

# Table of amendments made to the Hackney Carriage & Private Hire Licensing Policy

Original	Original text	New Ref	New Text	Reason
Page 4	Contents Page			Page numbers amended to reflect new page numbers.
1.4	Implementation		Implementation / Maintenance The Policy was introduced in 2010 with a planned 12 month review. This has now taken place following further consultation with the trade and has resulted in some change to existing policy.	Add word "Maintenance" and reword para to reflect recent consultation and review proposals.
1.4.1	...It will also be informally re-evaluated from time to time in the context of social and economic		...It will also be informally re-evaluated from time to time in the context of legislative, social and economic	Add word "legislative" for clarification
1.4.2	..., their case will be looked at and a period of grace to comply with the Policy requirements may be given.		...their case will be looked at and a period of grace to comply with the Policy requirements will be given.	Replace word "may" for "will".
2.6.11	...providing the vehicle meets the relevant New Application Vehicle criteria...		If a vehicle is taken off road for repair, there is an option to temporarily transfer the licence to another vehicle providing the replacement vehicle meets the relevant New Application Vehicle criteria. An administration fee applies.	Add word "replacement" to sentence for clarification
2.7.2	All hackney carriage vehicles, except those with built-in roof signs should carry illuminated roof-mounted signs indicating that they are a hackney carriage (the use of the word "Taxi" is acceptable to fulfil this requirement).	2.7.2	Signage may also incorporate an internal "for hire/hired" illuminated sign that is visible from the nearside of the pavement.	Add to the end of para for clarification
2.7.3	External signs shall be so arranged that it is only illuminated when the vehicle is for hire but that when the machinery of the taximeter is in action the illumination of all signs shall be extinguished.	2.7.3	Internal signs should switch from "for hire" to "hired" upon being hired.	Add to end of para for clarification
2.7.5	In the absence of a letter of exemption in the vehicle a plate must be displayed externally on the rear of the vehicle.		In the absence of a letter of exemption in the vehicle a plate must be permanently affixed and displayed externally on the rear of the vehicle.	Add word "permanently" to sentence for clarification.

2.8.2	Under sub heading <i>Advertising subject to prior written approval from the Licensing Authority:</i> set of bullet points i - iii			No text amended.  Renumbered - vi to vii and move point 3 to point vi and point ii to point vii  For report structure and clarification
2.13	...operating under its provisions such as those vehicles used by companies for school will require...		...operating under its provisions such as those vehicles used by companies for school contracts, will require...	Add word "contracts" to sentence for clarification
2.14.1 & 2.14.2	Obsolete	2.14	In August 2011 new DfT guidance was released that provides clarity in this area. The DfT considers that most informal courtesy lifts offered by, for example, rental car companies or garages would not fall into the PHV licensing regime.	Deleted para totally and replaced with new DfT guidance below:  New guidance published August 2011
2.15	Obsolete information	2.15.1	The recent DfT guidance also refers to Ambulances and other patient transport providing clarity on the licensing requirement for this type of service. The DfT considers that "genuine ambulances" do not fall within the PHV licensing regime. They also consider that "genuine ambulances" fall into two categories <ul style="list-style-type: none"> <li>• Emergency/specialist ambulance vehicles which are likely to accommodate a stretcher and specialist equipment and to require the presence of health care professionals,</li> <li>• Vehicles which operate as part of a formal Patient Transport Service via contract from a health care provider after assessment has determined the patient needs medical transport and where the vehicle may only be used for this type of contract.</li> </ul>	Deleted totally and replaced with new DfT guidance below:  New guidance published August 2011
2.15.2	Obsolete information	2.15.2	There is a category of vehicle/service which the Operator might describe as an ambulance service which the DfT does not recognise as a genuine ambulance. These vehicles transport patients on an ad-hoc basis but do not fall within the two categories above. If they do not meet the Vehicle Excise & Registration Act 1994; or operate under the auspices of a formal Patient Transport Service, then it is likely that the service will come under the PHV licensing regime.	Deleted totally and replaced with new DfT guidance below:  New guidance published August 2011

3.2.7	Licenses issued to drivers age 70 and over will still be able to benefit from the lower cost of a 3 year licence but the badge will be restricted to one year		Licenses issued to drivers age 70 and over will still be able to benefit from the lower cost of a 3 year licence but the badge will be restricted to one year until a new medical certificate has been produced.	Add "until a new medical certificate has been produced" at end of para for clarification
3.4.4	... Where there is any doubt as to the medical fitness of either an applicant or an existing driver, the Licensing Authority may require a further medical examination....		....Where there is any doubt as to the medical fitness of an existing driver the Licensing Authority may require a further medical examination...	Remove words "either an applicant" for clarification
3.5.1	...The DfT considers that such checks should be at the level of Enhanced Disclosure through the Criminal Records Bureau, as these disclosures include details of spent convictions and police cautions.		However recent guidance from the CRB agency indicates this is only permissible with those drivers who undertake regulated activity e.g. contracted school runs. This is currently in a consultation phase which could see the requirement for the enhanced CRB re-instated. In the interim standard CRB's are undertaken unless the driver requests an enhanced CRB...	Add to end of para: To reflect changes in CRB guidance
3.5.4			An enhanced/standard CRB Disclosure must be obtained and submitted by a licensed driver to the Licensing Authority at least every 3 years.	Add word "/standard" To reflect change in DfT guidance
3.7.3	...make an appointment to renew the licence at least one week prior to the licence expiry		...make an appointment to renew the licence at least 7 working days prior to the licence expiry	Replace one week with 7 working days for clarification
4.1 - 4.1.6	n/a	4.2 – 4.2.6	Only numbers changed	Move last para to first para and vice versa Report Structure
4.2	n/a	4.1	Only numbers changed	Move last para to first para and vice versa Report Structure
4.1 & 4.2		4.1	Private hire operators, that are not licensed drivers, can only be required to undertake a Basic CRB disclosure. A Basic Disclosure from the CRB of less than 3 months old must be provided with the licensing application., or a certificate of good conduct from the relevant embassy for overseas applicants, is considered appropriate in promoting the objective of public safety	Combine & reword both para's to reflect new guidance New CRB Guidance
4.3		4.2	No amendment to text	Report structure
	n/a	4.5.4	Operators are required to submit monthly returns to the Licensing Authority of all drivers in their employ over the previous month., within the date specified on the return form.	Add para. for clarification

6.2.5	Note: The Officer Review Board will consist of three authorised officers.		... the right of appeal within 21 days to an Officer Review Board Note: The Officer Review Board will consist of three appointed officers.	Replace "authorised" with "appointed" and Add "within 21 days" to 2nd bullet point for clarification
7	Offences/Breach of Conditions	7	Breach of condition is derived from breach to this policy and/or special conditions as imposed on the licence when granted.	Add "Breach of conditions" to header Add sentence at end of para. For Clarification

#### Appendix A: Vehicle Age & Other Criteria

	Layout changed too much to note here.		Appendix A Attached separately.	New policy requirements and layout changed. Policy changed criteria
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#### Appendix B & C: Hackney Carriage & Private Hire Vehicle Conditions

1.j	Carry within the vehicle a serviceable spare wheel.	1.j	Carry within the vehicle a serviceable spare wheel or manufacturer alternative	Add "or manufacturer alternative" Policy changed criteria
5.	The plate issued by the Licensing Authority corresponding to the number of this licence shall be affixed on a flat vertical surface centrally or on the "offside" at the rear of the vehicle at a height not exceeding 150mm above or below the bumper bar.	5	The plate issued by the Licensing Authority corresponding to the number of this licence shall be permanently affixed on a flat vertical surface centrally or on the "offside" at the rear of the vehicle at a height not exceeding 150mm above or below the bumper bar.	Add word "permanently" Policy changed criteria
new	Not in previous policy	21	To install CCTV or move equipment from original site in the vehicle, prior approval must be sought from the Licensing Authority to ensure that good custom and practice is adhered to.	Add new para. In policy document but not included in conditions before.
17	All hackney carriage vehicles except those with built-in roof signs should carry an illuminated roof-mounted signs indicating that they are a hackney carriage (the use of the word "Taxi" is acceptable to fulfil this requirement).	20	The sign shall be so arranged that is illuminated during the hours of darkness when the vehicle is available for hire but that when the machinery of the taximeter is in action the illumination of the sign shall be extinguished. Similarly vehicles that have an internal illuminated "for hire" sign must be connected in such a way that it is extinguished automatically when the vehicle is hired	Add para For clarification
			Due to addition of a new para's and matching condition numbers where possible for ease of reference when undertaking enforcement action.	Renumbered majority of para's Report structure

HC1 -17 & PH1-13		HC1-17 & PH1-17		Renumbered To mirror PH Appendix for points that are generic to both HC & PH suitability.
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Appendix D: Stretch Limousine Additional Criteria & Conditions

SL1-7		SL1-20		Appendix reformatted To mirror criteria and conditions as set out in Appendix A B & C. where previously only conditions were included in Appendix D
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Appendix F: Hackney Carriage & Private Hire Application Procedures

Opening para	<i>...For renewals a minimum of 7days prior to expiry is required to ensure a licence renewal can be made on time.</i>	Opening para	<i>For renewals a minimum of 7 working days prior to expiry is required to ensure a licence renewal can be made on time.</i>	Add word "working" to number of days For Clarification
1.1.1	<i>Documentation to be produced</i> ...M1 Certificate or M1 Low Volume certificate (Hackney only)		...M1 Certificate or M1 Low Volume certificate (Hackney & PH WAV's only)	Add words " & PH WAV's Policy change
1.2.1	If during the term ... Together with the original licence for endorsement with the new vehicle details.	1.2.1	If, during the term of the vehicle licence, it becomes necessary to temporarily replace the existing vehicle with another, all of the supporting documents as detailed above must be submitted.	Delete last part of last sentence. Procedure change
1.3.1	Documentation as described (see Para 1) must be provided together with the original licence for endorsement with the new details.	1.3.1	...Documentation as described (see Para 1) must be provided and a vehicle transfer form completed by the seller.	Delete words "together with the original licence for endorsement with the new details" Add new words "and a vehicle transfer form completed by the seller." Policy change
2.2.1	...An Enhanced Criminal Records Bureau Check. All overseas applicants who have resided in this country for less than three years must obtain a Certificate of Good Conduct from their relevant embassy or consulate, at the applicant's expense, authenticated, translated and sealed by the embassy or consulate prior to being licensed.		...A Standard Criminal Records Bureau Check. All overseas applicants who have resided in this country for less than three years must obtain a Certificate of Good Conduct from their relevant embassy or consulate, at the applicant's expense, authenticated, translated and sealed by the embassy or consulate prior to being licensed.	Replace "Enhanced" with "Standard" Change to reflect guidance from CRB Agency

Appendix I: Driver Knowledge Tests				
2.3	Pass mark is 80% for private hire...		Pass mark is 90% for private hire...	Amend 80% to 90%. Policy change
2.6	The Hackney Carriage Test is divided into two sections of the Borough (East & West). Each part can only be taken individually.	2.4.2	Once the first section has received a pass mark the remaining part will consist of route questions only.	Add to end of the last sentence Policy change & report structure for numbering.
Appendix J: Private Hire Driver Conditions				
1-19	No change to text	1-19		Resort and renumber in priority order
Appendix M: Hackney Carriage Driver Conditions				
3-19		3-19		Resort and renumber in priority order
n/a		1-2	The driver of a hackney carriage shall occupy the first position on a stand and remain with the vehicle ready to be hired.  Every driver of a hackney carriage hired to drive to a particular destination, subject to any directions given by the hirer, shall proceed to that destination using the shortest route available.	Add new para's Clarification
Appendix N: Private Hire Operators Licence Conditions				
1-15	No change to text	1-15		Resort and renumber in priority order Clarification
Appendix O: Taxi Licensing & Enforcement Policy				
1.2	<ul style="list-style-type: none"> <li>• take no action;</li> <li>• take informal action; or</li> <li>• use statutory notices, (stop notices etc.);</li> <li>• suspend a licence;</li> <li>• revoke a licence;</li> <li>• use simple cautions;</li> <li>• prosecute</li> <li>• a combination of any of the above</li> </ul>	1.2	<p>“Use DBC penalty point system”</p> <ul style="list-style-type: none"> <li>• take no action;</li> <li>• take informal action; or</li> <li>• use DBC penalty point system</li> <li>• use statutory notices, (stop notices etc.);</li> <li>• suspend a licence;</li> <li>• revoke a licence;</li> <li>• use simple cautions;</li> <li>• prosecute</li> <li>• a combination of any of the above</li> </ul>	Add (3rd) bullet point with text To add Penalty Point system to enforcement action

Appendix K: Penalty Points Scheme				
List No 6	12	List No 6	12 or prosecute	Add word "prosecute" in point's column. For Clarification
List no 7	Failure of a proprietor to retain in his/her possession copies of any hackney carriage driver's to drive their vehicle.	List no 7	Failure of a proprietor to retain in his/her possession copies of any hackney carriage driver's licence that permits them to drive their vehicle.	Add words "licence that permits them" Grammar correction.
List No 8	Failure of a proprietor to produce any hackney carriage driver's licence...	List No 8	Failure of a proprietor to produce on request by an authorised officer any hackney carriage driver's licence...	Add words " on request by an authorised officer" For Clarification
List No 32	Failure to produce the vehicle and insurance upon request.	List No 32	Failure to produce the vehicle and/or insurance upon request.	Add word "/or" Clarification
List No 36	Failure of a private hire operator to keep proper records of all private hire vehicle licenses or failure to produce them on request of an authorised officer of the Licensing Authority or a police officer within reasonable time/or time specified.	List No 36	Failure of a private hire operator to keep proper records of all private hire vehicle licenses and driver licenses, or failure to produce them on request of an authorised...	Add words "licenses & driver licenses" For Clarification
List No 42	Charging more than the meter fare for a journey ending outside the District,	List No 42	Hackney Carriage charging more than the meter fare for a journey ending outside the District,	Add words "Hackney Carriage" For Clarification
List no 43	Charging more than the meter fare when a hackney carriage is used as a private hire vehicle.	List no 43	Hackney Carriage charging more than the meter fare when a hackney carriage is used as a private hire vehicle.	Add words "Hackney Carriage" For Clarification
List No 45	Interfering with taxi-meter with intent to mislead.	List No 45	Interfering with a private hire taxi-meter with intent to mislead.	Add words "a private hire" For Clarification
List no 72		List no 72	No change to text	Move tick into Operator column and remove from driver point's column. Correction
List no 78	Operating a vehicle that does not comply with the Licensing Authority's licensing policy where such a breach of policy/legislation is not otherwise specified herein.	List no 72	Operating a vehicle that does not comply with the Licensing Authority's licensing policy or relevant legislation where such a breach of policy/legislation is not otherwise specified herein.	Add words "or relevant legislation" For Clarification