

Review of Stroud District Council Taxi and Private Hire Policy and Conditions 2016
Summary of Proposed Changes for Consultation Aug – Oct 2016

	Topic	Current	Proposal	Explanation
1	Medical	Provide a satisfactory Group 2 medical certificate completed by a medical practitioner	Provide a satisfactory Group 2 medical certificate completed by your own General Practitioner or a medical practitioner that has access to your medical records.	<p>The medical test includes questions that rely on knowledge of medical history such as epilepsy, diabetes or psychiatric illness. A medical practitioner that does not have access to medical records has to rely on the applicant providing them the information.</p> <p>The cost of a medical by a GP is likely to cost over £100 whereas medicals offered by private companies are likely to be approximately £60. However, such companies are unlikely to access medical records.</p>
2	Driver Assessment	Gloucestershire County Council Driver Assessment to be taken by all new applicants	DVSA (Driver and Vehicle Standards Agency) Standard Driving Test to be taken by all new applicants. For all new drivers that wish to drive a wheel chair accessible vehicle this should be an enhanced test that includes the wheelchair exercise. Existing drivers that start to drive a wheelchair accessible vehicle will be expected to complete the enhanced test within 4 months	<p>Many of the Gloucestershire Authorities have adopted the DVSA test. It is considered to be a better assessment of competence of a driver compared to the one offered by Gloucestershire County Council.</p> <p>The cost of the Gloucestershire County Council Test is £30 and the waiting time is approximately 3 weeks. The assessor will come to the applicant's home address. The cost of the DVSA test is £79.88 Standard and £92.94 Enhanced. The test is taken at a Test Centre, the nearest are Gloucester and Bristol. The waiting time is 3 months. This delay will have impact on timescales for new drivers</p>
3	Knowledge Test	The knowledge test consists of two parts. A multiple choice examination and a practical driven examination during which the applicant takes a Licensing Officer to four destinations within the district using the shortest routes	Remove driving assessment part of knowledge test. Test to be multiple choice only but to be enhanced to include sections on shortest routes to destinations within the district and some questions on basic maths and understanding of instructions	<p>The knowledge test assesses a new applicant's knowledge of the district and understanding of taxi legislation and conditions. It must be successfully completed by all new taxi drivers. There is no requirement in the policy for private hire drivers to take the knowledge test.</p> <p>Very few other authorities have a driven knowledge and most use a comprehensive multiple choice test as this is considered a more effective and efficient way of assessing an applicant's knowledge</p>

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4	Vehicle Age Policy	No vehicle age policy. It is at discretion of Officers when inspecting the vehicle for new applications to determine initial suitability. The authorised garages will check continuing suitability when undertaking annual inspections (6 monthly for vehicles over 5 years old)	<p>A new application for a taxi licence or to change a vehicle will be refused if a vehicle is more than 5 years old from date of first registration.</p> <p>An application to renew a vehicle will be refused if the vehicle is more than 10 years old from date of first registration.</p> <p>There is an exemption to the above age policy for wheelchair accessible vehicles.</p> <p>Licensing Officers have the discretion to licence a vehicle that does not meet the above age policy in the case of elite vehicles such as BMW, Mercedes, Rolls Royce or similar provided the vehicle is in excellent condition.</p> <p>Existing licence holders that have a vehicle over 10 years old at the time this policy is adopted will have a 2 year period to replace it with a vehicle that meets the age policy. After the 2 year period any renewal application for a vehicle that does not meet the age policy will be refused</p>	<p>The benefit of introducing an age policy is to ensure that older vehicles are replaced with more up to date models with improved safety features, better reliability and appearance, and lower emissions.</p> <p>Licensing Officers are finding that an increasing number of new applicants are licensing older vehicles which although appear satisfactory when first licensed, are likely to deteriorate or develop mechanical problems more quickly than a newer vehicle.</p> <p>Many of the taxi trade have made comment that some drivers are licensing older vehicles that they are buying for a low price and then undercut drivers who invest in better quality vehicles.</p> <p>In August 2016 the current number of licensed taxis and private hire vehicles for Stroud District is 209. Of those 51 are over 10 years old (25%).</p> <p>Over the 12 month period of August 2015 to August 2016, 68 vehicles were licensed as either a new licence or changing a vehicle on an existing plate. Of those 28 were over 5 years old (40%) and 10 were over 10 years old (15%).</p>

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5	CCTV	Current policy states CCTV must be approved by a Licensing Officer and operated in accordance with data protection legislation	Any vehicle with CCTV must display a sign advising passengers that a CCTV system is in operation in the vehicle. Any CCTV system must not record audio conversation of passengers	This is in accordance with guidance from the Information Commissioner
6	Safe-guarding	No provision in current policy	<p>The Council expects that, once safeguarding training is set up :</p> <p>New applicants will complete the Safeguarding Training within 12 months of being issued a licence.</p> <p>Existing licence holders will complete the Safeguarding Training within 12 months</p> <p>Failure to undertake the training within the timescales, except in exceptional circumstances at the discretion of the Licensing Officers, will lead to suspension of the licence until such a time as the training is completed</p>	<p>There are well-publicised issues relating to child sexual exploitation and human trafficking that have occurred throughout the country. These are abhorrent crimes and the licensed taxi and private hire trade have a role to play in tackling this issue by acting as the eyes and ears of the community to help identify and help those who are vulnerable or being exploited.</p> <p>Stroud District Council is working with the other Gloucestershire Licensing Authorities and the Gloucestershire Safeguarding board to set up training for all taxi and private hire drivers. Initially such training will be provided free of charge. However at a later time a fee may be introduced which must be paid by the new applicant or licence holder</p>
7	Tinted windows	No current provision in policy	Vehicles will not be accepted that have tinted film on the windows.	There is a concern that heavily tinted windows could put vulnerable adults or children at risk. In addition it could restrict the vision of the driver.
8	Criminal Convictions	Stroud District Council's criminal convictions policy gives guidance on suitability of new applicants and continuing suitability of existing drivers In particular the	<p>Various amendments and additions to the times expected for new applicants to be free of certain offences.</p> <p>Matters not dealt with by Licensing Officers will be referred to a</p>	Following the abuse scandal and Independent enquiry into taxi licensing at Rotherham Council they have had a major review of their criminal conviction policy and their revised policy is now considered nationally as good practice. The amendments to Stroud's policy are based on Rotherham's revised policy

		guidance lays out the type of convictions that raise concern and the period of time the Council would expect new applicants to be free of such convictions	Licensing Panel which is made up of 3 members of Committee Council may take account of other records and information in addition to conviction records when determining applications or continuing fitness of an existing driver. This may include information disclosed by the Police or Safeguarding services	
9	Enforcement and Complaints policy	No current guidance	Policy giving guidance on process and possible actions by the council in the event of complaint against a licence holder or breaches by a licence holder of conditions, policy or legislation. It gives provision for existing licences to be reviewed by a panel of the licensing committee in the event of conviction, points on a driving licence or breaches of policy, legislation, conditions	The provision of clear guidance and processes to deal with licence holders, in relation to complaints by the public or breaches of conditions or legislation will enable a more effective, efficient and consistent approach to enforcement
10	Intended use policy	No current policy	Policy that requires taxi licence holders to give a commitment that they will operate mainly within Stroud District rather than mainly operating within another authority's area.	In some areas of the country there have been cases where taxis are only trading outside of the district that issued the licence. This is not illegal; however it is exploited by applicants who apply to a council considered to be less restrictive, eg vehicle age or colour, or has lower fees This causes cross border enforcement issues. In light of the court case of Newcastle City Council v Berwick-upon-Tweed Borough Council 2008 many authorities have introduced an Intended Use policy to ensure that only businesses that intend to trade within the district are licensed