

Agenda Item

REPORT OF LEAD LICENSING OFFICER
To: LICENSING COMMITTEE
Subject: TAXI POLICY AMENDMENT
Date: 25 JANUARY 2023

Reference:

PURPOSE OF REPORT:

To present to the Committee an amendment to the Licensing Policy for Taxis and Private Hire Licences.

1. INTRODUCTION

The current Taxi and Private Hire Licensing Policy was approved by this Committee on 11 May 2022.

2. REPORT

An omission has been identified in the current Taxi and Private Hire Licensing Policy. The introduction of six month DBS checks and the requirement to sign up to the DBS update service was included in the policy as part of the introduction of the recommendations contained in the Taxi Standards.

The following paragraph is included in the policy in paragraph 8.6 Criminal Convictions:

“All licence holders must subscribe to the Disclosure and Barring Service Online Update Service, this will be required by a condition placed on the licence. Any costs associated with maintaining this subscription must be met by the licence holder. If a licence holder fails to sign up to the update service, or fails to maintain subscription during the period that the licence is in force, then the licence will be suspended or revoked.”

However, this requirement was not specifically included within the conditions of licence. It is proposed that the following paragraphs are attached to each licence and included within Appendix E of the Policy which details the conditions of licence.

4.8 The licence holder must sign up to the DBS update service and must maintain subscription during the period that the licence remains in force.

4.9 The licence holder must provide interim checks documents (e.g. medical report, DVLA check code, DBS check) when requested by the Council within the timescales specified.

It is also proposed to amend paragraph 8.14

8.14 **3 year licence interim checks**

The Council will conduct interim checks for all applicants who are issued with a 3 year licence. The following will be required as and when required during the duration of the licence

- *DVLA check code (annually)*
- *DBS check (every 6 months)*

- *Medical report (every 5 years up to age 65, annually over age 65)*

Failure to provide the necessary information when requested by the Council will result in the licence being suspended until such time as satisfactory information has been provided.

With the introduction of 6 month DBS checks this paragraph now applies to 1 year licence holders as well. It is therefore proposed to amend the paragraph as follows:

8.14 ~~3-year~~ **Licence interim checks**

The Council will conduct interim checks for all ~~applicants who are issued with a 3-year licence~~ licence holders. The following will be required as and when required during the duration of the licence

- *DVLA check code (annually)*
- *DBS check (every 6 months)*
- *Medical report (every 5 years up to age 65, annually over age 65)*

Failure to provide the necessary information when requested by the Council will result in the licence being suspended until such time as satisfactory information has been provided.

3. **IMPLICATIONS**

Legal Implications

Although there is no legal duty on the Authority to publish a licensing policy for hackney carriage and private hire licences, the absence of a robust policy would leave the Authority open to legal challenge.

Financial Implications

None

Human Resources Implications

If drivers do not sign up to the update service they will have to continue to provide a paper certificate every six months which will have resource implications for the Licensing team.

Sustainability Implications

None

Equality/Diversity

None

Risk Management

As legal implications

Compliance with Policies and Strategies

The policy will be reviewed in conjunction with the Council's Carbon Reduction Plan

Data Protection (GDPR) Implications

Any amendments to the policy will comply with data protection requirements

Climate Change

The policy will seek to implement measures to reduce the effects of climate change and will be in accordance with the Council's Carbon Reduction Plan

Lead Member Views

Councillor McKenzie, Chair, has been consulted.

4. CONCLUSIONS

Members are asked to approve the amendments to the Policy to ensure the conditions of service are updated to reflect the decisions made to implement the statutory standards.

5. RECOMMENDATIONS

It is recommended that members approve the revised paragraphs and they are included in the policy with immediate effect.

SUPPORTING INFORMATION

Consultations:	Previously undertaken as part of the Policy review
Contact Officer:	Chris Parkhouse
Background Papers:	Licensing data area/files