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Chief Executive

AGENDA

Committee: LICENSING

Date and Time: Wednesday 8th March 2017 at 7.30 p.m.

Venue: Council Chamber

Membership: Councillors E.Egan (Chairman) Acott, Bayley, Blackwell, Greig, Isaacs, Ladzrie, MacLean, May, Mumford, Palmer, Sheldon, Taylor, Walter and Mrs. Wass

**Officers attending: Mel Harris – Head of Licensing and Safer Communities
Callum Hall - Trainee Solicitor**

Enquiries: Cheryl Salmon, Ext. 2454

PART I

(Business to be taken in public)

1. Apologies

2. Members' Interests

3. Review of Licensing Services.

Report of the Head of Licensing and Safer Communities is attached.

**4. Commencement Order for Sections 165 and 167 Equality Act 2010:
Implications for Hackney Carriage and Private Hire Drivers.**

Report of the Head of Licensing and Safer Communities is attached.

5. Introduction of the Immigration Act 2016.

Report of the Head of Licensing and Safer Communities is attached.

**6. Modifications to Licensing Standards and Conditions – Hackney Carriage and
Private Hire Licensing Policy.**

Report of the Head of Licensing and Safer Communities is attached.

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LICENSING COMMITTEE**8th March 2017****Subject: Review of Licensing Services**

1. Purpose of Report

The report provides a review of the activities of the statutory Licensing Service provided by the Council under the following Acts and provisions together with a summary regarding other general licensing matters over the previous period.

Licence/Permit	Act
Hackney Carriages	Town & Police Clauses Act (1847)
Road Closures	Town and Police Clauses Act (1847)
Boatmen	Miscellaneous provisions Act (1876)
Pleasure Boats	Public Health Acts Amendment (1907)
Street Collections	Police, Factories, etc. (Miscellaneous Provisions) Act (1916)
House to House Collections	House to House Collections Act (1939)
Private Hire Vehicles	Miscellaneous Provisions Act (1976)
Street Trading	Miscellaneous Provisions Act (1982)
Sexual Entertainment Venues	Miscellaneous Provisions Act (1982)
Alcohol Regulated Entertainment Late Night Refreshment	Licensing Act (2003)
Gambling	Gambling Act (2005)
Scrap Metal	Scrap Metal Act (2013)

2. Background

- 2.1 The report gives a round-up of the work undertaken by the Licensing Team. The report shows the various types of licenses, permissions and consents that are issued by the Council and the numbers of applications that have been dealt with over the last period.

2.2 Licensed Premises

At the last statistical return ending 31/3/2016 within the Licensing Authority's area there were 219 licensed premises, 204 of those hold premises licences while the remaining 15 benefit from club premises certificates.

2.3 Licensing Applications

Type	2015/16	2016 to date
Applications for the grant of a premises licence	6	7
Applications for the variation of a premises licence	8	4
Applications for minor variations	7	6
Applications for the transfer a premises licence	15	13
Applications for a change of Designated Premises Supervisor	43	26
Applications for a personal licence	52	40
Applications for Temporary Event Notice	103	77

2.4 Hackney Carriage/Private Hire

The Council currently licences 196 vehicles which are made up as follows:

Combined Hackney Carriage/Private Hire Vehicles	131
Restricted Private Hire Vehicles (Limousines/Airports etc)	41
Private Hire (circuit only e.g., through an operator)	24

2.5 Gambling

Within the Licensing Authority's area there are now:

Premises licensed under the Gambling Act for a premises licence or a Permit	26
Licensed premises which have notifications in place for two or less gaming machines	20
Small Society Lotteries registered	32

2.6 Street Trading

A total of 56 Street Trading Consents have been issued this year.

Permanent Consents	4
Casual Consents	52

2.7 Scrap Metal

Scrap Metal Site	9
Scrap Metal Collectors	6

2.8 Road Closures

Canvey Carnival	Canvey Carnival Association
10K Canvey Run	Canvey Rotary Club
Benfleet Remembrance Day	Castle Point Borough Council
Canvey Lantern Parade	Canvey Carnival Association
Christmas light switch on	Canvey Island Town Council
Street Parties	As events happen

2.9 House to House and Street Collections

House to House Collections	18
Street Collections	21

2.10 Pleasure Boats and Boatman's Licence

Pleasure Boats	4
Boatman's Licences	7

2.11 Sexual Entertainment Venues

Sexual Entertainment Venue	1
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2.12 Hearings

The following hearings have been held during the period.

Description	Date	Type of application	Decision
1 x SEV	13/02/15	Application for a Sexual Entertainment Venue	Granted
1 x SEV	13/02/15	Variation to times of Premises Licence	Granted with conditions
1 x SEV	12/11/15	Variation to times Premises Licence	Granted with conditions
1 x Combined Licence	19/08/16	Reinstatement of H/C Drivers Licence after revocation	Refused
1 x Licensed Premises (Benfleet)	19/08/16	Variation to licensing hours & extension to licensable area	Granted with Police conditions
1 x Licensed Premises (Canvey)	13/12/16	Review of Licence	Revocation of licence and closure of premises
1 x Combined Licence	13/01/17	Revocation for excess alcohol	Licence revoked and plates returned
1 x Combined Licence	26/1/17	No insurance – pending	

2.13 New initiatives and projects

Officers continue to give advice and guidance to applicants and liaise regularly with partner agencies to ensure that the Licensing Authority provides the best possible service. New initiatives include:

- Joint enforcement visits with the Police to Licensed premises
- Safeguarding training for taxi drivers, including and especially Child Sexual Exploitation
- Safeguarding training day for licensed premises, including Child Sexual Exploitation, Immigration Right to Work Changes and fire safety and drugs awareness
- Specially tailored CSE information leaflets going out to all new applications and renewals for taxi drivers and licensed premises
- Taximeter full service delivered which is more convenient for our drivers
- Local competitive medical service with private health care provider
- Feasibility study regarding a one way system at Benfleet Station through the Highway Panel
- Home Office approved PREVENT - Anti- Extremist Strategy
- Promotion of J9 programme (prevention of domestic abuse)
- Modern day slavery enforcement visits with the Police to licensed premises
- Immigration enforcement visits with the Police to licensed premises
- Equality duty enforcement

3. Proposals

- 3.1 That the Licensing Committee considers the work undertaken by the Licensing Team to promote public safety and the licensing objectives (under the Licensing Act 2003) together with other service initiatives which have taken place in the Borough.

4. Conclusion

- 4.1 This report reviews the work which is undertaken by the Licensing Team.

5. Legal Implications

- 5.1 As included in the determination of any application, permission or consent processed or approved by the Head of Licensing and Safer Communities or resolved by legal proceedings.

6. Human Resources, Equality Implications

- 6.1 There are 2 FTE staff and a service Manager with responsibilities for:

- Community Safety
- Safeguarding, including CSE, Domestic Violence, PREVENT
- Strategic Partnerships
- Voluntary Sector
- Community events and shows

- Community Forums
- Public Health Initiatives
- Development of young people
- Unauthorised Encampments and ongoing liaison with ECTU
- Prohibition of Modern Day Slavery

7. Financial implications

- 7.1 The service is delivered in accordance with the Council's published budget and financial requirements

8. Links to Council's priorities and objectives

- 8.1 Effective and Efficient Customer Focused Services

Recommendation:

That the Licensing Committee considers and notes the work undertaken by the Licensing Team to promote public safety and the Licensing Objectives (under the Licensing Act 2003) together with other recent service initiatives and regulatory action.

Report Author:

Mel Harris Head of Licensing and Safer Communities

LICENSING COMMITTEE

8th March 2017

**Subject: Commencement Order for Sections 165 and 167
Equality Act 2010: Implications for Hackney Carriage and Private
Hire Drivers.**

1. Purpose of Report

- 1.1 The report updates the Licensing Committee on recent changes announced by the Department of Transport (effective from 6 April 2017) which makes it unlawful for taxi drivers to discriminate against wheelchair users. Amendments to the licensing policy and procedures will be required as a result of this Order.

2. Background

- 2.1 On 7th February 2017 the Department of Transport announced that it will be illegal for Hackney Carriage and Private Hire drivers to discriminate against wheelchair users.
- 2.2 Drivers will face a fine of up to £1,000 if they refuse to transport wheelchair users or attempt to charge them extra in a change to the law. From 6 April Hackney Carriage and Private Hire vehicle drivers will be obliged by law to:
- transport wheelchair users in their wheelchair
 - provide passengers in wheelchairs with appropriate assistance
 - charge wheelchair users the same as non-wheelchair users
- 2.3 The Order will apply in England, Wales and Scotland affecting vehicles that are designated as wheelchair accessible and will apply to both Hackney carriage and Private Hire vehicles.
- 2.4 The change in law means drivers found to be discriminating against wheelchair users face fines of up to £1,000 as part of provisions being enacted from the Equality Act. Drivers may also face having their Hackney Carriage or Private Hire vehicle licence suspended or revoked by the Licensing Authority. Drivers unable to provide assistance for medical reasons will be able to apply to their Licensing Authority for an exemption from the new requirements.
- 2.5 The new requirements will complement those already in place to prevent discrimination against users of assistance dogs and underline the Government's wide-ranging commitment to supporting transport networks which work for everyone.

3. Proposals

- 3.1 That the Council as the Licensing Authority acknowledges the changes in the law and incorporates the new obligations into the Hackney Carriage and Private Hire Licensing Policy.

4. Conclusion

- 4.1 The changes in legislation will ensure that all passengers continue to receive a fair and equal service.

5. Legal Implications

- 5.1 As shown

6. Human Resources, Equality Implications

- 6.1 As detailed in the report

7. Financial implications

- 7.1 None

8. Links to Council's priorities and objectives

- 8.1 Effective and Efficient Customer Focused Services

Recommendation:

That the Licensing Committee notes and supports the changes in the Equality Act 2010 made under the Commencement Order.

Report Author:

Mel Harris Head of Licensing and Safer Communities

LICENSING COMMITTEE

8th March 2017

Subject: Introduction of the Immigration Act 2016

1. Purpose of Report

- 1.1 This report records the recent changes introduced by the Immigration Act 2016 in relation to all of the Council's licensing functions which came into effect on 1 December 2016. Amendments to the licensing policy and procedures will be necessary as a result of these changes.

2. Background

- 2.1 On 4 October 2016 the Home Office and the Department of Transport announced that the specified transitional provisions in the Immigration Act 2016 will be brought into force by Commencement Regulations taking effect between November 2016 and December 2016.
- 2.2 The provisions in the Act amending existing licensing regimes in the UK, which seek to prevent illegal working in the Hackney Carriage and Private Hire sector came into force on 1 December 2016 under regulation 6. In particular, regulation 5 ensures that those who may be on temporary admission or release from detention are not disqualified from driving a Hackney Carriage or Private Hire vehicle or carrying on a licensable activity, provided that they comply with any restrictions as to their employment, which are treated for these purposes as conditions of leave.
- 2.3 The 2016 Act also embeds other immigration safeguards into the existing licensing regimes across the UK.
- 2.4 Illegal workers are those who are subject to immigration control and either do not have leave to enter or remain in the UK, or who are in breach of a condition preventing them from taking up the work in question.
- 2.5 The new measures build on legislation in 2014, to strengthen punishments for employers, including doubling the maximum civil penalty to £20,000 per illegal worker. In the financial year 2015/16 Immigration Enforcement issued 2,594 civil penalties to businesses employing illegal workers.
- 2.6 The Act will make illegal working a criminal offence in its own right, with a maximum custodial sentence of six months and/or a fine of the statutory

maximum (unlimited in England and Wales). This will allow wages paid to all illegal workers to be recoverable under the Proceeds of Crime Act 2002.

- 2.7 It will also be an offence for an employer to employ someone whom they know, or have reasonable cause to believe, is an illegal worker and the maximum custodial sentence on indictment will increase from two years to five years. This does not apply to Licensing Authorities who carry out immigration checks but are not considered 'employers' under the legislation.
- 2.8 To deal with those employers who continue to flout the law by employing illegal workers and evading sanctions, the Act introduces a power to close premises for up to 48 hours. If the employer can prove they have conducted right to work checks, the closure notice may be cancelled. Where they cannot, the business may be placed under special compliance requirements, as directed by the courts. This can include continued closure for a period, followed by re-opening subject to compliance inspections and the requirement to conduct right to work checks.
- 2.9 Immigration enforcement often encounters illegal working in premises which hold an alcohol licence or late night refreshment establishments. Applying for, and holding, a licence to sell alcohol or late night refreshment will be conditional on not breaching immigration laws, including employing illegal workers.

Drivers and Operators

- 2.10 The majority of drivers of Hackney Carriage and Private Hire vehicles and Private Hire operators are self employed. This means that they are not subject to existing right to work checks undertaken by employers. The new provisions will make immigration checks compulsory and embed immigration safeguards into the existing licensing regimes. All Licensing Authorities will need to carry out face to face ID check appointments for new applications and also renewal applicants where immigration checks have not previously been carried out. Castle Point Borough Council has always carried out face to face identity checks of its drivers and operators.
- 2.11 The new provisions mean that from 1 December 2016 the Licensing Authority has a legal duty not to issue Hackney Carriage/Private Hire driver and operator licences to people disqualified by their immigration status from holding them, in order to prevent illegal working in the sector. Those will be individuals who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a licence.
- 2.12 Where a person's immigration permission to be in the UK (known as their 'leave') is time-limited to less than the statutory length for a driver or operator licence, the licence must be issued for a duration which does not exceed the applicant's period of permission to be in the UK. In the event that the Home Office cuts short or ends a person's permission to be in the UK (referred to as curtailment or revocation), any licence that person holds will automatically lapse.
- 2.13 The provisions also add immigration offences and penalties to the list of grounds on which Hackney Carriage and Private Hire driver and operator licences may be suspended or revoked by Licensing Authorities. In circumstances where the

driver or operator licence expires, is revoked or suspended on immigration grounds, the licence must be returned to the issuing Licensing Authority. Failure to return the licence will be a criminal offence. The Home Office has asked to be notified of these suspensions or revocations of licences as they occur.

Home Office Engagement

- 2.14 The Home Office has engaged with local partners in Licensing Authorities to raise urgent awareness of the changes and share the draft guidance to assist Authorities.
- 2.15 A session held by the Home Office for Licensing Authorities in this area took place in October and included:
- Increased awareness and understanding of the changes to licensing regimes made by the Immigration Act 2016;
 - Equipped partners to carry out the required checks in practice, including when and how to make checks with the Home Office;
 - Provided awareness of common immigration documents, categories and terminology;
 - Provided information on the process for reporting non-issue or revocation of licences on immigration grounds to the Home Office; and
 - Provided basic forgery training to increase partner awareness of fraud and document abuse.
- 2.16 In addition and in preparation for these important identity checks all staff in the Licensing Team who will need to verify identity documents have undergone further in depth training on the recognition of false documentation and identity checks which need to be carried out, in particular in relation to consideration of Tier 1 (entrepreneurs) and Tier 2 (skilled workers) employees.
- 2.17 Draft guidance has been shared by the Home Office with Authorities attending the awareness sessions and is expected to be published on gov.uk to provide further information about the checks Licensing Authorities will need to carry out.
- 2.18 The guidance applies to applications and renewals and requests to review a current licence received by Licensing Authorities from 1 December 2016. It is being used by Licensing Authority staff responsible for the issue, suspension, and revocation of operator or Hackney Carriage or Private Hire driver's licences.
- 2.19 The documents referred to in the list of acceptable documents for conducting a check will indicate whether the individual has temporary permission to be in the UK or is entitled to remain indefinitely in the UK. The list of acceptable documents is explained in the guidance.
- 2.20 The Home Office advises that Authorities should not make assumptions about a person's right to work in the UK or their immigration status on the basis of their nationality, ethnic or national origin, accent, the colour of their skin or the length of time they have been resident in the UK.
- 2.21 The Home Office also advises that authorities will need to amend their application forms to include a declaration stating that the applicant has to have

the correct immigration status to apply for the licence, and that they understand that the licence will lapse if they cease to be entitled to work in the UK. The application form or supporting guidance will declare which document or documents must be brought by the applicant to the application interview and indicate that the Authority may check their immigration status with the Home Office. The right to work check will be conducted by Authorities during a face to face meeting with the applicant. The use of on-line electronic forms will need to be reviewed to ensure that there are no potential loopholes in relation to legal declarations and who completes the application form.

- 2.22 Immigration checks on an individual will be carried out by contacting the Home Office's Evidence and Enquiry Unit. All requests must be submitted from a secure email account such as GCSX.
- 2.23 Checks via the Immigration Service should only be requested by Authorities when the Certificate of Application is less than six months old and indicates that work is permitted; or the Authority is satisfied that it has not been provided with any acceptable documents because the person has an outstanding application for permission to be in the UK with the Home Office which was made before their previous immigration permission expired or has an appeal or administrative review pending against a Home Office decision.
- 2.24 In its draft Guidance to Licensing Authorities the Home Office has confirmed that a person granted permission to be in the UK under Tier 1 of the points-based System as an 'entrepreneur' is only entitled to work for their own business, which they are running as a self-employed person, partner or director. Licensing Authorities must therefore be satisfied that applicants are genuinely engaged in running their own business as an operator or a Hackney Carriage or Private Hire driver. Licensing Authorities are advised to consider requesting evidence of an applicant's appropriate registration of their business or for self employment with HM Revenue and Customs as part of the consideration of any application. If an applicant is deemed to be effectively an employee and the business is not their own, their application should be rejected.
- 2.25 The Home Office has further clarified that a person granted permission to be in the UK under Tier 2 as a 'skilled worker' is granted permission to work for a specified employer (a sponsor) in a specified capacity. It is unlikely they would qualify for a licence in this sector. A dependant of a Tier 2 migrant may qualify for a licence, as the same restrictions do not apply.
- 2.26 'Asylum seekers' do not usually have permission to work and when they do, this is only in a shortage occupation which will not include the sector. An Application Registration Card (ARC) is provided to a person who has claimed asylum in the UK, pending consideration of their case. An ARC may exceptionally state that the holder has a right to work, but this will only be in a shortage occupation. Holders of an ARC must not be granted any licence. A person who has been recognised by the UK as a refugee is issued with a Biometric Residents Permit and has no restrictions on their right to work in the UK whilst their BRP remains valid.
- 2.27 'European Economic Area' (EEA) and Swiss nationals have the right to work in the UK. However, Authorities should not issue a licence to any individual simply

on the basis that they claim to be an EEA national. Authorities are now advised that not all EEA nationals are permitted to work in the UK without restrictions (for example there is specific guidance relating to Croatian nationals). Any person who claims to be an EEA national should produce a valid EEA passport or EEA national ID card.

- 2.28 The new checking requirements are not retrospective. This means that the Authority will not have to check the immigration status of those people who already hold a licence which was issued before 1 December 2016. The check must be performed when the applicant first applies for a licence or first applies to renew their licence or extend their licence on or after the 1 December 2016. For those who have limited permission to be in the UK, the check must be repeated at each subsequent application to renew or extend the licence until such time as the applicant demonstrates that they are entitled to remain indefinitely in the UK and as a result there are no restrictions on their ability to work.
- 2.29 The new draft Guidance issued from the Home Office has raised some concern around those drivers who are not considered to be 'entrepreneurs', 'skilled workers' or may be 'students' in attendance at Universities and working part time as a taxi driver. Checks will be carried out to ensure all those currently licensed with the Authority meet the necessary criteria to work in the sector.
- 2.30 The Licensing Authority already conducts face to face identity and document check appointments on all of its new applicants and will continue to do so both on renewal of a licence or where there is any doubt as to the immigration status of a licensed driver.
- 2.31 The Hackney Carriage and Private Hire Licensing Policy and existing procedures in place have been updated to reflect these changes.

3. Proposals

- 3.1 That the Licensing Authority implements the Home Office changes to the conditions for Hackney Carriage and Private Hire drivers and Operators as reflected in the updated Hackney Carriage and Private Hire Licensing Policy.

4. Conclusion

- 4.1 The changes in licensing conditions allow the Authority to fulfil its responsibility to protect paying customers.

5. Legal Implications

- 5.1 None

6. Human Resources, Equality Implications

- 6.1 None

7 Financial implications

- 7.1 None

8. Links to Council's priorities and objectives

8.1 Effective and Efficient Customer Focused Services.

Recommendation:

That the Licensing Committee approves the changes to the Hackney Carriage and Private Hire Licensing Policy made under the Immigration Act 2016.

Background Papers

Immigration Act 2016

Guidance for licensing authorities to prevent illegal working in the taxi and private hire sector

Report Author:

Mel Harris Head of Licensing and Safer Communities

LICENSING COMMITTEE

8th March 2017

**Subject: Modifications to Licensing Standards and Conditions –
Hackney Carriage and Private Hire Licensing Policy.**

1. Purpose of Report

- 1.1 The purpose of this report is for the Licensing Committee to give consideration to modifying several of the Pre-Licensing Standards and Conditions issued under the Hackney Carriage and Private Hire Licensing Policy.

2. Background

- 2.1 The Council has adopted pre-licensing standards for all Hackney Carriage and Private Hire vehicles and drivers as set out in its Hackney Carriage and Private Hire Licensing Policy.
- 2.2 From time to time these standards are reviewed to ensure they reflect current legal requirements, safety, best practice and developments in vehicle design and technology.

3. Proposals

The changes to conditions are set out in the Appendix to this report. In brief these are:

1. Mandatory safeguarding training for drivers
2. Mandatory knowledge test no longer required for private hire drivers
3. Changes under the Immigration Act 2016 (see separate report)
4. Medical assessments can be accessed at a lower price from a private health provider and are carried out at the Council offices
5. Driver's assessments not carried out by the Driver's Standards Agency
6. New taximeter setting change scheme
7. Changes in legislation related to passengers with disabilities (see separate report)

4. Conclusion

- 4.1 The changes in vehicle conditions will allow the Authority to fulfil its responsibility to uphold public and protect paying customers and the taxi trade from risk.

5. Legal Implications

5.1 As shown in the Appendix.

6. Human Resources, Equality Implications

6.1 The change in conditions has a positive effect particularly regarding accessibility for people with disabilities.

7 Financial implications

7.1 The changes will result in a lower fee being payable by private hire drivers resulting from the removal of the mandatory knowledge test.

8. Links to Council's priorities and objectives

8.1 Effective and Efficient Customer Focused Services.

Recommendation:

That the Licensing Committee agree the changes to the Hackney Carriage and Private Hire Licensing Policy as set out in the Appendix attached to this report.

Background document

The CPBC Hackney Carriage and Private Hire Policy

Report Author:

Mel Harris Head of Licensing and Safer Communities

Appendix – agenda item 4

	Change	Page	New Text
1	Mandatory safeguarding training for drivers <i>New paragraph inserted</i>	5	All drivers will be required to complete mandatory safeguarding training every three years.
2	Knowledge required for Hackney Carriage drivers only <i>Change to wording</i>	5 8	Applicants who apply to drive a Hackney Carriage licence will also be required to take a knowledge test of the area. For the combined hackney carriage/private hire drivers licence pass a knowledge test designed to ensure that they have sufficient knowledge to provide a safe and reliable service to the travelling public. A person that does not attain the pass mark on retest and wishes to take a further test will be required to pay a fee for each subsequent occasion
3	Immigration Act 2016 <i>New text inserted</i>	6	All applicants must provide proof that they have a statutory right to work in the UK. Any applicant who has a limited right to work shall not be issued a driver licence for a period longer than that limited period. If the right to work is under review by Immigration Services at the time an application is made a licence is unlikely to be granted until the position is confirmed. Information provided to the Authority will be shared with other council services, other authorities and external statutory bodies e.g., Police, Immigration services and Customs and Excise. The provision of a National Insurance number in isolation is not sufficient for the purposes of establishing the right to live and work in the UK. All overseas applicants who apply for or renew a licence will be required to provide a Certificate of Good Conduct from the relevant embassy of every country the applicant has lived in, the cost of which will be borne by the applicant. Should an overseas

			<p>licensed driver return home or go abroad for a period of 3 months or more then a further criminal record check will be required to cover the period that they are outside of the UK. A declaration will be required on renewal of the driver's application to this effect.</p> <p>A DBS check obtained on behalf of a foreign national will only reflect that the applicant has not worked in the UK before and does not generally have access to overseas criminal records. Further guidance will be sought from the DBS and Home Office (Immigration Service) in terms of obtaining additional immigration information where necessary. If the information is not listed then the Council may need to contact the country's representative in the UK or alternatively request the applicant to provide a Certificate of Good Conduct from his/her own embassy. The Certificate of Good Conduct is required as an important safety measure and will be taken into account in determining whether or not an applicant or existing licence holder is a fit and proper person to hold.</p> <p>Where there is limited or no historic information available to form a decision on the suitability of the applicant to the satisfaction of the Authority then the application may be refused. Such cases will be referred to the Licensing Committee for determination.</p>
4	<p>Medical assessments can be accessed at a lower price from a private health provider</p> <p><i>New paragraph inserted</i></p>	13	<p>Examinations are available from a private health provider at the Council Offices at a competitive fee.</p>
5	<p>Driver's assessments not carried out by the Drivers Standards Agency.</p> <p><i>Change to wording</i></p>	13	<p>All applicants will be subject to a criminal disclosure check with the Disclosure and Barring Service (DBS) every three years and required to take a driving assessment.</p> <p>A driver shall be the holder of a drivers assessment pass certificate for Hackney Carriage and Private Hire, a current holder of a PSV (public service vehicle) licence or a holder of an advanced driving certificate from an officially recognised body on first application and thereafter every three years after the age of 65 years. This will be</p>

			at the applicants own expense.
6	<p>Taximeter setting change - new scheme adopted</p> <p><i>New Appendice added to policy</i></p>		<p>New Appendice added to policy</p> <p>Scheme will save costs. Meter agents are now checking against the measured mile, sealing and issuing certificates on behalf of the Council.</p>
7	<p>Changes to law regarding taxis and passenger's with disabilities</p> <p><i>New text inserted</i></p>	73 & 74	<p>On 7th February 2017 the Department of Transport announced that it is illegal for taxi Drivers to discriminate against wheelchair users.</p> <p>From 6 April 2017 taxi and private hire vehicle drivers will be obliged by law to:</p> <ul style="list-style-type: none"> • transport wheelchair users in their wheelchair • provide passengers in wheelchairs with appropriate assistance • charge wheelchair users the same as non-wheelchair users <p>The new rules will apply in England, Wales and Scotland affecting vehicles that are designated as wheelchair accessible and will apply to both hackney carriage and private hire vehicles. All Hackney Carriage vehicles in London and a significant number in most major urban centers are wheelchair accessible.</p> <p>The change in law means drivers found to be discriminating against wheelchair users face fines of up to £1,000 as part of provisions being enacted from the Equality Act. Drivers may also face having their hackney carriage or private hire vehicle (PHV) licence suspended or revoked by the Licensing Authority. Drivers unable to provide assistance for medical reasons will be able to apply to their licensing authority for an exemption from the new requirements.</p> <p>The new requirements will complement those already in place to prevent discrimination against users of assistance dogs and underline the government's wide-ranging commitment to supporting transport networks which work for everyone.</p>