

TAXI and Private Hire Newsletter

September 2021

DBS Update Service

It is a requirement of holding a driver's licence with Lancaster City Council that all drivers sign up and maintain a subscription to the update service through the DBS service. After the initial £44 payment, the cost is £13 per year via direct debit.

A number of drivers upon renewal have not maintained the subscription and as such a new DBS certificate has been required. The drivers have been suspended in the interim.

This is a reminder to check your direct debits and ensure sufficient funds are available annually to maintain your subscription.

New Drivers

There is a national shortage of licensed drivers. As such the pressure on the licensed trade is mounting as they struggle to meet the demands from the travelling public. Licensing staff are exploring options with the councils communications team to encourage new drivers to the trade and highlight funding options.

Lancaster and Morecambe College have options to obtain the qualification and training associated with becoming a taxi driver for FREE by providing a letter from their work coach at the job centre or proof of universal credit entitlement. Please contact Lancaster and Morecambe College for details.

In addition to this, there may be circumstances where the Job Centre will refund the cost of an Enhanced Disclosure and Barring Service Certificate.

Tax Conditionality – New Check from April 2022

The Finance Bill 2021 contains a clause that will introduce tax conditionality to licence applications for taxi and private hire drivers, private hire operators and scrap metal dealers. This will apply from 4th April 2022. HMRC is developing a digital system for applicants to complete the tax check. During the check, applicants will be asked to provide information about their licensed activity and whether HMRC has been made aware of any income earned.

Applicants will have an option to declare that, in their opinion, they do not have to be registered for tax. This may be because they are holding the licence but not using it to trade. Anyone who needs to correct their tax affairs i.e., register for tax, will have to do this before completing the tax check. Once the tax check has been completed, the applicant will receive a tax-check reference which they need to give to their Licensing Authority upon licence renewal.

Licensing bodies will use HMRC digital service to confirm that the tax check has been completed. Licensing staff will not have access to personal data, the only role of the Licensing Authority is to confirm that the tax check has been completed.

Vehicle Test Procedure - Online Bookings

Licensing staff are working on moving licensed vehicle test bookings online. The booking and payment for the tests will be completed via an online booking process, available through the council's website.

Vehicle proprietors will be required to submit vehicle licence paperwork to Licensing and book their own vehicle test through the online portal. Once the vehicle has attended VMU and has passed, the vehicle licence and plates will then be issued at the Vehicle Maintenance Unit.

Hopefully, the new system will be made available via the councils website early 2022. This will make the vehicle application process more straightforward and streamlined for both the licensing service and vehicle proprietors.



NR3 Register – Refusals and Revocations

The Licensing Service has signed up to the National Register of Refusals and Revocations, known as NR3. The register allows Licensing Authorities to check if applicants for drivers' licences have previously had licences refused/revoked in other Authority areas.

It also allows licensing staff to input drivers who have had licences refused/revoked by this Licensing Authority to notify others.

Application forms and privacy notices will be updated to reflect these procedures.

Reporting changes in personal circumstances (medical/convictions/arrest)

It has been highlighted through the Licensing Committee process that many drivers are failing to notify the Licensing Service when they receive penalty points on their driving licence, arrests, charged with an offence or their medical suitability has changed.

The new taxi policy includes updated driver licence conditions. It is a condition of licence that any change in personal circumstance must be reported to the Licensing Service, within 48 hours.

Members of the Licensing Committee do not take favourably to drivers who during renewal hearings are not aware of conditions attached to their licence, claiming they are not aware of their responsibilities.

Please familiarise yourselves with conditions attached to your driver, vehicle and operator licences.

Contact us:

Call :01524 582033

Email: licensing@lancaster.gov.uk

Visit: www.lancaster.gov.uk/licensing

Policy Updates

The consultation on the draft taxi and private hire policy is now complete and the responses (12) presented to Licensing Committee. The final draft is being compiled for approval.

Due to the poor number of consultation responses, prior to approval, members requested that the final draft be subject to further scrutiny by the licensed trade.

Highlighted below are some key decisions taken in respect of the draft policy.

If you have any further feedback, please send it by email to licensing@lancaster.gov.uk

Medical Frequency

Currently medical examinations are required every 3 years upon licence renewal, although the medical standards applied are the DVLA group 2 standards, Lancaster City Councils requirements were not completely aligned.

Medical requirements will therefore be updated to completely mirror DVLA Group 2 standards, as follows:

- ~ Medical Examination required upon initial application
- ~ Medical Examination submitted every 5 years from aged 45
- ~ Annual Medical Examination required annually aged 65

Further Medical Examinations may be required following periods of absence due to ill-health.

Licence Conditions

Driver, Vehicle and Private Hire Operator Licence conditions have been reviewed and updated.

Once the policy is approved all licences will be issued with the updated conditions, please ensure you read and understand your responsibilities as a licence holder.

Signage (inc. roof-signs/livery)

A mandatory specification was approved for vehicle door-signs and Hackney Carriage roof-signs. A colour policy for licensed vehicles was not included in the draft policy.

Hackney Carriage Licence

Feedback from the consultation included a lack of provision and difficulties in obtaining a wheelchair accessible vehicle, Members therefore decided to release 2 Hackney Carriage Vehicle Licences, these vehicles must be wheelchair accessible and zero emission. Any further applications over the two pre-approved will be required to be taken to Licensing Committee for decision.

The trade will be notified when the Licensing Service is accepting new hackney carriage vehicle applications.

CCTV

Mandatory CCTV in all licensed vehicles was not approved by members but will be kept under review. Complaints will be monitored and reported to members on an annual basis, if it is established that CCTV may assist the Licensing Authority to investigate complaints and/or safeguard passengers and drivers, it will be revisited.

DBS Requirements

All drivers are required to sign up to the DBS update service and maintain a subscription. Vehicle proprietors are required to submit a basic DBS annually (not applicable if also a driver) and it is recommended that private hire operators ask that base staff complete a basic DBS annually to check their suitability to perform duties associated with the licensed trade.

Vehicle Specifications

With effect from 1st January 2025, private hire vehicle licences and hackney carriage licence renewals will only be granted to petrol, diesel or hybrid vehicles or vehicles which are Euro 6 compliant.

With effect from 1st January 2030, private hire vehicle licences and hackney carriage licence renewals will only be granted to vehicles which are zero emissions.



Passenger Safety

What can drivers do to make passengers feel safe?

Lancaster City Council will be promoting the stringent application measures required to become a licenced driver, in addition to this as part of the policy review a document entitled "Staying Safe Guidance for Passengers" will be made available for members of the public when undertaking journeys in vehicles licensed by Lancaster City Council.

Recently, due to serious events reported by the National media, it is necessary to highlight to licensed operators and drivers what they can do to ensure passengers travelling in their vehicle(s) feel safe whilst undertaking journeys in the district.

Keys points to consider:

- Confirm bookings via a call/text back, vehicle and driver details will then be shared with the passenger.
- As a legal requirement, licensed drivers must wear their Lancaster City Council "Drivers Badge" so it is visible to passengers.
- Vehicle details should also be visible; this offers reassurance to passengers that the driver/vehicle are appropriately licensed by Lancaster City Council.
- Where possible, passengers should travel in the rear of the vehicle.
- Avoid personal comments or conversations during the journey.
- Never touch a passenger; intoxicated persons may wish to hug you, offer a handshake instead.
- Do not respond to advances from passengers, in jest or those of a serious nature.
- Always try to pick-up/drop off in well lit areas, if a residential address allow the passenger to be safely inside the property before driving away.
- If you feel a passenger is at risk when leaving your vehicle, please call 101 and share your concerns or 999 in an emergency.

Card Payments in Licensed Vehicles

The Licensing service wishes to provide some clarity on card payments in licensed vehicles, in particular surcharges and minimum payments.

From January 2018, It became illegal to place a surcharge, no matter how small on a person who wishes to pay by credit/debit card. For example, a £3.50 fare is subject to a 50p surcharge for paying by debit card, increasing the fare to £4.

Drivers/Operators should therefore cease placing card surcharges on passengers wishing to pay by credit/debit card.

Minimum payments per se are not illegal. For example, you must spend a minimum of £5 to use your credit/debit card.

BUT, it is an offence for Hackney Carriages under the terms of Town Police Clauses Act 1847 (s58) or Local Government (Miscellaneous Provisions) Act 1976 (s66/67) to charge more for a journey than the metered fare. This also applies to Hackney Carriages acting as a Private Hire Vehicle.

Private hire vehicles can agree a fare with a passenger prior to a journey, therefore a minimum charge may be applied in these circumstances.

Passengers MUST agree prior to undertaking the journey. Private Hire Operators may wish to provide an alert when providing booking alerts stating minimum payments apply if customers pay by credit/debit card.