

**Rother District Council: Hackney Carriage & Private Hire Policy & Guidance Document**

List of proposed amendments & updates to Hackney Carriage & Private Hire Licensing Handbook (March 2018)

All references to **Handbook** have been changed to **Policy and Guidance Document**

Where there is no ‘Original Text’, this is an additional item added

Page Number	Original Item Number	New Item Number	Original Text	Amendment / Addition
2	N/A	N/A		Illness / Injury / Change in medical circumstances
2	N/A	N/A		Relevance of Convictions
2	N/A	N/A		Arrangements for Determining an Application when a Criminal Conviction has been taken into account
2	N/A	N/A	Rother Knowledge Test	Knowledge & Literacy Test
3	N/A	N/A	Children and vulnerable adults	Safeguarding Children and Vulnerable Adults
3	N/A	N/A		Safety of passengers entering or alighting from the vehicle
3	N/A	N/A		DBS Disclosure
4	N/A	N/A		Rother Penalty Point Scheme
4	N/A	N/A		HMRC Tax Check
4	N/A	N/A		DBS Disclosure
4	N/A	N/A		Dispatch and Booking Staff
4	N/A	N/A		Safeguarding Children and Vulnerable Adults
4	N/A	N/A		Appendix F: Criminal Convictions Policy
4	N/A	N/A		Appendix G: Penalty Point Scheme
4	N/A	N/A	Revisions: March 2018 – Vehicle age criteria confirmed by Full Council (28.2.18)	Policy and Guidance document approved by Licensing Committee on [date]
5	N/A	N/A		HMRC Tax Check added to checklist
7	7	7	<b>PAYMENT Options:</b> Payments by cash, cheque or postal order may not be accepted in the future. Please ensure you open a debit or credit card account as soon as possible so you are able to pay by card.	<b>PAYMENT Options:</b> We accept payments online using credit or debit cards.

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13	N/A	46		DBS checks will be carried out every 6 months for all new and renewal dual driver licences.
13	53	47	Drivers are expected to sign up to the Disclosure and Barring Service (DBS) update service (annual fee payable). This will speed up the licence application and renewal process. Drivers must be able to provide evidence of continuous registration and nomination throughout the duration of their licence. <a href="https://www.gov.uk/dbs-update-service">https://www.gov.uk/dbs-update-service</a>	It is a mandatory condition for a dual driver's licence to sign up to the Disclosure and Barring Service (DBS) update service (annual fee payable). Drivers must be able to provide evidence of continuous registration and nomination throughout the duration of their licence. <a href="https://www.gov.uk/dbs-update-service">https://www.gov.uk/dbs-update-service</a>
13	N/A	52		The Local Authority will refer individuals to DBS if it is considered that a driver or operator presents a risk to a child or vulnerable adult
16	N/A	77		After 4 failures an applicant will have to wait 6 months before taking another test (this also means that your DBS and medical will be out of date).
18	N/A	92		Enhanced Criminal Record Disclosure application form added to list
18	98	93	Knowledge test	Knowledge & Literacy test
18	98	93	Spoken English assessment if applicable	Spoken English assessment (if required / appropriate)
18	103	98	To renew your licence, you will need to make an appointment to meet with a licensing officer; you will need to bring:	To renew your licence, you will need to provide the following:
19	N/A	98		HMRC Tax Check added to list
23	125	119	Removal of 125 & replaced with new category	The work carried out by Licensed Drivers places them in a unique position to help identify and prevent abuse, exploitation or neglect of children and vulnerable adults. Drivers could encounter a number of circumstances in respect of passengers or members of the public which they find concerning whilst travelling about, such as: <ul style="list-style-type: none"> <li>• A child or vulnerable adult who presents as poorly dressed / unclean or malnourished</li> <li>• An adult putting a young person or into your vehicle who may be under the influence of alcohol or drugs</li> </ul>

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				<ul style="list-style-type: none"> <li>• A child or vulnerable adult who looks concerned or frightened in the company of adults</li> <li>• A child or vulnerable adult travelling to meet someone that they do not know, perhaps who they have met online</li> <li>• A child or vulnerable adult being taken to hotels and at unusual times of the day</li> <li>• A child or vulnerable adult travelling alone and / or at unusual hours (during school time, early in the morning or late at night)</li> <li>• A child or vulnerable adult is going to a bank to withdraw large sums of cash</li> </ul> <p>If you see a child or vulnerable adult who you think is at risk or if you are worried about what you have seen or heard contact Sussex Police on 101 or if the person is in immediate danger dial on 999.</p> <p>You can also report a concerns East Sussex County Council Social Services though the links below:  For a concern about a child:  <a href="https://www.eastsussex.gov.uk/children-families/worried-about-a-child">https://www.eastsussex.gov.uk/children-families/worried-about-a-child</a>  For a concern about an adult:  <a href="https://www.eastsussex.gov.uk/social-care/worried/report">https://www.eastsussex.gov.uk/social-care/worried/report</a>  Although safeguarding is everyone’s responsibility you should not confront people or take any action that may put a child, vulnerable adult, or yourself at risk.</p>
24	129	121	The Council may introduce compulsory training for drivers and operators about child sexual exploitation.	The Council has introduced compulsory training for drivers and operators about child sexual exploitation.
27	150	144	The aim of a Rother penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of driver's behaviour and conduct so as to ascertain whether they are a fit and proper person. It does not prejudice the Council's ability to take other actions.	The aim of a Rother penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of driver's behaviour and conduct so as to ascertain whether they are a fit and proper person. It does not prejudice the Council's ability to take other actions. The penalty point

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				scheme applies to licensed drivers, operators and vehicles, not new applications.
28	159	152	Previously marked as 'N/A'	Where the Hackney rate charged is less than the Council's maximum rate then an appropriate fare card for this lower rate must be prominently displayed in the vehicle in addition to the Council's fare card (both fare cards must be on display).
28	160	153	It is an offence to charge more than the fare shown on the meter	Regardless of whether the meter is set to the Council's maximum fare or your lower fare rate – it is an offence the charge more than the fare shown on the meter.
29	166	159	The provision of a taximeter is mandatory for a Hackney Carriage. The meter must be a calendar-controlled meter, calibrated and must be set to the Council's fare tariff applicable for that time. The Calibration Certificate must be issued by an approved installer and the meter sealed. From October 2016 all meters must comply with Measuring Instruments (Taximeters) Regulations 2006.	The provision of a taximeter is mandatory for a Hackney Carriage. The meter must be a calendar-controlled meter and calibrated in accordance with the fare tariff approved by the Council. The Calibration Certificate must be issued by an approved installer and the meter sealed. From October 2016 all meters must comply with Measuring Instruments (Taximeters) Regulations 2006.
29	N/A	160		<p>MAXIMUM fares for Hackney Carriages are set by the Council. The Council would strongly encourage vehicle owners to set meters to display the Council's set maximum fare rate*. The meter must be used at all times in accordance with the Council's regulations and the hirer should not be charged any more than that shown on the meter.</p> <p>* Customers can be confused if hackney carriage vehicles operate different meter tariffs e.g. a passenger could take the same journey every day using a different hackney carriage and the meter could display something different. This can lead to passenger complaints of overcharging. If all meters were set to display the Council's maximum fare tariff this would benefit drivers and passengers. The driver is still free to spot discount at the end of the journey or calculate the fare in accordance with their own displayed tariff.</p>

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29	168	162	Previously marked as 'N/A'	Where the rates charged are less than the Council's maximum rate then the appropriate fare card for this lower rate must be prominently displayed in the vehicle <b>in addition to the Councils tariff card.</b>
29	N/A	163		Regardless of whether the meter is set to the Council's fare or your own lower rate - it is an offence to charge more than the fare shown on the meter.
29	N/A	164		Where Hackney rates are charged less than the Councils maximum fare rate and you wish to increase or decrease the lower rate, the taximeter must be recalibrated before you charge the new rate. A new Calibration Certificate must be sent to the Council within 7 days of the meter rate being changed. The Certificate must be issued by an approved installer and the meters sealed. A new fare card for the new rate must be prominently displayed together with the Councils tariff card.
31	173	169		Addition of Basic DBS disclosure if the vehicle proprietor is not a current dual driver or operator to bulleted list
32	N/A	169		Licensing officers will inspect a vehicle presented for first licensing and determine its eligibility. Vehicles may also be called in for inspection by Licensing Officers before a licence is renewed and at other times.
32	N/A	176		A Basic DBS disclosure is required for all vehicle proprietors who are not current dual drivers or operators.
32	N/A	177		Repeat DBS checks will be undertaken annually.
32	N/A	178		Vehicle proprietors are advised to sign up to the DBS update service.
34	185	184	The roof sign must be illuminated when available for hire.	The roof sign must be illuminated when available for hire and the vehicle must display a white external licence plate.
34	N/A	185		Once a vehicle is licensed as a Rother Hackney Carriage vehicle, it is always a Hackney Carriage vehicle during the period of the licence. This means it can only ever be driven by a person who holds a Rother driver's licence.

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37	209	208	All windows should be tint free to the extent that the inside of the vehicle should be clearly visible at all times. The driver and any passengers should be clearly visible when looking into the vehicle from all windows at all times (including glass to third row seating). The rear passenger windows should be no darker than the front side windows.	The rear passenger windows should be no darker than the front side windows (including glass to the third-row seating). The driver and any passengers should be clearly visible when looking into the vehicle from all windows* at all times, (*except for the glass to the luggage compartment area).
38	215	214	There should not be any lose or incorrectly fitted parts or exposed parts that could cause injury.	There should not be any lose or incorrectly fitted parts or exposed parts inside or outside the vehicle that could cause injury.
38	217	216	All windows* should be tint free so that the inside of the vehicle is clearly visible at all times. The driver and any passengers should be clearly visible when looking into the vehicle from all windows at all times (including glass to third row seating). The rear passenger windows should be no darker than the front side windows (it is a legal requirement that front side windows should allow 70% visual light transmission VLT). [* except the glass to the luggage compartment area].	The rear passenger windows should be no darker than the front side windows (including glass to the third-row seating). The driver and any passengers should be clearly visible when looking into the vehicle from all windows* at all times, (*except for the glass to the luggage. It is a legal requirement that front side windows should allow 70% visual light transmission VLT).
39	225	224	Owners may apply for an exemption certificate for a vehicle, so it does not have to display an external plate or side door signs in certain circumstances: <ul style="list-style-type: none"> <li>• Corporate bookings to transport employees and clients on business journeys and/or</li> <li>• Where the client has specifically requested a vehicle of a prestige specification at the time of booking.</li> </ul>	Owners may apply for an exemption certificate for a vehicle, so it does not have to display an external plate or side door signs in certain circumstances: <ul style="list-style-type: none"> <li>• Where the client has specifically requested a vehicle that is not displaying a rear badge and door signs, <b>and</b></li> <li>• The journey is a corporate booking to transport employees and clients on business <b>and / or</b></li> <li>• Where the client has specifically requested a vehicle of a prestige specification at the time of booking</li> </ul>
40	226	225	The small windscreen sign provided by the Council shall be displayed. The external plate and door signs shall be carried inside the vehicle and the exemption certificate shall be carried inside the vehicle at all times.	The internal badge provided by the Council shall be displayed in the windscreen. The external plate and door signs shall be carried inside the vehicle and the exemption certificate shall be carried inside the vehicle at all times.
43	N/A	232		There are four categories of write-off: A, B, S and N <ul style="list-style-type: none"> <li>• Vehicles classed as Category A, B, S or N will not be licensed</li> </ul>

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				<ul style="list-style-type: none"> <li>• If an existing licensed vehicle is classified as category A, B, S or N, the licence will be revoked</li> </ul>
43	234	233	There will be no advertising in the interior of the vehicle with the exception of business cards for the company/person operating the taxi/Private Hire vehicle. Exterior advertising will only be permitted if the Council has given written permission. The advertising must promote taxi companies or operators licensed within the Rother district. This has been extended to allow advertising by operators based outside the district, but this is restricted to approved signage to be displayed on the front doors only, and/or a telephone number on the rear of the roof light.	There will be no advertising in the interior of the vehicle with the exception of business cards for the company/person operating the taxi/Private Hire vehicle. Exterior advertising will only be permitted if the Council has given written permission. The advertising must promote taxi companies or operators licensed within the Rother district. This has been extended to allow advertising by operators based outside the district, but this is restricted to approved signage to be displayed on the front doors only, and/or a telephone number on the rear of the roof light. Exterior advertising will only be permitted if the Council has given written permission.
46	253	252	Satisfactory character and business references will be required together with a Disclosure and Barring check.	Private Hire Operators are required to advise the Local Authority regarding any changes to directors or partners within the business
47	255	254		Additional bullet points: (j) name of the person responding to the booking request (k) name of the individual who dispatched the vehicle
48	N/A	261		HMRC Tax Check 261. From 1/4/22, a HMRC Tax check code must be provided before a licence will be renewed
48	N/A	262		DBS Disclosure 262. A basic DBS disclosure is required for all individuals named on the licence who are not current dual drivers and a repeat check will be carried out annually
48	N/A	263 & 264		Dispatch and Booking Staff 263. A register of all staff that take bookings and/or dispatch vehicles should be kept and made available to Council Officials on request 264. A policy relating to ex-offenders in roles that would be on the register of staff should be in place and provided to the Council on request
48 & 49	N/A	265		Safeguarding Children and Vulnerable Adults

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				<p>265. The work carried out by Private Hire Operators and Licensed Drivers places them in a unique position to help identify and prevent abuse, exploitation or neglect of children and vulnerable adults. Operators and Drivers could encounter a number of circumstances in respect of passengers or members of the public which they find concerning whilst travelling about, such as:</p> <ul style="list-style-type: none"> <li>• A child or vulnerable adult who presents as poorly dressed / unclean or malnourished</li> <li>• An adult putting a young person or into your vehicle who may be under the influence of alcohol or drugs</li> <li>• A child or vulnerable adult who looks concerned or frightened in the company of adults</li> <li>• A child or vulnerable adult travelling to meet someone that they do not know, perhaps who they have met online</li> <li>• A child or vulnerable adult being taken to hotels and at unusual times of the day</li> <li>• A child or vulnerable adult travelling alone and / or at unusual hours (during school time, early in the morning or late at night)</li> <li>• A child or vulnerable adult is going to a bank to withdraw large sums of cash.</li> </ul> <p>If you see a child or vulnerable adult who you think is at risk or if you are worried about what you have seen or heard contact Sussex Police on 101 or if the person is in immediate danger dial on 999.</p> <p>You can also report a concerns East Sussex County Council Social Services though the links below:  For a concern about a child:  <a href="https://www.eastsussex.gov.uk/children-families/worried-about-a-child">https://www.eastsussex.gov.uk/children-families/worried-about-a-child</a>  For a concern about an adult:  <a href="https://www.eastsussex.gov.uk/social-care/worried/report">https://www.eastsussex.gov.uk/social-care/worried/report</a></p>



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				Although safeguarding is everyone's responsibility you should not confront people or take any action that may put a child, vulnerable adult, or yourself at risk.
61	N/A	18		DBS Disclosure A Basic DBS disclosure is required for all vehicle proprietors who are not current dual drivers or operators. Repeat DBS checks will be undertaken annually. Vehicle proprietors are advised to sign up to the DBS update service.
64	N/A	14		DBS Update The driver shall: - <ul style="list-style-type: none"> <li>• subscribe to the DBS update service and maintain the subscription throughout the time they are licensed</li> <li>• provide on request the original DBS certificate linked to the DBS update subscription</li> <li>• by issue of the licence consent to their DBS status being checked on a 6-monthly basis by Council officials</li> </ul>
68	N/A	18		DBS Disclosure A Basic DBS disclosure is required for all vehicle proprietors who are not current dual drivers or operators. Repeat DBS checks will be undertaken annually. Vehicle proprietors are advised to sign up to the DBS update service.
71	N/A	1		Additional bullet points: (j) name of the person responding to the booking request (k) name of the individual who dispatched the vehicle
73	N/A	8		8. DBS A basic DBS disclosure is required for all persons named on the Operator licence including all partners or directors in any company or partnership who do not hold a dual driver licence with Wealden District Council. A repeat basic DBS disclosure will be required on a yearly basis for the period of the licence.
73	N/A	9		9. Booking & Despatch Staff

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				The operator shall: (a) maintain a register of all staff that will take bookings or despatch vehicles retain a policy on employing ex-offenders in roles that would be on the register of staff
83	N/A	Appendix F		Additional Appendix
92	N/A	Appendix G		Additional Appendix