

Summary of changes and the effect on existing licence holders (Grandfather Rights)

Policy / Condition	Summary of changes	Grandfather Rights Yes/No	Effect on existing licence holder
Paragraph 3.2.47	National Register of Taxi & Private Hire Drivers Licence Refusals and Revocations (NR3)	No	<p>A licence holder, that has previously had their licence refused or revoked may find that their details will appear on the NR3 register. If this is the case, the Local Authority that added the data onto the register would have written to them to advise them of this fact.</p> <p>Licensing authorities are legally required to consider each licence application on its own merits therefore an applicant/existing licence holder will not automatically be refused a licence simply because they may be recorded on NR3.</p> <p>The purpose of NR3 is to ensure that authorities have the full information necessary to help them reach a decision on whether an individual is fit and proper. If circumstances have materially changed since the decision that has been recorded on NR3, it may be appropriate for another authority to award a licence.</p>
Paragraph 3.2.12	DBS Update Service	No	All new applicants and renewals of a driver's licence will be required to sign up to the DBS Update Service (DBSUS)

			<p>The key aim of the DBSUS is to improve the speed and ease of the process for those within regulated industries. The DBSUS allows the DBS to keep your records updated with new information and as it is an online subscription service, this lets the licence holder keep their standard and enhanced DBS Certificate up to date and allows regulatory services and employers to check a certificate online with the holders consent.</p> <p>Initially the DBSUS will cost the licence holder approximately £50 plus a £13 annual subscription fee (. However, going forward the annual cost will be £13 (subject to any increases by the DBS) and there are no additional costs unless the licence holder loses their original certificate. The DBS Certificate is also portable.</p> <p>If an existing licence holder fails to maintain their subscription with the DBSUS, the licence could be suspended or revoked. If a new applicant fails to sign up to the DBSUS Cheshire East Council will refuse the application.</p>
Paragraph 3.2.20 & Condition 27 (Appendix D)	Safeguarding Awareness Training for all drivers, PH Operators and their staff	No	All new applicants and renewals of a drivers licence, Private Hire Operators and their Staff will be required to undertake Safeguarding Awareness Training.

			<p>Initially training will be provided by the Children's and Families Service at no extra cost to existing licence holders.</p> <p>Existing licence holders will be expected to complete the Safeguarding Training within 12 months of the renewal of their existing licence.</p> <p>New applicants will be expected to complete the Safeguarding Training before Cheshire East Council will issue a licence.</p>
Paragraph 3.2.11 & 3.2.12	Disability Equality Training	No	<p>All new applicants and existing licence holders will be expected to undertake Disability Equality Training.</p> <p>Cheshire East Council is currently exploring how this training will be provided. This will be revisited at a later date and a further report brought to committee.</p>
Paragraphs 3.3.22 & 3.4.28	Basic Disclosure Checks for Vehicle Proprietors	No	<p>Currently vehicle proprietors, that do not hold a hackney carriage and private hire drivers licence with Cheshire East, are not required to have a DBS check on their criminal history.</p> <p>It is not expected that this will affect many existing licence holders as the majority of vehicle proprietors also hold a hackney carriage/private hire drivers licence.</p>

Paragraphs 3.3.81 & 3.4.22	Emission Limits	No	<p>These sections of the policy (for hackney carriage and private hire vehicles) will take effect after one year of the policy coming into effect for EURO 5 and EURO 6 requirements to take effect 24 months after the EURO 5 requirements take effect</p>
Paragraph 3.4.10	Age Limits	Yes	<p>Currently there are no age limits on vehicles that we will licence either at first grant or upper age limit, this means that vehicles can continue to be used despite being old. However, the cost of obtaining new vehicles which are younger can be a significant financial burden therefore the following grandfather rights will apply for existing licence holders:</p> <p>Existing licence holders can continue to benefit from renewals during the course of that vehicles life with no upper age limit. The vehicle must continue to pass the Councils mechanical test and inspections and must remain in exceptional condition both interior and exterior (to be determined by Licensing Officers). The grandfather rights will apply to any existing holder of a vehicle licence and will expire if the vehicle is transferred to another proprietor. In respect of these licences any changes of vehicle on existing licence must comply with the new policy and will not benefit from grandfather rights.</p>

<p>Paragraphs 3.3.13 & 3.3.18</p>	<p>Wheelchair Accessible Vehicles (Macclesfield Zone)</p>	<p>Yes</p>	<p>Currently there are no requirements for wheelchair accessible vehicles in the Macclesfield Zone. This is contrary to requirements in the Congleton and Crewe & Nantwich Zones.</p> <p>Existing licence holders can continue to benefit from renewals during the course of that vehicles life. The grandfather rights will apply to any existing holder of a vehicle licence and will expire if the vehicle is transferred to another proprietor. Changes of vehicle on existing plate will benefit from grandfather rights and the licence can continue to relate to non wheelchair accessible vehicles.</p>
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