

Appendix 2 - Taxi Licensing Policy (v3.5) – Summary of Changes

Section	Change	Notes/ Rationale
Contents 15.8	Add Whistle-blowers policy to index	
Appendix F	The National Register of Refusals and Revocations (NR3 Register)	To include use of NR3 in policy
Appendix G	ADD Vehicle emission standards appendix	To include vehicle emissions requirements in support of the authority's Climate Change Framework.
1.4	Delete – the Department of Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (Currently under review)	Replaced with: General Data Protection Regulations 2018 Police & Crime Act 2017 Department for Transport Statutory Taxi & Private Hire Vehicle Standards The Care Act 2014 The Public Interest Disclosures Act 1998 (PIDA) Safeguarding and Vulnerable Groups Act 2006
1.4	Update references to relevant documents and other relevant legislation	Add DFT use of NR3 and further relevant documents
3.1	Include National Standards issued by Department for Transport (DFT) Add 'To ensure continued Public Safety, and legislative compliance, the Council may update or alter the policy periodically. Such changes would be published on the Cherwell District Council website and affected licence holders would be notified in advance of all such changes'.	To allow for amendment if the legal framework or standards change.
3.2	Add 'The protection of the environment'	To reflect protection of the environment in the objectives of the policy.
3.6	Add 'The protection of the environment' purposes- Reducing harmful car emission into the environment Promoting the use of sustainably fuelled vehicles.	To further define the protection of the environment objective.
5.2	Add: The term 'fit and proper' involves assessing that an application may be 'Safe and Suitable' to hold such a licence	That phrase is necessary to bring fit and proper assessments into modern definitions. Often referred to in court hearings.

5.5	<p>All applications to renew a taxi drivers' licence should be made through the Cherwell District Council website:</p> <p>Added 'Cherwell District Council will make all reasonable adjustments to ensure the Licensing Service is accessible by all'</p>	<p>To channel all applications online as the preferred application process. Paper applications will still be allowed for persons who are unable to apply on-line.</p> <p>To ensure service is fully accessible</p>
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5.6	Add reference to NR3	Outlining when a licence is refused or revoked the information will be shared on the NR3 database.
5.6	Add 'Cherwell District Council has signed up to the National Register of Refusals and Revocations (NR3 register). This means that when an application for a taxi driver's licence is refused, or when an existing taxi driver's licence is revoked, that information will be placed on the register. The details of all new applicants will also be checked against the information held on the register'.	NR3 inclusion in policy
6.2	Changed to include quote from DFT standards	Relates to the 'Fit and Proper' person tests
6.3	Changed to align with DFT standards	Relates to the 'Fit and Proper' person test
6.4	Changed to align with DFT standards	Decisions on suitability of applicant/licensee
6.6	Amended to reflect DFT standards on relevant information sources	Not limited and includes reference to the Multi-Agency Safeguarding Hub
6.7	<p>Delete 'penalty points issued or any other driving offence' to comply with DFT guidance and insert</p> <p>"72 hours to notify any DVLA offences"</p> <p>Add 'Road traffic offences which are discharged by way of speed awareness training or similar, must be reported to the council. Cherwell District Council will note such offences, and their method of discharge'</p>	<p>To align with DFT guidance</p> <p>Correction</p> <p>Addition to reflect speed awareness as an alternative to point and fine.</p>
6.8	<p>Add:</p> <p>The Data Protection Act 1998, and the General Data Protection Regulations 2018</p>	Clarification and reflects DFT standards
6.9	<p>Add:</p> <p>Applicants and licensees must disclose if they hold or have previously held a licence with another authority. An applicant or licensee is also required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority. When such licences have been disclosed the council will contact that authority to gather further details. Failure to disclose such information may result in the refusal or revocation of a licence.</p>	To reflect DFT standards

6.10	Add: 'omitted information'	To reflect DFT standards
7.1.1	Delete 'potential'	Clarification wording
7.1.2	Add 'or formal Police interactions taken place during' and 'penalty points being issued to that licence, or the'	Clarification wording
7.1.3	Delete 'ongoing'	Clarification wording
7.1.4	Add 'and licence holders' and 'All applicants and licence holders will be subject to 6 monthly DBS checks throughout their licence period, and at times when the Council consider it necessary and appropriate to do so. The DBS online update service, and subscription to the service is a compulsory requirement for all licence holders. It will be used to monitor the criminal record of the licence holder throughout the term of the licence.'	Clarification wording to reflect frequency of further DBS checks carried out on licensees.
7.1.6	Add 'may'	Clarification wording
7.1.8	Add 'Where licence holders fail to maintain the online DBS subscription, or have not provided the council with the necessary information to check their DBS report, when required to do so, that licence will be suspended until such checks have been completed and the 'fit and proper' status of the licence holder has been fully assessed.'	Clarification wording on consequences of not supporting the council to carry out DBS checks.
7.1.9	Add 'In the interests of public safety, the council will not issue a licence to any individual that appears on either barred list on DBS reporting system.'	DFT Standards requirement
7.2.1	Change from 'six months' to 'three months'	Reflects DFT standards
8.1	Add 'Child Sexual Exploitation (CSE/CDE)	Reflects DFT standards requirement
8.3	Add 'CDE and Disability awareness' and 'to completing'	Reflects DFT standards requirement
8.4	Add 'CDE' Add ' <ul style="list-style-type: none">• Safeguarding certificates issued no more than 3 months prior to the application date will be accepted by the authority.• The Safeguarding certificate will be valid for 3 years from the date of issue.• Failure to provide Cherwell District Council with a valid safeguarding certificate will prevent that license being issued, or existing licenses being suspended until the requirements have been met and documented.	Reflects DFT standards requirement Clarification and additional information

9.4	<p>Add 'Under the D.V.L.A. Group 2 Medical standards applicants and licensed drivers suffering from diabetes and using insulin, glinides, or other prescribed medications suffering from diabetes and using insulin must have an annual diabetes medical report. The diabetes specific medical report must be completed, and endorsed, by their diabetes care unit, or a medically qualified practitioner authorised by the Council. Oxfordshire University Hospitals diabetes specialists' units are authorised by the council to complete all diabetes assessments Failure to evidence a driver's medical fitness may result in the refusal, suspension or revocation of the licence.'</p> <p>'This diabetes specific medical is in addition to all other medical assessment requirements.'</p>	<p>This is already an existing requirement, but not fully adhered to. OUH wish to ensure we take measures to ensure this is applied.</p> <p>Correction</p>
9.6	<p>Add 'Third party medicals - DVLA Group 2 medical assessments will be accepted from approved third party assessors if the licence applicant provides the council with a copy of their full medical records. Once viewed those medical records will not be retained or stored by the Council'</p>	<p>Clarification wording</p>
11.1.1	<p>Add 'As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore the council are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime.'</p>	<p>Clarification wording</p>
11.1.2	<p>Add 'All vehicle licence holders will be required to meet the same level of the 'fit and proper' assessment outlined in the Hackney Carriage Private Hire Drivers section of the policy and appendices. For vehicle licence applicants this assessment will be partly based on a DBS Basic disclosures report as a minimum DBS report. All applicants and licence holders must subscribe to and maintain a subscription to the DBS on-line update service, and will be subject to annual DBS checks, or further checks when required by the Council. Failure to maintain this subscription, or provide the information required for such DBS checks may result in that licence being suspended or revoked.</p>	<p>Clarification wording</p>
11.1.3	<p>Add 'Only vehicles less than 6 years old and meet the requirements of Appendix G will receive a new licence'.</p>	<p>New environmental measures</p>
11.1.4	<p>Add 'Existing licensed vehicles cannot have their licence transferred to a higher polluting vehicle (for example, a D.V.L.A. Cat 6 electric vehicle cannot be replaced with a D.V.L.A. Cat 5 Hybrid vehicle).</p>	<p>New environmental measures</p>

11.1.5	Replace 'already' with 'currently'	Clarification wording
11.1.6	Add 'The Council will not licence vehicles which fall with the D.V.L.A categories which indicate that the vehicle has been damaged or written off by insurers.'	Clarification wording
11.1.7	Add 'Applications should be made using the Council website: https://www.cherwellandsouthnorthantsuat.jadu.net/xfp/form/544?council=cdc .	Clarification wording
11.1.8	Add 'Evidence of the vehicle's emissions, no older than 28 days at the time of submitting the licence application.'	Environmental measure
11.1.9	Add 'In addition to the above, incomplete application forms, incorrect fees and or supporting documentation that does not conform will result in the application being rejected. Only when a complete application has been provided will the assessment process begin.'	Clarification wording
11.2.1	Add 'Vehicle licences are for a period of 1 year and will be subject to MOT testing annually every 6 months. All MOT test reports must show that the vehicle has no faults, or advisories, and has passed the MOT test. Where advisories have been reported, the applicant must document the completion of any remedial works required to correct the advisory fault/s.'	Change from requirement for a 6 monthly Cherwell District Council vehicle assessment test to a 6 monthly MOT. Correction
11.2.2	Remove 'On application, and every six months thereafter, a vehicle will be required to pass a Cherwell District Council vehicle assessment test.'	Requirement changed to an MOT
11.2.2	Add 'Vehicles must be less than six years old at the time of first licensing must have working stop/start engine technology, if it is propelled by petrol, diesel or hybrid engines. That stop/start technology must be fully functional throughout the term of the licence.'	Environmental measure
11.2.3	Add 'Vehicles at the time of first licensing must be propelled by electric, hydrogen or be a hybrid engine using a combination of petrol and electric energy. From 2030 all vehicles at first licensing must be solely propelled by electric or hydrogen' Add 'From 2030 all vehicles at the time of first licensing must be propelled by either electric or hydrogen. Please note, this clause will be reviewed again at the time of the next 5-year Policy review in 2028 which occurs before the above clause comes into force. That Policy review will consider the availability of sufficient infrastructure to support electric and hydrogen vehicles, the availability of such vehicles and suitability of models available whilst also considering the affordability of those vehicles'	Environmental measure Added additional qualification following consultation to ensure the policy does not bring unfair or stringent vehicle emission requirements before they are practicable for the trade.
11.2.4	Add 'The council will only licence vehicles less than 10 years old'.	Clarification of age limit for licensed vehicles

11.2.5	<p>Add 'Once a vehicle is licensed, that licence cannot be transferred to another vehicle, whether temporary or otherwise, which has been categorised by the D.V.L.A., as emitting levels of pollution higher than the current licensed vehicle.</p> <p>Add 'When a vehicle has been replaced following a vehicle accident/damage, the replacement vehicle may be like for like with regards to emissions and euro categorisations up to the accident vehicle age reaching 10 years old. After the 10-year age threshold has been met, or exceeded, the existing licensed vehicle will not be renewed, and any replacement vehicle must meet the relevant policy euro category'</p>	<p>Environmental measure</p> <p>Clarification wording following consultation</p>
11.2.6	<p>Add 'Once a wheelchair accessible vehicle is licensed, that licence cannot be transferred to another vehicle, whether temporary or otherwise, to non-wheelchair accessible vehicle'</p>	<p>Clarification – very few private hire vehicles are wheelchair accessible in Cherwell. We need to maintain and extend this provision this where possible.</p>
11.8.1	<p>Add 'or through the Cherwell District Council website'</p> <p>'An accident report form must be completed and submitted to the Council along with photographs of the damage within 24 hours of reporting the accident'</p>	<p>Clarification wording</p>
11.8.2	<p>Add 'the Council Licensing vehicle assessment Officer's. Such an inspection requirement would be to ensure the safety of the vehicle, for public use.' And</p> <p>'after which that licence is automatically revoked'</p> <p>Add 'The notice requires that the vehicle is repaired and inspected by an authorised officer within 2 months of the Section 68 notice issue date. Under the Local Government (Miscellaneous Provisions) Act 1976 that license is automatically revoked if those requirements are not met. When a license is subject to revocation under these circumstances, the LA will allow a license grant application for a like for like vehicle with regards to emissions and euro categories, and vehicle type, up to the original accident vehicle age reaching 10 years old. Such a replacement vehicle grant application must be submitted within 6 months of the issue date of the Section 68 notice'</p>	<p>Clarification wording</p> <p>Clarification wording following consultation</p>
11.8.3	<p>Add 'Once the accident damage has been repaired, the vehicle must be assessed by a Cherwell District Council Licensing officer. This vehicle assessment report will ensure the above assessment meets the Councils Taxi Licensing Policy and determine if the repaired vehicle meets the requirements of the policy. Any rescinding of notices following the vehicle/policy assessment will be notified in writing to the licence holder.</p>	<p>Clarification wording</p>

11.8.4	<p>Add 'Any vehicles written off by insurers following an accident will have the vehicle licence revoked'</p> <p>Add 'Vehicles written off by insurers will not be licensed or have a suspended license re-instated.'</p>	<p>Clarification wording</p> <p>Clarification wording</p>
11.11	<p>Add title 'Additional Provisions for Wheelchair accessible vehicles.'</p> <p>Add 'Existing licensed vehicles from the policy implementation date, will continue to have their licenses renewed until vehicle age limits are reached.'</p>	<p>Extend accessibility</p> <p>Clarification wording</p>
11.11.1.	<p>Add '2. Wheelchair areas must allow at least 305mm (12") leg room from the wheelchair frame/seat to any structure in front of the seat. There must be enough roof space to allow the wheelchair used to be seated comfortably inside the vehicle'</p>	<p>Extend accessibility and to align with DFT statutory guidance "Access to taxis and private hire vehicles for disabled users".</p>
12.1	<p>Add 'an external' and</p> <p>'The internal licence details must be displayed in the vehicle at all time, on the top left (passenger side) of the vehicles windscreen'</p>	<p>Clarification wording</p>
12.3	<p>Add 'non-contractual'</p>	<p>Clarification wording</p>
13.1.1	<p>Add 'As with driver licensing, the objective of operator licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore the council are assured that those granted a operator's licence also pose no threat to the public and have no links to serious criminal activity. Although operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime'</p>	<p>Clarification wording</p>

13.1.2	<p>Add 'All operators, and each individual/director associated with the licence, will be required to meet the same level of the 'fit and proper' assessment outlined in the Hackney Carriage Private Hire Drivers section of the policy and appendices. For applicants this assessment will be partly based on a DBS Basic disclosures report as a minimum DBS report. All applicants and licence holders must subscribe to and maintain a subscription to the DBS on-line update service, and will be subject to annual DBS checks, or further checks when required by the Council. Failure to maintain this subscription, or provide the information required for such DBS checks may result in that licence being suspended or revoked'</p>	<p>Clarification wording explaining how the 'fit and proper' person test also applies to operators and directors. This is a requirement of the DFT Standards.</p>
13.1.3	<p>Add 'Operators are required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and must ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual must have been issued within two weeks of employment commencing. When individuals start taking bookings and dispatching vehicles for an operator they are required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role. Operators will be required to conduct Basic DBS checks on their register of booking and dispatch staff every three years, as a minimum. All such DBS checks must be documented on an employee's register'</p>	<p>Clarification wording to ensure operators check convictions of driver's they engage. This is a requirement of the DFT Standards.</p>
13.1.4	<p>Add 'The register shall be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. Operator must record that they had sight of a basic DBS check certificate, and in doing so must list the DBS certificate number, date of issue, and generalised comments regarding the DBS report. The certificate itself should not be retained. The employee should be retained their DBS report for the duration that the individual remains employed and on the register. All a new basic DBS certificate should be requested and sight of this recorded. The register must be stored in a secure location at the Operators listed address and be available for inspection upon request of authorised officers'</p>	<p>Clarification wording supporting requirement outlined above.</p>

13.2.2	<p>Add 'Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators are required to evidence, by documentation, that comparable protections are applied by the company to which they outsource these functions. Such documentation must be made available to authorised officers upon request'</p> <p>Add '• Any private hire operator making provision for the invitation or acceptance of bookings in Cherwell needs to hold a private hire operator's licence with Cherwell. The Council expects Operators licensed by the Council to utilise vehicles and drivers licensed by Cherwell so as to ensure that the licensed trade working in Cherwell conform to the standards set by the Council and can be subject of local compliance.</p> <ul style="list-style-type: none"> • In addition, as part of the Council's 'fit and proper' test, it would not expect an operator to obtain a licence in Cherwell to simply make vehicles licensed by another authority available for booking via sub-contracting on a regular basis. As such whilst any licensed vehicle may enter Cherwell to pick up or drop off customers, the Council would not expect vehicles licensed outside of Cherwell to be waiting in Cherwell and be made available for bookings as this diminishes the Council's ability to set local standards and local control. As such, any Operator acting to deliberately reduce the Council's ability for local control would not be meeting the required public safety objectives and standards expected of a professional, licensed, fit and proper private hire operator, and may have their licence to make provision to invite or accept bookings in Cherwell revoked. <p>By way of guidance, the Council would expect at least 75% of journeys received by a Cherwell licensed operator commencing or finishing in Cherwell in a 3 month period to be completed by Cherwell licensed private hire vehicles (or Cherwell licensed hackney carriage vehicles completing pre-booked work).</p>	<p>Clarification wording</p> <p>Added to ensure Cherwell District Council keeps sufficient safety governance over the taxi industry within its area.</p>
13.6.2	<p>Add 'All Operators must ensure that drivers and vehicle working on behalf of their licensed business do not park outside, or within the vicinity, of their licensed premises, unless picking up or dropping off a paying customer. Failure of the operator to adhere to this condition of the licence will lead to enforcement action which may include the issuing of penalty points, suspension or revocation of the licence or prosecution'</p>	<p>New requirement s a result of the council receiving complaints about inappropriate parking (e.g. on double yellow lines or on pavements) by licensed taxis near operator's premises.</p>
13.6.3	<p>*Vicinity may be assessed as parking within 10 metres of the licensed operator's premises.</p>	<p>Clarification wording to support requirement above.</p>

15.1.2	Add 'All complaints and enforcement actions will be recorded on the councils licensing data base, and where patterns of behaviour or traits are outlined by that data, the council will review the suitability of that licence holder against the 'fit and proper' criteria, and the balance of probability'	DFT standards requirement
15.3.3	Add 'and any such actions will be notified to Thames Valley Police'	DFT standards requirement
15.3.5	<p>Add 'In certain circumstances the council will make referrals to the DBS, following enforcement actions such as refusing or revoking a licence, when the applicant/licence holder is thought to present a risk of harm to children or vulnerable individuals.</p> <p>Referrals will be made when:</p> <ul style="list-style-type: none"> i. An individual has harmed or poses a risk of harm to a child or vulnerable adult. ii. An individual has satisfied the 'harm test', as described in the Disclosure and Barring service (DBS) guidance about making referrals. iii. Where an individual has received a caution or conviction for a relevant offence. iv. Where the individual being referred is or may in the future be working in regulated activities. <p>Such referrals may result in that individual being added to the DBS 'barred' list, and would be made in line with the DBS referrals guidance:</p> <p>https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs</p>	DFT standards requirement
15.8	Add Title 'Whistleblowing Policy'	DFT requirements
15.8.1	Add 'The Public Interest Disclosure Act 1998 (PIDA), commonly referred to as whistleblowing legislation, provides protection for those that have a reasonable belief of serious wrongdoing, including failure to comply with professional standards. In the normal course of events, if a licence holder or person, reveals information that his employer, or colleagues do not want revealed it may result in having a negative impact on the 'whistle-blower'. The 'Whistle-blowers' Policy enables licence holders and persons who 'blow the whistle' about wrongdoing to be protected from any such negative impacts'	DFT standards requirement

15.8.2	Add 'The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment it expects and encourages licence holders, and others that it deals with, who have serious concerns about any aspect of the Taxi licensing regime and related work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis. Any licence holder/person who wishes to disclose information to the Council will be protected, and the source of this information will not be disclosed to other parties'	Consistent with DFT standards
15.8.3	<p>Add 'This policy document makes it clear that such issues can be raised without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable licence holders, or persons, to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' outside. When a licence holder wishes to use the 'Whistle-blowers' policy, they should contact a Licensing Enforcement Officer, or the Licensing Manager. Alternatively, dependent upon the nature, seriousness and sensitivity of the issues involved and the person suspected of malpractice, the matter may be raised with the Chief Executive (Monitoring Officer), Solicitor to the Council (Deputy Monitoring Officer), or Head of Corporate Services. When reporting under this policy, the reporter should request the enactment of the 'whistle-blowers' policy before divulging any information'</p>	Reflects DFT standards
15.8.4	Add 'Concerns may be raised verbally or in writing. Persons who wish to raise a concern should provide details of the nature of the concern or allegation and its background including relevant dates. The detail should be enough to demonstrate reasonable grounds for concern, although proof beyond doubt of an allegation is not expected at this stage'	Reflects DFT standards

15.8.5	<p>Add 'This Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of the normal complaints procedures.</p> <p>Areas covered by this Confidential Reporting Policy include:</p> <ul style="list-style-type: none"> ○ criminal or other misconduct ○ breaches of the Council's Policies/code of conduct or conditions of licence ○ contravention of the Council's accepted standards, policies/procedures or conditions ○ disclosures relating to miscarriages of justice ○ health and safety risks ○ damage to the environment ○ Public protection risk ○ fraud or corruption ○ sexual, physical or verbal abuse of any person or group ○ other conduct not in keeping with a licence holders' responsibilities/requirements ○ the concealment of any of the above. 	Reflects DFT standards
15.8.6	Add 'Any serious concerns about any aspect of service provision or the conduct of a licence holder, Members of the Council, or others acting on behalf of the stated, can be reported under the Confidential Reporting Policy'	Reflects DFT standards
15.8.7	Add 'The policy on Personal Harassment is designed to protect licence holders/persons from all forms of harassment. The Council is committed to good practice and high standards and endeavours to be supportive of its licence holders and public. The Council will not tolerate any forms of harassment or victimisation and will take appropriate action to protect licence holders/persons who raise a concern in good faith'	Reflects DFT standards
15.8.8	Add 'All concerns will be treated in confidence and the identity of the person raising the concern will not be revealed without his or her consent (subject to any legal requirements or decisions). At the appropriate time, however, the person may be expected to come forward as a witness'	Reflects DFT standards
15.8.9	Add 'Concerns expressed anonymously are likely to be difficult to deal with effectively. Consequently, persons are encouraged to put their name to any allegation. Any action taken in response to an anonymous allegation will be influenced by factors including the seriousness of the issues raised and the likelihood of confirming the allegation from attributable sources'	Reflects DFT standards

15.8.10	Add 'If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person making the allegation. If, however, an allegation is made that is deemed to be frivolous, malicious or for personal gain, action may be taken against the person/licence holder in accordance with the Council's Taxi Licensing Policy'	Reflects DFT standards
15.8.11	Add 'Information received by Officers under the 'whistle-blowers' policy will only be divulged to other authorities when that information refers to, or presents as a risk in the areas of: <ul style="list-style-type: none"> o The protection of the public o Safeguarding children and the vulnerable o The prevention of crime and/or disorder o The safety and health of public and others' 	Reflects DFT standards
15.8.12	Add 'The Officer with whom the concern has been raised will initially respond in writing within ten working days, and will: <ul style="list-style-type: none"> o o acknowledging that the concern has been received o indicating how it is proposed to deal with the matter o giving an estimate of how long it will take to provide a final response o stating whether any initial enquiries have been made o supplying information on staff support mechanisms o stating whether further investigations will take place and if not, why not <p>Inform the whistle-blower of the results of the investigation, and actions taken against the accused.</p>	Reflects DFT standards
15.8.13	Add 'This policy does not replace the Council's Service Requests and Complaints Procedure'	Clarification
Section	Summary of Appendix Changes	Comments
Contents	Add 'Appendix F – The National Register of Refusals and Revocations (NR3 Register)'	Insert NR3 details
Contents	Add 'Appendix G – Vehicle Emission Standards'	Insert Vehicle emission standards to ensure clarity and information is not lost within the Policy itself
A	Appendix – Criminal Records Policy	
3.2	Add 'or 'Safe and Suitable' person'	DFT requirement
3.3	Add ('Safe and Suitable')	DFT requirement

3.3	Add 'consecutive' and 'years prior to their application'	Clarification to wording
3.3	Add 'other' and remove 'that the applicant may have previously worked in'	Clarification to wording
4.3.4	Add 'Enforcement interactions with official bodies or Authorities;' and 'Verbal or written' and 'or is under official investigation'	DFT requirement
5.1.3	Add 'Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list'	DFT requirement
5.1.4	Add 'Violence against person(s)'	DFT requirement
5.2.1	Add 'least 7 years'	DFT requirement
6.2	Add 'barred list'	DFT requirement
7.2	Add 'of 7 years'	DFT requirement
8.2	Add 'least 7 years'	DFT requirement
8.4	Add 'least 7 years have'	DFT requirement
8.5	Add 'show 7 years free'	DFT requirement
10.2	Add 'Using a hand-held device whilst driving. Where an applicant has a conviction for using a held-hand mobile telephone or a hand- held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later'	DFT requirement
16.4	Add 'NR3 use and clarification on information / disclosure sharing'	DFT requirement and Clarification wording
B	Appendix - Driver Application Process and Conditions	

App Process	<p>Add 'All applications to renew a taxi drivers' licence should be made through the Cherwell District Council website: https://www.cherwellandsouthnorthants.uat.jadu.net/xfp/form/544?council=cdc</p> <p>And- 'Consecutive'</p> <p>'and disability awareness'</p> <p>'The council will not issue licenses to cover periods while an applicant is waiting for documentation as part of the application process'</p> <p>Add 'Cherwell District Council will make all reasonable adjustments to ensure the Licensing Service is accessible by all'</p>	<p>To reflect on-line applications is the preferred process.</p> <p>Clarification wording</p> <p>To ensure service is fully accessible</p>
Page 2	Add "A HM Revenue and Customs (HMRC) tax check code has been supplied**"	New pre-licence check requirement
Page 2	<p>Replace English Test with</p> <p>'Spoken English assessment'</p>	Correction
1.5	<p>Add 'Drivers aware of a child or vulnerable person is at risk of harm must immediately contact the police, or licensing team, or otherwise they should:</p> <ul style="list-style-type: none"> • use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority; • call Crime Stoppers on 0800 555 111.' 	DFT requirement
2.2	<p>Add 'any member of the public' and</p> <p>'other authority'</p>	Clarification wording
5.1	<p>Add '(available through the council's website)' and</p> <p>'along with photographs of the vehicle damage'</p>	Clarification wording
6.1	Add 'When fitted to a Hackney Carriage taximeter must be used on every hire journey, and charges cannot exceed the metered fare'	Clarification wording
9	<p>Add 'Councils Licensing Department'</p> <p>Remove 'Local Police Station'</p> <p>Add 'must notify the councils licensing department, in writing'</p>	<p>Police no longer take lost property</p> <p>Reword</p>
10.3	<p>Under the D.V.L.A. Group 2 Medical standards applicants and licensed drivers suffering from diabetes and using insulin must have an annual diabetes medical report. The diabetes specific medical report must be completed, and endorsed, by their diabetes care unit, or a medically qualified practitioner authorised by the Council. Oxfordshire University Hospitals diabetes</p>	<p>DVLA requirement</p> <p>Correction</p>

	specialists' units are authorised by the council to complete all diabetes assessments Failure to evidence a driver's medical fitness may result in the refusal, suspension, or revocation of the licence. This diabetes specific medical is in addition to all other medical assessment requirements	
11.1	Add 'Enforcement interactions with official bodies or authorities' and 'verbal or written caution' 'or is under/subject to an official investigation'	Clarification wording
14.2	Add 'CCTV systems that can record audio as well as visual data must be overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only activated when passengers (or drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button'	Guidance on CCTV systems
14.3	Add 'Dash camera's, which only records visual footage (not audio), and records footage outside of the licensed vehicle, is recommended for all licensed vehicles, provided the recordings and equipment comply with the Information Commissioners CCTV Code of Practice'	Clarification wording
14.4	Add 'All health and safety duties required by the Health and Safety at Work Act 1974 whether temporary or permanent on the work place in this case a vehicle being the work place must be followed at all times'	Clarification wording
14.5	Add 'All Licence Holders are to comply with current Government Legislation and Guidance applicable, an example is COVID-19 requirements such as wearing a face covering in a Vehicle (health and Safety defined as workplace)'. '	Clarification wording
C	Appendix - Vehicle Application Process and Conditions	

App Process	<p>Add 'you will not receive a separate reminder' and 'or Vehicle assessments'</p> <p>'Such a test must have been completed no more than 28 days before the application is received by the Council.'</p> <p>'Provided you have evidenced that your vehicle meets the required standards you will be issued a license and plates'</p> <p>'to the front top left of the windscreen (passenger side)'</p>	Clarification wording
Page 1	Change maximum mileage for 1st registered vehicles to be exempt from requiring an MOT from 200 to 500 miles to align with policy	
	Private hire Vehicles	
1.1	<p>Add</p> <p>A. All vehicles must be less than 6 years old at first licensing.</p> <p>B. All new vehicles licensing grants must meet the requirements as per Appendix G These vehicles must also have functioning start/stop technology, unless the vehicle is powered entirely by electric or Hydrogen.</p> <p>C. Existing licensed vehicles cannot have their licence transferred to a higher polluting vehicle (for example, a D.V.L.A. Cat 6 electric vehicle cannot be replaced with a D.V.L.A. Cat 5 Hybrid vehicle) and will not have their licences extended past the vehicle being 10 years old (from first being registered at the DVLA).</p>	Environmental changes
	<p>Vehicles modified to use a different fuel from which they were first manufactured, will not be licensed.</p> <p>Add 'Vehicles adapted with an agreed retrofit to an approved standard* will be examined on a case-by-case basis.'</p> <p>*The approved standard cannot be detailed at this time as this does not exist. Any creation of such standard in future will be examined at such time'.</p>	This allows for the development of technology
1.1 F	Add 'four wheels, and'	Clarification wording
1.1 I	Add 'minimum access to rear seating will be 300mm'	Clarification wording
1.1 L	Add 'with part worn, remould' and 'evidence of tyre purchase may be required'	Clarification wording
1.1M	Add 'additional seat coverings must not cover air bag zones'	Clarification wording

1.2	<p>Add</p> <p>c) A single seat should be at least 432mm (17") wide</p> <p>d) Each seat must have a minimum height of 410mm (16") from the floor to the top of the seat, allowing for leg room, when seated.</p>	Clarification wording
1.3	<p>Add</p> <p>g) Slip resistant surfaces: all surfaces over which a wheelchair user may travel shall have a slip resistant finish applied.</p> <p>h) Colour contrasting edge marks: a band contrasting with the remainder of the boarding ramp surface, 45mm to 55mm in width around and abutting the edge of the ramp or lift surface.</p> <p>i) Control and failsafe mechanisms or power operated equipment: power operated equipment shall only be capable of operation from a control adjacent to the ramp.</p> <p>j) Load sensors and re-cycling mechanisms for power-operated equipment: a device to stop the movement of the boarding ramp when motion is likely to cause injury.</p> <p>k) Manual override provisions for power operated equipment: a provision to repeatedly operate the equipment in the event of power failure shall be provided.</p> <p>l) Manual/portable ramp: Such ramps must have a designated stowage location which can store the equipment such that it does not present a risk of injury.</p> <p>Wheelchair assessable Entrances and Exits</p>	Clarification wording

	<p>a. Number and position: a minimum of 1 located on the nearside</p> <p>b. Minimum doorway width: 740mm</p> <p>c. Minimum doorway height: 1230mm</p> <p>Wheelchair internal area</p> <p>a. Wheelchair areas must allow at least 305mm (12”) leg room from the wheelchair frame/seat to any structure in front of the seat. There must be enough roof space to allow the wheelchair used to be seated comfortably inside the vehicle.</p> <p>b. Wheelchair spaces requirements: 1200mm length, 700mm width, 1350mm height (min).</p> <p>c. All such vehicles will be licensed for the number of non-wheelchair customers only.</p>	<p>Dimensions reflect requirements of DfT “Statutory guidance Access to taxis and private hire vehicles for disabled users” published June 2022</p>
3.3 d	<p>Add ‘Where vehicles are purpose built as Hackney Carriages and the only specification available during its build is for orange ‘for hire’ illuminated roof signs then these will be permitted. Retrofitted changes will not be accepted’.</p>	<p>Change to reflect vehicle build standards of purpose-built Hackney carriage vehicles.</p>
3.7 d	<p>Add ‘These may be permanent or magnetic’</p>	<p>Clarify allowing magnetic vehicle signs</p>
4.2 a	<p>Add ‘and meets the specifications listed in 1.1 B’</p>	
4.2 b	<p>Change maximum mileage for 1st registered vehicles to be exempt from requiring an MOT from 100 to 500 miles to align with policy</p>	<p>To align with policy</p>
4.2 c	<p>Change to Policy - Vehicles will not be licensed past 10 years of age.</p>	<p>Change to clarify and make policy clearer. Previous older vehicles had been considered with a supported full maintenance record and if they met criteria to be assessed as ‘exceptionally well maintained’. This is however open to misuse and therefore the new policy will limit vehicle age.</p>
4.2	<p>Add ‘Applications to licences a vehicle which are over ten years old must be made in writing to the Licensing Department. All such application should include service history documentation and may be subject to Licensing Officers inspections.</p> <p>Such applications will be determined in their own merits, and should the application be refused any associated fee’s will not be refunded.</p> <p>Refused applications have the right to appeal through the Magistrates Court service’</p>	<p>Clarification wording</p>

4.3 c	Add 'and tinted window coverings'	Clarification wording
4.6 c	Add 'All such signs must be of a minimum dimension of 40cm in length and 20cm in width and should use a large enough lettering font for the words to be easily read from 3 metres distance, or in a font no less than 150mm in height' Crest replaced with CDC logo and magnetic signs permitted.	Clarification wording To improve public visibility of CDC Licensed vehicles and to recognise the difficulties that permanent signs impose to licensed vehicles.
6a	Add recommendation to install CCTV and requirement to notify Council of any CCTV installed in a licensed vehicle.	Amendments to clarify requirements if CCTV installed.
6b	Add b. CCTV systems that can record audio as well as visual data must be overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only activated when passengers (or drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. c. Dash camera's, which only records visual footage (not audio), and records footage outside of the licensed vehicle, is recommended for all licensed vehicles, provided the recordings and equipment comply with the Information Commissioners CCTV Code of Practice	Clarification wording
	Hackney carriages	
1.1	Add I. All new vehicles licensing grants must meet the requirements as per Appendix G These vehicles must also have functioning start/stop technology, unless the vehicle is powered entirely by Electric or Hydrogen. II. Existing licensed vehicles cannot have their licence transferred to a higher polluting vehicle (for example, a D.V.L.A. Cat 6 electric vehicle cannot be replaced with a D.V.L.A. Cat 5 Hybrid vehicle) and will not have their licences extended past the vehicle being 10 years old (from first being registered at the DVLA). III. Vehicles modified to use a different fuel from which they were first manufactured, will not be licensed.	Environmental wording

1.1	<p>Add</p> <p>h) A roof sign shall be attached to the roof, which is capable of being illuminated at night. The roof sign must display the word TAXI.</p>	Clarification wording
	<p>i) There must be a sign, which is capable of being illuminated at night, to indicate when the vehicle is available FOR HIRE.</p>	
1.2	<p>Add</p> <p>g) A single seat should be at least 432mm (17") wide</p> <p>h) Each seat must have a minimum height of 410mm (16") from the floor to the top of the seat, allowing for leg room, when seated.</p>	Clarification wording

1.3	<p>Add</p> <p>s) Slip resistant surfaces: all surfaces over which a wheelchair user may travel shall have a slip resistant finish applied.</p> <p>t) Colour contrasting edge marks: a band contrasting with the remainder of the boarding ramp surface, 45mm to 55mm in width around and abutting the edge of the ramp or lift surface.</p> <p>u) Control and failsafe mechanisms or power operated equipment: power operated equipment shall only be capable of operation from a control adjacent to the ramp.</p> <p>v) Load sensors and re-cycling mechanisms for power-operated equipment: a device to stop the movement of the boarding ramp when motion is likely to cause injury.</p> <p>w) Manual override provisions for power operated equipment: a provision to repeatedly operate the equipment in the event of power failure shall be provided.</p> <p>x) Manual/portable ramp: Such ramps must have a designated stowage location which can store the equipment such that it does not present a risk of injury.</p> <p>Wheelchair assessable Entrances and Exits</p> <p>d. Number and position: a minimum of 1 located on the nearside</p> <p>e. Minimum doorway width: 740mm</p> <p>f. Minimum doorway height: 1230mm</p> <p>Wheelchair internal area</p> <p>a. Wheelchair areas must allow at least 305mm (12'') leg room from the wheelchair frame/seat to any structure in front of the seat. There must be enough roof space to allow the wheelchair used to be seated comfortably inside the vehicle.</p> <p>b. Wheelchair spaces requirements: 1200mm length, 700mm width, 1350mm height (min).</p> <p>c. All such vehicles will be licensed for the number of non-wheelchair customers only.</p>	Clarification wording
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Dimensions reflect requirements of DfT "Statutory guidance Access to taxis and private hire vehicles for disabled users" published June 2022

3.2 a	Add 'and meets the specifications listed in Appendix C, 1.1 a'	Clarification wording
3.2.1 b	Change maximum mileage for 1st registered vehicles to be exempt from requiring an MOT from 200 to 500 miles to align with policy	Align to policy
3.2 c	Change to Policy - Vehicles over 10 years old will not be licensed Remove exception criteria for assessment of eligibility of vehicles over 10 years old to be licensed.	Change to clarify and make policy clearer. Previous older vehicles had been considered with a supported full maintenance record. This is however open to misuse.
3.3 b	Add 'in a font 150mm high'	Clarification wording
3.3 d	Add 'A windscreen and roof sign, capable of illumination, should be fitted, displaying the words 'FOR HIRE' , and 'TAXI' in black lettering against a white background.	Clarification wording
3.7 d	Add 'in a font no less than 150mm in height'	Clarification wording
5a	Add recommendation to install CCTV and requirement to notify Council of any CCTV installed in a licensed vehicle.	Amendments to clarify requirements if CCTV installed.
5b	Add b. CCTV systems that can record audio as well as visual data must be overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only activated when passengers (or drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. c. Dash camera's, which only records visual footage (not audio), and records footage outside of the licensed vehicle, is recommended for all licensed vehicles, provided the recordings and equipment comply with the Information Commissioners CCTV Code of Practice	Clarification wording

D	Appendix - Operator Application Process and Conditions	
Page 1	Added HMRC tax code to list of pre-licensing checks	New requirement
1.	<p>Add</p> <p>Employee details:</p> <ul style="list-style-type: none"> • Employee register recording the full name and address of all operators/dispatch employees. • Employee register must record the certificate number and date of issue of a basic DBS report, and any comments from the operator regarding that report (for example no offence/no relevant offences). • Records of employee Basic DBS report having been checked by the employer/operator at least every three years, by recording the new report certificate number, date and comments. • Operators must record any offences disclosed by the employee following the receipt of a Basic DBS report/certificate. 	DFT standards requirement
2.	<p>Add</p> <ul style="list-style-type: none"> • the name of the passenger/hirers full name; • the time of the request; • the pick-up point; • the destination; • the full name of the driver; • the driver's licence number; • the vehicle registration number of the vehicle; • the name of any individual that responded to the booking request; • the name of any individual that dispatched the vehicle <p>Insert 'template'</p> <p>Add 'All such booking should be retained for a minimum period of six months. Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information</p>	DFT standards requirement

	Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.	
5. a	Add 'verbal or written' 'interactions with official bodies or authorities'	DFT standards requirement
5. c	Add 'Any relevant offences which may come to light, with regards to their employees/dispatching operators. Such notification should include details of the actions taken by the licensed operator'	DFT standards requirement
8	Add 'e) Door signs must meet the requirements specified in Appendix C, 4.6 c.'	Clarification
11	Add 'No licensed vehicles may park on the Highway outside a Licensed Operators Office, unless picking up, or dropping of a paying customer, in such cases a maximum of 2 vehicles can be in attendance at the business address at any one time'	To reflect policy requirements and reduce impact of inappropriate parking at operators' offices.
12	<p>Add Sub-contracting</p> <p>Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators are required to evidence, by documentation, that comparable protections are applied by the company to which they outsource these functions. Such documentation must be made available to authorised officers upon request.</p> <ul style="list-style-type: none"> Any private hire operator making provision for the invitation or acceptance of bookings in Cherwell needs to hold a private hire operator's licence with Cherwell. The Council expects Operators licensed by the Council to utilise vehicles and drivers licensed by Cherwell so as to ensure that the licensed trade working in Cherwell conform to the standards set by the Council and can be subject of local compliance. In addition, as part of the Council's 'fit and proper' test, it would not expect an operator to obtain a licence in Cherwell to simply make vehicles licensed by another authority available for booking via sub-contracting on a regular basis. As such whilst any licensed vehicle may enter Cherwell to pick up or drop off customers, the Council would not expect vehicles licensed outside of Cherwell to be waiting in Cherwell and be made available for bookings as this diminishes the Council's ability to set local standards and local control. As such, any Operator acting to deliberately reduce the Council's ability for local control would not be meeting the required public safety objectives and standards expected of a professional, licensed, fit and proper private hire operator, and may have their licence to make provision to invite or accept bookings in Cherwell revoked. 	Added to ensure Cherwell District Council keeps sufficient safety governance over the taxi industry within its area.

	By way of guidance, the Council would expect at least 75% of journeys received by a Cherwell licensed operator commencing or finishing in Cherwell in a 3-month period to be completed by Cherwell licensed private hire vehicles (or Cherwell licensed hackney carriage vehicles completing pre-booked work).	
E	Appendix - Hackney Carriage and Private Hire Driver Penalty Points Scheme	
3	Add 'When a license is issued 12 points or more in a 12-month period that license may be suspended for a period not exceeding 28 consecutive days in the first instance, thereafter that license may be suspended for a period not exceeding 3 months'	Clarification on operation of penalty points scheme
4	Add '(namely 12 points in a 12month period)	Clarification on operation of penalty points scheme
7	Penalty points Changes 18. Unsatisfactory behaviour or conduct of drive - 3-12 points 19. Failure to display "taxi" or 'Hire' signs, on a Hackney Carriage roof or windscreen, and/or faults preventing illumination of such signs – 4 points 25. Failure to notify the Council of any motoring or criminal convictions, interactions with Authorities, cautions etc during period of current licence (Appendix A, 4.3.4) – 6-12 points 26. Providing false/misleading information on application form, or failing to provide relevant information – 6-12 points	Amendments to penalty points scheme
General	Add 'may' and 'resulting in a licences suspension or revocation has a right to appeal to the Magistrates Court within 21 days'	Clarification on operation of penalty points scheme
Drivers	Add 'for a licences suspension period not exceeding 3 months or the revocation of licence'	Clarification on operation of penalty points scheme
Operators	Add 'for a licence suspension period not exceeding 3 months or the revocation of licence'	Clarification on operation of penalty points scheme
	Remove 'All suspensions and revocations will be determined by the Licensing Committee'	Clarification wording. This is a delegated function at CDC and should not be in the Policy.
Guidance	Remove 'driver'	Clarification wording This also applies to operators as well.
F	The National Register of Refusals and Revocations (NR3 Register)	DFT requirement

	All information in this section is new detailing NR3 register of refusals and revocations.	
G	Vehicle Emission Standards	
	Section is new setting national and local priority for climate change to bring in lower emissions for licensed Private Hire and Hackney Carriage vehicles	
	<p>Corrected original table of vehicle emission requirements combining into one table for simplicity and understanding.</p> <p>Removed the 2025 requirements for new grants.</p> <p>Clarified that for renewals the latest date for renewing a non-low emission vehicle is 2033. This takes into account the lifespan of vehicles licensed (new) in the last two years.</p> <p>New grants for Hackney Carriage and Private Hire vehicles for Ultra low emission vehicles remain 2030.</p> <p>Added caveats to ensure the 2028 policy review reflects the industry and its needs. - From 2030 all vehicles at the time of first licensing must be propelled by either electric or hydrogen. Please note, this clause will be reviewed again at the time of the next 5-year Policy review in 2028 which occurs before the above clause comes into force. That Policy review will consider the availability of sufficient infrastructure to support electric and hydrogen vehicles, the availability of such vehicles and suitability of models available whilst also considering the affordability of those vehicles'</p> <p>Add 'When a vehicle has been replaced following a vehicle accident or damage, the replacement vehicle may be like for like with regards to emissions and euro categorisations up to the accident vehicle age reaching 10 years old. After the 10-year age threshold has been met, or exceeded, the existing licensed vehicle will not be renewed, and any replacement vehicle must meet the relevant policy euro category'</p>	<p>Re-examined parts and rewritten to reflect feedback and suitable adjustment.</p> <p>This is to reflect caveats included in the policy on matters to be considered at the next policy review in 2028 to ensure the policy is practicable for licensees, such as the need for greater UK an local electric and hydrogen vehicle infrastructure, the need for greater availability and affordable vehicles and how fast the UK is developing its drive to become more emission friendly.</p> <p>Clarification wording following consultation</p>