

Committee: Licensing & Environmental Health

Date:

Title: Revision to the Hackney Carriage & Private Hire Licensing Policy

10 August 2023

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Summary

1. This report outlines the necessary revisions made to the Hackney Carriage & Private Hire Licensing Policy to include the new Restricted Home to School Private Hire Driver's licence.

Recommendations

2. It is recommended that Members note the contents of this report.

Financial Implications

3. There are no financial implications arising from this report.

Background Papers

4. A – Existing Hackney Carriage & Private Hire Licensing Policy V5
B – Revised Hackney Carriage & Private Hire Licensing Policy V6

Impact

5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. At the Licensing & Environmental Health Committee of the 11 July 2023, Members approved the adoption of the new type of Private Hire Driver's Licence, referred to as the Restricted Home to School Private Hire Driver's Licence.
7. As a result, the Council's Hackney Carriage & Private Hire Licensing Policy has been revised for the necessary inclusion of the licence. The existing Policy is attached to this report as **Background Paper A**, and the revised Policy is attached as **Background Paper B**. For the assistance of the Committee, the specific amendments are outlined in this report.
8. On page 4 of the revised Policy – V6 – the below text has been included to refer to the new licence;

1. *Licensing of Drivers*

- 1.1 *In accordance with the relevant Acts, the Council must be satisfied that an applicant is considered to be a 'fit and proper' person to hold a Private Hire or Hackney Carriage Driver's licence in order to have one granted. Once granted, this extends to the duration of the licence and where the Council has information to suggest the holder is no longer 'fit and proper' the licence will be suspended or revoked accordingly.*

- 1.2 *Uttlesford District Council issue three types of driver licences:*

- *A Private Hire Driver's Licence*
 - o *This means the driver can only drive Private Hire Vehicles*
- *A Combined Hackney Carriage & Private Hire Driver's Licence*
 - o *This allows drivers to drive both Private Hire and Hackney Carriage vehicles.*
- *Restricted Home to School Private Hire Driver's Licence*
 - o *This means the driver can only drive Private Hire Vehicles that are being used under a Home to School contract issued by a Local Education Authority or Academy Trust.*

9. On page 29/Appendix D of the revised Policy – V6 - new Conditions applying to holders of the Restricted Home to School Private Hire Driver's Licence have been included;

Restricted Home to School Private Hire Driver's Licence Conditions

Drivers will:

1. *Be polite*
2. *Wear smart clothing. The following are deemed to be unacceptable:*
 - a. *Bare chests;*
 - b. *Clothing or footwear which is unclean or damaged;*
 - c. *Clothing printed with words, logos or graphics which might offend;*
 - d. *Sports shirts e.g. football, rugby or cricket t-shirts or track suits;*
 - e. *Footwear that prevents the safe operation of the licensed vehicle;*
3. *Not to eat or drink in the vehicle during the course of a hiring.*
4. *Not play any radio, tape recorder, CD/DVD player or similar device, during the course of hiring, without the contractee's permission.*
5. *Not use equipment of the type referred to in paragraph 4 above so as to cause a nuisance either to passengers in the vehicle or to others.*
6. *Take all reasonable steps to ensure the safety of passengers.*
7. *Ensure that any child passengers are secured in the vehicle using an appropriate and approved restraint/seat or wheelchair harness/strap (if applicable) before commencing each journey.*
8. *Not carry more than the number of passengers specified in the licence for the vehicle.*
9. *Search the vehicle at the end of each journey for lost property.*
10. *Take reasonable steps to return lost property promptly to its owner and if this cannot be done to report the matter to the police as soon as reasonably practicable and in any event within 24 hours.*
11. *Report any issues or concerns experienced with a child passenger during a journey relating to behaviour or conversations etc. to an appropriate school staff member upon arrival.*
12. *Not carry out any private hire or hire and reward work other than that in connection with a home to school contract issued by a Local Education Authority or Academy Trust.*

13. *Display both internal driver identification cards within the vehicle at all times in a clear and conspicuous position.*
14. *Notify UDC in writing of:*
15. *Any change of address within 7 days of the change of address occurring.*
16. *Any change in the driver's physical or mental condition which may affect his or her ability to drive within 48 hours of the driver becoming aware of such change.*
17. *Any convictions, cautions or fixed penalty notices (save for in respect of civil parking fixed penalty notices which cannot result in the endorsement of points upon the drivers licence) within 7 days of the date of conviction, caution or the issue of a fixed penalty notice.*
18. *Any investigations being carried out into the activities of the driver by the police or a regulatory authority of which the driver is aware within 7 days of the driver becoming aware of the investigation.*
19. *Any damage caused to a licensed vehicle or any accident the driver may have been involved in whilst in charge of a licensed vehicle within 72 hours of the damage or accident occurring.*
20. *The driver shall not at any time smoke tobacco or any other like substance or use electronic cigarettes or similar in a licensed vehicle.*

DRIVERS WHO FAIL TO COMPLY WITH THESE CONDITIONS MAY HAVE THEIR LICENCE SUSPENDED OR REVOKED

10. On page 87/Appendix N of the revised Policy – V6 – the below text has been included to refer to the new licence;

Restricted Home to School Private Hire Driver's Licence

From the 1 September 2023, the Council will issue licences for restricted Private Hire use on Home to School transportation through contracts issued by a Local Education Authority or Academy Trust. Holders of this licence will only be permitted to use the licence for this purpose and not for any other private hire or hire and reward work.

The licensing process will be the same as for any other type of driver licence offered by the Council, however, the driver training course required to be undertaken as part of the application will be one which is tailored to the specific type of work that the driver will be carrying out, in substitute of the broader content covered within the course for other driver licence types.

No licence will be granted to an applicant until evidence is provided confirming an approved contract with a Local Education Authority or Academy Trust is in place. The Private Hire Operator of the driver may produce this on their behalf.

Holders of the licence will be subject to the licence conditions shown at Appendix E. The driver must display both of their driver identification cards within the Private Hire Vehicle at all times, which will be identifiable by a blue coloured background with the words "Home To School" stated.

Any holder of this licence found to be carrying out any other form of private hire or hire and reward work shall expect enforcement action to be taken against the licence, with revocation the likely outcome.

11. The revised Policy – V6 – was agreed to by the Licensing & Compliance Manager and Chair of the Licensing & Environmental Health Committee, under the delegated authority passed at the Committee meeting of the 11 July 2023. The report is therefore for information purposes only and for Members to note.