

Appendix 1 - Summary of Changes to the Calderdale Council Hackney Carriage and Private Hire Policy

| | Policy Change |
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| | A policy on determining the suitability of applicants and licensees as Drivers and Operators in taxi & private hire licensing. |
| 1. | P1. para 1.5 New definition of “Fit and Proper” as defined by the Statutory Taxi & Private Hire Vehicle Standards (June 2020): “Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night” |
| 2. | P3 para 2.9 Inclusion of requirement for applicants to disclose accurate information and that withholding or submitting misleading information may demonstrate dishonesty and the applicant or licensee would not be considered “fit and proper”. |
| 3. | P3 para 3.2 Clarification of existing policy that applicants will be required to obtain an Enhanced DBS at their own expense and subscribe to the Disclosure and Barring Update Service. |
| 4. | P3 para 4 Inclusion of requirement for applicants to disclose if they hold or have previously held a licence with another authority and information disclosed by the police under Common Law Police Disclosure including intelligence on arrest or charge. |
| 5. | P5 para 4.4 Inclusion of requirement for Applicant to provide truthful and accurate information when an offence has been committed overseas. |
| 6. | P7 para6 Clarification of existing “fit and proper” policy and its application to Taxi & Private Hire Operators. |
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| | Private Hire and Hackney Carriage Driver Licence Conditions |
| 7. | P1 Introduction Removal of one year driver licence |
| 8. | P2 para 9 Addition of requirement for private hire drivers to, within 48 hours, notify the council in writing of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest of any of the offences within this scope will result in a review of their licence. |

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| 9. | P4 para 16.1 Removal of one year driver licence |
| 10. | p10 para 3 of Hackney Carriage Licence Conditions Addition of requirement for hackney carriage drivers to, within 48 hours, notify the council in writing of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest of any of the offences within this scope will result in a review of their licence. |
| 11. | p11 para 9 Changes to the hackney carriage age requirements to include ULEV, PHEV and EVs. |
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| | Operator Licences |
| 12. | P1 Para 1.1 Additional requirements for records kept by Operator to include name of individual responding to the booking request and dispatch of vehicle. |
| 13. | P2 Para 1.4 – 1.5 Additional requirement for Operator to keep a register of all staff taking bookings and dispatching and evidence that the Operator has sight of an annual Basic DBS for individuals on the register. Operator requirement that employment contracts obligate staff to advise the operator of any convictions whilst employed in the role. Operators are also required to provide their policy on employing ex-offenders for those persons on the register. The register should kept for a period of no less than three years on the premises and the records shall be produced immediately by the operator or his employee on request to any authorised officer of the Council or Police Officer for inspection. |
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| | Private hire vehicle licence conditions and guidance notes |
| 14. | P3 Para 14 Clarification of existing policy - Authorised Officer can request for vehicle to be presented for a full Vehicle Compliance Test. |
| 15. | P4 Para 16.1 Clarification of existing policy – All vehicles licensed by the Council are required to be compliance tested. |
| 16. | P4 Para 16.2 New requirement for vehicles under the age of three years from registration to pass an annual MOT and be subject to roadside spot check by an Authorised Officer or being requested to have a full Compliance Test. |
| 17. | P5 Para 23 Change to upper age limit to 12 years on vehicles which meet the criteria for multi-seater, wheelchair accessible vehicles, Ultra Low Emission Vehicles (ULEVs) which includes Plugin Hybrid Electric Vehicles (PHEVs) and Electric Vehicles (EVs). |
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| | Hackney carriage and private hire vehicle compliance testing standards |
| 18. | Considerable rewrite of compliance policy to be read in conjunction with Hackney Carriage and Private Hire Vehicle Licence Conditions and Guidance Notes |
| 19. | P4 Para 1.1 & 1.4 New requirement for vehicles under the age of three years from registration to pass an annual MOT and be subject to roadside spot check by an Authorised Officer or being requested to have a full Compliance Test. |
| 20. | P5 1.4 – 2.1 All vehicles can be subject to a roadside inspection by an Authorised Officer of the Council or Police Officer without notice. Clarification of Policy on Vehicle Licence Transfers from Person to Person and Vehicle to Vehicle. |
| 21. | P5 Para 2.1 Transitional grandfather rights of vehicle licences. |
| 22. | P5 Para 5.1 Change in upper limit to 12 years for electric or ultra low emission vehicles |
| 23. | P7 Para 11.2 & P21 18.8 Change - Where the wheelchair passenger is situated in the same area as the other seated passengers, the Licensing Authority may restrict the number of authorised seated passengers to ensure the safe access and egress of all passengers . |
| 24. | P9 Para Compliance standards now showing reason for why they are additional DVSA MOT. |
| 25. | P10 Para 14.10 Change for Safeguarding of passengers – Door locks must allow passenger to override the central locking system. |
| 26. | P23 Annex A – Digital Media Technology New conditions around the use of the digital screens for in vehicle advertising |
| 27. | P24 Annex B – Licensed Vehicle Advertising Incorporated from standalone document. No material change to policy. |
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| | Additional Consultation |
| 28. | CCTV There is no current policy in relation to CCTV in hackney carriage or private hire vehicles. It is suggested in the guidance issued by the Department for Transport that all licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults and taking into account potential privacy issues. |
| 29. | Decision Making |

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| | Currently decision making in relation to the grant, refusal, suspension or revocation of hackney carriage and private hire licensing is delegated to the Group Leader for licensing. The Guidance suggests that individual cases be considered by a panel of elected and suitably trained councillors. The current delegation within the service can be found on P9 – 16 of Licensing Enforcement |
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