

Cabinet - Wednesday 11 February 2015 – Agenda Item 7

Proposed amendments to Hackney Carriage and Private Hire Licensing Policy 2015 - 2019

Safeguarding

That the third bullet point of **paragraph 1.2** be amended to read:

- that the action to promote the welfare of children and to protect them from harm is everyone's responsibility, in particular, prospective and licenced drivers and operators who will have dealings with children and families have a duty to report matters of concern that could relate to the safety of children and vulnerable persons to the relevant authorities (refer to **Appendix A** for further information);

And that the necessary amendments are made to the text of the Policy and the appendices to sequentially reference the appendices to reflect the insertion of this new **Appendix A**.

That the content of the new **Appendix A** focuses on providing information to the hackney carriage and private hire trade about child sexual exploitation and the authority to agree the content of the new **Appendix A** be delegated to the Head of Public Protection in consultation with the Director of Children's Services and the Portfolio Holder for Business Growth, ip&e, Culture and Commissioning (North).

That further paragraphs be added to **Appendix A** (as currently drafted) to read:

Safety of children and vulnerable persons

- 1.28 Drivers must complete basic safeguarding awareness training and provide written evidence of satisfactory completion of this training to the Council within 12 months of the date of being granted a new licence or within 12 months of the date that an existing licence is first renewed after the date the Policy comes into force. Failure to complete this training, within the specified period, will permit the Council to refuse to renew a driver's licence.
- 1.29 Where a driver has concerns that could relate to the safety of children and vulnerable persons, they must report those concerns to either the licensed operator's Designated Person for Safeguarding or, where this is not possible, directly to the relevant authority.

That **paragraph 1.20** of **Appendix D** (as currently drafted) relating to the records to be retained by licensed operators be amended to include:

- i) written evidence that each driver has satisfactorily completed basic safeguarding awareness training.

That further paragraphs be added to **Appendix D** (as currently drafted) to read:

Safety of children and vulnerable persons

- 1.42 Operators must have a suitably trained Designated Person (DP) with specific responsibility for safeguarding.
- 1.43 Operators must provide all drivers with details of the DP and how the DP can be contacted.
- 1.44 Operators must ensure that all drivers have completed basic safeguarding awareness training and retain relevant records in accordance paragraph 1.20 (i) above.
- 1.44 Operators must take steps to ensure drivers know that they must report matters of concern which could relate to the safety of children and vulnerable persons to the DP as soon as is practicable.
- 1.45 Operators must pass on any matters of concern reported to them which could relate to the safety of children and vulnerable to the relevant authorities.

European Emissions Standards

That the **table set out in paragraph 3b.12** is amended to remove the following line:

New	Diesel	1 April 2018 to 31 March 2024	Euro 6
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And additional bullet points are inserted immediately after the end of the table to read:

- Any vehicle with an existing licence as at 1 April 2015 that sustains damage resulting from a road traffic accident rendering it unsafe such that it cannot be adequately repaired in order to return it to legally compliant road use or one that is beyond economical repair (an insurance 'Write Off') will be treated as a renewal vehicle application in accordance with the table set out immediately above. This is subject to relevant confirmation being received by the Council from the vehicle's insurer. The replacement vehicle must not be older than the age of the vehicle currently licenced and, as a minimum, satisfy the same (not lower) European Emission Standard and NCAP Safety Rating (see paragraphs 3b.14 and 3b.15) as held by the vehicle that had the existing licence as at 1 April 2015.
- All other requests to transfer a vehicle licence onto another vehicle will be treated as a new vehicle application in accordance with the table immediately above.

That the **table set out in paragraph 3c.8** is amended to remove the following line:

New	Diesel	1 April 2018 to 31 March 2024	Euro 6
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And additional bullet points are inserted immediately after the end of the table to read:

- Any vehicle with an existing licence as at 1 April 2015 that sustains damage resulting from a road traffic accident rendering it unsafe such that it cannot be adequately repaired in order to return it to legally compliant road use or one that is beyond economical repair (an insurance 'Write Off') will be treated as a renewal vehicle application in accordance with the table set out immediately above. This is subject to relevant confirmation being received by the Council from the vehicle's insurer. The replacement vehicle must not be older than the age of the vehicle currently licenced and, as a minimum, satisfy the same (not lower) European Emission Standard and NCAP Safety Rating (see paragraphs 3c.10 and 3c.11) as held by the vehicle that had the existing licence as at 1 April 2015.
- All other requests to transfer a vehicle licence onto another vehicle will be treated as a new vehicle application in accordance with the table immediately above.

Euro NCAP Safety Standards

That **paragraph 3b.14** is amended to read:

Vehicles must meet the following safety standards as defined by the European New Car Assessment Programme (NCAP). In this respect, the Overall Rating must be used. Where the Overall Rating is not available, the Adult Rating is the relevant standard:-

- All new vehicle applications submitted on or after 1 April 2015 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2018 are required to be NCAP 5 star.

That in **paragraph 3b.15** the reference to 3b.16 is amended to read 3b.14.

That the **bullet points in paragraph 3c.10** are amended to read:

- All new vehicle applications submitted on or after 1 April 2015 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2018 are required to be NCAP 5 star.