



Doncaster  
Council

# Hackney Carriage & Private Hire Licensing Policy



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# 1. Document History

This Policy was first approved for adoption by Doncaster Council on the 19<sup>th</sup> 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.

<b>Date</b>	<b>Committee</b>	<b>Resolution</b>	<b>Start Date</b>
19 <sup>th</sup> January 2012	Council	Approve Policy and delegate authority for determination of future revisions to the Licensing Committee	1 <sup>st</sup> February 2012
24 <sup>th</sup> 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 <sup>th</sup> January 2013
19 <sup>th</sup> September 2013	Licensing	Policy amended to reflect the change of organisation name from the Criminal Records Bureau to the Disclosure & Barring Service.	19 <sup>th</sup> September 2013
19 <sup>th</sup> December 2013	Licensing	Policy amended to give all licensed drivers the option of a 1 or 3 year duration licence on renewal.	19 <sup>th</sup> December 2013
18 <sup>th</sup> September 2014	Licensing	Policy amended to change driver licence duration to 3 years.	1 <sup>st</sup> January 2015
25 <sup>th</sup> June 2015	Licensing	Policy amended with regard to the requirements for character referees for new drivers.	25 <sup>th</sup> June 2015
17 <sup>th</sup> 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 <sup>th</sup> March 2016
15 <sup>th</sup> December 2016	Licensing	PHV specification amended to permit factory fitted tinted windows.	15 <sup>th</sup> December 2016
15 <sup>th</sup> 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 <sup>th</sup> December 2016
15 <sup>th</sup> December 2016	Licensing	Policy amended to require all licensed drivers and operators to undertake safeguarding awareness training and to attend refresher training.	1 <sup>st</sup> January 2017 for new applicants. 31 <sup>st</sup> March 2017 for existing licence holders.
15 <sup>th</sup> December 2016	Licensing	Private Hire Operator licence conditions amended to include a condition relating to 'out of town' Hackney Carriages	15 <sup>th</sup> 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 <sup>nd</sup> March 2017	Council	Private Hire Operator licence fee structure amended (section 5.6)	1 <sup>st</sup> April 2017
22 <sup>nd</sup> 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 <sup>st</sup> October 2017
23 <sup>rd</sup> 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 <sup>rd</sup> November 2017
10 December 2020	Licensing Committee	Policy revised following the publication of the Department for Transport Statutory Taxi & Private Hire Vehicle Standards (July 2020) and a public consultation.	1 April 2021
25 January 2021	Licensing Committee	Amended to give notice that within 12 months the Licensing Committee shall consider and determine if CCTV, Emissions limits and Vehicle age limits shall become mandatory, and where relevant, will publish a date by which all licensed vehicles must be compliant.	1 April 2021 (to be determined by 1 April 2022)

## **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 10 December 2020 and takes effect on the 1 April 2021.

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](http://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 45<sup>th</sup> 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](http://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](http://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.

<b>Age of Vehicle</b>	<b>Test Frequency</b>
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 (see Appendix 7 & 10)**

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 1<sup>st</sup> 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 1<sup>st</sup> 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.

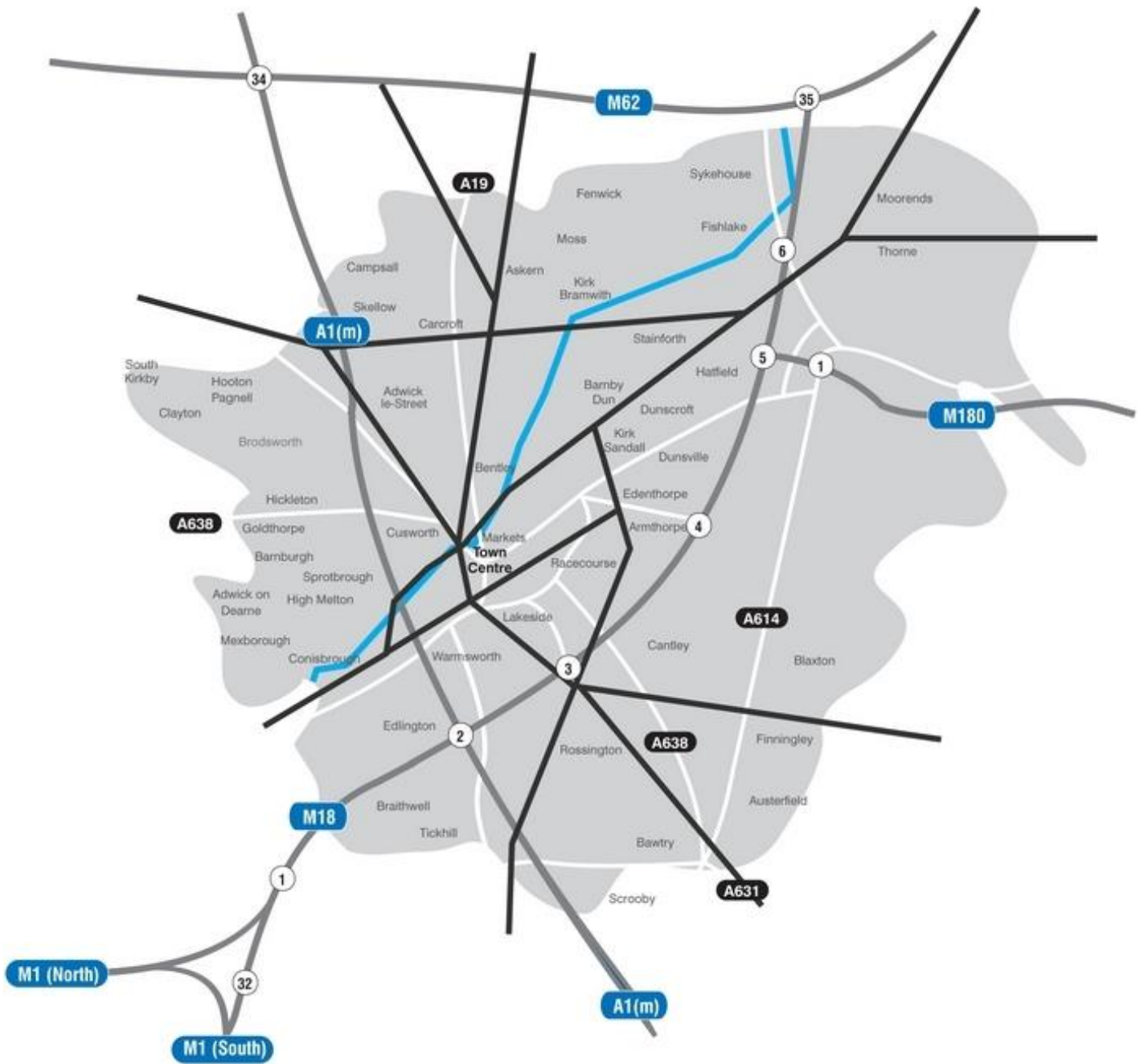
To ensure that lines of communication and information sharing remain active, the licensing authority have introduced social media accounts (Facebook & Twitter) and a 'Driver Bulletin' which is periodically sent to all licensed drivers who have provided the authority with a contact email address. The 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](mailto: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 it 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](mailto: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](mailto: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.

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.

### **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\*** (see footnote)

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.

**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.

**\*Please note that on the 25 January 2021 the Licensing Committee determined that before 1 April 2022 they would consider and determine if the recommendations above should become mandatory requirements. Should the Committee determine to make any of the above a mandatory requirement, the licensing authority will publish a date by which all licensed vehicles must be compliant.**

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:

<b>Age of Vehicle</b>	<b>Test Frequency</b>
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, minibus 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** (see footnote)

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.

**\*Please note that on the 25 January 2021 the Licensing Committee determined that before 1 April 2022 they would consider and determine if the recommendations identified above (\*) should become mandatory requirements. Should the Committee determine to make any of the above a mandatory requirement, the licensing authority will publish a date by which all licensed vehicles must be compliant.**

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:

<b>Age of Vehicle</b>	<b>Test Frequency</b>
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.

## **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).

## **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.

### **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).

## **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 be 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's 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 been 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

	<b>Details of Misconduct</b>	<b>Penalty Points</b>
1	Failure to notify the Council in writing, of 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 an 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, an accident or damage to a 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).	One of the triggers / panic buttons must be capable of being operated by the driver – this must be independent of the audio recording activation switch.  At least one other trigger / panic button must be capable of being operated by a passenger 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.
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**

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