

Comparison between Stroud District Council's current Taxi and Private Hire Policy and the Proposed Gloucestershire Common Standards

	Topic	Stroud District Council's Current Policy	Proposal in Draft Gloucestershire Common Standards	Impact on licence holders
1	Joint Enforcement	Stroud District Council officers can only enforce breaches by licence holders licensed by Stroud District Council	Joint authorisation of enforcement officers of all the licensing authorities that have adopted the Gloucestershire common standards	Stroud District Council officers will be able to enforce breaches by any Gloucestershire licensed taxi or private hire driver coming into Stroud District
2	DBS - Update Service	Recommendation for driver licence holders to subscribe to DBS Update Service but not compulsory	Requirement for driver licence holders to subscribe to the DBS Update Service. All existing licensees will need to sign up to the Update Service by 31 December 2023.	<p>Drivers benefit from subscribing to the update service. After paying the initial fee of £54.40 for an enhanced DBS check they only need to pay a £13 annual update subscription fee to the DBS thereafter unless their conviction record changes.</p> <p>Officers will be able to regularly check if there has been any change to driver criminal records using the update service on-line facility on the DBS website</p>
3	Frequency of DBS Enhanced Criminal Checks	On new application and then every three years on renewal	Every six months. The six-month checking will initially apply to those already subscribed to the DBS Update Service and the remaining licence holders will be brought into scope by Dec 2023.	<p>Provided drivers subscribe to the update service this should not have financial impact. However, drivers that have not signed up to the update service by December 2023, will need to then pay for 6 monthly initial DBS fees of £54.40</p> <p>Additional Officer time will be needed to undertake more frequent checks</p>
4	Time period for licence holders to notify the Council of arrest, charges and offences	7 working days for convictions, cautions, fixed penalties or court case pending. 3 working days if arrested.	48 hours for arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	No significant impact on licence holders

5	How to complain Signage in vehicles	Council contact details for complaint displayed on the rear of the internal vehicle disc displayed in front windscreen	Signage to be displayed in vehicles giving guidance for passengers and how to complain and displayed where it can easily be read. Failure to display could lead to suspension and a possible review of their licence.	Licence holders will need to display an additional sign in the vehicle. There will be a cost for the sign and a holder. Likely cost is £3 to £4. The sign will only need to be replaced if the vehicle is changed
6	Immediate suspension and revocation of licences	Where there are concerns, that cannot wait for a licensing hearing panel, Officers can immediately suspend a licence but cannot immediately revoke a licence.	Where there are concerns, that cannot wait for a licensing hearing panel, Officers will be able to decide if immediate action is necessary including to suspend or revoke the licence.	This gives more reflexibility for officers to take immediate action if there is a possible public risk
7	Mandatory Training	In 2017 all existing driver licence holders were required to take safeguarding training. All new applicants must take the training within 12 months of being licensed.	New applicants for driver licences must undertake mandatory safeguarding and equality awareness training prior to the issue of their licence. Existing licensees will be required to undertake refresher training every three years. It is recommended that the safeguarding refresher training will be within 3 years of the policy being approved due to current economic climate	This places additional criteria and cost for new applicants before a licence will be granted. This is an additional cost and time commitment for existing licence holders Likely cost of the training will be between £50 and £70
8	Language proficiency	If an applicant's first language is not English they must have an adequate spoken and written standard and may be required to pass an English proficiency test	All new applicants must take an English Proficiency test unless they can provide an appropriate educational certificate for a qualification related to English. Discretion to refer an existing licence holder for an assessment on a case to case basis.	This places an additional criteria and cost for all new driver applicants if they do not have an appropriate educational certificate. Likely cost of an English Proficiency Test is £60 - £70

9	Criminality checks for vehicle proprietors	No requirements for licensed vehicle proprietors to provide a criminal certificate	Licensed vehicle proprietors must provide an annual basic disclosure certificate from the DBS unless they are also a licensed driver.	Small impact as all vehicle proprietors currently licensed by Stroud District Council also hold a driver licence
10	Criminality checks for private hire vehicle operators	Licensed private hire operators must provide a basic disclosure check from the DBS every 5 years on renewal unless they are also a licensed driver	Licensed private hire operators must provide an annual basic disclosure check from the DBS unless they are also a licensed driver	Small impact as nearly all licensed operators licensed by Stroud District Council also hold a driver licence. The cost of a basic DBS disclosure is £23
11	Private Hire Operator Booking and dispatch staff	No requirement for operators to make criminality checks on booking and dispatch staff	Private hire operators must have written policies and procedures in place to ensure criminality checks are undertaken on all booking and dispatch staff at appropriate intervals and to set out its approach on employing staff that are ex-offenders. Where a booking is outsourced the operator must ensure the third-party have adequate arrangements in place as outlined above.	Some impact on operators who must develop policies and procedures. Basic DBS disclosure cost £23
12	Convictions Policy	A current criminal convictions policy	An enhanced convictions policy that adds further conviction categories and extends some of the time scales applicants are expected to be clear of offences. It reflect the statutory standards - see separate conviction policy comparison table below	Existing licence holders may have convictions that fall in the timescales within the proposed policy. It is not reasonable that those licences should be automatically be revoked. All existing licences will be considered in line with the new policy and where there is concern, they will be reviewed by a Licensing Hearing Panel

Comparison Table for Convictions Policy

Suitability of new applicants is considered in relation to the period of time that has elapsed since the conviction or sentence. Offences are grouped in categories. This table shows a summary of the current and proposed policy

Offence Category	Stroud District Council's current Conviction Policy	Draft Common Gloucestershire standards based on Statutory standards
Exploitation	Not included	Never
Violence	Offences categorised to either 10 years or 5 years	All offences 10 years
Possession of Weapon	5 years	7 years
Sexual Offences	Offences categorised to either never or 10 years	Never
Dishonesty	5 years	7 years
Drugs	Supply 10 years Possession 5 years	No change
Discrimination	Not specifically included	7 years
Motoring convictions New Applicants	One major - 1 year More than one major - 5 years More than one minor – 6 months	One or more major – 10 years More than one minor - 3 years
Motoring convictions - current licence holders	Up to 9 current points – written warning More than 9 points referred to a subcommittee for revocation	Two minor or one major up to 6 points - licence holder to complete driving assessment More than 6 points referred to a Licensing Hearing Panel for revocation
Drink driving or under influence of drugs	If no driving ban, 2 years since conviction. If a driving ban, 5 years from completion of ban	7 years since conviction or completion of any sentence or driving ban
Use of handheld device whilst driving	Not specifically included – we be treated as general motoring conviction.	5 years since conviction or completion of any sentence or driving ban
Hackney carriage or private hire offence	2 years or 5 years if more than one conviction	7 years