



Doncaster Council

Agenda

To all Members of the

LICENSING COMMITTEE

Notice is given that a Meeting of the above Committee is to be held as follows:

Venue: Virtual meeting via Microsoft Teams.

Date: Thursday, 10th December, 2020

Time: 10.00 am

The meeting will be held remotely via Microsoft Teams. Members and Officers will be advised on the process to follow to attend the Licensing Committee. Any members of the public or Press wishing to attend the meeting by teleconference should contact Governance Services on 01302 737462/736723/736716 for further details.

BROADCASTING NOTICE

This meeting is being filmed for subsequent broadcast via the Council's web site.

The Council is a Data Controller under the Data Protection Act and images collected during this recording will be retained in accordance with the Council's published policy.

Please be aware that by entering the meeting, you accept that you may be filmed and the images used for the purpose set out above.

Damian Allen
Chief Executive

Issued on: Wednesday, 2 December 2020

Governance Services Officer for this meeting

Amber Torrington
(01302) 737462

Doncaster Metropolitan Borough Council
www.doncaster.gov.uk

Item	PageNo.
1. Apologies for absence	
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.	
3. Declarations of Interest, if any.	
4. Minutes of the Licensing Committee Meeting held on 17th September 2020	1 - 4
A. Reports where the public and press may not be excluded	
<u>For decision</u>	
5. Hackney Carriage & Private Hire Licensing Policy.	5 - 184

Members of the Licensing Committee

Chair – Councillor Ken Keegan
Vice-Chair – Councillor Iris Beech

Councillors Duncan Anderson, Bev Chapman, Steve Cox, Neil Gethin, John Gilliver
Martin Greenhalgh, Charlie Hogarth, Nikki McDonald, David Nevett, Ian Pearson
Dave Shaw and Frank Tyas.

DONCASTER METROPOLITAN BOROUGH COUNCIL

LICENSING COMMITTEE

THURSDAY, 17TH SEPTEMBER, 2020

A MEETING of the LICENSING COMMITTEE was held at the VIRTUAL MEETING VIA MICROSOFT TEAMS on THURSDAY, 17TH SEPTEMBER, 2020, at 10.00 am.

PRESENT:

Vice-Chair - Councillor Iris Beech (in the Chair)

Councillors Duncan Anderson, John Gilliver, Martin Greenhalgh, Charlie Hogarth, David Nevett, Ian Pearson and Frank Tyas.

APOLOGIES:

Apologies for absence were received from Councillors Kenneth Keegan, Bev Chapman, Steve Cox, Neil Gethin and Nikki McDonald

7 Declarations of Interest, if any.

There were no declarations made at the meeting.

8 Minutes of the Licensing Committee Meeting held on 18th June 2020.

RESOLVED that the minutes of the meeting held on 18th June, 2020 were approved as a true record.

9 Statement of Licensing Policy 2021 - Licensing Act 2003.

Members considered the Statement of Licensing Policy, which was now under review pending approval by Full Council in advance of January 2021. The Statement of Licensing Policy had to be reviewed on a five yearly basis and although it remained largely unchanged, some minor amendments had been made to provide greater clarity and give more weight and strength to it. Members noted that one of the changes made, referred to the Covid-19 Pandemic, and provided reference to this outlining that changes to the regulations and advice would be made as and when such challenges as this were faced and would ensure that all applicants would be expected to comply with any such changes.

The Committee had already reviewed the Policy, prior to it being subjected to Public Consultation, and Members were now invited to review the responses to the consultation and approve its content for formal endorsement by Full Council. Members noted that only a few responses had been received but they were assured by officers that it had been subject to the same scrutiny as expected. The Policy had response to the consultation with the acknowledgement that it was positive to see reference to Bare Knuckle Fighting within it and the need for it to be properly regulated.

Members were happy to receive the Policy and gave their approval for it to be taken forward for endorsement by Council.

RESOLVED that the Licensing Committee agree the reviewed Statement of Licensing Policy 2021 – Licensing Act 2003, and recommended that it be presented to Full Council for approval and adoption.

10 Temporary Pavement Licence Application Process and Fee (Business & Planning Act 2020).

Members considered a report that provided detail of the approval that had been sought to implement a temporary pavement licence application process, and set the appropriate fee, by way of an urgent action in accordance with Council Procedure Rule 36.

Members noted that this had followed the introduction of the Business and Planning Act 2020 ("The Act") in July 2020. This meant Doncaster Council was obligated to consider applications in relation to this as soon as any were received.

Following the Covid-19 Pandemic, and the recommendations of central Government now to encourage a return to the hospitality and leisure industries in an effort to encourage economic vitality, it was proposed that through the licensing of the public highway, it would give hospitality premises the opportunity to extend their capacity for customers in light of social distancing restrictions and guidelines.

A temporary pavement licence has been created to allow activity on the public highway for a fee, and would give permission for chairs, tables and other associated furniture and equipment to be placed on the public highway in association with licensed establishments. This would remain in place until September 2021.

Further to Members consideration of the report the Committee were invited to ask any questions of officers regarding their concerns.

Queries were raised regarding the impact on the disabled as it was imperative that no undue risks were in place that could cause accidents. Officers assured Members that there should be no obstructions caused by any of the new licences, and this concern would be dealt with in the application stage of each individual licence. Each application would be received as an independent application, and conditions applied at that point if the Sub-Committee felt there was a need for additional measures.

Members requested that their concerns in relation to the issues regarding the obstructions and risks regarding incidents, crime and injury be noted. Whilst they accepted the requirement for the Act to be in place, the Committee had concerns regarding the policing of it. However, they were assured that each application would be dealt with on its own merits, but it was added that it would enable a safer way of operating for bars, cafes and restaurants in the current climate.

RESOLVED that: -

- 1) that the members of the Licensing Committee note that the approval by the Director of Economy & Environment, Chair of the Licensing Committee and Cabinet Member for Communities, Voluntary Sector and the Environment was received on 24 July 2020;
- 2) The fee has been set at £100;
- 3) The determination and granting of licences of this type has been delegated to the Assistant Director of Environment and Head of Service for Regulation and Enforcement; and
- 4) It is recommended that members note that where a premises has the benefit of a

premises licenced under the Licensing Act 2003 which permits alcohol to be sold for consumption on the premises shall be treated as also having permission to sell alcohol for consumption off the premises at a time when 'on sales' are permitted but no later than 11.00pm without the need for an application to amend the current licence, until 30 September 2021.

This page is intentionally left blank



Doncaster Council

Report

Date: 10 December 2020

To the Chair and Members of the Licensing Committee

Hackney Carriage & Private Hire Licensing Policy

EXECUTIVE SUMMARY

1. To request that the members of the Licensing Committee consider the proposed revisions to the Councils Hackney Carriage & Private Hire Licensing Policy ('the Policy') and determine if the revised policy is to be implemented.

EXEMPT REPORT

2. There are no confidential issues.

RECOMMENDATIONS

3. It is recommended that the members of the Licensing Committee consider the content of the revised policy, having regard to the Department for Transport Statutory Taxi & Private Hire Vehicle Standards ('the Statutory Standards').
4. It is recommended that the members of the Licensing Committee consider the responses received during the public consultation of the draft policy.
5. It is recommended that the members of the Licensing Committee determine any amendments to the draft policy.
6. It is recommended that the members specifically determine the following:
 - a. Should the revised policy make it a mandatory requirement for all Doncaster licensed vehicles to be fitted with CCTV, which meets the published specifications? Or, should CCTV in Doncaster licensed vehicles remain as an optional recommendation?
 - b. Should the revised policy limit the age of Doncaster licensed vehicles for both new and renewals? Or, should the age limit remain a

recommendation, meaning that, a vehicle of any age can have a licence granted or renewed provided that it meets all other requirements?

- c. Should the revised policy require Doncaster licensed vehicles to be subject to an emissions limitation? (i.e. the phasing out of high emissions vehicles to allow for a more environmentally friendly fleet). Or, should the use of low emission and 'greener' vehicles be included in the policy as a recommendation?
7. It is recommended that the members of the Committee consider Section 5 of the Statutory Standards with regards to decision making and scheme of delegation and determines if:
- a. The Taxi Licensing Board Hearing policy (Appendix 18 of the policy) and Delegation (Appendix 19 of the policy) be implemented as drafted or require amendment.
8. It is recommended that the members of the Licensing Committee use their delegated power to adopt the revised policy from 1 April 2021, subject to any amendments the Committee deems appropriate.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

9. The aim of local authority licensing of Hackney Carriage and Private Hire vehicle trades is to protect the public. Doncaster Council is also aware that the public should have reasonable access to Hackney Carriage and Private Hire vehicle services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend, unreasonably, to restrict the supply of Hackney Carriage and Private Hire vehicle services, by putting up the cost of operation or otherwise restricting entry to the trade. Doncaster Council recognises that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.
10. For example, it is clearly important that somebody using a Hackney Carriage or Private Hire vehicle to go home alone late at night should be confident that the driver is 'fit and proper' and that the vehicle is safe. But on the other hand, if the supply of Hackney Carriage or Private Hire vehicles has been unduly constrained by onerous licensing conditions, then that person's safety might be put at risk by having to wait on late-night streets for a Hackney Carriage or Private Hire vehicle to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.
11. Doncaster Council, therefore, wants to be sure that every licensing requirement is in proportion to the risk it aims to address; or to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety.

12. Not all of the changes to the Policy stem from the Statutory Standards. Some revisions have been included to take into account local decisions which are relevant to Doncaster and the surrounding areas.
13. In July 2020, the Department for Transport published the Statutory Taxi & Private Hire Vehicle Standards. Below are 2 paragraphs taken from that document:
14. *(1.3) Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.***
15. *(2.8) Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority's practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority's defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).*

Section 5 of the Statutory Standards makes a recommendation that individual cases (i.e. where an applicant or licence holder does not meet the requirements of the policy) are decided by a Regulatory Committee or Board of elected members. The Statutory Standards also acknowledges that some local authorities will choose to deviate from this recommendation and allow officers to make these decisions. The Councils current process for these decisions is that the new applicant / existing licence holder attends a panel hearing which is chaired by the Trading Standards & Licensing Manager accompanied by two other department managers or senior officers who are not involved in day to day licensing matters.

After the hearing the panel makes its recommendations to the head of service or assistant director for ratification. All decisions are then open to an appeal at the Magistrates Court where the Trading Standards & Licensing Manager defends the local authority's decision. It is clear that the current process does not meet the recommendations of the Statutory Standards and a change is required.

The revised policy has been drafted so that decisions are not taken by any one individual officer and allows for those who hear the evidence and

question the individual to make a determination based on a unanimous or majority decision.

The 'Taxi Licensing Board Hearing' policy at Appendix 18 and the scheme of 'Delegation' at Appendix 19 of the revised policy shows that elected members will have a majority presence on the Board when these matters are heard and will be supported by the Trading Standards & Licensing manager who will continue to chair the hearing.

It is recognised that this process does not fully comply with the recommendations of the Statutory Standards. However, the compelling reason for this deviation is that this process would allow the for the Trading Standards & Licensing manager to continue to represent the local authority at any court appeal and allow him/her to give evidence as a member of the Board who heard the original evidence and determined the outcome.

This process makes the best use of the Councillors time as it allows them to be key in the decision making process but removes the requirement for them to attend court appeals to give evidence.

BACKGROUND

16. Doncaster Councils Hackney Carriage & Private Hire Licensing Policy was first approved for adoption by Doncaster Council on the 19th January 2012.
17. The Council also resolved to delegate authority to the Licensing Committee to determine future revisions to this Policy.
18. The Department for Transport Statutory Taxi & Private Hire Vehicle Standards document is attached as Appendix A.
19. Following the publication of the above document, the Licensing department conducted an online survey and invited the licensed trade to make comments on the recommendations contained within it. The questions, responses and all unedited comments received are attached as Appendix B.
20. Having regard to the Statutory Taxi & Private Hire Vehicle Standards and the responses to the survey, the revised Policy was drafted as a starting point for the committee to consider and make any amendments as they determine. The revised Policy (version 10.0) is attached as Appendix C.
21. A summary of the changes to the existing Policy is attached at Appendix D.
22. A full consultation of the revised Policy was undertaken. Comments were invited from members of the public and various groups / individuals including:
 - Licensed Hackney Carriage and Private Hire Drivers
 - Licensed Private Hire Operators
 - Hackney Carriage and Private Hire Vehicle Licence Holders
 - Relevant Council Departments including:

- Transport
- Pollution
- Public Health
- Legal
- Education Transport
- Corporate Health & Safety and Training
- Elected Members
- South Yorkshire Police
- South Yorkshire Fire & Rescue
- Taxi Licensing Hearing Panel Members
- Doncaster Safeguarding Children Board
- Pubwatch
- Parish Councils
- Federation of Small Businesses
- Doncaster Chamber
- South Yorkshire Local Authorities
- Changing Lives Charity
- NHS Doncaster
- Age UK
- Hearing Dogs for Deaf People
- The Partially Sighted Society
- RNIB
- South Yorkshire Passenger Transport Executive
- GMB - Sheffield South Yorkshire Taxi Branch
- Campaign for Better Transport

23. The questions, responses and all unedited comments received during the consultation are attached at Appendix E.

OPTIONS CONSIDERED

24. Option 1 - Have regard to the Department for Transport Statutory Taxi & Private Hire Vehicle Standards, consider the consultation responses and determine to adopt Version 10.0 of the Hackney Carriage & Private Hire Licensing Policy from 1 April 2021. This is the recommended option.
25. Option 2 – Continue with the existing Policy unchanged.

REASONS FOR RECOMMENDED OPTION

26. The Statutory Standards are clear that unless there is a compelling local reason not to, it is expected that the recommendations are implemented. If the Policy is not updated it could result in the Authority being seen as the 'easy option' to obtain a license for those with convictions who would not meet the minimum standards of neighbouring authorities.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

27.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>It is recognised that licensed vehicles, drivers and operators are a source of employment, businesses and assets to the community.</p> <p>The overriding consideration is the protection of the public.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<p>It is recognised that licensed vehicles are used by people to travel within the borough and beyond, transporting people to and from school, work and places of leisure.</p> <p>The overriding consideration is the protection of the public.</p>
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	<p>None</p>

	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>It is recognised that licensed vehicles can often be the only source of transport accessible to persons who are considered to be vulnerable.</p> <p>The overriding consideration is the protection of the public.</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>None</p>

RISKS AND ASSUMPTIONS

28. Section 2.8 of the Statutory Standards states *'Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority's practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority's defence'*.

LEGAL IMPLICATIONS MCC 26 11 20

29. Section 177 of The Policing and Crime Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services. The Statutory Taxi & Private Hire Vehicle Standards published in July 2020 ("2020 Guidance") does not replace the Best Practice Guidance issued in 2010, but where the 2 conflict, the 2020 Guidance should take precedence.

The 2020 Guidance states at paragraph 1.3, that “The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to”.

Elected members are advised that when considering the recommendations in this report, they must conscientiously take into account the results of the consultation and, where appropriate, having due regard to any impact on equality issues.

In considering the proposals contained within this report, Elected Members are reminded of their obligations under section 149 Equality Act 2010. This section contains the Public Sector Equality Duty (PSED) which obliges public authorities, when exercising their functions, to have ‘due regard’ to the need to:

- a) Eliminate discrimination, harassment and victimisation and other conduct which the Act prohibits;
- b) advance equality of opportunity between people who share relevant protected characteristics and those who do not; and
- c) foster good relations between people who share relevant protected characteristics and those who do not.

Protected characteristics are age, gender, disability, race, sex, sexual orientation, gender reassignment, religion or belief and pregnancy and maternity. Only the first aim of the PSED set out in paragraph (a) above applies to a further protected characteristic of marriage and civil partnership.

Having due regard to advancing equality involves: -

- Removing or minimising disadvantages suffered by people due to their protected characteristic;
- taking steps to meet the needs of people from protected groups where they are different to the needs of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Elected members must consciously consider and have due regard to the three aims of the general equality duty when dealing with the recommendations contained within this report.

FINANCIAL IMPLICATIONS [RT ... 26/11/20...]

30. Any additional costs that arise as a result of this decision will be met from the additional income generated through the application fee.

HUMAN RESOURCES IMPLICATIONS [Officer Initials DK Date 20/11/2020]

31. There are no direct HR Implications in relation to the Taxi Policy Report and the proposal to adopt the new version.

TECHNOLOGY IMPLICATIONS [Officer Initials ...PW Date ...20/11/20]

32. There are no anticipated technology implications in relation to this report

HEALTH IMPLICATIONS [Officer Initials CT ... Date 24.11.20...]

33. The key role of licensing authorities is to ensure a safe and effective local taxi and PHV service. However, it is important for councils to consider the potential impact of mandating CCTV on privacy and demonstrate through a Data Protection Impact Assessment that the approach to how / when CCTV systems are required to be used strikes a proportionate balance between privacy and safeguarding. The response from the survey showed a higher proportion of the public surveyed were in favour compared to the response from the Licensed Trade but the response numbers on both sides are quite low compared to some of the other questions asked. Decision makers will want to ensure wider consultation has taken place and that there is a detailed implementation plan
34. Public Health is supportive of a vehicle emissions policy to protect drivers, passengers, other road users and pedestrians. It also makes for a cleaner environment where people might be more keen to travel actively. The inclusion of a policy which governs the phasing out of high emissions vehicles to allow for a more environmentally friendly fleet will benefit the drivers, residents and positively impact on the climate.
35. With regard to the age of the vehicle, Public Health would want the cleanest form of transport available in line with an emissions policy. If the vehicle can meet the policy and is safe then Public Health would not want to discriminate against the hire of older vehicles which are quite often hired for specific events.

EQUALITY IMPLICATIONS [Officer Initials DDS Date 18/11/2020]

36. Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.
37. The publishing of a list of wheelchair accessible vehicles is a positive equality measure as its aim is to protect the rights of passengers who are also wheelchair users.

38. The existing policy requires any new applicant who has not lived in the UK for the previous 5 years to evidence their good conduct while living abroad. It is acknowledged that the proposed change to the policy to require all new applicants and existing licence holders to evidence their good conduct if they have spent 3 months or more outside of the UK at any time from the age of 18, will impact those persons who were born outside of the UK and/or have family living outside of the UK. However, this change is a recommendation of the Statutory Standards and it is recognised that the purpose is to satisfy the authority that all reasonable steps have been taken to ensure that the safety of the public is maintained.
39. There are no other specific equality implications arising from this report.

CONSULTATION

40. A 2 week survey took place with the licensed trade in September 2020 a full consultation took place for 4 weeks during October and November 2020. The consultees are detailed earlier in this report.

BACKGROUND PAPERS

41. Department for Transport Statutory Taxi & Private Hire Vehicle Standards.
42. Doncaster Council Hackney Carriage & Private Hire Licensing Policy.

REPORT AUTHOR & CONTRIBUTORS

David Smith: Licensing Officer
Telephone: 01302 862546
Email: david.smith@doncaster.gov.uk

Dan Swaine
Director of Economy and Environment



Statutory Taxi & Private Hire Vehicle Standards

Contents

	Page
1. Introduction	4
2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards	6
3. Administering the Licensing Regime.....	8
Licensing polices	8
Duration of licences	9
Whistleblowing.....	9
Consultation at the local level	10
Changing licensing policy and requirements	10
4. Gathering and Sharing Information.....	12
The Disclosure and Barring Service	12
The Disclosure and Barring Service Update Service	13
Common Law Police Disclosure	13
Licensee self-reporting	13
Referrals to the Disclosure and Barring Service and the Police	14
Working with the Police	15
Sharing licensing information with other licensing authorities.....	15
Multi-agency Safeguarding Hub (MASH).....	16
Complaints against licensees	17
Overseas convictions	17
5. Decision Making	19
Administration of the licensing framework	19
Training decision makers.....	19
The regulatory structure	20
Fit and proper test	21
Criminal convictions and rehabilitation	21
6. Driver Licensing	23
Criminality checks for drivers.....	23
Safeguarding awareness.....	23
‘County lines’ exploitation	24
Language proficiency	25

7. Vehicle Licensing.....	26
Criminality checks for vehicle proprietors	26
In-vehicle visual and audio recording – CCTV.....	27
Stretched Limousines	28
8. Private Hire Vehicle Operator Licensing	29
Criminality checks for private hire vehicle operators.....	29
Booking and dispatch staff.....	30
Record keeping	31
Use of passenger carrying vehicles (PCV) licensed drivers	31
9. Enforcing the Licensing Regime	33
Joint authorisation of enforcement officers	33
Setting expectations and monitoring.....	33
Suspension and revocation of driver licences.....	33
Annex – Assessment of Previous Convictions	35
Annex – Disclosure and Barring Service information	37
Annex – CCTV Guidance	38
Annex - Staying Safe: Guidance for Passengers	40

1. Introduction

- 1.1 There is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers; data from [Greater Manchester](#) and [Merseyside](#) suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported. These figures do not however account for the under reporting of crime which is estimated to be as high as 83 percent in the [Crime Survey for England and Wales](#).
- 1.2 The Policing and Crime Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services. For the purposes of this document, a child is defined as anyone who has not yet reached their 18th birthday; and the term “vulnerable individual” has the same meaning as the definition of a ‘vulnerable adult’ for the purpose of section 42 of the [Care Act 2014](#), which applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- 1.3 Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.**
- 1.4 It should be noted that as policing and criminal justice is not a devolved matter, the Statutory Taxi and Private Hire Vehicle Standards issued under the Policing and Crime Act 2017 will continue to have effect in Wales although responsibility for taxi and private hire vehicle policy was devolved to the Welsh Assembly in April 2018. Should the Welsh Government introduce legislation to regulate on these issues, the standards in this document would, cease to apply.

- 1.5 All local authorities and district councils that provide children's and other types of services, including licensing authorities, have a statutory duty to make arrangements to ensure that their functions and any services that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children. This means that licensing authorities should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children. This includes clear whistleblowing procedures, safe recruitment practices and clear policies for dealing with allegations against people who work with children, as set out in the [Working Together to Safeguard Children](#) statutory guidance.
- 1.6 The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department's Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed; safeguarding children and vulnerable adults; the Immigration Act 2016 and Common Law Police Disclosure (which replaced the Notifiable Occupations Scheme).
- 1.7 The standards in this document replace relevant sections of the Best Practice Guidance issued by the Department in 2010, where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance the Department issue on taxi and private hire vehicle licensing, the standards in this document take precedence.

Terminology

Taxis are referred to in legislation, regulation and common language as 'hackney carriages', 'black cabs' and 'cabs'. The term '**taxi**' is used throughout this document and refers to all such vehicles. Taxis can be hired immediately by hailing on the street or at a rank.

Private hire vehicles include a range of vehicles including minicabs, executive cars, chauffeur services, limousines and some school and day centre transport services. All private hire vehicle journeys must be pre-booked via a licensed private hire vehicle operator and are subject to a 'triple licensing lock' i.e. the operator fulfilling the booking must use vehicles and drivers licensed by the same authority as that which granted its licence. The term 'private hire vehicle' is used throughout this document to refer to all such vehicles.

2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards

- 2.1 The past failings of licensing regimes must never be repeated. The Department has carefully considered the measures contained in the Statutory Taxi and Private Hire Vehicle Standards and recommend that these should be put in to practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards is to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.
- 2.2 The Government set out in the [Modern Crime Prevention Strategy](#) the evidence that where Government, law enforcement, businesses and the public work together on prevention, this can deliver significant and sustained cuts in certain crimes. That is good news for victims and communities and it makes clear economic sense too. Educating the public on the risks of using unlicensed drivers and vehicles, how to identify the licensed trade and appropriate measure to take when using these services will protect help all passengers, more information is annexed to this document (Annex - Staying safe: guidance for passengers).
- 2.3 The Strategy committed to protect children and young people from the risk of child sexual abuse and exploitation (CSAE), by working with local authorities to introduce rigorous taxi and private hire vehicle licensing regimes. Both the [Jay](#) and [Casey](#) reports on CSAE highlighted examples of taxi/private hire vehicle drivers being directly linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited.
- 2.4 The Casey Report made clear that weak and ineffective arrangements for taxi and private hire vehicle licensing had left the children and public at risk. The Department for Transport has worked with the Home Office, Local Government Association (LGA), personal safety charities, trade unions and trade bodies,

holding workshops, forums, and sharing evidence and good practice with local authorities to assist in the setting of the standards.

- 2.5 This document is published by the Secretary of State for Transport under section 177(1) of the Policing and Crime Act 2017 following consultation in accordance with section 177(5).
- 2.6 The document sets out a framework of policies that, under section 177(4), licensing authorities “**must have regard**” to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. “Having regard” is more than having a cursory glance at a document before arriving at a preconceived conclusion.
- 2.7 “Having regard” to these standards requires public authorities, in formulating a policy, to give considerations the weight which is proportionate in the circumstances. **Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.** It is not a question of box ticking; the standards must be considered rigorously and with an open mind.
- 2.8 Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority’s practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).
- 2.9 The Statutory Taxi and Private Hire Vehicle Standards does not purport to give a definitive statement of the law and any decisions made by a licensing authority remain a matter for that authority.

3. Administering the Licensing Regime

Licensing policies

- 3.1 The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards.
- 3.2 When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated. This was highlighted in the [report by Dame Louise Casey CB](#) of February 2015 on safeguarding failings.

"It will be evident from this report that in many cases the activities of perpetrators take place in spheres which are regulated by the Council – taxis have been the focus of particular concern. Persistent and rigorous enforcement of the regulatory functions available to the council, including the placing of conditions on private hire taxi operator licences where appropriate, would send a strong signal that the trade is being monitored and would curtail the activities of opportunistic perpetrators whereby taxi drivers have solicited children to provide sex in return for cigarettes, alcohol or a fare free ride."

- 3.3 The long-term devastation caused by CSAE was summarised in the same report:

"Victims suffer from suicidal feelings and often self-harm. Many become pregnant. Some have to manage the emotional consequences of miscarriages and abortions while others have children that they are unable to parent appropriately. The abuse and violence continues to affect victims into adulthood. Many enter violent and abusive relationships. Many suffer poor mental health and addiction."

- 3.4 Rotherham Metropolitan Borough Council ('Rotherham Council') provides an example of how the systematic review of policies and procedures and the implementation of a plan to drive improvements in practice can result in a well-functioning taxi and private hire vehicle sector that is rebuilding local confidence in the industry. The history of past failings here and elsewhere is well known, but it is the transparency and resolution that Rotherham Council has demonstrated and the high standards they now require that are rebuilding public confidence.
- 3.5 One of the key lessons learned is that it is vital to review policies and reflect changes in the industry both locally and nationally. **Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.**

Duration of licences

- 3.6 A previous argument against issuing licences for more than a year was that a criminal offence might be committed, and not notified, during this period; this can of course also be the case during the duration of a shorter licence. This risk can be mitigated for drivers by authorities to undertaking regular interim checks. To help authorities monitor licensees' suitability, licensing authorities should engage with their police force to ensure that when the police believe a licensee presents a risk to the travelling public they use their Common Law Police Disclosure powers (see paragraphs 4.9 - 4.11) to advise them.
- 3.7 The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and private hire vehicle drivers and five years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case, if a licensee has requested one or where required (e.g. when the licence holder's leave to remain in the UK is time-limited) or when the licence is only required to meet a short-term demand; they should not be issued on a 'probationary' basis.

Whistleblowing

- 3.8 It is in the application of licensing authority's policies (and the training and raising of awareness among those applying them) that protection will be provided. Where there are concerns that policies are not being applied correctly, it is vital that these can be raised, investigated and remedial action taken if required. **Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly.**

A report into the licensing of drivers by South Ribble Borough Council highlights the implications of not applying the agreed policies. In early August 2015, concerns were raised regarding decisions to renew the licences of drivers where there were potential incidents of child sexual exploitation. An internal review concluded that there had been failings in local investigatory procedures which might have affected the ability of the General Licensing Committee to make proper decisions, and information sharing with the police and data recording was not satisfactory.

- 3.9 The external investigation in South Ribble concluded “that there had been a lack of awareness and priority given to safeguarding and the safety of taxi [and private hire vehicle] passengers in the manner in which licensing issues were addressed”. We are pleased to note that the [report](#) concludes, “The Council have been active at every stage in responding to issues and concerns identified. It has taken steps to address operational issues in the licensing function and has engaged fully with other agencies in so doing. In the light of the above, it is not necessary to make any further recommendations.”
- 3.10 It is hoped that all licensing authorities will have learnt from these mistakes but to prevent a repeat, **local authorities should ensure they have an effective ‘whistleblowing’ policy and that all staff are aware of it.** If a worker is aware of, and has access to, effective internal procedures for raising concerns then ‘whistleblowing’ is unlikely to be needed.
- 3.11 The Public Interest Disclosure Act 1998 (PIDA), commonly referred to as whistleblowing legislation, provides protection for those that have a reasonable belief of serious wrongdoing, including failure to comply with professional standards, council policies or codes of practice/conduct. The PIDA is part of employment law. In the normal course of events, if a worker reveals information that his employer does not want revealed it may be a disciplinary offence. If someone leaked their employer’s confidential information to the press, they might expect to be dismissed for that. The PIDA enables workers who ‘blow the whistle’ about wrongdoing to complain to an employment tribunal if they are dismissed or suffer any other form of detriment for doing so. It is a qualified protection and certain conditions would have to be met for the worker to be protected. More information is available online for [employees](#) and [employers](#).

Consultation at the local level

- 3.12 Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades’ customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women’s groups, local traders, and the local multi-agency safeguarding arrangements. It may also be helpful to consult with night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy’s activities.
- 3.13 Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas; and **licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.** Many areas convene regional officer consultation groups or, more formally, councillor liaison meetings; this should be adopted by all authorities.

Changing licensing policy and requirements

- 3.14 **Any changes in licensing requirements should be followed by a review of the licences already issued.** If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not however to suggest that licences should be automatically revoked overnight, for example if a vehicle specification is changed it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle. The same pragmatic approach should be taken to driver licence changes - if requirements are changed to include a training course or qualification, a reasonable time should be allowed for this to be undertaken or gained. The implementation schedule of any changes that affect current licence holders must be transparent and communicated promptly and clearly.
- 3.15 Where a more subjective change has been introduced, for example an amended policy on previous convictions, a licensing authority must consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, licensing authorities should consider doing so. Licensing authorities should record the reasons for any deviation from the policies in place.

4. Gathering and Sharing Information

- 4.1 Licensing authorities must consider as full a range of information available to them when making a decision whether to grant a licence and to meet their ongoing obligation to ensure a licensee remains suitable to hold a licence.

The Disclosure and Barring Service

- 4.2 The Disclosure and Barring Service (DBS) provides access to criminal record information through its disclosure service for England and Wales. The DBS also maintains the lists of individuals barred from working in regulated activity with children or adults. The DBS makes independent barring decisions about people who have harmed, or where they are considered to pose a risk of harm to a child or vulnerable person within the workplace. The DBS enables organisations in the public, private and voluntary sectors to make safer employment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves vulnerable groups including children.
- 4.3 Enhanced certificates with a check of the barred lists include details of spent and unspent convictions recorded on the Police National Computer (PNC), any additional information which a chief officer of police believes to be relevant and ought to be disclosed, as well as indicating whether the individual is barred from working in regulated activity with children or adults. Spent convictions and cautions are disclosed on standard and enhanced certificates according to rules set out in legislation. Convictions which resulted in a custodial sentence, and convictions or cautions for a specified serious offence such as those involving child sexual abuse will always be disclosed on a standard or enhanced certificate. Full details of the disclosure rules, and those offences which will always be disclosed, are available from the [DBS](#). As well as convictions and cautions, an enhanced certificate may include additional information which a chief police officer reasonably believes is relevant and ought to be disclosed. Chief police officers must have regard to the [statutory guidance](#) issued by the Home Office when considering disclosure. A summary of the information provided at each level of DBS checks is annexed to this document (Annex – Disclosure and Barring Service information).
- 4.4 It should be noted that licensing authorities must not circumvent the DBS process and seek to obtain details of previous criminal convictions and other information that may not otherwise be disclosed on a DBS certificate. Whilst data protection legislation (not just the Data Protection Act 2018 or General Data Protection Regulation (GDPR)) gives individuals (or data subjects) a 'right of access' to the personal data that an organisation holds about them, it is a criminal offence to require an individual to exercise their subject access rights so as to gain information about any convictions and cautions. This could potentially lead to the authority receiving information to which it is not entitled. The appropriate way of accessing an individual's criminal records is through an enhanced DBS and barred lists check.

The Disclosure and Barring Service Update Service

- 4.5 Subscription to the DBS Update Service allows those with standard and enhanced certificates to keep these up to date online and, with the individual's consent, allows nominees to check the status of a certificate online at any time. Subscription to the service removes the need for new certificates to be requested, reduces the administrative burden and mitigates potential delays in relicensing.
- 4.6 The DBS will search regularly to see if any relevant new information has been received since the certificate was issued. The frequency varies depending on the type of information; for criminal conviction and barring information, the DBS will search for updates on a weekly basis. For non-conviction information, the DBS will search for updates every nine months.
- 4.7 Licensing authorities are able to request large numbers of status checks on a daily basis. The DBS has developed a Multiple Status Check Facility (MSCF) that can be accessed via a web service. The MSCF enables organisations to make an almost unlimited number of Status Checks simultaneously. Further information on the MSCF is available from the [DBS](#).
- 4.8 Should the MSCF advise that new information is available the DBS certificate should no longer be relied upon and a new DBS certificate requested.

Common Law Police Disclosure

- 4.9 The DBS is not the only source of information that should be considered as part of a fit and proper assessment for the licensing of taxi and private hire vehicle drivers. Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.
- 4.10 Common Law Police Disclosure replaced the Notifiable Occupations Scheme (NOS) in March 2015 and focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately.
- 4.11 This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. **Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.**

Licensee self-reporting

- 4.12 Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. This must not

however be seen as a direction that a licence should be withdrawn; it is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities. Should an authority place an obligation on licensees to notify under these circumstances, authorities should also ensure appropriate procedures are in place to enable them to act in a suitable timeframe if and when needed.

- 4.13 Importantly, a failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

Referrals to the Disclosure and Barring Service and the Police

- 4.14 In some circumstances it may be appropriate under the Safeguarding Vulnerable Groups Act 2006 for licensing authorities to make referrals to the DBS. **A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS.** The power for the licensing authority to make a referral in this context arises from the undertaking of a safeguarding role. Further guidance has been provided by the [DBS](#).

- 4.15 The Department recommends that licensing authorities should make a referral to the DBS when it is thought that:

- an individual has harmed or poses a risk of harm to a child or vulnerable adult;
- an individual has satisfied the '[harm test](#)'; or
- received a caution or conviction for a relevant offence and;
- the person they are referring is, has or might in future be working in regulated activity;

if the above conditions are satisfied, the DBS may consider it appropriate for the person to be added to a barred list.

- 4.16 These referrals may result in the person being added to a barred list and enable other licensing authorities to consider this should further applications to other authorities be made. Further information on referrals to DBS is [available](#).

Working with the Police

- 4.17 The police are an invaluable source of intelligence when assessing whether a licensing applicant is a 'fit and proper' person. It is vital that licensing authorities have a partnership with the police service to ensure that appropriate information is shared as quickly as possible. As part of building an effective working relationship between the licensing authority and the police, **action taken by the licensing authority as a result of information received should be fed-back to the police.** Increasing the awareness among police forces of the value licensing authorities place on the information received, particularly on non-conviction intelligence, will assist furthering these relationships and reinforce the benefits of greater sharing of information.
- 4.18 This relationship can be mutually beneficial, assisting the police to prevent crime. The police can gain valuable intelligence from drivers and operators, for example, the identification of establishments that are selling alcohol to minors or drunks, or the frequent transportation of substance abusers to premises.
- 4.19 To aid further the quality of the information available to all parties that have a safeguarding duty, a revocation or refusal on public safety grounds should also be advised to the police.

Sharing licensing information with other licensing authorities

- 4.20 As has been stated elsewhere in this document, obtaining the fullest information minimises the doubt as to whether an applicant or licensee is 'fit and proper'. An obvious source of relevant information is any previous licensing history. **Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.** Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.
- 4.21 The LGA's Councillors' [Handbook on taxi and private hire vehicle licensing](#) advises that those responsible for licensing should "*communicate regularly with licensing committees and officers in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.*". While this approach may aid consistency and robustness in decision-making within regions, it has obvious inherent limitations as it is unlikely such protocols could be established between all licensing authorities. The LGA commissioned the National Anti-Fraud Network to develop a national register of taxi and private hire vehicle driver licence refusals and revocations (the register is known as 'NR3'). **Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.**

- 4.22 For these processes to be beneficial, all licensing authorities must keep a complete and accurate record as to the reasons for refusal, suspension or revocation of a licence in order that this might be shared if requested and appropriate to do so.
- 4.23 Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This includes taxi and private hire vehicle licensing. The exemption applies only to information processed for the core regulatory activities of appropriate organisations; it may not be used in a blanket manner. The exemption applies only to the extent that the application of the rights of data subjects to the information in question would be likely to prejudice the proper discharge of the regulatory functions. The Information Commissioner's Office has published [guidance](#) to assist organisations to fully understand their obligations and suggest good practice.
- 4.24 If notification under paragraph 4.20 or 4.21 of a refused or revoked licence is disclosed, the relevant licensing authority should be contacted to establish when the licence was refused, suspended or revoked and the reasons why. In those circumstances, the relevant licensing authority must consider whether it should disclose any information in relation to the previous decision, consistent with its obligations under data protection legislation. If information is disclosed, it can then be taken into account in determining the applicant's fitness to be licensed. The relevance of the reason for refusing/revoking a licence must be considered. For example, if any individual was refused a licence for failing a local knowledge test, it does not have any safeguarding implications. Conversely, a revocation or refusal connected to indecency would. Licensing authorities should not simply replicate a previous decision, authorities must consider each application on its own merits and with regard to its own policies.
- 4.25 Should a licensing authority receive information that a licence holder did not disclose the information referred to in paragraph 4.20, for example by checking the NR3 register, the authority should consider whether the non-disclosure represents dishonesty and should review whether the licence holder remains 'fit and proper'.

Multi-agency Safeguarding Hub (MASH)

- 4.26 Multi-Agency Safeguarding Hubs are a way to improve the safeguarding response for children and vulnerable adults through better information sharing and high quality and timely safeguarding responses. MASHs (or similar models) should operate on three common principles: information sharing, joint decision making and coordinated intervention.
- 4.27 The Home Office report on [Multi Agency Working and Information Sharing](#) recommended that effective multi-agency working still needs to become more widespread. The Children's Commissioner's 2013 [Inquiry into Child Sexual Exploitation in Gangs and Groups](#) found that both police and local authorities still identified the inability to share information as a key barrier to safeguarding children from sexual abuse and exploitation.

- 4.28 All licensing authorities should operate or establish a means to facilitate the objectives of a MASH (i.e. the sharing of necessary and relevant information between stakeholders). As has been emphasised throughout this document, one of the most effective ways to minimise the risk to children and vulnerable adults when using taxis and private hire vehicles is to ensure that decisions on licensing individuals are made with the fullest knowledge possible.

Complaints against licensees

- 4.29 Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence. **All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.** Such a system will help authorities to build a fuller picture of the potential risks an individual may pose and may tip the 'balance of probabilities' assessment that licensing authorities must take.
- 4.30 Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.
- 4.31 To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles. This is likely to result in additional work for the licensing authority but has the advantage of ensuring consistency in the handling of complaints. Currently, it is more likely that a complaint against a taxi driver would be made directly to the licensing authority whereas a complaint against a private hire vehicle driver is more likely to be made to the operator. An effective partnership in which operators can share concerns regarding drivers is also encouraged.
- 4.32 Importantly, this approach will assist in the directing of complaints and information regarding the behaviour of drivers who may be carrying a passenger outside of the area in which the driver is licensed to the authority that issued the licence. In order for this to be effective licensing authorities must ensure that drivers are aware of a requirement to display information on how to complain and take appropriate sanctions against those that do not comply with this requirement.
- 4.33 In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an 'independent witness' to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.12.

Overseas convictions

- 4.34 The DBS cannot access criminal records held overseas, only foreign convictions that are held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, a DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas; the same applies when an applicant has previously spent an extended period (three or more continuous months) outside the UK. It should however be noted that some countries will not provide an 'Certificate of Good Character' unless the individual has been resident for six months or more
- 4.35 Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character' from overseas in this circumstance to properly assess risk and support the decision-making process (. It is the character of the applicant as an adult that is of particular interest, therefore an extended period outside the UK before the age of 18 may be less relevant. As with all licensing decisions, each case must be considered on its own merits. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office [guidance](#).
- 4.36 Where an individual is aware that they have committed an offence overseas which may be equivalent to those listed in the annex to this document (Annex – Assessment of previous convictions), licensing authorities should advise the applicant to seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

5. Decision Making

Administration of the licensing framework

- 5.1 A policy is only effective if it is administered properly. The taxi and private hire vehicle licensing functions of local councils are non-executive functions i.e. they are functions of the council rather than the executive (such as the Cabinet). The functions include the determination of licence applications, reviews and renewals, along with the attachment of conditions when considered appropriate. The function may be delegated to a committee, a sub-committee or an officer – which should be set out within a clear scheme of delegation. In London the taxi and private hire vehicle licensing function is undertaken by Transport for London.
- 5.2 Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly.

Training decision makers

- 5.3 **All individuals that determine whether a licence is issued should be required to undertake sufficient training.** As a minimum, training for a member of a licensing committee should include: licensing procedures, natural justice, understanding the risks of CSAE, disability and equality awareness and the making of difficult and potentially controversial decisions. Training should not simply relate to procedures, but should include the use of case study material to provide context and real scenarios. All training should be formally recorded by the licensing authority and require a signature from the person that has received the training. Training is available from a number of organisations including the Institute of Licensing and Lawyers in Local Government; the LGA may also be able to assist in the development of training packages.
- 5.4 Public safety is the paramount consideration but the discharge of licensing functions must be undertaken in accordance with the following general principles:
- policies should be used as internal guidance, and should be supported by a member/officer code of conduct.
 - any implications of the Human Rights Act should be considered.
 - the rules of natural justice should be observed.
 - decisions must be reasonable and proportionate.
 - where a hearing is required it should be fairly conducted and allow for appropriate consideration of all relevant factors.
 - decision makers must avoid bias (or even the appearance of bias) and predetermination.
 - data protection legislation.

- 5.5 When a decision maker has a prejudicial interest in a case, whether it be financial or a personal relationship with those involved they should declare their interest at the earliest opportunity; this must be prior to any discussions or votes and, once declared, they must leave the room for the duration of the discussion or vote.

The regulatory structure

- 5.6 It is recommended that councils operate with a Regulatory Committee or Board that is convened at periodic intervals to determine licensing matters, with individual cases being considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board. This model is similar to that frequently adopted in relation to other licensing matters. To facilitate the effective discharge of the functions, less contentious matters can be delegated to appropriately authorised council officers via a transparent scheme of delegation.
- 5.7 It is considered that this approach also ensures the appropriate level of separation between decision makers and those that investigate complaints against licensees, and is the most effective method in allowing the discharge of the functions in accordance with the general principles referred to in 5.4. In particular, the Committee/Board model allows for:
- Each case to be considered on its own merits. It is rare for the same councillors to be involved in frequent hearings – therefore the councillors involved in the decision making process will have less knowledge of previous decisions and therefore are less likely to be influenced by them. Oversight and scrutiny can be provided in relation to the licensing service generally, which can provide independent and impartial oversight of the way that the functions are being discharged within the authority.
 - Clear separation between investigator and the decision maker – this demonstrates independence, and ensures that senior officers can attempt to resolve disputes in relation to service actions without the perception that this involvement will affect their judgement in relation to decisions made at a later date.
- 5.8 Avoidance of bias or even the appearance of bias is vital to ensuring good decisions are made and instilling and/or maintaining confidence in the licensing regime by passengers and licensees.
- 5.9 Unlike officers, elected members are not usually involved in the day to day operation of the service and as such do not have relationships with licence holders that may give the impression that the discharge of a function is affected by the relationship between the decision maker and the licence holder.
- 5.10 Some licensing authorities may decide to operate a system whereby all matters are delegated to a panel of officers; however, this approach is not recommended and caution should be exercised. Decisions must be, and be seen to be, made objectively, avoiding any bias. In addition, it may be more difficult to demonstrate compliance with the principles referred to above due to the close

connection between the officers on the panel, and those involved in the operational discharge of the licensing functions.

- 5.11 Whether the structure proposed is introduced or an alternative model is more appropriate in local circumstances, the objective should remain the same - to separate the investigation of licensing concerns and the management of the licence process. Regardless of which approach is adopted, **all licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.** It is recommended that this role is delegated to a senior officer/manager with responsibility for the licensing service.

Fit and proper test

- 5.12 Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself 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 day or night?

- 5.13 If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.
- 5.14 Licensing authorities have to make difficult decisions but (subject to the points made in paragraph 5.4) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Criminal convictions and rehabilitation

- 5.15 In considering an individual's criminal record, licensing authorities must consider each case on its merits, but they should take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime. In order to achieve consistency, and to mitigate the risk of successful legal challenge, licensing authorities should have a clear policy for the consideration of criminal records. This should include, for example, which offences would prevent an applicant from being licenced regardless of the period elapsed in all but truly exceptional circumstances. In the case of lesser offences, a policy should consider the number of years the authority will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

- 5.16 Annexed to this document are the Department's recommendations on the assessment of previous convictions (Annex – Assessment of previous convictions). This draws on the work of the Institute of Licensing, in partnership with the LGA, the National Association of Licensing Enforcement Officers (NALEO) and Lawyers in Local Government, in publishing its guidance on determining the suitability of taxi and private hire vehicle licensees.
- 5.17 These periods should be taken as a starting point in considering whether a licence should be granted or renewed in all cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain a licence. Authorities are however reminded that applicants are entitled to a fair and impartial consideration of their application.

6. Driver Licensing

Criminality checks for drivers

- 6.1 Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants. The DfT's 2019 [survey of taxi and private hire vehicle licensing authorities](#) shows that all licensing authorities in England and Wales have a requirement that an enhanced DBS check is undertaken at first application or renewal.
- 6.2 All individuals applying for or renewing a taxi or private hire vehicle drivers licence licensing authorities should carry out a check of the children and adult Barred Lists in addition to being subject to an enhanced DBS check (in section x61 of the DBS application 'Other Workforce' should be entered in line 1 and 'Taxi Licensing' should be entered at line 2). All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.
- 6.3 Driving a taxi or private hire vehicle is not, in itself, a regulated activity for the purposes of the barred list. This means that an individual subject to barring would not be legally prevented from being a taxi or private hire vehicle driver but the licensing authority should take an individual's barred status into account alongside other information available. **In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.** Should a licensing authority consider there to be exceptional circumstances which means that, based on the balance of probabilities they consider an individual named on a barred list to be 'fit and proper', the reasons for reaching this conclusion should be recorded.
- 6.4 Drivers working under an arrangement to transport children may be working in 'regulated activity' as defined by the [Safeguarding Vulnerable Groups Act 2006](#). It is an offence to knowingly allow a barred individual to work in regulated activity. The [guidance on home-to-school travel and transport](#) issued by the Department for Education should be considered alongside this document. Please see [guidance](#) on driver DBS eligibility and how to apply.

Safeguarding awareness

- 6.5 Licensing authorities should consider the role that those in the taxi and private hire vehicle industry can play in spotting and reporting the abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults. However, this is only the case if they are aware of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger.

6.6 All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable; and
- understand how to respond, including how to report safeguarding concerns and where to get advice.

6.7 Since 2015, the Department for Education (DfE) has run a nationwide campaign – *‘Together, we can tackle child abuse’* which aims to increase public understanding of how to recognise the signs to spot and encourage them to report child abuse and neglect. The DfE continues to promote and raise awareness of the campaign materials through its [online toolkit](#), for local authorities, charities and organisations for use on their social media channels.

‘County lines’ exploitation

6.8 County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

6.9 Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to transport (and store) drugs and money between locations. Children aged between 15-17 make up the majority of the vulnerable people involved in county lines, but they may also be much younger. We know that both girls and boys are groomed and exploited and offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children exploited by county lines gangs may have vulnerabilities besides their age, such as broader mental health issues, disrupted or chaotic homes, substance misuse issues, being excluded from school or frequently going missing.

6.10 The National Crime Agency’s 2018 county lines threat assessment set out that the national road network is key to the transportation of county lines victims, drugs and cash; with hire vehicles being one of the methods used for transportation between locations.

6.11 Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation. Firstly, they should be aware of the following warning signs:

- Children and young people travelling in taxis or private hire vehicles alone;

- travelling at unusual hours (during school time, early in the morning or late at night);
- travelling long distances;
- unfamiliar with the local area or do not have a local accent;
- paying for journeys in cash or prepaid.

6.12 The Home Office is working with partners to raise awareness of county lines and has provided [material](#) to help taxi and private vehicle hire staff to identify victims and report concerns to protect those exploited through this criminal activity.

6.13 Drivers (or any person) should be aware of what to do if they believe a child or vulnerable person is at risk of harm. If the risk is immediate they should contact the police otherwise they should:

- use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority;
- call Crime Stoppers on 0800 555 111.

Language proficiency

6.14 A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

6.15 A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.

7. Vehicle Licensing

- 7.1 As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime.

Criminality checks for vehicle proprietors

- 7.2 Enhanced DBS and barred list checks are not available for vehicle licensing. **Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.
- 7.3 However, it is important that authorities acknowledge that in many cases individuals that license a vehicle may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking to licence a vehicle to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately.
- 7.4 A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.
- 7.5 Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the ‘fit and proper’ test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.

7.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas so other checks must be considered where and applicant has lived or worked overseas (see paragraph 4.34 - 4.36).

In-vehicle visual and audio recording – CCTV

7.7 Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.

7.8 The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime;
- reducing the fear of crime;
- assisting the police in investigating incidents of crime;
- assisting insurance companies in investigating motor vehicle accidents.

7.9 All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

7.10 While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the [Crime Survey for England and Wales](#) only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.

7.11 The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.

7.12 CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or

drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

- 7.13 Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).

Stretched Limousines

- 7.14 Licensing authorities are sometimes asked to license small (those constructed or adapted to carry fewer than nine passengers) limousines as private hire vehicles, these vehicles may be used for transport to 'school proms' as well as for adult bookings. It is suggested that licensing authorities should approach such requests on the basis that these vehicles – where they have fewer than nine passenger seats - have a legitimate role to play in the private hire trade, meeting a public demand. It is the Department's view that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle thereby excluding these services from the scope of the private hire vehicle regime and the safety benefits this provides. A blanket policy of excluding limousines may create an unacceptable risk to the travelling public, as it may lead to higher levels of unsupervised operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators.
- 7.15 Stretched large limousines which clearly seat more than eight passengers should not be licensed as private hire vehicles because they are outside the licensing regime for private hire vehicles. However, in some circumstances a vehicle with space for more than eight passengers can be licensed as a private hire vehicle where the precise number of passenger seats is hard to determine. In these circumstances, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than eight passengers, bearing in mind that refusal may encourage illegal private hire operation.

8. Private Hire Vehicle Operator Licensing

- 8.1 As with driver licensing, the objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those that are granted a private hire vehicle operator also pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the driver licensing regime.

Criminality checks for private hire vehicle operators

- 8.2 Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. **Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the 'fit and proper' threshold.
- 8.3 However, it is important that authorities acknowledge that in many cases individuals that license as a private hire vehicle operator may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking a private hire vehicle operator licence to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately
- 8.4 Refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence; this decision must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 8.5 A private hire vehicle operator licence may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective

private hire vehicle operators should be required to advise the licensing authority of any change in directors or partners.

- 8.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas. Further information on assessing the suitability of those that have spent extended periods in overseas is provided in paragraphs 4.34 - 4.36.

Booking and dispatch staff

- 8.7 Private hire vehicle drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff, for example a person taking bookings (be it by phone or in person). A vehicle dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults.
- 8.8 Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. **Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.**
- 8.9 Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a '[responsible organisation](#)' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.
- 8.10 The register should be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.
- 8.11 Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

- 8.12 Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

Record keeping

- 8.13 Section 56 of the [Local Government \(Miscellaneous Provisions\) Act 1976](#) requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. **Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking:**

- the name of the passenger;
- the time of the request;
- the pick-up point;
- the destination;
- the name of the driver;
- the driver's licence number;
- the vehicle registration number of the vehicle;
- the name of any individual that responded to the booking request;
- the name of any individual that dispatched the vehicle.

- 8.14 This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that booking records should be retained for a minimum of six months.

- 8.15 Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.

Use of passenger carrying vehicles (PCV) licensed drivers

- 8.16 PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. **The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such**

as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

- 8.17 Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a PSV is necessary, and that a PCV licenced driver will be used who is subject to different checks and not required to have an enhanced DBS check.

9. Enforcing the Licensing Regime

- 9.1 Implementing an effective framework for licensing authorities to ensure that as full a range of information made available to suitably trained decision makers that are supported by well-resourced officials is essential to a well-functioning taxi and private hire vehicle sector. These steps will help prevent the licensing of those that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.

Joint authorisation of enforcement officers

- 9.2 Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence. This will mitigate the opportunities for drivers to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the [LGA Councillors' handbook](#).

Setting expectations and monitoring

- 9.3 Licensing authorities should ensure that drivers are aware of the policies that they must adhere to and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.
- 9.4 The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity (see paragraphs 4.29 - 4.33). This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Suspension and revocation of driver licences

- 9.5 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides a licensing authority with the ability to suspend or revoke a driver's licence on the following grounds: -

(a) that he has since the grant of the licence—

- (i) been convicted of an offence involving dishonesty, indecency or violence; or
- (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
- (aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or
- (b) any other reasonable cause

- 9.6 Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. [Guidance for licensing authorities](#) to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.
- 9.7 Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.
- 9.8 A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.
- 9.9 New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.
- 9.10 A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

Annex – Assessment of Previous Convictions

Legislation specifically identifies offences involving dishonesty, indecency or violence as a concern when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence. The following recommendations to licensing authorities on previous convictions reflect this.

Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application. Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.

Crimes resulting in death

Where an applicant or licensee 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 they will not be licensed.

Exploitation

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

Offences involving violence against the person

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Possession of a weapon

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Sexual offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Dishonesty

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Discrimination

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

Motoring convictions

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Drink driving/driving under the influence of drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Using a hand-held device whilst driving

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

Annex – Disclosure and Barring Service information

Table 1: Information included in criminal record checks

Information included	Type of check			
	Basic check	Standard DBS check	Enhanced DBS check	Enhanced DBS (including barred list) check
Unspent convictions	Yes	Yes	Yes	Yes
Unspent cautions ¹	Yes	Yes	Yes	Yes
Spent convictions ²	No	Yes	Yes	Yes
Spent cautions ^{1 & 2}	No	Yes	Yes	Yes
Additional police Information ³	No	No	Yes	Yes
Barred list(s) Information ⁴	No	No	No	Yes

1. Does not include fixed penalty notices, penalty notices for disorder or any other police or other out-of-court disposals.
2. Spent convictions and cautions that have become protected under the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, as amended, are not automatically disclosed on any level of certificate. Further guidance is available [the DBS filtering guide](#).
3. This is any additional information held by the police which a chief police officer reasonably believes to be relevant and considers ought to be disclosed.
4. This is information as to whether the individual concerned is included in the children's or adults' barred lists maintained by the Disclosure and Barring Service (DBS).

Annex – CCTV Guidance

It is important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data – the data controller. It is important that data controllers fully consider concerns regarding privacy and licensing authorities should consider how systems are configured, should they mandate CCTV (with or without audio recording). For example, vehicles may not be exclusively used for business, also serving as a car for personal use - it should therefore be possible to manually switch the system off (both audio and visual recording) when not being used for hire. Authorities should consider the Information Commissioner's view on this matter that, in most cases, a requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

The Home Office '[Surveillance Camera Code of Practice](#)' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and;
- compliant with any relevant legal obligations

The Code also sets out 12 guiding principles which, as a 'relevant authority' under section 33(5) of the [Protection of Freedoms Act 2012](#), licensing authorities must have regard to. It must be noted that, where a licence is granted subject to CCTV system conditions, the licensing authority assumes the role and responsibility of 'System Operator'. The role requires consideration of all guiding principles in this code. The failure to comply with these principles may be detrimental to the use of CCTV evidence in court as this may be raised within disclosure to the Crown Prosecution Service and may be taken into account.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its '[Passport to Compliance](#)' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a [code of practice](#) which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a [self-assessment tool](#) to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a [certification scheme](#); authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The [Data Protection Act 2018](#) regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Licensing authorities, as data controllers, must comply with all relevant aspects of data protection law. Particular attention should be paid to the rights of individuals which include the right to be informed, of access

and to erasure. The ICO has provided detailed [guidance](#) on how data controllers can ensure compliance with these.

It is a further requirement of data protection law that before implementing a proposal that is likely to result in a high risk to the rights and freedoms of people, an impact assessment on the protection of personal data shall be carried out. The ICO recommends in [guidance](#) that if there is any doubt as to whether a Data Protection Impact Assessment (DPIA) is required one should be conducted to ensure compliance and encourage best practice. A DPIA will also help to assess properly the anticipated benefits of installing CCTV (to passengers and drivers) and the associated privacy risks; these risks might be mitigated by having appropriate privacy information and signage, secure storage and access controls, retention policies, training for staff how to use the system, etc.

It is essential to ensure that all recordings made are secure and can only be accessed by those with legitimate grounds to do so. This would normally be the police if investigating an alleged crime or the licensing authority if investigating a complaint or data access request. Encryption of the recording to which the licensing authority, acting as the data controller, holds the key, mitigates this issue and protects against theft of the vehicle or device. It is one of the guiding principles of data protection legislation, that personal data (including in this context, CCTV recordings and other potentially sensitive passenger information) is handled securely in a way that 'ensures appropriate security', including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

Annex - Staying Safe: Guidance for Passengers

Licensing authorities should provide guidance to assist passengers in identifying licensed vehicles and the increased risks of using unlicensed vehicles. The guidance might include advice on:

- how to tell if a taxi or private hire vehicle is licensed.

Educate the public in the differences between taxis and private hire vehicles e.g.:

- a taxi can be flagged down or pre-booked.
- a private hire vehicle that has not been pre-booked should not be used as it will not be insured and may not be licensed.
- what a private hire vehicle should look like e.g. colour, signage, licence plates etc.
- the benefit of pre-booking a return vehicle before going out.
- arrange to be picked up from a safe meeting point.
- requesting at the time of booking what the fare is likely to be.

When using a private hire vehicle, passengers should always:

- book with a licensed operator.
- confirm their booking with the driver when s/he arrives.
- note the licence number.
- sit in the back, behind the driver.
- let a third party know details of their journey.

When using a taxi, passengers should where possible:

- use a taxi rank and choose one staffed by taxi marshals if available.

APPENDIX B

Survey on the recommendations contained in the Statutory Taxi & Private Hire Vehicle Standards and proposed (local) changes

Questions (summarised)	Response of the Licensed Trade (134)	Response of the Public (12)	Response of Group / Association representative or 'other' (1)
A New policy should be applied to all existing licence holders (agree)	41.24% (40)	77.78% (7)	100% (1)
Licence Holders must notify of arrest or conviction within 48 hours (agree)	42.55% (40)	88.89% (8)	100% (1)
The Authority should records Revocations and Refusals on the NR3 database (agree)	80.22% (73)	100% (9)	100% (1)
Criminality/Good Character checks for those who are outside the UK for 3+ months (agree)	84.27% (75)	88.89% (8)	100% (1)
Change to a Committee or Board for Panel Decisions (agree)	40.00% (34)	66.67% (6)	100% (1)
The Convictions Policy should be stronger (agree)	59.30% (51)	77.78% (7)	100% (1)
Move to 6 Month DBS checks (agree)	30.23% (26)	88.89% (8)	100% (1)
Safeguarding training for all new applicants and refresher training for licensed drivers every 36 Months (agree)	45.35% (39)	55.56% (5)	100% (1)
New applicants should be tested on written and spoken English (agree)	82.35% (70)	88.89% (8)	100% (1)
Annual Basic DBS for vehicle licence holders (agree)	58.33% (49)	77.78% (7)	100% (1)
Mandatory CCTV in licensed vehicles (agree)	20.73% (17)	77.78% (7)	100% (1)
Annual Basic DBS for Private Hire Operators (agree)	71.95% (59)	77.78% (7)	100% (1)
Private Hire Operators to require Basic DBS from booking/dispatch staff (agree)	72.84% (59)	88.89% (8)	100% (1)
Authorise other local authorities to enforce Doncaster licensed vehicles operating in their area (agree)	70.51% (55)	87.50% (7)	100% (1)
Introduce a Points Based enforcement scheme (agree)	59.21% (45)	88.89% (8)	100% (1)
(local) Increase minimum time a new applicant must hold a driving licence to 2 years (agree)	72.86% (51)	62.50% (5)	100% (1)
(local) Checking Social Media for conduct of applicants/licence holders (agree)	41.43% (29)	50% (4)	0%
(local) Require Mandatory Subscription to the DBS Update Service (agree)	54.29% (38)	87.50% (7)	100% (1)
(local) Only accept medicals from the individuals own GP (agree)	31.43% (22)	62.50% (5)	100% (1)

(local) Require licence holders to hold/achieve professional qualifications (agree)	15.71% (11)	75.00% (6)	0%
(local) Introduce an age limit for licensed vehicles (agree)	20.00% (14)	62.50% (5)	100% (1)
(local) Introduce an emissions limit for licensed vehicles (agree)	38.57% (27)	100% (8)	100% (1)
(local) Allow approved advertising on Private Hire Vehicles (agree)	47.14% (33)	37.50% (3)	100% (1)
(local) Move to a Mandatory dress code for drivers (agree)	22.86% (16)	62.50% (5)	100% (1)
(local) Require Private Hire Vehicle door signs to be semi-permanent (not easily removable) (agree)	17.14% (12)	62.50% (5)	100% (1)
(local) Allow Hackney Carriage Vehicles to carry vehicle manufacturer approved Space Savers instead of a full size spare wheel (agree)	64.29% (45)	62.50% (5)	100% (1)
(local) Allow Private Hire Vehicles to be fitted with a partition separating the driver from the passengers (agree)	47.14% (33)	75.00% (6)	0%
(local) Require taxi plates to be fitted to the exterior of the vehicle using fixing brackets and no other means (agree)	33.33% (23)	50% (4)	100% (1)
(local) Require licence holders to notify the authority of change of email address or phone number (agree)	90% (63)	100% (8)	100% (1)
(local) Require drivers to display a photograph identification (second badge) in the vehicle in view of passengers (agree)	28.57% (20)	87.50% (7)	100% (1)
(local) The Authority should publish a list of Wheelchair Accessible Vehicles ('WAV list') which creates an offence for any listed vehicle to refuse a wheelchair (agree)	70.00% (49)	87.50% (7)	100% (1)

Comments received during the survey (largely unedited)

1. Taxi license should be given to only within doncaster brough and taxi drivers should be limited
2. I think we should stick with the current policy.
3. If a car has manufactured tinted windows, this should be allowed for Hackney use . Very frustrating when most new cars come with manufacturers tinted windows. So please change and allow this. Thanks
4. drivers should have fingerprint recognition with some sort of app so it shows name and photo to prove they match, also the council vehicle test instead of 3 times a year it should drop to 2 times a year as you already have you full mot

it gets very costly as you are losing a day's wage as well as you can take no bookings.

5. all PHV should be of a standard issue . Too many PHVs on the road are seemingly small, these PHVs are unsuitable for carrying large amounts of shopping ,push chairs /prams or luggage for airports etc I would suggest that Doncaster Council have a scheme where all newly licensed vehicles are purchased from DMBC (either new or used at a affordable price) therefore standardising the towns PHVs and making it easier for the MOT testers and inspectors ...
6. I am not happy with Doncaster council rules specifically now Doncaster town centre design not helping taxis aswell normal cars,it make simple thing more complicated, friday Saturday nights we (taxi drivers)are key to help police ,but police never help us in any case,where taxi drivers suppose to park in town, they do not let them park, Around town too many private hire offices which they should not be
7. We should narrow all Street around town centre for making traffic more pollution to build our city .
8. I think your taxi fees i.e annually and quarterly should be cheaper and to contact you should be quick rather than ring you for 2 to 3 weeks and get no replie. You online application and booking test ect is an absolutely shocking. It clearly shows that you really have no time for new and excisting taxi drivers.
9. Can you please stop opening more Taxi firms in Doncaster we now have Alpha, Absolute, mick's,venture,soon to be Uber,and from what were told possible Sheffield city cabs ,and a new company in Balby ,,you are driving the small operator out of business we pay like the big players its very unfair of Doncaster council to keep doing this
- 10.Hi. Thanks for asking my suggestions. I just want to request about our rank on weekend. In town not enough room to park on the rank because town is not busy as used to be. And people park there private cars on our ranks and nobody does anything about it. Police dont help at all. We struggle to get a space on rank on hall gate and eastlate gate rank always full of hackneyed. And police dont allow us park on the side of the road not even 2m but on other hand people left there car park all night and police dont do anything. Please sort this problem out for us. Thanks
- 11.It would be nice to be invited to any consultation you undertake because and the end of the day nobody in authority as an insight into the business
- 12.PROFIT MARGINS ARE MINIMAL NOWADAYS IN THE PRIVATE HIRE/HACKNEY CARRIAGE INDUSTRY IN DONCASTER. IN LIGHT OF

THE CONCERNS WHAT HAPPENED IN ROTHERHAM. VISUAL AND AUDIO CCTV SHOULD HAVE TO BE FITTED TO ALL PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGES TO MAINTAIN PROFESSIONAL STANDARDS AND SAFETY ISSUES OF BOTH THE DRIVER AND PASSENGERS. THIS SCHEME SHOULD BE SUBSIDISED AND ENDORSED BY THE LICENSING AUTHORITY

13. All private hire vehicles should display full livery at all times . Private hire vehicles should not be allowed to operate without displaying plates or door stickers and should also not be allowed to display plates in windows
14. Why not have some driver and operator input in any committee? One of my comments on here mentions that a required spare wheel requirement, that isn't stowed in a securely fixed permanent location would be a major safety hazard in a roll over accident. Was this considered when posing the question...
15. There should be better communication between drivers/operators and the licensing department. At the moment when phoning licensing all we get is "I'm sorry but all our staff are busy at the moment". The council need to understand that not all drivers (especially the older ones) are not as tech savvy as some of the younger one!
16. Perhaps have one driver on the fleet of taxis train to use sign language we have to be able to communicate with all and everyone
17. Everything sounds like more money
18. Violations are committed by taxi drivers on the disable bay at Doncaster train station. Should be a designated point for pickup and drop off on west street and time should be reduced to 10 minutes instead of 20 minutes.
19. Hi it would b very nice if any thing was bout Hackney cab coz every other day new cab but no space in town to park cab police happy to help anyone in town but drive have to phone if any problem even thy stood there if cab driver r parked on yellow line they will move but if a normal car park that's fine if any car park on cab rank nobody will move them in town one way system making cab expensive for customer will b better if taxi allowed to turn right from end hall Gate that thinking hop council will think bout
20. Drivers should not have plates in back window Drivers should get out of cars and help people with shopping But most dont I have been taxing 35 years I get out off my car in all wheather conditions But I have noticed that there is a lot that do not help

21. License department have to be strict with all driver specially on weekends all hackney driver is doing rubbish things in town Doncaster council spend millions pound on new pavement in hall gate in Cleveland street in silver street if u see on weekends or any days all cars and Hackney parked up on pavement specially front of munchies take away in Cleveland street and front of absolute mini cab and alpha minicab in marketplace taxi driver block road and picked customers and food taxi driver have to know how to picked up customers and how to drop in save place have to fine if anybody park cars on pavements. And another and important things is council need string opretion in town Center on weekends hackney driver on all ranks because any driver on front of queue he reject short journey for example driver is first position and passenger is come and he say I want go intake or hide park driver must have to be picked up no allow to be reject short journey all the time I see driver say I am booked or I am waiting for customers or I am on break just for wait long run This all is concern I see lot of council take strict actions against taxi driver just Doncaster council I am never seen anybody to keep an eyes on roads or fine for wrong parking it speeding if doncaster council need my help I can pin out more thousands point which one Have to correct thanks
22. Please just keep in mind the cost to the drivers of any changes in the policy. It's already getting harder to make a living wage out of the industry.
23. I think the licence policy is fine as it is but some of the new proposals sem valid
24. Any driver refusing a guide dog should have there license revoked
25. I have been a private hire driver for the Last ten year we get the council checking our vehicle every few months when working nights but do not get checked during the day and nobody stops any drivers which are smoking in there vehicle
26. All licensed vehicles should be of the same colour .eg. all black or all white to improve consistency

This page is intentionally left blank



Doncaster
Council

Hackney Carriage & Private Hire Licensing Policy



Contents

<u>Section</u>	<u>Title</u>	<u>Page</u>
1	Document History	4
2	The Role of Licensing: Policy Justification	6
3	Introduction	7
4	Review of Policy and Procedures	8
	Taxi and Private Hire Licensing: Best Practice Guidance 2010	8
	Statutory Taxi & Private Hire Vehicle Standards: July 2020	8
	Consultation	9
	Review 2020	9
	Implementation	10
5	Hackney Carriage and/or Private Hire Driver Licence – New and Renewal Applications	11
	Fee	12
	Driving Standards	13
	Medical Fitness	13
	Criminal Record	14
	Conduct	16
	Knowledge Test & Language Proficiency	16
	Safeguarding Awareness	17
	Qualifications	17
	Disclosing and Sharing Licensing Information	18
	Drivers Dress Code	18
	Minor Breaches	18
	Renewal of Licences	18
	Change of Licence Type	19
	Surrender / Suspension / Revocation, Refusal of Licence or Failure to Complete Application	19
	Right of Appeal	20
	Duration of Drivers' Licences	20
6	Hackney Carriage / Private Hire Vehicle Licences	21
	Licence Fee	22
	Insurance	22
	Criminal Records Checks	22
	Testing of Vehicles	23
	Licence Continuity and Renewals	23
	Type of Vehicle	24
	Seating Capacity	25
	Accessibility	25
	Quantity Restrictions of Vehicle Licences	26
	Minor Breaches	26
	Licensed Vehicle Age and Emissions	26
	Right of Appeal	27
	Duration of Vehicle Licence	27
7	Private Hire Operator's Licence	28
	Criminal Records Checks	29
	Safeguarding Awareness	29
	Recruitment of Ex-offenders	30

	Fees	30
	Licence Duration	30
	Qualifications	30
	Drivers Dress Code	30
	Minor Breaches	31
	Renewal of Licences	31
	Surrender / Suspension / Revocation or Refusal	31
	Right of Appeal	32
	Record Keeping	32
	Use of 'out of town' Hackney Carriages acting as Private Hire Vehicles in the Doncaster Council District	32
	Use of Passenger Carrying Vehicles (PCV) Licensed Drivers	32
8	Enforcement	34
	Minor Breaches	34
	Joint Authorisation of Enforcement Officers	35
9	Technology, Communication and Recognition	36
Appendix 1	Map of Doncaster Borough	37
Appendix 2	Relevant Convictions Policy	38
Appendix 3	Assessing Applicants and Existing Drivers for a Hackney Carriage / Private Hire Vehicle Driver Licence in Accordance with C1 Standard.	43
Appendix 4	Dress Code for Licensed Drivers	44
Appendix 5	Hackney Carriage / Private Hire Vehicle Examination Retest Policy	45
Appendix 6	Hackney Carriage Vehicle Specifications	47
Appendix 7	Hackney Carriage Vehicle Additional (Recommended) Specifications	51
Appendix 8	Hackney Carriage Vehicle Licence Conditions	52
Appendix 9	Private Hire Vehicle Specifications	58
Appendix 10	Private Hire Vehicle Additional (Recommended) Specifications	61
Appendix 11	Private Hire Vehicle Licence Conditions	63
Appendix 12	Limousine Private Hire Vehicle Specifications	70
Appendix 13	Fire Engine Private Hire Vehicle Basic Standards	73
Appendix 14	Horse Drawn Hackney Carriage Vehicle Licence Conditions	76
Appendix 15	Private Hire Operator Licence Conditions	79
Appendix 16	Private Hire Driver Licence Conditions & Licensed Driver Code of Conduct	84
Appendix 17	Penalty Point System	88
Appendix 18	Taxi Licensing Committee Hearing	94
Appendix 19	Delegation	99
Appendix 20	CCTV Technical Specification	100

1. Document History

This Policy was first approved for adoption by Doncaster Council on the 19th January 2012. The Council also resolved to delegate authority to the Licensing Committee to determine future revisions to this Policy. All revisions are detailed below.

Date	Committee	Resolution	Start Date
19 th January 2012	Council	Approve Policy and delegate authority for determination of future revisions to the Licensing Committee	1 st February 2012
24 th January 2013	Licensing	Policy amended to allow medical certificates to be completed by any doctor registered or practising in the UK or in any other EU/EEA country.	24 th January 2013
19 th September 2013	Licensing	Policy amended to reflect the change of organisation name from the Criminal Records Bureau to the Disclosure & Barring Service.	19 th September 2013
19 th December 2013	Licensing	Policy amended to give all licensed drivers the option of a 1 or 3 year duration licence on renewal.	19 th December 2013
18 th September 2014	Licensing	Policy amended to change driver licence duration to 3 years.	1 st January 2015
25 th June 2015	Licensing	Policy amended with regard to the requirements for character referees for new drivers.	25 th June 2015
17 th March 2016	Licensing	1. Policy amended with regard to the duration of driver and private hire operator licences, to reflect legislative changes introduced by the Deregulation Act 2015. 2. Vehicle specifications amended with regard to insurance write offs following the abolition of the VIC scheme.	17 th March 2016
15 th December 2016	Licensing	PHV specification amended to permit factory fitted tinted windows.	15 th December 2016
15 th December 2016	Licensing	Policy amended to provide for the existing requirement for the practical driving assessment and wheelchair exercise to be delivered in-house, following the decision of the DVSA to stop providing the service.	15 th December 2016
15 th December 2016	Licensing	Policy amended to require all licensed drivers and operators to undertake safeguarding awareness training and to attend refresher training.	1 st January 2017 for new applicants. 31 st March 2017 for existing licence holders.
15 th December 2016	Licensing	Private Hire Operator licence conditions amended to include a condition relating to 'out of town' Hackney Carriages	15 th December 2016 for new licences and

		acting as Private Hire Vehicles in the Doncaster Council district.	renewals. Steps to be taken to apply conditions to existing licences as expediently as lawfully possible and then allow 3 months to comply.
2 nd March 2017	Council	Private Hire Operator licence fee structure amended (section 5.6)	1 st April 2017
22 nd September 2017	N/A - no material change to policy	HV and PH vehicle specifications amended to reflect the insurance industry reclassification of repairable salvage. (Business Safety & Licensing Manager on behalf of Assistant Director – Environment)	1 st October 2017
23 rd November 2017	N/A – no material change to policy	HC condition 'Prohibition of Front Seat Passengers' revised to facilitate the use of the front seat(s) in vehicles where the partition fully encloses the driver as per the spirit of the existing policy (Business Safety & Licensing Manager on behalf of Assistant Director – Environment)	23 rd November 2017
Date TBC	Licensing Committee	Policy revised following the publication of the Department for Transport Statutory Taxi & Private Hire Vehicle Standards (July 2020) and a public consultation.	Date TBC

2. The Role of Licensing: Policy Justification

The aim of local authority licensing of Hackney Carriage and Private Hire vehicle trades is to protect the public. Doncaster Council is also aware that the public should have reasonable access to Hackney Carriage and Private Hire vehicle services, because of the part they play in local transport provision. Licensing requirements which are unduly stringent will tend unreasonably to restrict the supply of Hackney Carriage and Private Hire vehicle services, by putting up the cost of operation or otherwise restricting entry to the trade. Doncaster Council recognises that too restrictive an approach can work against the public interest – and can, indeed, have safety implications.

For example, it is clearly important that somebody using a Hackney Carriage or Private Hire vehicle to go home alone late at night should be confident that the driver is ‘fit and proper’ and that the vehicle is safe. But on the other hand, if the supply of Hackney Carriage or Private Hire vehicles has been unduly constrained by onerous licensing conditions, then that person’s safety might be put at risk by having to wait on late-night streets for a Hackney Carriage or Private Hire vehicle to arrive; he or she might even be tempted to enter an unlicensed vehicle with an unlicensed driver illegally plying for hire.

Doncaster Council, therefore, wants to be sure that every licensing requirement is in proportion to the risk it aims to address; or to put it another way, whether the cost of a requirement in terms of its effect on the availability of transport to the public is at least matched by the benefit to the public, for example through increased safety. This is not to propose that a detailed, quantitative, cost-benefit assessment should be made in each case; but it is to say that Doncaster Council does look carefully at the costs – financial and otherwise – imposed by all of its licensing policies.

Introduction

The Licensing Department at Doncaster Council (“the Council”) is responsible for dealing with all applications for Hackney Carriage and Private Hire licences including drivers, vehicles and Private Hire operators. The Department also deals with complaints and enforcement in relation to Hackney Carriage and Private Hire matters.

The licensing of Hackney Carriage and Private Hire drivers, vehicles and operators aims to secure the following objectives:

- That all licensed drivers, proprietors and operators are “fit and proper” persons to ensure the highest levels of public safety and good practice.
- That all licensed vehicles are roadworthy and fit for use.
- To encourage the use of environmentally friendly vehicles.
- To encourage the use of vehicles that are accessible to persons who have disabilities.

The Council will ensure that these aims are met by setting minimum requirements for the licensing of drivers, vehicles and operators. These requirements include:

- Medical checks
- Criminal record clearance
- Driving ability
- Knowledge of the area
- Customer care
- Safeguarding
- Disability awareness
- DVLA driving licence checks

- Accurate record keeping
- Routine inspections by Council officers
- Insurance certificate checks
- Strict mechanical testing of vehicles

- Investigation of complaints
- Enforcement of legislation and licence conditions with appropriate action taken in accordance with the Council’s enforcement policy statement.
- Ongoing training, development and monitoring of the Council’s Licensing Committee and officers.
- Provision of information to the Hackney Carriage and Private Hire trade and members of the public through press releases, publications, trade bulletins, the Council website, social media and attendance at relevant forums.

4. Review of Policy and Procedures

4.1 Taxi and Private Hire Licensing: Best Practice Guidance 2010

The Department for Transport has national responsibility for Hackney Carriage and Private Hire legislation in England and Wales. Following widespread consultation, the Department produced Best Practice Guidance for licensing authorities which sets out standards which can be considered good practice in this area of licensing, although it also recognised that individual licensing authorities should produce their own policies in relation to specific licensing matters.

4.2 Statutory Taxi & Private Hire Vehicle Standards: July 2020

Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards ('the standards') is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in the standards document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department for Transport therefore expects the recommendations to be implemented unless there is a compelling local reason not to.**

The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department's Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed; safeguarding children and vulnerable adults; the Immigration Act 2016 and Common Law Police Disclosure (which replaced the Notifiable Occupations Scheme).

The standards replace relevant sections of the Best Practice Guidance issued by the Department in 2010, where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance, the standards take precedence.

The standards set out a framework of policies that, under section 177(4) of the Policing and Crime Act 2017, licensing authorities **"must have regard"** to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. "Having regard" is more than having a cursory glance at a document before arriving at a preconceived conclusion.

"Having regard" to these standards requires public authorities, in formulating a policy, to give considerations the weight which is proportionate in the circumstances. **Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.** It is not a question of box ticking; the standards must be considered rigorously and with an open mind.

In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.

The Statutory Taxi and Private Hire Vehicle Standards does not purport to give a definitive statement of the law and any decisions made by a licensing authority remain a matter for that authority.

The Statutory Taxi and Private Hire Vehicle Standards have been taken into consideration in preparing this policy.

4.3 Consultation

The Council is keen to hear the views of persons who may be affected by this policy and has identified people and organisations that may be interested in commenting on this document. Prior to adoption of the policy the Council consulted widely and invited comments from any interested party in particular those listed below.

Representatives of the Hackney Carriage and Private Hire Trade	South Yorkshire Local Authorities and other bordering Authorities
Private Hire Association	Primary Care Trusts
All existing licensed Hackney Carriage and Private Hire Drivers.	Doncaster Council Children's Services(school contracts)
South Yorkshire Police	Disability Rights Commission
Ward Councillors	Citizens Advice Bureau
Town and Parish Councils	Age Concern
MPs and MEPs	Chamber of Commerce
Local Businesses and Residents	Hearing Dogs for Deaf People
Safer Doncaster Partnership	Representatives for the Blind and Partially Sighted People
Doncaster Women's Centre	Passenger Transport Executive / Transport providers
Local Traders (Frenchgate Centre / Lakeside etc.)	

4.4 Review 2020

Following the publication of the Department for Transport Statutory Taxi & Private Hire Standards, the Council has undertaken a review of the policy. Prior to drafting an amended policy, the Licensing Officer carried out an online survey to gauge the local opinion of the standards as well as other considerations for changes to the policy.

The responses helped to shape the amended policy, which was then subject to a wider consultation with various people including;

- Members of the public
- Union representatives of licensed Hackney Carriage & Private Hire drivers
- All Doncaster licensed Hackney Carriage & Private Hire drivers, operators and vehicle licence holders.
- Elected members

- Town and Parish Councils
- South Yorkshire Police
- Public Health
- Corporate Health & Safety
- Health & Safety
- Doncaster Safeguarding Children Board
- Doncaster Education School Contracts
- Local Businesses and residents
- Neighbouring local authorities
- Pubwatch

4.5 Implementation

This policy first took effect in February 2012 and is kept under review and revised as appropriate.

A full review and consultation was undertaken in the later part of 2020 following the publication of the Department for Transport Statutory Taxi & Private Hire Vehicle Standards. The revised policy was approved by the Licensing Committee on **DATE** and takes effect on the **DATE**.

The Council will review all existing licences to ensure compliance with this policy. Where a licence holder is identified as not meeting the criteria of this policy, provided that there is no risk to the safety of the public, a reasonable opportunity will be given in order to become compliant.

Where a more subjective change has been introduced, for example an amended policy on previous convictions, then each case will be considered on its own merits. Where there are exceptional, clear and compelling reasons to deviate from this policy, consideration will be given to doing so.

5. Hackney Carriage and/or Private Hire Driver Licence – New and Renewal applications

Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 require that a district council shall not grant a driver's licence to drive a Private Hire vehicle or Hackney Carriage unless they are satisfied that an applicant is a fit and proper person.

When determining an application, the Council must be satisfied that the answer to the following question is 'yes' -

'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?'

If, on the balance of probabilities, the answer to this question is 'no', the individual should not hold a licence.

In order for the Council to establish whether an applicant is fit and proper the applicant must provide evidence of:

- Honesty and trustworthiness
- Driving standard
- Medical fitness
- Criminal history
- Safeguarding awareness
- Relevant knowledge of the borough
- Knowledge of licensing legislation
- Customer service skills
- Understanding of English (spoken, written and reading)

All applicants are strongly advised to read the Council's Statement of Policy about Relevant Convictions before considering whether to apply for a Hackney Carriage or Private Hire vehicle driver's licence.

Application forms must be completed in full. Any incomplete forms will be returned to the applicant as invalid.

Applications will only be accepted as valid if they include and/or are accompanied by the following:

1. Correct application form provided by the Council (which may be in an electronic format), completed in its entirety and signed by the applicant.
2. The appropriate fee.
The current fees are available at www.doncaster.gov.uk/licensing
3. Evidence that the applicant holds a full DVLA driving licence.
Applicants must have held a full DVLA licence for at least 2 years (section 5.2)

4. A completed medical certificate (section 5.3) less than 3 months old.
5. Evidence of having passed Doncaster Council's practical driving assessment and, where applicable, wheelchair exercise within the previous 12 months.
6. Evidence of having passed the relevant Doncaster knowledge test (new applications only) within the previous 12 months.
7. Evidence of having attended a Doncaster Council approved safeguarding awareness session, within the previous 12 months.
8. 1 recently taken, colour, passport sized photograph of the applicant, no hats (unless worn for religious reasons), or sunglasses.
9. DVLA mandate completed and signed by the applicant (this may be sent to you electronically upon submission of your application).
10. Application for an Enhanced Disclosure & Barring Service (DBS) criminal record certificate completed by the applicant with accompanying identification, or a current valid Enhanced disclosure certificate, obtained via an approved body, which can be verified as current via the DBS update service. The certificate must include a check of both the adults' and children's barred lists. (section 5.4)
- 11.2 character referees. Each referee must have known the applicant for at least two years, must not be related to the applicant, must not be connected to the taxi/private hire trade and must not be an elected member of Doncaster Council. (New applications only)
12. All applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy (section 5.4)
13. Evidence of your right to work.
- 14.2 forms of identification confirming the applicants address.

5.1 Fee

All applications must be accompanied by the appropriate fee as prescribed from time to time by the Council. Licensing fees are reviewed on an annual basis and approved by the Council.

No refunds are payable where applications are not pursued or completed or where applications are refused e.g. as a result of relevant criminal records, where relevant information has been withheld or where applicants fail to meet application requirements. The Licensing authority can advise individual applicants who have queries in relation to this issue and any such information is strictly confidential.

5.2 Driving Standards

It is a statutory requirement that a licence will not be issued to any person who at the time of the application has not held a full driving licence for a continuous period of one year immediately prior to the date of receipt of a valid application by the Council. To further evidence an applicant's driving ability, Doncaster Council requires all applicants to have held a full DVLA driving licence for a period of at least 2 continuous years immediately prior to making an application.

Driving licences issued by EU / EEA States and Countries are permitted to count towards a maximum of a 1 year period of qualification requirement for the grant of a private hire and/or hackney carriage licence. You must also have held a full DVLA driving licence for at least 1 year, which must be valid at the time of your application, in order to satisfy the 2 year driving licence requirement.

In order to establish that an applicant has reached an acceptable driving standard, new applicants will also be required to have successfully undertaken Doncaster Council's practical driving assessment. Existing drivers may also be required to undertake this assessment where serious concerns are raised about the standard of their driving.

All new applications for a driver's licence will be required to successfully undertake Doncaster Council's practical driving assessment without exception.

Applicants for a Hackney Carriage or Joint driver's licence must have also undertaken Doncaster Council's wheelchair exercise.

Driver assessments and the wheelchair exercise are delivered by one of Doncaster Council's competent assessors.

Practical driving assessments and/or wheelchair exercise require payment of the published fee at the time of booking. Appointments can be cancelled by telephone or email up to 48 hours before the appointment without incurring any costs. No refunds will be provided for cancellations made with less than 48 hours' notice, failing to attend or any other action on your part which prevents the appointment taking place.

All applicants for Hackney Carriage / Private Hire Vehicle drivers' licences will be assessed on their individual merits. Doncaster Council does not consider it necessary to set a maximum age limit for drivers provided that regular medical checks are made (see 5.3), nor does it consider a minimum age limit, beyond the statutory limitations and one additional year of driving experience (totalling 2 years), to be appropriate.

5.3 Medical Fitness

There is a general recognition that it is appropriate for Hackney Carriage / Private Hire vehicle drivers to have more stringent medical standards than those applicable to normal car drivers because:

- they carry members of the public who have expectations of a safe journey;
- they are on the road for longer hours than most drivers; and
- they may have to assist disabled passengers and handle luggage.

Doncaster Council supports the widely held view that Group 2 medical standards applied by the DVLA in relation to bus and lorry drivers should also be applied by local authorities to Hackney Carriage / Private Hire vehicle drivers.

The Councils Group 2 medical standards certificate signed by a doctor registered or practising in the United Kingdom will be required from all applicants regardless of any medical checks they may have undertaken for other purposes. The applicant is responsible for the payment of all fees required for any medical examination.

Once licensed, medical certificates will remain valid until the driver's 45th birthday or, in the case of new drivers aged 40 years and over, for a minimum of five years and, thereafter, will be required at five yearly intervals up to age 65 unless restricted to a shorter period for medical reasons. From age 65 years a Group 2 medical standards certificate will be required annually.

The Group 2 medical standards preclude the licensing of drivers with insulin treated diabetes. However, exceptional arrangements do exist for drivers with insulin treated diabetes, who can meet a series of medical criteria, to obtain a licence to drive category C1 vehicles. It is the policy of Doncaster Council to apply the C1 standards to taxi and Private Hire vehicle drivers with insulin treated diabetes. The criteria is summarised in Appendix 3.

Should concerns arise regarding the health of a licensed driver, the Council at any time may request further information or a further medical examination to be carried out and submitted. The Council reserves the right to revoke or suspend a licence if requested information is not submitted within 4 weeks of the request and a satisfactory explanation is not given for the failure to provide such information or where the information provided raises further concerns as to the applicant's fitness to carry out his/her duties as a licensed driver.

Doncaster Council have produced a medical form and guidance which new applicants and existing licence holders are required to be completed by their own GP, or a medical professional, during the assessment of their medical fitness to drive. The form can be provided upon request or downloaded from the relevant licence page of the local authority website:

www.doncaster.gov.uk/licensing.

Medicals can be carried out by the applicants own GP or by any suitably qualified medical professional who has access to the applicants medical history.

5.4 Criminal Record

Prior to consideration of any application, the Council will obtain from the applicant a Disclosure & Barring Service Enhanced Certificate in respect of the applicant, to be assessed in accordance with the Council's statement of policy about relevant convictions. **Applicants are advised to take this opportunity to subscribe to the DBS update service.**

It is recognised that many vehicles are used for the carriage of children and vulnerable persons and the Enhanced Disclosure is most appropriate with a check of the adults' and children's barred lists. It is the policy of Doncaster Council that no person will be granted a licence if they appear on either barred list.

Once licenced, existing drivers will be required to submit a new Enhanced Certificate 6 months from the licence granted date, or be able to demonstrate that their existing certificate is still up to date via the DBS update service. The licence holder will be responsible for paying the relevant fee.

All licensed drivers are required to subscribe to the DBS update service to enable the licensing authority to routinely check for new information every six months.

Where the authority is unable to check the update service, the licence holder will be required to produce a new Enhanced Disclosure Certificate. Should the licence holder fail to produce a current (less than one month old) Enhanced Disclosure Certificate within a period specified in the request, the authority will suspend the licence with immediate effect.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

A licence will not normally be granted to any applicant who does not comply with the minimum requirements as set out in the Council's Statement of Policy about Relevant Convictions (see Appendix 2). Where several minor offences have been committed the Council will take into consideration any pattern of offending. The Council can also take into consideration spent convictions and cautions when determining an application for a driver's licence.

Existing licence holders are required to notify the licensing authority in writing or by email within 48 hours of an arrest and release, charge or conviction (including a caution) of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will result in a review by the authority as to whether the licence holder is fit to continue to do so. The licensing authority will consider what, if any, action in terms of the licence should be taken based on the balance of probabilities.

Importantly, a failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

A licence may be suspended or revoked pending the outcome of any investigation or trial where an existing driver is found to be awaiting trial or has been charged with a serious crime relating to;

- Driving or being in charge of a vehicle whilst under the influence of drink or drugs
- A drug related offence

- A sexual offence
- A violence offence
- Dishonesty

A licence may also be suspended or revoked where information received raises grave doubts as to the fitness of a driver, regardless of whether criminal charges are brought.

Any application from a new applicant charged with a serious offence as outlined above will not be determined until the outcome of that matter has been determined.

Where an existing driver commits an offence and/or breaches the licence conditions/byelaws, the nature and number of incidents will be taken into consideration when considering if the driver continues to be considered 'fit and proper'. Complaints in relation to existing drivers will generally be held on file and taken into consideration for a period of three years from receipt, although where a further warning is issued during this period, the original warning will be kept on file from the date of the most recent warning. Where a licence is revoked for persistent breach of licence conditions a period of time specified in Appendix 2 will be required to elapse before a further application can be considered.

Where a licence holder or applicant has 3 driving penalty points imposed on them during the term of their current licence or application, they shall notify the Council in writing (or by email) within 7 days. Offences resulting in more than 3 points shall be required to be notified within 48 hours as above.

5.5 Conduct

The Council may also take into consideration conduct that has not resulted in a criminal conviction.

Drivers of licensed vehicles are often the first person that a visitor to the borough will interact with, for example when they enter Doncaster via the train station or airport. Licensed drivers should recognise the importance of conducting themselves in a professional, respectful, compliant and courteous manner at all times.

Any person who acts in a manner below the expected standard of the Council when interacting by any means (including social media) with members of the public, police officers, council staff, or who persistently fails to comply with the conditions of licence, will raise serious doubt as to their suitability to hold a licence.

5.6 Knowledge Test & Language Proficiency

First time applicants are required to have passed the Doncaster Council written and oral knowledge test in English, within the previous 12 months, prior to the submission of a driver's licence application.

The knowledge test consists of questions relating to the conditions of the licence, the laws relating to the licence, geographical knowledge of the area, customer care and disability awareness.

Where an application for a drivers licence is received from an applicant who has previously held an equivalent licence in Doncaster the applicant will not be required to sit a knowledge test unless their previous licence lapsed more than 1 year prior to the date of the new application.

A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

In order to achieve the objective stated above, any applicant who does not satisfy the Council of their ability to read, write and understand English to an acceptable level will not be considered suitable to be granted a licence.

Knowledge test appointments require payment of the published fee at the time of booking. Appointments can be cancelled by telephone or email up to 48 hours before the appointment without incurring any costs. No refunds will be provided for cancellations made with less than 48 hours' notice, failing to attend or any other action on your part which prevents the appointment taking place.

5.7 Safeguarding Awareness

In order for the Council to establish whether an applicant is fit and proper, the applicant must provide evidence of attending a Doncaster Council approved safeguarding advice and guidance session within the 12 months prior to making an application. The session will provide an awareness of:

- Understanding the need to protect vulnerable adults, young people and children.
- Identifying possible victims of abuse and exploitation by understanding indicators of risk.
- Identifying sources of advice and pathways for reporting concerns.
- Understanding their roles and responsibilities in relation to personal safety and security.
- County lines exploitation.

Licence holders must undertake Doncaster Councils recognised refresher training at least once every 36 months. Applications for renewal will only be considered where the applicant can show they have previously attended a Doncaster Council approved safeguarding training session within 36 months of the date of expiry of their current licence.

5.8 Qualifications

The Council strongly encourages licence holders who wish to develop and evidence their professional standards through additional external training and obtaining qualifications relevant to their role.

5.9 Disclosing and Sharing Licensing Information

Applicants and licence holders are required to disclose if they hold or have previously held a licence with another authority and to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.

Making a false statement or omitting to provide the information requested may be a criminal offence.

The authority will utilise tools such as the National Register of Taxi and Private Hire Vehicle Driver Licence Refusals and Revocations (known as 'NR3') to search and share information with other licensing authorities.

Where the Council become aware that a person holds / has previously held a licence with another authority, we will contact that authority and request that they provide any relevant information which will assist in reaching a decision about their suitability to hold a licence.

Doncaster Council will also consider providing responses to similar requests received from other authorities, where relevant information is held and it is appropriate to do so.

Failing to declare information, which the authority later becomes aware of, will be considered as an act of dishonesty.

5.10 Drivers Dress Code

Doncaster Council is committed to encouraging the professional image of the Hackney Carriage and Private Hire trade, and considers that drivers of licensed vehicles are vocational drivers. The Council considers, therefore, that drivers should conform to a minimum standard of dress, as set out in Appendix 4, in order to raise and maintain the profile of the licensed trade. The Authority does not impose such standards by way of conditions to any licence. It is expected, however, that such standards will be maintained at all times.

5.11 Minor Breaches

Doncaster Council has introduced a points-based system of enforcement, as set out in Appendix 17, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the Licensing Committee. This has the benefit of consistency in enforcement and makes better use of the Licensing Committee and officer's time.

5.12 Renewal of Licences

It is the responsibility of the licence holder to ensure that their licence is renewed prior to the expiry of their current licence.

A licence may be renewed up to 2 months prior to the expiry date.

Any licence that is not renewed within 1 month following expiry will not be renewed and a new application in full will be required.

Where a licence holder will not be available at the time of renewal, for example due to an extended holiday, then they may apply in writing to the Licensing Officer, prior to the expiry date, explaining their circumstances and request a waiver. If granted, this waiver will allow the licence holder to renew their licence after the expiry date or depending on the circumstances, the licence may be renewed early.

In any case, following expiry of a licence, the driver will not be considered licensed and will not be permitted to drive a licensed vehicle until such time as the licence has been renewed and a new licence has been issued.

The Council will endeavour to issue reminder letters at least six weeks prior to the expiry of a licence although there is no statutory duty for the Council to do so and the responsibility ultimately lies with the licensee to ensure that complete applications for renewal are submitted on time.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

5.13 Change of Licence Type

Licensees wishing to change from holding either a Private Hire licence or a Hackney Carriage licence to a Joint Private Hire and Hackney Carriage licence will only be required to undertake any additional tests and checks that are relevant to the additional use being applied for.

In either of the above scenarios the published fee(s) will be required on application and no refund will be payable in respect of an existing licence.

5.14 Surrender / Suspension / Revocation, Refusal of Licence or Failure to Complete Application

Where refusal, suspension or revocation of an application/licence is considered, subject to the exceptions below, the applicant/driver will, be invited to attend a Taxi Licensing Committee Hearing to discuss the concerns. During this meeting the applicant/licence holder, or their appointed representative, will be given an opportunity to state their case in relation to the issue(s) of concern. Following this hearing the Committee will determine the most appropriate action.

Where the licence holder no longer meets one of the basic requirements (e.g. failure to evidence a current Enhanced Disclosure Certificate, failure to provide a new medical certificate) the action of immediate suspension will be taken by a duly authorised officer.

Where the authority are notified of a serious incident where the immediate revocation of a licence is deemed necessary and the only effective action to prevent the risk of

harm to the public, the Head of Service, the Licensing Manager or, in his absence, the Licensing Officer have the authority to approve the immediate revocation of a licence.

In the event of a voluntary surrender of a driver's licence before its expiry, the authority reserves the right to consider the revocation or suspension of the licence where the reason for surrender is that the licence holder can no longer be considered as a fit and proper person to hold a licence, for example, where a licence holder receives a conviction, driving ban or is medically unfit.

In the event of a voluntary surrender, suspension, revocation, refusal of licence or where the applicant or the authority determine that the application process cannot be completed, there shall be no refund of the licence application fee.

Where a licence is refused, revoked or suspended the Council reserves the right to record information on the National Register of Taxi and Private Hire Vehicle Driver Licence Refusals and Revocations (known as 'NR3') to share information with other licensing authorities.

5.15 Right of Appeal

Any person who is aggrieved by the Council's refusal to grant, suspension or revocation of a driver's licence may appeal to a Magistrates' court within 21 days of being notified in writing of the decision.

In line with s61 (2B) of the Local Government (Miscellaneous Provisions) Act 1976, as amended by s.52 of the Road Safety Act 2006, where it appears to the Council that it is in the interests of public safety for any revocation to have immediate effect there will be no right to drive as a Private Hire or Hackney Carriage driver pending an appeal. This power will only generally be invoked where there are allegations of serious violence offences, offences of a sexual nature or where there is considered to be a serious risk to passengers or members of the public in allowing the driver to continue as a licensed driver.

5.16 Duration of Drivers' Licences

Every licence granted to any person to drive a Private Hire and/or Hackney Carriage vehicle shall remain in force for 3 years from the date of issue or such lesser period as may be considered appropriate in the circumstances of the case.

Notwithstanding the above, where immigration leave is time-limited to less than the statutory length for a driver licence, the licence will be issued for a duration which does not exceed the applicant's period of leave.

6. Hackney Carriage / Private Hire Vehicle Licences

Section 47(2) of the Town Police Clauses Act 1847 permits a District Council to require that a Hackney Carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.

Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council shall grant a Private Hire vehicle licence provided the Council is satisfied that the vehicle is:

- Suitable in type, size and design for the use of a Private Hire Vehicle;
- Not of such a design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage;
- In a suitable mechanical condition;
- Safe;
- Comfortable; and
- That there is in force in relation to the use of the vehicle a policy of insurance that complies with the Road Traffic Act 1988.

Once licensed, a Hackney Carriage or Private Hire vehicle remains a Hackney Carriage or Private Hire vehicle until the licence either expires, is suspended or revoked. A licensed vehicle can, subject to very limited exemptions, only ever be legally driven by a driver who holds the relevant Hackney Carriage or Private Hire drivers' licence and appropriate insurance.

To allow flexibility for new types of vehicles to be readily considered to be licensed the Council has set down basic vehicle specifications leaving it open to the Hackney Carriage and Private Hire trade to put forward vehicles of their own choice which can be shown to meet these criteria.

With regard to Hackney Carriages, it is the policy of Doncaster Council to only license purpose built Hackney Carriages which are wheelchair accessible and fitted with a partition between the driver and passenger compartments. The driver's compartment must never be used to carry any fare paying passenger(s).

All applications submitted for the grant of a licence are advised to apply at least 15 working days before the licence is required to allow time for the vehicle to be tested and the licence to be processed.

Application forms must be completed in full, accompanied by all required documents and signed. Any incomplete forms will be deemed invalid and shall be returned / rejected.

Applications will only be acceptable as valid if they include and/or are accompanied by the following:

1. Application form provided by the Council (which may be in an electronic format), completed in its entirety and signed.
2. The appropriate fee.

3. Confirmation of approval for the vehicle issued by the approved Vehicle Testing Station (section 6.4)
4. Vehicle registration document showing the applicant to be the registered keeper or other acceptable proof of ownership (the V5 New Keeper Supplement completed by the applicant or an official receipt from a registered company in the case of newly manufactured vehicles).
5. Certificate of insurance for the vehicle which covers the activity required (i.e. public or private hire – section 6.2) and which is valid on the date that the licence is due to come into force.
6. A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

6.1 Licence Fee

All applications must be accompanied by the appropriate fee as prescribed by the Council; the current scale of fees is available from the Council at www.doncaster.gov.uk/licensing.

Licensing fees are reviewed on an annual basis and adopted by the Council following advertisement by a notice in a local newspaper. The notice will also be displayed at the Council Offices to allow for any comments to be made.

In the event of the surrender of a vehicle licence before its expiry a pro-rata refund will be offered subject to the published administration fee.

6.2 Insurance

All Hackney Carriage and Private Hire vehicles must be insured for the appropriate activity of public hire / hire and reward, such insurance to provide as a minimum requirement insurance cover for third party fire and theft and also to include legal liability for passengers and luggage.

The Council considers vehicle insurance to be a high priority and, therefore, requires all proprietors to provide evidence of continuous insurance cover throughout the period of the licence. Failure to provide evidence of insurance will result in the vehicle licence being suspended.

6.3 Criminal Records Checks

Enhanced DBS and barred list checks are not available for vehicle licensing. A Basic Disclosure from the DBS is required for all applicants (where the applicant is a partnership or company, a Basic DBS will be required for each partner or Director).

Basic Disclosure certificates shall be required at the time of initial application and annually from the grant of a licence. The print date on the certificate shall be less than one month prior to the date it is presented to the authority.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

6.4 Testing of Vehicles

In addition to the MOT testing requirements all licensed vehicles are required to be tested at the Council's testing station.

All vehicle licence applications/renewals must be accompanied by confirmation of approval issued by the Council's testing station.

Dependent on the age of the vehicle, interim testing may be required during the period of the licence. The testing frequency is set out in the table below. The age of the vehicle will be determined on the start date of the licence from the date of first registration as stated on the vehicle registration document.

Age of Vehicle	Test Frequency
Less than 4 years	Annually
Over 4 years but less than 7 years	6 Monthly
Over 7 years	4 Monthly

Where concerns arise during the period of the licence regarding the mechanical fitness of a licensed vehicle the Council may request a further test to be undertaken and a further confirmation of approval to be produced at the Licensee's expense. However, the Licensing Authority cannot require a vehicle to have more than 3 tests per year.

6.5 Licence Continuity and Renewals

In order to ensure that a vehicle remains continuously licensed the vehicle must be presented for test and pass on or before the next test due date. The test due date is stated on the documents provided by the Council at the time the licence is granted and/or after each inspection test.

Vehicles may be presented for test up to 1 month prior to the test due date.

Vehicles which are being licensed for the first time or which are tested after the expiry of the licence must be licensed within 10 working days of the date of the test otherwise the vehicle will be required to undergo a further test at the expense of the applicant. This additional test will not count towards the maximum of 3 tests per year.

Where an application for renewal is made more than 10 working days after the expiry of the licence the application will be considered as a new application.

Any vehicle failing its examination test will be required to undertake and pass a further examination test before it can be licensed or, in the case of an existing licensed vehicle, before it can continue to be used as a licensed vehicle. This further examination is known as a retest.

The Council's policy with regard to retests and, where applicable, the fee is set out in Appendix 5. Retests do not count towards the limit of 3 tests per year.

The applicant is responsible for the payment of all fees required for any mechanical inspections.

The Council will suspend the vehicle licence if the vehicle is not presented for its interim test by the due date.

Following expiry of a licence the vehicle will not be considered to be licensed and will not be permitted to be used as a licensed vehicle until such time as a licence has been granted.

The Council will endeavour to issue reminder letters at least four weeks prior to the expiry of a vehicle test although there is no statutory duty for the Council to do so and the responsibility ultimately lies with the licensee to ensure that tests/applications are completed prior to expiry/due date.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Vehicle test appointments require payment of the published fee at the time of booking. Appointments can be cancelled by telephone or email up to 48 hours before the appointment without incurring any costs. No refunds will be provided for cancellations made with less than 48 hours' notice, failing to attend or any other action on your part which prevents the appointment taking place.

6.6 Type of Vehicle

In order to assess vehicle suitability, the Council will take into account passenger safety, comfort and the design of the vehicle.

In order to be considered suitable to be licensed as a Hackney Carriage the vehicle must comply with the basic specification set out in Appendix 6, comply with the conditions listed in Appendix 7 and pass the Council's vehicle inspection test.

Any vehicle complying with the basic specification set out in Appendix 9 will be considered suitable to be licensed as a Private Hire Vehicle subject to it complying

with the conditions listed in Appendix 11 and passing the Council's vehicle inspection test.

The Council will license Stretch Limousines which meet the basic specifications for Stretch Limousines as listed in Appendix 12.

In exceptional circumstances the Council's basic requirements for vehicles may be waived to facilitate the licensing of Novelty Vehicles although confirmation should be sought from the Licensing Officer prior to any application being made. Whilst all applications for Novelty Vehicles will be considered on their own merits the Council has produced model standards and conditions for Fire Engines and Horse Drawn vehicles as set out in Appendices 13 and 14 respectively.

In addition to meeting the relevant vehicle specifications all Private Hire Vehicles, including Novelty Vehicles, will have to comply with the Private Hire vehicle conditions. (Appendix 11)

6.7 Seating Capacity

No vehicle capable of carrying more than 8 passengers can be licensed by the Council.

In order to facilitate the licensing of a wide variety of vehicle types and to encourage more environmentally friendly vehicles the Council has not set a limit on the minimum number of seats but instead requires a minimum space standard per passenger as detailed in the basic specifications for vehicles.

It is the proprietor's and operator's responsibility to ensure that they established the number of passengers at the time of booking. This is particularly important for those proprietors and operators who choose to utilise smaller vehicles.

6.8 Accessibility

Doncaster Council is committed to social inclusion and ensuring a wide variety of vehicle types are available for disabled residents to avoid discrimination in terms of travel arrangements.

All Hackney Carriage vehicles are required to be wheelchair accessible. The Council strongly encourage the availability of wheelchair accessible Private Hire vehicles.

The Council recognises individual choice and preferences of the travelling public. In order to encourage a wide variety of vehicle types the Council will not be unnecessarily restrictive with regard to wheelchair accessible vehicles with the obvious proviso that they must allow wheelchair passengers to be boarded and transported safely and in comfort. Vehicles that allow side or rear boarding of wheelchair passengers will be considered for licence.

Any equipment fitted to a licensed vehicle for the purpose of lifting a wheelchair into the vehicle must comply with and have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 – or as amended from time to time.

Where the vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received sufficient training to board and convey wheelchair users.

Signage is to be fixed to the outside of all vehicles to convey to passengers that the vehicle has been designed or adapted to carry a wheelchair.

In accordance with sections 165 and 167 of the Equality Act 2010, Doncaster Council will publish on its website, a list of all licensed wheelchair accessible vehicles ('designated vehicles'). Where the driver of a designated vehicle does not hold an exemption on medical grounds which has been issued by the local authority from transporting a passenger in a 'reference wheelchair' (as defined in Schedule 1 of the Public Service Vehicle Accessibility Regulations 2000), he/she shall be committing a criminal offence to refuse to carry passengers in wheelchairs, to fail to provide them with appropriate assistance, or to charge them extra.

Drivers of any licensed vehicle cannot refuse to carry an assistance dog (as defined in the Equality Act 2010) unless they have a medical exemption issued by the Council. Such exemptions shall only be issued following receipt of a medical report produced by the driver's registered general practitioner.

6.9 Quantity Restrictions of Vehicle Licences

Whilst the law prohibits the Council from setting a limit on the number of Private Hire vehicle licences it issues, quantity restrictions can be set to regulate the number of licensed Hackney Carriages.

In 2010 the Council commissioned an independent survey of Hackney Carriage usage. The 2010 study identified that there is no evidence of significant unmet demand for Hackney Carriages in Doncaster. On this basis the Council has discretion in its Hackney Carriage licensing policy and may either:

- continue to allow market forces to dictate the number of Hackney Carriage licences;
- issue any number of additional plates as it sees fit, either in one allocation or a series of allocations; or
- introduce a limit on the number of vehicles.

In the interests of the travelling public and having regard to the accepted best practice it is the policy of Doncaster Council not to impose quantity restrictions but to allow the number of licences issued to maintain a market level.

6.10 Minor Breaches

Doncaster Council has introduced a points-based system of enforcement, as set out in Appendix 17, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the Licensing Committee. This has the benefit of consistency in enforcement and makes better use of the Licensing Committee and officer's time.

6.11 Licensed Vehicle Age and Emissions

Doncaster Council recognises that newly manufactured vehicles are subject to more stringent regulations on safety and emissions than some older vehicles. In the interests of public safety and protection of the environment, it is strongly recommended that:

- any vehicle being considered for the initial grant of a licence should be less than 5 years old,
- any vehicle being considered for the renewal of a licence should be less than 10 years old,
- all vehicles should meet or exceed the Euro 6 emissions standard.

6.12 Right of Appeal

Any person who is aggrieved by the Council's refusal to grant, suspension or revocation of a licence may appeal to a Magistrates' court within 21 days of being notified in writing of the decision.

6.13 Duration of Vehicle Licence

Every licence granted to any proprietor of a Private Hire or Hackney Carriage vehicle shall remain in force for 1 year from the date of issue or such lesser period as may be considered appropriate in the circumstances of the case.

7. Private Hire Operator's Licence

The objective of licensing Private Hire vehicle operators is, again, the safety of the public, who will be using operators' premises, vehicles and drivers arranged through them. The Council will grant a Private Hire operator licence provided that the Council is satisfied that the applicant is a fit and proper person to hold such a licence.

In order for an operator to prove that they are fit and proper they must provide evidence that they:

- are of good repute;
- are of appropriate financial standing (i.e. have enough money to run the business);
- have adequate arrangements for monitoring drivers, vehicles and the keeping of records;
- have attended a safeguarding awareness session approved by Doncaster Council and demonstrated a commitment to cascade this knowledge to all staff directly involved with the day to day operation of the business in particular those involved in taking bookings and dispatching vehicles and drivers;
- are capable of ensuring that they, their staff and licensed drivers obey all the rules.

All applicants for initial grant of a licence should allow at least four weeks before the licence is required to enable the local authority to undertake the necessary vetting procedures as detailed in this document. The process may take considerably longer if planning consent is required. In any case, the licence will not be issued unless confirmation of the relevant planning consent can be demonstrated.

Any application for the renewal of a licence which is not made before the expiry of the previous licence will be treated as an application for a new licence.

Applications will only be acceptable if they include the following:

1. Application form provided by the Council (which may be in an electronic format), completed in its entirety, signed and accompanied by all supporting documents.
2. A Basic Disclosure Certificate which is less than one month old at the time of application, will be required annually for each individual / director / partner applying for the operator's licence. It is recognised that where the applicant is also a licensed driver or licensed vehicle proprietor they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate on application or annually following the grant of an operator's licence. However, should the Private Hire Operator cease to be a licensed driver and/or licensed vehicle proprietor then a Basic Disclosure Certificate will be required immediately.
3. Evidence of having attended Doncaster Councils approved safeguarding awareness session, within the previous 12 months (or 36 months for renewals).

4. Evidence of appropriate Planning Permission or confirmation from the Councils Planning department that Planning Permission is not required.
5. A copy of your policy on employing ex-offenders in roles of booking and dispatch staff.
6. The appropriate fee

7.1 Criminal Records Checks

Enhanced DBS and barred list checks are not available for Private Hire vehicle operator licensing. A Basic Disclosure from the DBS is required for all applicants (where the applicant is a partnership or company, a Basic DBS will be required for each partner or Director).

Basic Disclosure certificates shall be required at the time of initial application and annually from the grant of a licence. The print date on the certificate shall be less than one month prior to the date it is presented to the authority.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

7.2 Safeguarding Awareness

In order for the Council to establish whether an applicant is fit and proper, the applicant must provide evidence of attending a Doncaster Council approved safeguarding advice and guidance sessions within the 12 months prior to making an application. The session will provide an awareness of:

- Understanding the need to protect vulnerable adults, young people and children.
- Identifying possible victims of abuse and exploitation by understanding indicators of risk.
- Identifying sources of advice and pathways for reporting concerns.
- Understanding their roles and responsibilities in relation to personal safety and security.
- County lines exploitation.

Licence holders must undertake Doncaster Councils recognised refresher training at least once every 36 months. Applications for renewal will only be considered where the applicant can show they have previously attended a Doncaster Council approved safeguarding training session within 36 months of the date of expiry of their current licence.

7.3 Recruitment of Ex-offenders

Operators may outsource booking and dispatch functions to their staff but they cannot pass on the obligation to protect children and vulnerable adults. The operator must demonstrate to the Licensing Authority that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public.

The operator is required to keep a register of all staff that will take bookings or dispatch vehicles. The register must evidence that the operator has had sight of a recently issued Basic DBS check for all individuals named in the register and that the frequency of checks and employment of persons with prior convictions are compatible with the operators own policy on employing ex-offenders.

As with the threshold to obtaining a Private Hire operator's licence, those with a conviction for offences provided in Appendix 2, other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

7.4 Fees

For licences applied for or renewed prior to 1st April 2017, the fee payable for an operator's licence is based on a sliding scale relative to the number of private hire vehicles to be operated. On receipt of the appropriate fee, the permitted number of vehicles can be increased at any time during the period of the licence.

For licences applied for or renewed after 1st April 2017 there is a single application/renewal fee and, once granted, there is no limit on the number of vehicles that may be operated.

7.5 Licence Duration

Operator licences, once issued, are valid for 5 years or such lesser period as may be considered appropriate in the circumstances of the case. Applications for renewal must be received on or before the expiry of the current licence.

Notwithstanding the above, where immigration leave is time-limited to less than the statutory length for an operator's licence, the licence will be issued for a duration which does not exceed the applicant's period of leave.

7.6 Qualifications

The Council strongly encourages licence holders who wish to develop and evidence their professional standards through additional external training and obtaining qualifications relevant to their role.

7.7 Drivers Dress Code

Doncaster Council is committed to encouraging the professional image of the Hackney Carriage and Private Hire trade, and considers that drivers of licensed vehicles are vocational drivers. The Council considers, therefore, that drivers should conform to a minimum standard of dress, as set out in Appendix 4, in order to raise and maintain

the profile of the licensed trade. The Authority does not impose such standards by way of conditions to any licence. It is expected, however, that such standards will be maintained at all times and supported by operators.

7.8 Minor Breaches

Doncaster Council has introduced a points-based system of enforcement, as set out in Appendix 17, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the Licensing Committee. This has the benefit of consistency in enforcement and makes better use of the Licensing Committee and officer's time.

7.9 Renewal of Licences

It is the responsibility of the licence holder to ensure that their licence is renewed prior to the expiry of their current licence.

A licence may be renewed up to 2 months prior to the expiry date.

Any licence that is not renewed within 1 month following expiry will not be renewed and a new application in full will be required.

Where a licence holder will not be available at the time of renewal, for example due to an extended holiday, then they may apply in writing to the Licensing Officer, prior to the expiry date, explaining their circumstances and request a waiver. If granted, this waiver will allow the licence holder to renew their licence after the expiry date or depending on the circumstances, the licence may be renewed early.

In any case, following expiry of a licence, the operator will not be considered licensed and will not be permitted to accept Private Hire bookings until such time as the licence has been renewed and a new licence has been issued.

The Council will endeavour to issue reminder letters at least four weeks prior to the expiry of a licence although there is no statutory duty for the Council to do so and the responsibility ultimately lies with the licensee to ensure that complete applications for renewal are submitted on time, including Basic DBS Certificates.

Prior to consideration of any new or renewal application, all applicants who have previously spent an extended period (three or more continuous months) outside the UK are required to provide criminal records information or a 'certificate of good character' from the appropriate embassy. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office guidance:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

7.10 Surrender / Suspension / Revocation or Refusal

Where refusal, suspension or revocation of an application/licence is considered, subject to the exceptions below, the applicant/licence holder will be invited to attend a Taxi Licensing Committee Hearing to discuss the concerns. During this hearing the applicant/licence holder or their appointed representative, will be given an opportunity

to state their case in relation to the issue(s) of concern. Following this hearing the Committee will determine the most appropriate action.

Where the licence holder no longer meets one of the basic requirements (e.g. failure to evidence a current Basic Disclosure Certificate), the action of suspension will be taken by a duly authorised officer.

Where the authority are notified of a serious incident where the immediate revocation of a licence is deemed necessary and the only effective action to prevent the risk of harm to the public, the Head of Service, Licensing Manager or, in his absence, the Licensing Officer have the authority to approve the immediate revocation of a licence.

In the event of a voluntary surrender of a Private Hire Operators licence before its expiry, the authority reserves the right to consider the revocation or suspension of the licence where the reason for surrender is that the licence holder can no longer be considered as a fit and proper person to hold a licence, for example, where a licence holder receives a conviction.

7.11 Right of Appeal

Any person who is aggrieved by the Council's refusal to grant, suspension or revocation of a Private Hire Operators licence may appeal to a Magistrates' court within 21 days of being notified in writing of the decision.

7.12 Record Keeping

Section 56 of the Local Government (Miscellaneous Provisions) Act 1976 requires Private Hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. See Appendix 15.

7.13 Use of 'out of town' Hackney Carriages Acting as Private Hire Vehicles in the Doncaster Council District

It is reasonable for the public of Doncaster, when booking a Private Hire vehicle from a Doncaster licensed Private Hire Operator, to expect that Doncaster Council have determined that the vehicle is suitable and that the driver is a 'fit and proper' person.

Where a Private Hire Operator employs the services of an 'out of town' Hackney Carriage (i.e. one where the vehicle and driver are licensed with another local authority) they are, by condition of their licence, required to afford customers the opportunity to make an informed decision as to whether they wish to hire that vehicle prior to making their booking. Please see Appendix 15.

7.14 Use of Passenger Carrying Vehicles (PCV) Licensed Drivers

PCV licensed drivers are subject to different checks from Hackney Carriage and Private Hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a Private Hire vehicle operator that they will receive a licensed Private Hire vehicle and driver. The use of a driver who holds a PCV licence and the use of a Public Service Vehicle (PSV) such as a minibus to undertake

a Private Hire vehicle booking is not be permitted without the informed consent of the booker. Please see Appendix 15.

8. Enforcement

Doncaster Council acknowledges that well-directed enforcement activity benefits not only the public but also the responsible people in the Hackney Carriage and Private Hire trade. It is the policy of Doncaster Council to actively seek out those operators who are evading the licensing system, not just licensing and regulating those who come forward seeking the appropriate licences.

An integral part of Doncaster Council's enforcement strategy will be routine spot checks which can result in the suspension or, ultimately, revocation of operator, vehicle and/or drivers' licences.

Whilst Doncaster Council is committed to securing compliance with all aspects of Hackney Carriage and Private Hire licensing, the Council will pay particular attention to ensuring licensed vehicles are adequately insured and routinely tested.

Doncaster Council will actively monitor licensed vehicle insurance. Where evidence of continuous insurance is not deposited promptly with the licensing office the vehicle will be suspended. The suspension will not be lifted until evidence of insurance is produced.

Where a licensed vehicle is overdue an inspection test or fails to pass the test by the due date the plates must be deposited with the licensing authority or the vehicle will be suspended.

The Council considers that its enforcement costs should not, wherever possible, be borne by compliant responsible licence holders. Subject to the exception below, the Council will charge a non-punitive administration fee for all suspensions to cover the cost of administering the suspension and any vehicle examination costs that may be incurred. No administration fee shall be applied where a vehicle is suspended by the vehicle examiner arising from a scheduled test.

Where a vehicle licence is suspended for a physical or mechanical defect, e.g. a defective tyre or defective meter, the suspension fee must be paid before the vehicle will be re-examined. The suspension, however, will not be lifted until the defect has been rectified to the satisfaction of a suitably authorised officer of the Council. In all other cases the suspension fee must be paid at the time the defect is rectified e.g. on production of valid insurance.

To ensure that all enforcement action is proportionate and consistent officers will follow the Doncaster Council Enforcement Policy.

8.1 Minor Breaches

Doncaster Council has introduced a points-based system of enforcement, as set out in Appendix 17, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the Licensing Committee. This has the benefit of consistency in enforcement and makes better use of the Licensing Committee and officer's time.

8.2 Joint Authorisation of Enforcement Officers

To mitigate the opportunities for drivers to evade regulation, where the need arises, Doncaster Council will jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licence holders from outside of their area.

9. Technology, Communication and Recognition

Doncaster Council recognises that since this policy was first introduced in 2012 the advancement in technology means that face to face and telephone bookings between passenger and operator are reducing and being replaced by online 'app' based systems. The licensing authority do not seek to restrict the use of such systems provided that they are compliant with statutory requirements and this policy.

Equally, the trade will recognise that communication between licence holders and the licensing authority has also moved on from what was once a face to face reception to a more online based service.

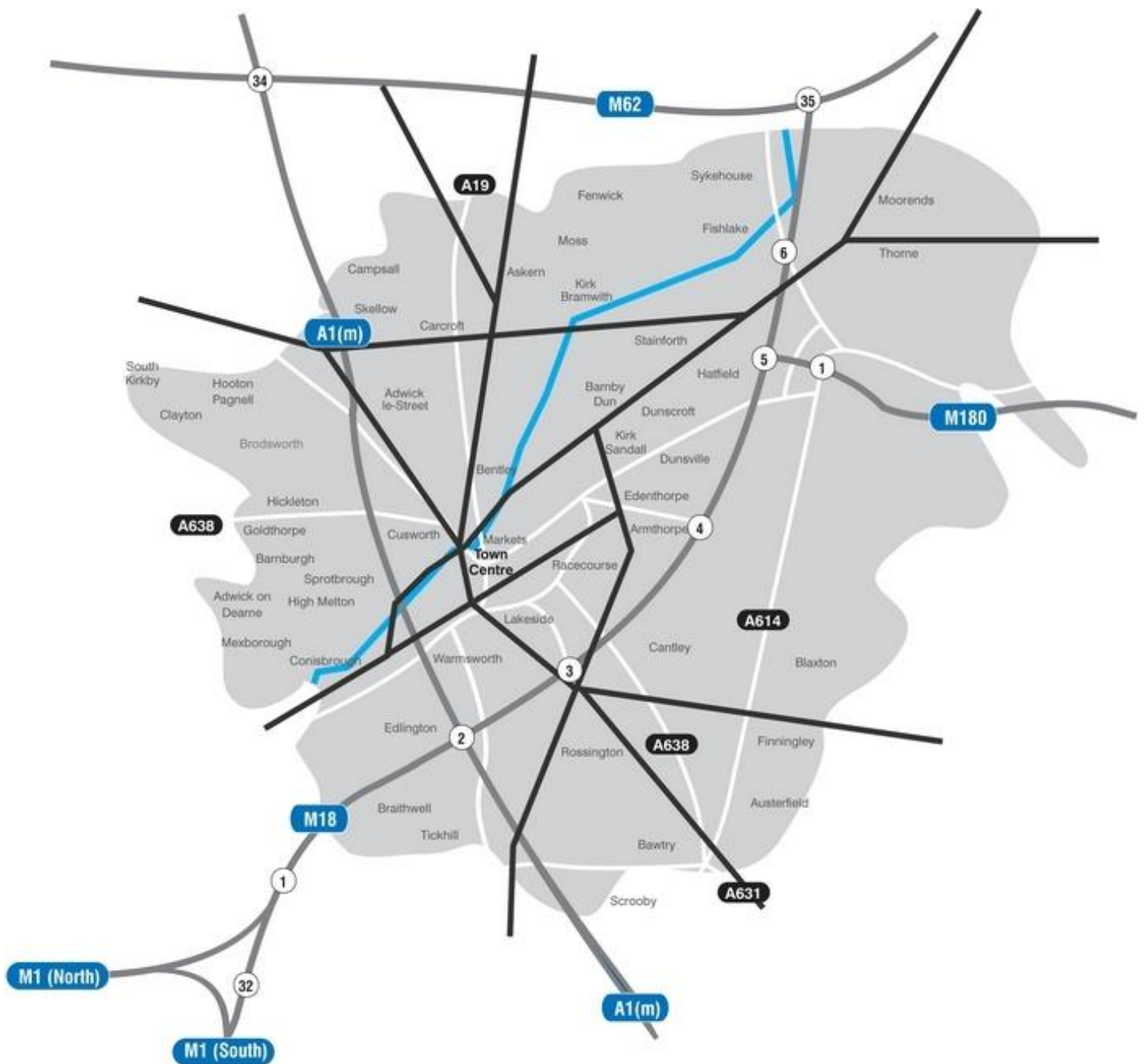
To ensure that lines of communication and information sharing remain active, the licensing authority have introduced social media accounts (Facebook & Twitter) and a 'Driver Bulletin' which is periodically sent to all licensed drivers who have provided the authority with a contact email address. The bulletin contains up to date information, guidance, training material and local updates directly to the Doncaster licenced Hackney Carriage & Private Hire trade. If you would like to be added to the distribution list, please send your request and email address to licensing@doncaster.gov.uk

The licensing authority know that the abhorrent incidents which have been linked to the licensed trade in recent years has had an effect on the public perception of taxi drivers as a whole. While it remains the case that the primary concern of the licensing authority is to protect the public, we also want to share the positive impact that the taxi trade has on the people of Doncaster. For example, it has long been the policy that all Doncaster Hackney Carriage vehicles are wheelchair accessible to allow wheelchair users the ability to travel throughout the borough.

We are encouraging the Hackney Carriage and Private Hire trade and the public who use their services to share their good news and achievements with the licensing authority to help 'promote the positive'.

If you are a driver and have any positive stories to share about you or your colleague, if you have completed relevant training for your role, if you are a passenger and have a compliment about the service you received, or if you are an operator and have introduced a new safety system or internal policy, then please email licensing@doncaster.gov.uk

Map of Doncaster Borough



Relevant Convictions Policy

When submitting an application for a licence you are required to declare any motoring offences and any non-motoring convictions or cautions you may have in addition to completing a Disclosure & Barring Service check. The information received will be treated in confidence.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless the authority considers that one or more convictions render you unsuitable.

In making this decision the authority will consider the nature of the offence, how much time has passed since the completion of any sentence, how old you were at the time of the offence and any other factors which may be relevant.

To facilitate a consistent approach the licensing authority has adopted the recommendations on previous convictions contained in the Statutory Taxi & Private Hire Vehicle Standards in addition to those contained in the previous policy.

The authority will consider each case on its own merits, and all applicants / licence holders will receive fair and impartial consideration (see Appendix 18).

Any applicant refused a licence, or any licence holder who has their licence suspended or revoked, on the ground that he/she is not a 'fit and proper' person to hold such a licence has a right of appeal to a Magistrates' Court.

If you would like to discuss what effect a conviction might have on your application you may request a call from a senior member the Licensing office for advice, in confidence, by emailing licensing@doncaster.gov.uk

Assessment of Previous Convictions

General Policy

Each case will be decided on its own merits, but the overriding consideration is the protection of the public. There may be cases where, although none of the following specific sections directly apply, the circumstances of the application lead to the conclusion that refusal to grant a licence at the present time would be appropriate.

This policy will also be used to assist the Licensing Committee when considering appropriate action; whether in relation to, suspension or revocation of a licence or in relation to an application for renewal of a licence, arising out of a driver being convicted or cautioned during the period of a licence.

Where a period of time is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed.

Any reference to the term Conviction shall be taken to include Cautions and Fixed Penalty Notices. The Council may also take into consideration conduct that has not resulted in a criminal conviction. However, it is accepted that the time periods given below may be reduced by up to half in these circumstances, if it is determined appropriate to do so based on the merits of each case.

Crimes Resulting in Death

Where an applicant or licensee 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 they will not be licensed.

Exploitation

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

Offences Involving Violence against the Person

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Possession of a Weapon

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Sexual Offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Dishonesty

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Drunkenness

Where an applicant has a conviction for drunkenness, or related to being drunk, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo testing at their own expense to demonstrate that they are not alcohol dependant.

Discrimination

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

Motoring Convictions

Hackney Carriage and Private Hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic

offence may not necessitate the revocation of a Hackney Carriage or Private Hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Drink Driving / Driving Under the Influence of Drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Using a Hand-held Device Whilst Driving and Other Major Traffic Offences

Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, or other major traffic offence (e.g. a single offence which results in six or more penalty points), a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Attempted or, Aiding and Abetting Crime

An applicant with a conviction for an attempted crime or aiding and abetting a crime will be treated in the same way under these guidelines as if the applicant had been convicted of the substantive crime.

Persistent Criminality

Applicants with more than one conviction, including sentences imposed by the Courts, may be considered as having shown a persistent disregard for the law, even if they meet the relevant minimum period of time passed for each conviction. In these circumstances, a period of five years free of conviction should be added to the minimum time period of the most recent conviction before an application can be considered.

Immigration Offences

Where a licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately.

Other Relevant Offences

Offences under the Town Police Clauses Act 1847, Part II of the Local Government (Miscellaneous Provisions) Act 1976, any Hackney Carriage Byelaws, Equality Act 2010 or any other new or existing Act relevant to the Hackney Carriage or Private Hire licensed trade (The Acts).

Where an applicant has a conviction for an offence under 'the Acts', a licence will not be granted until a period of seven years have elapsed since the completion of any sentence.

Previous Non-renewal or Revocation

Any former Private Hire/Hackney Carriage licensee, who has had his/her licence renewal refused or licence revoked by any local authority because of misconduct, will not be considered eligible for a fresh grant until seven years have elapsed from the date of the refusal to renew or revocation of licence or, in the case of an appeal, from the date the appeal is dismissed.

Assessing Applicants and Existing Drivers for a Hackney Carriage / Private Hire Vehicle Driver Licence in Accordance with C1 Standard.

The following arrangements mean that those with good diabetic control and who have no significant complications can be treated as “exceptional cases” and are not therefore precluded from being licensed as Hackney Carriage/Private Hire vehicle drivers. The criteria is:

- To have been taking insulin for at least 4 weeks;
- Not to have suffered an episode of hypoglycaemia requiring the assistance of another person whilst driving in the last 12 months;
- To attend an examination by a hospital consultant specialising in the treatment of diabetes at intervals of not more than 12 months and to provide a report from such a consultant in support of the application which confirms a history of responsible diabetic control with a minimal risk of incapacity due to hypoglycaemia;
- To provide evidence of at least twice daily blood glucose monitoring at times when driving either a Hackney Carriage or Private Hire vehicle;
- To have no other condition which would render the driver a danger when driving a Hackney Carriage or Private Hire vehicle; and
- To sign an undertaking to comply with the directions of the doctor(s) treating the diabetes and to report immediately to the Doncaster Licensing Authority any significant change in condition.

Dress Code for Licensed Drivers

In order to raise and maintain the profile of the licensed trade Doncaster Council is committed to encouraging the professional image of the trade and it considers that drivers should conform to a minimum standard of dress, as set out below.

Whilst the Authority does not wish to impose such standards by way of conditions to any licence it expects, however, that such standards will be maintained at all times.

We would recommend that all clothing, as a minimum should be clean, ironed and in good condition.

Tops

- Shirts, blouses, T-shirts or similar, should cover the shoulders and be capable of being worn inside trousers, skirts or shorts.
- Shirts or blouses can be worn with a tie or open-necked.

Trousers/Shorts/Skirts

- Trousers may be either full length or shorts.
- Drivers should not wear above the knee shorts or skirts.

Footwear

- Footwear should fit around the heel of the foot (safety shoes with protected toecaps are recommended, but not required).

Offensive Clothing

- The Council disapproves of all clothing that depicts any national, political, racial, cultural, sexual or other potentially offensive language or symbols.

Safety Clothing and Uniform

- The Council supports the use of a uniform for licensed drivers and/or the wearing of safety clothing if desired, such as a high visibility waistcoat or overcoat.

Examples of Unacceptable Standards of Dress within this Code include:

- Bare chests
- Vest tops
- Unclean or damaged clothing or footwear
- Clothing with offensive words, logos or graphics
- Sportswear promoting sports teams
- Clothing with studs or sharp edges
- Beach type footwear (e.g. Flip flops and mules)
- Baseball caps or 'hoodies'
- Tracksuits or Shellsuits

Hackney Carriage / Private Hire Vehicle Examination Retest Policy

Any vehicle failing its examination test will be required to undertake and pass a further examination test before it can be used or, in the case of an existing licensed vehicle, continue to be used as a Private Hire/Hackney Carriage vehicle. This further examination is known as a retest.

Subject to the exemptions overleaf, if the vehicle is retested before the end of 10 working days following the day of failure then only the retest fee will be charged.

If a vehicle fails on not more than 5 items from the list overleaf and is retested before the end of 10 working days following the day of failure then no retest fee will be charged. (A retest for failure of any item(s) not listed below will incur a retest fee.)

Only 1 retest is permissible per test. Any vehicle failing a retest will be required to undergo the full examination test for which the full test fee will be charged.

Any vehicle not presented for retest before the end of 10 working days following the day of failure will be required to undergo a full examination test for which the full test fee will be charged.

Payable retest appointments require payment of the published fee at the time of booking. Appointments can be cancelled by telephone or email up to 48 hours before the appointment without incurring any costs. No refunds will be provided for cancellations made with less than 48 hours' notice, failing to attend or any other action on your part which prevents the appointment taking place.

Retest items

No additional fee for vehicles failing up to 5 items

Anti-lock brake system (ABS) warning	Seats
Body condition (1)	Steering wheel
Tailgate	Vehicle Identification Number
Boot lid	Windscreen
Brake pedal anti-slip devices	Windscreen wipers / washers
Direction indicators / hazard warning	Wheels and tyres (including spare)
Doors	Fire Extinguisher
Exhaust emissions	First Aid Kit
Fuel filler cap	Roof sign – through meter (2)
Headlamp aim	Meter & Fare card (2)
Horn	Wheelchair ramps (2)
Lamps	Wheelchair restraints (2)
Loading door	No-smoking signs
Mirrors	Road fund licence
Rear reflectors	Copy of conditions carried in vehicle
Registration plates	Plates & door signs (3)
Seat belts (but not anchorages)	Current MOT certificate

- (1) Where the examination of the body is carried out solely for the purpose of ascertaining whether there are any sharp edges or projections likely to cause injury
- (2) Hackney Carriage only
- (3) Existing licensed vehicles only

DONCASTER METROPOLITAN BOROUGH COUNCIL

Hackney Carriage Vehicle **Specifications**

These standards apply to vehicles which are presented to Doncaster Metropolitan Borough Council on primary application for licensing as a Hackney Carriage and shall continue to apply at all times thereafter.

No licence will be issued in respect of a Hackney Carriage which does not comply with **ALL** of the following requirements.

Type of Vehicle

The vehicle must be a London-style cab or other approved right hand drive vehicle with wheelchair accessibility, comply with the requirements of the Equality Act 2010 and comply with any specific safety or environmental conditions required by the Licensing Authority. Any manufacturer of a modified vehicle must be able to demonstrate that they have undertaken comprehensive testing to ensure that the vehicle meets relevant European Directives and that the original manufacturer has approved the development and design of modified vehicles.

Any vehicle not complying with these basic vehicle specifications may be considered on an individual basis and may be subject to individual standards and conditions.

Insurance Write Offs

Vehicles that are categorised by insurance companies as a Category A (Scrap) or B (Break) salvage will not be accepted as suitable for a licence.

Vehicles that have been categorised by an insurance company as a Category S (Structural) or N (Non-structural) salvage will not be considered suitable to be licensed unless the vehicle has first undergone a Roadworthy Vehicle Inspection, carried out by a suitably competent and independent vehicle engineer assessor, and a report has been produced.

Colour

The vehicle must be finished in the original manufacturers colour without alterations unless otherwise approved by the Council.

Condition

The vehicle must meet the specification laid down by the Council in respect of mechanical, body and interior condition.

Engine

The engine must be of the manufacturers recommended specification and fitment and of a type and capacity suitable for use as a Hackney Carriage.

Body style and Interior Configuration

The body must be of the fixed-head type construction, with a fitted partially glazed (acrylic) partition or fitted grill separating the driver from passengers. If a sliding window is fitted it must open a maximum of 115 millimetres only.

Passenger Compartment Floor Covering

The floor covering must be of non-slip material which can be easily cleaned. The outer edge at the entrance for passengers must be fitted with non-slip treads.

Steps

The top of the tread for any entrance must be level with the floor of the passenger compartment and must not exceed 380 millimetres above ground level when the vehicle is unladen.

Doors

The doors must be constructed so as to allow an unrestricted opening of at least 750 millimetres across the doorway. The minimum angle of the door when fully open must be 90 degrees. The doorway must have a clear height of at least 1200 millimetres.

Sliding doors must have a minimum of 750 millimetres across the doorway.

Grab handles must be fitted at door entrances to assist passengers when entering and exiting the vehicle.

Double catches of an approved type must be fitted to all doors.

If the boot lid is hinged at the bottom then a restriction must be fitted to prevent it being used as a luggage platform.

Passenger Seats

Passenger seats must measure not less than 400 millimetres per passenger, across the width of the front of the seat cushion. The measurement from the front edge of the seat cushion to the rear cushion must be no less than 400 millimetres.

The front, rearward facing, drop down seats must measure at least 400 millimetres across the width and at least 355 millimetres from the front to the rear of the seat. They must also be able to be secured when not in use and must not obstruct doorways.

Suitable means must be provided to assist passengers to rise from the rear seat with particular attention being paid to the needs of the elderly and disabled.

Seat belts shall be installed for all passengers and maintained in accordance with the manufacturer's specification at the time of manufacture of the vehicle.

A maximum capacity for seating of eight, providing all the seating complies with the basic standards and is seating that is provided by the manufacturer at the time of manufacture, or is of a type approved by the manufacturer.

Driver's Compartment

The driver's compartment must have adequate room for the driver.

All instruments and controls must be within sight and easy reach of the driver.

The driver's seat must be adjustable for both height and reach.

The driver must have a means of communication with passengers.

A sun visor that is adjustable by the driver must be fitted.

Wheels and Tyres

The vehicle shall have four road wheels and the vehicle manufacturers recommend size, speed rating and weight rating of tyres shall be used.

The vehicle must carry a full size spare tyre or meet the approved manufacturers' method of dealing with punctured tyres.

Interior Lighting

Adequate lighting must be provided for the driver and the passenger.

Separate lighting controls must be provided for both passenger and driver.

An illuminated control switch must be fitted in an approved position in the passenger compartment.

Lighting must also be provided at floor level to every passenger door and be activated by the opening of those doors.

Heating and Ventilation

An adequate heating and ventilation system must be fitted for the driver and the passengers with a means provided for independent control by the driver and passengers.

Luggage

Provision for carrying luggage must be available.

A safe and secure method of retaining luggage must be provided.

Taxi Sign

A taxi sign of an approved pattern must be fitted. It should be clearly visible both by day and by night when the Hackney Carriage is not hired.

Glass and Window Requirements

The windscreen of the vehicle must be of a laminated construction and all other windows and glass must be of an approved safety type.

Windows must be provided at the sides and at the rear of the vehicle.

Passenger door windows must be capable of being opened easily by passengers.

The control for opening a door window must be easily identified so as not to be mistaken for any other control.

Tinted Glass

Glass allowing a minimum of 75% light ingress on front windscreens and not less than 70% light ingress on all side and rear passenger windows, which does not inhibit the ability to see passengers or the driver from the outside of the vehicle, is required.

Vehicles can be presented for an informal test on the tint meter at no cost. Contact the Licensing team to arrange a convenient test time.

Facilities for Wheelchair Passengers

A ramp or ramps must be available at all times for the purpose of access for a wheelchair and its occupant into the vehicle.

An adequate locating device must be fitted to ensure that the ramp/ramps will not slip or tilt when in use.

Suitable stowage must be provided to enable the ramp/ramps to be stowed in the boot or the luggage compartment securely and safely when not in use.

Anchorage of an approved design must be provided for the security of the wheelchair and its occupant within the vehicle. Such anchorages must be either floor or chassis linked.

Floor linked anchorages must be of a suitable approved design which distributes the load evenly over the floor area.

Restraints for a wheelchair and the person seated in a wheelchair must be independent of each other.

Safe and secure storage must be provided for wheelchairs when they are not in use, when folded or otherwise carried within the passenger compartment.

Other Regulations

The vehicle must at all times comply with all aspects of any regulations and legislation relating to motor vehicles in force at the time of licensing.

The vehicle must also comply with the Council's Conditions of Licence.

A Current MOT Certificate must be provided from the date of first registration.

DONCASTER METROPOILITAN BOROUGH COUNCIL

Hackney Carriage Vehicle
Additional (Recommended) Specifications

The following standards are not mandatory but are strongly encouraged.

A licence may still be considered in respect of a Hackney Carriage which does not comply with all of the following recommendations.

Fixing Brackets

Licensed vehicle identification plates should be fixed to the front and rear exterior of the vehicle using brackets designed specifically for this purpose.

Wheelchair Passenger Compartment

The passenger compartment should be of a suitable size for the 'reference wheelchair' as defined in schedule 1 of the Public Service Vehicle Accessibility Regulations 2000.

The reference wheelchair has: (a) total length of 1200mm including extra-long footplates (b) total width of 700mm (c) sitting height (from ground to top of head) of 1350mm.

Vehicle Age

The vehicle being considered for the initial grant of a licence should be less than 5 years old on the day the licence commences.

The vehicle being considered for the renewal of a licence should be less than 10 years old on the day the licence commences.

Vehicle Emissions

The vehicle should meet or exceed the Euro 6 emissions standard.

CCTV

CCTV equipment which meets the specifications agreed by the Council (Appendix 20 of the Councils Hackney Carriage and Private Hire Licensing Policy) should be fitted in the vehicle.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Hackney Carriage Vehicle **Licence Conditions**

These conditions are made under Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 by Doncaster Metropolitan Borough Council with respect to Hackney Carriages.

Maintenance and Testing of Vehicle

At all times when in use or available for hire the vehicle and all its fittings shall be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with.

In addition to the MOT requirements, licensed vehicles are required to be tested at the Council's approved testing centre.

All vehicles will be subject to an annual test and, dependant on the age of the vehicle, subject to interim tests as follows:

Age of Vehicle	Test Frequency
Less than 4 years	Annually
Over 4 years but less than 7 years	6 Monthly
Over 7 years	4 Monthly

Vehicles presented for test must be washed and the engine cleaned, the interior must be cleaned and all seats must be maintained, clean and free from rips and tears.

All vehicles must be presented with a view to passing the inspection and test and any vehicle that fails to pass the test will be subject to a retest at a retest fee which will be reviewed annually alongside the normal fees and charges for such items.

Any vehicle failing a vehicle test will be subject to a retest fee in accordance with the Authority's retest policy.

Any vehicle owner who disputes the result of a test must make it clear before leaving the test station that they dispute the result and the report will be examined by a supervisor for ratification one way or another.

Vehicles which are subject to individual basic standards may be required to undergo a greater or lesser number of tests dependent on the vehicle type and use.

Alteration of Vehicle

At any time while the licence is in force no alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council, and the proprietor shall ensure that the vehicle complies with the Council's Specification for Hackney Carriages at all times.

Fire Extinguisher

A fire extinguisher must be carried at all times and must be of FOC approved 2 kilogram dry powder type complying with British Standard 5423 (1987) or 1 kilogram dry powder type complying with standards EN3 or BSI M920.

The fire extinguisher must be regularly maintained and annually inspected by a company who are registered by the Government Approved British Approvals for Fire Equipment (BAFE).

The fire extinguisher must be securely mounted in the cab of the vehicle and must be readily visible and available for immediate use in an emergency by the driver.

The fire extinguisher should be used only to aid the evacuation of passengers from the vehicle in the event of a fire.

The Registration Number of the vehicle shall be permanently and legibly marked on the fire extinguisher.

First Aid Kit

A first aid kit must be carried at all times and must consist of a minimum of the following:-

- 10 Plasters individually wrapped
- 1 Sterile Eye Pad
- 1 Triangular Bandage
- Safety Pins
- Sterile Dressings individually wrapped:
 - 1 large
 - 3 medium
 - 2 small

No medicines, cream, lotions or tablets of any kind are to be carried.

The First Aid Kit must be permanently and legibly marked with the Registration Number of the vehicle it is carried in.

Licensed Vehicle Identification Plates

The current external licence plates, issued by the Council, identifying the vehicle as a Hackney Carriage Vehicle must be securely fixed to both the front and the rear of the vehicle either to the bodywork or exterior of the vehicle in a prominent and visible position, i.e. vehicle bumper, or at a similar level to the vehicles number plate without causing interference or obstruction, in brackets or in such a manner as to be easily removed by an authorised officer of the Council or a Police Constable.

Under no circumstances should the external plates be positioned inside the vehicle, on the exterior of the vehicle windows, in any manner which would obscure them from being viewed or in a way which would restrict their removal by an authorised officer of the Council or a Police Constable.

The smaller interior plate shall be fixed and displayed within the vehicle in such a position as to be clearly visible to passengers at all times.

Under no circumstances, throughout the period of the licence, must the identification plates to be removed except where the written consent of the Council has been obtained.

All external and interior identification plates are granted on loan by the Council and remain the property of the Council.

Table of Fares

A current table of fares must be displayed in a prominent position in the interior of the vehicle where it can be viewed by passengers.

Signs, Notices etc.

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except where they are required by legislation or where they are required or allowed by these conditions.

This condition shall not apply to any indication on a taximeter, nor shall it apply to a sign which:-

- is displayed in, on or from the vehicle while it is stationary; and
- which contains only the name and address of the operator of the vehicle (or his business name and address) and the name of a passenger or passengers to be carried in the vehicle; and
- is displayed following a prior arrangement made to carry the passenger or passengers named in the sign.

The proprietor shall ensure that any sign or notice relating to Hackney Carriages which may be required from time to time by the Council shall be fixed and maintained in the vehicle in a conspicuous position as directed by the Council.

Before displaying the signs the proprietor shall notify the Council's Licensing Officer of the precise wording he/she wishes to use and shall display only that wording which has been approved by the Council.

Multimedia advertising will be considered but must be approved by the Council before being installed in any vehicle.

Any advertisements requested by the proprietor will be considered by the Council and if approved can be displayed.

No approval will be given for any sign, notice, etc. which is intended to cover all or part of any window.

The proprietor shall ensure that any notice issued by the Council, stating the Plate Number, the vehicle registration number and the date on which re-inspection of the vehicle is due, is at all times, fixed to the front windscreen of the vehicle in such a position so as to be readily and clearly visible and readable from the outside of the vehicle.

Insurance

A valid insurance policy shall be in force for the vehicle.

At or before the time when a cover note or certificate of insurance expires or is cancelled, evidence of the continued validity of appropriate insurance cover for the vehicle shall be produced to the Licensing Office.

Failure to produce such evidence shall result in the vehicle being immediately liable to suspension on the date of expiry shown on the cover note or certificate of insurance previously produced to the Licensing Office.

Where vehicle insurance documents are produced which do not specify the registration number of the vehicle or vehicles covered by the policy, it will be necessary to produce an endorsement to the policy which specifies the registration number of the vehicles covered by that policy.

Failure to produce such an endorsement shall mean that the vehicle will be immediately liable to suspension on the date of expiry shown on the cover note or certificate of insurance.

Only a Hackney Carriage driver licensed by Doncaster Council, with appropriate insurance, is authorised to drive a Hackney Carriage vehicle licensed by Doncaster Council, unless the vehicle is under test by a mechanic or subject to test.

Taximeter

A calendar controlled taximeter must be fitted and operate correctly at all times.

The meter must be sealed by the relevant approved body whenever a fare change or alteration is made.

The seal must remain intact whenever the vehicle is in use as a licensed vehicle.

The taximeter must be checked at least once per year by a competent person.

All meters fitted to Hackney Carriages must be British Standard Approved or an equivalent European Standard Approved.

The taximeter must be operated at all times when carrying a fare.

Taxi Sign and Roof Light Wiring

An illuminated taxi sign of a type approved by the Council shall be fitted to the Hackney Carriage roof.

The taxi sign shall be wired so that the light is extinguished when the taximeter in the vehicle is brought into operation and shall remain extinguished throughout the whole of the time the taximeter is in operation.

Hackney Carriage Drivers' Licence

Before the proprietor of a Hackney Carriage allows or employs any licensed person to drive the vehicle he shall ensure that the licence of that driver is delivered to him.

The proprietor shall then retain the licence in his possession until such a time as the driver ceases to be allowed or employed to drive the vehicle.

Change of Address, Telephone Number or Email Address

The proprietor shall notify the Council, in writing, including by email, of any change of his address, telephone number or email address during the period of the licence.

Notice of the change shall be given within seven days of it taking place.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

The proprietor shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the proprietor is a company or partnership, this shall include any director or partner) during the period of the licence.

CB Radio, Mobile Phones or other Communication Devices

The use or operation of any Citizen Band Radio, Mobile Phone or other Communication Device in the vehicle (other than one which allows communication between the passenger and driver) is prohibited at all times that the vehicle is hired.

The use of such equipment in the case of an emergency shall not constitute a breach of this condition.

Television Receiving Apparatus or Monitors (screens)

No person shall install or use television receiving apparatus or monitors in a motor vehicle if the screen is partly or fully visible - directly or by reflection - to the driver while in the driving seat or if the controls - other than the sound volume control and the main switch - are within reach of the driver while in the driving seat.

No person shall use television receiving apparatus, monitor or similar in a motor vehicle under circumstances or in a position where it might cause distraction to the driver of any other vehicle on the road.

CCTV

CCTV equipment fitted to a licensed vehicle must meet the specifications agreed by the Council (Appendix 20 of the Councils Hackney Carriage and Private Hire Licensing Policy)

Damage to Vehicle

Any damage to a Hackney Carriage which affects its safety, performance or appearance must be reported by the proprietor to the Council as soon as reasonably practicable and in any case within 72 hours of the occurrence of the damage.

A Hackney Carriage shall not be used to carry passengers until it has been competently repaired and/or assessed by a competent person and declared to be safe and compliant with all conditions and evidence of this assurance has been provided to the Council and the Council are satisfied.

Prohibition of Passengers in the Driver's Compartment

Fare-paying passengers must only be carried in the passenger compartment.

Under no circumstance are fare-paying passengers permitted to be carried in the driver's compartment, (the area containing the driver's seat and surrounded by a fixed partition) even if passenger seats are fitted.

Regulations

All relevant Regulations made by the Department for Transport (or equivalent) must be complied with at all times.

Suspension of Vehicle Licence

Where a vehicle licence is suspended, in addition to remedying the matters giving rise to the suspension, the proprietor of the Hackney Carriage vehicle is required to pay the Council's published suspension administration fee.

Use of Non-Standard Spare Wheels, Emergency Repair kits etc.

A temporary use spare wheel, run flat tyres (when punctured) or puncture repair kit must only be used to enable the vehicle to be driven to a place of repair.

Where use is required whilst carrying a fare the journey may be allowed to continue provided that the driver complies fully with the manufacturers' operating restrictions.

Any such non-standard wheel or tyre must be replaced before taking another fare.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Private Hire Vehicle
Specifications

These standards apply to vehicles which are presented to Doncaster Metropolitan Borough Council on primary application for licensing as a Private Hire Vehicle and shall continue to apply at all times thereafter.

No licence will be issued in respect of a Private Hire Vehicle which does not comply with **ALL** of the following requirements.

Suitability of Vehicle

The vehicle must be of a size, type and design suitable for use as a Private Hire vehicle and the make or design of the vehicle shall not be such as to be likely to lead any person to believe that it is a Hackney Carriage licensed by Doncaster Metropolitan Borough Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Any vehicle not complying with these basic vehicle specifications may be considered on an individual basis and may be subject to individual standards and conditions.

Insurance Write Offs

Vehicles that are categorised by insurance companies as a Category A (Scrap) or B (Break) salvage will not be accepted as suitable for a licence.

Vehicles that have been categorised by an insurance company as a Category S (Structural) or N (Non-structural) salvage will not be considered suitable to be licensed unless the vehicle has first undergone a Roadworthy Vehicle Inspection, carried out by a suitably competent and independent vehicle engineer assessor, and a report has been produced.

Colour

The vehicle must be finished in the original manufacturers colour without alterations unless otherwise approved by the Licensing Authority.

Condition

The vehicle must meet the specification laid down by the Council in respect of mechanical, body and interior condition.

The bodywork shall have no significant signs of corrosion.

Body Style and Ride Height

The vehicle may be a saloon, estate, hatchback, minibuss or other multi-purpose vehicle (MPV).

Access to the vehicle shall not be more than 460 millimetres from the ground level. Where access exceeds this height adequate steps must be provided.

Wheels and Tyres

The vehicle shall have four road wheels and must carry a full size spare tyre or meet the approved manufacturers' method of dealing with punctured tyres.

Drive

The vehicle must be a right hand drive vehicle.

Doors

The vehicle shall have a least four doors, 2 front and 2 rear.

Except in the case of a specially adapted vehicle e.g. wheelchair accessible vehicle or minibus, a rear opening hatchback door will not generally be considered or counted as a door for means of entry or egress

Vehicles shall have front driver and front passenger doors and two unrestricted, outward opening or sliding entry/exit doors for the rear passengers one of which must be on the near side.

Each passenger must have two means of exit from the vehicle

All exit and emergency doors must open from the interior.

Seating Capacity

The vehicle shall seat not more than eight passengers.

The rearmost row of seats and seats capable of being the rearmost seats e.g. fold away seats in some MPVs must be forward facing.

The seating capacity will be determined by the Council based upon the manufacturer's specification as stated on the vehicle registration document, the orientation of the seating and the dimensions of the seating.

Each 400 millimetres of seat base shall constitute a seat, (unless it is impossible for a person to sit there, e.g. due to no leg room). All measurements are taken across the front of the seat cushion.

The seating must be capable of being configured to achieve 600 millimetres minimum leg room available to any passenger. The measurement will be taken from the base of the seat to the rear of the seat in front. Where there is no seat in front the measurement will be taken from the base of the seat to the nearest obstruction in front.

All seats within the vehicle, front and rear, must be fitted with working seat belts.

Tints to Windows

All tinted and anti-glare windows must comply with the relevant Road Traffic Act and / or Construction and Use Regulations requirements.

Only tinted and anti-glare windows fitted by or equivalent to those fitted by the vehicle's manufacturer are acceptable.

Luggage Space

Provision for carrying luggage must be available.

A safe and secure method of retaining luggage must be provided.

Regulations

The vehicle must at all times comply with all aspects of any Regulations and Acts relating to motor vehicles in force at the time of licensing and where required must have a current MOT Certificate.

The vehicle must also comply with the Council's Conditions of Licence.

Partition Screens

The professional installation of a partition screen which separates the driver from the passengers is permitted subject to the following requirements:

- The screen has undergone a complete risk assessment to ensure all airbags can deploy as per manufacturer's integral safety systems.
- The screen will not be screwed into any metal or body of the vehicle. There is no alteration to the vehicle which can be viewed as a modification by an insurer.
- The screen has been tested for durability and flexibility to ensure it's not easily cracked nor shattered in the event of a road traffic accident.
- The screen is transparent, both driver and passenger are able to see each other clearly.
- Due diligence paperwork will be provided by the installer which shows the completion of installation. This should include a risk assessment and a diagram showing that no areas of the vehicle are affected by the screen.

DONCASTER METROPOILITAN BOROUGH COUNCIL

Private Hire Vehicle
Additional (Recommended) Specifications

The following standards are not mandatory but are strongly encouraged.

A licence may still be considered in respect of a Private Hire vehicle which does not comply with all of the following recommendations.

Semi-permanent Door Signs

Approved door signs should be attached to licensed Private Hire vehicles using a non-damaging adhesive and shall be constructed of a material which prevents their removal without tearing.

Fixing Brackets

Licensed vehicle identification plates should be fixed to the front and rear exterior of the vehicle using brackets designed specifically for this purpose.

Vehicle Age

The vehicle being considered for the initial grant of a licence should be less than 5 years old on the day the licence commences.

The vehicle being considered for the renewal of a licence should be less than 10 years old on the day the licence commences.

Vehicle Emissions

The vehicle should meet or exceed the Euro 6 emissions standard.

CCTV

CCTV equipment which meets the specifications agreed by the Council (Appendix 20 of the Councils Hackney Carriage and Private Hire Licensing Policy) should be fitted in the vehicle.

Wheelchair Passengers

Vehicles of a type which are wheelchair accessible are welcomed by the Council. For the safety of wheelchair passengers, the following specifications are recommend:

A ramp or ramps must be available at all times for the purpose of access for a wheelchair and its occupant into the vehicle.

An adequate locating device must be fitted to ensure that the ramp/ramps will not slip or tilt when in use.

Suitable stowage must be provided to enable the ramp/ramps to be stowed in the boot or the luggage compartment securely and safely when not in use.

Anchorage of an approved design must be provided for the security of the wheelchair and its occupant within the vehicle. Such anchorages must be either floor or chassis linked.

Floor linked anchorages must be of a suitable approved design which distributes the load evenly over the floor area.

Restraints for a wheelchair and the person seated in a wheelchair must be independent of each other.

Safe and secure storage must be provided for wheelchairs when they are not in use, when folded or otherwise carried within the passenger compartment.

The passenger compartment should be of a suitable size for the 'reference wheelchair' as defined in schedule 1 of the Public Service Vehicle Accessibility Regulations 2000.

The reference wheelchair has: (a) total length of 1200mm including extra-long footplates (b) total width of 700mm (c) sitting height (from ground to top of head) of 1350mm.

DONCASTER METROPOLITAN BOROUGH COUNCIL

**Private Hire Vehicle
Licence Conditions**

These conditions are made under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 by Doncaster Metropolitan Borough Council with respect to all Private Hire Vehicles.

Maintenance and Testing of Vehicle

At all times, when in use or available for hire, the vehicle and all its fittings shall be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with, including in particular those contained in Motor Vehicles (Construction and Use) Regulations.

In addition to the MOT requirements, licensed vehicles are required to be tested at the Council's approved testing centre.

All vehicles will be subject to an annual test and, dependant on the age of the vehicle, subject to interim tests as follows:

Age of Vehicle	Test Frequency
Less than 4 years	Annually
Over 4 years but less than 7 years	6 Monthly
Over 7 years	4 Monthly

Vehicles presented for test must be washed and the engine cleaned, the interior must be cleaned and all seats must be maintained, clean and free from rips and tears.

All vehicles must be presented with a view to passing the inspection and test and any vehicle that fails to pass the test will be subject to a retest at a retest fee which will be reviewed annually alongside the normal fees and charges for such items.

Any vehicle failing a vehicle test will be subject to a retest fee in accordance with the Authority's retest policy.

Any vehicle owner who disputes the result of a test must make it clear before leaving the test station that they dispute the result and the report will be examined by a supervisor for ratification one way or another.

Vehicles which are subject to individual basic standards may be required to undergo a greater or lesser number of tests dependent on the vehicle type and use.

Alteration of Vehicle

At any time whilst the licence is in force, no alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Licensing Office, and the proprietor shall ensure that the vehicle complies with the Council's relevant Private Hire Vehicle Specifications at all times.

Fire Extinguisher

A fire extinguisher must be carried at all times and must be of FOC approved 2 kilogram dry powder type complying with British Standard 5423 (1987) or 1 kilogram dry powder type complying with standards EN3 or BSI M920.

The fire extinguisher must be regularly maintained and annually inspected by a company who are registered by the Government Approved British Approvals for Fire Equipment (BAFE).

The fire extinguisher must be securely mounted in the cab of the vehicle and must be readily visible and available for immediate use in an emergency by the driver.

The fire extinguisher should be used only to aid the evacuation of passengers from the vehicle in the event of a fire.

The Registration Number of the vehicle shall be permanently and legibly marked on the extinguisher.

First Aid Kit

A first aid kit must be carried at all times and must consist of a minimum of the following:-

- 10 Plasters individually wrapped
- 1 Sterile Eye Pad
- 1 Triangular Bandage
- Safety Pins
- Sterile Dressings individually wrapped:
 - 1 large
 - 3 medium
 - 2 small

No medicines, cream, lotions or tablets of any kind are to be carried.

The First Aid Kit must be permanently and legibly marked with the Registration Number of the vehicle it is carried in.

Licensed Vehicle Identification Plates

The current external licence plates, issued by the Council, identifying the vehicle as a Private Hire Vehicle must be securely fixed to both the front and the rear of the vehicle either to the bodywork or exterior of the vehicle in a prominent and visible position, i.e. the vehicle bumper, or at a similar level to the vehicles number plate without causing interference or obstruction, in brackets or in such a manner as to be easily removed by an authorised officer of the Council or a Police Constable.

Under no circumstances should the external plates be positioned inside the vehicle, on the exterior of the vehicle windows, in any manner which would obscure them from being viewed or in a way which would restrict their removal by an authorised officer of the Council or a Police Constable.

The smaller interior plate shall be fixed and displayed within the vehicle in such a position as to be clearly visible to passengers at all times.

Under no circumstances, throughout the period of the licence, must the identification plates to be removed except where the written consent of the Council has been obtained.

All external and interior identification plates are granted on loan by the Council and remain the property of the Council.

Fares / Table of Fares

A table of fares may be displayed for passenger information within the vehicle provided it is in a form and type of print previously submitted to and approved by the Council.

In the absence of a table of fares, a notice should be displayed for the benefit of passengers to the effect that the fare should be agreed between passenger(s) and operator, and confirmed with the driver before commencement of the journey.

Taximeter

If fitted, a calendar controlled taximeter must be fitted and operate correctly at all times.

The meter must be sealed by the relevant approved body whenever a fare change or alteration is made.

The seal must remain intact whenever the vehicle is in use as a licensed vehicle.

The taximeter must be checked at least once per year by a competent person.

All meters fitted to Private Hire vehicles must be British Standard Approved or an equivalent European Standard Approved.

Damage to Vehicle

Any damage to a Private Hire vehicle which affects its safety, performance or appearance must be reported by the proprietor to the Council as soon as reasonably practicable and in any case within 72 hours of the occurrence of the damage.

A Private Hire Vehicle shall not be used to carry passengers until it has been competently repaired and/or assessed by a competent person and declared to be safe and compliant with all conditions and evidence of this assurance has been provided to the Council and the Council are satisfied.

Signs, Notices, Distinguishing Marks etc.

The use of any exterior distinguishing marks, letters, writing, numbers or any sign or device, notices, advertisements, plates, whether illuminated or not, is prohibited in respect of any Private Hire vehicle, except where they are required by legislation or where they are required or allowed by these conditions

This condition shall not apply to a taximeter or a sign which:-

- is displayed in, on or from the vehicle while it is stationary; and
- which contains only the name and address of the operator of the vehicle (or his business name and address) and the name of a passenger or passengers to be carried in the vehicle; and

- is displayed following a prior arrangement made to carry the passenger or passengers named in the sign.

The proprietor shall ensure that a sign approved by the Council and bearing the words 'Doncaster Private Hire Vehicle', the name and telephone number of the Operator and 'Illegal hire if not pre-booked' is affixed to the near and off side doors of the vehicle at all times.

The overall size of the sign shall be 600 millimetres x 300 millimetres.

The proportion of the Council's mandatory wording to the Operator's wording shall be 50:50.

The heading should be 100 millimetres in height and the bottom panel 50 millimetres in height.

The size of the lettering shall be uniform and must be black on a yellow background for the heading and bottom panel and by approval with the Licensing Office for the middle panel.

This requirement for door signage shall not apply to Private Hire limousines and other novelty vehicles.

The proprietor shall ensure that any sign or notice relating to Private Hire vehicles which may be required from time to time by the Council shall be fixed and maintained in the vehicle in a conspicuous position as directed by the Council.

Any advertisements requested by the proprietor will be considered by the Council, and if approved can be displayed, but shall be limited to where they advertise:

- that the vehicle is a Private Hire vehicle
- details of the Private Hire Operator
- that the vehicle is wheelchair accessible

No approval will be given for any sign, notice, etc. which is intended to cover all or part of any window.

Under no circumstances shall roof signs or the words 'taxi' or 'taxis' be allowed.

The proprietor shall ensure that any notice issued by the Council, stating the Private Hire vehicle Plate Number, the vehicle registration number and the date on which re-inspection of the vehicle is due, is at all times, fixed to the front windscreen of the vehicle in such a position so as to be readily and clearly visible and readable from the outside of the vehicle.

Insurance

A valid insurance policy shall be in force for the vehicle.

At or before the time when a cover note or certificate of insurance expires or is cancelled, evidence of the continued validity of appropriate insurance cover for the vehicle shall be produced to the Licensing Office.

Failure to produce such evidence shall result in the vehicle being immediately liable to suspension on the date of expiry shown on the cover note or certificate of insurance previously produced to the Licensing Office.

Where vehicle insurance documents are produced which do not specify the registration number of the vehicle or vehicles covered by the policy, it will be necessary to produce an endorsement to the policy which specifies the registration number of the vehicles covered by that policy.

Failure to produce such an endorsement shall mean that the vehicle will be immediately liable to suspension on the date of expiry shown on the cover note or certificate of insurance.

Only a driver licensed as a Private Hire driver with Doncaster Council, with appropriate insurance, is authorised to drive a Private Hire vehicle licensed by Doncaster Council.

Private Hire Drivers' Licence

If the proprietor allows or employs any person to drive the vehicle as a Private Hire vehicle they must ensure that, before that person commences to drive the vehicle, a copy of his Private Hire driver's licence is delivered to the proprietor.

The proprietor shall then retain this in his possession until such a time as the driver ceases to be allowed or employed to drive that vehicle or any other vehicle belonging to the proprietor.

Where the proprietor is not also the operator of the vehicle, the proprietor shall ensure that a copy of the driver's Private Hire licence is also passed to the operator.

Change of Address, Telephone Number or Email Address

The proprietor shall notify the Council, in writing, including by email, of any change of his address, telephone number or email address during the period of the licence.

Notice of the change shall be given within seven days of it taking place.

Television Receiving Apparatus or Monitors (screens)

No person shall install or use television receiving apparatus or monitors in a motor vehicle if the screen is partly or fully visible - directly or by reflection - to the driver while in the driving seat or if the controls - other than the sound volume control and the main switch - are within reach of the driver while in the driving seat.

No person shall use television receiving apparatus, monitor or similar in a motor vehicle under circumstances or in a position where it might cause distraction to the driver of any other vehicle on the road.

Luggage

Any passenger luggage must be carried under cover.

Roof racks are permitted but if personal luggage is carried on the outside of the vehicle then a suitable cover must be provided.

No luggage may be carried in aisles, gangways or in such a manner as to obstruct entrance/exit routes.

Luggage must be carried in a secure manner and be prevented from moving.

The luggage compartment shall be kept empty except for the luggage of passengers, the spare wheel (where applicable) and essential tools.

Use of Non-Standard Spare Wheels, Emergency Repair kits etc.

A temporary use spare wheel, run flat tyres (when punctured) or puncture repair kit must only be used to enable the vehicle to be driven to a place of repair.

Where use is required whilst carrying a fare the journey may be allowed to continue provided that the driver complies fully with the manufacturers' operating restrictions.

Any such non-standard wheel or tyre must be replaced before taking another fare.

CCTV

CCTV equipment fitted to a licensed vehicle must meet the specifications agreed by the Council (Appendix 20 of the Councils Hackney Carriage and Private Hire Licensing Policy)

Regulations

All Regulations made by the Department of Transport must be complied with at all times.

CB Radio, Mobile Phones or other Communication Devices

The use or operation of any Citizen Band Radio, Mobile Phone or other Communication Device in the vehicle (other than one which allows communication between the passenger and driver) is prohibited at all times when carrying a fare paying passenger.

The use of such equipment in the case of an emergency shall not constitute a breach of this condition.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

The proprietor shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the proprietor is a company or partnership, this shall include any director or partner) during the period of the licence.

Suspension of Vehicle Licence

Where a vehicle licence is suspended, in addition to remedying the matters giving rise to the suspension, the proprietor of the Private Hire vehicle is required to pay the Council's published suspension administration fee.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Limousine Private Hire Vehicle
Specifications

General Notes

The licensing of Limousines will be dependent upon the Council being satisfied that the vehicle is suitable in size type and design for use as a Private Hire vehicle.

The prime consideration of the Council is the safety and comfort of the travelling public.

A limousine is a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures.

These standards apply to vehicles which are presented to Doncaster Metropolitan Borough Council on primary application for licensing as a Private Hire Limousine and shall continue to apply at all times thereafter.

No licence will be issued in respect of a Private Hire Limousine which does not comply with **ALL** of the following requirements.

Suitability of Vehicle

Vehicles may be left or right hand drive, providing that they have a vehicle registration document issued by the DVLA.

The vehicle must be of a size, type and design suitable for use as a Limousine Private Hire vehicle and the make or design of the vehicle shall not be such as to be likely to lead any person to believe that it is a Hackney Carriage licensed by Doncaster Metropolitan Borough Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

A Limousine Private Hire Vehicle is a vehicle used only for bookings which are made in advance.

All Limousine Private Hire Vehicles shall be converted motor vehicles holding a vehicle registration document issued by the DVLA.

Any vehicle not complying with these basic vehicle specifications may be considered on an individual basis and may be subject to individual standards and conditions.

Colour

The vehicle must be finished in the original manufacturers colour without alterations unless otherwise approved by the Council.

Condition

The vehicle must meet the specification laid down by the Council in respect of mechanical, body and interior condition.

Damage to Vehicle

Any damage to a vehicle which affects its safety, performance or appearance must be reported by the proprietor to the Council in writing, including by email, as soon as reasonably practicable and in any case within 72 hours of the occurrence of the damage.

Engine

The engine must be of the manufacturers recommended specification and fitment and of a type and capacity suitable for use as a Private Hire limousine.

Wheels

The vehicle shall have a minimum of four road wheels.

Drive

The vehicle may be a right or left hand drive.

Doors and Windows

The vehicle shall have at least four doors, of which two must be rear doors.

It is recognised that the privacy provided by tinted glass in the passenger compartment is a central characteristic of a limousine.

The driver cockpit must comply with Construction and Use Regulations i.e. the front window screen must allow at least 75% light to be transmitted and the front side windows must allow at least 70% of light to be transmitted through them.

Seating Capacity

Stretched large limousines which clearly seat more than eight passengers will not be licensed as a Private Hire Limousine because they are outside the licensing regime for Private Hire vehicles.

In some circumstances a vehicle with space for more than eight passengers can be licensed as a Private Hire Limousine where the precise number of passenger seats is hard to determine. In these circumstances, the authority will consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than eight passengers.

No passengers will be allowed to travel within the front seat of the vehicle.

The seats shall be covered with an appropriate material and must be properly upholstered and in good condition, free from rips, tears and holes.

Alcoholic Drinks

Under the Licensing Act 2003 alcohol may not be sold on a moving vehicle and a vehicle may not be licensed for this purpose.

In-Car Entertainment

Any entertainment that involves striptease, lap dancing, or similar performances, must not take place inside a licensed vehicle.

Any video or DVD's shown must be certified by the British Board of Film Classification and should only be viewed by the appropriate age group.

R18 videos and DVDs must not be shown within a licensed vehicle.

Luggage

Provision for carrying luggage must be available.

A safe and secure method of retaining luggage must be provided

Regulations

The vehicle must at all times comply with all aspects of any regulations and acts relating to motor vehicles in force at the time of licensing and where required must have a current MOT Certificate.

The vehicle must also comply with the Council's Conditions of Licence which may include all or parts of the Private Hire vehicle conditions as will be determined.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

The proprietor shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the proprietor is a company or partnership, this shall include any director or partner) during the period of the licence.

Driver

The driver shall hold a full driving licence suitable for this type of vehicle in addition to the normal Private Hire driver's licence issued by the Council.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Fire Engine Private Hire Vehicle
Basic Standards

General Notes

The licensing of Fire Engines will be dependent upon the Council being satisfied that the vehicle is suitable in size type and design for use as a Private Hire vehicle.

The prime consideration of the Council is the safety and comfort of the travelling public.

These standards apply to Fire Engines, which are presented to Doncaster Council on primary application for licensing as a Private Hire vehicle and shall continue to apply at all times thereafter.

No licence will be issued in respect of a Fire Engine, which does not comply with **ALL** of the following requirements.

Suitability of Vehicle

Fire Engines may be left or right hand drive, providing that they have a vehicle registration document issued by the DVLA.

The vehicle shall be examined and issued with a certificate of Fitness (MOT or HGV equivalent) prior to initial licensing and then further proof of tests will be required at the recommended intervals.

The vehicle must be of a size, type and design suitable for use as a Private Hire vehicle and the make or design of the vehicle shall not be such as to be likely to lead any person to believe that it is a Hackney Carriage licensed by Doncaster Metropolitan Borough Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

A Private Hire vehicle is a vehicle used only for bookings, which are made in advance

Any ladders should be removed or permanently fixed to the vehicle preventing them from being removed and used inappropriately.

Alterations or adaptations in any form should be approved by the Council prior to any works carried out.

Vehicle Fire Fighting Equipment, Lights and Siren

All blue lights and signage that could be misinterpreted by the public to indicate that the Fire Engine is a working emergency vehicle must be removed or replaced with lights that are to the satisfaction of the Council.

These lights are not to be used when on any public highway.

All sirens / bells must be removed from the fire engine.

Any integral firefighting equipment [hose reels / pumps etc.] other than those required by the Private Hire vehicle licence conditions, should be disabled and unavailable for use.

Condition

The vehicle must meet the specification laid down by the Council in respect of mechanical, body and interior condition.

Damage to Vehicle

Any damage to a vehicle which affects its safety, performance or appearance must be reported by the proprietor to the Council in writing, including by email, as soon as reasonably practicable and in any case within 72 hours of the occurrence of the damage.

Engine

The engine must be of the manufacturers recommended specification and fitment.

Wheels

The vehicle shall have at least four road wheels.

Doors and Windows

The vehicle must have sufficient doors of sufficient size to allow passengers to get in and out safely.

To comply with Construction and Use Regulations the front window screen must allow 75% of light to be transmitted and the side windows must allow 70% of light to be transmitted.

Steps or another suitable form of assistance must be provided to allow safe entrance and exit from the vehicle. These must be approved by the Council be available for use and carried on board at all times.

All passengers shall be required to enter / leave the vehicle via the passenger doorway adjacent to the pavement.

An audible alarm system shall be fitted to the rear passenger's compartment doors and shall be in a working condition at all times. This must be approved by the Council.

Seating and Internal Fittings

The vehicle shall seat not more than eight passengers.

The seats shall be covered with an appropriate material and must be properly upholstered and in good condition, free from rips, tears and holes.

All seats should be suitably securely anchored to the floor of the vehicle.

The fittings and furniture in the Fire Engine must be kept in a clean condition and well maintained.

Vehicles shall be equipped at all times with seatbelts of an acceptable type in respect of every seat which can be used for the carriage of passengers.

Seatbelts must be provided for all passengers and must comply with current legislation and be in proper working order at all times.

Alcoholic Drinks

Under the Licensing Act 2003 alcohol may not be sold on a moving vehicle and a vehicle may not be licensed for this purpose.

Entertainment

Any entertainment that involves striptease, lap dancing, or similar performances, must not take place inside the Fire Engine.

Any video or DVD's shown must be certified by the British Board of Film Classification and should only be viewed by the appropriate age group.

R18 videos and DVDs must not be shown within a licensed vehicle.

External Lockers

All external lockers of the vehicle shall be secured to prevent access by passengers or members of the public.

Regulations

The vehicle must at all times comply with all aspects of any regulations and acts relating to motor vehicles in force at the time of licensing and where required must have a current MOT Certificate.

The vehicle must also comply with the Council's Conditions of Licence which may include all or parts of the Private Hire vehicle conditions as will be determined.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

The proprietor shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the proprietor is a company or partnership, this shall include any director or partner) during the period of the licence.

Driver

The driver shall hold a full driving licence suitable for this type of vehicle in addition to the normal Private Hire driver's licence issued by the Council.

Uniform

Any uniform worn by the driver or staff must not display any official fire and rescue lettering, logo's, insignias or names which would give the general public the impression that they are members of any Fire and Rescue Emergency Service.

DONCASTER METROPOLITAN BOROUGH COUNCIL

Horse Drawn Hackney Carriage Vehicle
Licence Conditions

General Notes

The licensing of Horse Drawn Hackney Carriages is dependent upon the Council being satisfied that the vehicle is suitable in size type and design for use.

The prime consideration of the Council is the safety and comfort of the travelling public.

The vehicle must also comply with the Council's Conditions of Licence which may include all or parts of the Hackney Carriage vehicle conditions as will be determined.

Driver

The driver shall hold a Hackney Carriage driver's licence issued by the Council.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a vehicle proprietor's licence. It is recognised that where the applicant is also a licensed driver or operator they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying to licence a vehicle. However, should the vehicle licence holder cease to be a licensed driver and/or operator then a Basic Disclosure Certificate will be required immediately.

The proprietor shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the proprietor is a company or partnership, this shall include any director or partner) during the period of the licence.

Insurance

The proprietor shall keep in force a policy of insurance appropriate to a carriage used for public hire and covering third party liability both in respect of physical injury or death AND in respect of damage to personal belongings.

A valid copy of the insurance certificate or cover note shall be carried in the carriage at all times and shall be produced to an authorised Officer of the Council or a Police Constable for inspection whenever required.

Safety

The licence holder shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of passengers conveyed therein and persons entering and alighting from the carriage.

Damage to Carriage

Any damage to a carriage which affects its safety, performance or appearance must be reported by the proprietor to the Council in writing, including by email, as soon as reasonably practicable and in any case within 72 hours of the occurrence of the damage.

A carriage shall not be used to carry passengers until it has been competently repaired and/or assessed by a competent person and declared to be safe and compliant with all conditions and evidence of this assurance has been provided to the Council and the Council are satisfied.

Code of Practice

The proprietor shall at all times comply with the requirements of Department of Transport's Code of Practice for Horse Drawn Vehicles.

Groom

The proprietor shall ensure that a suitable groom is in attendance to assist the driver at all times.

The proprietor must be satisfied that the groom has been the subject of an appropriate Disclosure & Barring Service (DBS) check and has no convictions which would cause any person to doubt his/her suitability.

Passenger Numbers

The proprietor or the driver shall not permit more than the prescribed number of persons to travel in the carriage than the number of persons the carriage is licensed to carry.

Plates

The external identification plate issued by the Council shall at all times be fixed to the outside rear of the carriage by the proprietor to the place provided by the manufacturer or in accordance with reasonable instructions of an Authorised Officer of the Council.

The plate should be fitted in such a manner as to be easily removable by such officer or Police Constable.

Pick Up Points

All set down and pick up locations and routes must be approved by the Council prior to being used by a Horse Drawn Hackney Carriage vehicle.

No signs shall be allowed at any of these picking up/dropping off points except with the express written consent of the Council, which consent shall be in addition to any Planning Permission or other consents or licences or parking permits which may be required.

Traffic

The driver of the vehicle shall take all reasonable steps not to hold up traffic and to allow other vehicles to pass

Inspections

The carriage and harness shall be subject to an inspection by an Authorised Officer within the preceding twelve months as to its condition and suitability for the job.

Occasional Checks

The carriage and harness may be inspected and tested by an Authorised Officer of the Council or by a Police Officer at all reasonable times.

Pre-Work Checks

The proprietor shall ensure that the driver shall examine the horse/s and carriage carefully at the start of each day's work and assure himself that everything is in good condition and in proper order.

Powers of Officers

If the Authorised Officer or Police Constable inspecting the carriage and/or harness is not satisfied as to the fitness of either, he may give written notice to the Proprietor to make the carriage and/or harness 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 Constable is satisfied as to the fitness of the carriage and/or harness.

Appendix 15

DONCASTER METROPOLITAN BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Private Hire Operator **Licence Conditions**

Record Keeping

The record required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a bound book in ink, the pages of which are numbered consecutively, or a suitable electronic database with sufficient storage capacity and back up, and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a Private Hire vehicle invited or accepted by him:

- The time and date of the booking.
- The name of the passenger/hirer.
- How the booking was made (e.g. by telephone, personal call etc.)
- The time of pick-up.
- The location of pick-up.
- The destination.
- Any fare quoted at time of booking.
- The name of the driver.
- The driver's licence number.
- The registration number of the vehicle allocated for the booking, and the private hire vehicle plate number.
- The name of any individual that responded to the booking request
- The name of any individual that dispatched the vehicle.
- The time at which the driver was allocated to the booking.
- Remarks (including details of any sub-contract).

The operator shall also keep records of the particulars of all Private Hire vehicles operated by him.

The records shall include details of the vehicle proprietor, registration number, licence/plate number and the drivers of such vehicles, together with any radio call sign used.

Any record that is required to be kept by the operator shall be preserved for a period of not less than one year following the date of the last entry, and shall be promptly produced, in a format suitable for inspection, if requested by an authorised officer of Doncaster Council or a Police Constable.

Staff Records

The operator is required to keep a register of all staff that will take bookings or dispatch vehicles.

The register must evidence that the operator has had sight of a recently issued Basic DBS check for all individuals named in the register and that the frequency of checks and employment of persons with prior convictions are compatible with the operators own policy on employing ex-offenders.

Safeguarding

The Operator must undertake Doncaster Councils recognised refresher training at least once every 36 months.

The Operator must demonstrate a commitment to cascade this knowledge to all staff directly involved with the day to day operation of the business in particular those involved in taking bookings and dispatching vehicles and drivers.

Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-

Ensure that when a Private Hire vehicle has been hired to be in attendance at the appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.

Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.

Ensure that any waiting area provided by the operator has adequate seating facilities.

Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

Complaints

The operator must record and investigate all customer complaints.

All records kept by the operator shall be preserved for a period of not less than one year following the date of the last entry, and shall be promptly produced, in a format suitable for inspection, if requested by an authorised officer of Doncaster Council or a Police Constable.

The operator must immediately (no later than the next working day) notify the Council Licensing office in writing, including by email, of any complaints of a serious nature concerning a contract for hire or purported contract for hire relating to or arising from his business and of the action (if any) which the operator has taken or proposes to take in respect thereof.

Complaints of a serious nature include allegations of sexual or violent misconduct.

For complaints which are not covered by the above, the Operator shall inform the Licensing office in writing, including by email, of the name and licence number of any driver who has, in the opinion of the operator, acted in a way which has caused the operator to terminate his/her employment, and provide details of those reasons within seven days.

Change of Address, Telephone Number or Email Address

The Operator shall notify the Council, in writing, including by email, of any change of his address, telephone number or email address during the period of the licence.

Notice of the change shall be given within seven days of it taking place.

Convictions

A Basic Disclosure Certificate which is less than one month old, will be required annually for each individual / director / partner applying for a Private Hire Operator licence. It is recognised that where the applicant is also a licensed driver or vehicle licence holder they will already be subject to requirements to produce Disclosure Certificates and therefore will not be required to produce a further certificate when applying for a Private Hire Operators licence. However, should the Private Hire Operator cease to be a licensed driver and/or vehicle licence holder then a Basic Disclosure Certificate will be required immediately.

The Operator shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence, (where the Operator is a company or partnership, this shall include any director or partner) during the period of the licence.

'Out of Town' Hackney Carriages acting as Private Hire Vehicles in the Doncaster Council District

Schedule of Drivers

The Private Hire Operator shall notify the Licensing Authority forthwith, and in any event within 72 hours of each and every Hackney Carriage driver employed or used for Private Hire bookings on the Operator Driver Schedule (Form OPDS/HCD); this will include Hackney Carriage drivers licensed by this or any other Licensing Authority.

Where a Private Hire Operator ceases to employ or use any such licensed Hackney Carriage driver, the Operator shall forthwith, and in any event within 72 hours, notify the Licensing Authority in writing/email and present the form OPDS/HCD to the Licensing Authority for amendment by, or on behalf of, the Licensing Officer.

The Private Hire Operator shall retain a copy of the Hackney Carriage driver licence granted by another Licensing Authority along with a copy of the driver's DVLA licence, and any other driver of that vehicle, and forward a copy of those documents to the Doncaster Council Licensing Office forthwith, and in any event within 72 hours of registering that driver on the form (OPDS/HCD).

Schedule of Vehicles

The Private Hire Operator shall notify the Licensing Authority forthwith and in any event within 72 hours of each and every Hackney Carriage vehicle employed or used by the operator on the Operator Vehicle Schedule (Form OPVS/HCV), this includes those Hackney Carriage vehicles licensed by this or any other Licensing Authority.

Where a Private Hire Operator ceases to employ or use any such licensed Hackney Carriage vehicle, the Operator shall forthwith, and in any event within 72 hours, notify the Licensing Authority in writing/email and present the form OPVS/HCV to the Licensing Authority for amendment by, or on behalf of, the Licensing Officer.

The Private Hire operator shall retain a copy of the Hackney Carriage vehicle licence granted by another Licensing Authority along with a copy of the MOT certificate, certificate and policy of insurance and vehicle registration document and forward a copy of those documents to the Doncaster Council Licensing Office forthwith and in any event within 72 hours of registering that vehicle on the form (OPVS/HCV).

Advertising on Vehicles

Where a Hackney Carriage vehicle is licensed by another Licensing Authority, such a Hackney Carriage driver or Hackney Carriage vehicle is expressly prohibited from using any literature, any documentation, any advertising or displaying any signage associated to the Private Hire Operator or Doncaster Council which suggests or might lead to a misunderstanding that the vehicle is licensed by this Authority.

Record of Bookings Allocated to Vehicles Not Licensed by Doncaster Council and the Provision of Information to Customers

The receipt of advance bookings by the licensed Operator for Hackney Carriage vehicles licensed by another Licensing Authority or which are subsequently allocated to a Hackney Carriage Vehicle, licensed by another Licensing Authority, must be maintained in a completely separate register of bookings and in the same format as other bookings.

If a computerised booking system is in place those booking records must be kept in a completely separate and distinct area of the systems hard drive to enable easy inspection by the Council.

A separate telephone line and telephone number must be used and installed by the Private Hire Operator and used for Hackney Carriage vehicles licensed by another Licensing Authority which are undertaking Private Hire bookings within that operating base.

There must be a pre-recorded intercept message on the unique booking telephone line which clearly states to prospective customers the following:

“The driver and vehicle you are about to book are not licensed by Doncaster Council and Doncaster Council is not empowered to take licensing action against them in the event of a complaint. In the event of a complaint customers will have to deal with that other Authority where they may be licensed.”

The caller should then be reminded of the Private Hire Operators main telephone number and given the option to be redirected to *“a Doncaster Council licensed driver and vehicle”*.

Where a booking is made in person, the Private Hire Operator must, at the time of making a booking, inform the customer verbally or by any means likely to bring the information to the attention of the customer of the following statement:

“The driver and vehicle you are about to book are not licensed by Doncaster Council and Doncaster Council is not empowered to take licensing action against them in the event of a complaint. In the event of a complaint customers will have to deal with that other Authority where they may be licensed.”

The customer should then be given the option to be redirected to a *“Doncaster Council licensed driver and vehicle”*

Where a booking is made via:

- a) The internet;
- b) Mobile App; or
- c) Anything similar to a) or b)

The Private Hire Operator must inform the customer, by written terms visible when booking, of the following statement:

“The driver and vehicle you are about to book are not licensed by Doncaster Council and Doncaster Council is not empowered to take licensing action against them in the event of a complaint. In the event of a complaint customers will have to deal with that other Authority where they may be licensed.”

The customer should then be given the option to be redirected to a *“Doncaster Council licensed driver and vehicle”*

In any advertising literature or web information, a form of words must be used which clearly states to prospective customers the following:

“The driver and vehicle you are about to book are not licensed by Doncaster Council and Doncaster Council is not empowered to take licensing action against them in the event of a complaint. In the event of a complaint customers will have to deal with that other Authority where they may be licensed.”

The customer should then be given information on how to book a *“Doncaster Council licensed driver and vehicle”*

PCV Drivers / PSV Vehicles

The above condition shall also apply to the use of any driver who holds a PCV licence and the use of a Public Service Vehicle (PSV).

The use of either to undertake a Private Hire vehicle booking is not be permitted without the informed consent of the booker and compliance with the above.

DONCASTER METROPOLITAN BOROUGH COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

**Private Hire Driver Licence Conditions &
Licensed Driver Code of Conduct**

The following conditions shall apply to all Private Hire Driver's licences and are the standard of behaviour and conduct expected of all licensed drivers.

Should any driver fall short of the standard, the Council will then consider whether they remain a fit and proper person to hold a licence.

Conduct of Driver

The driver shall behave in a professional, respectful, compliant and courteous manner at all times.

The driver shall afford all reasonable assistance with passengers' luggage.

The driver shall at all times be clean and respectable in his dress and person and behave in a civil and orderly manner.

The driver shall take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.

The driver shall not drink or eat in the vehicle at any time when carrying a passenger.

The driver shall not play any radio or sound reproducing instrument or equipment in the vehicle without the express consent of the hirer other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.

The driver shall at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

The driver shall not behave in an inappropriate manner or participate in any behaviour of a sexual nature in the vehicle.

The driver shall not smoke in the vehicle.

The driver shall comply with the requirements of the vehicle licence conditions.

Passengers

The driver shall not convey or permit to be conveyed in a licensed vehicle, a greater number of persons than that prescribed in the licence for the vehicle.

The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.

The driver shall not smoke or permit smoking in the vehicle.

Drivers must provide reasonable facilities for passengers with a disability.

Without prejudice to the generality of the above, where the vehicle has been hired by or for a person with a disability who is accompanied by an assistance dog, or by another person who wishes to be accompanied by a person with a disability and an assistance dog, the driver must permit the assistance dog to travel in the vehicle and allow it to remain with that person. The driver must not make an additional charge for doing so.

An exemption certificate may be granted by the Council on application by the licensed driver if the Council are satisfied that it is appropriate to do so on medical grounds.

Where the vehicle is wheelchair accessible and capable of safely transporting a 'reference wheelchair' (as defined in Schedule 1 of the Public Service Vehicle Accessibility Regulations 2000), the driver must not make an additional charge for doing so and, shall not refuse to carry a wheelchair user unless an exemption certificate has been granted by the Council on application by the licensed driver if the Council are satisfied that it is appropriate to do so on medical grounds.

Any exemption certificate shall be displayed as directed by the Council and produced to any person on request.

Drivers Badge

The driver must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council on a prominent visible place on the outer clothing.

Drivers may wear their badge in the following ways:

- A clip badge attached to clothing in a prominent position
- A plain, block coloured lanyard around the neck
- A plain, block coloured armband with a transparent pouch to be worn on the left arm, where a driver badge can be fitted into and is clearly visible to passengers.

Return of Drivers Badge

The driver's badge remains the property of the Council.

Upon expiry of the licence and badge (whether application to renew has been made or not) the badge must be returned to the Council within 7 days of expiry or other such time as the Council may specify.

The badge must be returned to the Council immediately if the licence is suspended, revoked or becomes invalid for any reason (e.g. where it has expired).

Lost Property

The driver shall immediately after the termination of any hiring of a Private Hire vehicle or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.

If any property accidentally left in a Private Hire vehicle by any person who may have been conveyed therein is found by or handed to the driver, he/she shall take it, as soon as possible, and in any event within twenty-four hours if not already claimed by or on

behalf of its owner, to a convenient Police Station and leave it in the custody of the officer in charge.

Written Receipts

The Driver shall if requested by the hirer of the vehicle, provide the hirer with a written receipt for the fare paid.

Animals

The driver shall not convey in a vehicle any animal belonging to or in the custody of himself or the proprietor of the vehicle and he shall ensure that any animal belonging to or in the custody of any passenger is conveyed in the rear of the vehicle.

Copy of Conditions

The driver shall at all times when driving a licensed vehicle carry with him a copy of these conditions and the Vehicle Licence Conditions and shall make them available for inspection by the hirer or any other passenger on request.

Deposit of Licence

If the driver is permitted or employed to drive a vehicle of which the proprietor is someone other than him/her, he/she shall, before commencing to drive that vehicle, deposit his/her licensed vehicle drivers licence issued by the Council, with that proprietor for retention until such time as the driver ceases to be permitted or employed to drive the vehicle.

Change of Address, Telephone Number or Email Address

The driver shall notify the Council, in writing, including by email, of any change of his address, telephone number or email address during the period of the licence.

Notice of the change shall be given within seven days of it taking place.

Notification of Convictions

The driver shall, within 48 hours, disclose to the Council, in writing, including by email, details of any arrest and release, charge or conviction of any offence during the period of the licence.

A driver who is required to appear at a Taxi Licensing Committee Hearing following a conviction for a driving offence may be required to undertake Doncaster Council's practical driving assessment. Failure to complete and pass the assessment may result in the driver having their driver's' licence revoked.

Safeguarding

The driver must undertake Doncaster Councils recognised refresher training at least once every 36 months.

CB Radio, Mobile Phones or other Communication Devices

The use or operation of any Citizen Band Radio, Mobile Phone or other Communication Device in the vehicle (other than one which allows communication between the passenger and driver) is prohibited at all times that the vehicle is hired.

The use of such equipment in the case of an emergency shall not constitute a breach of this condition.

Television Receiving Apparatus or Monitors (screens)

No person shall use television receiving apparatus, monitor or similar in a motor vehicle under circumstances or in a position where it might cause distraction to the driver of any other vehicle on the road.

Medical Fitness

Unless restricted to a shorter period for medical reasons, all drivers will be required to produce a Group 2 standard medical certificate at five yearly intervals from the age of 45 onwards and annually from age 65 onwards.

Failure to comply with this condition will result in the licence being suspended.

DVLA Driving Licence Checks

All licensed drivers will be subject to an annual DVLA driving licence check.

Where a licence holder refuses to give consent for checking a driving record the licence will be suspended.

Criminal Record Checks

All licensed drivers are required to subscribe to the DBS update service to enable the licensing authority to routinely check for new information every six months.

Where the authority is unable to check the update service, and the licence holder fails to immediately produce a new Enhanced Disclosure Certificate which is less than one month old, the authority will suspend the licence with immediate effect.

Penalty Point System

Use and Enforcement

This document provides guidance in respect to the penalty point system for Hackney Carriage and Private Hire enforcement.

The system will operate without prejudice to the Council's other enforcement powers in respect of Hackney Carriage and Private Hire controls.

The operation of the system is not intended to fetter the council's discretion to exercise the full range of its enforcement powers as it sees fit.

It is intended that the penalty points system will be enforced by Doncaster Councils Licensing Officers who have the appropriate authorisation under the Local Government (Miscellaneous Provisions) Act 1976 and Town and Police Clauses Act 1847.

In addition, any person may refer non-compliance along with the appropriate evidence to the Council's Licensing Officers which in the Council's discretion could result in the issuing of points.

Points may also be issued arising from complaints from other third parties such as members of the public.

The Council's Hackney Carriage and Private Hire Licensing Policy will be considered when determining the manner in which any offence or breach of licensing conditions is dealt with.

Whether or not penalty points have are issued, the Council reserves the right to suspend, revoke or refuse to renew a licence or to prosecute.

Penalty points will be issued depending on the points designated for that specific breach or, as appropriate, a specific number of points within the designated range depending on the facts and circumstances.

Notification of points imposed shall be sent to the licence holder in writing.

Points shall remain current for 2 years from the date of non-compliance. If the licence lapses during this period, the points would be noted on the system and may be carried onto a new application.

If the licensee applies again at a later date points may be carried forward for the remaining period that the points would have remained current.

Any licence holder who has 12 or more current points shall be required to attend a Taxi Licensing Committee Hearing where their fitness to continue to hold a licence will be reviewed. (See Appendix 18)

Once the licence holder has been dealt with the points will be removed from his/her licence, however a file note will be kept for the life of the licence and on renewal.

Right of Appeal

Any licence holder appealing the issuing of penalty points by a Licensing Officer must do so in writing within 21 days of receiving the notice by submitting full details of their appeal via the Councils complaints procedure.

Any appeal shall be determined by a person in the role of Licensing Manager or above. The outcome of the appeal may result in all or part of the penalty points being removed or additional points being added.

Any decision made by the Taxi Licensing Committee can be appealed to the Magistrates' Court and must be done within 21 days of the date of the decision.

Changes to the Points System

The Council reserves the right to make changes to the points system and, in particular, to vary the number of points which can be issued for a specified breach and to vary (by adding, removing or otherwise) the list of specified breaches.

Doncaster Council Penalty Points Scheme

	Details of Misconduct	Penalty Points
1	Failure to notify the Council in writing, a change of address, telephone number or email address, within 7 calendar days.	4
2	Refusal to accept hiring without reasonable cause.	6
3	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares.	6
4	Plying for hire by Private Hire drivers or Hackney Carriage drivers plying for hire outside the district.	12
5	Private Hire vehicle parking or waiting on a Hackney Carriage rank	6
6	Inappropriate behaviour at a Hackney Carriage rank.	1-12
7	Leaving a Hackney Carriage unattended at a rank.	4
8	Using unlicensed vehicle or using a licensed vehicle without insurance or without a current inspection test.	12
9	Failure to produce relevant documents within timescales when requested by an authorised officer.	4
10	Unsatisfactory condition of vehicle, interior or exterior.	4
11	Failure to undergo an inspection test on time resulting in the issue of a suspension notice.	6
12	Failure to provide proof of insurance cover when requested, resulting in the issue of a suspension notice.	6
13	Failure to attend safeguarding refresher training, resulting in the issue of a suspension notice.	6
14	Failure to provide consent to check DVLA driving licence, resulting in the issue of a suspension notice.	6
15	Failure to provide a valid medical, resulting in the issue of a suspension notice.	6
16	Failure to allow checking of the DBS update service or failing to produce a valid Enhanced DBS, resulting in the issue of a suspension notice.	6
17	Failure to produce Hackney Carriage or Private Hire vehicle for visual / mechanical inspection when required.	4
18	Using a vehicle subject to a suspension order issued by an authorised officer or a Police officer.	12
19	Using a vehicle for which the licence has been suspended or revoked.	12

20	Failure to report, in writing, within 72 hours, accident or damage to licensed vehicle, which would cause the vehicle to breach licence conditions.	4
21	Carrying more passengers than stated on the vehicle licence.	12
22	Failure to correctly display the external licence plates, or internal licence plate. Or failure to correctly display appropriate door signs.	6
23	Carrying an offensive weapon in the vehicle.	12
24	Failure to notify a transfer of Private Hire or Hackney Carriage vehicle licence within 7 days of transfer.	4
25	Failure to carry fire extinguisher.	6
26	Failure to carry first aid kit.	6
27	Displaying unauthorised advertisements in or on the vehicle.	4
28	Failure to maintain records in accordance with conditions.	4
29	Failure to produce records on request.	8
30	Obstruction of an authorised officer or Police officer wishing to examine a licensed vehicle.	12
31	Evidence of smoking in vehicle.	4
32	Using a vehicle, the appearance or feature of which suggests that it is a Hackney Carriage.	6
33	Failure to carry an assistance dog or reference wheelchair without requisite medical exemption certificate.	12
34	Driver not holding a current DVLA licence.	12
35	Failure to have the driver's badge clearly displayed.	4
36	Failure to notify, in writing, a change in medical circumstances which affects suitability to hold a licence.	12
37	Failure to observe Hackney Carriage rank discipline.	4
38	Misleading use of the word 'Taxi' on Private Hire advertising materials.	4
39	Failure to issue receipt on request.	6
40	Using a licensed vehicle in a dangerous condition.	12
41	Failure to return vehicle licence plate or drivers badge within 7 days after due notice following expiry, revocation or suspensions of such licence.	6
42	Unsatisfactory behaviour or conduct of a driver.	1-12
43	Failure to notify the Council in writing within 7 days of receiving any motoring offence resulting in up to 3 DVLA penalty points.	4

44	Failure to notify the Council in writing within 48 hours of any arrest and release, charge or conviction (including a caution) of any sexual offence, any offence involving dishonesty or violence and any motoring offence (greater than 3 DVLA penalty points)	12
45	Having more than 6 active DVLA penalty points.	3 points for each active DVLA point above 6 points
46	Failure to behave in a civil and orderly manner, or bringing the trade into disrepute.	1-12
47	Failure to provide reasonable assistance to a passenger.	1-12
48	Failure to display a correct up to date fare card in a Hackney Carriage.	3
49	Carrying two or more separate fares without the appropriate consent.	9
50	Failure to carry a legal spare wheel (or appropriate alternative) and the necessary tools to fit the spare wheel.	4
51	Failure to attend punctually at appointed time and place without sufficient cause.	4
52	A licensed vehicle with a bald or dangerous or defective tyre.	6
53	Contravention of a parking or waiting restriction.	4
54	Driving whilst using a hand held device (e.g. mobile phone) which did not result in conviction.	9
55	Failure to provide a 'Certificate of Good Character' or similar (licence holder outside the UK for more than 3 months)	6

Taxi Licensing Committee Hearing

Reasons for a Committee Hearing

A Committee hearing may be required for;

- New applicants who do not meet the minimum standards required for the grant of a licence without further investigation.
- Existing licence holders whose actions have fallen below the standards of the Councils policy.

Attendance, Assistance and Representation

The applicant/licence holder who is the subject of the Committee hearing will be sent a notice of the time, date and location of the hearing.

The applicant/licence holder shall also be sent a report outlining the reasons for the Committee hearing.

The applicant/licence holder should complete the form 'Notice of actions following receipt of notice of Committee hearing' and give the notice to the Licensing Committee not later than five (5) working days before the day (or the first day) on which the Committee hearing is to be held.

The subject should attend the Committee hearing at the appointed time and may be assisted or represented by any person whether or not that person is legally qualified.

Hearings may be held in person or remotely.

Committee Members

The Committee will consist of a minimum of three elected members of the Licensing Committee.

Also present at the hearing will be an officer of the Licensing department who will present the case to the Committee. This officer is not part of the Committee and is not involved in the decision making process.

Representations and Supporting Information

At the hearing you shall be entitled to —

- Give further information in support of your application (where applicable)
- Give a response to any of the questions raised by the Committee.
- Give a response or make comment on any items contained within the hearing report or raised at the hearing.
- Give a response to any of the reasons why the hearing is being held.

Failure to Attend the Committee Hearing

If you have informed the authority that you are unable to attend the hearing. The Committee may -

- With the agreement of all Committee members, rearrange the hearing to a later date of which you will be notified.
- Proceed with the hearing in your absence.

If you fail to attend and have not previously notified the authority. The Committee may –

- Proceed with the hearing in your absence.
- With the agreement of all Committee members, rearrange the hearing to a later date of which you will be notified.

If you fail to attend a hearing where you have previously advised you would be in attendance. The Committee may –

- Proceed with the hearing in your absence.
- With the agreement of all Committee members, rearrange the hearing to a later date of which you will be notified.

Where the Committee agrees to rearrange a hearing as a result of the above and sends notification of the new date on which the hearing will take place - the hearing will proceed on the date specified on the notice regardless of your attendance.

Procedure at the Committee Hearing

At the beginning of the hearing, the authority shall explain the reasons for the Committee hearing and the procedure which will be followed.

All persons present at the hearing will introduce themselves. Any persons in attendance who have not been invited by the Committee, shall be required to explain their reason for attendance and their suitability to remain part of the hearing will be subject to the approval of the Committee members.

The Committee hearing shall take the form of a discussion led by the chair of the Committee. You will be given the opportunity to respond to any questions raised and to provide further detail on any matters arising which are relevant to the hearing.

The Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may —

- Refuse to permit that person to return, or
- Permit him to return only on such conditions as the Committee may specify.

Closing Statement and Deliberations

Once the Committee has concluded their questions, you will be invited to make a closing statement. This is your opportunity to address the Committee and raise any relevant points in support of your suitability to hold a licence.

At the conclusion of the hearing, the meeting will close and you will be invited to leave.

The Committee will enter into deliberations. You will not be required to wait for the deliberations to conclude as the Committee may need to conduct further checks and reconvene at a later date.

Decisions and Appeals

When making a decision the Committee will take into account the representations made at the hearing, the Councils Hackney Carriage & Private Hire Licensing Policy and, where a licence is already held, all relevant licence conditions and code of conduct.

Where an applicant/licence holder has been convicted of a criminal offence, the Council cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)]

The Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975 provides that all convictions, irrespective of age, remain "live" for the purposes of a Hackney Carriage or Private Hire driver's licence, these occupations being added to the exemptions list from that time.

Licensing authorities have a duty to ensure that any person to whom they grant a Hackney Carriage or Private Hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself 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 day or night?

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.

Licensing authorities have to make difficult decisions but the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the Committee members are only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides a licensing authority with the ability to suspend or revoke a driver's licence on the following grounds: -

- a) that he has since the grant of the licence—
 - I. been convicted of an offence involving dishonesty, indecency or violence; or
 - II. been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
- aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or
- b) any other reasonable cause

Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person.

Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. Guidance for licensing authorities to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.

Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.

A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.

New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.

A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or Private Hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

A failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

Where the Committee are unable to reach a unanimous decision, a majority decision will be accepted.

The Committee will endeavour to inform you of the decision within 7 working days or, where they are unable to make the decision within 7 working days; they will inform you within 7 working days of when a decision is likely to be made.

A decision notice will be sent to you in writing.

Where the decision of the Committee is to suspend / revoke / refuse a licence, the notice will also include a statement explaining your right to appeal that decision to the Magistrates Court within 21 days.

Deviation for Serious Offences

In circumstances where it is in the interest of public safety to take immediate action against an existing licence holder due to the serious nature of the incident which questions the suitability for the continuation of a licence, it may be necessary for the Council to deviate from this policy.

Committee Hearings will be convened urgently and may consist of less than 3 elected members. Notice of the hearing may be given by telephone and the determination will be made at the first hearing even if the licence holder does not attend.

Where an immediate risk to the public is identified. The Head of Service, Licensing Manager and Licensing Officer have delegated powers to authorise the revocation of a licence with immediate effect without the need for a hearing. In these circumstances the officer taking the decision will engage with the Chair / Vice Chair of the Licensing Committee to advise them of the reasons for the deviation at, or as soon as reasonably practicable, after authorising the revocation.

Any deviation from this policy will not remove the licence holders right to appeal the decision to a Magistrates Court.

Referrals

Any decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, shall be referred to the Disclosure & Barring Service (DBS).

Information may also be disclosed to South Yorkshire Police Disclosure Unit.

Where a licence is refused or revoked, an entry will be recorded on the National Register of Revocations and Refusals (NR3) database.

Delegation

Hackney Carriage & Private Hire Licensing Policy

Approval of revisions to the Hackney Carriage & Private Hire Licensing Policy is delegated to the Licensing Committee.

Determination of New Applications and Renewals (where minimum standards are met)

Where an application meets or exceeds all of the required minimum standards, the decision to grant or renew a licence is delegated to authorised officers.

Determination of New Applications and Renewals (which do not meet the minimum standards)

Where an application falls below the required minimum standards, the decision to grant or refuse a New or Renewal application is delegated to the Licensing Committee.

Suspension of Licence (where certain conditions are not met)

Where the licence holder has failed to provide required documents or failed to allow for continuing checks of their suitability to hold a licence in accordance with conditions of licence (e.g. vehicle insurance, criminal record checks, medicals etc.), the suspension of licence is delegated to authorised officers.

Suspension or Revocation of Licence (Conduct)

In cases where consideration is given to the suspension or revocation of a licence, these decisions are delegated to the Licensing Committee.

Immediate Revocation of Licence (Public Safety)

Where information is received which, in the opinion of the Council, requires consideration for the immediate revocation of a licence, determination is delegated to the Head of Service, Licensing Manager or Licensing Officer.

CCTV Technical Specification

The following technical specifications and system requirements must be met before a camera system can be considered suitable to be installed in a Doncaster licensed vehicle.

1. Operational Technical Specifications

Reference	Specification	Details
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, i.e.: Flash-based SSD (100% industrial grade), 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 and 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	<p>The in-vehicle taxi camera system must be compliant with the Council Directives: 2004/108/EC on Electromagnetic Compatibility (CISPR 22/EN55022), 2004/104/EC on Radio Interference (sections 6.5, 6.6, 6.8 and 6.9)</p> <p>The 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.</p>
1.7	System activation (on / off) switch to be located in a position where it is not accessible from inside the vehicle (i.e. in the boot / engine compartment).	The system is required to be active at all times that the vehicle is being used as a licensed 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 vehicles boot or engine compartment (i.e. it must only be possible to deactivate the system from outside of 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 export 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.
1.17	The system shall not record audio except when audio recording is activated by means of an approved trigger.	<p>The system should have the ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below).</p> <p>One trigger button must be capable of being activated by the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (e.g. a button could be pressed to begin audio recording, pressing the button again would stop audio recording).</p> <p>The second trigger button must be capable of being activated by the passengers in the vehicle independently of the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (e.g. a button could be pressed to begin audio recording, pressing the button again would stop audio recording).</p> <p>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.</p>
1.16	The system must be capable of recording audio time synchronized to the recorded images.	
1.18	The audio playback, when triggered, shall 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 shall be integrated within the camera head.	
1.22	Audio data 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 shall not be displayed within the vehicle.	
1.26	The system must have at least two emergency activation triggers (panic buttons).	<p>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.</p> <p>At least one other trigger / panic button must be capable of being operated by a passenger from any passenger seat in the vehicle. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.</p>
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. Storage Capacity Technical Specification

Reference	Specification	Details
2.1	Minimum of twenty-one days of recording capacity	The camera system must be capable of recording and storing a minimum of twenty-one days of images of HD1 (720/288) size or better.
2.2	Images must be clear in all lighting conditions	System to provide clear images in bright sunshine, shade, dark and total darkness. Also, when strong back light is present.

3. Camera Head Technical Specification

Reference	Specification	Details
3.1	Camera installation non-obstructive	The camera and all system components shall 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 shall be designed to disconnect for ease of removal and replacement 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	System to 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 screen	The camera system must be adaptable to provide clear images when a vehicle is equipped with a partition screen. This may be accomplished with the use of multiple camera heads.
3.7	Multiple cameras	The unit shall be capable of supporting up to four (4) cameras. Four cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose built vehicles.

4. Storage Device (Recorder) Technical Specification

Reference	Specification	Details
4.1	Impact and shock resistance	The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large, heavy object such as a suitcase.
4.2	Controller in concealed location	The storage unit shall be concealed from view and effectively inaccessible except by authorised personnel.
4.3	Download port provision	The recorder shall be equipped with a communication port for downloading by authorised personnel.
4.4	Download port shall be located in an easily accessible location such as a glove compartment.	The recorder download port shall be located in the glove box if practicable, if not then in a location that does not require the removal of panels and is accessible.
4.5	Download port cable length (300 millimetres minimum)	Download port shall be at least 300 millimetres 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 modification / manipulation of downloaded images	
4.11	Log to register exporting of downloaded images	
4.12	Log to register exporting of downloaded clips	
4.13	Log file protected against un-authorised 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 for vehicle identification (VIN & number plate).
4.16	Controller non-modifiable ID code stamp	Each recorded image shall 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)	Manufacturer to supply Doncaster Council with a supply of specialised tools to allow for removal of the controller and download of data when required.

5. Specifications for Video and Audio Recording Rate

Reference	Specification	Details
5.1	Video image recording on system activation (when audio is not activated).	The system shall record images at the rate of four images per second.
5.2	Video image recording when audio is activated.	The system shall record images at the rate of twenty five 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 30 minutes after engine / ignition is switched off.

6. Specification for Activation via Driver or Passenger Trigger / Panic Buttons

Reference	Specification	Detail
6.1	The activation of a trigger button must provide for overwrite-protected image storage when activated by driver or passenger.	The system must be fitted with at least two trigger buttons that once activated will trigger the protected recording of audio and video (see also 1.17 and 1.26 above).

6.2	Emergency image overwrite protection capability	Image sequences resulting from emergency activation shall 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. Downloading Technical Specification

Reference	Specification	Details
7.1	Time to download complete memory not to exceed 30 minutes	Time to download to be accomplished in 30 minutes or less.
7.2	Provision of necessary software, cables, security keys to the Council's Licensing Team.	
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 shall be stamped with controller ID and vehicle ID and be tamperproof.
7.7	Provision of technical support to Doncaster Councils Licensing Officers when necessary.	To assist in accessing system in case of damage to the vehicle or to the system in case of accident within 1 hour during normal working hours and within 8 hours otherwise.
7.8	Wireless Download Prohibited	Unit must not allow for wireless downloads. Wireless diagnostic may be used. All wireless hardware to be disabled.
7.9	Filter the specific images for events and times for the approximate time of the crime committed.	

8. Requirements in relation to System Information

Reference	Requirement	Details
8.1	Provision of service log sheet with each unit shipped	The unit manufacturer shall have a service log shipped with the unit. The manufacturer shall also enclose detailed instructions for the drivers with each unit shipped. An installation manual shall also be furnished to authorised installers and fleet 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	The 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 shall 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 shall be installed by manufacturer's authorised agents, or other installers approved by the Council (subject to agreement with the manufacturer).
8.8	Provision of authorised agents list to Doncaster Councils Licensing Officers	The manufacturer shall provide a list of all authorised agents to Doncaster Councils Licensing Officers.
8.9	Documentation	The manufacturer must provide clear and concise operating instructions which are written in layman's terms. (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. System requirements in relation to Vehicle Inspection Facility – Inspections

Reference	Requirement	Details
9.1	Provision of system status/health indicator	The driver shall 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 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 shall be separate to those listed above or of a different colour to avoid any possible confusion on the part of the drivers using the system.
9.4	Designed / installed to be testable by Doncaster Councils Licensing Officers (or persons acting on behalf of the Council – such as vehicle inspectors)	The system shall be designed and installed such that the system may be easily tested by Doncaster Council Licensing staff to ensure that all features are operating and that images are being recorded as prescribed.

10. General System Requirements

Reference	Requirement	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 shall be provided and signed by an officer of the company.
10.3	Reliability in operational and environmental conditions	The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation of licensed vehicles.
10.4	Programmability of image timing parameters	It shall be possible to change timing and parameters without the requirement to change components.

10.5	Training and Technical Support and Equipment	Manufacturer must provide Doncaster Council Licensing Officers with a Training and Technical Manual. Supply a working unit to Doncaster Council Licensing for testing purposes.
10.6	Software and Hardware	Manufacturer to supply Doncaster Council Licensing Officers with a supply of cables and software to be installed under the supervision of the Council's authorised staff.
10.7	Agreement between the Camera Manufacturer and Doncaster Council	Agreement to allow Doncaster Council access to the relevant software from the manufacturer so that in the event the manufacturer goes out of business, council will be able to support the system.

Contact Details:

Licensing Department

Doncaster Council
Civic Office
Waterdale
Doncaster
DN1 3BU

www.doncaster.gov.uk/licensing

Email: licensing@doncaster.gov.uk



This page is intentionally left blank

Taxi Policy v.10.0

Documented Changes

Following the publication of Department for Transport Statutory Hackney Carriage and Private Hire Vehicle Standards, and receipt of the consultation responses (primarily from the taxi trade) of a Licensing survey. The following changes were made:

- 1) **(Administrative change)** General update of the whole document to reflect changes over time in how applications are received and processed (online).
- 2) **(Local change)** Increased the period of time a new applicant is required to have held a (DVLA) driving licence before making an application, from 1 year to 2 years.
- 3) **(Local change)** Added a cancellation policy with regards to payment of fees for tests where the applicant/licence holder fails to attend.
- 4) **(Local change)** Specified that where a driver goes to a medical professional other than his own GP for a Group 2 standards medical assessment, the person conducting the medical must have access to the patient's own medical history.
- 5) **(Local & Statutory change)** Made it a requirement that all licensed drivers must subscribe to the Disclosure & Barring Service (DBS) update service and increased the number of checks to be carried out from one every three years, to one every six months.
- 6) **(Statutory change)** Made it a requirement that for any new applicant or existing licence holder who has spent a period in excess of 3 months outside the UK, to provide evidence of their good conduct while overseas.
- 7) **(Statutory change)** Reduced the period of time in which a person must notify the Council of their arrest and release, charge or conviction, caution or fixed penalty motoring offence (more than 3 points), from 7 days to 48 hours.
- 8) **(Local change)** Emphasised that licence holders conduct which can be considered by the Council, is not limited to criminal convictions.
- 9) **(Local change)** Encouraged the professional development of licence holders obtaining relevant qualification.
- 10) **(Statutory change)** Added that the Council shall actively use the National Database of Revocations and Refusals (known as 'NR3') to record and retrieve information.
- 11) **(Local & Statutory change)** Added a 'penalty points scheme' for the effective enforcement of minor breaches and to highlight those who are persistently non-compliant.

- 12) **(Local change)** Added that in cases where a licence is surrendered, it does not remove the right of the Council to revoke the licence (to prevent any attempt by a licence holder to not have their information recorded on the NR3 register).
- 13) **(Statutory change)** Added the requirement for vehicle licence holders and private hire operators (where they are not also licensed drivers) to produce an annual Basic DBS certificate.
- 14) **(Local change)** Added that the Council will publish a list of Wheelchair Accessible Vehicles (WAV) making it an offence for the driver of those vehicles to refuse a wheelchair passenger (in accordance with the Equality Act 2010).
- 15) **(Local change)** Added a Recommendation regarding the Age and Emissions levels of licensed vehicles.
- 16) **(Statutory change)** Added a requirement for Private Hire Operators to provide their policy on the recruitment of ex-offenders and, a conditions requiring that they maintain a register of their booking and dispatch staff and the dates on which the operator assess their suitability by checking a Basic DBS certificate.
- 17) **(Statutory change)** Added restrictions on operators using PCV drivers / PSV vehicles for private hire.
- 18) **(Statutory change)** Added the joint authorisation of enforcement officers of neighbouring local authorities.
- 19) **(Local change)** Added a section on Technology (Apps), Communication (Driver Bulletin) and Recognition (Positive News from the trade).
- 20) **(Statutory change)** Strengthened the Convictions policy.
- 21) **(Local change)** Removed the restriction to carry a full-size spare wheel in Hackney Carriages and allowed for the carrying of the manufactures standard for dealing with a puncture (inflation kits / space saver).
- 22) **(Local change)** Added Recommended vehicle specifications to include, plate fixing brackets, minimum height requirements to allow for headroom of wheelchair passengers, vehicle age limit, vehicle emissions limits and cctv.
- 23) **(Local change)** Added a restriction on fixing plates/adverts on windows

- 24) **(Local change)** Made it a requirement to notify the Council of any change of telephone number or email address.
- 25) **(Local change)** Made it a condition not to use communication devices when the vehicle has been hired (preventing drivers talking on hands-free mobiles when they have a passenger, except in cases of emergency)
- 26) **(Local change)** Added specifications for the (optional) addition of a partition screen in private hire vehicles.
- 27) **(Local change)** Added Recommended vehicle specifications for private hire vehicles: non- removable door signs, fixing brackets, age limit, emissions limit, cctv and wheelchair accessible.
- 28) **(Local change)** Added requirement for a notice to be displayed in Private Hire vehicles regarding the agreement of a fare prior to commencing the journey to mitigate fare disputes.
- 29) **(Local change)** Added the ability for advertisement on Private Hire vehicles but limited to: advertising the vehicle is for private hire pre-booked journeys, advertising the private hire company, advertising that the vehicle is wheelchair accessible.
- 30) **(Statutory change)** Added to conditions regarding the minimum records which must be kept by an operator, to include details of the staff accepting the booking and dispatching the vehicle.
- 31) **(Statutory & Local change)** Added a driver 'code of conduct'.
- 32) **(Local change)** Added condition on the wearing of a drivers badge.
- 33) **(Statutory & Local change)** Added a Taxi Licensing Board Hearing policy outlining the process, decision making and appeals.
- 34) **(Statutory change)** Added delegation of functions
- 35) **(Local change)** Added CCTV specifications to update existing spec to match those of neighbouring authority.

This page is intentionally left blank

APPENDIX E

Consultation on Version 10.0 of the Hackney Carriage & Private Hire Licensing Policy

Questions (summarised)	Response of the Licensed Trade (144)	Response of the Public (14)	Response of Group / Association representative or 'other' (3)
CCTV should be mandatory (agree)	13.53% (18)	50% (7)	100% (3)
There should be a vehicle age limit (agree)	11.76% (16)	30.77% (4)	100% (3)
There should be an emissions limit (agree)	9.02% (12)	46.15% (6)	100% (3)

Comments received during the consultation (largely unedited)

1. I think the system before are now is ok because all ready taxi drivers are struggling so please don't change thanks
2. If doncaster Council put a age restriction on vehicle it would put a lot of drivers out of work
3. I have been a Taxi driver for over 20 years never have been asked by a customer what age is my car, or the council MOT, if my Taxi meets and covers all MOT test and is road worthy to drive legally, the councils recommendations on age of taxi doesn't make any sense, as all Taxi drives pass the MOT Test and legally drive,
4. Fare should go up Customers don't respect sometime They don't pay sometime
5. Having been a taxi driver for almost 15 years , I quickly learned that contrary to popular belief, we do not earn a fortune . Bearing this in mind it would make the job for me impossible if I was made to buy nearer cars more frequently. Iv always looked after my cars and kept them road worthy and well maintained., and I only recall once when a car didn't pass a test , and that was cos I'd only just picked it up, but apart from that iv had dozens of tests with no issues , confirming my cars are always safe . And I certainly don't have the means to pay the thousands that you are suggesting for a new car. I'd end up just leaving as running costs would outweigh the profit. If the car passes to mot standards, why create unnecessary expense.
6. We don't except these changes we are also stressed from corona
7. Specially in pandemic we can't effort this additional stress

8. Under the current economic climate of Covid and Brexit which will adversely affect all businesses for the next decade , we should be very wary of imposing additional operating costs that are not a well proven necessity.
9. I am a reputable private hire licence holder/operator and also a sole trader. My vehicle is a 9 seat 8 passenger carrying minibus. Its currently 11 years old, yet is in excellent condition and is mechanically perfect and highly maintained. I've never had a single advisory and its passed all the council set MOT and Interim tests with flying colours. I simply cannot afford to replace my vehicle with another under 10 years of age, or 5 years of age if its a new test. If this ruling happens it basically puts me out of business. Secondly, as stated im a sole trader/operator. I use my private hire vehicle as my personal vehicle all the time. Surely having permanent CCTV installed becomes a breach of my privacy when not at work?
10. Hi, I'm a hackney Taxi Driver. I feel that it's down to the drivers discretion regarding having CCTV or Cameras Fitted. I have one fitted which was mandatory from the insurance company. If the vehicle meets all the requirements for testing & mot it should always be allowed to use. If the amount of drivers in Doncaster was CAPPED, then it makes sense to have new vehicles. All Mercedes etc etc as this will give Doncaster a good image, however there is so many taxi drivers currently. The suggestions don't make any benefit to drivers. Cap the number or vehicles and drivers would invest in a expensive taxi as the plate Number will also hold some value. Doncaster Airport is £7000 Doncaster Train Station is between 15-20k That's why they all have new cars, because they will have a good pension when they retire and sell their plate. Regards
11. Private mot should be removed because we have 2/3 mot in year with Doncaster licensing but we have to get private mot for the taxi thanks
12. Please don't take new driver
13. This is not the time to bring this on us. We are in a pandemic In testing time like these, you can't put this Financial pressure on the taxi business, there is no work out there, Doncaster council hasn't even supported driver on school whereby all the councils up and down country has and now you want to put this on us. Have some compassion please.
14. I can not afford to buy a new car all the time. I get by just as it is now. As long as the car is road worthy and the car passes VOSA standards all cars should be able to do the job. If the council are worried about standards do more spot checks during the week/weekend by pulling taxis. With regards to cctv, another local council charged the driver for this and I can not afford for this to be put in mine and to record private journeys if they are on 24/7. Is this not a breach of privacy. And more like big brother into personal lives.

15. I strongly believe that there is a lot expected from us taxi drivers, but not giving a lot back from the council especially in this difficult time. Doncaster is a small town and taxi drivers hardly can keep themselves working and being able to keep up with all the bills never mind paying for installation of CCTV or changing cars so often .
16. 24/7 recordings should be optional as I use my Taxi for personal use as well as a Taxi. Age of Taxi's should continue the way they are, as long as they meet all the requirements. Euro 6 will put jobs at risk in the Taxi trade as most will not be able to afford A new Vehicle. If a current Taxi passes all the current annual, 6monthly & quarterly checks there should be no issues at all.
17. As long as vehicle should be safe and healthy for road worthy
18. It should be made mandatory that all vehicles should display door stickers that cannot be removed and that taxi plates should not be permitted to be displayed in windows. A plate that is displayed in a back window cannot be read properly by either a police officer or a member of the public, also private hire vehicles should not be exempt from displaying plates. It should be a level playing field
19. The age thing about taxis' would kill the taxi trade in Doncaster. How can you expect taxi drivers to keep upgrading taxis in an already dead trade. This notion is disgusting.
20. No comment
21. We in a pandemic
22. Vehicle age limit should not be 5 years , especially in the current climate it is a unnecessary expense. I don't believe CCTV is required in cabs as Doncaster does not have serious issues like neighbouring towns. Or atleast have some leeway on vehicle age such as older cars being hybrid.
23. I been working 13 year as taxi driving & never issues related to vehicle age ,emissions or whether we have CCTV or not Plz stop putting more restrictions on my taxi job as it is no work out there What u need to change is to stop putting more new drivers on road ,am not happy with this policy change We live in small town by doing this i might loose my job
24. There are way too many Hackney cabs in Doncaster now and there is no space to park over the weekend as we don't have enough ranks to park Hackney licenses should be stopped and the new style Hackney cars shouldn't be allowed as they don't have proper wheelchair access

25. Had problems to get through licensing. should be a quick service to resolve are issues like taxi vehicle test. renew badge.
26. English Qualification Driver Must Be ABLE TO AND MUST THIS IS A MESS UP IN ROTHERHAM AND SHEFFIELD TILL THIS DAY THEY DONT HAVE CUSTOMER SERVICE OR THEY DONT KNOW WHAT TO DO IN A SCENRIO THEY ARE WORSE FOR IT THERE MORE THAN JUST TAKING CUSTOMER TO A TO B FORGET KNOWLEDGE ITS WHAT TO DO WITH VULNERABLE PEOPLE IN A VIOLENCE SCINERO AND IN A ARGUMENT THEY CANT EVEN TELL THE CUSTOMER WHAT THEY PLANNED IN A JOURNEY IF THE ROAD IS CLOSED
27. Cars up to 10year old yes after maybe not .
28. Can't afford too fund car less then 5 years old .. no business out there bern affected by covid
29. I have no nothing to add and there is no comments
30. I am agreed on all other matter accept CCTV, the age of the vehicle and the emissions.
31. No
32. My name is ***** my i have HC *** HACKNEY carriage I think it should be optional to to put on a taxi as long as it is not more than ten year old and should come off no older then 15 year old and on school runs any taxi or private hire should be given a school run if it's not more than ten year old, I've been taxi driver for almost 35 years and as you know the taxi trade is not as good as it use to be. My email *****
33. 1) The taxi plates should be of an adhesive plastic stickers as drilling the vehicle Vallance immediately does approx £500 of damage as these are non repairable for vehicle resale. 2) Issue a QR code to every licensed driver, to work in line with an app. to show his name and badge number, this being so the passengers can with their phone instantly record and identify the driver. This would reduce instantly the unidentified complaints. This would reduce the badge sharing which has been a long standing issue that has not been dealt with. Complaints about blatantly wrongful drivers using another mans badge and licence have not been attended to.
34. Regarding age of vehicles in theory it sounds okay but in this area and others the level of trade would make it difficult to afford newer vehicles I suggest a compromise or 7 years old at initial licencing and up to 12 years maximum age.

35. Every thing should stay as it is as it meets all the requirements
36. I do believe any car should be allowed to be registered as taxi/private hire vehicle, otherwise most drivers will be priced out of a job. Expecting somebody to spend tens of thousands of pounds to earn a living is totally unacceptable. CCTV should absolutely be mandatory in all vehicles.
37. 6 month DBS checks are excessive especially as there is a requirement to report any convictions. DBS should be annually. DBS checks can be delayed and take up to 6 weeks which would potentially mean constant applications being made.
38. All cars should have permanent stickers on door for safe guarding
39. Plates should be secured correctly not simply placed anywhere in back windows etc also cars private hire should have the name of the operator on the side not all cabs have so how can you know who you're dealing with
40. I would like to suggest the use of electric cars as Hackney carriage.
41. Protection shield for private hire cars needed to be obtained
42. Having read your proposals on changes of the current licensing rules I believe!
- 1 That all drivers must have a British driver's license for 2 years
 - 2 That all drivers must be a British citizen for 2 years to reflect a DBS certificate
 - 3 That all cars must have CCTV fitted in their vehicle where only the council can get access
 - 4 That operators also can be disciplined and checked more often and that the council protect drivers from bullying tactics by operators for refusing work! Drug runs, banned customers ETC!
 - 5 That drivers that do contracts for schools should be paid for when they are absent by the customer on short notice and that drivers should have been paid for the current Covid 19 when their school was closed which I understand most councils did except Doncaster!
43. My view on the new policies is as follows
- Age limit for new vehicles at 5 years is a very bad idea as this would be a very unnecessary expense, as long as the vehicle is fit to be a taxi I believe it to be sufficient. Or at least consider extending it 10 years for new vehicles as that is a lot more reasonable.
- Euro 6 emissions-
- If the age limit is coming into play due to environmental concerns could it be possible to allow older cars that are electric/Hybrid to minimize cost.
- CCTV-

Is good for both passenger and driver safety if it is just CCTV video footage and NOT audio because privacy wise this would be very uncomfortable to know every conversation or call is recorded even when off duty.

Vehicle age is very concerning to me and to most other drivers, unfortunately a lot of cab drivers have no idea of the policy recommendations as I don't think they even read most emails sent by council and that's probably why you want get much of a response. COULD YOU LET ME KNOW IF THERE IS ANY WAY OF VEHICLE AGE POLICY BEING SCRAPPED OR MADE MORE REASONABLE (eg older age, older hybrids, stricter interim tests. BY HAVING A PETITION WITH A CERTAIN AMOUNT OF SIGNATURES OR SOMETHING. SO ABLE TO SHOW LICENSING THAT DRIVERS DON'T AGREE WITH AGE LIMIT BEFORE IT'S TOO LATE.

Everything else is fine

44. Sir/Madam, I wish to express my view regarding the proposed taxi policy.

While it does not matter may I state I am originally from Nigeria, in Nigeria most of us are educated and we claim to practice democratic system of government,

However, in reality what we practice is autocracy, where people in government, including the president are referred to as your excellency, where those in government exercise unlimited powers

Sir, with this proposed Taxi policy, I am afraid Doncaster Council is heading to the direction stated above. While I agree on some, however, I disagree on majority of it, as it is malicious, opprobrious, racist, etc

Below are list of what I disagree on

1. item number 6

the council's authority or jurisdiction upon a license holder should specifically be limited to Taxi trade. I have never heard anyone that works for Doncaster Council nor Westminster providing such, so why will Taxi drivers be subjected to that,

this section is racist and uncalled for

2. item 8

Those conducts which are not limited to criminal convictions should be specified

3. item 12

I refer to my starting statement, however, it is of common that where the head of a department is not around, authority should be delegated to

the next in command (with limitation) to avoid abuse use of power, otherwise cases might arise where licences are been revoked just because an officer is not in good terms with a driver.

so the implication is very High, because we are talking people livelihood

4. item 16

I wish to draw your attention that this is Doncaster not Sheffield, here we don't have business such as services, university, cooperates,

all we have are the Council, DRI and few small businesses that dying off, people are barely managing. Moreover the air quality of Doncaster is very

good and total number of taxis and private hire vehicles is only about 0.1 percent of the total vehicles in Doncaster, the majority of taxis here are not bad,

regarding, emissions I think it should be left to the national accepted standard

5. item 23

with due respect I belief every taxi in Doncaster has a CCTV camera in their vehicles, and it has been going on for a long time now whenever evidence are required drivers always provide footage, including in accident claims. the police, etc. I don't see any reason for introducing new style of CCTV, unless some sort of company or companies are lobbying to marketing their own version of it

6. item 26

I strongly belief that law is for everyone, be a Taxi driver or a Council officer, Police, Nurse, Lawyer, etc

there should not be disparity, or a law for taxi and another for a Council Officer

7.item 28

I refer you to my answer on comment on item16 and 23

with regards to stickers, I belief the Council should direct its attention to making sure that all stickers comply with the mandatory wordings, however, choice of type of sticker should be left to the licence holder (be it magnet or parent fit)

8. item 36

I refer you to my comment on item 16 and 23, however, I wish to state that the neighbouring Councils as stated had a reason to do that, but here in Doncaster there are no reasons, and all the taxis and private hire plying in Doncaster have CCTV.

In conclusion I belief Doncaster Council, Including its Licensing department should concentrate more on how to attract businesses to Doncaster Instead of trying to squeeze out life from its already malnourished Taxi drivers, also the licensing department should help in sensitising the public to treat Taxis with its drivers with respect and not like dustbins or crap,

Taxis are supposed to be for pleasures not bin bags, skip loader, ambulance, removals, servants, slaves or scapegoat,

Thank you

45. Thank you for email regarding changes. I am private hire PH***

I don't have any problems except number 5, DBS check 3 years going to 6 months. I don't feel comfortable doing it so often feel have to report immediately any changes so would be addressed at the time

36....CCTV I again would not be comfortable having it installed. I work for my self and only driver. I take family and friends mainly so never have any trouble so dont feel the necessity for a camera

I was asked to send any concerns

Many thanks

46. No comment
47. If a good standard of examination exists then we should not change anything that is not broken.
48. All taxi driver must be able to speak basic English language
49. Possible dress code
50. All vehicles should have their plate number on their doors. These should be of a readable size for someone with low vision. That all receipts should be machine issued to include cost, duration or distance of journey, vehicle number and driver number. That no vehicle should have polished floors that cause Guide Dogs to slide around due to the over polishing of the floor. That where requested by a female passenger a female driver is supplied.
51. is there any way that some of the guidance re covid that can be brought in – something stronger about cleaning procedures of common touch points. It doesn't have to mention covid specifically but it would be good to have health protection measures incorporated into the policy as a matter of course.

Changes made to the Policy following consultation

1. In the consultation version of the Policy at Appendix 18 'Taxi Licensing Board Hearing' it stated that the recommendation of the Board would be ratified by the Head of Service or Assistant Director.

In accordance with the Statutory Standards recommendations the ratification process has been removed so that decisions are made by the Board and not an individual officer.
2. Under the heading 'Attendance, Assistance and Representations' in Appendix 18; the line 'Hearings may be held in person or remotely'.
3. Under the heading 'Board Members' in Appendix 18; clarified that the board will consist of the Trading Standards & Licensing Manager and two elected members of the Licensing Committee, unless there is no available elected members in which case the board members can be extended to include department managers and/or senior officers.
4. Under the heading 'Referrals' in Appendix 18; clarified that following refusal or revocation, information may be shared with relevant authorities.
5. In the consultation version of the Policy at Appendix 19 'Delegation' it stated that where there is a deviation from the Hearing policy (Appendix 18) due to serious incidents requiring immediate action, that the recommendation of the Board could be ratified by the Head of Service, Assistant Director, Chair/Vice Chair of the Licensing Committee, Trading Standards & Licensing Manager or the Licensing Officer (subject to the availability of the most appropriate officer at the time).

In accordance with the Statutory Standards recommendations the ratification process has been removed so that decisions are made by the Board and not an individual officer.

This page is intentionally left blank