

To all; Drivers and Private Hire Operators

Southfield Road, Loughborough,
Leicestershire, LE11 2TX

Ask for: Licensing

Contact Centre: 01509 634562

Email: licensing@charnwood.gov.uk

Dear Sir/Madam,

****IMPORTANT INFORMATION – PLEASE READ****

HACKNEY CARRIAGE/PRIVATE HIRE NEWSLETTER

Coronavirus(Covid-19)- Arrangements for Licensing Service

In light of recent government advice about coronavirus, Licensing has had to make some changes to the licensing service, and some of these may affect you and your business. These changes have been made to minimise the risk and spread of the virus and to keep our staff and customers safe.

Please be assured that Licensing are working hard to deliver our services at this difficult and unprecedented time, but in some circumstances we have had no choice but to temporarily suspend the service. Our priority is to ensure that existing licence holders and businesses can continue to operate, where possible.

Please visit the Councils web site licensing pages (at the link below) for further information;
https://www.charnwood.gov.uk/pages/coronavirus_licensing

Staff Changes

Licensing would like to welcome Antony Bunker, who was appointed by the Council in September 2019, as Licensing Enforcement Officer to the Licensing Team. He replaces Christopher Lambert, who is enjoying his well earned retirement.

Welcome to the ninth edition of the Hackney & Private Hire Newsletter for Charnwood

The Charnwood Licensing Team have developed this newsletter, following a number of requests by the local taxi trade to keep them up to date with the latest legislation and Government/Council policy changes that affect you.

1. Assistance Dogs

The Licensing Section would remind Operators/Drivers that under the Equality Act 2010, licensed drivers are under a legal duty to carry guide, hearing, and other prescribed assistance dogs in their vehicles, and allow the dog to remain under the physical control of the owner, without additional charge.

It is best practice to ask the passengers where they want themselves and their dog to sit in the vehicle.

2. Catalytic Converter Thefts.

Leicestershire Police have asked Licensing ,to make you aware that 'taxis' are being targeted for catalytic converter thefts across Leicester, Leicestershire and Rutland.

The main vehicles targeted are Toyota's and Honda's, their 'CAT's' containing precious metals. The offences have taken place at car parks in supermarkets and hospitals, as well as in the street. The taxis are jacked up and electronic cutting tools used to remove the CAT's. The Police ask drivers to be vigilant and report any suspicious activity.

3. Clean Air Zone & On-Line Vehicle Checker Service.

A Clean Air Zone is an area in which a local authority has brought measures into place to improve the air quality.

To implement these schemes, local authorities may need to differentiate between taxis/PHVs and private vehicles. This is because in some cases local authorities will implement CAZs that apply charges to taxis and PHVs and not to private vehicles, or they may wish to set a different level of charge for these vehicles.

The Air Quality (Taxi and Private Hire Vehicles Database) Regulation 2019 requires all licensing authorities in England and Wales to submit certain information about their licensed taxis/PHVs to the database.

Since the introduction of The Air Quality (Taxis and Private Hire Vehicles Database) (England and Wales) Regulations 2019, the Council is required to provide vehicle data to Defra following all issues, renewals, suspensions or refusals of licences. The data shared will include vehicle registration mark, start and end date of license, whether Taxi or PHV, licence plate number, and whether the vehicle is wheelchair accessible.

An on-line vehicle checker service has recently been introduced to help taxi drivers and businesses prepare for the introduction of 'Clear Air Zones' with charges due to be introduced initially in 2020, in Birmingham and Leeds.

The 'checker' will allow drivers to find out if they will be affected by the changes which will charge the most polluting vehicles to drive in the cities. The 'checker' can be accessed via the Charnwood Borough Council web pages, following the link below-

<https://www.gov.uk/check-clean-air-zone-charge>

4. Temporary Taxi Ranks – High Street & Baxter Gate, Loughborough.

Kinch Bus Services have contacted the Council advising that their drivers are experiencing problems with Charnwood 'taxis' ranking in the bus stops on High Street and Baxter Gate, Loughborough outside the designated times that these areas can be used as taxi ranks.

This is particularly an issue at weekends, and in some cases has led to bus passengers having to disembark into the road.

Licensing would remind taxi drivers that the Skylink Service is a 24 hour service requiring access to bus stop number HB situated on High Street, 24 hours a day every day of the week.

The designated times for the temporary ranks (including bus stops) are:

High Street opposite Peri Peri Chicken – 6.00pm until 6.00am.

High Street opposite Post Office – Midnight until 5.00am.

High Street all other temporary ranks – 6.00pm until 6.00am.

Baxter Gate from Maxins Chicken to Revolution – Midnight until 5.00am.

Baxter Gate all other temporary ranks – 6.00pm until 6.00am.

5. Enforcement Checks.

Since the last Newsletter, Licensing Enforcement Officers have assisted with a Multi-Agency taxi check at East Midlands Airport, and carried out 7 rank inspections of Loughborough town centre and railway station ranks. These inspections have been carried out during both daytime and evening.

Over 75 hackney carriage and private hire vehicles and drivers were checked during these operations resulting in;

- 8 drivers/owners were dealt with by the issue of Council Penalty points for failure to wear drivers badge (2nd offence), and a defective tyre.
- 12 drivers/owners were issued with Verbal Warnings for failure to wear drivers badge (1st offence), and for vehicles in a dirty condition (both interior and exterior).

Therefore the most common offence committed by drivers is **failure to wear the driver's badge**, so please don't forget to wear them where they can be easily seen by the public, as this is a public safety issue and a requirement under the legislation.

6. General Matters.

1. Should a driver lose or break a driver badge, a written request for a replacement should be made to the Licensing Section (an e-mail is satisfactory). The Licensing team will contact the driver when the replacement badge is ready for collection, and a fee of £13.00 is applicable. Following feedback on the old licence, the Licensing section approached the supplier and a more robust smaller badge has been sourced. Broken badges are no longer replaced free of charge.
2. To assist the Licensing team with your enquiries made to the Council by telephone, via the Contact Centre, can driver's please ensure that at the time of their call they provide their driver badge number and vehicle plate and/or vehicle registration number to the Customer Advisor.
3. To assist you, the Licensing team have created a taxi driver news page (which also gives access to previous newsletters). This news page can be found via the Councils Web Site at the link ;https://www.charnwood.gov.uk/pages/taxi_driver_news

7. Gentle Reminder.

Drivers continue to turn up at the authorised garages for Compliance tests without the required documentation. This does and will result in a **refusal** by the garages to perform the test.

The following documentation is required for each test:

- (a) The renewal letter with the attached instructions (should you lose the letter a charge of £5.00 will be made for a duplicate copy).
- (b) A meter calibration certificate (if a meter is fitted), this includes PHV's.
- (c) V5 document in the applicants name or equivalent V5c and the DVLA demand scheme for fleet vehicles.
- (d) Vehicle Insurance Certificate.
- (e) Private Hire Exemption Certificate (if applicable).

8. Review of Hackney Carriage and Private Hire Licensing Policy

The Hackney Carriage and Private Hire Licensing Policy, has been in place since 2017 and brought together previous policy decisions and controls into one place. The Policy is to be reviewed three yearly, i.e. for April 2020.

All drivers were sent a consultation letter on the 15th November 2019, advising of the main changes. Two comments were received back and these were taken into account by the Licensing Committee on final approval of the policy.

A couple of changes highlighted in that letter, have as a result of consultation comments been amended. Please see the up to date information below;

- **Knowledge Test** - Due to comments received during the consultation process and to take into account the new 'Online New Driver Application' process, the knowledge test has been amended.

In order to determine fitness to hold a licence, applicants for a driver's licence are required to pass a knowledge test. The purpose of this test is to make sure that all applicants have a satisfactory knowledge of the Borough of Charnwood and surrounding areas, places of public interest and entertainment, major destinations such as hospitals, supermarkets etc. and the routes to nearby villages. Applicants will also be tested on their knowledge of the Council's licensing conditions, together with customer care basic numeracy, and the ability to read, understand and write English.

New Applicants are required to pass the knowledge test prior to completing and submitting the online new driver application form.

The Knowledge test format has been amended to replace the three papers with one paper, which includes all three areas. The test will last an hour. Each applicant will have three opportunities to pass the paper. Should the applicant not pass after three attempts, they will be required to wait at least 12 months (from the date of the most recent failure) before being permitted to re-take the knowledge test. Guidance on the Knowledge test and sample questions will be included on the Council's Licensing Web Pages once the Council returns to normal service.

The applicant will receive a personalised certificate once passed, which will remain valid for 2 years from the pass date.

- **DBS Update Service** - It is a condition upon the grant of a new licence that all drivers are required to subscribe to the DBS update service.

It is a condition of licence that all existing drivers on renewing their DBS after the introduction of this Policy in April 2020, are required to subscribe to the DBS update service.

All new and renewing Drivers **MUST** enrol on the DBS update service **within 30 days** of the date of their disclosure certificate.

Any applicant or renewing driver **MUST** provide their **original DBS certificate** at time of submitting their grant or renewal application. A verified copy will be taken and passed to licensing along with a completed consent form.

The licence may be suspended or not renewed unless the licensing section has the means of checking for criminal activity – convicted or otherwise.

- **The Enforcement, Convictions Scheme and Penalty Points** - Section 5 of the Policy has been rewritten to take into account the 2018 Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades in respect of Convictions. This will apply to all current licences from April 2020, as well as those being renewed and new applications.
- **Penalty Points** - The Council Penalty Points scheme (an internal enforcement mechanism first introduced in 2011) has been amended so that where an individual licensee reaches 12 Penalty points in a rolling **36 months** (changed from 12 months) the matter will be referred to the Licensing Committee to consider that licensee's continued fitness to hold a licence.

The aim of the scheme is to identify those licensees, who repeatedly breach conditions or byelaws and to act as a deterrent.

- **Licensing Committee members able to add penalty points** -The Penalty points Scheme has been amended to advise that council Penalty Points may be removed from the record after 36 months or following a Licensing Sub Committee hearing, where the Committee can decide to:
 - (a) quash or reduce the penalty points;
 - (b) confirm the penalty points; or
 - (c) increase the penalty points based upon the evidence.
- **NR3 – National Register of Taxi Licence Refusals and Revocations** - The Policy has been amended to reflect that the Council will provide information to the National Register of Taxi Licence Refusals and Revocations (NR3) from April 2020.

The NR3 register is a mechanism for Council's to share details of individuals who have had a hackney carriage or Private Hire Vehicle (PHV) driver's licence revoked, or an application for one refused.

This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority – that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or PHV licence

This register is available to licensing authorities only and not the public.
- **DVLA Mandate** - The DVLA mandate currently signed by an applicant or renewing driver is valid for 3 years. The Council will undertake annual DVLA checks (on the annual anniversary of the issue date of the applicants licence). Each annual check costs £5.00; therefore the current DVLA fee of £5.00 has been increased to £15.00 per licence application with effect from 1st April 2020.

- **Practical driving test** - If a new applicant is able to provide a practical driving test certificate, by the same authorised provider as that approved by the Council, which is no older than 12 months old, this will be accepted.

9. Online New Driver Process

Currently, due to the unusual circumstances caused by Covid-19, the licensing office is closed and no new driver applications are being accepted or knowledge tests booked. Once normal service resumes the New Driver Process will be online and the Licensing Web Pages will be amended to reflect this.

The new licensing policy is no longer going to be printed out and handed to new applicants, nor will it be sent out with renewal driver applications. Licensing would recommend that you familiarise your selves with the new policy which can be found on the licensing pages (under Business) on the Councils Web site; <https://www.charnwood.gov.uk/pages/taxi>