



DRAFT POLICY

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AND CONDITIONS

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1 Introduction

- 1.1 Broadland District Council is situated in the county of Norfolk. The district has a population of 138,000. The Council area includes the northern suburbs of Norwich, such as Thorpe St. Andrew, Sprowston and Hellesdon, as well more rural areas to the north and east, including market towns such as Aylsham and Acle. The Broadland Northway (A1270) allows for easy access between the main arterial roads of the district and the A47.

Map of the area covered by Broadland District Council

Broadland District Council Administrative Area



Purpose of Licensing

- 2.1 The Council is responsible for the regulation and control of all Hackney Carriage/Private Hire Drivers (referred to throughout as Drivers), Hackney Carriage or Private Hire Vehicles (referred to throughout as Vehicles) and Private Hire Operators (referred to throughout as Operator used for hire and reward within our District. The power to carry out this function is contained within the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Drivers

- 2.2 The aim of the licensing regime is to ensure that, so far as possible, those licensed to drive either a Hackney Carriage or Private Hire Vehicle are suitable persons to do so. Suitable means that they are safe Drivers with good driving records and adequate experience, as well as being mentally and physically fit. They should also be honest and not take advantage of their position to abuse, assault or defraud customers. The general term used in taxi licensing to describe such a person is “fit and proper”. The test when considering whether an applicant or licence holder is “fit and proper” is to ask:

“Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?”.

Vehicles

- 2.3 The Council expects all licensed Vehicles to be maintained to the highest standard at all times. Licensed Hackney Carriages are expected to work predominantly within the district of the Council.

Operators

- 2.4 The Council expects licensed Operators to provide a high standard of customer service to those who live in, work in, or visit the area.

3 Policy Aim

- 3.1 The Council aims to provide a consistent and transparent service when carrying out its functions relating to the licensing of Drivers, Vehicles and Operators. In doing so, the Council aims to balance the needs of licence holders with our duty to protect the public and children and vulnerable adults.
- 3.2 This Council aims to achieve this by:
- a) Safeguarding persons using Hackney Carriage and Private Hire services;

- b) Ensuring compliance with the Equality Act 2010 and meeting the Council's duty toward inclusivity and equality; and
- c) Ensuring that licensed Vehicles meet emissions standards and encouraging the use of electric or low pollutant vehicles.

3.3 It is the Council's wish to facilitate well-run and responsible businesses which provide essential services to the travelling public. The Council recognises the importance the Hackney Carriage and Private Hire licensed trade offers to the local community. The aim of the licensing process is to regulate the Hackney Carriage and Private Hire trade in order to promote safety and wellbeing of the public who utilise these services. In exercising its discretion, and carrying out its regulatory functions, the Council will have regard to this policy document and its aims and objectives.

4 The Council's Role in Taxi Licensing

- 4.1 The Council is responsible for licensing Vehicles that operate within the district, are provided with a Driver, and have fewer than nine passenger seats
- 4.2 There are two categories of licensed Vehicle: Hackney Carriages, which may be hired immediately, and Private Hire Vehicles, which may only be used for journeys booked in advance. Whilst the term "taxi" technically applies only to Hackney Carriages, it is commonly used by the public to refer to both types of licensed Vehicle.
- 4.3 Before a Vehicle is licensed, it must undergo and pass the Council's mechanical test to check its mechanical condition, general appearance, passenger comfort and, where fitted, the accuracy and reliability of any meter.
- 4.4 Private Hire Vehicles may only undertake journeys arranged through advance bookings. The Council is also responsible for licensing Private Hire Operators, who take and manage these bookings.
- 4.5 The Council licences Drivers of both Hackney Carriages and Private Hire Vehicles. In accordance with the relevant legislation, the Council must be satisfied that each applicant is a "fit and proper" person before granting a licence. This includes carrying out appropriate background checks, including Enhanced Disclosure and Barring Service checks.
- 4.6 Successful applicants are issued with Combined Hackney Carriage/Private Hire Driver licences, allowing them to drive either a Hackney Carriage or a Private Hire Vehicle, provided the Vehicle is licensed by this Council.
- 4.7 The Council is also responsible for enforcing licence conditions relating to the Drivers, Vehicles and Operators it has licensed. Enforcement may include matters relating to taxi licensing offences, Driver conduct, Vehicle condition, Operator conduct and complaints made against licence holders.

4.8 In addition to granting and issuing licences, the Council has the power to suspend or revoke licences and to take appropriate enforcement action where necessary.

4.9 Licensing and enforcement functions are carried out by appointed Authorised Officers, who have been issued with written authority to act on behalf of the Council.

Standards of conduct and behaviour

4.10 Council staff involved in Hackney Carriage and Private Hire licensing and other associated functions will always be polite, courteous, civil and professional. The same standards of behaviour are expected from applicants and licence holders. The Council has a policy of zero tolerance to any abuse, bullying, violence or similar behaviour towards staff or Councillors. Any such behaviour on the part of an applicant or licence holder will be taken into account when considering whether a licence should be granted, or whether action should be taken against any existing licence.

Appointments

4.11 As part of the application process applicants will be asked to attend certain appointments. If the date and time provided is inconvenient, the applicant should contact the Council as soon as possible to arrange an alternative date and time. Repeated failure to attend an appointment without having notified the Council in advance will lead to the entire application being cancelled and a fresh application will have to be commenced.

Purchasing a Vehicle

4.12 Before purchasing a new vehicle, applicants are advised to contact the Licensing Team. Officers will be able to advise on suitable vehicles to ensure compliance with the relevant licence Policy and Conditions. Applicants will usually be requested to present a proposed Vehicle at the Council office for an inspection in advance of approval for licensing.

5 Consultation

- Police
- Fire and Rescue
- Disability groups
- All current licence holders
- Legal Services
- Council website
- Council offices
- All elected Members
- National Taxi and Private Hire Association
- Portfolio Holder
- Other relevant consultees

6 Review of the Policy

- 6.1 The Statutory Guidance issued by the Department for Transport (DfT) requires Local Authorities to review their licensing policies every five years, unless legislative changes or local circumstances require an earlier review. At review, the Council will consult again with all interested parties. Minor amendments which do not materially affect or alter the substance of this Policy may be made without further consultation.

7 Contact

- 7.1 The Licensing Team Contact Address is:

Broadland District Council
Horizon Centre
Peachman Way
Norwich
NR7 0WF

Email: licensing@southnorfolkandbroadland.gov.uk
Telephone: 01603 430488

8 Licensing Process and Delegation of Functions

- 8.1 Officers of the Council have the delegated authority to determine licence applications and may grant or refuse applications, or make decisions in respect of a current licence, in accordance with the Council's Scheme of Delegation. Applications and current licences may also be referred to Committee for consideration and determination. All applications and action in relation to current licences will be determined in accordance with this Policy unless there are compelling reasons, having regard to the individual circumstances of the case, to depart from its requirements.

9 Committee Procedure and Right to Appeal

- 9.1 Where an application falls outside this Policy, the Licensing Team will inform the applicant of the reasons. If the applicant wishes the matter to be considered by the Committee, they must give notice in writing. A current licence holder may also be referred to the Committee where complaints have been received about their conduct, where evidence suggests they no longer meet the Council's policy requirements, or where other concerns have arisen about whether they remain a "fit and proper" person.
- 9.2 The applicant or licence holder will be advised of the date on which their application or matter will be heard and they will be provided with a copy of the committee report. They will be expected to attend the hearing to explain why they consider that the Committee should depart from, or offer an exception to, this Policy, or to present their case as to why they should be permitted to retain their licence. The applicant or licence holder may bring representatives along to the Committee hearing. These may be a legal representative, a friend or member of their family, or a work colleague, who may assist them during the course of the Committee meeting and speak in support of them.

The Hearing

- 9.3 Several applications or disciplinary matters may be heard on the same day. Each matter will be considered confidentially, and the public and other applicants may be excluded from the meeting. Although the Committee will aim to keep to the scheduled time, hearings may take more or less time than expected, so the stated time may change.
- 9.4 When a case is ready to be heard, the relevant licence holder or applicant, together with any representatives, will be invited into the Committee meeting.
- 9.5 The Chair will introduce those present and explain the procedure. The Council will present its case first, usually through a report read by the Licensing Officer. The Licensing Officer may then be questioned by the licence holder or applicant, their representative, any complainant or relevant body, such as the Police, and by Committee members and their Legal Adviser. The licence holder or applicant, and any representative, will then present their case and answer questions. Any complainants or relevant body will then present their case and answer questions. At the end of the hearing, the Licensing Officer, the licence holder or applicant, and any complainant will be invited to make closing statements.
- 9.6 Everyone except Committee members, the Legal Adviser and the Committee Clerk will then be asked to leave while the Committee reaches its decision.

The Decision and Right of Appeal

- 9.7 The Committee will be informed of all convictions and will consider the Council's Convictions Policy, including the nature of any offences and the relevant timescales.
- 9.8 Once the Committee has made its decision, all parties will be invited back, and the Chair or Legal Adviser will announce the decision.
- 9.9 Following determination of an application by the Council, the licence holder or applicant will receive a written decision. This will be issued as soon as reasonably practicable after the decision has been made and, in any event, within 14 days from the hearing. Where appropriate, the decision notice will include information on the right of appeal.
- 9.10 All Members and Officers who have the responsibility for making decisions on licence applications must have undertaken sufficient training to support lawful, fair and consistent decision making, in accordance with the Statutory Taxi and Private Hire Vehicle Standards.
- 9.11 **Where this policy refers to the Committee, this refers to the Licensing and Regulatory Committee and will include any sub-committee or any subsequent or equivalent properly constituted body.**

10 Fees

- 10.1 Fees and charges for all licences are payable in advance and must accompany the application. Applications submitted without the required fees will be considered incomplete and will be returned to the applicant.
- 10.2 Full details of all current fees and charges can be found on our website.

11 Conditions

- 11.1 The Council has adopted byelaws and conditions relating to issued licences. These are agreed by the Licensing Committee. Once a licence is granted, the licence holder must comply with all conditions attached to it, including any applicable byelaws.

12 Equality Act 2010

- 12.1 It is unlawful under the Equality Act 2010 to discriminate, either directly or indirectly, against any person on the grounds of disability, gender reassignment, pregnancy and maternity, race, sex, sexual orientation, religion or belief.
- 12.1 Drivers of Wheelchair Accessible Vehicles (WAVs) must comply with their duties under section 165 of the Equality Act 2010, unless they have been issued with an exemption certificate under section 166 of the Act. Section 166 of the Equality Act 2010 allows the Authority to exempt a Driver from the duties to assist passengers in wheelchairs only where it is satisfied that an exemption is appropriate on medical grounds or because the Driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with those duties.
- 12.3 The Council will maintain a list of WAV Vehicles on its website in accordance with section 167 of the Equality Act 2010. This list will be updated periodically, based on the details given at the time of Vehicle licensing.

13 Low Emission and Electric Vehicles

- 13.1 The Government has identified climate change as a priority focus and the Council wishes to encourage the delivery of Greener Policies. The Council recognises the positive impact of low and zero emission vehicles have on the environment. Applications for low and ultra-low emission vehicles will be considered on their individual merits. The Council encourages the take up of ultra-low and zero emission Vehicles.
- 13.2 Zero emission vehicles produce no emissions during use. Electric vehicles generally require less maintenance than hybrid or conventional vehicles, as their battery, motor or associated electronics need little or no regular maintenance. In addition, there are fewer fluids to change and fewer moving parts. Regenerative braking also reduces wear and tear on the brakes.

- 13.3 Electric vehicles powered by hydrogen (fuel-cell) typically have a range of up to 300 miles, depending on the model, and can be refuelled within a few minutes. As with purely electric vehicles, they produce no emissions during use.
- 1.34 Ultra-low emission vehicles, including hybrid and extended-range electric vehicles (E-REV), use a conventional engine either as an additional fuel source for the vehicle or to charge the battery. Hybrid vehicles and E-REVs have lower CO₂ emissions as a result of improved fuel economy and the ability to operate in electric mode only. Typically, CO₂ emissions are between 15% and 30% lower than conventional models when not operating in electric-only mode. As these vehicles still have a combustion engine, they require a similar maintenance schedule to conventional vehicles. Like electric-only vehicles, they often use regenerative braking, which reduces wear and tear on the brakes.
- 13.5 The Council is looking at ways to encourage the earlier transition to using electric vehicles. Some funding assistance may be made available for battery electric vehicles (BEV) and plug in hybrid electric vehicles (PHEV). Different funding may be available depending on the CO₂ emissions of the vehicle. Further detail will be provided on any such schemes as it becomes available.
- 13.6 It is the Council's aim that from **1 April 2035**, all newly licensed Vehicles, excluding renewal applications, will be ultra-low or zero emission.
- 13.7 Drivers, Vehicles and Operators are otherwise expected to comply fully with all relevant Private Hire and Hackney Carriage licensing requirements and conditions. Each application will be considered against this Policy and on its individual merits. Any person may request an exception to the Policy; however, the applicant must demonstrate sound and compelling reasons why the Committee should depart from it.

15 Enforcement

- 14.1 We recognise that well-directed enforcement activity not only benefits the public but also responsible members of the Hackney Carriage and Private Hire Vehicle trade.
- 14.2 The Council will follow the principles laid out in the Regulators' Code: [Regulators' Code - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/regulators-code)
- 14.3 The Council shall take enforcement action where it considers it necessary and proportionate to do so. Enforcement will be risk-based, intelligence-led, targeted and managed in line with the Council's own Enforcement Policy. This can be found using the following link - [bdc-regulatory-enforcement-policy-2026-to-2029.docx](#).
- 14.4 In addition, the Council has a long-established Council Penalty Points system which is used for less serious breaches. A copy of the Penalty Points system can be found at **Appendix 3**.

Part 1 Hackney Carriage and Private Hire Driver Policy

Introduction

- 1.1 The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 are the predominant sets of legislation governing the regulation of Drivers of Hackney Carriage and Private Hire Vehicles.
- 1.2 Throughout this section of the Policy, “applicant” refers to all new applicants and current licensed Hackney Carriage and Private Hire Drivers.
- 1.3 Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 state: “A district council shall not grant a Drivers’ licence to drive a Hackney Carriage or Private Hire Vehicle unless they are satisfied that an applicant is a fit and proper person to hold a licence”.

The Council considers a “fit and proper” person to mean:

- a) Honest and trustworthy;
- b) Not abusive, exploitative, violent or threatening;
- c) A competent and safe Driver and fully compliant with relevant road traffic legislation and licence conditions;
- d) Conversant with the area that they are working in to ensure passengers are carried by the shortest route;
- e) Able to communicate effectively with passengers and can read, speak, write and understand English;
- f) In good physical and mental health;
- g) Must hold a full DVLA driving licence and not be disqualified from driving.

Drivers will be required to uphold these standards throughout the duration of their Council issued Driver licence.

- 1.4 The onus is on the applicant to prove they are a “fit and proper” person, rather than the Council to prove they are not.

Character of the Applicant

- 1.5 If any information given by the applicant on the application form proves to be false, the applicant fails to disclose any relevant information on the application form, or the applicant attempts to obtain a licence under false pretences, the application may be refused. Where a licence has been granted, the licence may be suspended or revoked by an Authorised Officer and the applicant may also be prosecuted under section 57(3) of the 1976 Act. Any person subject to this action will be barred from re-applying for a period of 12 months from the date of the decision. Each case will be decided upon its own merits.
- 1.6 In determining whether the applicant is a “fit and proper” person to hold a Driver’s licence Authorised Officers will ask themselves if based on all the information provided as part of the application process:

“Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?”

- 1.7 On the balance of probabilities, if there is sufficient evidence that the applicant is not a “fit and proper” person, or if there are grounds to question or doubt the evidence to support the application, then a licence application would be refused, or the existing Combined Hackney Carriage/Private Hire Driver licence would be suspended or revoked.
- 1.8 All applications will be considered against all the supporting information provided with the application, the enhanced DBS certificate, the Council’s Convictions Policy at **Appendix 1**, and Penalty Points System at **Appendix 3**.
- 1.9 If the applicant has been deemed suitable to hold, or renew a licence, they will be issued with a Combined Hackney Carriage/Private Hire Driver Licence. The licence will entitle the Driver to drive both a licensed Hackney Carriage and Private Hire Vehicles.
- 1.10 Once a licence has been granted, the Driver will be required to comply with the relevant licensing conditions. Drivers should familiarise themselves with the conditions that will be attached to their licence prior to making an application to the Council.

Character of Licensed Drivers

- 1.11 It must be understood a Driver’s suitability to hold a licence can change at any time throughout the duration of the licence. Drivers must ensure that their behaviour remains of the highest standard to protect their licence and their livelihood.
- 1.12 As a licensed Driver, the assessment of their character includes times when they are working within the Hackney Carriage or Private Hire trade, and at all other times. For instance, this can include the use of social media, how they speak to Officers of the Council, as well as other forms of communication. The requirement is to satisfy the Council that they are a “fit and proper” person.
- 1.13 If at any time the Driver’s behaviour falls below the standards expected for Drivers, the Council may choose to suspend, revoke, or refuse to renew a licence. In relation to their personal actions, it is no defence to argue that their actions took place when they were not working as a licensed Driver. The Driver should appreciate that under the Council’s Convictions Policy, if the unacceptable or criminal behaviour took place whilst they were working as a licensed Driver, this will be viewed as an aggravating feature by the Council.

Licence Duration

- 1.14 Licences are normally issued for a **3-year** period unless the applicant’s right to work in the UK is time-limited then the licence will expire on the right to work expiry date (up to a maximum of 3 years), or where a shorter time frame has been approved by Committee.

- 1.15 A Driver Licence will not be issued to expire later than the expiry date shown on their Driver Vehicle Licensing Agency (DVLA) driving licence.

Licensing Criteria

- 1.16 All applicants will be required to meet the following criteria to be granted a licence to drive Hackney Carriage and Private Hire Vehicles.

Age Requirement

- 1.17 Applicants must be over **18** years of age at first application.

Photographs

- 1.18 Applicants or Drivers will be required to provide a recent passport standard sized photograph.
- 1.19 If the applicant provides a photograph that is not a recent standard sized photograph, this will be refused and the applicant will be required to provide a new photograph at their own expense.

Driving Vehicle Licensing Agency (DVLA) Driving Licence and Licence Check

- 1.20 Applicants will be required to evidence that they have held a full UK or EU/EEA member state driving licence for a minimum of one year prior to the date they submit a Driver licence application to the Council. The driving licence must be registered with the DVLA.
- 1.21 All applicants will be required to provide a copy of the front and back of their DVLA photocard driving licence, showing their current address, as part of the application process. If the applicant does not have a DVLA photocard driving licence, a paper driving licence issued prior to March 2000 can be provided showing the applicant's home address.
- 1.22 Applicants will be required to sign a Driver Licence Consent Form for the Council to undertake a check of their driving licence history from the DVLA via a third-party provider. By signing the Driver Licence Consent Form, the applicant provides their authority for their driving licence history to be checked prior to a licence being granted, and at any time throughout the duration of the licence period.

Application Process

- 1.23 Applicants will be required to apply online via the Council's website - [Application for a new or renewal driver licence](#).
- 1.24 Only complete applications will be processed (completed application form, required supporting documents and application fee).

- 1.25 A new application for a Driver licence must be fully completed within a 6-month period from the date the online application was submitted, otherwise the application will be rejected in full.

Disclosure and Barring Service (DBS) Check

- 1.26 All applicants are required to obtain an Enhanced DBS certificate for “other workforce” from the Disclosure and Barring Service through a Council approved provider, or Authorised Agent. The DBS certificate must show the occupation as “other workforce”. Other occupations will not be accepted.
- 1.27 All applicants will be required to subscribe to the Update Service to enable their Enhanced DBS certificate for “other workforce” to be checked every 6 months.
- 1.28 An Enhanced DBS disclosure certificate for “other workforce” provided as part of a new Hackney Carriage/Private Hire Driver application must not be dated more than 30 days from the date of the online application being submitted.

Criminal Record Background Check

- 1.29 Applicants will be required to declare any criminal or motoring convictions pending or recorded against them which are not deemed as spent under the terms of the Rehabilitation of Offenders Act 1974 - [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/guidance-on-the-rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975).
- 1.30 All criminal record information must be considered for this occupation type, whether it might be considered ‘spent’ under other circumstances. The Council will have regard to the legislation in respect of Protected and Unprotected Convictions.
- 1.31 Serious consideration will need to be given as to whether an applicant is a “fit and proper” person to hold a licence if they received any conviction, caution, reprimand, warning or where the Council receives any other relevant information regarding their conduct.
- 1.32 The Council will consider all cautions, convictions, spent or unspent having regard to:
- a) How relevant the offence(s) are to the licence being applied for;
 - b) How serious the offence(s) were;
 - c) When the offence(s) were committed and the date of conviction;
 - d) Sentence imposed by the court;
 - e) The applicant’s age at the time of conviction;
 - f) Whether they form part of a pattern of offending or indicate a pattern of unacceptable behaviour;
 - g) Any other factors that might be relevant and the extent of any mitigating factors.

Certificate of Good Conduct

- 1.33 Any applicant applying for a Driver licence who has lived outside of the United Kingdom (UK) for a period of 3 months at any one time since the age of 18 will be required to provide a Certificate of Good Conduct from each appropriate Embassy(ies) for all periods they have resided outside the UK.
- 1.34 The Certificate of Good Conduct must be translated into English at the applicant's own expense. The Council may undertake checks to ensure the authenticity of any such documentation.
- 1.35 If a Certificate(s) of Good Conduct cannot be provided for the relevant period, the application will be deemed invalid, and it will be cancelled in full by an Authorised Officer.

Right to Work Check

- 1.36 Under the Immigration Act 2016, the Council must carry out a right to work check before a licence can be granted. The Council will not issue a Driver Licence unless the individual has the right to remain and work in the United Kingdom (UK).
- 1.37 All applicants will be required to provide original documentation to prove that they have the right to work in the UK. A list of acceptable documents can be found at [Prove your right to work to an employer: Overview - GOV.UK](#). The documents provided will be inspected, verified, copied and retained in line with Home Office retention guidelines.
- 1.38 In the case of any applicant who cannot evidence that they have the right to work in the UK, the application will be deemed invalid, and it will be cancelled in full by an Authorised Officer.
- 1.39 Where an applicant has applied to extend their right to work in the UK (pending a decision), the Driver licence cannot be extended for more than six months from the date the check is undertaken. Please note there will be an additional fee which will need to be paid to extend the Private Hire Driver licence.

His Majesty's Revenue and Customs (HMRC) Tax Check

- 1.40 All new applicants will be required to confirm at the time of their application that they have read and understood how to be properly registered for tax purposes in the future.
- 1.41 Drivers applying for a renewal of a licence, or an applicant who already holds the same type of licence with another Licensing Authority which is still valid, or has the same type of licence which stopped being valid less than a year ago, must obtain a unique 9 digit tax share code from His Majesty's Revenue and Customs (HMRC) by using the following link - [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#).

- 1.42 In the case of any applicant who cannot provide a tax share code, the application will be deemed invalid, and it will be cancelled in full by an Authorised Officer.

Medical History

- 1.43 Applicants will be required to provide a satisfactory completed Council medical certificate to show that they meet the DVLA Group 2 medical standard. The medical certificate can be completed by a GP who has access to the applicant's medical records, or by a Council approved medical provider where a summary of their medical records has been provided.
- 1.44 Medical certificates will be assessed against the DVLA document "Assessing fitness to drive: a guide for medical professionals" to ensure they comply with the Group 2 standard. Authorised Officers may seek further information from the person who completed the medical, or a consultant (if there is one). If there are any medical conditions listed on the medical certificate which require further investigation, or if any of the required information is missing.
- 1.45 A completed medical certificate will be required at initial application and every three years on licence renewal until the Driver reaches 65 years of age. Drivers over 65 years of age will require an annual medical assessment. Drivers who have a medical condition that requires regular monitoring may require additional medical assessments during the period of the licence. Where an applicant has a relevant medical condition, they may be required to sign a declaration to confirm they will update the Licensing Team in respect of any changes so that condition, prior to the issue of the licence.
- 1.46 Completed medical certificates will only be valid for 30 days from the date the medical certificate was completed.
- 1.47 An Authorised Officer can request a licensed Driver to undertake a further medical at any time.

Driving Assessment

- 1.48 New applicants will be required to undertake and pass a Driving Assessment in their own vehicle with a Council approved provider. A list of approved providers can be found on the Council's website – [Taxi Driver Assessment | Broadland and South Norfolk](#). The applicant will be issued with a certificate to prove they have passed the assessment, and this will need to be uploaded as part of the online application process.
- 1.49 Existing licensed Drivers will not be required to undertake and pass a driving assessment, unless the Council has reason to believe that the Driver's driving standard falls below an acceptable level, or as directed by the Committee. In this instance, the Council will request that the Driver undertakes and passes a further driving assessment with a Council approved provider at their own expense.
- 1.50 The licensed Driver's licence may be suspended until they attend and successfully passed the driving assessment.

Disability Awareness Training

- 1.51 All new applicants will be required to attend Disability Awareness training with a Council approved provider. A list of approved providers can be found on the Council's website – [9. JOINT - Disability Awareness Training](#).
- 1.52 Applicants applying to renew their licence will not be required to attend the training, unless requested to do so by an Authorised Officer or the Committee.
- 1.53 An Authorised Officer may request a licensed Driver to undertake Disability Awareness training at any time.
- 1.54 The licensed Driver's licence may be suspended until they attend and complete any additional training as requested.

Safeguarding Training

- 1.55 All new applicants will be required to attend the Council's Safeguarding training with a Council approved provider before a licence is granted.
- 1.56 Applicants applying to renew their licence, will be required to attend the Council's Safeguarding training every three years with a Council approved provider before a licence is granted.
- 1.57 An Authorised Officer may request a licensed Driver to undertake further Safeguarding training if any complaints are received which highlights that the Driver is not complying with the Council's Safeguarding Code of Conduct (**at Appendix 2**), the Driver will be requested to attend the next available Safeguarding training session at their own expense.
- 1.58 The licensed Driver's licence may be suspended by an Authorised Officer until they attend and complete any additional training as requested.

Prevent (anti-terrorism) training

- 1.59 Applicants may be required to undertake Prevent training, at the discretion of the Council with a Council approved provider.
- 1.60 An Authorised Officer may request a licensed Driver to undertake Prevent training at any time.
- 1.61 The licensed Driver's licence may be suspended until they attend and complete any additional training as requested.

English Language Qualification

- 1.62 Applicants will be required to demonstrate a good command of English. This is essential as the applicant will be required to communicate with passengers (some of which may have complex needs), be able understand road signs, any relevant

legislation and the Council's Hackney Carriage and Private Hire Licensing Policy and Conditions.

- 1.63 Applicants will be required to meet the standard set out by the Council by using the following link - [English Language Assessment | Broadland and South Norfolk](#).
- 1.64 Applicants who are unable to provide a certificate to confirm they have previously obtained an English language qualification, can obtain replacement qualification certificates by using the following link - [Get a replacement exam certificate: Who to contact - GOV.UK](#).
- 1.65 Where an applicant is unable to obtain a copy of their qualification they will be required to undertake an English language assessment with a Council approved provider at their own expense. Their licence application will be refused if they are unable to pass the Council's English language assessment.
- 1.66 Where concerns are raised with the Council regarding a licensed Driver's English language skills, the Council may require the Driver to complete and pass an English language Assessment with a Council approved provider, at their own expense.
- 1.67 The licensed Driver licence may be suspended by an Authorised Officer until such time they have passed the Council's English language assessment.
- 1.68 For any existing licensed driver, at their next licence renewal (where they have held a driver licence issued by the Council prior to April 2022) they will be required to demonstrate they meet this standard.

Equality Act Exemption Certificates

- 1.69 Applications can be made to the Council for exemption from the assistance dog requirements under sections 69 and 171 of the Equality Act 2010. Similar applications can be made for exemption from the requirement to provide mobility assistance under section 166 of the Equality Act 2010.
- 1.70 Exemption certificates will only last until the licensed Driver is required to provide their next general medical certificate. This means that an exemption certificate will last for a maximum of 3 years.

National Register of Taxi and Private Hire Licence Refusals, Revocations and Suspensions (NR3S)

- 1.71 The Council uses the NR3S database. All applications for a Combined Hackney Carriage/Private Hire Driver licence will be checked against the register to find out if the applicant has had a Driver licence application refused or if a current Driver licence has been suspended or revoked.
- 1.72 Where an application has been refused, the Council will contact the decision-making Authority to obtain details of the refusal to grant a licence, or the reasons as to why an existing licence has been suspended or revoked. The information obtained will be

used to assess if the applicant is a “fit and proper” person to obtain a licence or retain an existing Driver Licence.

- 1.73 Where a refusal to grant a Driver Licence, or where a decision has been made to suspend or revoke an existing Driver Licence, details will be added to the NR3S database following 28 days of the decision being communicated to the applicant.
- 1.74 Where a licensed Driver has been added to the NR3S database, information recorded will usually remain on the NR3S database for 11 years. The information recorded on the database will be permanently deleted in line with the NR3S data retention policy.

Renewals

- 1.75 Renewal reminders are sent to Drivers by email at least 8-12 weeks in advance of the licence expiry date. Drivers should begin the renewal process as soon as they receive their reminder to ensure that the renewal application is processed before the current licence expiry date.
- 1.76 Late renewal applications could result in the Driver not being able to work until their renewal Driver application has been processed.
- 1.77 Drivers should be aware that it can take **6 weeks or more** to process a valid renewal application (completed online application form, required supporting documents and application fee).
- 1.78 Driver licences will not be granted an earlier renewal date than the current licence expiry date.
- 1.79 Once a licence has expired, the licence cannot be renewed and any subsequent application will be treated as a new application, unless there are exceptional circumstances as to why the renewal application was not received before the licence expiry date.
- 1.80 If a Driver believes there are exceptional circumstances why their renewal application will not be submitted prior to the licence expiry date, they must write to the Council to explain why the renewal application cannot be submitted before the licence expiry date, at least seven working days prior to the licence renewal date. The Council will consider if a late renewal application will be accepted or refused and an exception may be made at the discretion of an Authorised Officer

Part 2 Hackney Carriage and Private Hire Vehicle Policy

Introduction

- 2.1 The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 are the predominant set of laws governing the regulation of Hackney Carriage and Private Hire Vehicles.
- 2.2 The Council will not grant or renew a Vehicle licence unless they are satisfied that the Vehicle to be licensed complies with the Council's Policy and Conditions.
- 2.3 Throughout this section of the Policy, "applicant" refers to all new applicants and current licensed Vehicle Proprietors.
- 2.4 Sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 state the legislative requirements for the licensing of Hackney Carriage and Private Hire Vehicles.

Character of the Applicant

- 2.5 If any information given by the applicant on the application form for a Vehicle licence proves to be false, the applicant fails to disclose any relevant information on the application form, or the applicant attempts to obtain a licence under false pretences, the application may be refused. Where a licence has been granted, the licence may be suspended or revoked by an Authorised Officer and the applicant may also be prosecuted. Any person subject to this action will be barred from re-applying for a period of 12 months from the date of the decision. Each case will be decided upon its own merits.
- 2.6 In determining whether the applicant is a "fit and proper" person to hold a Vehicle licence, Authorised Officers will ask themselves if, based on all the information provided as part of the application process:

"Without any prejudice, and based on the information before you, would you be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that they would not allow it to be used for criminal or other unacceptable purposes, and be confident that they would maintain it to be an acceptable standard throughout the period of the licence?"
- 2.7 On the balance of probabilities, if there is sufficient evidence that the applicant is not a "fit and proper" person, or if there are grounds to question or doubt the evidence to support an application then an application will be refused, or the existing Hackney Carriage or Private Hire Vehicle licence will be suspended or revoked.
- 2.8 All applications will be considered against all the supporting information provided with the application, the enhanced DBS certificate, the Council's Convictions Policy at **Appendix 1**, and Penalty Points System at **Appendix 3**.

- 2.9 If the applicant has been deemed suitable to hold, or renew a licence, they will be issued with a Hackney Carriage or Private Hire Vehicle Licence.
- 2.10 Once a licence has been granted, the Proprietor will be required to comply with the relevant licensing conditions. Proprietors should familiarise themselves with the conditions that will be attached to their licence prior to making an application to the Council.

Character of Licensed Vehicle Proprietors

- 2.11 It must be understood a Proprietor's suitability to hold a licence can change at any time throughout the duration of the licence. Proprietors must ensure that their behaviour remains of the highest standard to protect their licence and their livelihood.
- 2.12 As a licensed Proprietor, the assessment of their character includes times when they are working within the Hackney Carriage or Private Hire trade, and at all other times. For instance, this can include the use of social media, how they speak to Officers of the Council, as well as other forms of communication. The requirement is to satisfy the Council that they are a "fit and proper" person.
- 2.13 If at any time the Proprietor's behaviour falls below the standards expected for Vehicle Proprietor's, the Council may choose to suspend, revoke, or refuse to renew a licence. In relation to their personal actions, it is no defence to argue that their actions took place when they were not working. The Proprietor should appreciate that under the Council's Convictions Policy, if the unacceptable or criminal behaviour took place whilst they were working, this will be viewed as an aggravating feature by the Council.

Licence Duration

- 2.14 Vehicles under 7 years age from the date of first registration as shown on the V5C (logbook) at application will be issued with an annual licence.
- 2.15 Vehicles over 7 years of age from the date of first registration as shown on the V5C (logbook) at application will be issued with a six-month licence.
- 2.16 Where a Proprietor's right to work in the UK expires during the annual or 6-month licence period, the licence will expire in line with the Proprietor's right to work documents.
- 2.17 Where the Proprietor's right to work in the UK is extended, or made permanent, during the licence period, the Vehicle licence may be extended for the remainder of the annual or 6-month vehicle licence period.
- 2.18 Where the Proprietor's right to work is extended (pending a decision) during the licence period, the licence will not be extended for more than 6 months or beyond the licence expiry date whichever is sooner.
- 2.19 There will be an additional fee to be paid to extend a Vehicle licence.

Restriction on Number of Licensed Vehicles

2.20 The Council does not restrict the number of licences it issues.

Dual Plating

2.21 The Council will not allow Vehicles to be licensed for dual purposes or licensed by more than one Authority. If a Vehicle is found to be dual plated, the Vehicle licence will be suspended immediately by an Authorised Officer.

Licensing Criteria

2.22 All Vehicles must meet the following criteria to be granted a Hackney Carriage or Private Hire Vehicle licence.

2.23 Before a licence application is made, the applicant should ensure that the Vehicle is in a satisfactory and safe condition for the carriage of passengers, and that the make and model is suitable to be licensed.

Age Limits

2.24 **New vehicles** - licences will only be granted to Vehicles less than 5 years of age from the date of first registration as shown on the V5C (logbook).

2.25 **Existing licensed vehicles** - From 1 April 2027, the Council will only renew Vehicles which meet Euro 5 standard (emissions standard).

2.26 Current licensed Vehicles which are lower than Euro 5 standard will be considered for re-licensing after 1 April 2027 at Authorised Officer discretion.

Exceptions to Age Limits

2.27 **New Executive Hire Vehicles** – licences will only be granted to Vehicles less than 3 years of age from the date of first registration as shown on the V5C (logbook) on the day the application is received.

2.28 **Special Event Vehicles, e.g. Fire Engines etc** – these are exempt from the general age/mileage policy. A licence application will be determined by the Committee.

2.29 **American Stretch Limousines** - Must not be older than 7 years from the date of first registration as shown on the V5C (logbook) on the day the application is received. A licence application will be determined by the Committee.

2.30 **Historic Vehicles** - Must be constructed over 40 years ago. Note: In accordance with DVLA taxation class for Historic Vehicles. Proof of the year the Vehicle was built must be provided. A licence application will be determined by the Committee.

Application Process

- 2.31 Applicants may be a sole proprietor, a director(s) or secretary of a limited company, and all members of a partnership including a limited liability partnership (LLP)¹.
- 2.32 Applicants can apply for and pay for a new or renewal of a Vehicle Licence online on the Council's website by using the following link - [New private hire vehicle licence | Broadland and South Norfolk](#)
- 2.33 Where an applicant is a Company, the information provided on the application form, and the name on the V5C (logbook) will be checked with information held on Companies House.

Disclosure & Barring Service (DBS)

- 2.34 Proprietors, who are not licensed Hackney Carriage/Private Hire Drivers, will be required to provide a basic DBS certificate at initial application and **annually thereafter**. The contents of the DBS certificate will be considered in line with the Council's Convictions Policy to determine if the applicant is a "fit and proper" person to hold a Vehicle licence.

Excise Duty (Road Tax)

- 2.35 The Proprietor will be required to arrange road tax for the Vehicle before a licence application is submitted to the Council.
- 2.36 Any application for a Vehicle which does not have road tax in force will be refused by an Authorised Officer.

Insurance Certificate/Cover Note

- 2.37 The Proprietor will be required to provide a valid current insurance certificate, or cover note. Where a cover note is provided, this may be valid for a maximum of 30 days from the date the licence is granted.
- 2.38 The insurance certificate or cover note must clearly cover the use to which the Vehicle is to be put.
- 2.39 Where a cover note is provided, the Proprietor will be required to provide the full insurance certificate within one calendar month from the date the cover note was provided.

MOT

- 2.40 An MOT can be carried out at any DVSA registered MOT testing station.

¹ Section 57(1) and 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

- 2.41 The Proprietor will be required to provide a MOT certificate to support a Vehicle application. The MOT certificate will need to be dated within 30 days of the date the online Vehicle application is submitted to the Council.

Vehicle Registration Document (V5C) or Bill of Sale

- 2.42 The full V5C (logbook) will be required at initial application. If this is unavailable a V5C tear off slip or bill of sale showing the date of first registration can be provided. The full V5C (logbook) will need to be provided within one calendar month of the application being submitted to the Council. Failure to provide the full V5C within one calendar month may result in the Vehicle licence being suspended.
- 2.43 The Proprietor will only be required to provide a further copy of the V5C (logbook) if the Vehicle or registered owner has been modified at any time since the licence was granted.

Council Mechanical Test

- 2.44 All Vehicles will need to be presented to a DVSA registered MOT testing station and pass the Council's mechanical test. A copy of the Council's Hackney Carriage or Private Hire Vehicle Mechanical test can be found on the Council's website - [Private hire vehicle mechanical test | Broadland and South Norfolk](#)
- 2.45 The Vehicle shall be in a clean condition to allow the tester to inspect the Vehicle. The tester may refuse to test a Vehicle that does not conform to this requirement.
- 2.46 Costs of such testing are payable to the testing station by the applicant. The mechanical test will only be valid for a period of 30 days from the date the Vehicle application is submitted to the Council.
- 2.47 Vehicles under 7 years old will require a mechanical test annually, and Vehicles over 7 years old will require a mechanical test every 6 months.
- 2.48 A Vehicle which fails an inspection/safety check during the currency of the licence will have the fault(s) rectified and Vehicle re-inspected at the same mechanical testing station within 2 months of the original inspection.

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

- 2.49 Applicants will be required to provide a LOLER certificate if the Vehicle is fitted with a mechanical hoist.

Vehicle Fitness Standards

- 2.50 **Type Approval** - All Vehicles submitted to the Council for licensing shall meet the safety standards of one of the following:

- a) The Vehicle must have European Community Whole Vehicle Type Approval (ECWVTA), GB Type Approval or UK(NI) Type approval and must show category M1 on the V5/logbook;

- b) British National Type approval; or in the case of converted Vehicles British Single Vehicle Approval (before 29 April 2009); or
- c) Individual Vehicle Approval (IVA) (from 29 April 2009) to M1 standards.

For more information visit - <https://www.gov.uk/vehicle-approval>

2.51 The IVA test is appropriate for Vehicles not previously registered in the UK, and a Voluntary Individual Vehicle Approval VIVA for Vehicles registered in the UK will be required to prove compliance.

2.52 All Vehicles converted or altered to be Wheelchair Accessible will only be considered for licensing upon production of a satisfactory Normal IVA or Normal VIVA test (engineers report) from the Driver and Vehicle Standards Agency (DVSA).

Vehicle Specifications

2.53 The Vehicle must comply with the following requirements:

- a) Fitted with four road wheels and at least **four doors** (see Access to Doors 2.54 – 2.58).
- b) Be right-hand drive;
- c) Have a seating capacity of no more than eight passengers in addition to the Driver;
- d) Any Vehicle's suitability for licensing will also be determined by the positioning of its seating, fixtures and fittings for the entry and exit of passengers for their safety;
- e) The Vehicle must have seats with a minimum width of not less than 406.4 mm (16 inches) per seat. Where the seats have defined sides, then each seat must be a minimum of 406.4mm (16 inches) wide. If the rear seats are "bench style", and the middle seat is not 406.4mm (16 inches) wide, the length of the bench style seat must measure 1220mm (48 inches) in total at the widest point;
- f) The seat layout, legroom and headroom of the Vehicle for all new Vehicles will be inspected at the Council offices by an Authorised Officer prior to licensing being considered. Each new Vehicle application will be considered on its own merits. Should the Authorised Officer determine that the Vehicle is not suitable for licensing, or the dimensions of the Vehicle are not sufficient to seat the specified number of passengers, the Vehicle may be refused for licensing or the number of passengers permitted in the Vehicle may be reduced. The safety and comfort of the passengers will be paramount;
- g) The bodywork of the Vehicle shall be in good condition, free from any damage and shall be as originally fitted by the manufacturer. Wheel trims must be fitted to all road wheels where they are part of the manufacturer's original specification;
- h) All upholstery shall be clean and in a well-maintained condition. No tears, cracks, holes or burns will be acceptable. Upholstery includes seats, headrests, armrests, carpets roof lining and other trims;
- i) **Where a parcel shelf is not present, a cargo net will need to be fitted and used when the Vehicle is carrying fare paying passengers, to protect items**

being carried in the rear of the Vehicle entering the passenger compartment of the Vehicle in the event of an accident or emergency stop;

- j) All fittings shall be properly maintained and in good working order. Fittings include; litter containers, clocks, interior lights, sun blinds, door surrounds, grab handles, and other equipment provided for passenger comfort and any equipment in, on or forming part of the Vehicle including wheelchair ramps and securing fitments where the Vehicle is to be licensed to carry wheelchair users.

Access to Doors

- 2.54 Clear and unobstructed access will be required to any back row seating of the Vehicle. This may require the removal of any seat adjacent to the nearside door of the passenger compartment of the Vehicle.
- 2.55 Any Vehicle's suitability for licensing will also be determined by the positioning of its seating, fittings and fixtures for the entry and exit of passengers and their safety.
- 2.56 Any passenger entering or exiting from a Vehicle should not have to tip, move, remove or dismantle any seat or other obstacle, or to climb over any person being carried in the Vehicle, or ask any other person to leave their seat to enter or exit the Vehicle.
- 2.57 Estate versions of saloon Vehicles fitted with seats in the rear luggage compartment will only be licensed for a maximum of 4 passengers.
- 2.58 Current licensed Vehicles which do not meet the above criteria may continue in service.

Glazing

- 2.59 Manufacturers standard tints will be permitted on the rear passenger windows and/or rear windscreen. It is the Proprietor's responsibility to prove the tint is fitted as standard.
- 2.60 No additional tints can be placed on any windscreens or windows at any time.

Vehicle Registration Plates

- 2.61 All Vehicle registration and trailer plates fitted to any Vehicle will be required to meet the standards of the Driver Vehicle Licensing Agency (DVLA) - [Displaying number plates: Rules for number plates - GOV.UK](#).
- 2.62 The Council will not permit the use of "show" plates. Show plates are not linked to a registered Vehicle and do not follow DVLA regulations.
- 2.63 The Council will not permit frames to be fitted to vehicle registration plates.
- 2.64 Display plates may be used; however, the plates will be required to comply with the strict regulations set out by the DVLA (see above link at 2.61).

2.65 The Council will not permit the use of “ghost” plates. This term is used more broadly to describe plates that have been cloned, altered, or fitted with anti-camera film to avoid detection by enforcement cameras.

2.66 Any Vehicle Proprietor found to be using any Vehicle registration plates that do not comply with the DVLA [Displaying number plates: Rules for number plates - GOV.UK](#) will result in the Vehicle licence being suspended.

Liquid Petroleum Gas (LPG) Conversions

2.67 Any application for Vehicle licence which has been converted to run on LPG will be required to provide a certificate stating that the LPG system has been fitted in accordance with LPG Code of Practice 11.

2.68 The Vehicle will be required to have an annual service by a person competent in LPG powered Vehicles in addition to the Council’s Mechanical Test.

Smoke Free Legislation

2.69 Under the Health Act 2006, Premises, Vehicles, and certain public places are legally required to be smoke-free to protect people from second-hand smoke.

2.70 The Health Act 2006 defines smoking as the act of smoking tobacco or any substance that can be smoked, including being in possession of lit tobacco or other lit substances in a form that could be smoked (Health Act 2006, Part 1, Chapter 1).

2.71 Failing to prevent smoking in a smoke free place can lead to prosecution and a maximum fine of £2,500 being imposed on whoever manages or controls the smoke-free Vehicle. Further advice and guidance can be found by using the following link – [Smokefree England - all about the smokefree legislation on 1st July 2007](#)

Altered Vehicles

2.72 An altered Vehicle is any Vehicle which has been altered from the original manufacturer’s specification, re-registered or has been an insurance loss (specified within current government guidelines) and categorised as follows:

Category A - A Vehicle cannot be repaired. The entire Vehicle will be crushed.

Category B - A Vehicle cannot be repaired. Body shell will be crushed, but you can salvage other parts from it.

Category S - Can be repaired following structural damage. You can use the Vehicle again if it’s repaired to a roadworthy condition.

Category N - Can be repaired following non-structural damage. You can use the Vehicle again if it’s repaired to a roadworthy condition.

2.73 A category N Vehicle will only be considered for licensing subject to a satisfactory MOT and mechanical test and a schedule of works. The Vehicle would be subject to an inspection by an Authorised Officer.

2.74 The Council will only consider Category N Vehicles for licensing from the list above.

Transfer of Vehicle Licence

2.75 The Proprietor may apply to transfer the Vehicle licence to another Broadland licensed Driver. The new owner must complete the Council's Transfer Form and provide the required supporting documentation and pay the application fee within 14 days of the sale taking place.

2.76 The existing licence plates will remain on the Vehicle unless the plates have expired. In this instance, licence plates must be returned to the Council.

Sale of Vehicle

2.77 If the Proprietor wishes to sell the licensed Vehicle to a private individual or garage, they must return the licence plates to the Council together with written confirmation stating that they wish to surrender the Vehicle licence within 7 days of the date of sale.

Trailers attached to Licensed Vehicles

2.78 The towing of trailers will not be permitted except when the Proprietor has obtained written approval from the Council. The Proprietor must ensure that the Driver towing a licensed trailer has the relevant DVLA licence category permitting the towing of trailers.

2.79 The trailer will be required to comply with the Council's trailer conditions.

2.80 The Proprietor of a licensed Vehicle may attach a trailer for carrying luggage when required, subject to the completion of the relevant application form, and providing that an external trailer licence plate is affixed to the rear of the trailer. There is additional fee that will be charged for this.

2.81 The trailer will need to be inspected at a DVSA approved MOT testing station to ensure the trailer is roadworthy and safe to use. Once the trailer has passed the inspection, the Proprietor will be required to pay the required fee before a trailer plate can be issued.

2.82 Trailers cannot be used on Hackney Carriage Vehicles when plying for hire on a Hackney Carriage stand.

Vehicle Replacement

2.83 Where a Vehicle is off the road due to accident damage, the Council may allow a replacement Vehicle to be licensed that meets the Policy criteria.

2.84 Where a replacement Vehicle has been approved for licensing, a licence will only be granted for a period not exceeding 3 months. A valid application (completed

application form and required supporting documents) will need to be provided together with a 50% reduction of the normal application fee.

2.85 Whilst being repaired, the Vehicle licence plate will be suspended. The internal and external licence plates will need to be returned to the Council within 7 days of the suspension.

2.86 As soon as the accident damage Vehicle has been repaired, a schedule of works will be required. A further MOT and mechanical test may also be required at the discretion of an Authorised Officer. In all cases the suspended licence will not be re-instated until the Vehicle has been inspected and approved by an Authorised Officer of the Council.

Vehicle Inspections

2.87 A Vehicle may be inspected by an Authorised Officer of the Council or a Police Officer, at any time. If the person inspecting the Vehicle is not satisfied as to the fitness of the Vehicle, they may give written notice to the Proprietor to make the Vehicle available for further inspection and testing at such reasonable time and place as may be specified and the Vehicle licence may be suspended until the Authorised Officer or Police Officer is so satisfied. If the Authorised Officer or Police Officer is not satisfied within two months of the issue of the written notice, the Vehicle licence shall be deemed revoked. An Authorised Officer or Police Officer may permit other persons to examine the vehicle on their behalf (e.g. DVSA).

Unfit Vehicle Notices

2.88 Unfit Vehicle Notices can be issued by an Authorised Officer or Police Officer where vehicle defects give cause for concern.

2.89 Immediate Unfit Notices will be issued if the Vehicle appears to be unsafe to carry members of the public. Once a Notice is issued, the Vehicle must not be used with immediate effect. The Vehicle will be presented to an Authorised Officer or a DVSA approved MOT testing station with faults rectified. Only after this will the Notice be lifted and the Vehicle can be used for hire or reward.

2.90 If the Notice is not lifted within two months the Vehicle licence will be deemed revoked.

2.91 Deferred Notices may be issued which means the Vehicle can continue to be used for the time specified and the faults rectified within that timeframe.

Renewal Applications

2.92 Renewal reminders are sent to Proprietors by text at least 4-6 weeks in advance of the licence expiry date. Proprietors should begin the renewal process as soon as they receive their reminder to ensure that the renewal application is processed before the current licence expiry date.

- 2.93 Late renewal applications could result in the Vehicle not being licensed until the Vehicle application has been processed.
- 2.94 Proprietors should be aware that it can take up to **15 working days** to process a valid renewal application (completed online application form, required supporting documents and application fee).
- 2.95 Vehicle licences will not be granted an earlier renewal date than the current licence expiry date.
- 2.96 Once a licence has expired, the licence cannot be renewed and any subsequent application will be treated as a new application, unless there are exceptional circumstances as to why the renewal application was not received before the licence expiry date.
- 2.97 If a licensed Proprietor believes there are exceptional circumstances why their renewal application will not be submitted prior to the licence expiry date, they must write to the Council to explain why the renewal application cannot be submitted before the licence expiry date, at least seven working days prior to the licence renewal date. The Council will consider if a late renewal application will be accepted or refused and an exception may be made at the discretion of an Authorised Officer.

Hackney Carriage Vehicles Only

Hackney Carriage Vehicle Licence

- 2.98 A Hackney Carriage Vehicle can be hired from a taxi rank, be hailed in the street and can take bookings. A Hackney Carriage Vehicle can be a purpose-built vehicle, such as a London type black cab, or any saloon, multi-purpose vehicle (MPV) or minibus Vehicle which carries no more than eight passengers.
- 2.99 Once a Vehicle has been licensed as a Hackney Carriage, it retains that status all day every day for the duration of the licence. This means that the Vehicle can only be driven by a Driver holding a licence entitling them to drive a Hackney Carriage licensed Vehicle licensed by the same Council. The exception to this is when the Vehicle is being tested.
- 2.100 Hackney Carriage Vehicles will display a Council issued white external plate at the rear of the vehicle (this must be fitted below the windscreen), and a white internal plate in the top left corner of the front windscreen.

Roof Sign

- 2.101 Hackney Carriage Vehicles will be required to display a roof sign containing the words "Taxi" and "For Hire". These are the only words to be displayed on the front and the rear of the roof sign.
- 2.102 The roof light must show white to the front and red to the rear.

Fares

- 2.103 Under section 65 of the Local Government (Miscellaneous Provisions) Act 1976, the Council can set fares for Hackney Carriages.
- 2.104 A fare review/increase can be initiated by the Council or by the Hackney Carriage trade. It will not be an automatic process e.g. annually.

Taximeter

- 2.105 Hackney Carriage Vehicles will be required to fit a calendar controlled and sealed tariff taximeter capable of complying with the relevant legislation.
- 2.106 Taximeters will be connected to the roof sign. Once the meter is started, the roof sign 'For Hire' notice will extinguish.

Unattended Taxis

- 2.107 No Hackney Carriage may be left on a taxi rank designated by Section 64 of the Local Government (Miscellaneous Provisions) Act 1976, or a Local Traffic Order without a licensed Driver in attendance to care of it.

Private Hire Vehicles Only

Private Hire Vehicle Licence

- 2.108 A Private Hire Vehicle can only be hired by pre-booking via app, website or telephone, or by visiting the operating base. A Private Hire Vehicle can be any saloon, multi-purpose vehicle (MPV) or minibus vehicle which carries no more than eight passengers.
- 2.109 Once a Vehicle has been licensed as a Private hire Vehicle, it retains that status all day every day for the duration of the licence. This means that the Vehicle can only be driven by a person who holds a Hackney Carriage/Private Hire Driver licence entitling them to drive a Private Hire Vehicle licensed by the same Council. The exception to this is when the Vehicle is being tested.
- 2.110 Private Hire Vehicles will display a Council issued yellow external plate at the rear of the Vehicle (this must be fitted below the windscreen), and a yellow internal plate in the top left corner of the front windscreen.

Roof Sign/Roof Bar

- 2.111 The Proprietor will be required to apply in writing, to request permission to permanently fix an illuminated roof sign or roof bar to a Private Hire Vehicle. The roof sign or roof bar must be to the specification required by the Council and have the words "Pre-Booked Only" on the front and rear of the roof sign or bar. Private Hire Vehicles are permitted to use bus lanes and bus gates providing the relevant Traffic

Regulation Order authorises the use where an approved roof sign/bar has been fitted to the roof of the Vehicle.

Fares

- 2.112 Private Hire Operators can set their own fares and are not set by Broadland District Council. Passengers should agree the fare for a journey with the Operator in at the time of making the booking.
- 2.113 **Any Vehicle presented for licensing that does not meet the above criteria will be refused by Authorised Officers using delegated powers. Applicants may request, in writing, for their application to be considered by the Committee.**

Part 3 Private Hire Stretched Limousine Policy and Conditions

Introduction

- 3.1 Private Hire Limousines are expected to meet the same criteria as standard licensed Private Hire Vehicles and the following policy and conditions.
- 3.2 A “stretched limousine”, is a saloon type vehicle that has undergone an increase in length by extending the wheelbase after manufacture. Most stretch limousines are imported from the United States and will not comply with the usual standards demanded of a Private Hire Vehicle.
- 3.3 It is likely that non-compliance will include:
 - a) Vehicles will be left hand drive;
 - b) Passenger windows will be dark/blacked out (however they must comply with current legislation);
 - c) May not comply with age requirements;
 - d) Side facing seating arrangements.
- 3.4 The Council will only consider applications to licence stretched limousines to carry no more than 8 passengers.
- 3.5 Only limousines that have been converted by recognised coach builders may be deemed suitable for licencing. This will need to be evidenced as part of the application process.
- 3.6 Further information regarding the licensing of limousines can be found at - [Guidance for Operators of Stretch Limousines 2 .pdf](#)

Application Process

- 3.7 Documentation required for a licence to be issued is the same as for a Private Hire Vehicle, plus the following:
 - a) Completed importation document;
 - b) Proof the stretch was performed by a registered coach builder;
 - c) IVA Certificate;
 - d) The stretched limousine must hold a valid Individual Vehicle Approval (IVA) certificate issued by the Driver Vehicle Standards Agency (DVSA). Further information regarding Vehicle approval can be found at - [Vehicle approval: Overview - GOV.UK](#).

Conditions

- 3.8 Drivers must hold a Hackney Carriage/Private Hire Driver licence issued by the same authority that issued the Limousine and Operator licence.
- 3.9 Any person driving a limousine must have Category C on their DVLA driving licence.

- 3.10 No advertisement must be displayed on or in a limousine without prior written approval from the Council.
- 3.11 Any advertisement publishing the business must state that the Vehicle is only licensed to carry a maximum of 8 passengers.
- 3.12 A limousine will be subject to **two** vehicle tests per year as part of the renewal process. If a licence is issued it will be issued for a maximum period of six months, renewable every six months.
- 3.13 Seatbelts must be fitted to all forward and rear facing seats. Any seatbelts fitted to sideways facing seats must also be worn and all seatbelts must comply with DVLA seatbelt regulations.
- 3.14 Any seats in the Driver compartment must not be used to carry any passengers.
- 3.15 The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight as specified by the convertor. Given the increased weight of the Vehicle, tyres of the correct weight and size rating must be used at all times.
- 3.16 The Driver must not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the Vehicle – based on the age of the youngest passenger. This is to safeguard any child or young adult passengers from viewing unsuitable material.
- 3.17 The Driver must ensure that any sunroofs fitted to the limousine must be kept closed when travelling and can only be operated by the Driver.
- 3.18 Any partition fitted in the Limousine between the Driver and passengers must only be controlled by the Driver. Any glass partition fitted in the Vehicle must be made of toughened glass and have the appropriate safety markings.
- 3.19 The Driver must take all reasonable steps to ensure that passenger behaviour does not compromise public safety. Passengers must remain seated at all times whilst the Vehicle is moving. The Driver must prevent passengers from opening any of the rear windows.
- 3.20 No alcohol shall be provided in the Vehicle unless the Operator holds a premises licence. Where a premises licence is held, the Driver must:
- a) Ensure no alcohol is served to anyone under the age of 18;
 - b) Ensure alcohol is only served whilst the Vehicle is stationary;
 - c) Any bottles are securely stored;
 - d) Alcohol must only be provided in shatterproof glass or plastics.
- 3.21 **Any Vehicle presented for licensing that does not meet the above criteria will be refused by Authorised Officers using delegated powers. Applicants may request, in writing, for their application to be considered by the Committee.**

Part 4 Executive Private Hire Policy and Conditions

Introduction

- 4.1 The Local Government (Miscellaneous Provisions) Act 1976 provides the legal framework for the Licensing of the Private Hire trade. Over recent years, the trade has become more diverse and there is now a much wider range of Vehicles and services available to customers/passengers.
- 4.2 It is important that policies recognise the wide range of Private Hire services that are now available and have a licensing regime in place that facilitates the licensing of businesses which operate professionally and safely. At the same time the licensing regime should offer adequate protection to prevent the licensing and operation of businesses which are non-compliant and do not offer the necessary level of public protection.

What is Executive Private Hire?

- 4.3 The Council views the granting of executive status as a privilege and expects the Executive status conditions to be always complied with.
- 4.4 There is no legal definition which determines the difference between Executive and Standard Private Hire. In each instance it will involve a booking being accepted by a Broadland District Council Operator and an appropriately licensed Vehicle and Driver licensed by Broadland District Council meeting the requirements of the booking. The main distinction between standard and Executive Private Hire can broadly be described as the type of client catered for, the type of service offered, and the cost of the service provided.
- 4.5 In determining whether a booking is considered Executive Private Hire, regard will be had to several factors, including:
- a) How the booking is made, e.g. written contract;
 - b) The type of client, i.e. Royalty, The Ministry of Defence, Chief Executives of high-profile companies, Celebrities, etc, who for security or personal safety reasons would not want the Vehicle to be identifiable as a standard Private Hire Vehicle;
 - c) How payment is made, any payment should be made in advance of the journey and not direct to the Driver;
 - d) The type of the Vehicle used to undertake the journey;
 - e) Dress code/attire worn by the Driver - shirt and tie must be worn;
 - f) The business plan/model provided by the Private Hire Operator;
 - g) General airport runs and school contracts will not be deemed as Executive Private Hire.
- 4.6 In determining whether a booking is considered Executive Private Hire, the Council will consider items 4.7 – 4.10 overleaf.

- 4.7 The Vehicle used to undertake Executive Private Hire work will be a licensed Vehicle, which is a high value, high specification Vehicle, which is also compliant with licensing requirements and conditions associated with Private Hire licensing requirements.
- 4.8 For all new and existing licensed Executive Hire Vehicles, Operators will be expected to prove and declare to the Council that it has and will continue to meet the above requirements before Vehicles they operate are considered or remain in service.
- 4.9 The Executive Private Hire licence will expire on the day the sale or transfer of the Vehicle takes place. The person to whom the Executive Private Hire is granted must inform the Council of the sale or transfer of ownership immediately, in writing. The internal and external Executive Private Hire licence plates must be returned to the Council
- 4.10 Executive Private Hire Vehicles are exempt from displaying Broadland District Council Door Signs.

Type of Executive Private Hire Vehicles

- 4.11 Executive Private Hire Vehicles are expected to meet the same criteria as standard licensed Private Hire Vehicles plus the following:
- a) Vehicle models must be either four door saloons, or five door estates or five door hatchbacks, or luxury style people carrier type vehicles;
 - b) Vehicles must be of a standard of comfort and equipped to a level equal to or above luxury brands of vehicles such as:
 - i. Mercedes Benz “S” and “E” Classes;
 - ii. 7 Series BMW;
 - I. Lexus “GS” or “LS”;
 - II. Audi A8 Series;
 - III. Jaguar;
 - IV. Rolls Royce;
 - V. Bentley saloons;(this list is not exhaustive).

Higher specification Vehicles from other manufacturers may also be considered for an Executive Private Hire Vehicle licence.

- 4.12 Licence applications for Executive Hire Vehicles may be licensed on request and at the Authorised Officer’s discretion.
- 4.13 If a decision is made to remove Executive status, the Executive Private Hire licence plates must be returned to the Council immediately. The Vehicle will then be subject to standard Private Hire conditions and be issued with yellow Private Hire licence plates.

Drivers of Executive Private Hire Vehicles

- 4.14 Drivers of Executive Private Hire Vehicles must hold a valid Driver licence issued by the same Council that issued the Executive Private Hire Vehicle and Operator licence. The legislation requires that all licenced Hackney Carriage/Private Hire Drivers are “fit and proper” to hold such a licence. The standards required by the Council in terms of driving skills, medical fitness, criminal/motoring convictions, knowledge of licensing requirements, and safeguarding is the same for both standard and Executive Hackney Carriage/Private Hire Drivers.

Vehicle Specification

- 4.15 Applications for an Executive Private Hire Vehicle licence may be considered where the following requirements are met:
- a) under 3 years of age when first licensed (from date of first registration as shown on the V5C (logbook));
 - b) The Vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating;
 - c) The Vehicle must have a minimum specification of at least air conditioning/climate control to front and rear seats, all electric windows, central locking and front and rear headrests sufficient for each passenger;
 - d) Manufacturers’ window tints are permissible;
 - e) Window Tint Film must not be applied;
 - f) The Vehicle cannot be fitted with Operator to Driver communication system (radio);
 - g) A licensed Executive Private Hire Vehicle will not be permitted to display any form of advertising.
- 4.16 The Vehicle will be exempted from the requirement to display standard licence plates and signage but required instead to display discreet silver internal and external licence plates, as approved by the Council. Drivers, Vehicles and Operators are otherwise expected to be fully compliant with all other Private Hire licensing requirements and conditions.

Driver Conditions

- 4.17 Drivers must not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the Vehicle – based on the age of the youngest passenger. This is to safeguard any child or young adult passengers from viewing unsuitable material.
- 4.18 Drivers must ensure that any sunroofs fitted in the Vehicle must be kept closed when travelling and can only be operated by the Driver.
- 4.19 No alcohol shall be provided in the Vehicle unless the Operator holds a premises licence. Where a premises licence is held, the Driver must:
- a) Ensure no alcohol is served to anyone under the age of 18;
 - b) Ensure alcohol is only served whilst the vehicle is stationary;

- c) Any bottles are securely stored;
- d) Alcohol must only be provided in shatterproof glass or plastics.

Operator Conditions

- 4.20 Bookings for Executive Private Hire work should be kept as a separate record and not recorded within the standard Private Hire booking records.
- 4.21 Bookings must be accepted by a licensed Private Hire Operator, and a licensed Vehicle and a Hackney Carriage/Private Hire Driver licensed with the same authority will be dispatched to complete the contract.
- 4.22 Confirmation must be provided by the Operator to an Authorised Officer upon request of the Executive nature of the work. This can include a declaration from the Operator and supporting evidence of the Executive Private Hire status of the work. This can include:
 - a) bookings records;
 - b) client references;
 - c) business plan or description.
- 4.23 **Any Vehicle presented for licensing that does not meet the above criteria will be refused by Authorised Officers using delegated powers. Applicants may request, in writing, for their application to be considered by the Committee.**

Part 5 Private Hire Operator Policy

Introduction

- 5.1 The Local Government (Miscellaneous Provisions) Act 1976 is the predominant law governing the regulation of Private Hire Operators.
- 5.2 The purpose of licensing Private Hire Operators is to protect the public, ensuring that passengers are not exploited, abused or otherwise affected by unlicensed and potentially unscrupulous booking agents. Private Hire Vehicles may only be dispatched by a Private Hire Operator who holds a Broadland District Council Private Hire Operator licence.
- 5.3 The Council will only grant a Private Hire Operator licence to Operators operating from an address within the Broadland District Council area.
- 5.4 The Council considers operating from an address to mean the Operator will have:
 - a) Access to the licensed operating base at all reasonable times, and on request by an Authorised Officer or Police Officer;
 - b) Access to all records (bookings, complaints etc) kept by the Private Hire Operator with copies to be provided to an Authorised Officer or Police Officer upon request.
- 5.5 Where the Council has reason to believe that a licensed Operator is not operating from the licensed address, in compliance with this Policy, further action may be taken to assess the suitability of the Operator to retain the licence.
- 5.6 Any Private Hire Operator who is making a provision for the invitation of bookings (evidenced by a Private Hire Operator base) in more than one Local Authority area will be required to hold a Private Hire Operator licence with the Local Authority in each of those areas and have independent contact numbers for each Local Authority.
- 5.7 Sections 55 of the Local Government (Miscellaneous Provisions) Act 1976 states: "A district council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an Operator's licence".

The Council considers a "fit and proper" person to mean:

- a) Honest and trustworthy;
- b) Not abusive, exploitative, violent or threatening;
- c) A competent and safe Driver and fully compliant with relevant road traffic legislation and licence conditions;
- d) Conversant with the area that they are working in to ensure passengers are carried by the shortest route;
- e) Able to communicate effectively with passengers and can read, speak, and understand English;
- f) In good physical and mental health;
- g) Must hold a full DVLA Driver Licence and not be disqualified from driving.

Operators will be required to uphold these standards throughout the duration of their Council issued Operator licence.

- 5.7 Throughout this section of the policy, “applicant” refers to all new applicants and current licensed Operators.

Character of the Applicant

- 5.8 If any information given by the applicant on the application form for an Operator licence proves to be false, the applicant fails to disclose any relevant information on the application form, or the applicant attempts to obtain a licence under false pretences, the application may be refused. Where a licence has been granted, the licence may be suspended or revoked by an Authorised Officer and the applicant may also be prosecuted under section 57(3) of the 1976 Act. Any person subject to this action will be barred from re-applying for a period of 12 months from the date of the decision. Each case will be decided upon its own merits.

- 5.9 In determining whether the applicant is a “fit and proper” person to hold an Operator licence, Authorised Officers will ask themselves if, based on all the information provided as part of the application process:

“Would I be comfortable providing sensitive information such as holiday plans, movements of my family, or other information to this person, and feel safe in the knowledge that such information will not be passed on for criminal or other purposes?”

- 5.10 On the balance of probabilities, if there is sufficient evidence that the applicant is not a “fit and proper” person, or if there are grounds to question or doubt the evidence to support an application for an Operator licence, the new application would be refused, or the renewal of an existing Operator licence would be suspended or revoked.

- 5.11 All applications will be considered against all the supporting information provided with the application, the Basic DBS certificate, the Council’s Convictions Policy at **Appendix 1**, and Penalty Points System at **Appendix 3**.

- 5.12 If the applicant has been deemed suitable to hold, or renew a licence, they will be issued with a Private Hire Operator Licence.

- 5.13 Once a licence has been granted, the Operator will be required to comply with the relevant licensing conditions. Operators should familiarise themselves with the conditions that will be attached to their licence prior to making an application to the Council.

Character of Licensed Operators

- 5.14 It must be understood an Operator’s suitability to hold a licence can change at any time throughout the duration of the licence. Operators must ensure that their behaviour remains of the highest standard to protect their licence and their livelihood.

- 5.15 As a licensed Operator, the assessment of their character includes times when they are working within the Hackney Carriage or Private Hire trade, and at all other times. For instance, this can include the use of social media, how they speak to Officers of the Council, as well as other forms of communication. The requirement is to satisfy the Council that they are a “fit and proper” person.
- 5.16 If at any time the Operators behaviour falls below the standards expected for Private Hire Operators the Council may choose to suspend, revoke, or refuse to renew a licence. In relation to their personal actions, it is no defence to argue that their actions took place when they were not working. The Operator should appreciate that under the Council's Convictions Policy, if the unacceptable or criminal behaviour took place whilst they were working. This will be viewed as an aggravating feature by the Council.

Licence Duration

- 5.17 Operator licences will normally be issued for five years (unless a shorter licence period is appropriate by an Authorised Officer or Committee).
- 5.18 Where an applicant has a time limited right to work in the UK, the Operator's licence will only be granted for the period stated on the applicant's right to work documents up to a maximum of 5 years. The Operator licence may be extended should the applicant have their right to work in the UK extended or be made permanent. Please note there will be an additional fee which will need to be paid to extend the Operator licence.
- 5.19 Where an applicant has applied to extend their right to work in the UK (pending a decision), the Operator licence cannot be extended for more than six months from the date the check is undertaken. Please note there will be an additional fee which will need to be paid to extend the Operator licence.

Planning Permission

- 5.20 The Operator is recommended to ensure that their premises has (where planning legislation requires it), a valid planning permission authorising the correct use of the premises.
- 5.21 The grant of an Operator licence does not authorise the use of premises without planning permission.

Licensing Criteria

- 5.22 Applicants must meet the following criteria to be granted an Operator licence to operate Private Hire Vehicles.

Age Requirement

- 5.23 Applicants must be over 18 years of age at the time an application is submitted to the Council.

Application Process

- 5.24 An applicant may be any sole proprietor, a director(s) or secretary of a limited company, and all members of a partnership including a limited liability partnership (LLP)².
- 5.25 Applicants can apply for and pay for a new or renewal of an Operator Licence online on the Council's website by using the following link - [Private Hire Operator Licence \(1.1\)](#).
- 5.26 The application fee for an Operator licence is based on the amount of vehicles to be operated. The fees can be found by using the following link - [Apply to be an operator | Broadland and South Norfolk](#)
- 5.27 If a licensed Operator increases the number of vehicles they wish to operate during the licence period, the Operator will be required to pay an additional fee based on the relevant fee banding.
- 5.28 Where an applicant is not a sole proprietor, the information provided on the application will be checked against information held on Companies House. This may also include requesting financial records to confirm that the company is suitable to be licensed.

Disclosure and Barring Service (DBS) Check

- 5.29 All applicants are required to obtain a Basic DBS certificate, unless they are already a current licensed Driver with Broadland District Council. The certificate must be dated within 1 month of the date of a new or renewal application for an Operator licence and show the applicant's home address. The same will be required of any director, partner, and secretary named on Companies House. A Basic DBS certificate will be required annually for the duration of the licence.
- 5.30 All new and renewal applicants will be assessed against the Council's Convictions Policy see **Appendix 1** and Penalty Points System **Appendix 3**.
- 5.31 If any new director, partner, or secretary is appointed, the Operator will be required to notify the Council, in writing, within 7 days of the appointment. The notification must be accompanied by a Basic DBS certificate in relation to that person dated within 1 month of the date of notification showing the applicant's home address. If a director, partner, or secretary resigns from the company, the Operator will be required to notify the Council in writing, within 7 days of the change. An additional fee will be applicable.

² Section 57(1) and 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

Certificate of Good Conduct

- 5.32 Any applicant applying for an Operator licence who has lived outside of the United Kingdom (UK) for a period of 3 months at any one time, or since the age of 18, (or since the grant of the current licence in the case of a renewal), will be required to provide a Certificate of Good Conduct from each appropriate Embassy(ies) for all periods they have resided outside the UK.
- 5.33 The Certificate of Good Conduct must be translated into English at the applicant's own expense. The Council may undertake checks to ensure the authenticity of any such documentation.
- 5.34 If a Certificate(s) of Good Conduct cannot be provided for the relevant period, the application will be refused by an Authorised Officer.

Criminal Record

- 5.35 Applicants will be required to declare any criminal or motoring convictions pending or recorded against them which are not deemed as spent under the terms of the Rehabilitation of Offenders Act 1974 - [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/rehabilitation-of-offenders-act-1974).
- 5.36 All applications for an Operator licence will be considered against this policy, the Council's Convictions Policy which can be found at **Appendix 1**, and Penalty Points System which can be found at **Appendix 3**.
- 5.37 Where an existing Operator, employee, director or secretary of a company has any conviction, caution, reprimand, warning, or where any other relevant information is received by the Council regarding the conduct of a licensed Operator or employee, serious consideration will need to be given as to whether they remain a safe and suitable person to hold a licence or carry out duties under the terms of an Operator licence.
- 5.38 The Council will consider all cautions, convictions, or unspent having regard to:
- a) How relevant the offence(s) are to the licence being applied for;
 - b) How serious the offence(s) were;
 - c) When the offence(s) were committed and the date of conviction;
 - d) Sentence imposed by the court;
 - e) The applicant's age at the time of conviction;
 - f) Whether they form part of a pattern of offending or indicate a pattern of unacceptable behaviour;
 - g) Any other factors that might be relevant and the extent of any mitigating factors.

Right to Work Check

- 5.39 Under the Immigration Act 2016, the Council is required to carry out, in line with the relevant legislation and guidance, a Right to Work check on all applicants named on the application form before a licence can be granted. This will include any sole

proprietor, director(s) and/or secretary of a company and all members of a partnership.

- 5.40 All applicants will be required to provide documentation to prove they have the right to work in UK. A list of acceptable documents can be found [Prove your right to work to an employer: Overview - GOV.UK](#).
- 5.41 Any applicant who cannot provide evidence that they have the right to work in the UK will have their licence application refused by an Authorised Officer.

His Majesty's Revenue and Customs (HMRC) Tax Check

- 5.42 All new applicants for an Operator Licence will be required to confirm as part of the application that they have read and understood how to be properly registered for tax purposes in the future.
- 5.43 Existing Operators applying for a renewal of a licence, or an applicant who already holds the same type of licence with another Licensing Authority which is still valid, or has the same type of licence which stopped being valid less than a year ago, must obtain a unique 9 digit tax share code from His Majesty's Revenue and Customs (HMRC) by using the following link - [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#) and provide this to the Council. If a tax share code cannot be provided, the application cannot be processed.
- 5.44 Any applicant who cannot provide a tax share code will have their licence application refused by an Authorised Officer.

Complaints

- 5.45 Operators will be required to maintain and utilise a complaints process in accordance with the Operator licence conditions.

Records

- 5.46 Operator does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the Private Hire Vehicle (except where they are also licensed and act as a licensed Driver).
- 5.47 However, in performing their duties Operators obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others or used by the Operator or their staff for criminal or other unacceptable purposes. Operators must only use any personal data held by them as necessary during their business.
- 5.48 Operators must ensure that all staff employed within the business (either as direct employees or as independent contractors) comply with [Data Protection Act 2018 and the U.K. General Data Protection Regulation \(GDPR\)](#).

Booking Records

- 5.49 Operators will be required to maintain a record of all bookings undertaken. This also includes any subcontracted bookings.

Drivers and Vehicles

- 5.50 Operators will be required to ensure that they only use a licensed Broadland District Council Driver and a Private Hire Vehicle to undertake a booking accepted by a Broadland District Council Operator. Operators must maintain a record of all Drivers and Vehicles undertaking work on behalf of the Operator.

Insurance

- 5.51 Operators will be required to hold public liability insurance for a minimum value of £5 million.

Alcohol Sales

- 5.52 Alcohol sales made as part of any booking will require the Operator base to be licensed under the Licensing Act 2003. A Personal Licence holder will also need to be named as a Designated Premises Supervisor on the relevant premises licence.

- 5.53 A person commits an offence if:

- a) they carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation;
- b) they knowingly allow a licensable activity to be so carried on.

Renewals

- 5.54 Renewal reminders are sent to Operators by email at least 8-12 weeks in advance of the licence expiry date. Operators should begin the renewal process as soon as they receive their reminder to ensure that the renewal application is processed before the current licence expiry date.
- 5.55 Late renewal applications could result in the Operator not being able to take bookings and dispatch Vehicles until their renewal Operator application has been processed.
- 5.56 Operators should be aware that it can take up to 4 weeks to process a valid renewal application (completed online application form, required supporting documents and application fee).
- 5.57 Operator licences will not be granted an earlier renewal date than the current licence expiry date.
- 5.58 Once a licence has expired, the licence cannot be renewed and any subsequent application will be treated as a new application, unless there are exceptional

circumstances as to why the renewal application was not received before the licence expiry date.

- 5.59 If an Operator believes there are exceptional circumstances why their renewal application will not be submitted prior to the licence expiry date, they must write to the Council to explain why the renewal application cannot be submitted before the licence expiry date, at least seven working days prior to the licence renewal date. The Council will consider if a late renewal application will be accepted or refused.

Part 6 Broadland District Council Hackney Carriage Byelaws

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the council of Broadland district with respect to Hackney Carriages in Broadland.

Interpretation

1. Throughout these byelaws “the Council” means Broadland District Council and “the district” means the district of Broadland.

Provisions regulating the manner in which the number of each Hackney Carriage corresponding with the number of its licence, shall be displayed

2. a) The proprietor of a Hackney Carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.
b) A proprietor or Driver of a Hackney Carriage shall -
 1. not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire; and
 2. not cause or permit the carriage to stand or ply for hire with any such painting marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how Hackney Carriages are to be furnished or provided

3. The proprietor of a Hackney Carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the Driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the Driver.
4. The proprietor of a Hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with

the following requirements, that is to say:

- (a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
- (b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or Driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
- (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
- (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and Drivers of Hackney Carriages plying within the district in their several employments, and determining whether such Drivers shall wear any and what badges

5. The Driver of a Hackney Carriage provided with a taximeter shall -

- (a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
- (b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
- (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.

6 A proprietor or Driver of a Hackney Carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

7 The Driver of a Hackney Carriage shall, when plying for hire in any street and not actually hired -

- (a) proceed with reasonable speed to one of the stands appointed by the Council;

- (b) if a stand, at the time of their arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time, when any other carriage immediately in front is driven off or moved forward cause their carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
- 8 A proprietor or Driver of a Hackney Carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
- 9 The Driver of a Hackney Carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 10 The proprietor or Driver of a Hackney Carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 11 A proprietor or Driver of a Hackney Carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
- 12 If a badge has been provided by the Council and delivered to the Driver of a Hackney Carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
- 13 The Driver of a Hackney Carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

Provisions fixing the rates or fares to be paid for Hackney Carriages within the district and securing the due publication of such fares

- 14 (a) The proprietor or Driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring their desire to engage by time.
- b) Where a Hackney Carriage furnished with a taximeter is hired by distance and

time the proprietor or Driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

- 16 (i) The proprietor of a Hackney Carriage shall cause a statement of the fares fixed by council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
(ii) The proprietor or Driver of a Hackney Carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in Hackney Carriages, and fixing the charges to be made in respect thereof

- 17 The proprietor or Driver of a Hackney Carriage shall immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
- 18 The proprietor or Driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him -
- (a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to the office of the Council and leave it in the custody of the officer in charge of the office on their giving a receipt for it; and
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

Penalties

- 19 Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction, therefore.

Hackney Carriage Drivers Please Note (This is not part of the Council byelaws).

The Broadland District Council Driver Licence is a dual licence which authorises the holder to drive both Broadland Council licensed Hackney Carriage and Private Hire Vehicles. Therefore, the conditions detailed in the section of this document entitled 'PRIVATE HIRE DRIVER CONDITIONS' also apply. Where the condition applies specifically to the driving of a Private Hire Vehicle, then it would only apply when driving said vehicle. Where a condition is not specific to the driving of a particular vehicle, such as condition 7.30 which relates to informing the council of convictions etc, then it would apply at all times.

Part 7 Hackney Carriage and Private Hire Driver Conditions

Introduction

- 7.1 These conditions are in addition to the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and the Town and Police Clauses Act 1847.
- 7.2 Throughout these conditions “Driver” means a Hackney Carriage/Private Hire Driver licensed with Broadland District Council.
- 7.3 Failure to comply with any of the following conditions may result in the issue of penalty points, a written warning, suspension or revocation of the Driver licence by an Authorised Officer, or referral to Committee.
- 7.4 Drivers must be fully conversant with the Council’s Policy and Conditions (“The Blue Book”). The Blue Book is issued to all licensed Drivers.

Disclosure & Barring Service (DBS) Check

- 7.5 Drivers must sign the Council’s Update Service Consent Form for the status of their DBS certificate to be checked online every 6 months.
- 7.6 Drivers who fail to subscribe to the DBS Update Service, or allow their subscription to lapse, must obtain a new Enhanced DBS certificate for “other workforce” with a Council approved provider or Authorised Agent. The new Enhanced DBS Certificate must be registered with the Update Service as soon as the Driver receives the certificate.
- 7.7 Drivers who do not subscribe to the DBS Update Service for whatever reason, will have their Driver licence suspended until such time a new Enhanced DBS certificate for “other workforce” has been received, registered and checked against the Update Service.
- 7.8 If there are discrepancies between the information recorded on the DBS certificate provided and the information held on the Update Service, the Driver must apply for a new Enhanced DBS certificate. Their renewal application will not be processed until such time as a new Enhanced DBS certificate has been received.

Driver Vehicle Licensing Agency (DVLA) Driving Licence

- 7.9 Drivers must notify the Council in writing immediately if they have received a driving ban or disqualification for any reason.
- 7.10 Any Driver who has received a driving ban from the DVLA will automatically have their Driver licence revoked by an Authorised Officer as they will no longer comply with the Policy requirements for Drivers.
- 7.11 The Driver must return their Driver badge to the Council within 48 hours of the licence being revoked.

- 7.12 Where a licence has previously been revoked, the Driver may be required to appear before Committee for a new licence application to be considered.

English Language Assessment

- 7.13 Drivers must be able to communicate with their passengers. This means they must understand written and verbal instructions and requests and be able to respond appropriately.

Medicals

- 7.14 Drivers must notify the Council in writing, within 48 hours of any medical condition (this includes any issues with their hearing or vision), which will affect their ability to drive a Hackney Carriage or Private Hire Vehicle.
- 7.15 Drivers over 65 years of age must produce a completed medical certificate annually.
- 7.16 Drivers with any pre-existing medical condition must provide a completed medical certificate at a frequency determined by the Council and sign the Council's medical declaration.
- 7.17 If a Driver does not produce a medical certificate when requested, their Driver licence may be suspended or revoked.

Animals

- 7.18 The Driver must not carry their own animal, or an animal which belongs to the Operator, whilst carrying passengers in a Vehicle.
- 7.19 Passenger owned animals may be carried at the Driver's discretion (subject to the below section in relation to the conditions for Assistance Dogs) and must sit in the rear footwell of the Vehicle, or on the rear seat in a pet carrier.
- 7.20 The Driver must ensure that they clean the Vehicle after carrying animals in the vehicle.

Assistance Dogs

- 7.21 An assistance dog, or support dog, is a highly trained dog that uses their specialist skills to support people with a variety of conditions and disabilities. These dogs are trained to such a standard that by law they are considered an auxiliary aid to their partner. Assistance dogs and Disability Support Dogs are different from emotional support animals. Licensed Drivers are legal required to carry Assistance Dogs, unless a specific exemption has been issued by the Licensing Authority.
- 7.22 The Driver must not refuse to carry an assistance dog accompanying a fare paying passenger.

7.23 Drivers with medical conditions preventing the carrying of an assistance dog, must obtain a Certificate of Exemption from the Council. An exemption certificate will only be provided on receipt of a satisfactory completed medical certificate from a certified medical practitioner. Any charge for a medical examination is to be paid by the Driver. The holder of a certificate of exemption shall ensure that it is displayed in the front windscreen of a licensed Vehicle.

7.24 An assistance dog accompanying a disabled person may sit in the front of the Vehicle, providing the animal is properly trained to sit in the footwell of the Vehicle with the disabled passenger. It is best practice to ask the passenger where they want themselves and their dog to sit in the vehicle.

7.25 No additional charge can be made to carry an assistance dog.

Equality Act 2010

7.26 Section 164A of the Equality Act sets out the duties placed on all Drivers of Hackney Carriage or Private Hire Vehicles. The duties are:

- a) If the passenger is in or has with them a wheelchair, to carry the wheelchair;
- b) If the passenger has with them any mobility aids, to carry the mobility aids;
- c) To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- d) To give the passenger such mobility assistance as is reasonably required; and
- e) Not to make, or propose to make, any additional charge for complying with a duty mentioned in conditions 7.26 a to d below.

7.27 Section 165 of the Equality Act sets out additional duties placed on Drivers of designated wheelchair accessible Hackney Carriage or Private Hire Vehicles. The duties are:

- a) To carry the passenger whilst in the wheelchair;
- b) Not to make any additional charge for doing so;
- c) If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- d) To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- e) To give the passenger such mobility assistance as is reasonably required.

7.28 For the purpose of 7.26d and e mobility assistance is defined as assistance:

- a) To enable the passenger to get into or out of the Vehicle;
- b) If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the Vehicle while in the wheelchair where applicable;

- c) To load the passenger's luggage into or out of the Vehicle;
- d) If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the Vehicle.

7.29 Section 168 of the Equality Act sets out the duties placed on all Drivers of Hackney Carriage or Private Hire Vehicles in respect of assistance dogs. The duties are:

- a) To carry the disabled person's dog and allow it to remain with that person;
- b) Not to make any additional charge for doing so;
- c) In the case of hackney carriages, the taximeter must not be running whilst carrying out any of the duties described above.

Change of Address or Other Circumstances

7.30 The Driver must notify the Licensing Team in writing, within seven days of the following changes:

- a) change of name and/or address (supporting documents will be required, e.g. DVLA driving licence, marriage certificate, deed poll etc) must be provided. Where the Driver is a Vehicle Proprietor, a new V5C (logbook) must be provided;
- b) Change of home/work/mobile telephone number and/or email address;
- c) Change of Private Hire Operator (Private Hire Drivers only).

Reporting Arrests, Attendance at a Police Station, or being Released on Bail, etc

7.31 The Driver must notify the Council in writing, within 48 hours (including weekends and bank holidays) of:

- a) Any arrest or voluntary interview, whether the Driver has been charged, reported for summons, or no further action (NFA);
- b) Any voluntary attendance at a Police interview in relation to a criminal investigation of which the Driver is a subject;
- c) Released on bail with or without condition(s), released under investigation;
- d) If their vehicle is stopped by the Police for any reason.

Reporting of Convictions, Cautions and Motoring Offences

7.32 The Driver must notify the Council in writing, within 7 days (including weekends and bank holidays) of:

- a) Conviction(s), caution(s), warning(s), (motoring or otherwise), Traffic Offence Reports (TOR) for endorsable or non-endorsable offences, Fixed Penalty Notices (FPN), attendance of a speed awareness course, Community Protection Notices (CPN), County Court Judgement (CCJ), Civil Injunctions and Criminal Behaviour Orders (CBO). **In all cases the 7 day reporting period commences from the date of conviction.**

Appearance

7.33 The Driver must:

- a) be clean and tidy in appearance;
- b) be dressed in a manner not to cause embarrassment or offence to members of the public;
- c) not wear clothing which contains any words or graphics that is of an offensive or suggestive nature;
- d) not wear sportswear e.g. football or rugby kits, track suits, beach wear etc;
- e) not wear baseball caps or hoods worn up whilst driving a licensed Vehicle;
- f) not wear flip-flops, sliders or any footwear not secured around the heel.

Council issued Driver Badges

7.34 The Driver must:

- a) Wear the Council issued Driver badge using either the badge holder and lanyard, or badge clip provided, at all times whilst they are working as a Driver;
- b) When the Driver is not working, the badge must be kept in the vehicle so that the badge can be produced to an Authorised Officer or Police Officer on request;
- c) Display their duplicate Driver badge on the dashboard or partition screen (if fitted), of their licensed Vehicle to enable the passengers to be able to easily identify the Driver;
- d) Drivers must return their badge to the Licensing Authority when it has expired or has been surrendered or suspended, within 7 days;
- e) Badges which have been revoked must be returned upon demand and within 48 hours of the licence being revoked;
- f) The Driver's badge remains the property of the Council at all times;
- g) Stolen badges must be reported to the Council and Police immediately. The Police will provide the Driver who has reported the stolen badge with a reference number which must be provided to the Council. The Driver must not drive a licensed vehicle until they have obtained a replacement Driver's badge at their own expense;
- h) Lost badges must be reported to the Council immediately. The Driver must not drive a licensed Vehicle until they have obtained a replacement Driver's badge at their own expense.

7.35 The Driver is exempt from wearing the badge when the Vehicle is being used in connection with a wedding or a funeral.

Driver Conduct

7.36 The Driver must not:

- a) Eat or drink in the Vehicle or permit any passengers to eat or drink in the Vehicle (with the exception of bottled water);
- b) Use the radio or play other music without the express permission of the hirer;
- c) Without the express consent of the hirer, carry or permit to be carried, any other person in the Vehicle;
- d) Sound their horn to announce their presence to the hirer.

Investigations

- 7.37 The Driver must cooperate fully in the investigation of complaints against them. Drivers must produce any information reasonably requested during such investigation. Failure to do so may be subject to further action.

Lost Property

- 7.38 The Driver must immediately after completing a Private Hire booking, or as soon as possible, search the Vehicle for any property which may have been accidentally left there.
- 7.39 Drivers must make all reasonable efforts to return any lost property to the relevant passenger.

Punctual Attendance

- 7.40 Any Driver who has been pre-booked for a journey shall attend as appointed.

Reasonable Assistance

- 7.41 The Driver must, when requested by any person hiring the Vehicle:
- a) carry a reasonable quantity of personal luggage;
 - b) provide reasonable assistance in loading luggage at the journey commencement point;
 - c) provide reasonable assistance in removing the luggage at the drop off point.

Receipts

- 7.42 Drivers must provide a receipt for payment to include the date, fare paid, Private Hire Operator name, and the Driver's signature upon request.

Responsibility to Residents

- 7.43 To avoid nuisance when picking up or waiting for a fare, particularly during hours of darkness, a Driver must:
- a) Keep the volume of radio or music playing to a minimum;
 - b) Switch off the engine if required to wait;

- c) Take whatever additional action is reasonably necessary to avoid disturbance to residents in the neighbourhood.

Smoking/Vaping

- 7.44 No smoking or vaping is allowed in any licensed Vehicle at any time, or any vehicle intended to be used for work purposes.

Vehicle Plates

- 7.45 The Driver must not carry or permit to be carried any greater number of passengers than specified on the licence plate fixed to the rear of the Vehicle.
- 7.46 The Operator or Driver must not conceal any internal or external licence plate or number from public view. They must also not allow the Vehicle to be on hire with a plate which is defaced or illegible.

Private Hire Driver Conditions Only

Touting and/or Soliciting

- 7.47 The Driver must not, whilst driving or in charge of a Private Hire Vehicle:
- a) Tout or solicit any other person to hire, or be carried for hire in any Private Hire Vehicle;
 - b) Permit any other person to tout or solicit any person to hire, or to be carried for hire in any Private Hire Vehicle;
 - c) Ply for hire or use any taxi rank.

Private Hire Operators

- 7.48 Drivers who are working for an Operator must:
- a) Ensure that the Operator they are working for has a valid Operator Licence with Broadland District Council and that the Vehicle is insured for their use;
 - b) Comply with all the conditions and requirements of that licence even when working for another Operator under a subcontract;
 - c) Provide a copy of their Driver licence to the Operator before working for that operator;
 - d) Surrender their Driver Licence to the Council immediately upon ceasing work as a licensed Driver.

Fare to be Charged

- 7.49 The Driver must not exceed the fare agreed between the hirer and the Operator.

Any Driver aggrieved by any condition attached to the grant of this licence may appeal to a Magistrates' Court within 21 days of the issue of the licence.

Part 8 Hackney Carriage and Private Hire Vehicle Conditions

Introduction

- 8.1 These conditions are in addition to the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- 8.2 Throughout these conditions “Proprietor” may be an individual, any director(s) or secretary of a limited company, all members of a partnership, including a limited liability partnership (LLP)³. The Proprietor is the registered keeper as shown on the Vehicle Registration Document V5C (logbook).
- 8.3 Failure to comply with any of the following conditions may result in the issue of penalty points, a written warning, suspension or revocation of a Vehicle licence by an Authorised Officer, or referral to the Committee.
- 8.4 Throughout these conditions, “Proprietor” refers to all new applicants and licensed Hackney Carriage or Private Hire Vehicle Proprietors.

Alteration of a Vehicle

- 8.5 Throughout the Vehicle licence period, no material alteration or change in the specification, design, condition or appearance of the Vehicle shall be made without prior written approval of the Council.

Insurance

- 8.6 The Proprietor must ensure the insurance certificate/cover note only includes the name(s) of any Broadland District Council licensed Driver(s) who will be driving the licensed Vehicle.
- 8.7 The certificate/cover note must not include the name of any spouse/partner unless they hold a Driver Licence with Broadland District Council.
- 8.8 Proof of continuous insurance must be provided 7 days prior to the expiry date of an existing insurance certificate or cover note.
- 8.9 If the Proprietor fails to provide proof of insurance cover on request, they must produce it without delay, or within 7 days of the request to an Authorised Officer. Failure to comply may result in the immediate suspension of the Vehicle licence by an Authorised Officer. The suspension will remain in place until a satisfactory certificate of insurance has been provided.
- 8.10 The Proprietor must ensure that the Vehicle is properly insured for the duration of the licence.

³ Section 57(1) and 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

MOT

- 8.11 Any Minor Defects or advisories must be monitored by the Proprietor, and repair work completed as required.
- 8.12 Failure to monitor and adequately rectify any Minor Defect or advisories shown on the MOT certificate, may result in the Vehicle licence being suspended for a maximum period of 2 months.

Vehicle Registration Document V5C (logbook)

- 8.13 Applicants for a Vehicle licence must be the registered keeper as shown on the Vehicle Registration Document V5C (logbook).

Vehicle Standards

- 8.14 The Proprietor must maintain the mechanical fitness, cleanliness (internal and external), and overall condition of the Vehicle, including clean and damage free paintwork.

Vehicle Maintenance

- 8.15 **Exterior Bodywork and Wheel trims** - All items must be kept in a good condition and match the manufacturer's original specification. Wheel trims must be fitted if originally provided.
- 8.16 **Upholstery** - All upholstery, seats, headrests, armrests, and any trims, must be clean, odour free, and free from tears, stains, burns or damage.
- 8.17 **Fittings** - All fittings (e.g. litter containers, clocks, lights, sun blinds, grab handles and wheelchair ramps) must be in a good working order.
- 8.18 **Boot Safety**- Parcel shelves or grills in the boot/rear of the Vehicle must be clean, in a good condition, and be free from any damage. Where a parcel shelf is fitted in the Vehicle, this must be always used. Where a parcel shelf is not fitted in the Vehicle, the Proprietor must fit and use a cargo net to prevent any items in the boot being propelled into the Vehicle during a collision.
- 8.19 **Roof and floor coverings** – All roof and floor coverings (this also includes any mats in the Vehicle) must be kept clean and in a good condition. Any damage to any part of the roof or floor covering(s) must be repaired or replaced immediately. Where the Vehicle has exposed tracking runners, these must be adequately and safely covered with approved floor covering. The Council will not permit any "starlight" headliners to be fitted in any Vehicle.
- 8.20 **Tyres** - All tyres (including any spare wheel in the boot of the Vehicle) must not fall below the legal tread depth of 1.6mm. Tyres must not have any cuts, bulges or have any of the cords visible. The Vehicle must be equipped to adequately deal with a puncture (i.e. spare wheel or tyre inflation kit).

Glazing/Tinted windows

- 8.21 The front windscreen must let at least 75% of light through it and the front side windows must let at least 70% of light through them. Tinted windows must be the manufacturer standard, and no additional tints may be applied after manufacture.

Seat belts

- 8.22 All front and rear seats must be fitted with three-point seat belts. Wheelchairs must use the anchorage points and seatbelts provided to ensure the passenger and Wheelchair are secure whilst travelling in a licensed Vehicle.

Seating plan

- 8.23 Where a Vehicle is to carry more than four passengers, the Council will take photographs of the agreed seating configuration at initial inspection of the Vehicle, and any subsequent inspection of the Vehicle by an Authorised Officer. The approved seating configuration must not be changed without prior written approval from the Council.
- 8.24 If the Proprietor changes the seating configuration without prior written approval the Vehicle licence will be suspended.
- 8.25 If the Proprietor changes the seating configuration after approval, the Vehicle licence may be suspended or revoked by an Authorised Officer.

Vehicle Daily Checks

- 8.26 The Proprietor (or a nominated person on their behalf) must carry out an inspection of the interior and exterior of the Vehicle every day before the Vehicle is used to carry passengers.
- 8.27 The Proprietor (or a nominated person on their behalf) must complete the Council's Hackney Carriage or Private Hire Vehicle Checklist and submit this to the Private Hire Operator (Private Hire Vehicles only) each day. Proprietors must inspect their vehicle daily and complete and retain a copy of the Council's Hackney Carriage or Private Hire Vehicle Checklist.
- 8.28 All Proprietors must retain Hackney Carriage or Private Hire Vehicle daily checklists for three months and these must be made available to an Authorised Officer of the Council or Police Officer on request.

Council Issued Badges, Plates and Signs

- 8.29 All Driver badges, Hackney Carriage or Private Hire Vehicle licence plates and signage remain the property of the Council at all times and must be returned upon request.

Internal and External Vehicle Licence Plates

- 8.30 The Proprietor must display the Hackney Carriage or Private Hire licence plates on, or in, the Vehicle as prescribed by the Council as follows:
- a) The external plate must be securely fixed below the rear window line in a vertical position on the outside of the Vehicle;
 - b) The internal plate must be displayed in the inside top left-hand corner of the front windscreen. If a sun strip is fitted, the plate may be displayed on the bottom left corner of the windscreen;
 - c) The full plates must be clearly visible at all times and not be defaced or altered and used only on the Vehicle they were issued to;
 - d) The licence plate must not obstruct any signage prescribed by the Council or any light or the vehicle registration number. Any items such as tow bars must not obstruct the licence plate;
 - e) Upon renewal of the licence plates, the Proprietor must return the previously expired licence plates within 7 days;
 - f) Lost or stolen licence plates must be reported immediately to the Council and the Police. The Police will provide the person making the report with a reference number which must be provided to the Council. The Vehicle must not be used until the Proprietor has obtained a replacement plate at their own expense;
 - g) In the event of suspension or revocation of the licence plates, the Proprietor must return the plates to the Council within 7 days;
 - h) Plates that have been revoked must be returned to the Council within 48 hours of the revocation of the licence;
 - i) Plates must not be removed without written consent from the Council;
 - j) Licence plates remain the property of the Council at all times;
 - k) Any Authorised Officer of the Council or Police Officer may remove plates from the Vehicle, if necessary;
 - l) Proprietors must not permit the use of the Vehicle otherwise than in compliance with the above conditions.

Door Signs

- 8.31 Vehicles must display the name of the Private Hire Operator on the front doors of the Vehicle (permanent or semi-permanent signs will be permitted).
- 8.32 Vehicles must display the Council approved door signs on the rear doors of the Vehicle. Magnetic signs are not permitted.
- 8.33 Door trims must not be moved to accommodate any door signs.

Signs and Notices

- 8.34 No unauthorised signs, notices, or symbols may be displayed on or in the Vehicle.
- 8.35 The Proprietor must display the following signs/items on or in the Vehicle:
- a) Council issued passenger information notices, when requested to do so.

- b) "Seat belts must be worn" signs on all passenger doors.
- c) "No smoking, vaping or e-cigarettes" signs on all passenger doors.
- d) Where relevant, CCTV signs must be displayed inside and outside the Vehicle in accordance with the Council's CCTV policy advising passengers that CCTV will be recording inside the Vehicle.

Advertising Signs

- 8.36 Advertising is only permitted with prior written Council approval.
- 8.37 Advertising must comply with the British Code of Advertising Practice and must be in a form acceptable to the Advertising Standards Authority.
- 8.38 Advertising will not be allowed on the front and rear doors.
- 8.39 Advertising will not be permitted on windows, trailers, or over door trims.
- 8.40 Advertisements that become damaged or disfigured must be removed immediately.
- 8.41 Advertising must not include any reference to alcohol, nudity, gambling, smoking, political messages, or misleading claims.
- 8.42 Door trims must not be removed to accommodate any advertising.
- 8.43 Any advertising that has not been approved by the Council must be removed.

Roof Signs or Roof Bars

- 8.44 Proprietors must obtain written approval before fixing a PRE BOOKED ONLY roof sign on the Private Hire Vehicle.
- 8.45 Roof signs must be fixed in a horizontal position on the roof of the Hackney Carriage or Private Hire Vehicle.
- 8.46 Roof signs must be of a suitable size and design as approved by the Council.

Roof/Boot Racks and Bullbars

- 8.47 Proprietors must obtain prior written approval before they fix a roof or boot rack or bullbars to a Hackney Carriage or Private Hire Vehicle

Smoking/Vaping

- 8.48 Drivers and passengers must not smoke tobacco products or vape (this includes e cigarettes) at any time in a licensed Vehicle.

Change of Details or Ownership

- 8.49 The Proprietor must notify the Council in writing within 7 days of:

- a) Change of name and/or address (supporting documents will be required, e.g. DVLA driving licence, marriage certificate, deed poll, etc). Where a Proprietor has changed their name and/or address an updated V5C (logbook) must also be provided;
- b) Change of contact details (e.g. email address and/or telephone number);
- c) The sale and name and address of the new owner;
- d) Transfer of Vehicle ownership (using the Council's Transfer of Interest Form).

Reporting of Arrest, Voluntary Interview, Released on Bail, etc

8.50 The Proprietor must notify the Council in writing within 48 hours (including weekends and bank holidays) of:

- a) Any arrest or voluntary interview, whether they are charged, reported for summons, or no further action (NFA);
- b) Released on bail with or without condition(s) or released under investigation;
- c) Any complaint or concerns about your behaviour or any other matter not listed above imposed upon you, which might affect your continuing safety
- d) If their Vehicle is stopped by the Police for any reason.

Reporting of Offences

8.51 The Proprietor must notify the Council in writing within 7 days (including weekends and bank holidays) of any:

- a) Conviction(s), caution(s), warning(s), (motoring or otherwise), Traffic Offence Reports (TOR) for endorsable or non-endorsable offences, Fixed Penalty Notices (FPN), attendance of a speed awareness course; Community Protection Notices (CPN), County Court Judgement (CCJ), Civil Injunctions and Criminal Behaviour Orders (CBO). **In all cases the 7 day period commences from the date of conviction.**

Accident Damage Reporting

8.52 Accidents affecting the safety, performance, appearance of the Vehicle must be reported within 72 hours using the Council's **Accident Report Form**.

8.53 Minor damage (e.g. stone chips) need not be reported unless it affects safety or involves injury/property damage.

8.54 If the Vehicle is deemed unsafe, the licence will be suspended by an Authorised Officer, and the plates must be returned to the Council within 48 hours.

8.55 Following any repair, the Proprietor must provide a schedule of works and a Council mechanical test for the suspension to be lifted. Where the damage is substantial then a new MOT must be provided. The Vehicle will be inspected by an Authorised Officer

of the Council. If the Vehicle is deemed fit to be returned to the road as a licensed Vehicle, the Vehicle licence will be reinstated.

- 8.56 Only a Category N Vehicle will be considered for licensing if the Vehicle has been subjected to a satisfactory Basic IVA or Basic VIVA test (engineer's report) from the Driver and Vehicle Standards Agency (DVSA). The Vehicle would also be subject to compliance with the Council's standard licence conditions.

Required Documents/Items

- 8.57 The following must be carried in the Vehicle and produced to an Authorised Officer or Police Officer on request:
- a) A copy of the Driver's Hackney Carriage/Private Hire Driver Licence and Hackney Carriage or Private Hire Vehicle Licence.
 - b) A current version of the of the Council's blue book (Council's Hackney Carriage/Private Hire Licensing Policy and Conditions) must be carried in the vehicle at all times.
 - c) Duplicate Driver badge (this must be displayed on dashboard).
 - d) Broadland District Council Table of Fares (Tariff) (for Hackney Carriage Vehicles only).

Fire Extinguishers

- 8.58 Where a fire extinguisher is carried in the Vehicle, the extinguisher must be in date and a 1kg dry powder or a 2 litre AFFF fire extinguisher. The extinguisher must be fitted with a gauge to show the level of charge and maintained per BS5306 Part 2.
- 8.59 Drivers must be familiar with the operation of any fire extinguisher carried in the Vehicle.

Communications and Booking Systems

- 8.60 CB radios and radio scanners are prohibited.
- 8.61 Media devices must comply with Road Vehicle (Construction and Use) Regulations.

CCTV Cameras

- 8.62 Proprietor's must obtain prior written approval to fit CCTV in any licensed Vehicle.
- 8.63 The Proprietor must be registered with the Information Commissioners Office (ICO) and provide proof of that registration to an Authorised Officer on request.
- 8.64 Any CCTV must comply with the Council's CCTV policy see Part 8 of the Policy and Conditions document.
- 8.65 Signs must be displayed inside and outside the Vehicle advising passengers that CCTV will be recording in the Vehicle.

LPG Conversions

8.66 Proprietors converting a Vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council in writing and comply with the following conditions:

- a) The installation of an LPG tank must be undertaken by an approved installer.
- b) The Proprietor must provide proof that the Vehicle is included on the UKLPG Vehicle Register.
- c) The LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere.
- d) The Proprietor must display on the front and rear windscreens, a sign stating the Vehicle is fitted with an LPG tank for attention of the emergency services in the event of an accident.
- e) Where an LPG tank is fitted in the spare wheel well of the boot, the spare wheel must be securely placed in a position to allow sufficient luggage space.
- f) The Proprietor must notify DVLA Swansea of the change in fuel from petrol to both LPG and petrol.

Complaints

8.67 The Proprietor must maintain a record of all complaints received. This can be in digital or paper format. If stored in paper format, the record will comprise of bound numbered pages.

8.68 Each complaint must include the following:

- a) Date, time and location of incident
- b) Details of the complainant (e.g. name, address and contact details)
- c) Details of the Driver and/or Vehicle
- d) Outcome of investigation and date it is concluded.

8.69 Where the complaint relates to an offence of (e.g. public order, traffic violation, assault, taxi related offence, etc), the Proprietor must inform the Council within 48 hours of the offence.

8.70 Any Proprietor who refuses, causes undue delay or obstruction to the investigation of any complaints, may be prosecuted, or this may lead to the suspension or revocation of the licence by an Authorised Officer or referral to the Committee.

Passengers

8.71 No other person may ride in the Vehicle without the hirer's consent.

8.72 The Driver must not carry more than the number of passengers specified on the plate.

Drivers Licence

- 8.73** The Proprietor must retain a copy of the Hackney Carriage and Private Hire Driver's Licence until such time as the Driver ceases to be permitted or employed to drive any licensed Vehicle they operate.

List of Hackney Carriage/Private Hire Drivers

- 8.74** The Proprietor must maintain a list of names and addresses of all persons that have use of the Vehicles. The list shall be made available to an Authorised Officer on request.

Wheelchair Accessible Vehicle Specifications

- 8.75** All wheelchair accessible Vehicles must be properly equipped with properly mounted fittings for the safe securing of a wheelchair and a passenger seated in it, when carried in the Vehicle.
- 8.76** Any Vehicle licensed as wheelchair accessible must always remain so while licensed. Additional seats which cannot be stowed to allow immediate carriage of a wheelchair passenger must not be fitted.

Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)

- 8.77** If a mechanical hoist is fitted to the Vehicle, a LOLER inspection must be provided to the Council at initial application and every six months thereafter.
- 8.78** The certificate must be dated within 21 days of the initial application being submitted to the Council.
- 8.79** Where a thorough examination report includes identification of any part found to have a defect which is or could become a danger to persons, the report must be produced to the Council by the quickest practicable means without delay.

Wheelchair Occupant Space

- 8.80** A wheelchair space shall not be less than:

- a) 1200mm measured in the longitudinal plane of the vehicle;
- b) 750mm measured in the transverse plane of the vehicle;
- c) 1350mm measured vertically from any part of the floor of the wheelchair space.

- 8.81** A wheelchair space must allow the carriage of a wheelchair and a wheelchair user.

Lifts/Ramps

- 8.82** Access to the Vehicle must be possible from the road or pavement either by a lift or ramp. Any power-operated device must be capable of manual operation in the event

of a power failure. The boarding device must have a safe working load of 300kg and operate under normal loading conditions without undue deflection.

Ramps

8.83 A ramp should be of slip resistance material and at least 750mm in width. Dual channel ramp designs are not accepted. The ramp should be capable of being deployed both onto the road and onto a 125mm high kerb. The ramp when deployed should be securely located at the point of entry to the vehicle. For side loading and rear loading, the ramp when deployed to the pavement should not exceed a slope of 1:4. When not in use the ramp should be securely stored in such a manner as not to block any of the Vehicle doors and not to present a hazard to the occupants.

Lifts

8.84 The lift platform must be not less than 750mm in width and not less than 1200mm in length. The platform should be equipped with a device to prevent the wheelchair rolling off and should operate at a vertical speed of less than 0.15m/s.

8.85 A 4-point anchorage system must be fitted, comprising two for attachment at the front of the wheelchair and two at the rear of the wheelchair, in accordance with ISO 10542-2. 1200m 1350m 750m 28 Wheelchair securing mechanism

8.86 A suitable securing mechanism must be provided to secure the wheelchair in position, and the wheelchair should be locked in place before the journey commences. The occupant of the wheelchair must be provided with an occupant restraining system (seatbelt).

Hackney Carriage or Private Hire Vehicle Inspections

- 8.87** A licensed Vehicle may be inspected by an Authorised Officer or Police Officer, at any time. If the person inspecting the Vehicle is not satisfied as to the fitness of the Vehicle, they may give written notice to the Proprietor and/or Operator to make the Vehicle available for further inspection and testing at such reasonable time and place. The Vehicle licence may be suspended until the Officer or Police Officer is so satisfied that the Vehicle is fit to be used for hire and reward.
- 8.88** A Vehicle which fails an inspection/safety check during the currency of a licence will have the fault(s) rectified and the Vehicle re-inspected within 2 months of the original inspection. Failure to comply with this condition will lead to the automatic revocation of the Vehicle licence.
- 8.89** **Any Proprietor aggrieved by any condition attached to the grant of a licence may appeal to a Magistrates' Court for Private Hire Vehicles, and Crown Court for Hackney Carriage Vehicles, within 21 days of the issue of the licence.**

Hackney Carriage Vehicles Only

Hackney Carriage Vehicle Licence

- 8.90 The following conditions are attached to the Hackney Carriage Vehicle licence. These conditions are additional to the requirements imposed upon proprietors by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Any breach of these conditions may lead to suspension or revocation of the licence and /or prosecution.
- 8.91 The roof sign must display the words "Taxi", or "For Hire" in black lettering on the front and rear of the roof sign. The roof sign must be illuminated white to front and red to rear and be permanently fixed.

Intended Use

- 8.92 Applicants for a new or renewal Hackney Carriage Vehicle licence must demonstrate their intention to ply for hire predominantly within the Broadland district. Applicants who do not intend to substantially intend to ply for hire within the district may not be granted a Hackney Carriage Vehicle Licence.

Taximeter

- 8.93 All licensed Hackney Carriage Vehicles, or Vehicle to be licensed must have a taximeter fitted. The taximeter shall be tested by an approved MOT testing station to establish that the meter reflects the current fares as prescribed in the Hackney Carriage Fare Tariff approved by the Council.
- 8.94 The Council's Certification of Tariff Change form must be completed and provided to the Council when the meter is fitted, at renewal of a licence, and any inspection of the meter. A copy of the form must be provided to the Council.
- 8.95 The taximeter must be tested and approved by the Council or their Authorised Agents. A list of approved agents can be found by using the following link - [metre-providers.docx](#)
- 8.96 The taximeter shall be placed in a safe position with all letters and figures on the face of the meter are clearly visible to any passengers travelling in the Hackney Carriage Vehicle. For that purpose, the letters and figures must be capable of being suitably illuminated during the period of hire.
- 8.97 The Driver of a Hackney Carriage Vehicle must, at the commencement of the journey, activate the meter, and keep the meter running until the termination of the hiring. Commencement of the journey means:
- a) When the hirer enters the Hackney Carriage Vehicle;
 - b) In the case of wheelchair bound passenger, when the wheelchair and passenger have been securely loaded into the Hackney Carriage Vehicle;
 - c) When the Driver has attended at the place of hire, and has made his presence known to the hirer; or

d) When the Driver has arrived at the place of hire at a specified time.

8.98 The Driver of a Hackney Carriage Vehicle must, when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate a sign, which must state the words "For Hire" in clear legible letters.

8.99 Any taximeter fitted in a Hackney Carriage Vehicle, which has been adjusted or repaired must have the taximeter retested by an approved MOT testing station or Council approved provider.

8.100 The taximeter must clearly display a fare not exceeding the rate or fare approved by the Council.

8.101 The taximeter and all the fixings must be fixed to the carriage with security seals or other appliances, that is it must not be practicable for any person to tamper with them except by breaking, damaging or permanently disabling the security seals.

8.102 The taximeter must not be running whilst carrying out any of the duties described in the Equality Act 2010.

Table of Fares (Tariff)

8.103 The Proprietor must ensure that a copy of the Council's current Table of Fares (Tariff) is permanently displayed and is visible to all passengers travelling in the Hackney Carriage Vehicle.

Inspection of a Taximeter

8.104 A taximeter fitted in a licensed Vehicle can be inspected by an Authorised Officer or a Police Officer on request.

8.105 If the Officer inspecting the Hackney Carriage Vehicle is not satisfied as to the accuracy of the meter, he may without prejudice to the taximeter condition, give written notice to the Proprietor to make the taximeter available for further inspection and testing at such reasonable time and place as may be necessary, and the Hackney Carriage Vehicle licence may be suspended until the Officer is satisfied as to the Hackney Carriage Vehicle's fitness or as to the accuracy of the taximeter.

8.106 If the Officer is not so satisfied within two months of the initial inspection, the Hackney Carriage Licence shall be deemed revoked.

8.107 No Hackney Carriage Vehicle may be left on a taxi rank without a Driver in attendance to take care of it.

Part 9 Private Hire Operator Licence Conditions

Introduction

- 9.1 These conditions are in addition to the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- 9.2 Throughout these conditions “Private Hire Operator”, or “Operator” includes any sole proprietor or any director(s) or secretary of a limited company, all members of a partnership including a limited liability partnership (LLP)⁴.
- 9.3 If the Operator is not a sole proprietor, they must identify a person known as “the Manager” who will be responsible for day-to-day operations. There must also be a Deputy Manager identified for holiday and sickness cover. The Operator must provide, in writing, their names, addresses, email and telephone numbers to the Council. The Manager/deputy Manager will act on behalf of the Operator.
- 9.4 The Private Hire Operator must ensure that all Drivers and Vehicles owned by or controlled by them under the terms of their Broadland District Council Operator licence are licensed with the Council.
- 9.5 The Operator must comply with all relevant conditions stated in the Council’s Hackney Carriage and Private Hire Licensing Policy and Conditions.
- 9.6 The Operator must clearly display at the premises their Operator licence and a copy of these licence conditions.
- 9.7 Failure to comply with any of the following conditions may result in the issue of penalty points (in accordance with **Appendix 3**), a written warning, suspension or revocation or refusal to renew a Operator Licence by an Authorised Officer or referral to Committee.
- 9.8 Throughout these conditions, “Operator” means the Private Hire Operator, Manager or Deputy Manager.

Disclosure & Barring Service (DBS) Certificate

- 9.9 The Operator (where not already a licensed driver with the Council) must provide a Basic DBS certificate (dated within one month of their initial application) showing their home address when applying for a new Operator licence.
- 9.10 Once a licence has been granted, the Operator must provide a Basic DBS certificate on an annual basis, at least seven days before the anniversary of the grant of the Operator licence. Failure to comply with this condition will result in the Operator licence being suspended until such time as the DBS certificate is provided.

⁴ Section 57(1) and 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

- 9.11 Operators who are also licensed Drivers with the Council are not required to provide a Basic disclosure certificate at the initial application or seven days before the anniversary of the grant of the Operator licence expiry date, because they hold an enhanced DBS certificate for “other workforce”.
- 9.12 If the Operator has subscribed to the Update Service with an Enhanced DBS certificate for “other workforce”, the Operator must provide the original DBS certificate registered with the Update Service and sign the Council’s Update Service consent form to enable the Council to check the status of the DBS certificate annually.
- 9.13 If any discrepancies are found between the Enhanced DBS certificate provided to the Council, and the information recorded on the Update Service, a new enhanced DBS certificate for “other workforce” must be obtained through a Council approved provider at the Operator’s own expense.

Conduct of the Private Hire Operator

- 9.14 The Operator must inform the Council in writing, within seven days of the following:
- a) Change of name and/or home address;
 - b) The sale of the business;
 - c) Change of operating address (this may require a new operator application).

Reporting of Arrest, Voluntary Interview, Released on Bail, etc

- 9.15 The Operator must notify the Council in writing within 48 hours (including weekends and bank holidays) of:
- a) Any arrest or voluntary interview, whether they are charged, reported for summons, or no further action (NFA);
 - b) Released on bail with or without condition(s) or released under investigation;
 - c) Any complaint or concerns about your behaviour or any other matter not listed above imposed upon you, which might affect your continuing safety
 - d) If their Vehicle is stopped by the Police for any reason.

Reporting of Offences

- 9.16 The Operator must notify the Council in writing within 7 days (including weekends and bank holidays) of any:
- a) Conviction(s), caution(s), warning(s), (motoring or otherwise), Traffic Offence Reports (TOR) for endorsable or non-endorsable offences, Fixed Penalty Notices (FPN), attendance of a speed awareness course; Community Protection Notices (CPN), County Court Judgement (CCJ), Civil Injunctions and Criminal Behaviour Orders (CBO). **In all cases the 7 day period commences from the date of conviction.**

9.17 The written notice should include the following:

- a) Offence/alleged offence;
- b) Date, place and time of offence/alleged offence;
- c) Whether acting as a Driver/Vehicle Proprietor/Operator.

Where the offence is a motoring offence:

- i. Date of offence and whether fare paying passengers were onboard at the time of the offence;
- ii. The speed or alleged speed of travel at the time the offence was committed;
- iii. The current speed limit for the road;
- iv. Punishment e.g. the amount of fine and/or the number of penalty points issued;
- v. The date of any speed awareness course offered and date the course was completed.

9.18 The Operator must notify the Council in writing, within 48 hours, (including bank holidays and weekends) if they become aware of any Driver suffering from any illness, disability or condition which may affect the Driver's ability to safely carry out their duties.

9.19 The Operator must ensure that all Vehicles operated by them are compliant with all the relevant Vehicle licence conditions.

9.20 The Operator must notify the Council immediately of any damage to any licensed Vehicle operated by them, as soon as they become aware of such damage.

9.21 The Operator must ensure that every Vehicle operated by them is covered by a Certificate of Insurance or cover note as required by the licence conditions, for hire and reward purposes.

9.22 The Operator must return the Operator licence to the Council immediately when:

- a) The licence is suspended or revoked.
- b) They wish to surrender the Operator licence (which must include a covering letter to explain why the Operator wishes to surrender the licence) and the date the licence is to be surrendered.
- c) Requested to do so by an Authorised Officer.

9.23 The Operator must ensure that they monitor the hours worked by Drivers in line with the [Working Time Directive](#).

9.24 The Operator must be registered with the Information Commissioner's Office (ICO) as they will be retaining personal data of customers and staff they employ.

9.25 The Operator must report any loss of personal data (theft or otherwise) to the Council in writing, within 24 hours of the loss or discovery of the loss (whichever is sooner) and immediately report any suspected theft to the police. The Operator may also need to report any such incident to the [Information Commissioner's Office](#).

- 9.26 The Operator must produce the Operator licence to an Authorised Officer or Police Officer on request.

Bookings

- 9.27 The Operator must ensure that all employees understand that Private Hire Vehicles must be pre-booked. Picking up passengers which have not pre-booked with the Operator is deemed as illegally plying for hire.
- 9.28 The Operator must not accept any booking made by a Driver on behalf of a customer.

Electronic and Digital Bookings

- 9.29 Where a journey is pre-booked and confirmed by digital technology, i.e. email, SMS or via an app, vehicle details including the Vehicle licence number, vehicle registration number and how to make a complaint must be sent to the customer when the booking is confirmed.
- 9.30 Operators who operate via a website or mobile application must provide information about how to make a complaint on their website or application, as applicable.

Subcontracting

- 9.31 Section 55a of the Local Government (Miscellaneous Provisions) Act 1976, inserted by the Deregulation Act 2015, permits Operators licensed by the Council to sub-contract a private hire booking to any other licensed Operator holding an Operator licence granted by another Local Authority.
- 9.32 If an Operator subcontracts any booking to another Operator licensed in England (including Greater London), Wales or Scotland, the Operator who initially accepted the booking remains the role of contractor with the client and remains responsible for the satisfactory completion of the contract. They must also keep a record of the subcontracted booking in compliance with the booking records condition.
- 9.33 It remains the responsibility of the Operator holding the contract for a hiring to ensure that they utilise licensed Drivers and Vehicles, even when they sub-contract that hiring to another Operator.
- 9.34 If the Operator subcontracts any booking, they must inform the hirer of the subcontract before the hiring commences.
- 9.35 Any outsourced booking/dispatch functions must also comply with all relevant licensing conditions.

Booking Records

- 9.36 Booking records must be kept under Section 56 (2) of the Local Government (Miscellaneous Provisions) Act 1976.

- 9.37 Records must be kept in English and be kept in digital or hard copy (including all contract bookings), be easily retrievable and be made available for inspection by an Authorised Officer on request.
- 9.38 The Operator who receives a sub-contracted booking must keep a record of the booking referred to them by the original Operator.
- 9.39 A Driver who works for a Operator, but who also holds their own Operator licence, is regarded as working for the other Operator as a sub-contractor and is responsible for keeping their own records as required in 8.39 below.
- 9.40 The Operator shall enter within the booking records the following details of every private hire booking before the commencement of each journey:
- a) Name of passenger.
 - b) Hirer's name, address and telephone number.
 - c) Date and time of the request.
 - d) Method of booking (telephone, online or in person).
 - e) Date and time of pick up.
 - f) Pick up and drop off location (if known at the time of the booking).
 - g) Driver name and licence number undertaking the booking.
 - h) Vehicle registration number and licence number of the vehicle undertaking the booking.
 - i) Name of the person who accepted the booking and dispatched the vehicle.
- 9.41 The Operator must also keep a record of all Drivers used by them and must include:
- a) Hackney Carriage/Private Hire Driver's name, address, email and telephone number.
 - b) A copy of the Driver's DVLA driving licence photocard, or old-style paper licence.
 - c) Hackney Carriage/Private Hire Driver licence number and date of expiry.
 - d) Date the Driver started and ceased working for the Operator
 - e) Retain a copy of the Driver's licence and return this to the Driver when they cease working for the Private Hire Operator.
- 9.42 The Operator must also keep a record of all licensed Vehicles operated by them and must include:
- a) Proprietor's name, address, email and telephone number.
 - b) Vehicle registration number, plate number, licence number and date of expiry.
 - c) Name of licensed Driver.
 - d) Radio call sign used (if any).
 - e) Date the Operator started and ceased using the licensed Vehicle.
 - f) Retain a copy of the Council issued Vehicle licence and return this to the vehicle proprietor when the vehicle ceases being used by the Operator.

- 9.43 All booking records for Drivers and Vehicles must be kept for a period of 3 years and produced to an Authorised Officer on request.

Standards of Service

9.44 The Operator or booking staff (where relevant) must:

- a) Always behave in a polite and respectful manner.
- b) Provide a prompt, efficient and reliable service to all members of the public.
- c) Confirm passenger numbers and dispatch appropriately sized Vehicles.
- d) Dispatch only licensed Drivers and Vehicles.
- e) Ensure that all Vehicles that have been booked, attend at the appointed time and place unless delayed or prevented by reasonable cause.
- f) Maintain any telephone and radio equipment used in a sound condition and report any defects.
- g) Avoid any inappropriate conversations with passengers. Inappropriate topics of conversation include (but are not limited to) references to a person's personal life, relationship status, sex, disability, gender, race, sexual orientation, religion or political beliefs.

Where an office is provided, the Operator must:

- a) Maintain clean, heated, ventilated, well-lit and accessible premises.
- b) Provide adequate seating, where a booking office is available for customers waiting.
- c) Do not allow intoxicated individuals to remain on the premises.

Ride Sharing and Car-pooling

9.45 Operators who provide ride sharing/car-pooling journeys must offer same sex sharing options.

9.46 Operators must ensure that individual hirers consent to the ride sharing/car-pooling arrangement.

Public Service Vehicles (PSVs)

9.47 PSVs may only be used by the Operator to complete bookings with the informed consent of all passengers, explaining the driver may not have undergone the same checks (criminal records and character) as licensed Drivers.

Complaints

9.48 The Operator must ensure details of how to make a complaint are displayed on websites, apps, and at booking facilities.

9.49 The Operator must initiate an investigation into any complaint received within 48 hours of receiving a complaint.

9.50 The Operator must keep a register of complaints received (digital or hard copy) and must include:

- a) Complainant's name, address, email and telephone number.
- b) Date and time of complaint.
- c) Date, time and location of alleged incident.
- d) Date and time of the complaint and how the complaint (phone, email, etc) was received.
- e) Name of person who received complaint.
- f) Details of the complaint.
- g) Name Driver, Vehicle registration number and licence number.
- h) Outcome of investigation.
- i) Date, time and action taken to resolve complaint.
- j) Date and time the complaint was forwarded to the Council, and by whom.

9.51 A list of complaint types to be reported includes but is not limited to:

- a) Sexual misconduct, sexual harassment, or inappropriate sexual attention
- b) Breaching terms and conditions laid down by the Operator regarding fares and charges including the cancellation of a journey without good reason
- c) Unnecessarily obtaining passengers personal information which includes but not limited to social media contact details and telephone numbers
- d) Discrimination and potential breaches of the Equality Act 2010
- e) Violence, threats of violence, aggressive or rude behaviour
- f) Driver substance abuse
- g) Dangerous driving
- h) Dishonesty, including but not limited to theft, touting/plying for hire, incorrect routing to inflate a fare
- i) Road Traffic Offences including condition of any Vehicle and including instances of poor driving standards
- j) Wrong licensed Driver and wrong licensed Vehicle
- k) Vehicle damage and defects
- l) Any other act that may bring into question the fitness and propriety of the Driver or Operator

The above complaint categories will be kept under review and may be modified by the Council, following notification of such to the Operator.

9.52 The Operator must also keep a register of complaints received from a member of the public (whether received by telephone, in person or in writing) in relation to any one of the following:

- a) the Operator's business and any facilities within those premises.
- b) cleanliness of any Drivers or Vehicles.
- c) terms and conditions of any contract or alleged contract of hire.
- d) any other matter relating to any contract or alleged contract for hire.
- e) any other matter relating to their business.

- 9.53 The Operator shall promptly investigate any complaint received and notify the complainant in writing of the outcome of their investigations and any measures they propose to take to remedy the complaint. The Operator shall record the action taken. This information can be stored digitally or in a hard copy.
- 9.54 Where the nature of the complaint amounts to an offence e.g. public order, traffic violation, assault, taxi related offence, etc this must be reported to the Police immediately. The Council must be informed in writing, within 48 hours of receipt of the complaint.
- 9.55 The Operator must comply with any reasonable request for information and/or follow any reasonable directions/instructions made by an Authorised Officer or Police Officer in respect of the complaint.
- 9.56 Under Section 73 of the Local Government (Miscellaneous Provisions) Act 1976, Operators are legally obliged to co-operate with any enquiry by the Council and disclose records relating to complaints where lawfully required to do so.
- 9.57 Any refusal, undue delay or obstruction to that investigation of the complaint may call into question the suitability of the Operator to retain an Operator licence. This may lead to prosecution, suspension or revocation of the licence by an Authorised Officer, or referral to the Committee.
- 9.58 Complainants must be informed of their right to escalate complaints to the Council, and/or relevant County Council where it relates to a County Council issued licence.
- 9.59 Records must be retained for 3 years and produced to an Authorised Officer or Police Officer on request.

Advertising

- 9.60 The Operator must not display the words "Taxi" or "Cab" anywhere on a licensed Private Hire Vehicle. This also includes the words "Taxi" or "Cab" if they are contained within any email address displayed on the vehicle.
- 9.61 The Operator must obtain prior written approval from the Council to place any advertising anywhere on the vehicle.

Insurance

- 9.62 The Operator must have Public Liability Insurance (£5 million minimum) and the proof must be clearly displayed at the operating base.
- 9.63 Operators must ensure there is in force an insurance policy covering private hire use which complies with the requirements of Part VI of the Road Traffic Act 1988 for all Private Hire Vehicles operated.
- 9.64 The Operator must ensure that where a vehicle is covered under a fleet insurance policy, Drivers are aware of the content of the policy, including its limitations and exclusions. The Operator must keep a record, signed by the Driver, within everyone's

record file when this has been completed. A copy of any individual's records must be produced to an Authorised Officer or Police Officer on request.

Staff

- 9.65 The Operator must ensure that when they employ any staff to take bookings or dispatch Vehicles, that a policy is in place on employing ex-offenders based on the Council's Convictions Policy. The Policy must be produced to an Authorised Officer on request.
- 9.66 All staff employed in taking bookings or dispatching vehicles must report to the Operator within 48 hours, any conviction, binding over order, caution, warning, reprimand, fixed penalty notice, civil injunction or arrest for any criminal matter whilst they are employed in this role.
- 9.67 All office and dispatch staff must produce a Basic DBS certificate (showing their current home address), dated within 1 month of commencement of employment. This must be produced to the Council and recorded on the staff's personnel file at the Operator's address and be made available as part of any inspection by an Authorised Officer as part of the inspection process.
- 9.68 Operators must ensure that all staff employed by them (either as direct employees or as independent contractors) comply with the **Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR)**.
- 9.69 The Operator must maintain an up-to-date register of staff, and this must include:
- a) Date of employment.
 - b) Date Basic DBS certificate was seen by the Operator.
 - c) Name of the person who checked the Basic DBS certificate.
 - d) Date role ended.
- 9.70 The register must be retained for 12 months and must be available for inspection when requested by an Authorised Officer.
- 9.71 Should an employee cease to be on the register and later re-enter the register, re-entry to the register will require a new Basic DBS certificate or Update Service check which must be provided to the Operator.

Lost Property

- 9.72 The Operator must:
- a) Maintain a written policy for handling lost property.
 - b) Communicate the policy to all drivers.
 - c) Take all reasonable steps to ensure lost property is returned safely to its owner.
- 9.73 Any Operator aggrieved by any condition attached to the grant of a licence may appeal to a Magistrates' Court within 21 days of the issue of the licence.

Part 10 Closed Circuit Television (CCTV) Policy

- 10.1 The installation and operation of CCTV shall comply with the requirements of the [Information Commissioner's Office \(ICO\) CCTV Code of Practice](#).
- 10.2 Data Controller – the (ICO) defines a “data controller” as the body which has legal responsibility under the Data Protection Act 2018 for all matters concerning the use of personal data. For the purpose of the installation and operation of in-vehicle cameras, the Data Controller is the Vehicle licence holder. The licence holder must be registered with the ICO and be able to evidence continuous registration throughout the lifetime of the licence.
- 10.3 Data Processor – where a service provider is used for the remote storage and/or management of CCTV data they will act as a “data processor”. A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. There must be a formal written contract between the Data Controller and Data Processor. The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements.
- 10.4 The express written consent of the Council is required before the installation of any CCTV equipment in a licensed Vehicle.
- 10.5 All equipment must comply with any legislative requirements in respect of motor vehicle Construction and Use Regulations.
- 10.6 All equipment must meet all requirements as regards safety, technical acceptability and operational/data integrity. CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the Hackney Carriage or Private Vehicle.
- 10.7 The camera(s) must be fitted safely and securely, should not adversely encroach into the passenger area and must not impact on the safety of the Driver, passenger or other road users.
- 10.8 Any Vehicle fitted with CCTV must be fitted with an approved CCTV system (see separate CCTV technical specification document).
- 10.9 The cameras are to be set up to activate and record visual data when the ignition is turned on and remain on for a period of 20 minutes after the ignition is turned off.
- 10.10 Where the system can record audio, audio data will only be activated by means of a button available to the driver and passenger. When audio recording is activated by the Driver, the passenger(s) must be informed that audio recording has been activated and the reason why. It is acceptable not to announce this if the Driver considers by doing so it will place either himself or another at risk.
- 10.11 The audio button should only be pressed:

- a) When there is a conflict between parties.
- b) As soon as someone becomes abusive.
- c) As soon as someone becomes threatening.

10.12 The Driver will announce at the time of activation, **“For everyone’s protection I am now activating the audio recording within this Vehicle. The system has been recording visual data all the time.”**

10.13 The cameras must always be operational when the vehicle is acting as a Vehicle – this includes when going to collect a fare and there are no passengers in the vehicle or returning from a drop off.

10.14 All passengers are to be made aware of the fact that they are being recorded by notices clearly displayed in the Vehicles. The Vehicle licence holder must ensure an approved double-sided sticker is displayed in the front passenger window and of each rear side windows. The sticker must advise the public that both visual and audio recording is taking place in the vehicle and provide the Data Controller’s contact details for any enquiries.

10.15 Digital screens within the Vehicle for the purposes of viewing footage are prohibited.

10.16 The uploading of CCTV and dashcam footage to social media does not have a lawful basis and it is expressly prohibited. This includes, by way of examples, but is not limited to: YouTube, WhatsApp, Instagram, TikTok, Facebook and Twitter. Where licence holders have shared footage unlawfully, they will be liable to criminal prosecution. Unlawful sharing is a breach of UK Data Protection law and is considered a breach of policy, as it violates the privacy rights of the individuals recorded – even if it is footage which shows a passenger behaving badly or of another driver driving dangerously. These data subjects may complain to the ICO, which may result in a fine for the data controller. In addition, the publication of this footage may compromise legal proceedings.

10.17 Data must only ever be retrieved from the vehicle CCTV unit and downloaded on one of four occasions:

- a) where a crime report has been made involving the specific Vehicle and the Police have formally requested that data or,
- b) when a substantive complaint has been made to the Council regarding a specific Vehicle or Driver and that complaint is evidenced in writing (and cannot be resolved in any other way),
- c) where a data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a Vehicle or Driver.
- d) Subject Access Request compliant with the General Data Protection Regulation.

10.18 Where a CCTV system is installed in a Broadland District Council Vehicle, the Driver must inform the Council of the data controller and contact details.

10.19 Where CCTV footage is provided to the Council for the purposes of an investigation, in the case of a disc and/or hard drive this will be kept secure in a locked, restricted access cupboard to prevent loss of data. A working copy will be produced and either given to the requesting authority or subject or retained by the investigating officer, and a register of all data obtained will be retained.

10.20 Data received by the Council will only be retained for the following periods:

- a) Cases leading to prosecution 10 years from date of trial
- b) Formal caution 3 years from date of caution
- c) Written warning or no formal action 3 years from date of decision
- d) Subject Access Request 6 years from date of request.

10.21 Any working copies of downloaded data will be placed on the appropriate files by the Council, and they will be safely destroyed in compliance with the above time limits. Data will only be viewed by the person performing the download to the extent necessary to facilitate the download process. Data being used in any investigations will only be viewed by persons involved in that investigation but will be released to be used in court or for determinations if necessary.

10.22 After a period of time, any data held by the system installed in any Vehicle will be automatically overwritten dependent upon the specification of the system installed. Recorded images must be retained by the system for a minimum of 21 days before they are overwritten.

10.23 Only systems approved by the Council may be installed by an approved installer, thereby ensuring that any equipment may not be tampered with, encryption is of a sufficient standard, and data may not be interfered with or released to any third party/published.

General

10.24 Drivers cannot override this approval and therefore, once CCTV is installed, cannot undertake any fare paying journey without CCTV being recorded, even if the passenger insists.

CCTV Technical Specification and System Requirements

To be considered suitable for installation in a licensed Vehicle, a camera system must meet the following requirements:

1.0 Operational Technical Specifications

Ref	Specification	Requirements
1.1	100% solid state design or a proven vibration and shock resistant system	The system should not have any fan, and the recording should be vibration and shock proof as follows: a) Flash-based SSD (100% industrial grade); b) Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self-check file writing system.
1.2	8 to 15 Volts DC	Operational between 8 - 15 volts DC.
1.3	Reverse polarity protected	System to be protected against reverse voltage.
1.4	Short circuit prevention	System to be protected against short circuits.
1.5	Over voltage protection	System to be protected against high voltage transients likely to be encountered in the Vehicle electrical system.
1.6	Automotive Electromagnetic Compatibility Requirements	The Vehicle camera system must be compliant with the Council directives as follows: a) 2004/108/EC on i. Electromagnetic Compatibility ii. (CISPR 22/EN55022); b) 2004/104/EC on Radio Interference i. (sections 6.5,6.6,6.8 and 6.9) The taxi camera equipment should therefore be e-marked or CE-marked with confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles.
1.7	System activation (on/off). Switch to be in such a position where it is not accessible from inside the Vehicle (i.e. in the boot/engine compartment).	The system is required to always be active when the vehicle is being used as a Vehicle. This will allow the facility for the system to be deactivated during times when the Vehicle is being used for private purposes (e.g. domestic use). The switch that deactivates the system must be located within the vehicle's boot or engine compartment (i.e. it

		must only be possible to deactivate the system from outside the Vehicle).
1.8	First-in/first-out buffer recording principle	
1.9	Built-in, automatic logging of all access actions, including date and personnel names.	
1.10	Security, duration and auto-clearing of log files	
1.11	Image exporting formats and media	Images must be exported in commercially available formats.
1.12	Image protection during power disruption	Images must be preserved in the event of loss of power. Battery back-up will not be permitted.
1.13	Unit must operate without the ignition being turned on	The Unit must have the ability to operate for at least 2 hours without power from the ignition.
1.14	Image and audio data shall be recorded and stored in a unit separate from the camera head	
1.15	GPS capability	System must be compatible to allow for GPS capability.
1.16	The system shall not record audio except when audio recording is activated by means of an approved trigger.	Where the system records audio, the system should have ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below). Both audio activation triggers must be independent of each other – this means that audio recording can only be deactivated by means of the same trigger (driver or passenger) that was used to activate the audio recording.
1.17	Where audio is recorded, the system must be capable of recording audio time synchronised to the recorded images.	
1.18	The audio playback, when triggered, must be in 'real time' and synchronised with the images that are captured.	
1.19	Digital sampling of the audio signal must exceed 8KHz	
1.20	Digital resolution of the audio samples must exceed 10 bits.	

1.21	The audio microphone must be integrated within the camera head.	
1.22	Audio date and image data must be stored together, not in separate files, and must be protected against unauthorised access or tampering.	
1.23	The system must support testing of the audio function for installation set-up and inspection purposes.	
1.24	The system must 'go to sleep' to reduce battery drain during prolonged idle time. It must be capable of immediate reactivation.	
1.25	Images recorded by the system must not be displayed within the Vehicle.	
1.26	The system must have at least two emergency activation triggers (panic buttons).	One of the triggers/panic buttons must be capable of being operated by the driver – this must be independent of the audio recording activation switch. At least one other trigger/panic button must be capable of being operated by a passenger seated in the Vehicle. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.
1.27	The system must include a visual indicator that will clearly show when audio recording is taking place. This indicator must be visible to all passengers within the Vehicle.	This may take the form of an indicator LED built into the audio activation switch, or a remote LED that can clearly be seen by passengers.

2.0 Storage Capacity Technical Specification

Ref	Specification	Details
2.1	Minimum of 21 days recording capacity	The camera system must be capable of recording and storing a minimum of 21 days of images of HD1 (720/288) size or better.

2.2	Images must be clear in all lighting conditions	The system must provide clear images in bright sunshine, shade, dark and total darkness. Also, when strong back light is present.
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3.0 Camera Head Technical Specifications

Ref	Specification	Details
3.1	Camera installation non-obstructive	The camera and all system components must be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
3.2	Protected camera disconnect	The camera head must be designed to disconnect for ease of removal and replacement only by maintenance personnel.
3.3	Special tools for adjustment/removal	To prevent inappropriate interference, only tools supplied to authorised fitters should be capable of carrying out adjustments or removal.
3.4	Field of view to capture all passengers in the Vehicle	The lens of the camera must be of a type that captures the driver and all passengers of the Vehicle on the recorded image. The lens must be of a style not to create a "fishbowl" effect.
3.5	Images must be clear	The system must provide clear images in all lighting conditions and allow different skin tones to be detected.
3.6	Compatible for use in vehicles with a partition (shield)	The camera system must be adaptable to provide clear images when a Vehicle is equipped with a shield. This may be accomplished with the use of multiple camera heads.
3.7	Multiple cameras	The unit must be capable of supporting up to 4 cameras. 4 cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose-built Vehicle

4.0 Storage Device (Recorder) Technical Specifications

Ref	Specification	Details
4.1	Impact and shock resistance	The recorder must be impact resistant, sufficient to withstand a typical car accident, or strike with a large, heavy object such as a suitcase.
4.2	Controller in concealed location	The storage unit must be concealed from within the passenger compartment and effectively inaccessible except by authorised personnel.

4.3	Download port provision	The recorder must be equipped with a communication port for downloading by authorised persons.
4.4	Download port shall be located in an easily accessible location such as a glove compartment.	The recorder download port must be located in the glove box if practicable, if not, then in a location the does not require the removal of panels and is accessible.
4.5	Download port cable length (1 foot minimum)	Download port shall be at least 1 foot in length for ease of download.
4.6	Recorder to be securely affixed to the Vehicle	
4.7	Log to register each user access	
4.8	Log to register camera system parameter modifications	
4.9	Log to register each image download session	
4.10	Log to register camera system parameter modifications	
4.11	Log to register exporting of downloaded images	
4.12	Log to register exporting of downloaded clips	
4.13	Log file protected against unauthorised access	
4.14	Time/date stamp	All stored images must be time and date stamped.
4.15	Vehicle ID number stamp	All stored images must have two fields Vehicle identification (VIN & number plate).
4.16	Controller non-modifiable ID code stamp	Each recorded image must be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record the image.
4.17	Controller (Storage Recorder)	Arrangements must be made for the Council to access downloaded images on request.

5.0 Specifications for Video and Audio Recording Rate

Ref	Specification	Details
5.1	Video image recording on system activation (when audio is not activated)	The system must record images at a minimum rate of 4 images per second.

5.2	Video image recording when audio is activated	The system must record images at the rate of 25 images per second during periods when audio recording is activated (either due to time requirement, or through activation by the driver trigger switch or passenger panic button).
5.3	When activated, audio recording must be in real time and synchronised with the video recording	
5.4	System to continue to record images (and audio when applicable) when engine is off	System must continue to record images (and audio when applicable) for 20 minutes after engine/ignition or override switch is turned off.

6.0 Specifications for Activation via Driver or Passenger Trigger/Panic Buttons

Ref	Specification	Details
6.1	The activation of a trigger button must provide for overwrite-protected images storage when activated by driver or passenger	The system must be fitted with at least 2 trigger buttons that once activated will trigger protected recording of audio and video (see also 1.16 and 1.26 above).
6.2	Emergency image overwrite protection capability	Image sequences resulting from emergency activation must be recorded in an area of memory which is protected from being overwritten.
6.3	Overwrite protection capacity for at least 3 activations.	
6.4	Overwrite protection self-clear on 96-hour timer	

7.0 Downloading Technical Specification

Ref	Specification	Details
7.1	Time to download complete memory not to exceed 30 Minutes	
7.3	Windows 10 compatible.	
7.4	Downloaded images stored in non-volatile media	
7.5	Downloaded images stored in secure format	
7.6	Verifiable image authenticity	Each image must be stamped with controller and Vehicle ID and be tamperproof.
7.7	Wireless download prohibited	The unit must not allow wireless downloads. Wireless diagnostics may be used. All wireless

		hardware to be disabled.
7.8	Filter the specific images for events and times for the approximate time of the crime committed.	

8.0 Requirement in Relation to System Information

Ref	Specification	Details
8.1	Provision of service log sheet with each unit shipped	The unit manufacturer must have a service log provided with the unit. The manufacturer must also enclose detailed instructions for Drivers with each unit shipped. An installation manual must also be provided to authorised installers and Operators.
8.2	Serial number indication on service log	The unit will be marked with a serial number.
8.3	Installation date indication on service log	A provision for the installer to indicate the installation date.
8.4	Provision of Driver instruction card with each unit shipped	
8.5	Provision of installation manual to installers and fleet Operators	
8.6	Clarity of operating instructions	The system must be provided with clear and concise operation instructions which are written with due consideration to varying levels of literacy.
8.7	Installation by Authorised agents	The unit must only be installed by manufacturers' Authorised Agents.
8.8	Provision of Authorised Agents list to the Council	The manufacturer must provide a list of all Authorised Agents to the Council.
8.9	Documentation	The manufacturer must provide clear and concise operating instructions which are written in plain English. (Details on how the system records the images).
8.10	Image Protection	All captured images must be protected using encryption software that meets or exceeds the current FIPS 140-2 (level 2) standard or equivalent.

9.0 System Requirements in Relation to Vehicle Inspection Facility – Inspections

Ref	Specification	Details
9.1	Provision of system status/health indicator	The Driver must have an indicator showing when the system is operational and when there is a malfunction.

9.2	Mounting location of system status/health indicator to be seen by the Driver only	The indicators shall be mounted/installed for the driver's vision only. The indication system must be in accordance with section 9.3 and 9.4 below.
9.3	Additional indicator requirement	Where a system is fitted with an indicator to show that the system is on, this indicator must be separate to those listed above or of a different colour to avoid any possible confusion on part of the Drivers using the system.
9.4	Designated/installed unit to be testable by the Council's (or persons acting on behalf of the Council – such as vehicle inspectors)	The system must be designed and installed so that the system may be easily tested by the Council to ensure that all features are operating and that images are recorded as prescribed.

10. General System Requirements

Ref	Specification	Details
10.1	Vandal and tamper resistance	
10.2	Provision of statement of compliance	In addition to a formal test of all aspects of this requirement specification, a statement of compliance must be provided and signed by an Officer of the company.
10.3	Reliability in operational and environmental conditions	The system must provide reliable and full functionality in all operational and environmental conditions encountered in the operation of taxis.
10.4	Programmability of image timing parameters	It must be possible to change timing and parameters without the requirement to change components.
10.5	Training and Technical Support and Equipment	The manufacturer must provide the Data Controller with Training and Technical support.
10.6	Software and Hardware	The manufacturer must supply the Data Controller with a supply of cables and software to be installed.

These requirements may be amended by the Council as technology develops and improved systems become available.

Appendix 1 – Convictions Policy

Introduction

- 1.1 The purpose of this Policy is to provide guidance on the criteria considered by the Council when determining whether an applicant or an existing licence holder is a “fit and proper” person to hold a Driver, Vehicle or an Operator licence.
- 1.2 The test when considering whether an applicant/licensee is a “fit and proper” person to hold a licence, is to ask themselves the following question:
- “Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person, at any time of the day night?”
- 1.3 The overriding aim of the Council is to protect the safety of the public. The Council will ensure that an applicant/licence holder is:
- a) A “fit and proper” person;
 - b) The person does not pose a threat to the public;
 - c) That the public are protected from dishonest persons;
 - d) Aware of the requirements to safeguard children, vulnerable adults and young persons.
- 1.4 This document provides guidance to any person but not exclusively:
- a) Applicants for Hackney Carriage/Private Hire Driver licences;
 - b) Existing Hackney Carriage/Private Hire Drivers whose licences are being reviewed
 - c) Applicant for a Private Hire Operator licence;
 - d) Existing Private Hire Operators whose licences are being reviewed
 - e) Applicants for Hackney Carriage or Private Hire Vehicle licences
 - f) Existing Vehicle Proprietors whose licences are being reviewed
 - g) Licensing and Enforcement Officers
 - h) Members of Licensing Committees
 - i) The Council's legal representatives
 - j) Magistrates hearing appeals against Council decisions.
- 1.5 Licensing and Enforcement Offices have delegated powers to grant or refuse a licence and to suspend or revoke an existing licence. Authorised Officers will consider information contained within this policy. Applicants or existing licence holders may be referred to the Committee for determination, where appropriate.
- 1.6 Authorised Officers and/or the Committee will consider the conviction or behaviour in question and what weight should be attached to it. They will also consider the information contained within the policy.

General Guidelines

- 1.7 There may be occasions where it is appropriate to depart from the Policy, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness. This Council will consider each case on its own merits and that applicants/licence holders are entitled to fair and impartial consideration.
- 1.8 In determining safety and suitability the Council is entitled to take into account all matters concerning that applicant or licence holder. They are not simply concerned with that person's behaviour whilst working in the Hackney Carriage or Private Hire trade. This consideration is far wider than simply criminal convictions. The Local Government (Miscellaneous Provisions) Act 1976 allows a Local Authority to consider the character of an applicant's/licence holder's unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual's attitude and temperament.

Consideration of Previous Offences

- 1.9 Most applicants/licence holders will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that people do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.
- 1.10 It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licence holder to maintain their safety and suitability. The Council has powers to take any necessary action against the holder of all types of licence (Driver, Vehicle and Operator). It must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
- 1.11 Any dishonesty by any applicant, licence holder or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) may result in a licence being refused, or if already granted, revoked and may result in prosecution. Where this is the case, the applicant will not be permitted to apply until 12 months have elapsed since the date of the application that was refused.

Convictions

- 1.12 Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. Fixed penalties and community resolutions will also be considered in the same way as a conviction.
- 1.13 It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed,

decision not to prosecute or an investigation which is continuing where the individual has been bailed) may be taken into account by the Council. In addition, complaints where there were no police involvement will also be considered. Within this document, any reference to "conviction" will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.

- 1.14 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination may be deferred until the trial has been completed or the charges withdrawn. Where an existing licence holder is charged, it will be for the Council to decide what action to take in the light of these guidelines.

Cautions

- 1.15 An admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.
- 1.16 If an applicant/licence holder has received a caution for a traffic offence, given the nature of the offence and the profession of a taxi driver, the applicant/licence holder may be given a verbal warning and/or penalty points as to their conduct.
- 1.17 Cautions for more serious offences could lead to refusal of an application or the suspension or revocation of a licence.

Protected Convictions/Cautions

- 1.18 The Council cannot consider any protected convictions, even if the Council has previously been made aware of those convictions by the applicant/licence holder or via an Enhanced DBS certificate. The only occasion where protected convictions may be taken into consideration is where information about the protected conviction/caution has been disclosed by the Chief Officer of Police on a DBS certificate.

Offences Committed Whilst Driving a Licensed Vehicle

- 1.19 Any offences committed, or unacceptable behaviour reported whilst driving a licensed Vehicle, concerning the use of a licensed Vehicle, or in connection with an Operator of a Private Hire Vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the Hackney Carriage and Private Hire trades will not be seen as mitigating factors.
- 1.20 As the Council will be looking at the entirety of the individual, in many cases safety and suitability will not be determined by a specified period having elapsed following a conviction or caution since the completion of a sentence imposed. Time periods are relevant and weighty considerations, but they are not the only determining factor.
- 1.21 In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than

isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

Outstanding Charges and Summons

1.22 If the individual is the subject of an outstanding charge or summons their application will be put on hold until the conclusion of the proceedings. Further licence checks may be required at this time in line with the Council's application process.

1.23 If the outstanding charge or summons involves a serious offence, then in the interest of public safety the application may be put on hold until proceedings are concluded, or the licence may be refused.

1.24 A suspension or a revocation of a licence takes effect at the end of the period of 21 days beginning with the day the notice is given to the Driver. If it appears in the interests of public safety require the suspension or revocation to take immediate effect, a letter is given to the Driver. This will explain why the suspension or revocation takes immediate effect when the letter is served on the Driver.

1.25 While it is possible that an applicant may have several convictions that, individually, meet the guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a certain period is more likely to give cause for concern than an isolated minor conviction. Obviously, some discretion can be given if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Licences Issued by Other Licensing Authorities

1.26 Applicants who hold a licence with one Council should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.

Single Convictions

1.27 In relation to single convictions, before a licence will be granted the following time periods should elapse following completion of the sentence. "Sentence" means the period of imprisonment imposed (not simply the time served), or the date of conviction if a fine was imposed, completion of any disqualification from driving, or the end of whichever lasts longer if more than one penalty was imposed.

Barred Lists

1.28 **A licence will not be granted/maintained** to an applicant/licence holder who is on any barred list.

1.29 **A licence will not be granted** to an applicant/licence holder who is on the National Sex Offenders Register (NSOR).

Crimes resulting in loss of life

1.30 **A licence will not be granted or maintained** where an applicant/licence holder has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person for an offence such as:

- a) Murder;
- b) Manslaughter;
- c) Terrorism offences;

This is not exhaustive list.

Exploitation

1.31 **A licence will not be granted or maintained** where an applicant/licence holder 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, for an offence such as:

- a) Modern Slavery and Human Trafficking;
- b) Sexual or Criminal Exploitation of children or Adults;
- c) Coercive and controlling behaviour;
- d) Any domestic abuse offences;
- e) Grooming.

This is not exhaustive list.

Offences involving violence

1.32 Where an applicant/licence holder has a conviction for an offence of violence against the person, or connected with any offence of violence, **a licence may not be granted until at least 10 years have elapsed** since the completion of any sentence imposed, for an offence such as:

- a) Grievous bodily harm;
- b) Actual bodily harm;
- c) Common Assault/Battery;
- d) Any racially or religiously aggravated offence;
- e) Assault of any emergency worker.

This is not exhaustive list.

Public Order

1.33 Where an applicant/licence holder has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence may not be granted **until at least 3 years have elapsed** since the completion of any sentence imposed for an offence such as:

- a) Riot;
- b) Violent Disorder;
- c) Affray;
- d) Section 4, 4a, 5 Public Order Act;
- e) Resisting arrest or obstructing police.

This is not exhaustive list.

Possession of a weapon and discrimination

- 1.34 Where an applicant has a conviction for possession of a weapon, threat of using a weapon, or any other weapon related offence, this will raise serious concerns as to the fitness of the applicant/licence holder to carry the public. Depending on the circumstances of the offence, an applicant/licence holder should be free of conviction for **7 years (or at least 7 years have elapsed since the completion the sentence, whichever is longer)**, before a licence is granted/maintained.

Sex and indecency offences

- 1.35 Where an applicant/licence holder who is currently on the Sex Offenders Register or on any 'barred' list a licence **will not be granted or maintained**.
- 1.36 Where an applicant/licence holder has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.

- a) Rape;
- b) Assault by penetration;
- c) Offences involving children or vulnerable adults;
- d) Sexual assault and/or sexual touching;
- e) Psychological, emotional or financial abuse;
- f) Possession of indecent photographs, child pornography etc;
- g) Indecent exposure;
- h) Soliciting (kerb crawling).

This is not exhaustive list.

Dishonesty and offences against property

- 1.37 Where an applicant/licence holder has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence imposed for an offence such as:
- a) Theft, including theft of motor vehicle;
 - b) Burglary;
 - c) Fraud;
 - d) Handling or receiving stolen goods;

- e) Forgery;
- f) Taking a vehicle without consent.

This is not exhaustive list.

Drugs

- 1.38 Where an applicant/licence holder has any conviction for, or related to the production, import, trade in or supply of drugs, or possession with intent to supply drugs, a licence will not be granted **until at least 10 years have elapsed** since the completion of any sentence imposed.
- 1.39 Where an applicant/licence holder has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted **until at least 5 years have elapsed** since the completion of any sentence imposed.
- 1.40 In these circumstances, any applicant/licence holder will also have to undergo drugs testing, with a Council approved provider, at their own expense to demonstrate that they are not using controlled **drugs before an application or renewal of a licence is considered.**

Discrimination

- 1.41 Where an applicant/licence holder has a conviction involving or connected with discrimination in any form, a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence imposed.

Motoring convictions

- 1.42 Drivers are professional Drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously.
- 1.43 It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence.
- 1.44 Subsequent convictions reinforce the fact that the licence holder does not take their professional responsibilities seriously and may therefore not be a “fit and proper” person to be granted or retain a licence.

Driver Vehicle Licensing Agency (DVLA) penalty points

- 1.45 DVLA Penalty points applied to a DVLA driving licence remain active for either 3 to 10 years, which may be from the date of the offence or the date of conviction depending upon the offence as detailed in [Penalty points \(endorsements\): How long endorsements stay on your driving record - GOV.UK](#).
- 1.46 Where an applicant/licence holder has accumulated 12 or more penalty points on their DVLA driving licence and has not been disqualified under the totting up

procedure by a court as a result of making exceptional hardship arguments, the Council will not take the same approach when determining the applicant's/licence holder's suitability to hold a Combined Hackney Carriage/Private Hire Driver licence.

- 1.47 Applicants or licence holders will not be licensed **until at least five years have elapsed** from the date of the accumulation of 12 or more points.
- 1.48 Any applicant/licence holder who has been disqualified as a result from "totting up" which erases the points when the licence has been restored, will not be licensed **until at least 5 years have elapsed** from the date of disqualification. Other disqualifications will need to be investigated, the reasons ascertained and a decision will be based on the results of the investigation.
- 1.49 Applicants or licence holders who commit, have committed parking, obstruction and other such motoring offences that do not attract penalty points are not displaying a professional approach to their work. Any licensed Driver who repeatedly offends may have their Driver licence suspended depending on the severity and frequency of the incidents reported.

Driving Offences Involving Loss of Life

- 1.50 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted if they have a conviction for:
- a) Causing death by dangerous driving;
 - b) Causing death by careless driving whilst under the influence of drink or drugs.

This list is not exhaustive.

Drink Driving, Driving Under the Influence of Drugs, Drug Misuse or Dependency

- 1.51 Where an applicant/licence holder has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence or driving ban imposed.
- 1.52 If the applicant/licence holder has been found to be dependent on alcohol, a licence will not be granted/maintained **unless at least 5 years have elapsed** since the dependence ceased.
- 1.53 If the applicant has a number of convictions for drunkenness, or there are indications of a medical problem associated with possible abuse, misuse of, or dependence on alcohol or drugs, the applicant/licence holder will also be subject to testing/assessment with a Council approved provider at the applicant's/licensee's own expense to demonstrate that they are not using controlled drugs.

Driving Whilst Holding/Using a Hand-held Device

- 1.54 Where an applicant/licence holder has a conviction for using a hand-held mobile telephone or any hand-held device whilst driving, a licence will not be granted **until at least 5 years have elapsed** since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Other motoring offences

Minor traffic offences

- 1.55 A minor traffic or vehicle related offence is one which:

- a) Does not involve loss of life;
- b) Does not involve driving under the influence of drink or drugs;
- c) Does not involve using a hand held mobile telephone or device.

and has not resulted in injury to any person or damage to any property (including vehicles).

- 1.56 Where an applicant/licence holder has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted **until at least 5 years have elapsed** since the completion of any sentence imposed.

Major traffic offences

- 1.57 A major traffic or vehicle related offence is one which is not covered within minor and other motoring offences above and any offence which resulted in injury to any person or damage to any property (including Hackney Carriage or Private Hire Vehicles).
- 1.58 It also includes driving without insurance or any offence connected with motor insurance.
- 1.59 Where an applicant/licence holder has a conviction for a major traffic offence or similar offence, a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence imposed for an offence such as:

- a) Dangerous driving;
- b) Careless and inconsiderate driving;
- c) Driving under the influence of drink or drugs etc;
- d) Driving whilst disqualified;
- e) Using a vehicle without motor insurance;
- f) Offences contrary to the taxi legislation;

This list is not exhaustive.

Hackney Carriage and Private Hire Offences

- 1.60 Where an applicant/licence holder has a conviction for an offence concerned with or connected to Hackney Carriage or Private Hire activity (excluding vehicle use), a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence imposed.
- 1.61 Where an applicant/licence holder has a conviction for an offence contrary to taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons or assistance dogs, this would normally prevent a licence being granted or renewed unless the applicant/licence holder **has been free of such convictions for a period of at least 3 years**.

Vehicle Use Offences

- 1.62 Where an applicant/licence holder has a conviction for any major offence which involved the use of a Hackney Carriage or Private Hire Vehicle, a licence will not be granted **until at least 7 years have elapsed** since the completion of any sentence imposed.
- 1.63 Any applicant or licence holder aggrieved by the Council's decision to refuse to grant, suspend or revoke an existing licence, can appeal to the Magistrates Court or Crown Court as appropriate within 21 days of receipt of the notice of refusal/suspension/revocation.

Appendix 2 Safeguarding Code of Conduct

Hackney Carriage/Private Hire Drivers (referred to in this document as Drivers), are in a position of trust in respect of the safety and welfare of their passengers. The Council, through its Licensing Team and Committees, must ensure that all Drivers are “fit and proper” to undertake their work as Drivers and that they also act as ambassadors for the district. It is essential that the Council and Drivers work together to ensure members of the public are treated with dignity and respect and that any concerns about the welfare of passengers is reported.

On occasion, Drivers may become aware of, or have suspicions that, their passengers are the victim of abuse, neglect or exploitation, either sexual or otherwise, or at risk of becoming a victim. In addition, Drivers themselves may be accused of misconduct or inappropriate behaviour through the possible misinterpretation of the Driver’s actions or conversation.

Therefore, Broadland District Council has introduced this **Code of Conduct** which is aimed at protecting both passengers and Drivers. This ensures that concerns, suspicions of abuse, neglect or exploitation can be reported appropriately as well as minimising the risks for Drivers. Drivers are expected to comply with this Code of Conduct. Failure to do so may result in the Driver being referred to the Licensing Committee. In the event of a repeated and/or serious failure to comply, Drivers can expect that consideration will be given to the suspension or revocation of their licence.

It must be noted that the Code does not override any obligations enshrined in legislation, licence conditions or contractual obligations, such as County Council contracts.

Drivers must:

- a) Act in a professional manner at all times;
- b) Treat passengers and other road users with respect;
- c) Keep relationships with passengers on an appropriate, professional basis;
- d) Respect all individuals – regardless of age, disability, gender, sexual orientation, gender reassignment, religion/belief, language spoken, race or ethnicity.

And comply with the relevant conditions specified for each of:

- a) Ensure the safety and well-being of passengers;
- b) use appropriate language;
- c) Be mindful of the vulnerability of children and adults and Passengers with special needs;
- d) Comply with any instruction given about the care or first aid requirements of a passenger;
- e) Respect personal beliefs and standards, including dress and religion;
- f) Beware of actions which may be misread by Passengers.

Drivers must never:

- a) Become over-friendly or unprofessional in any way with passengers or engage in any form of inappropriate relationship, infatuation or show favouritism

- b) Inappropriately touch a passenger, unless in an emergency situation, or if required to do so because of the additional needs of the passenger
- c) Photograph or video passengers in their care unless used in compliance with data protection legislation and any relevant Codes of Practice issued by the Home Office or Information Commissioner's Office
- d) Engage with passengers through social networking sites (such as Facebook and Twitter), instant messengers or any other online communication software such as mobile phone applications or video games (other than for clear and obvious business connections)
- e) Phone, send text messages or share phone number with passengers other than directly concerning the hiring of their vehicle
- f) Swear, make personal or humiliating comments, or tell inappropriate jokes in person or by any other means e.g. social media
- g) Offer cigarettes or gifts of any sort
- h) Stop anywhere other than the specified pick up/drop off points unless requested by the hirer
- i) Show passengers videos or pictures on their mobile phone or any other electronic device

Safeguarding:

If a Driver has concerns or suspects abuse, neglect or exploitation of a passenger then these concerns should not be ignored. The safeguarding of children and vulnerable adults is everybody's responsibility. Remember that your information could help a vulnerable child or adult.

Ask for Angela

Drivers must be aware that they may be asked to undertake bookings for someone who has requested assistance through the "Ask for Angela" scheme – [Ask for Angela | Broadland and South Norfolk](#). Ask for Angela is a widely recognised safeguarding initiative, which provides a simple, discreet way for people to seek help when they feel unsafe, uncomfortable, or at risk.

County Lines

'County lines' is a violent and exploitative form of drug distribution. A common feature of county lines is the exploitation of children, young people and vulnerable adults who are instructed to deliver and / or store drugs, and associated money or weapons, to dealers or drug users, locally or in other counties.

The UK government defines county lines as: "... a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons."

Taxi drivers are in a key position to notice signs of exploitation due to their frequent contact with young or vulnerable passengers. If you see something that doesn't feel right, or looks suspicious, concerning a child or young person you should report it to Crime Stoppers on

0800 555 111.

Violence Against Women and Young Girls

Violence against women and girls covers a wide range of crime types and behaviours that are disproportionately experienced by women and perpetrated by men. Together, domestic abuse, stalking and sexual assault affected 5.1 million victims in the year ending March 2025 and this does not include victims of other VAWG crimes and behaviours, such as sexual harassment, online and technology-facilitated abuse, and teenage relationship abuse. VAWG crimes and behaviours include but are not limited to:

- a) domestic abuse;
- b) stalking;
- c) sexual violence, including rape and other sexual offences;
- d) sexual harassment;
- e) 'honour'-based abuse (HBA), including forced marriage and female genital mutilation (FGM);
- f) online and technology-facilitated abuse, including 'cyberflashing' and non-consensual intimate image abuse;
- g) fatal VAWG, including domestic homicides, femicides, and suicides and sudden or unexplained deaths which occur in the context of abuse;
- h) sexual exploitation, including in relation to prostitution and human trafficking;
- i) spiking.

If you see something that doesn't feel right, or looks suspicious, concerning a child or young person you should report it to Crime Stoppers on 0800 555 111.

If a Driver is working in accordance with a Norfolk County Council contract, then documents and guidance procedures issued by that Council should be followed in addition to any training received by the Driver.

Otherwise, the following procedures should be complied with in reporting any information or suspicions you may have:

Action to be taken if a Driver has concerns:

- a) If a Driver's concerns are of an urgent matter or you believe that a crime has been committed and there is an immediate risk of danger, telephone the police on **999** (or **112** from a mobile telephone).
- b) If a Driver is concerned that a child or an adult is suffering or is likely to suffer significant harm, including any form of mistreatment, abuse, neglect or exploitation please call the Licensing Team.
- c) If a Driver would prefer to speak to the police then call them on a. **101** and follow the directions for Norfolk Constabulary.

Appendix 3 Penalty Points System

Index

1. Explanation of the Penalty Points Scheme
2. List of Offences/Breach of Driver Code of Conduct
3. List of Offences/Breach of Vehicle Licence Conditions
4. List of Offences/Breach of Operator Licence Conditions
5. Broadland District Council Byelaws relating to Hackney Carriages

Penalty Points Scheme

- 1.1 Licensed Drivers, Vehicle Proprietors, and Operators are principally governed by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, Council Byelaws (in respect of Hackney Carriages) and the Policy and Conditions set by the Council.
- 1.2 The primary objective of the penalty points scheme is to improve the level of compliance and to help improve the standards, safety and protection of the travelling public.
- 1.3 The penalty points scheme works in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of licensees' behaviour and conduct to determine whether they remain a "fit and proper" person to be a vehicle driver, operator and/or Vehicle proprietor. It does not prejudice the Council's ability to take any other action they deem necessary.
- 1.4 The scheme will be used for licensed Drivers, Vehicle Proprietors and Operators who fail to comply with any legislative requirement, commit a criminal offence (under legislation or byelaws) or breach conditions of licence, and following complaints from the public.
- 1.5 Licensees will be asked to provide an account of an incident and may be requested to attend an interview. Once the investigation is completed, the relevant parties will be contacted detailing the outcome of the investigation and a permanent record will be kept on the person's file. The outcome of the investigation may result in officers determining that:
 - a) no further action be taken;
 - b) penalty points be imposed;
 - c) a formal warning be issued,
 - d) prosecution;
 - e) suspend or revoke an existing licence; or
 - f) refer to Committee for further action.

- 1.6 Authorised Officers of the Council can impose penalty points on Drivers, Vehicle Proprietors and Operators as shown below. This system is designed as an aid to ensure continued public safety and to give the individual concerned a chance to rectify any relatively minor breaches of licence conditions without the need to resort to suspension/revocation or prosecution.
- 1.7 If a licence holder accrues a total of 9 points within any 12 month period, their licence(s) will automatically be reviewed to determine whether they remain a “fit and proper” person to hold a licence.
- 1.8 The following list whilst not exhaustive, details the number of penalty points that will be awarded for the infringements shown:

2 List of Offences/Breaches of Hackney Carriage/Private Hire Driver Conditions

Offence/Breach	Code	Points
Driver not clean and respectable in their dress.	DR1	3
Driver wearing inappropriate clothing and footwear.	DR2	3
Driver not behaving in a civil and orderly manner.	DR3	3
Driver allowing noise from radio or other similar equipment to be a source of nuisance or annoyance to any person inside/outside of the vehicle.	DR4	3
Driver smoking or vaping whilst in the vehicle.	DR5	3
Driver in a Private Hire Vehicle parking in a position or location which gives the appearance of being for hire whilst not undertaking prebooked work.	DR6	6
Driver plying for hire whilst in a Private Hire Vehicle.	DR7	9
Driver in a Private Hire Vehicle calling out or encouraging any person to travel in the vehicle without having made a booking.	DR8	9
Failing to wear Driver badge in a clearly visible position whilst working as a licensed Driver.	DR9	3
Failure to produce Driver's badge when requested to do so by an Authorised Officer or Police Officer.	DR10	3
Failing to display a second Driver badge in a clearly visible position on the dashboard of the vehicle whilst working as a licensed Driver.	DR11	3

Offence/Breach	Code	Points
Failure to surrender Driver badges to the Council upon expiry, revocation or suspension, or when requested to do so by an Authorised Officer.	DR12	3
Failure to notify the Licensing Team, in writing, within 48 hours of any arrest, attendance at a Police station, released on bail or being stopped by the Police for any reason during the period of licence.	DR13	6
Failure to notify the Licensing Team, in writing, within 7 days of the date of conviction of any motoring offences, penalty points, attendance on a speed awareness course or criminal convictions during the period of licence.	DR14	6
Failure to notify the Licensing Team, in writing, of a change of name, and/or address, telephone number or email address within 7 days.	DR15	3
Driver failing to notify the Licensing Team of any change in their medical fitness to drive a licensed Vehicle.	DR16	6
Failing to notify the Licensing Team in writing, of being involved in accident within 72 hours of the accident occurring or presenting Vehicle for inspection if requested to do so.	DR17	3
Driver leaving a vehicle unattended on the rank.	DR18	3
Failure to co-operate with any Authorised Officer, Police Officer or any other clearly identifiable person nominated by the Council.	DR19	3
Failure to comply with the regulations governing the wearing of seat belts.	DR20	6
Demanding more than agreed fare.	DR21	3
Failure to carry the Council's Hackney Carriage and Private Hire Licensing Policy and Conditions (The Blue Book).	DR22	3
Driver carrying greater number of persons than the number specified on the licence.	DR23	6
Driver carrying other persons in the vehicle without the consent of the hirer.	DR24	6
Failing to offer reasonable assistance with luggage.	DR25	3

Offence/Breach	Code	Points
Failing to take steps to ensure passenger safety.	DR26	6
Failing to deal with lost property in the correct manner.	DR27	3
Failure to notify Proprietor of complaints made by the passengers	DR28	3
Failure to notify passengers of their right to refer their complaint to the Council	DR29	3
Failure to attend at an appointed time or place without sufficient cause	DR30	3
Unnecessarily prolonging journey in distance or time	DR31	3
Failure to provide a copy of Hackney Carriage/Private Hire Driver licence to Private Hire Operator	DR32	3
Failure to ensure the Vehicle is taxed and/or insured	DR33	6
Driver towing a trailer without the appropriate category on their DVLA driving licence	DR34	6
Driver driving any Vehicle without the appropriate category on their DVLA driving licence	DR35	6
Failing to carry without a medical exemption or make an additional charge for carrying an assistance dog	DR36	6
Failure to apply for, or provide an exemption certificate on medical grounds for not being medically fit to carry an assistance dog	DR37	6

3 List of Offences/Breaches of Hackney Carriage or Private Hire Vehicle Conditions

Offence/Breach	Code	Points
Failing to notify the Council, in writing, within 7 days of a change of name/contact details and/or address	VH1	3
Failure to produce a valid insurance certificate 7 days before the current insurance certificate expiry date	VH2	3
Internal and/or External licence plates displayed not clearly visible and/or displayed incorrectly	VH3	3
Failure to display approved roof sign.	VH4	3

Offence/Breach	Code	Points
Carrying more passengers than permitted by the Vehicle licence plate.	VH5	6
Failing to obtain prior written approval from the Council prior to placing any advertising on a licensed Vehicle.	VH6	3
Failing to obtain prior written approval from the Council prior to affixing a roof sign with the words "PRE BOOKED ONLY" on a licensed Private Hire Vehicle.	VH7	3
Failing to display required door signs in the Vehicle requiring passengers to wear seat belts to be worn.	VH8	3
Failing to ensure the vehicle floor and coverings are clean and in a good state of repair.	VH9	3
Failing to load a wheelchair in the Vehicle.	VH10	6
Failure to supply a current mechanical tail lift safety certificate to the Council.	VH11	6
Failure to provide an LPG safety compliance certificate.	VH12	6
Undertaking alterations to equipment, dimensions or other specification to a licensed Vehicle without obtaining written approval from the Council.	VH13	3
Failure to maintain roof sign in working order.	VH14	3
Failure to display Council door signs on the rear doors.	VH15	3
Failure to display name of the Operator on the front doors.	VH16	3
Displaying incorrect door signs (i.e. incorrect wording or Council door signs on magnetic discs).	VH17	3
Failure to display required "no smoking" signs on the front passenger and rear doors of the Vehicle.	VH18	3
Private Hire Vehicle displaying the word "Taxi" anywhere on the Vehicle (this also includes within any email address displayed on the Vehicle).	VH19	3
Failure to report loss or damage of a Vehicle licence plate.	VH20	3
Failure to return the internal and external licence plates on expiry or surrender of the licence	VH21	3

Offence/Breach	Code	Points
Failure to notify Council of any accident or damage affecting the safety, performance or appearance of the Vehicle within 72 hours.	VH22	3
Failure to supply a schedule of works following accident damage, if required.	VH23	3
Failure to notify the Council of a transfer of vehicle licence within 14 days of the transfer taking place	VH24	3
Failure to have the appropriate insurance for the licensed Vehicle.	VH25	3
Failure to notify Council of change of insurer or any changes to the insurance policy within 7 working days.	VH26	3
Failure to maintain a reasonable standard of behaviour.	VH27	3
Failure to comply with a request by an Authorised Officer.	VH28	3
Failure to provide proof of insurance/cover note, MOT, V5C logbook or DVLA driving licence when requested to do so by an Authorised Officer or Police Officer.	VH29	3
Installation of CCTV without obtaining prior written approval from the Council.	VH30	3
Using CCTV not in accordance with the Council's CCTV Policy and Specifications.	VH31	3
Failure to display required "CCTV" signs on the front passenger and rear doors of the Vehicle.	VH32	3
Failure to check CCTV is operating on a weekly basis, disconnecting the system, or obstructing the recording of the system.	VH33	6
Failure to obtain written permission to use trailers on a licensed Vehicles.	VH34	3
Failure to provide proof of insurance. MOT or V5C logbook, when requested to do so by an Authorised Officer.	VH35	3

4.0 List of Offences/Breaches of Hackney Carriage Bylaws and/or Conditions

Offence/Breach	Code	Points
Hackney Carriage Proprietor failing to keep the Vehicle in a well-maintained condition.	HC01	3
Hackney Carriage Proprietor not allowing an Authorised Officer to inspect the Vehicle at any time.	HC02	3
Hackney Carriage Proprietor failing to notify the Licensing Team within 24 hours of taxi meter being broken.	HC03	3
Hackney Carriage Proprietor failing to install a taxi meter installed in the Vehicle with the words 'For Hire' and so constructed, attached and maintained to comply with requirements.	HC04	3
Failing to ensure that the word 'Taxi' is exhibited on the roof sign in plain letters which are legible.	HC05	3
Hackney Carriage Proprietor of a Hackney Carriage Vehicle failing to ensure that taxi meter is not in operation when the 'Taxi' sign is illuminated.	HC06	3
Hackney Carriage Proprietor failing to ensure that a meter fixed in a Hackney Carriage Vehicle shall be sealed so that no person can tamper with the meter except by breaking the seal.	HC07	3
Hackney Carriage Proprietor failing to display the Council's fare tariff clearly inside the Vehicle	HC08	3
Failure to operate taxi meter correctly	HC09	3
Fail to use taximeter on prebooked journey or fail to charge fee less than meter fee	HC10	3
Starting the meter before the hirer enters the Vehicle unless specified in the tariff sheet	HC11	3
Failing to ensure that taxi meter is not in operation when the 'Taxi' sign is illuminated (Hackney Carriage Only)	HC12	3
Failing to display the Council's fare tariff clearly inside the vehicle.	HC13	3
Failure to submit taximeter for testing when requested to do so by Authorised Officer.	HC14	3

5.0 List of Offences/Breaches of Private Hire Operator Conditions

Offence/Breach	Code	Points
Failure to display Operator licence at the operating base.	OP01	3
Failure to provide a Basic DBS certificate on an annual basis.	OP02	3
Failure to notify the Council of any change of details.	OP03	3
Demanding more than the fare shown on the taxi meter or fees shown on the tariff sheet.	OP04	3
Failure to notify the Licensing Team, in writing, within 48 hours of any arrest, attendance at a Police station, released on bail or being stopped by the Police for any reason during the period of licence.	OP05	3
Failure to notify the Licensing Team, in writing, within 7 days of the date of conviction of any motoring offences, penalty points, attendance on a speed awareness course or criminal convictions during the period of licence.	OP06	3
Failure to notify the Council within 48 hours of any change of a medical status of a licensed Driver.	OP07	3
Failure to notify the Council immediately of any damage to any licensed Vehicle operated by them.	OP08	3
Failure to ensure that every Vehicle operated by them is insured for hire and reward.	OP09	3
Failure to return their Operator licence with immediate effect upon request of an Authorised Officer.	OP10	3
Failure to adequately record details of any booking (this also includes subcontracted bookings).	OP11	3
Failure to inform the hirer of any subcontracted booking before the hiring commences.	OP12	3
Failure to record and produce to an Authorised Officer details of all licensed Drivers and Vehicles operated by them.	OP13	3
Failure to adequately record and investigate complaints.	OP14	3
Providing alcohol without the appropriate licence under the Licensing Act 2003.	OP15	3

Offence/Breach	Code	Points
Failure to have a policy in place of employing ex- offenders.	OP16	3
Failure to maintain an up-to-date register of staff.	OP17	3
Failure to adequately deal with lost property.	OP18	3
Failure to see and retain a copy of a Basic DBS certificate for all staff members prior to employment.	OP19	3
Failure to notify the Council of any change of Drivers	OP20	3
Failure to notify Coouncil of change of name, address, and/or contact details	OP21	3
Failure to maintain a reasonable standard of behaviour	OP21	3
Failure to provide information requested by an Authorised Officer.	OP23	3
Providing alcoholic drinks where a premises licence is not in force under the Licensing Act 2003	OP24	3

Glossary

Definitions of Terms

1847 Act – Town Police Clauses Act 1847.

1976 Act – Local Government (Miscellaneous Provisions) Act 1976.

AFFF – Foam (AFFF – Aqueous Film Forming Foam) Fire Extinguishers are suitable for use on Class A (wood, paper, material & cloth) Fires & Class B (Flammable liquids: spirits, diesel, petrol etc). Each licensed vehicle must be fitted with an AFFF fire extinguisher.

Authorised Officer – An officer of the Council (or agent acting on behalf of the Council) authorised in writing, or Police Officer.

Authorised Agent – a person carrying out tasks on behalf of the Council

Byelaws – Hackney Carriage byelaws are specifically adopted by the Licensing Authority. They regulate how Hackney Carriages are to be furnished or provided.

CCTV – Closed Circuit Television.

CSE – Child sexual exploitation. Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships.

Data Controller – Any person or organisation that collects and processes the personal data of individuals is considered a 'data controller'.

DBS – The Disclosure and Barring Service is a non-departmental public body of the Home Office. The DBS is responsible for completing Enhanced Disclosure and Barring Service checks and issuing certificates which confirm an individual's criminal record history, such as cautions, reprimands, warnings, spent and unspent convictions.

DfT – The DfT (Department for Transport) is a government department which supports the transport network.

Driver – means any Broadland District Council licensed Driver

Driver Licence – In relation to the Driver of a Hackney Carriage, a licence under section 46 of the Town Police Clauses Act 1847 and, in relation to the Driver of a Private Hire Vehicle, a licence under section 51 of Local Government (Miscellaneous Provisions) Act 1976.

Combined Driver Licence – this permits the holder to drive both a Hackney Carriage and a Private Hire Vehicle.

DVSA – The Driver and Vehicle Standards Agency is an executive agency of the Department for Transport and is responsible for setting and improving standards for driving, including the roadworthiness of vehicles.

DVLA – The Driver and Vehicle Licensing Agency are an executive agency of the Department for Transport and maintains registers of Drivers and vehicles in Great Britain.

English Language Assessment – The Council will consider the following as equivalent level qualifications to prove the applicant has passed an English language assessment:

UK GCSE/O level (or equivalent) certificate, grades A* to G.

UK AS-Level/A level certificate

UK BA Hons, BSc Hons degree or higher i.e. master's, PhD

UK HNC/HND qualification

UK NVQ/BTEC/City & Guilds qualification, along with confirmation from the awarding body that the qualification provided is equivalent to GCSE or above.

Proof the applicant has passed the Council's English language assessment with Versant.

The Authority will need to be satisfied that any qualification has been taught in English.

Other qualifications in addition to the above, may be accepted in exceptional circumstances at the discretion of an Authorised Officer.

Hackney Carriage – See Taxi.

Hackney Rank/Stand – A designated place adopted by the Council where Hackney Carriages can wait for the arrival of a hirer.

Hirer – The person entering into a contract with the Private Hire Operator or Hackney Carriage Driver/Proprietor for the purposes of completing a journey in a licensed Vehicle.

ICO – Information Commissioner's Office. The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Licence Plate – The internal and external licence plates issued by the Council for the purpose of identifying a Hackney Carriage or Private Hire Vehicle.

IoL – The Institute of Licensing is a membership body for licensing officers, licensing lawyers and the licensed trade.

Mechanical Test – All licensed vehicles, on first application and at renewal, must undergo and pass a mechanical test at an approved MOT testing station.

Medical Fitness – All licensed Drivers must be assessed and certified as medically fit to the DVLA Group 2 standard.

National Refusals, Revocations and Suspensions Database (NR3S) – Launched by the Local Government Association, (LGA), NR3 has been created to check any new or renewal

Driver licence applications to ensure that any Drivers who have been suspended or revoked do not obtain a licence with another Local Authority.

Operate – In the course of business, to make provision for the invitation or acceptance of bookings for a Private Hire Vehicle.

Operator – An Operator licensed by the Council

Operator licence – A licence issued by the Council under section 55 of the Local Government (Miscellaneous Provisions) Act 1976 which permits operating of Private Hire Vehicles

PHV – See ‘Private Hire Vehicle’

Ply for hire – To be hailed in the street to pick up a passenger. This can only be done by a Hackney Carriage.

Private Hire Vehicle – Private Hire Vehicles (PHVs) include a range of vehicles including minicabs, executive cars, limousines, and chauffeur services. They must be pre-booked and cannot be hailed by people on the street.

Proprietor – The person for the time being shown on the Vehicle licence as the proprietor of the Vehicle. Includes a part-proprietor and, in relation to a Vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the Vehicle under that agreement.

Taxi – Taxis are referred to in legislation, regulation and common language as ‘Hackney Carriages’, ‘black cabs’ and ‘cabs’. They can be hailed in the street but can also be pre-booked.

Taximeter – Any device for calculating the fare to be charged in respect of any journey in a Hackney Carriage by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both.

V5 – A V5, correctly known as a V5C (logbook) of a vehicle that is a physical document issued by the DVLA upon registration of a vehicle in the UK. Its primary purpose is to serve as a vehicle registration certificate and provide the details of a vehicles registered keeper.

Vehicle – Any Hackney Carriage or Private Hire Vehicle licensed by the Council.

Vehicle Defect Scheme – A licensed Vehicle may be inspected by an Authorised Officer of the Council or a Police Officer, at all reasonable times. If the person inspecting the Vehicle is not satisfied as to the fitness of the vehicle, he may give an **Unfit Vehicle Notice** to the Proprietor/Operator to make the Vehicle available for further inspection and testing at such reasonable time and place as may be specified and the Vehicle licence may be suspended until the Authorised Officer or Police Officer is so satisfied.

WAV – Wheelchair Accessible Vehicle. A Vehicle specially converted so that a wheelchair passenger may travel as a passenger.

The Council – Broadland District Council

The Licensing Team/Authority – Broadland District Council