



**BOROUGH OF
BROXBOURNE**
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Hackney Carriage and Private Hire Licensing

The Secretary of State for Transport has issued strategy guidance to local authorities on exercising hackney carriage and private hire licensing functions to protect children and vulnerable individuals who are over 18 years of age from harm when using these services.

Local authorities are expected to implement the recommendations contained in the guidance unless there are compelling local reasons not to. The Council has therefore prepared a new Hackney Carriage and Private Hire Licensing Policy to address the recommendations, as well as including in it other policies, practises and procedures relating to the licensing of hackney carriage and private hire drivers, vehicles and private hire operators.

The Council is inviting comments on the new policy which can be viewed on the Council's website via the following link:

<https://www.broxbourne.gov.uk/community/consultations>

Comments can be submitted to the Council either by email at:

taxi@broxbourne.gov.uk

or in writing and sent to the following address:

Licensing Office
Borough of Broxbourne
Borough Offices, Bishops' College,
Churchgate, Cheshunt,
Herts EN8 9XQ

Comments should be submitted by midnight on Monday 14 February 2022

A summary of the key changes is set out on the following page.

Hackney Carriage and Private Hire Licensing Policy

Key Changes

Introduction

The following information highlights the key changes that are proposed in the new policy, but it is not comprehensive, so should not be relied upon as such in lieu of reviewing the full policy to be aware of the proposals being considered.

Key Changes

1. Drivers will be required to sign up to the Disclosure and Barring Service (DBS) update service as part of their application for a licence, or for current licensed drivers, when they are next due a DBS review. This will save drivers money compared to having to complete a new DBS application every 3 years. This enables the Council to carry out periodic checks when it is appropriate to do so rather than waiting 3 years for the renewal of a licence.
2. The introduction of safeguarding and disability training for new applicants and existing drivers will be introduced, which must be completed during a new application process or prior to renewal. Once completed, drivers are required to attend mandatory safeguarding training on a 6 yearly basis (every other 3 year licence renewal period). This is common good practice across other local authorities. Operators will also be required to undertake safeguarding training on the same basis unless they have already completed the training as a Broxbourne licensed driver. The undertaking of the training will be at the cost of new applicants, existing drivers and operators and will be in the region of £50-£75.
3. The new policy proposes the use of the NR3 national database which contains details of refused licence applications and existing drivers whose licence has been revoked. This will enable the Council to check whether new and renewal applicants have had their licence application refused or revoked elsewhere by another council(s). This will identify any applicant fraudulently completing their application form. Where the name of an applicant or existing driver is held on NR3 database the Council will need to consider if that person is fit and proper to hold a licence.
4. Basic DBS disclosures will be required for all vehicle licence applications where the applicant is not already a Broxbourne licensed driver. Private hire operators will also be required to provide an annual DBS disclosure if they are not currently a Broxbourne licensed driver.

5. Applicants for restricted private hire driver licences will now also have to pass a Driving Standards Agency Test Assessment as part of their licence application.
6. The Council's convictions policy, as set out in Appendix A to the new policy, is in alignment with the Department of Transport Statutory Taxi and Private Hire Vehicle Standards. In accordance with the Department's recommendation, drivers licensed prior to the new policy, but having one or more of the convictions set out in the policy appendix that fall within the time frames listed, may need to be referred to the Council's Licensing Applications Sub-Committee. This may arise when a driver's next DBS disclosure or DVLA licence check is required. The Sub-Committee will review the circumstances and determine if the driver can continue to hold a licence. The driver will remain licensed until the process is completed.
7. Six monthly vehicle compliances will be required once a licensed vehicle reaches 7 years of age. The cost of the additional compliance will be included in the annual licence fee for vehicles of 7 years of age or over.
8. Right to work checks will be carried out as part of the application process for a new operator's licence. Operators are also required to keep a register of all booking and dispatch staff and ensure they are provided with Basic DBS disclosures for all staff who have access to records, bookings and contacts. The operator is also required to provide to the Council their policy on employing staff with disclosed convictions in roles that would be on the register of booking and dispatch staff.
9. Licensed vehicles will be required to display a notice for passengers that details the vehicle licence number and the Council's contact details for any comments on the driver or vehicle.
