



## Hello from the licensing team

Following changes throughout the year to the licensing team, I feel happy to be managing both the processing and enforcement sides of licensing. The current team on the processing side is Peter and Gina (pictured bottom right) with Jenny and Claire (pictured right) on Enforcement.

There's lots of important work going on in licensing and we're looking forward to working with you all. Please let us know your thoughts and ideas about what you'd like to see in the newsletter or anything else. We're always interested to hear from you, so please contact us (details at the end of this newsletter)

**Oliver Rawlings**  
Licensing Manager



# Taxi Fares

The Hackney Carriage tariff hasn't been increased since 2011. We'd like to know whether you think an increase is a good idea or not?



Please email: [community.protection@eastherts.gov.uk](mailto:community.protection@eastherts.gov.uk) by 1st January 2018. If you'd like an increase, please include your suggestion of what the increase should be? e.g.

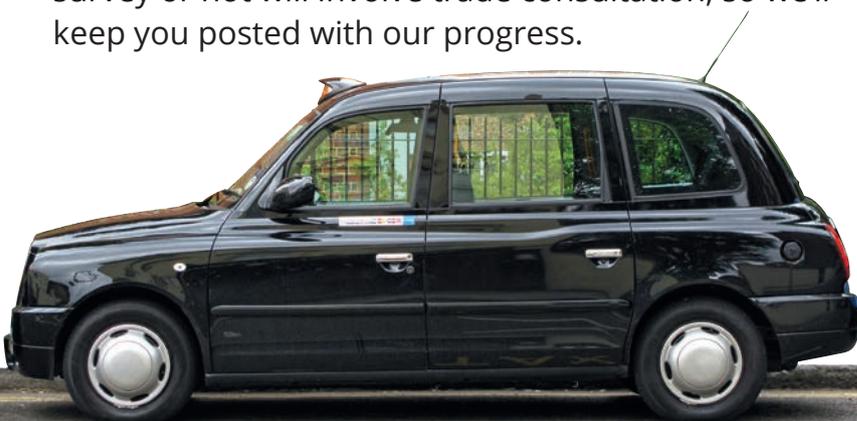
- Xp on the flag fare and additional Xp per XXX yards
- extra Xp on the yardage of rate X only.

# Limiting Hackney Carriage numbers

Numbers of Hackney Carriages have stayed pretty level over the years, but members of the Hackney Carriage trade have talked about the possibility of limiting numbers. We remain open to looking at this but it is only possible if we can be satisfied that there is no significant unmet demand for Hackney Carriages.

The licensing team are about to start gathering quotes for an unmet demand survey - a cost that would be passed onto Hackney Carriage proprietors. The survey would need to be repeated at least every three years if a limit was to be maintained.

Any decision about whether to proceed with the survey or not will involve trade consultation, so we'll keep you posted with our progress.



# UBER

You're telling us that UBER vehicles are becoming more and more of an issue. What UBER drivers are doing may be unlawful

and not in the spirit of the legislation but it's a grey area due to the age of the legislation.

Reading Council has decided to lead the way by getting an answer to this question by taking a number of prosecutions that will be heard in magistrate's court in November. Although the decision of the magistrates will not be binding on other courts, it will give us a good indication of what action we should take and our likely chances of success. We'll keep you updated.

TFL have recently refused to renew Uber's operator's licence in London and people are confused about what this means. As Uber have appealed the decision they can continue to carry on their business in London until the appeal or appeals are decided so until that point nothing will change. It is likely to be months if not years before the matter is finally resolved.

# Ranks

The licensing team is working with the Highways Authority, to correct signage and improve markings. We're also hoping to secure some new part-time rank space in Ware. Watch this space for updates.





# Let's all help to keep it clean

Drivers who leave their engines running whilst stationary are contributing significantly to air pollution, as well as wasting their fuel. East Herts Council has been working with Herts County Council and other districts to help encourage drivers to "Turn your key Be idle free," especially whilst waiting outside schools.

Air pollution is linked to the equivalent of 40,000 premature deaths each year in the UK with children, pregnant women and people living with respiratory, lung and cardiac conditions potentially being most at risk. Studies also show that air pollution can slow the development of children's lungs, leading to lifelong consequences

Over 10,000 primary school children from across the county supported the council's #KeepItClean awareness campaign in June by wearing green, walking to school and making action pledges on paper clouds in support of National Clean Air Day.

East Herts has also launched its Air Quality Action Plan. The 38 point plan includes support for National Clean Air Day. Promoting the use of electric vehicles is also a high priority, with extra car charging points and an electric car share scheme planned. Continued support for car-sharing schemes and walk-to-school weeks is included, together with working with other organisations to improve transport options and encouraging more people to leave their cars at home.

To find out more about the #KeepItClean campaign and the other actions the council is taking to improve air quality, please go to the website: [www.eastherts.gov.uk/CleanAirDay](http://www.eastherts.gov.uk/CleanAirDay)



# Update Training FAQs

This seems to be a big talking point amongst the trade at the moment and we've had lots of questions about the training:

**Q I've done an NVQ so why do I need to do it?**

**A** The NVQ is good and we appreciate drivers undertaking any form of training. The NVQ course is not always completely up-to-date and is not specific to East Herts which the Update training is.

**Q I've been a driver for 20 years - what can you teach me?**

**A** The feedback from experienced drivers is that they have all taken something away from the training. Some learnt a little and others learnt more. Things are constantly changing, so it's good to be informed and continue to develop professionally. 10 years ago safeguarding, particularly that of children, was not considered an issue but now it is. We value your experience so come along and share it with others.

**Q It's a waste of time and money and you're just generating income.**

**A** The council is not allowed to make a profit from taxi licensing and if it does for any reason, then it must be balanced out by lower fees the next year. There are public reports on the council website at [\(add link\)](#) which detail how the cost is broken down. The Update training is only planned for every three years, so it equates to less than £20 and two hours per annum. If in that time period it safeguards one child, or stops drivers falling foul of a law they didn't understand, then we think it's great value for money.

**Q What does the trainer know about taxi licensing?**

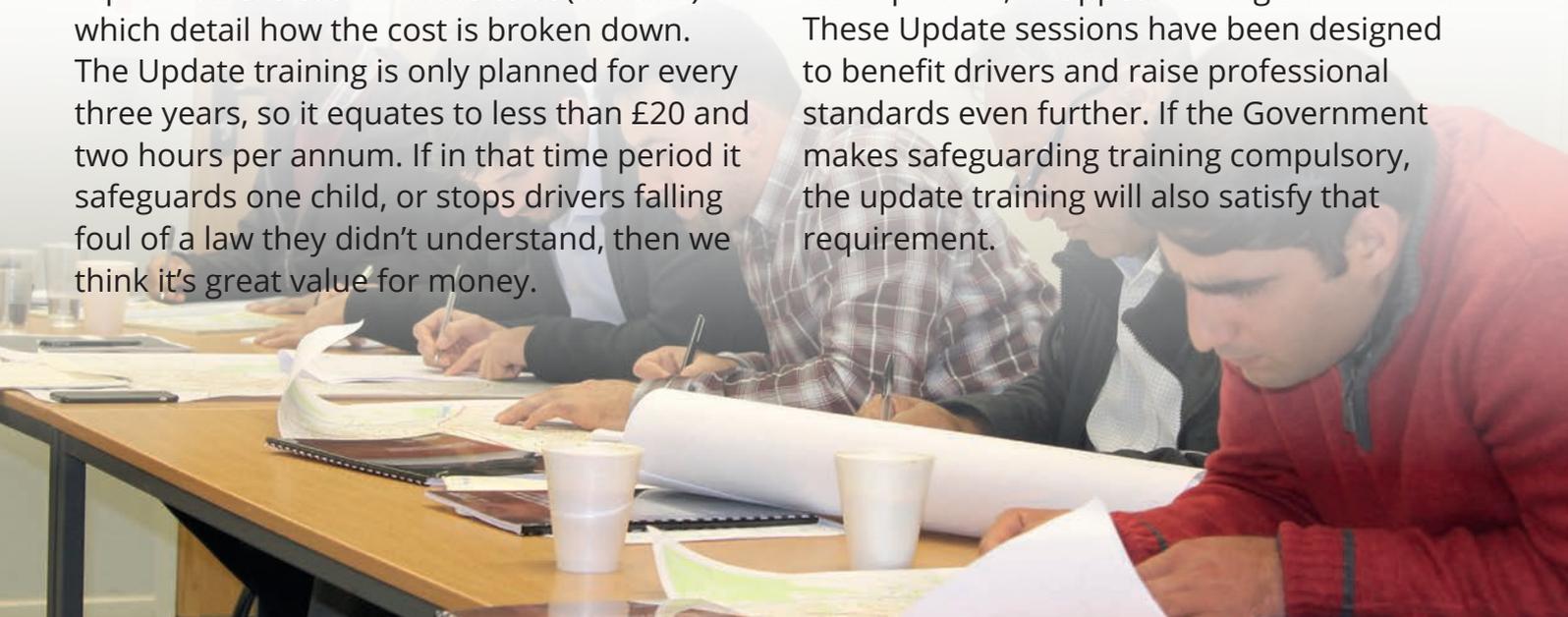
**A** Jamie Mackenzie is the business compliance officer from Watford Council and we contract him in to do both our New Driver and Update training. He's a hugely experienced officer who knows taxi licensing inside out.

**Q Is there a test?**

**A** No. The purpose of the training is to update you and hear your views. All we ask is that you attend and participate.

**Q Are you really going to suspend me if I don't attend?**

**A** YES we could. If you fail to attend or book onto Update training within six months of renewing your driver's licence, then you will be asked to give your reasons. This will be put in front of the Head of Housing & Health and the Chair of the Licensing Committee for consideration. If they decide that the reasons are not valid, your licence will be suspended. This will leave you with two options, either attend the training and your licence will be unsuspended, or appeal to magistrate's court. These Update sessions have been designed to benefit drivers and raise professional standards even further. If the Government makes safeguarding training compulsory, the update training will also satisfy that requirement.





# Accidents and convictions

Drivers need to notify the council of a conviction including formal or informal cautions or warnings, reprimands and other relevant information within seven days of receiving it. Other relevant information includes fixed penalty notices, being arrested (whether charged or not), being on bail, restraining orders, non-molestation orders... the list goes on.

Similarly you should report all accidents involving licensed vehicles, however small, in writing to the licensing team within 72 hours. You should include pictures of the vehicle if reporting via email but in most cases we will want to see the vehicle to ensure it's still roadworthy and meets our conditions.

If you're not sure whether you need to tell us something then you probably should. Failure to disclose relevant information can lead to action being taken against your licence and potential prosecution. All notifications should be in writing.

Things that must be reported:

- Accidents – notification required within 72 hours;
- Conviction information – notification required with 5 working days;
- Arrested – notification required within 3 working days;
- Change of name or address – notification required within 7 days.

All the conditions and rules regarding your licence can be found in the Driver's Handbook which is given to all new applicants and to those attending the Update training. It can be viewed and downloaded at: <https://www.eastherts.gov.uk/becomealicensedtaxidriver>



## Picking up assistance dogs

East Herts is prosecuting a Hackney carriage driver for refusing to carry an assistance dog and the case will be heard at Stevenage magistrate's court this autumn. Around half of the licensed drivers we've spoken to said they would also refuse an assistance dog for various reasons.

All taxi and private hire vehicle drivers are required to carry assistance dogs other than drivers who have a certifiable medical condition which is aggravated by exposure to dogs, who may apply to the council for exemption.

The Equality Act 2010 says:

1. A driver or operator cannot charge extra for carrying a passenger with a guide, hearing or assistance dog.
2. A driver or operator cannot refuse to carry assistance dogs.

On conviction for either of the above offences, you could be fined up to £1,000 in court and it is then likely that the driver or operator's licence would be subsequently revoked.

Currently East Herts Council has not issued any exemptions, but if you would like to apply for one, please contact the licensing team.

## CCTV



Back in 2008-9 we part-funded 21 CCTV systems and a number of these are still in operation. Twice this year alone, arrests have been made following evidence from these cameras. One incident involved assaults on a driver and the other was a case of bilking.

Increasingly we're seeing vehicles with CCTV systems installed in them. Used in the right way this can only be a good thing. We encourage the use of CCTV as it protects both the driver and the public and gives reassurance to all. It's particularly useful where an allegation is made either against or by a driver when there is only yourself and a passenger in the vehicle.

If you already have CCTV, then you should be registered as a data controller with the Information Commissioner's Office (ICO). This costs around £35 and is a requirement under the Data Protection Act. You can find further details or register online at: <https://ico.org.uk/for-organisations/register/>

Please don't upload any footage from your CCTV to the internet, even if you consider what you're doing is justified. It could bring into question your fitness and propriety to be a licensed driver.

If you're considering buying a system, you might want to consider this specification:

- 1x high definition forward-facing camera;
- 1x high definition camera covering occupants of the vehicle;
- Capacity to provide on/off audio by way of independently located switch.

The addition of a forward-facing camera could help to bring down the cost of your insurance, so you should check with your insurer. If you have CCTV fitted then please let us know so we can update our records.



# Say something if you see something

Taxi drivers, hoteliers, pubs, clubs and other licensed traders from across the district attended the launch of a hard-hitting video, with important messages on how those working in the night-time economy can help the police in tackling child sexual exploitation (CSE).

CSE is a form of sexual abuse involving young people under 18, who are groomed by an adult in person, by phone or online and receive something e.g. gifts or affection, in exchange for sexual activity.

East Herts Council has been working with Hertfordshire Constabulary to raise awareness of what to look out for and what you should do if you suspect a young person is at risk.

While case numbers in Hertfordshire are low compared to some other parts of the country, any victim of CSE is one too many and we should not be complacent.

You can watch the video on YouTube by <https://www.youtube.com/watch?v=j0VAT1tBJgo&feature=youtu.be>



## Save some money on Criminal Records checks

Taxi drivers need an Enhanced Criminal Record Check (DBS formerly CRB) every three years, as well as a Basic Criminal Record Check in the two intervening years. The total cost of this at the moment over the three years of your badge is £115.60.

A cheaper option is available when you next have an Enhanced Criminal Record Check. You can subscribe to the DBS Update Service at a cost of £13.00 per year within 30 days of your new Enhanced certificate being issued.

When setting up your subscription select the auto-renew option to avoid having to pay for another Enhanced check at £51.20 and having to set the service up again.

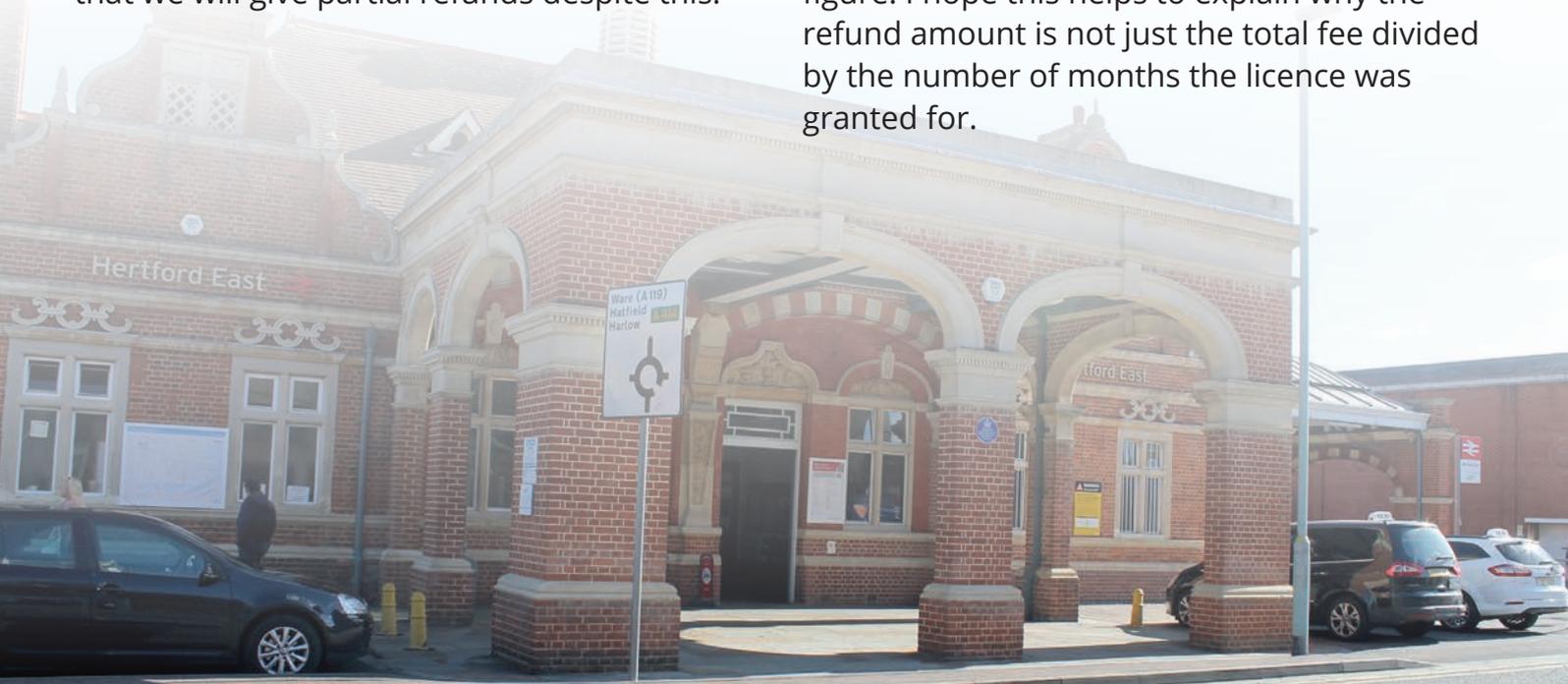
By doing this, when your next record check is due, whether Enhanced or Basic, you can simply grant us permission to check if anything has changed. This also makes the check transferable, so if you move in the future you just give the new licensing authority permission to view your check.

Use the following link for more information and to subscribe: <https://www.gov.uk/dbs-update-service>

# Q & A

In the last newsletter we asked if you had any questions that you would like answered and the first question was around how we calculate the refunds for surrendered licenses. Firstly it's important to understand that the fee paid for a licence is for the 'grant' of that licence so the law does not require us to give a refund of any sort if that granted licence is then surrendered. We have taken the decision that we will give partial refunds despite this.

Most of the work we do in granting a licence is in the initial issue of the licence and we then have to maintain the licence by making sure that checks are up-to-date and enforcement. When calculating a monthly figure to be refunded we first took off the cost of issuing the initial licence and then divided the remaining amount by the number of months the licence lasts, this gives you the monthly figure. I hope this helps to explain why the refund amount is not just the total fee divided by the number of months the licence was granted for.



## What do you think?

If you have any thoughts about the topics covered in TAXI TALK or a question that you would like answered, we'd love to hear from you. Please email: [community.protection@eastherts.gov.uk](mailto:community.protection@eastherts.gov.uk) or write to us at:

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