



TAXI AND PRIVATE HIRE NEWSLETTER

OCTOBER 2022

Greetings!

Hopefully lots of you will have got our first newsletter with respect safeguarding training via email, as it was our first test, if you didn't then please make sure you check your junk and mark the sender as safe. We will be sending them this way from now on.

As previously advised, we are by way of the latest policy amendments now mandating the provision of emails addresses from our licensed drivers.

If we don't hold your email or you have amended it then please let licensing@northdevon.gov.uk know.

This newsletter repeats some of the information and gives an update on recent enforcement actions taken by the Licensing Team.

Please thoroughly read our correspondence, as we have had quite a few occasions recently where it is evident that information provided has not been acted upon. For example please read about the mandatory training which you will need to book, and about the new DBS Update Service requirements, as there will be consequences if drivers have not signed up on renewal .

Mandatory Safeguarding Training for Taxi/Private Hire drivers

North Devon Council has been fortunate to receive one off funding to provide free safeguarding training to licensed taxi and private hire drivers. The safeguarding awareness course which looks specifically at the protection of children and vulnerable adults is being delivered by Karen Anderson, a former Devon and Cornwall Police officer with the public protection department.

How is the training being delivered?

The sessions are being held via Zoom video conferencing software and once you have booked a space on the workshop we will email you the link to join the meeting.

You can join via your smartphone, tablet or computer.

What does the course cover?

Unwittingly taxi and private hire drivers may become aware of a serious safeguarding issues through their work. In an effort to ensure that both licensed drivers and customers are adequately protected, this training aims to ensure that drivers are alert to signs of an issue and know what to do if they have a concern. The course content includes:

- Awareness of the different forms of exploitation including human trafficking, child sexual exploitation and modern slavery
- Understanding what safeguarding is and your responsibilities
- Recognising signs of exploitation and abuse
- Knowing who to contact if you suspect a safeguarding issue

Is this training a requirement?

With effect from 1st March 2022 all prospective applicants and those seeking renewal of dual Hackney carriage/ private hire drivers licences have been required within 12 months of the licence being granted/renewed to provide documentary evidence of completing child sexual exploitation and safeguarding awareness training. This would ordinarily be paid for by drivers themselves, but the funding the Council has received enables it to be provided free of charge.

In light of this opportunity having arisen Licensing and Community Safety Committee has sought to require that **all licensed drivers** have undertaken/booked onto the training by January 2023. It is this particular training which Committee is seeking, rather than any other alternatives which some drivers may have already undertaken. The reasoning for this being that a number of options and online style courses have been examined which do not achieve the necessary standards. The trainer has substantial experience in safeguarding and safeguarding training, and has developed a course specifically for the taxi and private hire trade (many of the other courses we looked at were too generic in our opinion). We therefore believe that this course represents the best option for making our drivers aware of this important subject, and take the view that if someone has already done a safeguarding course then this course will still be very useful as a refresher, and will highly likely cover material not covered or emphasised sufficiently in other courses. This training has already been rolled out by several other Devon Authorities, and we can confirm that it has been very well received by the licenced drivers who have attended. We are confident that once you have attended that you will understand why we have mandated this specific training as it is of an excellent standard and highly contextualised for the taxi trade.

If you do not take advantage of booking this training whilst it is free, you will need to pay to undertake it after funding has ceased.

When is the training taking place?

We have arranged workshops at different times of the day to try and help you to find a convenient time to attend. The workshop dates arranged, so far, are as follows:

October 2022

~~Wednesday 5th October – 10.00hrs to 12.00hrs - NOW FULL~~

Thursday 13th October - 15.00hrs to 17.00hrs

Tuesday 25th October - 17.00hrs to 19.00hrs

November 2022

Friday 25th November - 15.00hrs to 17.00hrs

December 2022

Monday 5th December - 15.00hrs to 17.00hrs

Wednesday 14th December - 10.00hrs to 12.00hrs

Tuesday 20th December - 10.00hrs to 12.00hrs

Tuesday 20th December - 15.00hrs to 17.00hrs

How to book onto the training?

We would very much welcome your attendance at the workshop and your support with this important initiative.

We strongly recommend that you book your attendance at one of these sessions at the earliest opportunity.

To book onto the training, use our online booking form at:

www.northdevon.gov.uk/bookings

Meter Tests

Subsequent to the new tariff being implemented, we are now using an online booking form for taxi meter tests bookings.

Meters must be sealed after the new tariff has been inserted. Please refer to the Council's Hackney Carriage and Private Hire Licensing Policy for information about this if you are in any doubt.

To book a meter test, use our meter test booking form at:

www.northdevon.gov.uk/bookings

Hackney Carriage and Private Hire Licensing Policy

Following the consultation on the draft policy amendments, during their meeting of the 22nd September members of Licensing and Community Safety Committee considered the representations made.

The recommendation arising was for the policy as amended to be considered by Strategy and Resources Committee on the 7 November 2022 for approval. We will provide a full breakdown of all amends in our next newsletter.

Enforcement

There are sometimes occasions that the Council needs to take robust enforcement action to secure compliance and maintain public safety.

In April 2022 Devon and Cornwall Police notified the licensing team of the arrest of a Hackney Carriage/Private Hire licensed driver due to a suspicion of driving whilst under the influence of drugs. In these circumstances the driver was also interviewed by the licensing team and based on all of the evidence obtained a decision was made that in line with our Hackney Carriage and Private Hire Licensing Policy March 2022 it was in the interests of public safety to Revoke their Hackney Carriage / Private Hire Drivers Licence with immediate effect.

In May 2022 during a renewal of a Hackney Carriage / Private Hire Drivers Licence the DBS certificate provided by the applicant disclosed a Police caution which had not been disclosed to the licensing team. The driver was interviewed by the licensing team where it was established that the driver had not complied with the Hackney Carriage and Private Hire licensing Policy in relation to found property as per section 6.4. It was further established that the driver had also committed a criminal offence whilst in possession of this property for which they received a police caution. Consideration was also given in relation to the fact that this criminal caution was not disclosed in writing within 7 days as per section

5.3 of the Hackney Carriage and Private Hire licensing Policy (2016) or 48hrs to North Devon Council Licensing Team in accordance with the section 5.3 of the Hackney Carriage and Private Hire licensing Policy (March 2022). In light of the above and in line with our Hackney Carriage and Private Hire Licensing Policy (March 2022) it was decided that it was in the interests of public safety to Suspend their Hackney Carriage / Private Hire Drivers Licence with immediate effect for a period of time.

In July 2022 a Licensing and Community Safety Sub-Committee hearing was convened in light of numerous serious complaints received about the poor driving standards of a Hackney carriage/Private Hire Drivers Licence. The hearing was presented with all complaints received in relation to this driver including historic complaints. The committee decided in line with our Hackney Carriage and Private Hire Licensing Policy (March 2022) that it was in the interests of public safety to Revoke this driver's Hackney Carriage/private Hire licence with immediate effect.

In September 2022 Devon and Cornwall Police notified the Licensing Team of an arrest of a Hackney Carriage/Private Hire licensed driver due a number of criminal offences. In light of the information provided and in line with our Hackney Carriage and Private Hire Licensing Policy (March 2022) a decision was made that it was in the interests of public safety to Revoke their Hackney Carriage / Private Hire Drivers Licence with immediate effect.

Hackney Carriage/Private Hire licensed drivers should be aware of all obligations on them contained within the North Devon Council Hackney Carriage and Private Hire Licensing Policy. This includes the obligation to notify the Licensing Team in writing, within a period of 48 hours of any arrest and release, charge or conviction, receipt of a driving disqualification for any period of time, receipt of any fixed penalty, or anti-social behaviour order imposed on him/her whilst the licence is in force

Drivers should note that during their September meeting Licensing and Community Safety Committee sought also that in addition drivers:

notify the Licensing Team in writing, within a period of 48 hours, if they are notified by the Police of an allegation of an offence by them that the Police are investigating. Drivers are required to disclose the alleged offence and alleged offence date in their notification to the Licensing Team.

Tax Conditionality Checks and DBS Update Service

Disappointingly, drivers are still making renewal applications without having undertaken the necessary tasks to make their applications.

Please be reminded that the tax conditionality check requirement is now live, so drivers/ new applicants must now provide a tax check code on their applications.

Please also be reminded that as from 1 April 2022 applicants wishing to renew a driver's licence are required to sign up to the [DBS Update Service](#).

See our [June 2022](#) newsletter for previous information pertaining to both of these areas.