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| To: | General Purposes Licensing Committee |
| Date: | 16 May 2018 |
| Report of: | **Head of Community Services** |
| Title of Report:  | Amendments to the Hackney Carriage and Private Hire Driver and Vehicle criteria |

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| Summary and recommendations |
| Purpose of report: | To recommend amendments in relation to the Hackney Carriage and Private Hire Driver and Vehicle criteria |
| Corporate Priority | Strong and Active Communities |
| Policy Framework | Vibrant Sustainable Economy, Policy on the Relevance of Warnings, Offences, Cautions and Convictions |
| Recommendations: That the General Purposes Licensing Committee resolves to: |
| 1. | Approve the implementation of the Annual Background Checks Form (Appendix 1) in regards to three year Hackney Carriage and Private Hire Drivers Licence criteria |
| 2. | Approve a minor amendment to the Policy on the Relevance of Warnings, Offences, Cautions and Convictions to include term ‘Released Under Police Investigation’ to be notifiable to the Council by a Licensed driver (Appendix 2) |
| 3. | Approve administrative changes to the Hackney Carriage and Private Hire Drivers Applications Pack where some content is outdated (Appendix 3) |
| 4. | **Approve** the proposed amendments to Hackney Carriage and Private Hire Vehicles “Conditions of Fitness” (Appendix 4) to allow licensing of Ultra Low Emission Vehicles  |
| 5. | **Agree** that such proposals be put to Council for adoption. |

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| Appendices |
| Appendix 1 | Annual Background Checks Form |
| Appendix 2 | Policy on the Relevance of Warnings, Offences, Cautions and Convictions (amendments highlighted) |
| Appendix 3 | Hackney Carriage and Private Hire Driver Licence Application Pack (updated) |
| Appendix 4 | Conditions applicable to Licensing of Hackney Carriage and Private Hire Vehicles (amended) |

# Introduction and background

1. The Licensing Authority has already put a significant number of measures in place both prior to and since the Serious Case Review into Child Sexual Exploitation in Oxfordshire (Bullfinch) findings were published. The matters detailed in this report will, if implemented, further promote the safeguarding of children, vulnerable persons and the public within Oxford.
2. The Licensing Authority must ensure that only up to date information is provided to the Hackney Carriage and Private Hire trade. Therefore the Authority is committed to a continuous revision of information contained in the Authority official documents.
3. Following the Government recommendation and the City and County Council vision to reduce air pollution and improve the air quality in the City of Oxford, as well as the implementation of Zero Emission Zone amendments must be implemented to the current Hackney Carriage and Private Hire Vehicles “Conditions of Fitness” to allow licensing of Ultra Low Emission Vehicles.

# Hackney Carriage and / or Private Hire Driver Licences issued for the duration of three years

In light of Taxi Licensing moving towards issuing of Hackney Carriage and / or Private Hire Drivers Licences for a period of three years, The Authority recommends implementation of the additional criteria of Annual Background Checks Form (Appendix 1) to be completed by every applicant.

The form shall allow the Authority to carry out an annual background checks for the duration of the Licence in regards to the applicant DVLA driving licence (endorsements / suspension / revocation etc.), and DBS Online Update Service check.

The Authority records show numerous cases where the drivers have not declared such matters. The additional checks fee shall be covered by the current three year application fee. The licensed driver will not have to come in to the offices unless the checks highlight any changes to the driver circumstances.

**Inclusion of the Police changes in operations**

Due to the Police changes in the way they deal with suspects a minor amendment to the Council Policy on the Relevance of Warnings, Offences, Cautions and Convictions is recommended to ensure licensed drivers have the duty to notify the Authority when arrested and ‘Released Under Investigation’ (Appendix 2).

This amendment will be made to Hackney Carriage and / or Private Hire Driver Licence condition 52.

**Administrative updates to an outdated content**

The Licensing Authority is committed to a continuous revision of information contained in the Authority official documents. Therefore, updated version of the Hackney Carriage and Private Hire Driver Application Pack (Appendix 3) is presented for approval.

**Licensing of Ultra Low Emission Hackney Carriage and Private Hire Vehicles**

In support of the Council’s priority to improve air quality in Oxford the Authority proposes amendments to the Hackney Carriage and Private Hire Vehicles “Conditions of Fitness” to ensure Ultra Low Emission Vehicles are permitted for licensing (Appendix 4).

# Legal issues

1. The Local Government (Miscellaneous Provisions) Act 1976 at sections 47, 48 and 51 allows the licensing authority to attach to vehicle and driver licences such conditions as it considers reasonably necessary. Improving standards in vehicle safety and air quality are relevant factors in this respect.

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