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TO ALL DRIVERS AND OPERATORS

Please ask for
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Our Ref
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Date 1 July 2014

Dear Sir/Madam,

The Hackney Carriage and Private Hire Licensing Policy has been reviewed, the main proposals for change are highlighted in this letter but the full document can be accessed via the council website at www.chesterfield.gov.uk/Hackney-Carriage-and-Private-Hire-Policy-409.html.

I would welcome your comments on the proposed amendments. You can contact me on the above details and any comments should be submitted by midnight on 31/07/14. The matter is also on the agenda of the Taxi Consultative Committee, the next meeting of which is at 6.00pm on Wednesday 16 July at the town hall.

A summary of the main changes:

Disclosure & Barring Service [DBS] – References to Criminal Record Bureau [CRB] are replaced by DBS.

References to meter – In keeping with relevant legislation, references to meter are changed to 'taximeter' with regard to hackney carriages.

Prohibit the use of e-cigarettes in licensed vehicles - schedule 4 'conduct of licensed drivers'.

The use of e-cigarettes [e-cigs] in licensed vehicles will be prohibited as they have not been shown as safe for public use. England's chief medical officer is on record as stating "the harm from e-cigs is not known but we know they are not risk free", and that "e-cigarettes can produce toxic chemicals, and the amount of nicotine and other chemical constituents and contaminants, including vaporised flavourings, varies between products - meaning they could be extremely damaging to young people's health". The Children & Families Bill proposes the sale of e-cigs to those under 18 years be prohibited and the Welsh Parliament are currently considering a ban on e-cigs in public places, along the same lines as smoking, citing the following reasons:

- E-cigs create an impression that smoking is normal and acceptable;
- The smoking of e-cigs makes enforcement difficult; and
- Children could be tempted to try e-cigs, creating a gateway to smoking.

Penalty points aggravated by 'protected characteristics' – schedule 3 appendix 4

The scope of the protected characteristics is widened to include all elements of the Equality Act 2010

such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

Length of insurance policy - Schedule 1 par. 8.4

The minimum length of an insurance policy accepted by the council will be six months to prevent the use of short term policies that may not be renewed.

Schedule 1 par 16.7 - Test failures

For the purpose of penalty points, the policy will apply if a vehicle is presented for test within 28 days of the previous licence having expired. This is necessary as we have identified a growing trend where the vehicle plate has expired before it was presented for test, thus meaning it is not a 'licensed vehicle' so penalty points could not be issued.

Commercial advertising par 2.8.2 of policy

The policy will be relaxed to allow advertising of the taxi company itself. The number and style of adverts is controlled and the main reason for the change cited by the operator concerned was to advertise for drivers.

Wheelchair accessibility - Schedule 5 Application Guidance par. 4.5

As requested by trade representatives, drivers of wheelchair accessible vehicles must be qualified to an acceptable standard in the loading of wheelchairs and passengers. The council will accept any one of the following qualifications:

- 1) DSA wheelchair exercise;
- 2) NVQ level 2 of unit 228 Road Passenger Vehicle Driving [Taxi and Private Hire] [7439];
- 3) Modules B1 & B2 of the Passenger Assistant Training Scheme [PATS].

The requirement will apply to **ALL** drivers of a wheelchair accessible vehicle, **not just new drivers**. Drivers will be given a period of six months to produce evidence they have obtained the qualification from when the policy is adopted.

Drivers who have obtained the necessary accreditation will have a small wheelchair logo on their drivers' badge to indicate they can drive wheelchair accessible vehicles. Only drivers with the wheelchair logo on their badge will be allowed to drive a wheelchair accessible vehicle.

Medical advice regarding diabetes - Schedule 5 par.4.7

Expanded advice for drivers who have been diagnosed as diabetic as this condition is becoming more prevalent among licensed drivers.

Appeal against penalty points - Schedule 3 par. 3.6

Appeals against council penalty points to be decided by the environmental health manager instead of the head of service.

I would appreciate any comments, good or bad, by 31 July 2014 and I anticipate the matter will be considered by the Appeals and Regulatory Committee in August this year.

Yours faithfully,



Trevor Durham
Licensing Manager