

Report of the Chief Executive

**HACKNEY CARRIAGE AND VEHICLE LICENSING POLICY
AMENDMENT**

1. Purpose of report

To ask Committee to consider amending the current Hackney Carriage and Private Hire Licensing Policy (the Policy).

2. Background

On 26 September 2017 The Licensing and Appeals Committee approved the new Hackney Carriage and Private Hire Licensing Policy. The Policy is a live document and as such requires revising and updating as matters arise.

3. Detail

Currently drivers and Private Hire Vehicle (PHV) operators are required to undertake a safeguarding course as part of the application process. Following discussions with the Nottinghamshire Authorities Licensing Group, it is proposed to include a requirement to undertake a 3 yearly refresher programme.

It is also proposed to clarify the specification for hackney carriage meters to ensure that the correct meters are requested and installed on licensed hackney carriage vehicles.

Details of the wording of the proposed amendments are contained in the appendix.

4. Financial Implications

Any financial implication is contained within existing budgets.

Recommendation

The Committee is asked to CONSIDER the amendments and RESOLVE accordingly

Background papers

Nil

APPENDIX

Safeguarding

In respect of drivers, the current policy approved by the Licensing and Appeals Committee on 26 September 2017 contains the following information in Section 5.9.

5.9 Safeguarding and Vulnerability Training

Every new applicant will undergo Safeguarding Vulnerable Passengers training before a licence is issued. The training involves attending a training session at a location approved by the Council and the applicant will also complete and pass a test at the end of the session. Current licence holders will also undertake the training within twelve months of the renewal dates of their licence.

Failure to pass the test will result in the applicant or current licence holder re-taking the training session and exam at their own cost.

Should the applicant or current licence holder fail the test for a third time, in the case of a new applicant the application will be refused, in the case of a current driver the application to renew will be refused or when mid-term of a licence it may be revoked.

It is essential that young, elderly and other vulnerable people are safeguarded and protected whilst being transported in a licensed vehicle. Accordingly a specific Code of Conduct must be complied with when working with vulnerable passengers. This is provided at Appendix C.

It is proposed to insert the following text after the current paragraph 3.

“Licence holders are required to refresh their training by undertaking the safeguarding course every three years as a requirement of retaining their licence. Failure to undertake such training may result in the revocation of the licence”

In respect of Private Hire Operators, the current policy approved by the Licensing and Appeals Committee on 26 September 2017 contains the following information in Section 8.6.

8.6. Safeguarding Training

All new applicants will be required to attend and pass a Safeguarding Vulnerable Passengers training course prior to a licence being granted.

Current licence holders will also be required to undertake and pass the training before 31st January 2018.

Failure to do so may result in immediate suspension, revocation and/or another course of action deemed appropriate by the Council.

The training will involve attending a session at a location approved by the Council. At the end of the session all applicants will be required to pass a test.

Failure to pass the test will result in the licensee re-taking the training session and exam at their own cost and within a specified amount of time.

The initial test fee is included in the application fee. All re-tests will be charged in accordance with the fees set by the Council.

If an applicant is unable to pass the test after three attempts:

- New applications and renewals will be refused;
- Current licences will be revoked.

It is proposed to insert the following text at the end of the section.

“Licence holders are required to refresh their training by undertaking the safeguarding course every three years as a requirement of retaining their licence. Failure to undertake such training may result in the revocation of the licence”

Meters

The current policy approved by the Licensing and Appeals Committee on 26 September 2017 contains the following information in Section 6.12.

6.12 Meters

All hackney carriages must be fitted with a calendar controlled meter.

Meters used to calculate fares must be accurate, display the correct time and be capable of displaying:

- In the case of hackney carriages, the various tariffs as approved by the Council (including extra charges recoverable under the approved Table of Fares). The meter shall be calibrated and set to the Council's agreed charging distances and tariffs currently in force.
- In the case of private hire vehicles, any scale of charges which will be provided by the Private Hire operator.

Meters will be checked for accuracy by a measured mile distance or by waiting time.

Meters must be positioned in order that the fare must be clearly displayed to the passenger throughout the journey.

Meters in use must not facilitate fraudulent use. Any signs of tampering will result in a suspension notice being issued immediately. For the suspension notice to be removed, the vehicle meter must have been checked and calibrated by an approved meter company and presented to the Council for inspection.

Private Hire Operators and / or drivers may agree a cost for the journey with the customer prior to the journey commencing. In this situation, the price quoted is the price that must be charged – there is to be no deviation from this price without the agreement of the customer.

On occasions where a price has been not been agreed prior to the journey commencing, the fare charged must be that which is reflected on the meter where the vehicle is equipped with a meter

It is proposed to insert the following text at the start of the section, replacing the opening sentence

“Taximeters fitted to Broxtowe Borough Council Hackney Carriages must be of a type previously approved for use under the Measuring Instruments (taximeters) Regulations 2006, and any currently licensed vehicle presented to the Council after 1 April 2020 for a Hackney Carriage licence must be fitted with a calendar controlled taximeter, locked and sealed by the manufacturer/supplier so that tariff rates change automatically and cannot be changed or tampered with manually by any person. A certificate of calibration must be provided.

All new vehicles presented to the Council after 1 April 2019 for a Hackney Carriage licence must be fitted with such a meter and provide a certificate of calibration.”