

Taxi Newsletter September 2023

Online Hackney carriage vehicle and driver renewals

We are very pleased to announce that after a lot of hard work we have now launched our online renewal applications process for both Hackney carriages vehicles and Hackney carriage drivers. We know that a large number of Hackney carriage drivers and proprietors have their renewal due shortly and by using the online renewal applications you will be saving both yourself and the Licensing Team time and effort.

If as many of you as possible could use the online renewal application that would really help the Licensing Team during what is traditionally a very busy period for the team and would be much appreciated. Both of the online applications have been extensively tested and we are confident you will find this a much more convenient way of undertaking your licence renewal.

Links to the online application webpages will be included in your renewal letters from now on and are also included below:

[Renewal of a hackney carriage driver licence - East Devon](#)

[Renewal of hackney carriage vehicle licence - East Devon](#)

For the Private hire part of the trade, we haven't forgotten you with this. We are working hard behind the scenes to produce parallel online applications for you, but are still working on testing the forms and working through any faults/ bugs, and hope to launch these shortly. We decided to prioritise Hackney carriage and vehicle online applications first as they make up a larger proportion of the trade in east Devon currently.

DFT Statutory Standards related Changes

In July 2020 the Department for transport published the long awaited Statutory Taxi & Private Hire Vehicle Standards (the DFT Standards). The DFT Standards outlined some significant changes to the regulation of the taxi trade, and aim to improve public safety by providing a national template for taxi regulation that all local authorities are required to have regard to.

East Devon District Council have approached this with a staged approach, initially moving to make the DBS requirement a six-monthly check from December 2022 (drivers being encouraged to use the DBS update service subscription service for this), as this was the biggest single change, and then subsequently looking at the rest of the changes required to align the East Devon Policy with the Statutory Standards.

The Licensing and Enforcement Committee formally considered the remaining changes outlined in the DFT Statutory Standards at the meeting of 19 July. The Committee recommended approval of the proposed Policy amendments and this will go before full Council on 18th October 2023. No public consultation was proposed for these amendments, as the only changes proposed to the Policy related to aligning the Policy with the Statutory Standards which all Licensing Authorities are now required to follow unless there is a compelling local reason not to.

A summary of the significant policy changes including the proposed implementation dates is outlined below:

Policy Change	Implementation Date
<p><u>Notification of offences/ arrest/ charge</u> Licence holders are now required to notify Licensing within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. Previously Licence holders were required to notify within 7 days.</p>	1 st November 2023
<p><u>How to make a complaint notice</u> All vehicle proprietors will be issued with a ‘how to complain’ sticker which must be displayed clearly within the vehicle. The sticker contains details of how to contact Licensing in the event of a complaint.</p>	Stickers will be given out at renewal/ posted out and display will be mandatory from 1 st November 2023.
<p><u>Guidelines Relating to the Relevance of Convictions</u> This section of the taxi policy has been amended in-line with the model relevance of conviction policy developed by the Institute of Licensing. For certain serious convictions such as sexual offences, or murder, the policy now states that EDDC will not grant a licence to an applicant with those convictions, whereas other convictions require between 10 and five years to have elapsed in order for the grant of a licence to be considered. Where subsequent complaints or information from the Police are received regarding an existing licence holder, then their suitability will be judged against the new relevance of conviction policy.</p>	1 st November 2023
<p><u>Mandatory safeguarding training</u> From 1st November 2023 all existing licenced drivers will have 12 months to undertake child sexual exploitation and safeguarding training. The Licensing team will shortly be publishing a list of approved safeguarding training providers on our website and applicants/ licenced drivers will have the option of booking whichever approved course best suits their needs, and will be required to evidence their completion of the course. All new drivers will also have to complete this training within 1 year of obtaining a licence.</p>	From 1 st November 2023
<p><u>Basic DBS disclosure for vehicle proprietors</u> If a vehicle proprietor doesn’t have a hackney carriage/private hire driver licence then they will need to undertake a basic DBS annually. This will be in effect from 1st November for new operator applicants, and assessed as part of the renewal process for existing operators.</p>	1 st November 2023
<p><u>Basic DBS disclosure for PH Operators</u> If the operator doesn’t have a driver licence then they will need to undertake a basic DBS annually. This will be in effect from 1st November for new operator applicants, and assessed as part of the renewal process for existing operators.</p>	1 st November 2023

<u>Register of booking and dispatch staff</u> PH Operators will be required to maintain a register of booking and dispatch staff to be held for at least 12 months and available for inspection by Licensing Staff within 7 days of request.	1 st April 2024
<u>Basic DBS Disclosure for booking and dispatch staff</u> PH Operators will be required to obtain a basic DBS for all booking and dispatch staff and to make these available for inspection by Licensing Staff within 7 days of request.	1 st April 2024
<u>Additional PH Operator record keeping requirements</u> PH Operators will be required to record the following additional information for each booking: <ul style="list-style-type: none"> • the name of the driver; • the driver's licence number; • the name of any individual that responded to the booking request; • the name of any individual that dispatched the vehicle. 	1 st April 2024
<u>PH Operators policy on employing ex-offenders</u> All PH Operators will be required to have a written policy on employing ex-offenders, and make this policy available for inspection by Licensing Staff within 14 days of request.	1 st April 2024

Disclosure and Barring Service (DBS)

Since December 2022 all existing drivers have been required to provide a DBS certificate every six months and are encouraged to use the DBS update service for this as it is the simplest and least expensive way to comply with this requirement.

The DBS update service is an online subscription service that lets you keep your DBS certificates up to date and allows employers/ the Licensing Team to check a certificate online, with your consent. It means that after signing up you won't in future have to make a separate application for an Enhanced Disclosure to maintain your licence. Maintaining your yearly subscription to the service costs £13 a year, which is much cheaper than applying for a new disclosure every six months. The DBS Update Service will save you time, as further applications and ID checks will only be requested when an update has been made to your disclosure.

You can register online as soon as you have your application form reference number (produced when you follow the DBS link we send you and add your details to the application online). Or you can wait and register with your certificate number when you receive your DBS certificate. If so, you must do so within 30 days of the certificate being issued.

When you join, you'll get an online account that lets you:

- Take your certificate from one job to the next
- Give employers/ the Licensing Team permission to check your certificate online and see who has checked it
- Add or remove a certificate

Important information about DBS update service

- If you have signed up for the DBS update service you are advised to retain your original DBS certificate.
- If your certificate is lost or misplaced then you will be required to apply for a new DBS
- If you change address you will need to inform the DBS update service but you will not be required to apply for a new DBS certificate.
- If you change your name or have any new convictions, cautions or warnings then you will be required to undertake a new DBS certificate.
- If you have signed up for the service and you lose your credit/debit card or it expires, you will need to contact the DBS update service to provide your new card details. If the DBS update service is unable to debit your account when required and your subscription is stopped, then your disclosure will no longer be valid.

Tax Conditionality Check

Since 4 April 2022, it has been a requirement that licensing authorities carry out checks to make sure applicants are aware of their tax responsibilities or have completed a tax check.

New applicants will need to confirm on their application form that they are aware of their tax responsibilities.

Applicants renewing their licence will need to complete a tax check and obtain a tax check code via the HMRC website. The code will need to be provided on their application form. The licensing authority must not renew a licence until a valid tax check code has been provided.

Please refer to the Tax Check Factsheet and additional information links below, so you understand what is required as this will apply to all renewals and new applicants.

[Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/links)

[Tax check factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/links)

IMPORTANT REMINDER

Please remember that you MUST tell us if there are any changes to the information you have given us in relation to your hackney carriage or private hire driver licence, vehicle licence, operator licence or personal circumstances.

If there are any changes you must let us know as soon as possible and, at the latest, within the timescales set out below.

If you are in any doubt about whether you need to notify us of a change, please contact us to discuss this.

The quickest and easiest way to contact us is by sending an email to: licensing@eastdevon.gov.uk

PLEASE NOTE: it is a requirement of our taxi and private hire licensing policy that you notify us of any changes that may affect your licence. Failure to do so could lead to the suspension or revocation of your hackney carriage or private hire driver, vehicle or operator licence.

<u>Changes you must tell us about:</u>	<u>Timescale for notification:</u>
Any change of address	Within 7 days
Any change of telephone number or email address	As soon as possible
Any change of name	Within 7 days
Any change of employer	Within 14 days
Any stay of longer than 3 months outside of the UK	Before you leave the UK
Notification of offences/ arrest/ charge: any conviction, caution, fixed penalty notice, penalty notice for disorder or an anti-social behaviour order, or impending prosecution received	Within 7 days (Moving to 48 hours as of 1 st November)
If you receive a fixed penalty notice, penalty notice for disorder or an anti-social behaviour order	Within 7 days
If you have an impending prosecution	Within 7 days
If a private hire operator is a company or partnership: any conviction, caution, fixed penalty notice, penalty notice for disorder or an anti-social behaviour order, or impending prosecution received by any of the directors, secretary or partners for ANY offence	Within 7 days
If you receive any endorsement (points) on your driving licence	5 working days
If you are disqualified from driving	Immediately
Any significant medical issues that might affect your ability to drive	As soon as possible and before driving
If your driver badge is lost or stolen	As soon as possible
If your vehicle plate is lost or stolen	As soon as possible
A change of the address at which a licensed vehicle is kept	Within 14 days
Any damage sustained to a licensed vehicle	Within 72 hours
All accidents involving a licensed vehicle which cause damage, materially affect safety, performance or appearance or a vehicle or the comfort or convenience of passengers	Within 72 hours
Any vehicle accident in which a licensed driver is involved	Within 72 hours
A transfer of ownership of a licensed vehicle	Within 14 days

Any advertising to be displayed on a licensed vehicle	Before displaying any advertising
A change of address of a private hire operator base	As soon as possible
If a private hire operator is a company or partnership, any change in secretary, directorship or partnership	7 days
Any change in your immigration status or right to work in the UK	Immediately
If a private hire operator is a company or partnership, any change in the immigration status of any secretary, director or partner	Immediately

This list is not exhaustive and you should notify us of any change that may affect your hackney carriage or private hire licences.

Please note that we send the majority of our correspondence out by email. This includes renewal reminders, medical reminders, DBS reminders, vehicle inspection check reminders and requests for information. Please ensure that you monitor your emails for such reminders and requests and respond promptly. Disregarding requests or warnings may potentially lead to the suspension or revocation of your licence.