



Taxi and private hire newsletter

December 2023

Hackney Carriage and Private Hire Licensing Policy Amendments

Strategy and Resources Committee recently approved a number of revisions to North Devon Council's [Hackney Carriage and Private Hire Licensing Policy](#) which come into effect today. A summary of the amendments follows:

- Wheelchair accessible vehicle approval- amended vehicle conversion certification requirements.
- Executive Hire Exemptions- new exemption conditions.
- Vehicle Inspection form- additional information added.
- Update to Appendix J (Offences – Hackney Carriages and Private Hire Vehicles and Drivers), to reflect new offences.
- Removal of the requirement for licenced vehicles to carry a fire extinguisher.
- Additional information provided in the policy relevant to medical requirements.
- Reverting to the use of sun strips on private hire vehicles (rather than any move forward to impose a requirement for door signs).
- Empowering the refusal of hackney carriage and private hire driver licence applications by officers where the convictions policy indicates that a licence should not be granted.
- Minor changes to the paragraph in respect of vehicle transfers, largely to make the legislation clear; to cite that an application form is available; and what accompanying information is expected to be provided to an application.
- Insertion of a new Appendix V in respect of NR3S (National Register of Taxi Licence Revocations, Refusals and Suspensions).

The following paragraphs provide additional detail in respect of the above:

Wheelchair accessible vehicle approval: The current policy seeks to incentivise the take-up of licences for wheelchair accessible vehicles, and this has in-turn led to an increase in enquiries from prospective proprietors. Officers have been pleased to

see this increase in interest in plating wheelchair accessible vehicles, but have noted that these enquiries have generally required officers to give additional information. Appendix T now provides further information on the certification requirements where vehicles have been converted to become wheelchair accessible.

Executive Hire Exemptions: The previous policy changes introduced a policy for executive hire exemptions. Officers have now had a chance to see how this works in practise and as a result have put forward some additional conditions for the use of executive hire exemptions which they believe will provide additional clarity on the requirements.

Vehicle Inspections: The vehicle inspection form was fully revised as part of the previous policy changes, but upon reflection Officers believe it is useful to add some further information to the form, specifically minimum acceptable tyre tread depth requirements, and minimum brake pad thickness.

Appendix J (Offences – Hackney Carriages and Private Hire Vehicles and Drivers): this has been updated to reflect the changes to the Equality Act offences brought about by the Taxi and Private Hire Vehicle (Disabled Persons) Act 2022.

Removal of fire extinguisher requirement: The requirement for licenced vehicles to carry a fire extinguisher and maintain this extinguisher on an annual basis has been a policy requirement for many years. However upon reviewing this requirement and undertaking consultation Devon and Somerset Fire and Rescue representatives now indicate a preference for drivers to exit the vehicle and call them in the event of a vehicle fire. Their comments were that “we would rather see drivers and passengers exit vehicles and get to a place of safety. Extinguishers are only any good if people are trained and know how to use them correctly”.

Medical requirements: Officers re-appraised the medical form used by prospective and licenced drivers in North Devon, and as part of this identified that some Local Authorities provide further information in their policies on medical conditions which may be a bar to obtaining or holding a hackney carriage or private hire driver’s licence. All of the conditions identified fall within the current DVLA Group 2 standard of medical fitness, and as such no change is being made to the medical standard itself, information is added solely to aid clarity on this for applicants.

Sun strips as alternative to door signs: Consultation on a door sign requirement intended to replace the previous requirement to display a sun visor worded ‘private hire’ provided positive feedback. However, subsequent concern was raised, with proprietors and operators citing potential issues with regard the damage to vehicle paintwork. Due to concerns officers did not actively enforce this aspect of the policy and reverted to the previous sun strip requirement. The latest policy reflects a decision not to require door signs.

Refusal of applications: The current policy at Appendix G cites that 'Where the Licensing Officer is not satisfied, on the information before him/her, that the applicant should be granted a licence, the matter will be referred to a Sub-Committee of the Licensing and Community Safety Committee'. Licensing Officers raised queries in terms of the efficiency of the Council's process, where applicants clearly fail to comply with the convictions policy in Appendix H and where that policy indicates that a licence should not be granted. During their meeting of the 7 March 2023 Members of Licensing and Community Safety Committee concluded that there should be support to officers refusing taxi and private hire driver licence applications where applicants clearly fail to comply with the convictions policy at Appendix H and where the policy indicates that a licence should not be granted. This was then approved by Strategy and Resources Committee on 6 November 2023.

National Register of Taxi Licence Revocations, Refusals and Suspensions (NR3S). The policy has been updated following the Taxi and Private Hire (Safeguarding and Road Safety) Vehicle Act 2022 becoming effective. This legislation now mandates the Council to record driver suspensions, revocations and refusals on the NR3S register. As such, the existing paragraphs pertaining to the use of the register have now been updated to reflect the latest register title, and the inclusion of suspensions (which were not previously facilitated under the register). Appendix V has been also inserted to provide specific information in respect of making a request for further information regarding an entry on NR3S; responding to a request made for further information regarding any entry on NRS; and using any information obtained as a result of a request to another authority. Please be aware that following the legislative change a period of 11 years is cited for the retention of data.