 Interim MOT assessments for vehicles: Currently the only additional mechanical assessments for vehicles (above the annual statutory MOT test) is for those over four years of age at that are required to undergo an MOT test every six months. It is proposed that vehicles over 10 years old will require testing three times a year (4 monthly intervals). Some Licensing Authorities have a maximum age limit for licensed vehicles, but for those that do not it is typical for vehicles to undergo more frequent mechanical inspections once they are over 10 years old, and as such this change is not considered unreasonably burdensome.

4.25 Mandatory Card Payment Terminals in Hackney Carriages: Since October 2016 every TfL hackney carriage has been required to fitted with a debit or credit card payment system. On 21 April 2016 the Licensing and Planning Policy Committee considered whether to implement the same policy as being proposed by TFL for locally licensed hackney carriages, but based on representations received decided at that time not to implement the requirement. However, the use of these payment devices has since become more widespread, and the covid pandemic has

accelerated the move towards a 'cashless' society. The consultation necessary for the implementation of the statutory standards would be a good opportunity to review this matter.

4.26 Clock-calendar controlled taxi meters: Hackney Carriages must be fitted with approved clock-calendar meters. This will prevent any unscrupulous driver from manually selecting a higher fare rate at unauthorised times.

4.33 Exemption from displaying private hire vehicle plate: A policy for issuing plate exemption is already in practice, however it has never been written into policy or consulted on. This policy will make the requirements and decision process transparent.

5.2 Location of private hire operator base: A new policy that the Council will not grant a licence to an operator whose premises are located outside the district, and that 'Virtual offices' will no longer be licensed as an operator's base. Currently this Council licences a large number of licensed operators with head offices based outside of the Borough, with only a 'virtual' within the Borough. This can create challenges with licensing 'at arm's length', particularly around the enforcement of licence conditions. Preventing new applications from 'out of area' operators will allow officers to manage the current risks within current resources.