**EXECUTIVE SUMMARY**

1. This report proposes some amendments to some of the existing conditions relating to our Private Hire and Hackney Carriage Licensing Policy and introduces some new requirements.

2. The changes are required in order to keep the policy up to date given new advances in technology, address some issues raised by licensed drivers and to aid enforcement.

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<thead>
<tr>
<th>Is the report Open or Exempt?</th>
<th>Open</th>
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<tr>
<td>Wards Affected:</td>
<td>All Wards within the District</td>
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<tr>
<td>Cabinet Member:</td>
<td>Councillor Mary Rudd</td>
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<td>Cabinet Member for Community Health &amp; Safety</td>
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<td>Supporting Officer:</td>
<td>Caroline Evans</td>
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1. **BACKGROUND**

1.1 Waveney District Council currently licence 120 Private Hire Drivers, 157 Private Hire vehicles, 191 Hackney Carriage Drivers and 121 Hackney Carriage vehicles.

1.2 Our current licensing policies outline application procedures, state vehicle specifications, and impose numerous conditions on drivers and operators to ensure the safety of passengers.

1.3 Some of these procedures, specifications and conditions require updating and an additional condition is proposed to help with enforcement.

2. **THE PROPOSALS**

2.1 **Medical Examinations.**

a) The Council’s Statement of Medical Standards for Hackney Carriage and Private Hire drivers currently states:

\[
\text{The applicant must be medically examined by a qualified UK registered Medical Practitioner who has access to the applicant’s full medical records (the cost of which must be paid by the applicant).}
\]

The medical fitness standard adopted by the Council for licence holders reflects the fitness standard for the Group 2 DVLA drivers (Group 2 licence holders are permitted to drive large goods vehicles, buses and coaches). The reason for this is that, because professional drivers spend substantially longer at the wheel than private motorists, the risk of sudden illness occurring whilst driving is greater. In particular, the requirements relating to epilepsy, eyesight and diabetes are more stringent.

b) Many General Practitioners across East Suffolk no longer have the capacity to carry out these private medical examinations within local practices and drivers are being forced to book at private clinics that will provide the service. When attending these clinics drivers are asked to supply a printed summary of their notes including current medication and details of past significant medical conditions.

c) Although officers have approved this recently as a common-sense approach to keeping drivers working at the same time as ensuring the medical standard is maintained, the proposal is to alter the current wording to remove the words ‘access to full medical records’ and replace with ‘been supplied with a printed summary of their notes including current medication and details of past significant medical conditions’ in order to formalise this arrangement.

2.2 **Engine size.**

a) The current specification for licensed vehicles within Suffolk Coastal and Waveney DCs states:

\[
\text{Minimum Engine Capacity 1300 cc (unless classed as a Hybrid).}
\]

b) Given the advances in the motor industry it is proposed that the engine capacity limit be removed from the Council’s specification; vehicles must be of a certain size (number of doors, seating, luggage etc.) so any modern vehicles meeting these other requirements would also have enough power to transport passengers efficiently.

c) The vehicle specification guidance advises proprietors to consult with the Senior Vehicle Inspector at the Norse Depot in the first instance if they have any doubts about a vehicles suitability to become licensed.
2.3 **Daily vehicle check**

a) The following condition is one of the current responsibilities of a licensed driver:

Drivers shall carry out a daily inspection of the vehicle and maintain a daily log to evidence that the checks have been made to include:-

- i. Seat belts
- ii. Fluid levels
- iii. Tyres
- iv. Windscreens washers and wipers
- v. Lights
- vi. Fire Extinguisher

reporting any defects to the vehicle proprietor and arranging for them to be rectified before commencing work.

b) In practice officers find that maintaining a daily log to evidence the checks has little to add to the effectiveness of the condition. The cost and administration time of producing the log books and issuing them to the trade leads officers to believe that this element of the condition could be dropped.

c) Vehicle checks done by officers and/or the depot can expose where the obligatory checks have not been done and in practice the log books have often been mislaid, badly utilised or indeed details entered in bulk.

2.4 **Use of E-Cigarettes.**

a) Although it is now illegal to smoke cigarettes within a licensed vehicle (or any ‘business premises’) some licensed drivers choose to use electronic-cigarettes. E-cigarettes are battery powered devices that vaporise a nicotine solution to replicate smoking.

b) Whilst is has to be noted that the introduction of the e-cigarette has done much to help people in giving up tobacco based products, the vapour from an e-cigarette can still be off-putting to passengers as well as making it very difficult to discern whether a driver is indeed ‘vaping’ or ‘smoking’ when officers are carrying out enforcement.

c) In addition to this the devices themselves are quite bulky and could easily impede the driver’s control of the wheel.

d) The proposal is to introduce a new condition, to be attached to hackney carriage and private hire driver/vehicle licences, to prohibit the use of e-cigarettes within licensed vehicles at any time; the proposed prohibition extending to drivers and passengers.

e) It should be noted that the use of e-cigarettes has been banned on UK trains and although it is still at the discretion of bus and coach service providers, sports stadium, and music venues, many have implemented a ban.

3. **HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?**

3.1 By aligning conditions across both Suffolk Coastal and Waveney District Councils to reflect the partnership working already established by the Licensing Team, and in anticipation of the proposed dissolution of the two councils, and the creation of one East Suffolk Authority.
4. **FINANCIAL AND GOVERNANCE IMPLICATIONS**

4.1 The proposal at 2.3 will offer a small saving to the Council.

5. **OTHER KEY ISSUES**

5.1 The decision affects the entire District.

6. **CONSULTATION**

6.1 Consultation with the existing private hire and hackney carriage trade for an 8 week period between 08/01/18 and 05/03/2018.

7. **OTHER OPTIONS CONSIDERED**

7.1 No change.

8. **REASON FOR RECOMMENDATION**

8.1 The changes are required in order to keep the policy up to date given new advances in technology, to address some issues raised by licensed drivers and to aid enforcement.

### RECOMMENDATIONS

That the Licensing Committee, in accordance with the Local Government (Miscellaneous Provisions) Act 1976:

1. Considers and approves that the wording ‘access to full medical records’ be removed from the Council’s Statement of Medical Standards for Hackney Carriage and Private Hire drivers and be replaced with ‘been supplied with a printed summary of their notes including current medication and details of past significant medical conditions’.

2. Considers and approves the following proposals to go out to consultation with the trade from 08/01/18 to 05/03/2018, and that any feedback be presented to the Licensing Committee at the meeting scheduled for 04/04/2018.

   a) that the reference to an engine size be removed from the Council’s current vehicle specification for licensed vehicles;

   b) that the requirement to complete a daily log to evidence completion of the daily vehicle checks be removed;

   c) that a condition is introduced to prohibit the use of e-cigarettes within licensed vehicles.

### BACKGROUND PAPERS

| Current Waveney DC hackney carriage and private hire licensing guidance and conditions. | Available from the licensing team: licensing@eastsuffolk.gov.uk |
| Current Waveney DC licensed vehicle specification. | Available from the licensing team: licensing@eastsuffolk.gov.uk |