

## Appendix 2 – Recommendations for final policy changes

a) That the Licensing Committee recommends to Council the following amendments to the “Taxi Licensing Suitability Policy” for adoption with a commencement date of the 1st June 2021:

- i. paragraph 2.4 of the “Taxi Licensing Suitability Policy” to be amended to read:

*Existing holders or those with open applications are required to notify the Council in writing within 48 hours (email is acceptable) of the following matters:*

- *driving licence endorsement;*
- *fixed penalty notice, police caution, criminal conviction or other criminal proceedings (including acquittal as part of a criminal case);*
- *arrest and release, charge or conviction for any matter.*

*Failing to notify the Council within this time period will raise serious questions for the Council as to the honesty of the individual and will be taken into account in relation to the fitness and propriety of that person.*

- ii. that the table at 4.3 in section 4 (Driving & traffic offences) of the “Taxi Licensing Suitability Policy” be amended to include the following:
  - *that a person who is convicted of drink driving or driving under the influence of drugs will not be granted a licence until at least 7 years have elapsed since completion of any sentence or period of disqualification, whichever is the later. Existing licence holder convicted of drink driving or driving under the influence of drugs to be revoked.*
  - *a person who is convicted for using a hand-held mobile telephone or a hand-held device whilst driving will not be*

*granted a licence until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.*

**b)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that that all existing holders of taxi driver licences that are not registered with the Disclosure and Barring Service (DBS) Update Service are required to apply for an Enhanced DBS and sign up to the DBS Update Service before a criminal record check is next due (regardless of whether that check would normally be a basic DBS check).

**c)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that taxi driver application requirements be amended so that:

- upon first application an applicant must pass the Council approved test of their proficiency in spoken and written English before a licence can be granted. Such test to be at the applicants own expense; and
- that existing licensed drivers are required to pass the Council approved test of their proficiency in spoken and written English before their next renewal is granted. Such test to be at the applicants own expense.

Applicants for renewal can be exempt from this requirement if they can demonstrate (by producing the original certificate and/or examination transcript) that they have previously passed a relevant English language qualification at a suitable level, which was assessed by a recognised and accredited qualification awarding body. Acceptable qualifications are:

- i. GCSE or GCE in English (grade C or above);
- ii. TOEFL – Test of English as a Foreign Language at CEFR level B2 or higher ;
- iii. IELTS – International English Language Test System at CEFR level B2 or higher;
- iv. ESOL – English for Speakers in other languages at CEFR level B2 or higher.

Such test to be at the applicants own expense.

**d)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that the application requirements for holding a vehicle licence be amended so that:

- where an applicant for a vehicle proprietors licence is not already either an East Herts licensed driver or operator they must provide a basic DBS upon application and then annually thereafter.

**e)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that with regard to DBS checks on private hire operators:

- Individual applicants are required to supply a Basic DBS check when making an application (either new or renewal) and then annually throughout the life of the licence; and
- Where the applicant is a company, partnership or other legal entity, all the Directors, partners, etc. are each required to supply a Basic DBS when making an application (either new or renewal) and then annually throughout the life of the licence.

f) That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that the Private Hire Operators licence conditions include the following requirements:

- a register of all staff that will take bookings or dispatch vehicles to be kept either electronically or in hardcopy.
- ensure that annual Basic DBS checks are carried out on every one included in their register of staff. The certificate numbers of the checks to be recorded in the register of staff so that it is clear which individuals have been checked and when.
- the results of the DBS checks must be viewed by the holder of the operator's licence and the time and date that the certificate was viewed must be recorded in the register of staff.
- in the absence of an operator having their own stricter policy in relation to employing ex-offenders East Herts standards which apply to Operators (as detailed in the "Taxi Licensing Suitability Policy") must be applied by the operator to all staff in their register and any other individuals that have contact with the public.
- where booking and dispatch is outsourced operators are required to evidence that the outsourced staff have been vetted to at least the same level as if they worked directly for the operator.
- operators are required to record the following information as a minimum for every booking:
  - i. the name of the passenger (where this is not available then the details of the hirer should be recorded whether this is an individual, company or other legal entity);

- ii. the time of the request;
  - iii. the pick-up point;
  - iv. the destination;
  - v. the name of the driver;
  - vi. the driver's licence number;
  - vii. the vehicle registration number of the vehicle;
  - viii. the name of any individual that responded to the booking request;
  - ix. the name of any individual that dispatched the vehicle.
- where an operator dispatches a public service vehicle (PSV) to undertake a private hire booking they must not do so without the informed consent of the booker/hirer. Such consent must be recorded in addition to the other recording requirements for private hire bookings.