

Consultation on Draft Common Standards for Licensing Hackney Carriage and Private Hire Drivers in Gloucestershire 2021

Comparison between Gloucester City Councils current Taxi and Private Hire Policy and the Proposed Gloucestershire Common Standards

	Topic	Current	Proposal	Impact on licence holders
1	Joint Enforcement	Gloucester City Council officers can only enforce for breaches made by licence holders licensed with Gloucester City Council	Joint authorisation of enforcement officers of the licensing authorities that have adopted these common standards	Officers from all Gloucestershire authorities will be able to enforce for breaches against the common standards and taxi and private hire legislation by any Gloucestershire licence holders
2	Delegations for Decisions	Gloucester City Council Licensing Officers are delegated to make all decisions on new applications and can suspend licences with immediate effect. Reviews of licences and revocation of a licence are dealt with by the Licensing and Enforcement Committee.	Licensing Officers to make all decisions on new applications except where there are relevant convictions. Officers to be able to suspend and revoke with immediate effect. A Licensing Committee will consider new applications with relevant convictions (except minor motoring convictions) and will continue to review existing licences where relevant	New applicants with relevant convictions will be able to present their case to a Licensing Committee. Officers will be able to take immediate action in cases where there is a public risk and there is not time to arrange a Licensing Committee.
3	Frequency of DBS Enhanced Criminal Checks	On new application and then every three years on renewal	Every six months.	Provided drivers subscribe to the update service this should not have any financial impact. Additional Officer time will be needed to undertake more frequent checks
4	Time period for licence	7 working days for convictions, cautions,	48 hours for arrest and release, charge or	No significant impact on licence holders

	holders to notify the Council of arrest, charges and offences	fixed penalties or court case pending. 3 working days if arrested.	conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	
5	How to complain Signage in vehicles	Council contact details for complaint displayed on the rear of the internal vehicle disc displayed in front windscreen	Signage to be displayed in vehicles giving guidance for passengers and how to complain and displayed where it can easily be read. Failure to display could lead to suspension and a possible review of their licence.	Licence holders will need to display an additional sign in the vehicle. There will be a cost for the sign and a holder. Likely cost is £3 to £4. The sign will only need to be replaced if the vehicle is changed
6	Immediate suspension and revocation of licences	Where there are concerns that cannot wait until the next Licensing and Enforcement Sub-Committee then the Head of Place can immediately suspend/revoke a licence.	Where there are concerns that cannot wait until the next Licensing and Enforcement Committee, Officers will be able to decide if immediate action is necessary including to suspend or revoke the licence.	This gives more reflexivity for officers to take immediate action if there is a possible public risk
7	Mandatory Training	Safeguarding was mandatory for all existing driver licence holders in 2017 and subsequently for all new applicants.	Existing licensees will be required to undertake refresher training every three years.	This is an additional cost and time commitment for existing licence holders. Likely cost of the training will be between £50 and £70. The requirement for refresher training will be within 3 years of the policy being approved due to the current economic climate.
8	Language proficiency	All new applicants must take an English Proficiency test.	All new applicants must take an English Proficiency test unless they can provide an appropriate educational certificate for a qualification related to English. English language proficiency requirements will apply to new	This places an additional criteria and a possible saving to the applicant if they have an appropriate educational certificate.

			<p>applicants from date of adoption of these standards</p> <p>Discretion to refer an existing licence holder for an assessment on a case to case basis.</p>	
9	Criminality checks for vehicle proprietors	No requirements for licensed vehicle proprietors to provide a DBS certificate	Licensed vehicle proprietors must provide an annual basic disclosure certificate from the DBS unless they are also a licensed driver.	The Cost of a basic DBS is currently £23. There is no impact on the Licensed trade as all licensed vehicle proprietors licensed by Gloucester City Council are also holders of a Council issued drivers licence.
10	Criminality checks for private hire operators	Licensed private hire operators must provide a basic disclosure check from the DBS every 1 or 5 years on renewal unless they are also a licensed driver.	Licensed private hire operators must provide an annual basic disclosure check from the DBS unless they are also a licensed driver	Small impact as nearly all licensed operators licensed by Gloucester City Council also hold a driver licence.
11	Private Hire Operator Booking and dispatch staff	No requirement for operators to make criminality checks on booking and dispatch staff.	<p>Private hire operators must have written policies and procedures in place to ensure criminality checks are undertaken on all booking and dispatch staff at appropriate intervals and set out its approach on employing staff that are ex-offenders.</p> <p>Where a booking is outsourced the operator must ensure the third-party have adequate arrangements in place as outlined above.</p>	Some impact on operators who must develop policies and procedures. Basic criminal conviction disclosure cost is £23.
12	Convictions Policy	A current criminal convictions policy which most of the enhanced convictions recommendations we have already adopted	An enhanced convictions policy that adds further conviction categories and extends some of the time scales applicants are expected to be clear of	Existing licence holders may have convictions that fall in the timescales within the proposed policy. It is not reasonable that those licences should be

		and is incorporated into our current policy.	offences. It reflects the statutory standards - see separate conviction policy comparison table below	automatically be revoked. All existing licences will be considered in line with the new policy and where there is concern, they will be reviewed by the Licensing and Enforcement Sub-Committee.
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Comparison Table for Convictions Policy

Suitability of new applicants is considered in relation to the period of time that has elapsed since the conviction or sentence. Offences are grouped in categories. This table shows a summary of the current and proposed policy

Offence Category	Gloucester City Council's current Conviction Policy	Common Gloucestershire standards based on Statutory standards
Exploitation	Never	Never
Violence	10 years	All offences 10 years
Possession of Weapon	7 years	7 years
Sexual Offences	Never	Never
Dishonesty	7 years	7 years
Drugs	Supply 10 years Possession 5 years	No change
Discrimination	7 years	7 years
Motoring convictions New Applicants	Minor – isolated should not prevent a person from holding a licence but the number, type and frequency should be taken into account. Major – an isolated conviction should normally merit a warning. More than one within the last 2 years should merit refusal and no further application should be considered for a period of 7 years from convictions has elapsed.	One or more major – 10 years More than one minor - 3 years
Motoring convictions - current licence holders	Same as new Applicant	Two minor or one major up to 6 points - licence holder to complete driving assessment More than 6 points referred to a subcommittee for revocation
Drink driving or under influence of drugs	7 years since conviction	7 years since conviction or completion of any sentence or driving ban
Use of handheld device whilst driving	5 years since conviction or completion of any sentence or driving ban.	5 years since conviction or completion of any sentence or driving ban.
Hackney carriage or private hire offence	7 years	7 years