

LICENSING COMMITTEE

THURSDAY 7 JULY 2022

6.00 PM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. **Apologies for Absence**

2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Minutes of the Meeting Held on 7 April 2022**

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To approve the minutes of the Licensing Committee meeting held on 7 April 2022.

4. **Proposed Hackney Carriage And Private Hire Policy - Responses To Consultation And Adoption Of Final Policy And Implementation**

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Committee Members:

Councillors: Warren, Ayres, Allen, P Hiller, Yurgutene, Bi, Sabir, Moyo, Wiggin (Chair), Bond (Vice Chairman) and Hussain

Substitutes: Councillors: Hogg and Dowson

Further information about this meeting can be obtained from Karen Dunleavy on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

**DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING
HELD AT 6PM, ON
THURSDAY, 7 APRIL 2022
ENGINE SHED, SAND MARTIN HOUSE, BITTERN WAY, PETERBOROUGH**

Committee Members Present: Warren Chairman (Chair), Councillors Cllr Allen, Fitzgerald, Hiller, Joseph, Wiggin, Hogg, I Hussain and M Hussain

Officers Present: Gareth Brighton, Licensing and Business Manager
Colin Miles, Litigation Lawyer
Maria Crowe, Apprentice Regulatory Officer - Licensing
Karen S Dunleavy

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ayres and Sandra Bond. Councillors Fitzgerald and Hogg were in attendance as substitute.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 16 NOVEMBER 2021

The minutes of the meeting held on 16 November 2021 were agreed as a true and accurate record.

4. PUTTSTARS, UNIT LL1 FIRST & SECOND FLOOR, QUEENSGATE SHOPPING CENTRE, PETERBOROUGH, PE1 1NT.

The Licensing Committee received an application in relation to a Licensed Premises Gaming Permit (as defined by Section 283 of the Gambling Act 2005) for the use of thirty five (35) Category D gaming machines to be located at Unit LL1 First & Second Floor, Queensgate Shopping Centre, Peterborough, PE1 1NT

The purpose of the report was to determine the application for a Licensed Premises Gaming Permit for the use of thirty five (35) Category D gaming machines to be located at Unit LL1 First & Second Floor, Queensgate Shopping Centre, Peterborough, PE1 1NT

The Licensing and Business Manager introduced the report and asked Members to consider the gambling permit application.

The Licensing Committee debated the report and in summary, key points raised and responses to questions included:

Regulatory Officer presented their representation. Comments and responses to questions included:

- Licensing Officers were sufficiently confident that principles for vulnerable people and children were in place to protect them, under the code of practice at appendix D of the guidance.
- A machine would constitute a player position, so for example one machine with eight positions could constitute eight machines although it would be one machine.
- The amusement machines were classed as Category D and low stake machines that would be found at seaside resorts with a denomination of around 30 pence penny machines, with a maximum prize value of eight pounds. The gambling stake amounts varied but would usually start at a 10 pence.
- There had been a mistake on the application form made by the applicant in relation to who the application fee would be payable to, and therefore, should not be payable to Preston City Council.
- The main purpose of the premises would be for entertainment such as it bowling and mini golf and the category D gambling machines would be sited on the periphery.
- The application was in line with other bowling establishments that would operate Category D gambling machines.
- The Police and Gambling Commission had not objected or commented about the application and the premises was intended as an amusement outlet rather than a casino style premises.

The Applicant's representative presented their representation. Comments and responses to questions included:

- The error in the application in relation to the application fee had been a typo and should be addressed to Peterborough City Council.
- The premises was intended to operate as a Puttstars and was one in 60 ten pin bowling premises and mini golf premises in the country.
- The premises was due to open in October 2022. Each premises had an alcohol license, and a gaming machine permits. The applicant was applying for Category D gaming machines, and therefore, had not been in the same league as a premises that operated as a casino or betting office.
- The primary purpose for the premises was to play ten pin bowling or mini golf. The balance of income turnover was taken from a restaurant and a bar.
- Playing positions would take place over number of machines, however, it would not constitute 35 physical gambling machines. For example, a penny gambling machine could have eight player positions at one machine.
- The category D gambling machines would be split between the ground floor level and second floor of the premises and positioned around the bowling and golfing activities. The layout to be provided would be standard and had worked across other locations nationally.
- All members of staff were trained, and policies would be in place.
- In relation to permits granted nationally, there had been no issues with premises that operated Category D gambling machines and the Gambling Commission, or any other authority had not raised concerns about the operation.
- The site at Sturrock Way in Peterborough had a permit for 12 Category C gambling machines and 22 Category D machines. The current application for Puttstars in Queensgate had been for a higher number of Category D machines as the area applied for was larger and was the reason why the application had been presented to Committee.
- It was intended to employ 25 – 34 members of staff, which would include a management team.

The Licensing Committee considered the Gambling Commission Guidance to Local Authorities and the Peterborough City Council statement of principles. The Committee

RESOLVED (unanimously) to **GRANT** the application made under the Gambling Act 2005 as applied for.

REASONS FOR THE DECISION

The Licensing Committee felt that the application would not undermine any of the three licensing objectives contained within section 1 of the Act.

CHAIRMAN
END 6:36PM

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LICENSING COMMITTEE	AGENDA ITEM No. 4
7 JULY 2022	PUBLIC REPORT

Report of:	Name of Director(s) Adrian Chapman Executive Director, Peter Gell Assistant Director	
Cabinet Member(s) responsible:	Cllr Stephen Allen – Deputy Leader and Cabinet Member for Communication, Culture and Communities	
Contact Officer(s):	Gareth Brighton – Licensing & Business Manager Jacqui Harvey - Head of Operations Environmental Health & Licensing Terri Martin – Strategic Regulatory Officer - Licensing	Tel: 864103 Tel: 453502 Tel. 453561

PROPOSED HACKNEY CARRIAGE AND PRIVATE HIRE POLICY - RESPONSES TO CONSULTATION AND ADOPTION OF FINAL POLICY AND IMPLEMENTATION

RECOMMENDATIONS	
FROM: Regulatory Services – Licensing Team	Deadline date: 27 July 2022
It is recommended that The Licensing Committee:	
<ul style="list-style-type: none"> I. Adopt the revisions in policy as recommended by DfT (Department for Transport) Statutory Guidance and Officers as detailed in paragraph 7.3 of this report. II. Retain the current decision-making process as set out in section 2.5.4.1 (a), (b) and (c) of the council's constitution as recommended by officers in paragraph 7.5 of this report. III. To consider mandating the installation of CCTV in licensed vehicles as detailed in paragraph 7.7 of this report IV. Adopt the revised vehicle restrictions giving 'acquired' rights to vehicles licensed before 26 July 2022 as detailed in paragraph 10.2 of this report V. Set the maximum age limit beyond which a ZEV will not be licensed at 18 years old as detailed in section 10.3 of this report VI. Set the maximum CO2 level at 105g/km to be considered as a ULEV in relation to this policy as detailed in section 10.4 of this report VII. Retain Aragon as the council's only appointed testing station as detailed in paragraph 10.5 of this report VIII. Require licensed vehicles to display internal and external signage as detailed in paragraph 10.7 of this report. IX. Approve and recommend adoption to full council the revised policy as detailed in paragraph 10.10 of this report and attached at Appendix H 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Licensing Committee following a review, revision and consultation of the policy, in line with the recommended review period of 5 years.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to advise members of the review, revision and consultation process carried out, to request members to properly consider the responses received and determine the direction of the policy in consideration of those responses and Officer recommendations, agree the adoption of the final policy, subject to any amendments, and set the implementation date for the policy and conditions to take effect
- 2.2 This report is for Licensing Committee to consider under its Terms of Reference No. 2.5.2.3 (a). To exercise the functions of the authority as listed in Schedule 2.5.5, where these are not delegated to officers as listed at section 2.5.4, namely hackney carriage and private hire vehicle licensing

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES
Date for relevant Council meeting	27 th July 2022

4. BACKGROUND AND KEY ISSUES

- 4.1 Hackney carriage and private hire legislation is primarily concentrated in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The aim of the legislation is to protect the public. The legislation provides a broad framework for the licensing of drivers, vehicles and operators, but allows local authorities to set their own standards and conditions, to ensure the public travel in safe well-maintained vehicles driven by competent drivers.
- 4.2 Peterborough City Council's current Hackney Carriage and Private Hire Licensing Policy was adopted by full council on 26 July 2017. The policy is required to be kept under review and revised as appropriate and in any event not less than every 5 years. Therefore, the current policy is due for review and consultation before July 2022.
- 4.3 The policy was reviewed and revised, the amendments fell into three sections:
Section 1: To comply with recommendations within the DfT (Department for Transport) Statutory Guidance, to improve safety standards in order to better protect children and vulnerable adults.
Section 2: To comply with the requirements of the Finance Act 2021 regarding 'Tax Conditionality'
Section 3: Other; to address the council's zero carbon ambition, concerns from the trade, consideration of local circumstances, best practice in line with case law and public safety.
- 4.4 As the amendments affected so many areas of the policy, a 'clean' draft was published, with an Index of amendments detailing the nature of the changes and paragraphs and appendices affected.
The Index of amendments (broken down into the above three sections) can be found at **Appendix A**.
- 4.5 The revised draft policy (with 13 appendix documents) which was subject to consultation can be found at **Appendix B**

5. CONSULTATION

- 5.1 The revised draft policy (with 13 appendix documents) was put out to consultation for 8 weeks, starting on Friday 28th January 2022 and ending on Friday 25 March 2022. The consultation letter can be found at **Appendix C**
- 5.2 A copy of the public notice which appeared in the local press on Thursday 3rd February 2022, advising of the consultation and period can be found at **Appendix D**

- 5.3 Notice of the consultation was put up at the Town Hall, the trade notice board at the train station, Sand Martin House and Central Library. The consultation document was also made available at Sand Martin House, Central Library and the council's website.
- 5.4 Emails were sent to various stakeholders as detailed in section 1.17 of the draft policy, advising them of the consultation and period, which included a link to the consultation documents on the council's website and pdf attachments of the consultation documents. Reminder emails were also sent just over halfway through the consultation period.
See **Appendix E** for a full list of those consulted.
- 5.5 Meetings with representatives of both the Private Hire and Hackney trade took place during the consultation period. Specific details of the draft policy were discussed in depth and the meetings were an opportunity for trade representatives to outline any concerns they may have arising from the proposal.

6 CONSULTATION RESPONSES

- 6.1 A total of 139 consultation responses were received. Two from representatives of Cambridgeshire Constabulary and 137 from the trade (although some trade individuals responded more than once). The trade responses broke down into eight main points:
- 1) 94% - Disagreed with the draft proposal of reducing the vehicle age limit for petrol and diesel vehicles. Most considered that the proposal should only apply to new vehicle applications, allowing vehicles which were currently licensed to have 'acquired' rights (paragraph 2.27 of the draft policy)
 - 2) 8% - Were in support of the vehicle age and CO2 reduction, but thought that the new TX EV should be licensed for up to 20 years (paragraph 2.27 of the draft policy)
 - 3) 37% - Disagreed with the proposed ULEV CO2 emission level of 75g/km as they considered it too stringent (paragraph 2.27 of the draft policy)
 - 4) 17% - Requested garages other than Aragon (the councils only appointed garage) should be able to carry out vehicle testing (paragraph 2.43 of the draft policy)
 - 5) 15% - Have concerns that the current vehicle charging infrastructure is insufficient to meet demand (paragraph 2.27 of the draft policy)
 - 6) 24% - Take issue with the vehicle signage requirements, both existing and proposed. (Door stickers for PHV, internal plate number in windscreen, Part 1 and part 2 notice)
 - 7) 11% - Are in support of the implementation of Safeguarding and County lines training, but concerned about the costs and that it will apply to all drivers and operators (not just school transport contracts) (paragraphs 1.40, 1.55, 3.5, 3.6, 3.22, 4.21, 5.5)
 - 8) 3% - Were concerned how the extra vehicle testing (every 4 months) requirement would be applied (paragraph 2.39 of the draft policy)

A response table which contains all the responses (as received) and details the main eight points (as listed above) can be found at **Appendix F**.

Please see Section 10 of this report for officers' responses and recommendations in consideration of these points

- 6.2 Of the two Police responses, the one from PC Hawkins stated, '*No comment at this time*'.

The other from Police Superintendent Neil Billany stated:

'I am the local policing commander for Peterborough and Fenland and have reviewed the proposed revisions.'

Between 2015/2016 as an Inspector, I led the Metropolitan Police's Taxi and Private Hire Policing Team, a team of 61 police officers investigating sexual offences committed in licenced taxi and private hire vehicles, and vehicles purporting to be a taxi or PHV, and also routine compliance checks on drivers, vehicles and operators. At this time, I was the most senior police officer nationally working full time in this area. Through this role I was invited to work with the Department for Transport, and I provided evidence to the group that produced the revised national guidance.

I remain a supporter of CCTV in Taxi and Private Hire vehicles, and while noting that this is not mandatory, I strongly support wider use of CCTV in licensed vehicles, both for passenger and driver safety.

Another cause for my involvement in this work was the issue with drivers from one licensed area working almost exclusively in another, via app based operators (i.e. Uber, Lyft etc). I do not know the impact of this on Peterborough, so cannot fully comment at this stage, but if for example there is a trend of TfL / Uttlesford licenced drivers (2 significant examples of licensing authorities who license drivers not living / working in their area) working in Peterborough I would ask what regulatory powers Peterborough Council held, and would place on record concern that any expectation for enforcement, or compliance activity, would fall to the police and not the local authority given the regrettable lack of authority for Peterborough to manage drivers not licenced by them.'

- 6.3 All consultation responses must be properly considered prior to determination of the final policy. Officers have reviewed the responses and made recommendations with rationale for members to consider in sections 7 and 10 of this report.

7 STATUTORY GUIDANCE – DfT Statutory Taxi and Private Hire Standards

- 7.1 The introduction and commencement of Section 177 of The Policing and Crime Act 2017 allows the Secretary of State to issue Statutory Guidance for taxi and private hire licensing, to protect children, and vulnerable individuals who are 18 or over, from harm. The Statutory Guidance which must be given due regard, was published by the Department for Transport (DfT) in July 2020. This document can be found at **Appendix G**

- 7.2 Paragraph 1.3 of this guidance states:

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

- 7.3 Some of the recommendations within the statutory guidance are already in place, however the following recommendations have been incorporated in the revised policy:
- Mandatory requirement for licensed drivers to maintain subscription to the DBS (Disclosure and Barring Service) update service and allow the licensing authority to make periodic enquiry checks with the DBS
 - Annual basic DBS disclosure requirement for proprietors and operators, who are not also licensed drivers.
 - Checking and reporting to NAFN NR3 database (see Appendix M of the draft policy)
 - Mandatory Safeguarding training, including County Lines, for all licensed drivers and operators.
 - Requirement for all licence holders to notify the licensing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.

- Requirement for all applicants, who, since the age of 18, have spent an extended period (i.e. six months or more) outside the UK, to provide a Certificate of Good Character or Criminal Record(s) Information.
- Revisions to the Guidelines Relating to the Relevance of Convictions so that they align with IoL (Institute of Licensing) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades
- Operators to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy for employing ex-offenders.
- Duty for an operator to provide required information to a person who requests a vehicle with more than 8 passenger seats

(The policy paragraphs affected by these amendments are listed within Section 1 of Appendix A to this report)

It is officer's recommendation that the matters listed above are adopted.

- 7.4 Paragraphs 5.6 to 5.11 of the DfT statutory guidance recommends individual cases should be considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board, to ensure clear separation between investigator and the decision maker. This is **not** recommended by officers
- 7.5 Decisions regarding individual cases are made in line with the policy and associated guidance by the Licensing & Business Manager and/or the Head of Operations Environmental Health & Licensing. This ensures a swift decision-making process for dealing with serious matters that may require the immediate revocation or suspension of a licence and consistency of decisions.

A clear separation is achieved as the Licensing Manager and/or the Head of Operations Environmental Health & Licensing are not directly involved in investigations. (Investigations are carried out by Regulatory Officers who produce a report for consideration by Managers)
If an officer is of the opinion that an application should be considered by the licensing committee then it can be referred. This approach is consistent with section 2.5.4.1 (a), (b) and (c) of the council's constitution.

It is officer's recommendation that the current decision-making process remains as detailed in section 2.5.4.1 (a), (b) and (c) of the council's constitution.

- a) to set fees, issue/renew/suspend/revoke hackney carriage drivers' and vehicle licences and private hire drivers' and vehicle licences, except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee;**
- b) to approve advertising in or on purpose-built Hackney Carriage vehicles subject to there being no advertising of alcohol or tobacco related products and the advertisements complying with the code of acceptance except where the Officer is of the opinion that an application should be considered by Licensing Committee.**
- c) to set fees, issue/renew/suspend/revoke Private Hire Operator's licences except where the Officer is of the opinion that an application should be considered by the Licensing Committee.**

- 7.6 Paragraphs 7.7 to 7.13 of the DfT statutory guidance detail the DfT's view regarding 'In-vehicle visual and audio recording – CCTV'. Their view is that the use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:
- deterring and preventing the occurrence of crime;
 - reducing the fear of crime;
 - Assisting the police in investigating incidents of crime;
 - Assisting insurance companies in investigating motor vehicle accidents.

The DfT CCTV guidance recommends that as a vehicle can be used for personal use, it should be possible to manually switch off recording, when not being used for hire. A requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

Paragraph 7.13 states:

'The imposition of a blanket requirement to attach CCTV as a condition to licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review...'

- 7.7 Installing CCTV cameras in vehicles is something which many other councils have adopted and has been shown to lead to reduced threats and violence against drivers and passengers. Cameras can play a role in deterring and preventing the occurrence of crime, such as - reducing the fear of crime, assisting the police in investigating incidents of crime and assisting insurance companies in investigating motor vehicle accidents. CCTV can be useful in cases of complaints/disputes as footage from an incident can provide invaluable insight, providing an 'independent witness' to an event.

It is officers' recommendation that the Committee considers mandating the installation of CCTV systems in all licensed vehicles to be "phased in" in order to allow both vehicle proprietors and system installers' time to comply with any new requirements.

8 CHANGES IN LEGISLATION

- 8.1 The change in legislation brought about by the commencement of Section 125 of the Finance Act 2021, affects all applications for licensed drivers and operators after 4 April 2022. Referred to as Tax Conditionality, it requires renewal applicants to provide a tax check code to prove they are correctly registered with HMRC before an application can be considered. New applicants must declare that they understand their tax obligations, before an application can be considered.
- 8.2 The amendments made in relation to Tax Conditionality are a legal obligation under the Section 125 of the Finance Act 2021, therefore must be adopted. (The policy paragraphs affected by this amendment are listed within Section 2 of Appendix A to this report)
- 8.3 The Taxi and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 received Royal Assent on 31 March 2022, which was after the end of the revision and consultation period.

Sections 5 and 6 of this Act commenced on 31 May 2022, these sections require licensing authorities to report relevant information to each other. This is already incorporated within the draft policy see paragraphs 1.44, 1.46 and 3.3.

The other provisions of the Act (such as duty to search and record required information on a database accessible to other licensing authorities) don't take effect until a Statutory Instrument is laid and Guidance from Secretary of State is released.

9 OTHER AMENDMENTS

- 9.1 Some sections such as Key Facts about Peterborough, consultation and revision, Local Transport Plan etc. have just been updated in line with current information.

The policy has been updated regarding designated vehicles for the purposes of 165 and 167 of the Equality Act, which were in place, but not reflected in the policy.

The other amendments to the policy were made to address the council's zero carbon ambition, concerns from the trade, consideration of local circumstances, best practice in line with case law and public safety. These main changes were:

- Insertion of new section ‘Applicant and licence holder responsibilities’, detailing some of the new changes required to comply with the DfT guidance, changes in legislation and case law affecting all licence holders.
- Requirement to display a sign identifying the vehicle licence number in the windscreen, this is in line with DfT best practice guidance 2010
- No dual plating of licensed vehicles, if a vehicle is already licensed by another licensing authority, it will not also be licensed by this authority, due to specific vehicle signage requirements.
- Extra testing requirement for licensed vehicles which present at the council’s appointed testing station with multiple faults on multiple occasions indicating that the vehicle is not being properly maintained, will be subject to an extra test (i.e. every 4 months)
- Amendments to licensed vehicle restrictions aimed to reduce carbon impact;
 - reducing the maximum age limit for when a petrol or diesel private hire vehicle would be initially accepted for licensing, from 6 years to 4 years old;
 - Mileage restrictions removed for all private hire vehicles;
 - reducing the maximum age limit beyond which a petrol or diesel vehicle will not be licensed from 15 years to 12 years for hackney carriages, and from 10 years to 9 years for private hire:
 - Petrol and diesel hackney carriage vehicles subject to critical testing at an earlier age, from 12 years to 10 years old;
 - Introducing age related extensions for all licensed vehicles which are ULEV (Ultra Low Emission vehicles) or ZEV (Zero Emission Vehicles) and advising of the council’s ambition to stop licensing petrol and diesel vehicles, see below.

	ULEV	ZEV
Maximum age at time of first being licensed	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 75g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

It is the Council’s ambition that at the next policy review in December 2024, all newly licensed vehicles will need to be either Zero or Ultra-low emission.

(For a full list of the amendments to the policy and paragraphs affected please see Section 3 of Appendix A to this report)

10.1 As detailed in paragraph 6.1 above, the responses from the trade related to 8 main points. Officers have considered these points and respond below with recommendations.

10.2 **Point 1 - changes to vehicle age limits as detailed in Paragraph 2.27 of the draft policy**

There is no intention to extend entry into the trade for diesel/petrol private hire vehicles which are 5 instead of 4 years as proposed. The trade has made this request is on the basis that 5-year-old vehicles are likely to be more affordable to purchase than 4-year-old vehicles. The mileage restrictions for vehicles that was imposed in the 2017 policy has been removed in the proposed policy meaning that more affordable (higher mileage) 4-year-old vehicles will fall into scope for being licensed. In addition, the cross-party Climate Change Working Group and Cambridgeshire & Peterborough Combined Authority Climate action plan support the target of 30% of taxis to be zero emission by 2025. It is therefore imperative that the licensing authority seeks to de-incentivise the use of petrol/diesel vehicles immediately and limiting the age at which petrol/diesel vehicles will be accepted into the trade is one way to achieve this.

However, the licensing authority has met with members of both the Hackney and Private Hire Trade Federations during the consultation process. Officers have listened to the concerns of both trades in relation to vehicle age limits and understands the impact any changes to vehicle age limits will have on existing vehicles; particularly those licensed vehicles that would be considered 'too old' upon implementation of the policy.

Officers' recommendation is that a revised proposal for vehicle restrictions is adopted, with changes in vehicle age limits applying to newly licensed (on or after 26 July 2022) vehicles only. The revised proposal will ensure acquired (or "grandfather") rights are protected for vehicles already licensed while still allowing the Council to achieve its target of 100 percent clean energy across its buildings and services by 2030.

Under the revised proposal, the maximum age limit beyond which an already licensed Hackney carriage will not be licensed will be 15 years old or until 31.12.2029 (whichever is soonest) and for Private Hire vehicles already licensed, the maximum age limit beyond which the vehicle will not be licensed will be 10 years old or until 31.12.2029 (whichever is soonest).

(Acquired rights will only apply to vehicles already licensed before 26 July 2022, vehicles licensed on or after this date will be required to comply with any new age restrictions)

It is officers' recommendation that the revised proposal for vehicle restrictions as detailed above with 'acquired' rights is adopted.

10.3 **Point 2 - support of the vehicle age and C02 reduction however LEVC TX should be licensed for 20 years**

While it is recognised that the fact that the motor which propels the LEVC TX has very few serviceable parts, and the fact that the range-extender only operates as necessary results in far less mechanical wear, the manufacturer states the lifespan of the LEVC TX is "15 years+". The licensing authority believes that with appropriate regular maintenance such vehicles can reasonably be expected to have a serviceable lifespan in the region of 18 years.

It is officers' recommendation that the maximum age limit for all ZEV's remains at 18 years old

10.4 **Point 3 - proposed emissions level of 75g/km are too stringent. Request that this is increased to between 100 – 120g/km to allow for a greater pool of vehicles to choose from.**

A revised proposal for the emissions level for hybrid/alternative fuel vehicles where the level is increased to 105g/km will allow for a greater pool of vehicles to be considered for licensing. Popular hybrid models such as the Toyota Prius, Toyota Corolla and Hyundai Ioniq will be considered for licensing.

It is officer's recommendation that for a vehicle to be considered ULEV in relation to this policy, the maximum CO2 level of 105kg/km is set with the V5C Taxation class shown as ALTERNATIVE FUEL

10.5 **Point 4 - Request that the council approves other vehicle testing stations other than Aragon owing to concerns relating to capacity.**

Hackney Carriage and Private Hire vehicle testing is conducted in accordance with the Motor Vehicle (Tests) Regulations 1981. The Council is authorised by the Secretary of State to perform vehicle tests and issue a Certificate of Compliance (CoC) for suitable vehicles. The Regulations stipulate that in order to issue a CoC, the Licensing Authority must be, as a result of a test, satisfied that the vehicle meets the prescribed statutory requirements.

The Council has determined that both the test and CoC will be completed by the issuing authority as part of arrangements to deliver the service through the Council's company trading as 'Aragon'. This ensures that there is consistency in testing and that the Council has oversight/control of quality. It is only when the test and CoC are completed by Aragon that the Licensing Authority can be satisfied that the vehicle meets the necessary standards in accordance with the Regulations.

This is consistent with other neighbouring authorities that issue CoCs such as Huntingdonshire District Council and Cambridge City Council; both of whom have one appointed garage for this purpose.

In response to concerns regarding testing capacity, the Council has undertaken a review into the matter. Throughout March, April and May 2022, the availability of upcoming testing appointments at the Aragon garage has been periodically checked with the average waiting time for an appointment found to be 2 to 3 working days. The longest wait for an available appointment within this time period was found to be 5 working days, however this was following a bank holiday. A need for additional capacity is not currently supported by evidence.

It is officer's recommendation that Aragon remains the only approved testing station.

10.6 **Point 5 - Concerns about the vehicle charging infrastructure in Peterborough.**

It is important to emphasise that policy measures to support the move towards ULEV and ZEV vehicles are incremental so as to allow the trade time to transition to low emission vehicles and also to allow charging infrastructure and electric vehicle technology to continue to improve.

Currently there are 4 rapid chargers for use exclusively by taxis/private hire vehicles located in Riverside, Midgate, Vierson Platz and Northminster. In addition, a number of public chargers have been installed with plans for a continued roll out including future deployment in residential areas.

The government has committed £1.5 billion to support the early market and remove barriers to zero emission vehicles ownership. The government has pledged a further £2.8 billion package of measures to support industry and consumers to make the switch to cleaner vehicles –
Jo Churchill, Parliamentary Under-Secretary (DEFRA) - Jan 2022.

10.7 **Point 6 - Signage requirements leave licensed vehicles vulnerable to criminal damage**

The signage requirements exist for safeguarding reasons and are consistent with the Statutory Taxi & Private Hire Vehicle Standards issued by the Department for Transport in July 2020 determine that clear signage should be present outside and inside a vehicle. The Standards place a heavy emphasis on the safeguarding of the travelling public and dictate that taxis are a "high risk environment" and that the standards "should be implemented unless there is a compelling local reason not to".

Regarding comments that the Part 1 and Part 2 notices are redundant because passengers can ask to see a driver's badge, the emphasis here again has to be on the safeguarding of potentially vulnerable individuals. The requirement to display Part 1 and Part 2 notices in the vehicle means that specific details about the driver are readily available to all passengers should they feel it necessary to discreetly obtain this information.

Magnetic door signage is not being considered as they may fall from vehicles while driving, may be removed from vehicles (with the potential for them to be used on unlicensed vehicles) and there is a low level of compliance with respect to the fixed stickers presently required – the licensing authority has low confidence that removeable magnetic door signage will be placed on vehicles when so many vehicles are failing to display their permanent door stickers.

It is officer's recommendation that the internal and external signage requirements remain as proposed in the draft policy.

10.8 Point 7 – safeguarding training should be paid for by the Council and should only apply to drivers that provide school transport services.

The Statutory Taxi & Private Hire Vehicle Standards issued by the Department for Transport in July 2020 dictate that licensing authorities should require all taxi and private hire vehicle drivers to undertake safeguarding training.

Safeguarding training will be mandatory for all licensed drivers and will be relevant, and appropriate to the role of taxi/private hire driver. Driver's will be required to meet the cost of their place on safeguarding training courses as they will ultimately benefit from the training. Courses will be offered at a cost that is commercially competitive.

10.9 Point 8 – How will the four monthly testing requirements be applied?

The requirement to submit a vehicle for testing every four months will not be routinely applied but will be reserved for instances where it is apparent that there is a persistent lack of suitable vehicle maintenance in relation to major faults. The licensing authority already can impose such a requirement as an additional condition to a licence and has applied this once in the last 12 months.

10.10 A revised draft policy which includes all officer recommendations detailed in this report (including the revised vehicle age and emission standards in 2.27) has been drafted and can be found at APPENDIX H

It is officers' recommendation that the revised policy (Appendix H) is accepted for adoption

11. ANTICIPATED OUTCOMES OR IMPACT

11.1 Members will properly consider the responses received during the consultation and officer recommendations and determine the final policy.

Approve the final policy for adoption, subject to any amendments they determine, and set the implementation date, which allows for a period of transition over to new conditions and processes.

12. REASON FOR THE RECOMMENDATION

12.1 The policy is required to be reviewed and revised as appropriate and at least every 5 years. The amended policy is consistent with changes in primary legislation, Statutory Guidance and best practice. It is aimed to improve safety standards without being burdensome to licence holders or applicants.

An up-to-date policy strengthens the council's position in the event of challenge.

13. ALTERNATIVE OPTIONS CONSIDERED

13.1 Retain the current policy as adopted in 2017.

This presents a risk to the council as primary legislation and statutory guidance has been introduced and updated. Any decisions based on an outdated policy are more likely to be challenged (and overturned) with the Council facing criticism for failing to follow guidance/best practice.

If the issue of vehicle emissions in the licensed trade is not addressed through incremental changes to vehicle age limits, there is a risk that either the Council will not achieve its net-zero carbon ambitions by 2030, or the taxi and private hire trade will face a 'precipice' in relation to diesel and petrol vehicles rather than a gradual phasing out of these vehicles.

14. IMPLICATIONS

Financial Implications

14.1 Any costs in relation to the adoption of the policy will be met by income fees.

Legal Implications

14.2 Having an up-to-date policy gives rise to a robust decision-making process and strengthens the council's position in the event of challenge.

The Legal Division support the Licensing Team regarding the provision of advice and guidance on taxi licensing matters and will provide representation in the event of any appeals to the Court against decisions of the council, prosecutions being instigated, or enforcement action being undertaken by the authority.

Legal Guidance has been sought from the Legal Section on the compilation of this report.

Equalities Implications

14.3 None foreseen

14.4 **Carbon Impact Assessment**

14.5 A carbon impact assessment has been completed for this policy and forwarded to the climate team for their comments and attached as an appendix. This policy is expected to significantly reduce carbon emissions from hackney and private hire vehicles over its lifetime as they move to less polluting, alternative fuel models.

15. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

15.1 Town and Police Clauses Act 1847 Local Government (Miscellaneous Provisions) Act 1976 DfT Taxi and Private Hire Vehicle Licensing Best Practice Guidance - March 2010 DfT Statutory Taxi & Private Hire Vehicle Standards – July 2020 IoL Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades – April 2018

16. APPENDICES

- 16.1 Appendix A – Index of amendments
- Appendix B – Draft policy which was subject to consultation
- Appendix C – Consultation letter
- Appendix D – Public Notice
- Appendix E – List of consultees
- Appendix F – Consultation response table
- Appendix G – DfT Statutory Taxi & Private Hire Vehicle Standards
- Appendix H – Revised proposed policy
- Appendix I – Carbon Impact Assessment

Index of amendments to Peterborough City Council's Draft Hackney Carriage and Private Hire Licensing Policy revisions. Subject to consultation from 28 January 2022 to 25 March 2022.

Amendments - Section 1

The following changes in policy are required to improve safety standards, as recommended within DfT Statutory guidance 2020 (released under the Policing and Crime Act 2017)

Nature of change	Amended paragraphs	New inserted paragraphs	Licence type affected
Reference to adoption of best practice minimum standards	1.5, 1.6, 1.23, 1.24, 1.54,	1.55	All
Mandatory requirement for drivers to submit Enhanced DBS with barred marker check, maintain subscription to DBS update service and authorise the licensing authority to routinely check for new information	3.5,	1.29, 1.55, 3.27,	HC/PH Drivers
Annual basic DBS requirement for proprietors and operators (who are not also licensed drivers)	4.15,	1.29, 1.55, 2.2, 4.16,	Operators & Proprietors
Requirement to notify within 48 hours of an arrest, release, charge, conviction etc.	3.11, 3.37,	1.31, 1.55,	All
Adoption and use of NAFN NR3	1.44, 3.3,	1.55, 3.32, 3.33 Appendix M added	Drivers
Mandatory safeguarding and County-Lines training and refresher training requirements	1.40, 3.5, 3.22,	1.55, 3.6, 4.21, 5.5,	Drivers & Operators
Any applicant who since the age of 18 has resided outside the UK for a period of six or more continuous months, will be required to submit a Certificate of Good Conduct or criminal record(s) information	3.30, 4.15	1.30, 1.55, 2.2,	All
Convictions Guidelines	3.35, Appendix G	1.55	All
Operators to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy on employing ex-offenders		1.55, 4.29, 4.30, 4.31	Operators
Duty to provide information to a person who requests a vehicle with more than 8 passenger seats		4.39	Operators

Amendments - Section 2

The following changes in policy are required to comply with a change in legislation under the Finance Act 2021, starting 4 April 2022

Nature of change	Amended paragraphs	New inserted paragraphs	Licence type affected
Tax conditionality	3.5,	1.28, 3.8, 3.9, 4.18,	HC/PH Drivers & Operators

Amendments - Section 3

Other amendments; to address the council's zero carbon ambition, concerns from the trade, consideration of local circumstances, best practice in line with case law and public safety

Nature of change	Amended paragraphs	New inserted paragraphs	Licence type affected
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Key facts about Peterborough - updated to reflect current available statistics Peterborough City Council's declaration to shift to zero-carbon by 2030	Page 5 Key facts		All
Consultation and revision	1.16, 1.17, 1.18	1.14, 1.15,	All
Applicant and Licence holder responsibilities		1.26 to 1.31	All
Renewal applications must be submitted prior to expiry of existing licence	2.4, 3.7,	1.27, 2.5, 4.8,	All
Requirement to display a sign identifying the vehicle licence number in windscreen	1.37, 2.78, 2.83,	2.22,	HC/PHV Driver & Proprietor
Local transport plan - updated	1.38, 1.40, 1.42		All
Clarification of appeal route for HCV	1.49		HC Proprietor
Insurance	2.8,	2.30	HC/PHV Driver & Proprietor
No dual plating of licensed vehicles		2.11	Proprietor
Non M1 vehicles must provide VIVA and updated V5C	2.12		Proprietor
All signage relating to hire and reward to be removed, prior to vehicle being taken out of the trade		2.25	Proprietor
Amendment to vehicle age restrictions, testing, critical failure, dependant on fuel type and CO2 emissions. Removal of PHV mileage restrictions.	2.27, 2.44, 2.72,	2.27	Proprietor
Vehicles which present with multiple faults on multiple occasions, may be subject to 3 mechanical tests annually		2.39	Proprietor
Council appointed testing station renamed Aragon	2.43, 2.45,		Proprietor
Accessibility of vehicles, designated for the purposes of 165 of the Equality Act and appear on the maintained 167 published list	2.57	2.58 to 2.61,	Proprietor & HC/PH Driver
Must provide GB driving licence to allow DVLA share my licence check		3.42	HC/PH Driver
Weblink provided to outsourced Driving Assessment Test Providers	3.62,		HC/PH Driver
Hackney Carriage Byelaws	3.66,	Now attached at Appendix B	HC Driver,
Trigger point deleted from monitoring of licensed drivers		Four paragraphs deleted	HC/PH Driver
Designated waiting car parks: Wirrina removed, further designated car parks to be published on the website	3.87,		PH Driver
Right of Appeal	6.12		All
Fees – Appendix Licence fee sheet removed. Link to information on fee's is provided at paragraph 7.1	7.1		All

Appendices amendments

Nature of change	Amended paragraphs	New inserted paragraphs
Appendix A – HCV conditions of fitness: vehicle types amended. Age limits amended and dependant on fuel type and CO2 emissions. Overall length extended to 5.2 meters. No post manufacturer window tinting. Requirements to comply with the Health Act. Requirement to display notice detailing vehicle licence number in windscreen. Requirement to comply with any reasonable request made by an authorised officer.	1.1, 2.4, 2.5, 2.6, 3.1, 3.2, 11.2 16.1, 16.4,	2.1, 2.2, 26.3, 26.4, 27.1

Appendix B – Hackney Carriage Byelaws now attached		
Appendix C – Private Hire Vehicle conditions: Requirement to display notice detailing vehicle licence number in windscreen. PH signage must be removed from vehicle prior to sale outside trade. Mileage restrictions removed. Age limits amended and dependant on fuel type and CO2 emissions. No post manufacturer window tinting. Requirement to comply with any reasonable request made by an authorised officer	15(a) to 15(c),	1(b), 2(g), 11(b), 13(b), 17
Appendix D – PH Drivers conditions: licence must be renewed prior to expiry. Designated car parks amended. Requirement to ensure display of notice detailing vehicle licence number in windscreen. Requirement to co-operate with any reasonable request made by an authorised officer. Amendment to smoking. Requirement to notify within 48 hours of an arrest, release, charge, conviction etc. Mandatory requirement for drivers to submit Enhanced DBS with barred marker check, maintain subscription to DBS update service and authorise the licensing authority to routinely check for new information	6, 8, 16, 24, 30(a),	12(b), 15(g), 27(d), 30(c)
Appendix E – Operator conditions: requirement to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy on employing ex-offenders. Extra requirements to record information for records of bookings. Requirement to notify within 48 hours of an arrest, release, charge, conviction etc. and provide annual basic DBS, including directors/partners etc. Requirement to co-operate with any reasonable request made by an authorised officer.	2.2, 10(a),	2.1(e) to (g), 2.2(a), 10(d), 10(e), 17.1
Appendix F – Speciality vehicle conditions: exempt from displaying the licence plate number in windscreen.	5.11,	
Appendix G – Guidelines relating to convictions: Scope extended to include proprietors. Requirement to notify within 48 hours of an arrest, release, charge, conviction etc. Mandatory requirement for drivers to submit Enhanced DBS with barred marker check, maintain subscription to DBS update service and authorise the licensing authority to routinely check for new information. Use of NR3.	1.1, 1.2, 2.5(b), 3.1, 3.2, 5.1, 5.2, 6.6, 10.1, 10.2, 12.2, 12.3, 12.4, 12.6, 12.7, 13.1, 15.2, 16.1, 16.2, 17.2, 18.1, 18.2, 18.5, 19.1, 21.1,	5.3, 12.8,
Appendix H – Critical failure: amended dependant on type of fuel and CO2 emissions		
Appendix I – PHV plate exemption condition (o) no requirement to display the licence plate number in windscreen	(o)	
Appendix J – New Fare card (22/1/2022)	Amended	
Appendix K – Map of defined city centre and taxi ranks	Amended	
Appendix L – Part 1 and Part 2 notice	Amended	
Appendix M – Policy on the use of NR3		New policy

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Peterborough City Council

Hackney Carriage and Private Hire Licensing Policy

Subject to consultation – 28 January 2022 to 25 March 2022

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Definitions

The Council	Means Peterborough City Council
The Licensing Authority	Means the licensing function within Peterborough City Council
The Controlled District	Boundary area of a local authority which has adopted the provisions of the 1976 Act
The Licensing Committee	Is the committee which determine licensing matters as set out in the council's constitution
Authorised Council Officer	A council officer who is authorised by the council to exercise powers and duties conferred by legislation
This Policy	Is this policy document and appendices
Applicant	Is a person or business who has submitted an application for either a grant or renewal of a licence
Licensed Vehicle	Is a vehicle which is licensed under the 1847 Act as a hackney carriage or licensed under the 1976 Act as a private hire vehicle
Proprietor	Is the registered owner or part owner of a vehicle
Taximeter	Is the device used for calculating the fare to be charged for the journey by measuring distance travelled plus any time waiting. Fitted in all hackney carriage vehicles and some private hire vehicles
Fare Card	Is a card which must be displayed in vehicles that are fitted with a taximeter which indicates the maximum authorised fare to be charged for distance travelled, waiting time and soilage charge and the licence plate number
The Licence Plate	The plate which licensed vehicles must display which shows the licence number, the maximum amount of persons to be carried, expiry date, vehicle registration number, and make and colour of vehicle
Date of First Registration	Means the date shown as the date of first registration on the vehicle's V5 logbook issued by DVLA
Driving licence	A full GB driving licence issued by DVLA or acceptable equivalent as defined by DVLA
Licensed Driver	A driver licensed under the 1847 Act to drive a hackney carriage vehicle or under the 1976 Act to drive a private hire vehicle.
Badge	Issued to all licensed drivers and must be worn when working as a licensed driver
Operator	The business which invites and accepts bookings for private hire work
Private Hire Vehicle	A vehicle licensed under the 1976 Act
Private Hire Door Stickers	Door stickers which must be permanently affixed to the rear doors of private hire vehicles which display 'Private Hire vehicle – Insurance invalid unless pre-booked with an operator'
Hackney Carriage Vehicle	A vehicle licensed under the 1847 Act commonly referred to as a taxi
DVLA	Is the Driver and Vehicle Licensing Agency
DfT	Is the Department for Transport
DVSA	Driver and Vehicle Standards Agency (which replaced VOSA in 2014)
The Equality Act	Means the Equality Act 2010
Assistance Dog	Is a dog which is trained to assist people with disabilities to help them with their day to day life
Conditions	Mean the conditions of licence applied by the council to either a driver's licence, an operator's licence or a vehicle licence.
The 1847 Act	The Town and Police Clauses Act 1847 and the provisions within
The 1976 Act	The Local Government (Miscellaneous Provisions) Act 1976 and the provisions within
Road Traffic Acts	Including all associated legislation
PSV	Means Public Service Vehicle
WAV	Wheelchair Accessible Vehicle
Byelaws	Locally adopted 'conditions' applicable to hackney carriage drivers

Key Facts about Peterborough and District

Peterborough is a modern and progressive city with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of 203,600 in 2018. Compared to neighbouring districts and for the East of England and England as a whole, ONS estimates show that Peterborough has seen the strongest growth in population between 2011 and 2018 of 9%. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 6,201,210 people in 2018 in the East of England region.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the region's other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

There are over 1330 licensed drivers, approximately 112 licensed hackney carriage vehicles (taxis), and over 849 licensed private hire vehicles and 69 operators.

Peterborough city council recognise the vital and important role that hackney carriage and private hire vehicles, drivers and operators play in an integrated transport system. They provide services in situations where other forms of transport are either not available such as rural areas, late night economy or for persons with mobility difficulties.

On the 24th of July 2019, at a meeting of Peterborough City Council's Full Council, members unanimously declared a climate emergency and agreed to make the Council's activities net-zero carbon by 2030. The motion commits the Council to achieve 100 percent clean energy across its buildings and services by 2030 and ensuring that **all** strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero-carbon across the entire city by 2030.

The council's strategic priorities are:

- Drive growth, regeneration and economic development
- Improve educational attainment and skills
- Safeguard vulnerable children and adults
- Implement the Environment capital agenda
- Support Peterborough's culture and leisure trust Vivacity
- Keep all our communities safe, cohesive and healthy
- Achieve the best health and wellbeing for the city

SECTION 1

1. Introduction

Policy Purpose, Status and Scope

- 1.1 The purpose of this policy is to provide guidance and information regarding the general approach taken by Peterborough City Council, when administering its functions within the legislative framework of the 1847 and 1976 Acts. It has traditionally exercised these responsibilities through a number of sets of conditions, byelaws, guidelines and procedures which have been developed and adopted over the years. It is widely considered best practice to create a unified policy that brings together all of these procedures and documents in one overarching policy.
- 1.2 This policy does not override the legal requirements embodied in any primary or secondary legislation in force at the time of adoption or as may be enacted after the adoption of this policy. Where there are any subsequent changes made to the applicable legislation, or its interpretation by the courts that conflict with this policy, the conflicting elements shall not apply and will be amended at the earliest opportunity.
- 1.3 The legislation places a duty on the council as the licensing authority for licensing hackney carriage and private hire vehicles, drivers of those vehicles and operators of those vehicles. The licensing authority understands the importance and responsibility it has in ensuring that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that drivers are fit and proper to undertake the role. This policy and the imposition of conditions found in the appendix documents are considered appropriate to address all these aspects.
- 1.4 The primary focus when administering its functions are public safety, safeguarding and wellbeing.
- 1.5 In exercising its discretion in carrying out regulatory functions, the council will have regard to this policy and appendices, statutory guidance and best practice.
- 1.6 In formulating this policy, consideration has been given to local circumstances and requirements, the DfT best practice guidance March 2010, the DfT Statutory Taxi & Private Hire Vehicle Standards Guidance (July 2020) issued under section 177(1) of the Policing and Crime Act 2017, and IoL Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades (April 2018).
- 1.7 Every decision, application and enforcement action will be considered on its own merits.
- 1.8 The council may depart from this policy if merited, but will provide clear and compelling reasons for doing so.
- 1.9 This policy is not a comprehensive statement of the law, applicants should always obtain their own legal advice if they are unsure of the requirements of legislation.
- 1.10 It must be noted that vehicles and drivers licensed by different local authorities can be used for private hire purposes within this district. These vehicles and drivers are not subject to compliance with the conditions applied by this authority. But must still comply with their own local authority conditions and the general law.

Consultation and Revision

- 1.11 The council consulted with stakeholders prior to the adoption of this policy, and will do so for the further continuation and development of the policy.
- 1.12 This policy and appendices will be kept under review and revised as appropriate and in any event, not less than every five years. The council expects licence holders to comply with its terms and conditions.

- 1.13 The council will keep the policy and appendices under review and will consult where appropriate on proposed revisions. Appendices and sections of the policy may be updated and amended by the licensing committee after consultation without the whole policy being consulted upon.
- 1.14 The initial policy took effect on 26 July 2017, when it was adopted by Full Council, therefore it must be subject to review and consultation prior to July 2022.
- 1.15 The consultation will take place between Friday 28 January 2022 to Friday 25 March 2022, with those listed in paragraph 1.17. All consultation responses will be given due consideration when determining the final policy.
- 1.16 The consultation draft policy will be made freely available on the council's website and main council buildings. There will be a public notice in the local newspaper advising of the consultation and period.
- 1.17 Consultation takes place with the following:
- Peterborough Hackney Carriage Representatives
 - Taxi and private hire drivers and proprietors
 - Peterborough private hire operators
 - Peterborough City Council Councillors
 - Parish Councillors
 - Passenger Transport
 - Local Children's Safeguarding
 - Police Chief Constable
 - Peterborough Chamber of Commerce
 - Groups representing disabled people
 - Campaign for Better Transport
 - Neighbouring Licensing (Local) Authorities
 - General public

(And other bodies and groups that the Licensing Authority consider appropriate)

- 1.18 The Licensing Committee will fully consider all responses to the consultation at a meeting TBA, then recommend to full council at a meeting TBA to adopt the amended policy. Where the adoption of this policy results in a process change, this will be implemented at the earliest opportunity.

The Licensing Regime – General overview

- 1.19 The primary legislation applicable is the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Vehicles used for hire and reward which accommodate a maximum of up to eight passengers, drivers of those vehicles and operators of private hire vehicles are regulated by the above legislation. Vehicles which accommodate more than eight passengers are classed as Public Service Vehicles (PSV) and are not covered by the legislation or this policy. The council has no involvement in the licensing of PSV's, they are the responsibility of The Traffic Commissioner.
- 1.20 Any person who carries out hire and reward work without the correct licences, would be breaking the law and therefore would not have valid insurance. This can have serious consequences for all parties involved, if an accident or incident occurs.
- 1.21 In order to be licensed correctly the licenses must 'match', i.e. issued by the same local authority. A hackney carriage vehicle and the driver must be licensed by the same local authority. For private hire, the operator, driver and vehicle must be licensed by the same authority. This does not prohibit the operator subcontracting a booking to another operator licensed by a different local authority.
- 1.22 The legislation places a duty on the local authority to only licence those who are considered to be 'fit and proper'. The term 'fit and proper' is not defined in legislation therefore the widest interpretation will apply.

- 1.23 The legislation allows local authorities to set their own conditions, requirements and application processes. Which means that each local authority's requirements and conditions are different. However the DfT Statutory Guidance (issued under section 177(1) of the Policing and Crime Act 2017) to which licensing authorities must have due regard, aims to set minimum standards to directly address safeguarding of the public.
- 1.24 The aim of the legislation is to ensure that the public have reasonable access to these services and to ensure the public are protected. Public safety is paramount and has a wide scope, it includes public safeguarding, protecting vulnerable persons and public wellbeing. To achieve the aim of the legislation and having due regard to the guidance issued by the Secretary of State, Peterborough City Council have set conditions and processes in place, which promote well run, safe and responsible businesses.

Applicant and Licence holders responsibilities

- 1.25 Other general law is also applicable such as the Road Traffic Act, Health and Safety at Work Act, the Health Act, the Equality Act etc. This is not a definitive list and not all applicable legislation is enforced or regulated by the council. Peterborough City Council expects licence holders to ensure that they keep up to date and comply with all applicable legislation pertaining to their roles.
- 1.26 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.
- 1.27 All renewal applications must be submitted to the Council prior to the date of expiry of the existing licence. If a licence holder fails to submit a fully complete application to renew before the date of expiry of the licence, they will be required to apply as a new application and meet all the requirements. The Council will only consider a late renewal in exceptional cases R (on the application of Exeter City Council) v Sandle [2011] LLR480, in which case the renewal date will be from the date of expiry of the previous licence. The Council will accept licence renewals from 28 days before the date of expiry.
- 1.28 Licence holders must ensure that they are correctly registered with HMRC for tax purposes. From April 2022, licence applications for drivers (hackney carriage and private hire) and operators licenses will be subject to the requirements of the Finance Act 2021. The Licensing Authority is legally required to share information with HMRC and cannot consider a renewal application, until confirmation from HMRC has been obtained that applicant(s) are correctly registered for tax purposes.
- 1.29 In order to assist the determination of an applicant's 'fit and proper' status, all applicants are required to provide a valid DBS check. The level of DBS required is determined by the type of application. Operators and Proprietors (who are not also licensed drivers) will be required to provide an annual basic disclosure. All licensed drivers must provide an Enhanced DBS and barred lists check, maintain continuous registration with the DBS update service and authorise the licensing authority to routinely check for new information.
- 1.30 As the DBS cannot access criminal records held overseas, all applicants who have spent an extended period (six months or more) living or working outside the UK since they were 18 years of age, will be required to submit a 'Certificate of Good Character' or criminal record(s) information, for each Country they lived or worked in for six months or more. Further information on applying for overseas criminal record information or 'Certificates of Good Character' can be found in the Home Office guidance. (see link below)
- <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

- 1.31 All licence holders must notify the licensing department within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence, including speeding offences.

Role of Hackney Carriage and Private Hire Trade and the difference between them

- 1.32 The council recognises the importance of hackney carriage and private hire vehicles, drivers, proprietors and operators. They play an essential role in the provision of local transport for those who have difficulty getting about on public transport, those enjoying the night time economy, taking children to school etc., and are vital in helping to maintain a healthy local economy. They can often be the first contact for a visitor to the local area.
- 1.33 Whilst the general public do not always know the difference between a hackney carriage and a private hire vehicle, and often refer to both as taxis, there are significant distinctions in law, on how they are allowed to operate. However, both have equal importance.
- 1.34 Within the district in which a hackney carriage vehicle (and driver) are licensed, they are available for immediate hiring, they can be hailed (or flagged) in the street, can wait on a rank and be approached directly by a member of the public i.e. 'ply for hire' in public places. They are not required to be booked via an operator. They must display a fare card within the vehicle which shows the current maximum fares to be charged as set by the local authority. In law, these are allowed to be called 'taxis' or 'cabs', and are sometimes also referred to as Black or London Cabs. Hackney carriages licensed by another local authority who operate within this district cannot ply for hire or wait on ranks. They may however be used for private hire purposes, i.e. carry out pre-booked journeys.
- 1.35 A private hire vehicle is not allowed to accept direct bookings from the public. They can only accept bookings from a licensed operator, they cannot operate independently, i.e. without a licensed operator. They cannot be hailed in the street or wait on ranks. If a private hire driver accepts a fare which has not been pre-booked through a licensed operator, they are committing an offence and potentially driving without valid insurance. The fares charged are not regulated by the authority, but must be agreed with the operator at the time of booking. Although, within district, where a private hire vehicle has a taximeter fitted, the fare charged cannot be more than would be charged by the taximeter fare. They are not allowed to use the term 'taxi' or 'cab' but may be called 'minicabs'.
- 1.36 In determining if a vehicle is being used for private hire purposes and needs to be licensed, the council will have regard to the guidance issued by DfT. See link below.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/3985/phv-licensing-guidance.pdf
- 1.37 The conditions set by this council require both hackney carriages and private hire vehicles to display the licence plate on the rear of the vehicle. A hackney carriage vehicle is required to display a white plate and a private hire vehicle must display a yellow plate, unless exempted. All licensed vehicles are required to display a sign identifying the vehicle licence number in the top left hand side of the windscreen, unless exempted private hire.

The Cambridgeshire & Peterborough Local Transport Plan

- 1.38 In developing this policy due regard has been given to the Cambridgeshire & Peterborough Local Transport Plan to ensure consistency and development for a sustainable future. The council encourages the uptake of electric and ultra-low emission private hire vehicles and taxis where possible. Electric charging points have been installed in various locations and development of these is ongoing.
- 1.39 Peterborough do not have a set limit for hackney carriage vehicles, this ensures that taxis and private hire vehicles are readily available for passengers in Peterborough. The conditions set by this council are aimed to ensure licensing standards result in a high level of service and that vehicles offer a safe and comfortable journey.

- 1.40 Training for all new drivers is in place. All new applicants must pass the taxi competency course provided by Peterborough Regional College and any other training as prescribed by the licensing authority in relation to disability awareness, safeguarding and County Lines.
- 1.41 The licensing department have regular contact with hackney carriage representatives to support the improvement and development of taxi ranks.
- 1.42 Further information on the local transport plan can be found on the council website. See link below <https://cambridgeshirepeterborough-ca.gov.uk/wp-content/uploads/documents/transport/local-transport-plan/LTP.pdf>

Passenger Transport

- 1.43 To become an approved operator for children's transport, please call the Passenger Transport Team on 01733 747474

Information sharing

- 1.44 The council works in partnership with many other enforcement agencies such as the Police, HM Revenue and Customs, the Home Office, DVSA, Department of Work and Pensions, NAFN NR3, benefit fraud etc. The council will share information with other departments or regulatory bodies including other Licensing Authorities where appropriate. The council is legally required to provide information if requested, pursuant to a criminal offence, or to detect fraud, or immigration offences.
- 1.45 The legislation also requires local authorities to maintain a public register.
- 1.46 The council will work with neighbouring authorities and report to them any relevant matters that relate to their licence holders.

Decision making

- 1.47 Each application and enforcement action will be determined on its own merits. Determination of applications will be made in accordance with this policy, the council's constitution, statutory guidance, common law precedent and industry best practice. Officers have delegated powers, but may also refer certain matters to the licensing committee if appropriate.
- 1.48 Enforcement actions will be in accordance with this policy, the council's enforcement policy and the Regulators' Code 2014.
- 1.49 Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that the imposition of a condition is unfair, may appeal to the magistrate's court within 21 days of being given the decision. Except in the case of a refusal to grant a Hackney Carriage proprietors (vehicle) licence, in which case the appeal is directly to Crown Court.

Immigration Act – all licences

- 1.50 The council has a statutory obligation to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licenses will be undertaken in accordance with the requirements of the Immigration Act 2016 with due regard to Home Office guidance.
- 1.51 The council takes this responsibility seriously and has checks in place to ensure compliance with the Act, and will liaise where required with relevant Home Office departments. If however, a licence has been issued incorrectly for whatever reason, the licence ceases to have effect if the person does not have the right to work in the UK. Any licence which has expired due to the person's immigration status must be returned to the council within 7 days.
- 1.52 A licence may be suspended or revoked or refused to be renewed if, since the grant of the licence

there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.

- 1.53 Proprietors and operators also have an obligation to ensure that they only utilise persons who have the right to work in the UK. Failure to observe this obligation, or to provide due diligence checks, will be subject to enforcement action by the appropriate Home Office department, which may result in a civil penalty or imprisonment and loss of licence.

Policing And Crime Act 2017

- 1.54 The council will give full regard to the guidance issued by the Secretary of State regarding the protection of children, and vulnerable individuals who are 18 or over, from harm. The revised policy includes amendments in line with the DfT Statutory Taxi & Private Hire vehicle Standards July 2020. If any future changes to the guidance affect any parts of this policy or related appendices they will be amended at the earliest opportunity.
- 1.55 The Statutory guidance recommends adoption of several best practice minimum standards, in order to better protect children and vulnerable adults and by extension, the wider public, when using taxis and private hire vehicles. Some of these best practices were already in place, however, the following are now also incorporated;
- Mandatory requirement for licensed drivers to maintain subscription to the DBS update service and allow the licensing authority to make enquiry checks with DBS
 - Annual basic DBS disclosure requirement for proprietors and operators, who are not also licensed drivers
 - Checking and reporting to NAFN NR3 (see Appendix M)
 - Mandatory safeguarding training, including county lines, for all licensed drivers and operators.
 - Requirement for all licence holders to notify the licensing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.
 - Requirement for all applicants who since the age of 18, have spent an extended period (i.e. six months or more) outside the UK, to provide a Certificate of Good Character or criminal record(s) information.
 - Revisions to the Guidelines Relating to the Relevance of Convictions
 - Operators to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy on employing ex-offenders.

SECTION 2

2 General provisions for hackney carriages and private hire vehicles

Vehicles General

- 2.1 Peterborough city council has not set a limit for the amount of hackney carriage vehicles it will licence. There is no provision for the council to limit the amount of private hire vehicles it licences.
- 2.2 Proprietors (who are not also licensed drivers) must provide a basic DBS disclosure with their application and annual renewal. Where the proprietor of the vehicle is a company or partnership, a basic DBS will be required for all directors, partners, secretary, etc. and any other persons with significant control. Proprietors who have not resided continuously in the UK since they were 18 years old, i.e. have spent an extended period (six or more continuous months) outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable.
- 2.3 The maximum duration of a vehicle licence is one year, this is a requirement of legislation. However, a vehicle licence can be renewed up to the age at which it will be de-licensed as specified in the relevant appendices.
- 2.4 If a renewal application has not been received at the end of the vehicle's licensed period, the vehicle cannot be used for hire and reward purposes. Any vehicle which has not renewed before the expiry

of the licence, will be classed as de-licensed, and will be required to apply as a new vehicle and meet the required age and specification criteria for a new vehicle. Exceptions may be made, in exceptional circumstances (see paragraph 1.27).

- 2.5 An application for a vehicle renewal must be submitted to the Licensing Authority, prior to the expiry of the existing licence and prior to having the vehicle tested. The appointed testing station will not release a renewal plate, unless a fully complete vehicle renewal application (including fee), has been confirmed as received and determined by the Licensing Authority.
- 2.6 It is the responsibility of the vehicle owner to ensure that renewal applications, paperwork and mechanical tests are carried out in a timely manner to avoid the unnecessary burden of a vehicle being de-licensed.
- 2.7 Once a vehicle is licensed as either a private hire vehicle or a hackney carriage vehicle it remains a licensed vehicle until it is de-licensed. This means that these vehicles can only be driven by licensed drivers. The only exception to this is where an applicant is undertaking a test, or the vehicle is being tested e.g. driven by a garage mechanic.
- 2.8 Therefore any other person who is not a licensed driver themselves, are not permitted to drive licensed vehicles, even when the vehicle is considered 'off duty'. Any insurance policy which provides insurance for a licensed vehicle to an unlicensed person, is likely to be invalid and in any case, will not be accepted by the Licensing Authority. Insurance policies are usually invalid if the insured is knowingly breaking the law by driving the vehicle.
- 2.9 Vehicles which accommodate more than 8 passengers cannot be licensed as a hackney carriage or private hire vehicle.
- 2.10 The council has set conditions applicable to the testing requirements, internal and external specifications, of the vehicles it will licence. These can be found on the appendices attached, Appendix C for private hire vehicles and Appendix A for hackney carriage vehicles. There is a separate set of conditions applicable for Limousine and speciality vehicles, licensed as private hire vehicles, which can be found at Appendix F. These appendices also provide detail on vehicle specification, design, vehicle age limits, types of vehicles etc. that may be licensed.
- 2.11 This authority does not allow 'duel plating' of licensed vehicles. No vehicle will be granted a licence if it is licensed in another district. Any vehicle found to be licensed by another authority will have the licence suspended or revoked.
- 2.12 The council has set these conditions as the minimum standards to ensure that the public travel in safe, comfortable and roadworthy vehicles. All vehicles must also conform to the M1 type approval and construction and use regulations. Vehicles which are not M1 type approved, (e.g. N1) must provide VIVA (Voluntary Individual Vehicle Approval) documentation confirming conformity and safety of alterations and updated V5C to correlate.
- 2.13 Whilst each application will be determined on its own merits, it is unlikely that the council would licence a vehicle which did not meet the licensing standards and specifications. Where a vehicle proprietor wishes to licence a vehicle which did not meet the specifications and standards, they are encouraged instead to put forward a case for modification of the standards.
- 2.14 All vehicles must provide adequate heating and ventilation systems for the driver and passengers. Passengers must be able to operate the windows independently.
- 2.15 All expired plates must be returned to the council or retained by the appointed testing station upon renewal.
- 2.16 All licensed vehicles must comply with the requirements of the Health Act 2006 and display a no smoking sign. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time. For the avoidance of doubt, the council also forbids the smoking of electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers

Appearance

- 2.17 Vehicles must be safe, comfortable, the passenger compartments must be clean and dry including upholstery, without rips or tears or sharp protrusions. Proprietors, drivers and operators must ensure that the vehicles they utilise, meet the expectations of this council and the travelling public.
- 2.18 The exterior of the vehicle must be reasonably clean to ensure that passengers can get in and out of the vehicle without fear of getting their clothing dirty with dust, oil, mud and other road debris. Drivers are also reminded to ensure that the licence plate and registration plate remain clean and visible.
- 2.19 Any vehicle damage that materially affects the safety, performance, appearance, or the comfort of the passenger must not be used for hire and reward purposes, until the vehicle has been suitably repaired.
- 2.20 All licensed vehicles must display the licence plate on the outside at the rear of the vehicle, unless it is a private hire vehicle and has been granted a plate exemption certificate.
- 2.21 The licence plate must be securely fixed to the outside of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised council officer or police officer.
- 2.22 All licensed vehicles (except private hire vehicles which have been granted a plate exemption certificate) must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council should the licence be suspended or revoked.
- 2.23 The council will not permit any advertising which it considers inappropriate, therefore all advertising, (except for the operator name and telephone number), on or in vehicles must be approved prior to being placed on or in the vehicle.
- 2.24 Private hire vehicles must display on the rear passenger doors in a prominent location, permanently affixed (not magnetic) door signage. This signage must state 'Private hire vehicle – insurance invalid unless pre-booked with operator'.
- 2.25 All signage relating to hire and reward (including door signage, company insignia etc.) must be removed from the vehicle, whenever it is sold or transferred outside Peterborough's licensed trade, or delicensed.

Age policy

- 2.26 The council must ensure that the vehicles it licenses are fit and safe for the purpose they are licensed for, with consideration to reliability, environmental impacts, passenger comfort, and the need to sustain a high quality of licensed vehicles.
- 2.27 Therefore there are various age restrictions and testing requirements applicable for vehicles it will licence. There are conditions regarding the maximum age a vehicle will be initially licensed, the age at which six monthly tests are required, and the age at which a vehicle will be de-licensed, and they are different for private hire, hackney carriages, speciality and limousine vehicles and by fuel type and vehicle emissions.

The table and information provided below is a guide, but please refer to the appropriate appendices attached.

Vehicles which are Petrol, Diesel (and other non ULEV or ZEV)

	Hackney carriage	Private hire
Maximum age at time of first being licensed	3 years old	4 years old
Maximum age limit beyond which the vehicle will not be licensed	12 years old	9 years old
Age at which the vehicle will be subject to six monthly inspections	6 years old	6 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old	8 years old

Vehicles (both Hackney Carriage and Private Hire) which are ULEV (Ultra-Low Emission) or ZEV (Zero Emission) will be subject to the following age restriction criteria:

	ULEV	ZEV
Maximum age at time of first being licensed	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 75g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

It is the Council's ambition that at the next policy review in December 2024, all newly licensed vehicles will need to be either Zero or Ultra-low emission.

Insurance

- 2.28 It is the responsibility of proprietors, operators and drivers to ensure that they are properly insured at all times. Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid an inadvertent criminal offence.
- 2.29 Applications for new or renewal of a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver for hire and reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is maintained at all times. It is considered best practice for proprietors and or drivers to keep copies of expired insurance policies for a reasonable period of time in case of any retrospective claims.
- 2.30 Insurance policies for a licensed vehicle which contain named drivers who are not also licensed drivers, will not be accepted. (see paragraph 2.8)

Safety equipment

- 2.31 All licensed vehicles must have a suitable and efficient fire extinguisher and first aid kit containing appropriate first aid dressings and appliances. Such equipment must be in date and carried in such a position in the vehicle as to be readily available and visible for immediate use in an emergency.

CCTV in licensed vehicles

- 2.32 The installation of CCTV in licensed vehicles can be both a deterrent to would-be troublemakers and be a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents. If fitted correctly, it can assist the police and insurance companies with their investigations.
- 2.33 The installation of CCTV in licensed vehicles is not imposed as a condition. Whilst the council understands the benefits to the trade, as well as to passengers, and encourages its use in licensed vehicles, it is left to the judgement of the proprietors, drivers and operators to determine.
- 2.34 Where drivers, proprietors and operators have considered it appropriate to install CCTV in their vehicles as a safeguarding measure, they must notify the council prior to installation. They must be registered with the ICO and comply with all aspects of data protection and CCTV codes of practice. Further information can be found on the following link [.https://ico.org.uk/](https://ico.org.uk/)
- 2.35 CCTV must be professionally installed to ensure no interference with other equipment, in such a manner that it does not increase the risk of injury or discomfort to the driver and passengers, or affect any other safety system or in any way breach the motor vehicle construction and use regulations. It must be regularly checked and maintained, be openly overt and the vehicle must display the required signage.
- 2.36 CCTV must not be used to record conversations of the travelling public as it is highly intrusive. Some systems have a driver panic button which if activated does record sound, this should only be used in extreme circumstances, such as in response to a threat of physical violence.

Maintenance of vehicles

- 2.37 It is expected by the council and the travelling public, that all vehicles over three years old are serviced in accordance with the manufacturer's requirements or at least annually. Licensed vehicles have high usage and mileage and it is in the public interest, as well as the drivers, to ensure that vehicles are properly maintained.
- 2.38 Maintenance is a key factor with any vehicle and it's good practice for all commercial vehicles to be part of a planned preventative maintenance programme, where all vehicles are routinely serviced to ensure safety and quality. The council expects this level of commitment from drivers and operators. It should be noted that the 12 monthly and 6 monthly tests carried out by the testing centre, is to confirm a level of safety and quality, rather than highlight to the driver what maintenance needs to be carried out.
- 2.39 Vehicles which present to the councils appointed testing station with multiple faults on multiple occasions which demonstrate that the vehicle is not being appropriately maintained, may be subject to 3 mechanical tests annually (every 4 months) to ensure public safety.

Vehicle testing

- 2.40 The law requires all vehicles to have a yearly MOT test. However, as licensed vehicles provide a service to the public and have more usage, wear and tear, it is appropriate to subject these vehicles to a more stringent and enhanced test than the standard MOT test. Prior to licensing any vehicle, it must have passed this enhanced test at the council's appointed testing station.
- 2.41 Once a vehicle has passed this enhanced test and provided all required documentation, the council will issue a Certificate of Compliance (CoC), which stands in place of an MOT certificate. An MOT

certificate will not be issued, this means that the vehicle will not show as having a valid MOT on the national recognised database.

- 2.42 If licence holders wish to obtain an MOT in addition to the CoC test, they may do so. But will still be subject to the CoC testing requirements and frequency of testing, at the council's appointed testing centre, as detailed in this policy and appendices attached.
- 2.43 The appointed vehicle testing station is Aragon, based at Nursery Lane, Fengate, Peterborough PE1 5BG. All fees payable for vehicle testing must be paid directly to Aragon. Any complaints regarding vehicle testing should be made directly to Aragon.
- 2.44 The council considers it appropriate to require all vehicles of a certain age, to be subject to a six monthly vehicle test at the appointed testing station. This is to ensure that, as the vehicle gets older, it still meets the required standards applied by this council, and the law regarding vehicle emissions.
- 2.45 Vehicles must be presented for vehicle testing at the appointed testing station. Proprietors and or drivers, must book these appointments themselves directly with Aragon. They must make sure that they organise the tests sufficiently in advance to ensure that the vehicle remains compliant with the vehicle testing requirements set out in the conditions (i.e. yearly or six monthly).
- 2.46 It is an offence to use on a public road a vehicle of testable age that does not have a current certificate of compliance, except when:
- Taking it away from the testing station after it has failed the test
 - Taking it to or bringing it away from a place where by previous arrangement repairs are to be or have been made to remedy the defects for which the vehicle was failed
 - Taking it to the testing station for a test booked in advance.
- Even in the above circumstances you may still be prosecuted for driving an unroadworthy vehicle if it does not comply with the various regulations affecting its construction and use.
- 2.47 Vehicles which have failed the vehicle test must not be used for hire and reward work, until the vehicle has been re-presented to the testing station and been passed as fit for use and is licensed.

Accidents

- 2.48 Any accident that causes damage which materially affects the safety, performance, appearance, or the comfort or convenience of the persons carried therein, must be reported to the council as soon as reasonably practicable, and in any case within 72 hours. Failure to report an accident within the given timeframe is an offence.
- 2.49 The driver involved in the accident must provide details to the licensing department of how, where and when the accident occurred. The damage to the vehicle must be assessed by an officer, where the vehicle is not capable of being driven, photos must be taken and given to the licensing department with the vehicle's licence plate and a vehicle suspension notice will be issued.
- 2.50 Drivers, proprietors and operators are advised that the council may be contacted by insurance companies to verify an accident damage report and details provided.
- 2.51 Vehicles which have sustained damage may apply for a temporary replacement vehicle whilst the vehicle is being repaired. The replacement vehicle will carry the same licence number as the damaged vehicle, therefore the licence plate for the damaged vehicle must be given back in order for the temporary plate to be released. Replacement vehicles must first be passed as fit for service by the council's appointed testing station and must meet all the other requirements and standards applicable. There is a separate application form and fee payable for this service and the reinstatement of the plate.

Taximeters

- 2.52 All hackney carriages licensed by this authority are required to have a working taximeter fitted in the

vehicle, some private hire vehicles are also fitted with a taximeter. Where a taximeter is fitted, it must be calendar controlled, must not be set at a higher fare than the current maximum fare as agreed by the council. The taximeter must be sealed by a person authorised by the authority.

- 2.53 Within district, if a vehicle is fitted with a taximeter it must be used when conveying passengers, the fare demanded cannot be more than that shown on the taximeter. If a fare has been quoted and agreed and is less than the fare shown on the taximeter, the quoted lesser fare must be charged. (The current fare card is attached at Appendix J)

Transfer of ownership of the vehicle

- 2.54 If a proprietor wishes to transfer ownership of a licensed vehicle, they must complete the required application, providing full details of the new owner of the vehicle as soon as practically possible, and in any case within 14 days. A proprietor who fails to give such notice, without reasonable excuse, is guilty of an offence.

Accessibility of vehicles

- 2.55 An accessible public transport system where people with disabilities have the same opportunities to travel as other members of society is the aim of this council. The council expects that proprietors, drivers and operators give full consideration to the service they provide to ensure they provide service to all members of society without discrimination.
- 2.56 The council is committed to social inclusion and ensuring a wide variety of opportunity is available to all residents to enjoy a high quality of life. It is recognised that making door to door journeys easily and on-demand is crucial to social inclusion for disabled people.
- 2.57 All hackney carriages licensed by this council are designated for the purposes of section 165 of the Equality Act 2010, wheelchair accessible vehicles (WAV) and appear on the maintained list under section 167 of the 2010 Act. This is to ensure that people with disabilities are able to hire the vehicle on the spot with the minimum delay or inconvenience.
- 2.58 Private hire vehicles which meet the criteria (ability to carry a passenger in their wheelchair) will be designated and added to the 167 published list. Exemptions will be considered on a case by case basis.
- 2.59 Drivers of designated vehicles are required to perform duties to assist passengers and must not refuse or charge disabled persons more than a non-wheelchair user for the same journey.
- 2.60 Section 165 of the Act sets out the duties placed on drivers of designated wheelchair vehicles. The duties are:
- To carry the passenger while in the wheelchair;
 - Not to make any additional charge for doing so;
 - If the passenger chooses to sit in a passenger seat, to carry the wheelchair;
 - To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort, and
 - To give the passenger such mobility assistance as is reasonably required.

The Act then goes on to define mobility assistance as assistance:

- To enable the passenger to get into or out of the vehicle;
 - If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
 - To load the passengers luggage into or out of the vehicle;
 - If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.
- 2.61 Drivers of designated vehicles (who are not exempt) who fail to comply with the section 165 requirements will be committing an offence which will be taken particularly seriously.

- 2.62 All licensed drivers must ensure that no extra charges are applied for conveying persons with disabilities.
- 2.63 All licensed vehicles must convey assistance dogs for no additional charge. It is a breach of the Equality Act to refuse to carry an assistance dog, unless the driver has applied for and been issued an exemption certificate. (Further information on exemption certificates and notices can be found in section 3.75 to 3.80)
- 2.64 The council encourages all private hire operators to include wheelchair accessible vehicles amongst their fleet and to ensure that no additional costs are levied by them or their drivers, for conveying disabled passengers or assistance dogs.
- 2.65 Private hire vehicles fitted with a tail lift for wheelchairs, must provide a valid LOLER (Lifting Operations Lifting Equipment Regulations) certificate of compliance to prove that the tail lift has been tested and checked to the required standards and must be retested every six months as per HSE (Health and Safety Executive) requirements.

Funeral and wedding vehicles

- 2.66 There is no requirement for a vehicle to be licensed as a private hire if it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a funeral director for the purpose of funerals.
- 2.67 There is no requirement for a vehicle to be licensed as a private hire while it is being used in connection with a wedding.

Speciality Vehicles and Limousines

- 2.68 Limousine and speciality vehicles are generally used for special occasions such as anniversaries, stag and hen parties, prom nights, etc. and may be vintage, specialist, or stretched vehicles.
- 2.69 Limousine and speciality vehicles used for the purpose of hire and reward are required to be licensed as private hire vehicles and all bookings must be made via a licensed operator.
- 2.70 These are specialist types of vehicles with their own set of conditions, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these specialist conditions, then these specialist conditions shall prevail. The conditions can be found at Appendix F.
- 2.71 The council strongly recommends that anyone wishing to purchase and licence a speciality vehicle or limousine, contacts the licensing team prior to purchase, to ensure that the vehicle will meet the conditions applied. Each application will be determined on its own merits.

Critical failure

- 2.72 The council has an essential testing criteria for vehicles which have reached a certain age. The essential testing criteria are items which the council considers to be critical areas of a vehicle test, e.g. steering and suspension, brakes, exhaust emissions etc. This is considered a major failure and can indicate that regular preventative maintenance has not been carried out, or if it has, it has not been effective. See Appendix H for testing criteria for vehicles which have reached the standard age limit.
- 2.73 If a vehicle fails a mechanical test on one or more of these critical items the vehicle will be automatically suspended and the vehicle must not be used. The vehicle may be repaired and re-presented to the testing station within 30 days for retesting. If the vehicle passes the mechanical test within 30 days the suspension notice will be lifted and the vehicle may be relicensed.
- 2.74 If the vehicle does not pass the mechanical test within 30 days it will be de-licensed.

- 2.75 Vehicle emissions are tested and checked on mechanical inspections. Vehicles will only pass the mechanical inspection, if the vehicle emissions continue to meet the defined criteria as set out in the V5 vehicle registration log book.

Private hire exemption to display licence plate etc.

- 2.76 The council recognises that there is a specialist market for the use of unmarked hire and reward vehicles. For example, executives who wish to give the appearance of using a chauffeur driven car, or who require an unmarked vehicle for security reasons. Such customers will expect these vehicles to be prestige high specification vehicles and will also expect the driver to be smartly dressed either as a chauffeur or in a business suit with collared shirt and tie.
- 2.77 The ability to exempt a vehicle from displaying the licence plate only applies to private hire vehicles, it does not extend to hackney carriages which must display their plates at all times.
- 2.78 Prestige high specification private hire vehicles which carry out contract work such as executive bookings etc. may apply for an exemption certificate, which exempts that vehicle from the requirement to display the vehicle licence number in the windscreen, Part 1 and Part 2 notice, the licence plate and door signage. It also exempts the licensed driver from wearing his badge, however the driver must carry his badge with him so that it is immediately available. The vehicle will still be issued with a licence plate, which must be affixed within the boot of the vehicle. Insurance which covers the driver and vehicle for hire and reward purposes must still be maintained.
- 2.79 Vehicles which have been issued with an exemption certificate must not be used for general daily private hire work. Exempted vehicles found to be carrying out standard private hire work will be subject to enforcement action and the exemption certificate may be revoked.
- 2.80 Exempted vehicles must not display any advertisements, signage, logos, or insignias advertising the operating company inside or outside the vehicle.
- 2.81 Operators and proprietors who wish to apply for an exemption certificate must complete the application form, pay the required fee and provide sufficient supporting documentation to establish the vehicle will be solely used for executive bookings. Where issued, an exemption certificate renewal date will coincide with the renewal of the private hire vehicle licence.
- 2.82 There are extra conditions applicable to exempted vehicles, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these extra conditions, then these extra conditions shall prevail. The extra conditions can be found at Appendix I.
- 2.83 If an exemption certificate has been issued and the vehicle will no longer be utilised solely for executive type bookings, the certificate must be surrendered and returned to the council. If the vehicle is still licensed, it must then display the vehicle licence number in the windscreen, Part 1 and Part 2 notice, the plate and door stickers as required by the conditions for private hire vehicles.

Required information to be displayed inside all licensed vehicles – Part 1 and Part 2 notice

- 2.84 Members of the public who have cause for concern, or who wish to complain about a journey in a licensed vehicle, will need some information about the driver or vehicle which conveyed them in order to progress their complaint or report their concern.
- 2.85 Whilst licensed vehicles display their licence plate which contains identifying details, these are displayed on the outside of the vehicle. Members of the public do not routinely get the information off the licence plate prior to getting into a licensed vehicle. If they have a problematic journey, they may attempt to get the information, but this can be difficult if it is late at night or the vehicle quickly drives away.
- 2.86 Also, whilst licensed drivers are required to wear their licence badge, which contains their information,

a passenger may feel it too confrontational to request to see the driver's badge, especially if they have had a difficult journey.

- 2.87 In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, the council has determined that certain information must be displayed inside all licensed vehicles, (except for exempted (executive) private hire vehicles) in the form of a Part 1 and Part 2 notice.
- 2.88 A Part 1 notice must contain the following information and must be displayed in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle;
- the proprietor of the vehicle,
 - the telephone number where a customer can make a complaint, report a concern, or comment positively e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - the vehicle registration number, and
 - the vehicle licence plate number.
- 2.89 A Part 2 notice must be displayed alongside the Part 1 notice and must contain a photograph of the driver of the vehicle and the driver's licence number in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle. See Appendix L
- 2.90 By requiring the display of a Part 1 and Part 2 notice inside all licensed vehicles, the customer is fully empowered to easily report issues or concerns. It will also assist proprietors and operators to quickly identify the vehicle and driver utilised in order to address the complaint or concern reported.

SECTION 3

3. General provisions for hackney carriage and private hire drivers

Drivers general

- 3.1 The council can only licence drivers that it considers are 'fit and proper' to hold a licence, and that the applicant is not disqualified by reason of their immigration status. There is no definition or general test that determines whether or not a driver is deemed 'fit and proper' to hold a licence. It is a matter of judgement for the licensing authority in order to assess any risks or concerns, taking into consideration such matters as the applicant's integrity, honesty and previous character. Previous convictions and cautions are taken into account as well as other information.
- 3.2 Therefore the council will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be, or remain licensed.
- 3.3 Applicants and existing licence holders are required to share information held about them by various bodies, such as DVLA, the police, medical information, right to work, immigration status, etc. The council can request any information it deems may be relevant to determine their fit and proper status. This may include checking a driver's prior history with this or any other council, use of NR3, using intelligence from the police or any other regulatory authority as appears relevant.
- 3.4 In order to be eligible to apply to be a licensed driver, an applicant must have held a valid full GB driving licence (or equivalent as defined by DVLA) for a minimum of 12 months. Therefore the minimum age a person could be eligible to apply is 18 years old. There is no maximum age, so long as the applicant still meets the full criteria.
- 3.5 In order to be a licensed driver an applicant must:
- Submit a signed completed application form with fee,
 - Provide a tax check code (required from 4 April 2022),
 - Provide proof of right to work in the UK,
 - Complete and pass the taxi competency course provided by Peterborough Regional College,

- Provide a satisfactory enhanced DBS with barred list check and sign up and maintain registration with DBS update,
- Provide a DVLA check,
- Provide group 2 medical report,
- Provide a recent passport type photo,
- Undertake and pass the approved Safeguarding training, and
- Pass the driving assessment test.

- 3.6 All new and renewal driver (and operator) applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing drivers and operators will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Licensed drivers are required to attend refresher training every three years and provide proof of pass attendance with their renewal application.
- 3.7 Drivers licenses are generally issued for a three year duration. They may be issued for a lesser period if appropriate, e.g. the applicant's right to work is of a shorter or limited duration. They may also be renewed, however, if a licensed driver fails to renew prior to the date of expiry of the existing licence, they will be required to apply as a new driver and meet all the requirements. Exceptions may be made in exceptional circumstances. (see paragraph 1.27)
- 3.8 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all **new** driver applicants are required to confirm that they have read and understood HMRC's published guidance in relation to their tax obligations.
- 3.9 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all driver applicants seeking to **renew** their licence are required to complete a HMRC tax check to confirm that the individual or company has been appropriately registered for tax and that the income from the licensed activity has been reported on a tax return. This is also a requirement for any driver licensed with another licensing authority that is seeking to be licensed with Peterborough City Council. The Licensing Authority must receive confirmation that the applicant has completed a tax check before they are able to make a determination on any application.
- 3.10 It is the responsibility of the driver to ensure they apply for their renewal with all relevant supporting original documentation in good time to avoid any unnecessary burden.
- 3.11 It is important that drivers notify the council within 48 hours, of any significant changes which occur after their licence has been granted. Such as change of name or address, or email address or telephone number, change of immigration status, changes in their physical or mental health which may affect their driving ability, all convictions, cautions or arrests, DVLA penalty points etc. or any other matter which may question their fit and proper status,
- 3.12 All licensed drivers are required to wear their drivers badge whilst working as a licensed driver. Failure to comply is an offence under the 1976 Act and local byelaws. Drivers are reminded that the driver's badge remains the property of Peterborough City Council, all expired, surrendered or revoked badges must be returned to the council.
- 3.13 This council issues two types of licences for drivers, a hackney carriage driver licence and a private hire driver licence. The driving assessment test for hackney carriage drivers is more rigorous. Therefore a hackney carriage driver may drive a private hire vehicle, but a private hire driver cannot drive a hackney carriage vehicle.
- 3.14 Private hire drivers may apply to become hackney carriage drivers, they will need to submit the required application and fee and pass the enhanced test.

Suitability of driver

- 3.15 Licensed drivers will come into contact with vulnerable people, drivers are expected to assist

passengers with luggage, shopping etc., they will be driving for prolonged periods of time, and will have access to sensitive information, therefore the council must fully assess an applicant's suitability prior to and after issuing a licence.

- 3.16 Consideration of suitability includes character and patterns of behaviour and are not limited to incidents which occur whilst the driver is 'on duty'. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk, will also be taken into account when assessing their fit and proper status. For new applications, the onus is on the applicant to satisfy the council that they are 'fit and proper'.
- 3.17 The council requires applicants to fulfil certain criteria to ensure that the public are protected and drivers are able to provide the service which is expected of them.
- 3.18 Applicants will be required to undertake and provide an Enhanced DBS (Disclosure and Barring Service) with barred list check and a medical health check to the DVLA group 2 standard, and share information held by DVLA and other licensing authorities upon new and renewal applications.
- 3.19 Applicants for new and renewals, who fail to report or declare an offence, or other relevant matter, will be taken particularly seriously. As it deliberately prevents the authority from taking into account that information in protecting public safety. It also shows a blatant breach of conditions and will go toward consideration of suitability and their fit and proper status.

Application process

- 3.20 Applicants must fully complete an application and provide the relevant paperwork required and fee. Where supporting documentation is required to be submitted, only the original document will be accepted, not photocopies or photographs of the original. Applicants who deliberately fail to declare or who make false statements on the application form or during the application process, may be subject to legal action if it constitutes fraud.
- 3.21 Applicants must be able to prove their immigration status and that they have a right to work in the UK.
- 3.22 New applicants must complete and pass the Taxi Competency Course delivered by Peterborough Regional College and prescribed Safeguarding and County-Lines training.
- 3.23 Applicants who have criminal convictions, may submit an enquiry with the enhanced DBS and barred list check for consideration, prior to taking the college course, medical check and driving assessment test. The convictions and cautions will be assessed and the applicant will be provided with an indicative decision. This does not prohibit the applicant from submitting a full application for a formal determination.
- 3.24 When an applicant has fulfilled all the application criteria, they will be required to take a driving assessment test, to assess driving ability, safety, control of the vehicle, awareness of controls within the vehicle, and local Knowledge, without the use of satellite navigation equipment.

Convictions, cautions and related matters

- 3.25 In considering fit and proper, the council will take into consideration any prior convictions and cautions. Therefore, all applicants are required to undertake and submit an Enhanced DBS with barred list check. This check will detail all criminal convictions and cautions including those that are spent, and other relevant matters which may be held by the police about them. It does not prove an applicant's right to work.
- 3.26 The council uses an external provider called GB Group (First Advantage) to process the DBS certificates. Applicants are responsible for completing these checks and must register and apply online via the GB Group (First Advantage) website. After registering and completing the online process, applicants are required to print off the completed form and take it to a post office with the relevant identification and original documentation required. Applicants are also responsible for the

payment of the appropriate fee in order to complete the issuing of the DBS certificate. DBS certificates must be no older than 3 months at the time of application.

- 3.27 All licensed drivers are required to maintain continuous registration with the DBS update service and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance and where there is reasonable cause for doing so.
- 3.28 Due to the type of work performed by licensed drivers, they do not fall under the Rehabilitation of Offenders Act. This means that what would be considered as spent, under the Rehabilitation of Offenders Act, are still taken into consideration when determining applications for licensed drivers.
- 3.29 Where convictions or cautions appear on a DBS, it is not the place of the council to go behind the existence or reason of that conviction. Whilst mitigating circumstances may have applied at the time of the conviction, the council cannot re-try the conviction. Depending on the offence committed, applicants may be able to demonstrate that it was a 'one off', they acted out of character, so is unlikely to be repeated. Each application will be determined on its own merits.
- 3.30 Applicants who have not resided continuously in the UK since they were 18 years old, i.e. have spent an extended period (six or more continuous months) living or working outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable, in addition to the Enhanced DBS certificate.
- 3.31 The existence of a criminal conviction or caution does not necessarily preclude an applicant from obtaining a driver's licence. Conversely, the absence of any convictions or cautions does not mean that an applicant will be licensed. Each application will be determined on its own merits.
- 3.32 The National Anti-Fraud Network has developed a national register of taxi and private hire driver licence refusals and revocations known as NR3. The licensing authority provides information to NR3, a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire drivers licence revoked, or an application refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority, that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or private hire driver licence.
- 3.33 It is a mandatory part of applying for or renewing a hackney carriage or private hire driver licence to disclose information on applications made and licences granted, refused or revoked by another authority. All applicants will have their details checked against the register, and any relevant information taken into account in assessing the application. Where an application is refused, or where a licence is granted but subsequently revoked, this information will be entered into the register. Further information is contained in the policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3) attached at Appendix M
- 3.34 Further information is contained in the guidelines relating to the relevant of convictions / cautions in relation to taxi licensing attached at Appendix G.
- 3.35 Whilst each application is determined on its own merits, some offences are of such a serious nature that it is unlikely that a licence would be issued. Such as crimes resulting in death, exploitation and indecency offences relating to sexual assault or rape.
- 3.36 Under Common Law Police Disclosure (CLPD) the police can share information regarding a licensed driver even before conviction if there is a 'pressing social need'. This ensures that where there is a public protection risk, the police will pass information onto a regulator body to allow swift actions to mitigate any serious safeguarding risk. The CLPD replaced the Notifiable Occupation Scheme which was withdrawn in March 2015.
- 3.37 It is a requirement for licensed drivers to notify the licensing department of any cautions, convictions, arrests, immigration offences, road traffic offences such as speeding, or any other relevant matters criminal or civil, which may question their fit and proper status, that occur during or after the licence

has been issued. In such circumstances, licensed drivers must notify the licensing department within 48 hours of an arrest and release, charge or conviction.

- 3.38 If it comes to the attention of the council that a licensed driver has failed to notify the council of relevant matters which occur during or after the licence has been issued, it will be taken particularly seriously. It shows a propensity towards dishonesty and questions the fit and proper status of the licence holder.

DVLA

- 3.39 As driving is the predominant aspect of a licensed driver, the council needs to consider if applicants hold a valid driving licence and if the licence holder has been issued any penalty points.
- 3.40 As the paper counterpart of the driving licence was abolished in June 2015, applicants and licensed drivers will be required to share information held about them by DVLA via an online process.
- 3.41 Applicants and licensed drivers are required to register online with the DVLA share my licence portal, and provide the access code to the council with their application and upon request. The access code will provide the council with information regarding penalty points etc. As the access code is only valid for a limited duration, drivers may be contacted and requested to provide another code, to enable progression of their application.
- 3.42 As the DVLA share my licence portal can only check driving licenses issued in Great Britain (England, Wales and Scotland) applicants who hold an acceptable equivalent driving licence, (as defined by DVLA) will need to convert it to a GB driving licence prior to application.
- 3.43 Consideration of penalty points and driving offences will be made in accordance with the guidelines relating to the relevance of convictions / cautions in relation to taxi licensing which can be found at Appendix G

Medical Requirements

- 3.44 It is essential that licensed drivers are in good health as they are expected to carry passengers' luggage, will drive on the road for longer periods than most car drivers, and may need to assist disabled passengers. The council must be satisfied that the drivers it licenses are sufficiently fit to undertake the tasks expected of them.
- 3.45 Being a licensed driver is a demanding role, safe driving requires the involvement of vision, hearing, attention, concentration, perception, good reaction time, judgement, coordination, muscle power and control etc. Therefore various body systems need to be functional for safe driving.
- 3.46 Due to the length of time an occupational driver (hackney carriage and private hire) spends at the wheel, it is appropriate to have more stringent medical checks and standards than those applicable to normal car drivers.
- 3.47 The DVLA, The Royal Society of Medicine and the DfT recommend and consider it best practice for licensed drivers (hackney carriage and private hire) to be subject to the DVLA group 2 medical requirements. The DVLA group 2 medical is a recognised national standard developed by DVLA for bus and lorry drivers.
- 3.48 To ensure that public safety is protected, the council has chosen to adopt this best practice and require all applicants to obtain and submit a group 2 medical report with their application for new and renewals.
- 3.49 Therefore applicants are required to undergo a medical examination by a registered general practitioner and submit the doctor's group 2 medical report with their application, to enable the council to consider their fitness to hold a licence.
- 3.50 The group 2 medical assessment must be completed by a doctor registered and licensed to practice

in the UK or registered within the EU. If the applicant's own doctor completes the medical assessment it may speed up the application, as they already have full access to their medical records.

- 3.51 A group 2 medical report must be submitted with all new applications and every three years upon renewal and then annually thereafter when the applicant reaches 65 years old. Applicants must pay any fees to the registered medical practitioner for completing the medical and report. The medical assessment must be no older than four months at the time of submission with the relevant application.
- 3.52 Applicants must arrange and book these appointments themselves and provide photographic proof of identity to the registered medical practitioner. If the registered practitioner is unable to complete the vision assessment section of the medical, the applicant must arrange for an optician or optometrist to complete this part.
- 3.53 Licensed drivers must notify the council and their medical practitioner of any deterioration in their physical or mental health which may affect their ability to drive or complete their tasks as a licensed driver. The council expects licensed drivers to be responsible and to not continue to drive following any deterioration in their health, or any health problems which could endanger the lives of the general public.
- 3.54 If a licensed driver is involved in an accident in which s/he is injured, they must ensure that they are fit prior to returning to hire and reward work, this is for the safety of the driver and the general public. Drivers who have suffered whiplash must ensure that they have sufficient movement in the neck area to enable them to observe any potential hazards.

Taxi Competency Course provided by Peterborough Regional College.

- 3.55 Peterborough City Council and Peterborough Regional College have jointly developed a course specifically for those who wish to be licensed drivers. The course tests some of the skills required to be a licensed driver, such as reading and writing, numeracy, equality and disability awareness, customer service, understanding of the conditions applied by the council, etc.
- 3.56 All new applicants must pass the taxi competency course provided by Peterborough Regional College. Those wishing to enrol on the course should contact the information centre at Peterborough Regional College, Park Crescent Campus, contact telephone number 01733 863068, where they will be issued with the course handbook and the pre-course reading material. When attending the course, applicants must take with them two forms of identification, one of which must be a DVLA driving licence with photo card, the other a utility bill no more than 3 months old.
- 3.57 Applicants must conduct themselves appropriately when attending the course. Behaviour of a rude or abusive manner will question their 'fit and proper' status and may result in their application being terminated.

Driving Assessment Test

- 3.58 Once a complete application has been received and assessed, new applicants must take and pass a driving assessment test. The test will assess driving ability, control of the vehicle, awareness of controls within the vehicle, and local area knowledge without the use of satellite navigation equipment.
- 3.59 Applicants must provide a roadworthy licensed vehicle in which to take their test.
- 3.60 The tests applied are different for private hire driver applicants and hackney carriage driver applicants. As hackney carriage drivers can be hired on the spot, the local knowledge part of the test is more rigorous. Also as all hackney carriages are designated WAV's, applicants must be able to demonstrate that they can safely load, unload and safely secure a wheelchair in the vehicle.
- 3.61 Historically the driving assessment test has been provided in house by authorised council officers. The council have determined that the test should be delivered by an external provider whose assessors have been accredited by DVSA. This will ensure that the person undertaking the role of

examiner is specifically trained in this role.

- 3.62 The current approved list of Driving Assessment Test providers can be found on the council's website. <https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/hackney-carriages>

Service Expectations

- 3.63 The council and the travelling public expect licensed drivers to provide good customer service and behave in a civil and courteous manner. They are expected to be clean and smart in their appearance. The vehicle must also be clean, presentable and roadworthy. They are expected to provide reasonable assistance with luggage or shopping and provide a written receipt if requested with no extra charge. Arrive at the appointed time and not prolong any journey. As professional occupational drivers, they are expected to drive with consideration to other road users and weather conditions.
- 3.64 Drivers must be aware of and comply with the conditions applied by this council and other appropriate legislation. Drivers who fail to observe these requirements may be subject to enforcement action.
- 3.65 Conditions applicable to private hire drivers are attached at Appendix D.
- 3.66 Hackney carriage drivers are conditioned by way of byelaws. The council have reviewed and updated the byelaws and are attached at Appendix B
- 3.67 Drivers must not operate any equipment which may distract them whilst driving. Drivers must not cause annoyance to passengers during the journey by playing music or constantly talking on a hands free mobile phone.
- 3.68 Drivers must be aware of their obligations under the Equality Act to provide a service and assistance to passengers with mobility problems, disabilities and to take assistance dogs, without extra charge.
- 3.69 Drivers who refuse or fail to take assistance dogs without an exemption certificate may be prosecuted by the passenger and may also be subject to enforcement action by the council.
- 3.70 This council condemns discriminatory behaviour which is harassing, racist, religiously motivated, homophobic, sexist, or in any way offensive to disability or gender. Complaints of this nature are taken particularly seriously. The council does not have any power over passengers who use licensed vehicles, but will give support to the trade where possible. Drivers who experience any of the above behaviour should report it to the police.
- 3.71 Licensed drivers must ensure that they fully consider the safety of the passenger, other road users, parking restrictions, street furniture and other hazards when stopping to allow a passenger to alight the vehicle.
- 3.72 Driving for long periods of time, when sleepy or fatigued impairs driving ability, reduces reaction time, vigilance, alertness, concentration, is dangerous and increases the risk of accidents. Licensed drivers have a duty to make a conscious decision to take regular rest periods, to ensure their own safety and the safety of the travelling and general public. Licensed drivers must not drive if they are taking medication which impairs their judgement or driving ability.

Requirement to display information – Part 1 and Part 2 notice

- 3.73 As licensed vehicles may be driven by different licensed drivers and licensed drivers may utilise different licensed vehicles, the Part 1 and Part 2 notices can be interchanged. The driver must ensure that the correct information is displayed in the Part 1 and Part 2 notice prior to the commencement of all journeys with passengers.
- 3.74 The Part 1 notice must correctly reflect the proprietor information for that journey and drivers must ensure that they display their Part 2 notice in the vehicle they are driving. (See section 2.84 To 2.90

for further information and Appendix L for example)

Exemption certificate

- 3.75 Drivers may apply for an exemption certificate if, for health reasons, they are unable to convey assistance dogs, or provide physical assistance to passengers in wheelchairs. Drivers who have a medical condition, a disability or physical condition which makes it impossible or unreasonably difficult to provide the service, may apply for an exemption certificate.
- 3.76 The council will only consider exemption applications which are accompanied with a medical report signed by a registered medical practitioner. The period of the exemption certificate will be individually determined based on the medical practitioner's recommendation. The council may request applicants to be assessed by the council's professional qualified medical assessor, particularly where the period of exemption is likely to be long term.
- 3.77 Where an exemption application has been considered and approved by the council, the driver will be issued with an exemption certificate and an exemption notice. The exemption notice must be displayed in the vehicle on the nearside of and immediately behind the windscreen of the vehicle, in a manner that readily permits its removal, so that its front is clearly visible from the outside of the vehicle and its back is clearly visible from the driver's seat of the vehicle, when they are driving. The exemption notice must be removed prior to another licensed driver driving the vehicle. Failure to display the notice could leave the driver open to prosecution, if they then do not comply with the requirements of the Equality Act. Only one exemption notice should be displayed in a vehicle at any one time.
- 3.78 If an exemption application is refused, the applicant will be informed in writing providing reasons for the decision to refuse. Applicants who have been refused an exemption can appeal the refusal to the Magistrates Court within 28 days.
- 3.79 Drivers who have been issued with an exemption certificate must inform proprietors or operators that they have the exemption, to avoid any unnecessary distress or delay to passengers.
- 3.80 Licensed drivers of designated WAV vehicles who fail to comply with the duties under section 165 of the Equality Act will be subject to enforcement action. Drivers convicted of failure to comply with this section are unlikely to be considered a 'fit and proper' person.

Idling offence environmental impact

- 3.81 Drivers are reminded that stationary idling is an offence under section 42 of the Road Traffic Act 1988. For further information on idling please see the council's website.
<https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/taxi-enforcement>

Monitoring of licensed drivers

- 3.82 In the interests of public safety, the council has a duty to ensure that licensed drivers remain fit and proper and will intervene where appropriate. Complaints made to the council are recorded and monitored.
- 3.83 Where serious complaints, which question a drivers fit and proper status are received, they are investigated and appropriate action is taken. Less serious complaints and minor infringements are not investigated to the same degree, but the accumulation of several complaints and infringements about the same driver could highlight that there is a cause for concern and will not go unnoticed. It could highlight a training need, a lack of understanding of conditions or legislation, or a failure to provide good customer care.

Private Hire Drivers – Designated waiting areas within the city centre

- 3.84 Previously the conditions of this council required private hire vehicles to return to base after a passenger had alighted the vehicle. However, the imposition of this condition can have a negative impact on the environment and other road users, as the vehicles travel to and from base.
- 3.85 An alternative condition which prevents these unnecessary journeys to base, whilst ensuring that the city centre is not choked with waiting private hire vehicles has now been adopted.
- 3.86 Once a passenger has alighted the vehicle, the driver may park the vehicle whilst waiting for the next booking, provided that there are no parking restrictions, it is not causing an obstruction, and not within the defined city centre area.
- 3.87 Private hire vehicles and drivers waiting for their next booking within the city centre are required to wait in designated car parks, until the vehicle is booked and required to proceed to the destination at the appointed time within the city centre. The council has designated Wellington Street and Pleasure Fair Meadow car parks, and will designate further car parks for this purpose (subject to amendment to the Traffic regulation Order and Directors approval) and published them on the council's website.
- 3.88 The council reserves the right to restrict private hire vehicles from waiting in designated car parks as and when necessary, for example during a city wide event.
- 3.89 Designated car parks will be located at different approaches into the city centre and have sufficient CCTV coverage.
- 3.90 Private hire drivers who are waiting in designated car parks in their vehicles will not be required to pay parking charges. If however, a driver parks and walks away from the car park, they must 'pay and display' as any other car park user.
- 3.91 The designated car parks will still be open to the general public, however, they do not contain public conveniences and must not be used for this purpose or for the purpose of sleeping. Drivers who cause a public nuisance, behave inappropriately or commit any public order offences will be subject to enforcement action.
- 3.92 A map attached at Appendix K shows the area which is defined for the purpose of this policy as the city centre, the designated car parks and hackney carriage ranks.
- 3.93 Private hire drivers must switch off their vehicle's engine when waiting in the designated car parks, and not leave their vehicle engine idling, when parked for more than a couple of minutes anywhere.
- 3.94 If a private hire driver is parked and is approached directly by a member of the public, the driver commits an offence if the driver takes an active part in the 'booking' process, e.g. by contacting the operator directly by radio or mobile phone to make that booking for his own vehicle there and then.

Hackney carriage drivers

- 3.95 It is understood that Hackney carriage drivers waiting on taxi ranks, will attempt to operate a first in the queue system. So that when a customer approaches, the taxi at the front of the rank will expect to take that passenger. Whilst this etiquette generally works without incident, drivers are advised that the customer may, for whatever reason, choose not to take the first taxi at the rank.
- 3.96 The customer has the choice in this situation, drivers who, whilst waiting on a rank, refuse or neglect to drive without reasonable cause are committing an offence.
- 3.97 Drivers are also advised that it is an offence to leave their vehicle unattended on a rank.
- 3.98 As the testing criteria for hackney carriage drivers is more stringent than those applied to private hire drivers, a licensed hackney carriage driver may also drive private hire vehicles.

Hackney carriage proprietors – Part 1 notice

- 3.99 Hackney carriage proprietors must ensure that their vehicles comply with the requirement to display required information in the form of a Part 1 notice as detailed in section 2.84 To 2.90 and example provided at Appendix L.
- 3.100 If a proprietor is made aware of a safeguarding or serious complaint concerning the fit and proper status of a driver, they must notify the licensing department immediately or as soon as practically possible and provide details of their actions taken.

SECTION 4

4 Operators

General

- 4.1 The legislation requires any person, who in the course of business makes provision for the invitation or acceptance of bookings for a private hire vehicle, must be licensed as a private hire operator.
- 4.2 Any individual, partnership, company or other body that advertises the services of a private hire vehicle, provided with a driver, for hire and reward, is required to be licensed as an operator.
- 4.3 The acceptance of bookings may be provided for by a variety of methods, such as, in person, by telephone, text, email, internet, smart phone app, in writing, or by any other communication means.
- 4.4 The legislation requires the authority to only licence operators who are considered to be fit and proper to hold an operators licence and who are not disqualified by reason of their immigration status.
- 4.5 All work undertaken by private hire vehicles (and drivers), must be pre-booked via a licensed operator. All three licences (private hire vehicle, private hire driver and operator) must be issued by the same local authority.
- 4.6 Operators can only utilise drivers and vehicles that are correctly licensed. Operators who fail to ensure that the drivers and vehicles they utilise have valid licenses, are guilty of an offence and will be subject to enforcement action.
- 4.7 An operator's licence is usually granted for a five year duration, but may be granted for a lesser duration if requested to do so in writing or if the applicant's immigration status limits it to a shorter duration.
- 4.8 All renewal applications must be submitted to the Council prior to the date of expiry of the existing licence. Exceptions may be made in exceptional circumstances. (see paragraph 1.27)
- 4.9 There is no provision within the legislation to transfer an operator's licence. New applicants must be subject to the fit and proper test and new premises must also be assessed for suitability.
- 4.10 An operator's licence cannot be issued to persons who do not have the right to work in the UK. A licence ceases to be in force if the person to whom it was granted becomes disqualified by reason of their immigration status. Where this applies, the person must immediately cease to operate and return their operator's licence to the council within 7 days.
- 4.11 Licensed operators may accept bookings and may subcontract these bookings, but only to another licensed operator. However, the operator who accepted the initial booking remains responsible for that booking.
- 4.12 Operators are required by law to keep a record of bookings and records relating to each and every vehicle operated by the operator. Records of bookings must be made before the commencement of

the journey. All such records must be made available to an authorised officer for inspection. Further information can be found in the Operator's conditions at Appendix E.

Application – suitability of applicant

- 4.13 Operators are generally the owners of the private hire business. They have access to private information, are responsible for ensuring they only utilise properly licensed, insured and safe vehicles and drivers, therefore the council is required to ensure that they are also fit and proper.
- 4.14 The council requires applicants to complete the application and submit it with the appropriate fee, with supporting documentation, which will be used to establish that they are fit and proper to hold an operators licence. The supporting documents must be the originals, not photocopies or photographs.
- 4.15 Operators (who are not also licensed drivers), are required to submit a basic DBS disclosure with their application and on an annual basis. The basic disclosure will list any current convictions and cautions, but nothing which is considered spent under the Rehabilitation of Offenders Act. Applicants who have not resided continuously in the UK since they were 18 years of age, i.e. have spent an extended period (six or more continuous months) outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable.
- 4.16 Where the application for an operators licence is in the name of a company, the DBS requirement (including annual DBS) extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators are required to notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.
- 4.17 Applicants for operators licences are required to provide details of their name and address. The address where they intend to operate the business, any trade or business activities s/he has carried on before making the application, any prior applications made for an operator's licence, if any prior operator's licence has been suspended or revoked, details of any convictions. This includes any convictions where applicants or those associated in running the business have been convicted of any offences. This is to ensure that those involved in the operation of the business are fit and proper to operate a business.
- 4.18 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all operator applicants seeking to renew their licence are required to complete a HMRC tax check to confirm that the individual and or company has been appropriately registered for tax and that the income from the licensed activity has been reported in a tax return. This is also a requirement for any operator licensed with another licensing authority that is seeking to be licensed with Peterborough City Council. The licensing authority must receive confirmation that the applicant has completed a tax check before they are able to determine any application.
- 4.19 Applicants who intend to operate a radio system will be required to provide proof of their licence from Ofcom. This licence was previously issued by the Department of Trade and Industry but changed to Ofcom in 2003.
- 4.20 The council will not grant a licence to an operator whose premises are located outside our area. This is to ensure that proper regulation and enforcement measures may be taken by the council and is in no way intended to be a restraint of trade.
- 4.21 All new and operator (and driver) applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing operators (and drivers) will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Operators are required to attend refresher training every five years and provide proof of pass attendance with their renewal application.

Suitability of premises

- 4.22 When considering an application for an operator's licence at a new premises, consideration may be given to the location, the vicinity, facilities, parking arrangements, planning permission etc. to ensure that the grant of a licence will not negatively impact on the surrounding area, including businesses, residents and the general public.
- 4.23 Operators intending to operate from new premises will be required to submit with their application proof of planning permission, or proof that planning permission is not required. Where planning permission is required, operators must comply with any condition attached to such permission. Whilst any breach of planning legislation will be enforced by the planning department, it may also be used in consideration of an operator's fit and proper status.

Operators responsibilities and obligations

- 4.24 Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator. Further information is contained within the operator's conditions attached at Appendix E
- 4.25 If an operator subcontracts a booking to another licensed operator, both operators must keep a record of the booking. The operator who accepted the initial booking remains fully responsible for that journey even though it has been subcontracted to another licensed operator. The initial operator must record what checks they made to ensure that the operator they passed the booking onto is correctly licensed.
- 4.26 Regardless of which operator fulfils the booking, the operator can only dispatch a vehicle licensed by the same authority that licenses the operator and driven by a driver also licensed by that same authority.
- 4.27 It is not expected that subcontracting of bookings would be commonplace. Customers who book through a Peterborough operator would expect a vehicle and driver also licensed by this authority. The conditions and standards applied by other licensing authorities are different to those applied by this authority, therefore, may not meet the licensing requirements of this authority.
- 4.28 The customer has the choice of which operator they book through. This means that the customer may choose an operator licensed by a neighbouring authority, known as cross border hiring. The legislation permits these bookings and the council cannot get involved in these private hire contracts. Operators should aspire to ensure that their drivers and vehicles provide the highest standard of service, so that they are the operator of choice.
- 4.29 The Licensing Authority must be satisfied that private hire operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles, do not pose a risk to the public. To this end, operators are required to keep and maintain a register of all staff that will be taking bookings and/or dispatching vehicles.
- 4.30 Operators are required to evidence that they have had sight of a Basic DBS check for any and all individuals on their register of booking and dispatch staff and must ensure that Basic DBS checks are conducted on any individuals added to their register. Should an employee cease to be on the register and is then later re-entered, a new Basic DBS certificate must be requested for that individual and sight of this recorded.
- 4.31 Operators are required to provide a copy of their policy on employing ex-offenders in roles that would be on the register as above.
- 4.32 Operators need to be aware of their obligations when it comes to data protection. Where databases containing personal information, such as records of bookings are maintained electronically or if they have CCTV, they are required to be registered with the Information Commissioner's Office (ICO).

Further information including a self-assessment, can be found on the ICO website;
<https://ico.org.uk>

- 4.33 Operators must ensure they have all the correct insurances in place for the vehicles and drivers they utilise. Those who provide a waiting area for customers must ensure that they have valid public liability insurance.
- 4.34 Operators must make customers fully aware of any additional charges which may be applied, e.g. for waiting time and for cleaning a soiled vehicle. These additional charges must be clearly displayed in the operator's office and website where available.
- 4.35 Operators are responsible for ensuring that the vehicles utilised are clean, fit for the purpose of the booking and comply with the conditions applied by this council. It is expected that operators have a planned maintenance programme in place for all vehicles it utilises. The testing requirements applied by this council are to confirm a level of safety and quality, rather than to highlight what maintenance needs to be carried out.
- 4.36 The council encourages all private hire operators to include wheelchair accessible vehicles amongst their fleet. They must ensure that no additional costs or charges are levied by them or their drivers for conveying disabled passengers or assistance dogs.
- 4.37 Operators who provide wheelchair accessible vehicles must ensure that the driver is appropriately trained to safely load, unload and convey passengers in a safe and secure manner. This training must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- 4.38 Operators must ensure that the drivers they utilise are fit and proper to carry out the bookings and are appropriately trained for their role. Operators should be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness.
- 4.39 Where a private hire vehicle is unsuitable to fulfil a booking on the basis that a vehicle of more than eight passenger seats is required (vehicles which accommodate more than eight passengers are classed as Public Service Vehicles), the operator must inform the person making the booking that PSV's are not licensed by the council, but rather are the responsibility of the Traffic Commissioner, and that the driver of such vehicles are subject to different checks and are not required to undergo an enhanced DBS check.
- 4.40 Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

Part 1 notice and complaint policy

- 4.41 As responsible business owners, operators will understand that the drivers and vehicles they utilise represent their business when undertaking bookings. Operators will want to ensure good customer service, as this builds a respected reputation, resulting with repeat bookings and a successful business. Where vehicles or drivers fail to provide a good service, the operators business can suffer.
- 4.42 Whilst a vast majority of bookings take place without problem, there are occasions where a customer has cause for concern or complaint. Aggrieved customers have a right to complain if the service provided fails to meet expectations. It is also right for responsible operators to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention.
- 4.43 Complainants must be dealt with in a respectful timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and maintain records of complaints received.

- 4.44 A copy of the complaints policy and procedure must be given to the council and will be required with all new and renewal applications.
- 4.45 The complaint records must detail specific information, be monitored, and be made available to authorised officers upon request.
- 4.46 The specified information to be recorded must include the following information as a minimum:
the name of the complainant and how they can be contacted,
the date the complaint was made and the time and date of the journey,
If the booking was subcontracted the details of the licensed operator who fulfilled the booking and any action taken by the subcontractor regarding the complaint or concern
the name of the driver and vehicle being reported,
the nature of the complaint or concern,
The date by which the operator will respond to the complaint, which must not exceed 72 hours from time of receipt,
The action taken if any, by the operator to resolve the complaint or concern.
- 4.47 Operators must also inform the complainant, that they can further their complaint to the council if they remain dissatisfied with the outcome of their complaint.
- 4.48 If an operator is made aware of a safeguarding or serious complaint concerning the fitness of a driver, they must notify the licensing department immediately or as soon as practically possible and provide details of the actions taken by the operator.
- 4.49 Operators must ensure that the vehicles they utilise display a correctly completed Part 1 notice (See section 2.73 to 2.79 and appendix L for further information) and door signage

SECTION 5

5. Safeguarding

- 5.1 Safety, security and welfare applies to passengers and licensed drivers. Licensed drivers deal with strangers, they work alone often late at night, carry cash and may be at risk of violence, non-payment of fares, verbal abuse etc. Proprietors and operators must consider these factors when determining what safeguarding measures should be in place. The council encourages the use of CCTV in licensed vehicles, but has not made it a condition of licences due to the financial burden involved. However, proprietors and operators should consider the benefits and disadvantages of safeguarding measures such as, CCTV, cashless payment systems, communication systems, etc. in licensed vehicles in their risk assessments.
- 5.2 Drivers and operators may refuse to carry any passenger if they have good cause, e.g. a customer's behaviour or demeanour is threatening, offensive or abusive or has previously refused 'bilked' payment. Where this occurs drivers and operators should keep records of why the service was refused.
- 5.3 Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.
- 5.4 Licensed drivers, proprietors and operators provide a public service and have a duty of care to all passengers. They also have a moral and social responsibility to report concerns about someone who is vulnerable. Should a licensed driver, proprietor or operator have any concerns about the vulnerability of a child or public safeguarding they must report this immediately as it may prevent the vulnerable child from becoming a victim. Reports of imminent danger should be made to the police on 999. Where there is no immediate danger, or you wish to pass on some information or intelligence

please call 101.

- 5.5 All new and renewal driver and operator applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing drivers and operators will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Licensed drivers are required to attend refresher training every three years and provide proof of pass attendance with their renewal application. Operators are required to attend refresher training every five years and provide proof of pass attendance with their renewal application.
- 5.6 Further information can be found on the following link
<https://safeguardingcambspeterborough.org.uk/concerned/>

SECTION 6

Enforcement

- 6.1 The council has a responsibility to ensure that all licence holders adhere to the standards and conditions applied by this authority and the legislation.
- 6.2 As all licence holders are considered to be 'fit and proper', they are expected to fully understand the conditions and requirements placed on them by this authority and other applicable legislation.
- 6.3 The council will take appropriate action against licence holders upon receipt of evidence that an offence has been committed. An offence may be a breach of the legislation or condition imposed on a licence, or byelaw, or this policy.
- 6.4 Offences under legislation outside that applicable to private hire and hackney carriages, may be considered, if they call into question the fit and proper status of the licence holder.
- 6.5 The council will undertake overt and covert targeted enforcement operations as well as ad hoc compliance checks on licence holders. These operations and compliance checks may be inside and outside normal office hours and may involve partner agencies.
- 6.6 Some breaches of legislation cannot be enforced by the council, but will be enforced where appropriate, by other partner agencies, e.g. the Police, DVSA, the Home Office etc.
- 6.7 Every enforcement action taken by the council, will be determined on the individual circumstances, will be in accordance with this policy, the council's enforcement policy and the Regulators Code.
- 6.8 There are a range of sanctions and actions which may be taken by the council, e.g. prosecution, suspension, revocation, refusal to renew, formal written warning, caution, verbal warning, advisory letter, note on records and no action. The course of action will depend on the severity of the offence committed, the evidence available and the risk to public safety.
- 6.9 Prosecutions will be taken where it is in the public interest.
- 6.10 The council will revoke or suspend or refuse to renew a licence where the licence holder has committed offences that put public safety at risk.
- 6.11 Any person who witnesses speeding, dangerous, reckless, or careless driving by a licensed driver or otherwise, should report each incident to the police (as they are the enforcing body for driving offences) with sufficient information to allow the police to take appropriate action.

Right of appeal

- 6.12 This Licensing Authority retains absolute discretion to decide that a licence will not be granted if the vehicle, driver or operator does not meet the requirements of the policy or conditions of licensing.

There is a right of appeal to the Magistrates' Court within 21 days of being given that decision, and thereafter to the Crown Court. In the case of a refusal to grant a hackney carriage proprietors (vehicle) licence, the right of appeal is directly to the Crown Court within 21 days.

SECTION 7

7. Fees, Charges and Refunds

- 7.1 The licence fees applied by this council are set on a cost recovery basis. They are regularly reviewed and any increase or reduction will be published and consulted upon as required by the legislation. The current fees and charges are available on the website. (see link below) <https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/hackney-carriages>
- 7.2 The council sets the maximum fares which can be charged by hackney carriage vehicles within its district. This does not prohibit a driver from charging less than the fare shown on the meter. Please see Appendix J attached for the current maximum fare table.
- 7.3 The council has no power to regulate the fares charged by private hire operators, they are a private contract between the customer and the operator. Operators are required to display any additional fees which may be charged e.g. for waiting time or for cleaning a soiled vehicle.
- 7.4 Requests for refunds by licence holders must be made in writing and will be considered on a case by case basis. Consideration will be given to the reason for the request and the costs incurred by the council at the point of request, including the cost incurred to arrange the refund. Please note that some fees are non-refundable.

Appendices

Peterborough Conditions of Fitness for Hackney Carriage Vehicles	A
Peterborough City Council byelaws for Hackney Carriage	B
Peterborough City Council Private Hire Vehicle Licence Conditions	C
Peterborough City Council Private Hire Drivers Licence Conditions	D
Private Hire Operator's Licence Conditions	E
Limousine and Speciality Vehicles Licence Conditions	F
Guidelines Relating to the Relevance of Convictions / Cautions in relation to Taxi Licensing	G
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Example of Part 1 and Part 2 Notice	L
Policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3)	M

PETERBOROUGH CONDITIONS OF FITNESS FOR HACKNEY CARRIAGE VEHICLES

Hackney Carriage Vehicle Specification and Type Approval

SECTION 1. APPROVED VEHICLES

- 1.1 The following vehicles are approved by Peterborough City Council (the Licensing Authority) to be licensed as Hackney Carriage Vehicles: LTI TX2, TX4, LEVC TX, , Mercedes-Benz Vito and M8 Taxis, the Peugeot E7 SE and XS short wheelbase models, the Nissan Dynamo Taxi and any other vehicle that meets the requirements specified within the conditions of fitness.

SECTION 2. VEHICLE APPROVAL

- 2.1 It must be understood that, although the conditions set out in this document have been complied with, approval will be withheld if the Licensing Authority is of the opinion that a vehicle is unsuitable for public use.
- 2.2 Although the Licensing Authority may extend approval of any particular type of taxi to all other taxis conforming to the design of that type, it must be understood that the Licensing Authority may withdraw such general approval if, in it's opinion, any unsuitable features arise.
- 2.3 No vehicle will be authorised as a Hackney Carriage Vehicle unless it conforms with the requirements as set out within this document unless; where justifiable reasons exist the committee may decide to approve the vehicle.
- 2.4 Vehicles will be licensed subject to the following restrictions.

	Petrol, diesel or any other non ULEV/ZEV	ULEV	ZEV
Maximum age at time of first being licensed	3 years old	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	12 years old	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	6 years old	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 75g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

- 2.5 Years of age; calculated from the date on which the vehicle was first registered under the Vehicle and Excise Registration Act 1994. The operating period being subject to compliance with the council's standard of fitness.
- 2.6 Vehicles subject to 6 monthly inspections at a time and place to be notified by the authorised officer of the council.

- 2.7 An application for the approval of a new type of Hackney Carriage vehicle must be made in writing to the Licensing Authority.
- 2.8 The applicant must study the Conditions of Fitness set out in Section 3 of this document and provide detailed specifications of the proposed vehicle, or vehicle conversion demonstrating that the vehicle meets the requirements of the Conditions of Fitness. It will also be necessary to arrange a preliminary inspection of the vehicle.
- 2.9 The applicant should address any current guidance issued by the Department for Transport (DfT) [or any replacement body if this should change] for the design of Hackney Carriage Vehicles and indicate to the Licensing Authority the extent to which those guidelines have been accommodated. In particular, applicants should demonstrate that they have taken account of current DfT guidance as regards ergonomic requirements for accessible taxis.
- 2.10 There shall be provided and maintained in the vehicle at all times a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances. Such equipment must be in date and carried in such a position in the vehicle as to be readily available for immediate use in an emergency.
- 2.11 Arrangements must then be made to present the completed vehicle for inspection by the Licensing Authority. When presented, all associated equipment must be present for the inspection and testing of the vehicle; i.e. wheelchair ramps, straps, safety equipment etc. A declaration must be provided by the manufacturer or authorised person that the vehicle conforms to the law and is safe for use as a public carriage, together with a certificate of registration and summarised documentary evidence that the vehicle meets the Conditions of Fitness as stated in Section 3 of this document.
- 2.12 Any proposed structural alterations to the original specification must be submitted to the Licensing Authority for approval.
- 2.13 The approval of the vehicle will be determined by the Licensing Committee who will consider each application under its own merits. Although a vehicle may meet the criteria as set out by the Conditions of Fitness, where justifiable reasons exist the committee may decide after consideration not to approve the vehicle. Where a vehicle does not completely comply with the Conditions of Fitness, however justifiable reasons exist the committee may decide after consideration to approve the vehicle.

SECTION 3. CONDITIONS OF FITNESS

3. General Construction

- 3.1 Every new type of hackney carriage vehicle must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980, the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984, the Motor Vehicles (EC Type Approval) Regulations 1998 and with any further national or international legislation as may be applicable.
- 3.2 Every new type of Hackney Carriage Vehicle offered for approval must comply in all respects with the Road Vehicles (Construction and Use) Regulations 1986 (C & U). Every new type of taxi offered for approval must comply in all respects with British and European vehicle regulations and be “type approved” to the requirements of the M1 category of European Whole Type Approval Directive 2007/46/EC as amended. Those taxis which have not been “type approved” to the M1 category (e.g. conversions) must be presented with approved certification that the specific vehicle meets the requirements of that category.
- 3.3 Vehicles offered for Hackney Carriage approval must be constructed in a way as to allow the carriage of disabled persons and must accommodate as a minimum a disabled person in a Department of Transport reference wheelchair in the passenger compartment.
- 3.4 No equipment and/or fittings, other than those approved by the Local Authority may be attached to, or carried on the inside or outside of the vehicle.

- 3.5 No modification may be carried out to a Hackney Carriage Vehicle without prior approval from the Licensing Authority.
- 3.6 Before considering any modification to a Hackney Carriage Vehicle, approval must be sought from the Licensing Authority.
- 4. Steering**
- 4.1 The steering wheel must be on the offside of the vehicle.
- 5. Tyres**
- 5.1 All tyres must comply with the relevant legislation and be marked accordingly.
- 5.2 Tyres must be of the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer.
- 6. Brakes**
- 6.1 An anti-lock braking system is to be fitted.
- 7. Interior lighting**
- 7.1 Adequate lighting must be provided for the driver and passengers.
- 7.2 Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position. This must be within reach of wheelchair passengers. Lighting must also be provided at floor level to each passenger door and be activated by the opening of the doors.
- 8. Electrical Equipment**
- 8.1 Any additional electrical installation and/or aftermarket components to be used within the taxi must meet the requirements of the relevant Automotive Electromagnetic Compatibility (EMC) Directive, as amended, and be marked accordingly.
- 9. Fuel Systems**
- 9.1 Any engine powered by liquid petroleum gas (LPG), compressed natural gas (CNG), liquid natural gas (LNG), petrol or any combination of these fuels must be fitted with an automatic inertia fuel cut off device.
- 10. Exhaust emissions standards**
- 10.1 New taxi models must meet the current and relevant EC Directive for exhaust emissions, i.e. the respective Euro standard. Current, approved, taxi models must meet prescribed emissions standards.
- 11. Body**
- 11.1 The body must be of the fixed head type with a partially glazed partition separating the passenger from the driver.
- 11.2 The overall length must not exceed 5.2 metres. This is essential for determining the size of taxi ranks, other pick-up points in Peterborough's city centre.
- 12. Facilities for the disabled**

- 12.1 Every taxi must be equipped to approved standards in order that wheelchair passengers may be carried.
- 12.2 Approved anchorages must be provided for wheelchair tie downs and the wheelchair passenger restraint. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other.
- 12.3 Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- 12.4 The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. The minimum angle of a hinged door when opened must be 90 degrees.
- 12.5 The clear height of the doorway must be not less than 1.2 metres.
- 12.6 Grab handles must be placed at door entrances to assist the elderly and disabled. All grab handles must be in a contrasting colour.
- 12.7 The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements:
- be not more than 380 mm from the ground, (measured at the centre of the tread width);
 - the surface shall be covered in a slip-resistant material;
 - have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering.

Should any entrance be more than 380 mm from the ground, an external interim step must be made available when the associated passenger door is opened and comply with the following requirements-

- not be more than 380 mm in height from the ground, (measured at the centre of the step width);
 - not be less than 250 mm deep;
 - the surface shall be covered in a slip-resistant material;
 - have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
 - not be capable of operation whilst the vehicle is in motion;
 - if automatic or powered, be fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger;
 - can fold or retract so that it does not project beyond the side face of the vehicle and the vehicle is not capable of being driven away unless the step is so folded or retracted.
- 12.8 The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.
- 12.9 Where seats are placed facing each other, there must be a minimum space of 350mm between any part of the front of a seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level.
- 12.10 Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the cushion.
- 12.11 A ramp for the loading of a wheelchair and occupant must be available at all times for use, as a minimum, at the nearside passenger door on all new vehicles presented for licensing. The ramp must be 70cm wide, as a minimum, and comprise a single non-slip surface. It is desirable for this facility to be available at the offside passenger door also. An adequate locking device must be fitted to ensure

that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed safely when not in use.

13. Passenger compartment

- 13.1 Occasional seats must be at least 40cm in width and the distance from the back of the upholstery to the front edge of the seat must be not less than 35.5cm.
- 13.2 Occasional seats must be so arranged as to rise automatically when not in use. When not in use, they must not obstruct doorways.
- 13.3 The rear seat dimensions must be adequate to carry the appropriate number of adult passengers comfortably.
- 13.4 Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled.
- 13.5 Lap and diagonal seatbelts must be fitted on all seats (including rear facing seats).
- 13.6 Colour contrasting sight patches are required on all passenger seats.
- 13.7 Head restraints must be fitted for all (forward and rear facing) seats. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.
- 13.8 An induction loop system (or equivalent) must be fitted.

14. Driver's compartment

- 14.1 The driver's compartment must be so designed that the driver has adequate room, can easily reach, and quickly operate, the controls.
- 14.2 The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, controls must be properly protected from contact with luggage.
- 14.3 Every vehicle must be provided with an approved means of communication between the passenger and the driver. If a sliding window is fitted on the glazed partition, the maximum width of the opening must not exceed 11.5cm.
- 14.4 Where a single-piece glazed partition is fitted, a facility must be provided for making payment to the driver.

15. Visibility – Driver

- 15.1 A single-piece, full width rear window must be fitted. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.

16. Visibility – Passenger

- 16.1 The windows should maximise passenger visibility into and out of the vehicle.
- 16.2 The bottom of the window line for front and side windows must be low enough to afford passengers adequate visibility out of the vehicle.
- 16.3 A proportion of the window area in the passenger compartment must be available for opening by the seated passenger.
- 16.4 Windows must conform with both Type Approval and Construction and Use Regulations. Post manufacturer window tinting is not permitted.

16.5 Passenger windows must be capable of being opened easily by passengers, including those in wheelchairs, when seated. The control for opening a window must be clearly identified to prevent it being mistaken for any other control.

17. Heating and ventilation

17.1 An adequate heating and ventilation system must be provided for the driver and passengers and means provided for independent control by the driver and the passengers. All switches must be within easy reach of seated passengers, including those in wheelchairs.

18. Door fittings

18.1 An approved type of automatic door securing device must be fitted to passenger doors to prevent them being opened when the vehicle is in motion.

18.2 When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism.

18.3 The door must not open from the inside if the driver has the foot brake depressed.

18.4 The interior door handle must be clearly identified to prevent it being mistaken for any other control.

19. Fare table and number plate

19.1 A frame must be provided for the fare table and fixed in an approved place. A position for an interior number plate is to be provided with the words "The number of this taxi is...." Shown immediately above the position of the plate.

20. Floor covering

20.1 The flooring of the passenger compartment must be covered with a slip resistant material, which can be easily cleaned.

20.2 The floor covering must not impede the movement of wheelchairs. The colour of the floor covering must contrast with any up-stand areas around it and with the colour of the seats.

21. Luggage

21.1 Suitable dedicated provision for the secure carriage of luggage must be made, separated from the passenger compartment and proportionate in size to the number of passengers carried.

22. Taximeter

The vehicle shall be provided with a taximeter which must be so constructed, attached and maintained as to comply with the requirements of the Council:-

- a. all taximeters must be calendar controlled, approved and sealed by a person authorised by the authority
- b. the taximeter shall be fitted with a key, flag, or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter and cancel any external "For Hire" sign;
- c. such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- d. when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance/time;
- e. the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply

- to the fare recorded thereon;
- f. the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - g. the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances;
 - h. the taximeter affixed to the vehicle shall be appropriately set to ensure that the Council's hackney carriage fare scale currently in force in the City is recorded thereon.

23. Taxi Roof Sign

- 23.1 A "Taxi" roof sign approved by the council must be fitted and be clearly visible daytime and nighttime when the taxi is available for hire.

24. Radio Equipment

- 24.1 Where equipment for the operation of a two-way radio system is fitted to a taxi, no part of the apparatus may be fixed in the passenger compartment or in the rear boot compartment if LPG tanks or equipment are situated therein.

- 24.2 Any other radio equipment, either in the passenger or driver compartment, must be approved by the council.

25. Electrical Equipment

- 25.1 Any additional or non-standard electrical installation to the original vehicle must be installed and tested by a professional installer and be protected by a suitably rated fuse. Any additional installation must comply with all relevant regulations.

- 25.2 Approval from the licensing authority must be obtained prior to installing CCTV in a vehicle.

26. Required information to be displayed inside the vehicle – Part 1 and Part 2 notice

- 26.1 The proprietor must ensure that the vehicle displays a Part 1 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
- The name of the vehicle proprietor
 - The contact telephone number where a customer can make a complaint, report a concern, or positive comment e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - The vehicle registration number
 - The vehicle licence plate number
- 26.2 Alongside the Part 1 notice, vehicles must also display a Part 2 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
- The licensed drivers photograph and
 - The driver's licence number
- 26.3 All licensed vehicles must comply with the requirements of the Health Act 2006 and display a no smoking sign. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time. For the avoidance of doubt, the council also forbids the smoking of electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers
- 26.4 All licensed vehicles must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council, should

the licence be suspended or revoked.

27 Other licence holder responsibilities

27.1 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

Consultation Draft

Byelaws for Hackney Carriages

BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by Peterborough City Council with respect to hackney carriages in Peterborough.

Interpretation

- 1 Throughout these byelaws "the council" means Peterborough City Council and "the district" means the City of Peterborough

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

- 2 (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage, displayed on the outside of the carriage on plates affixed thereto, in such a manner as to be easily removed by an authorised officer of the council or by a police officer.
- 2 (b) A proprietor or driver of a hackney carriage shall –
- (i) Not wilfully or negligently cause or suffer any such plate to be concealed from public view while the carriage is standing or plying for hire; and
 - (ii) Not cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

Provision regulating how hackney carriages are to be furnished or provided

- 3.1 The proprietor of a hackney carriage shall-
- (a) Provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) Cause the roof or covering to be kept water-tight;
 - (c) Provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) Cause the seats to be properly cushioned or covered;
 - (e) Cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) Provide means for securing luggage if the carriage is so constructed as to carry luggage
 - (h) Provide an efficient fire extinguisher and first aid kit which shall be carried in such a position as to be readily available for use;
 - (i) Provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver, and
 - (j) Make no material change to the specification design or appearance of the hackney carriage without the prior approval of the council.
- 3.2 The driver of a hackney carriage shall cause the display of a notice in the inside of the vehicle, containing the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
- The name of the vehicle proprietor
 - The contact telephone number where a customer can make a complaint or report a concern, e.g. 'Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)'
 - The vehicle registration number
 - The vehicle licence plate number
 - A photograph of the licensed driver who is driving the hackney carriage at that time and
 - That drivers licence number

- 4 The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say –
- (a) The taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) Such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the council;
 - (d) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
 - (g) The taximeter must comply with paragraph 9 of Schedule 1, or paragraph 13 or Schedule 2 to the Measuring Instruments Regulations 2016 (SI 2016 No 1153).

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges

- 5 The driver of a hackney carriage provided with a taximeter shall –
- (a) When standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - (b) Before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
- 6 A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
- 7 The driver of a hackney carriage shall, when plying for hire in any street and not actually hired –
- (a) Proceed with reasonable speed to one of the stands appointed by the council;
 - (b) If a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) On arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) From time to time, when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

- 8 A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
- 9 The driver of a hackney carriage shall be clean and smart in their appearance and behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 10 The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 11 A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of person specified on the plate affixed to the outside of the carriage.
- 12 The badge provided by the council and delivered to the driver of a hackney carriage shall be worn by the driver when standing or plying for hire, and when hired, in such position and manner as to be plainly visible. All expired badges must be returned to the council.
- 13 The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage –
 - (a) Convey a reasonable quantity of luggage;
 - (b) Afford reasonable assistance in loading and unloading; and
 - (c) Afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.
- 14 A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in the front seat of the vehicle any person under 12 years of age unless an infant of 2 years or less conveyed in a seat or cot approved for that purpose by the British Standards Institute (or any other body carrying out the functions of the said Institute) and securely fixed to the front seat of the vehicle.
- 15 The driver must notify the council in writing within seven days of any significant changes which occur whilst they are licensed. Such as, changes in health status which may affect ability to drive, all convictions, cautions and arrests, including penalty points issued by DVLA, or any other matter which may question their fit and proper status.
- 16 If a proprietor is aware of a safeguarding issue or serious complaint concerning the 'fit and proper' status of a driver, they must notify the licensing authority immediately or as soon as practically possible including any actions taken
- 17 The driver of a hackney carriage must not eat or drink in the hackney carriage when hired, or consume alcohol whilst standing or plying for hire or when hired.
- 18 The driver of a hackney carriage vehicle must not display or permit to be displayed on or in the hackney carriage any advertising without the prior approval of the council.
- 19 Without the express consent of the hirer, the driver must not play any radio or sound reproducing equipment in the vehicle, other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- 20 The driver shall if requested by hirer of the hackney carriage, provide a written receipt, free of charge.

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

- 21 (i) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the council, the rate or fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.
- (ii) Where a hackney carriage furnished with a taximeter is hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the council which it may not be possible to record on the face of the taximeter.
- 22 (i) The proprietor of a hackney carriage shall cause a statement of the fares fixed by council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (ii) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time which the carriage is plying or being used for hire.

Provision securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof

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

Penalties

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

Repeal of Byelaws

All prior byelaws relating to hackney carriages which were made by Peterborough City Council are hereby repealed. This byelaw shall come into force on ...26 April 2012

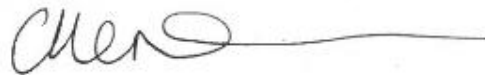
The Common Seal of Peterborough City Council was hereunto affixed in the presence of:

Authorised Signatory:



The common seal of Peterborough City Council will be hereunto affixed, dated and signed, following consultation, any revision agreed by virtue of the consultation process and confirmation from the Secretary of State. The above byelaws will then take effect four weeks after receiving confirmation from the Secretary of State.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into force on the 26 day of April 2012.



Signed by authority of the Secretary of State.

Con

PETERBOROUGH CITY COUNCIL
PRIVATE HIRE VEHICLE LICENCE CONDITIONS

The following are conditions attached to the Private Hire vehicle licence. These conditions are additional to the requirements imposed upon proprietors/drivers and vehicles by the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution.

Appearance, Design, Signs, Notices etc

1. (a) The vehicle must not be equipped with roof fittings except that a wireless aerial which may be fitted but only in such a manner so as to satisfy the Council.
- (b) All vehicles must also conform to the M1 type approval and construction and use regulations. Vehicles which are not M1 type approved, (e.g. N1) must provide VIVA (Voluntary Individual Vehicle Approval) documentation confirming conformity and safety of alterations and updated V5C to correlate.
2. (a) There shall be no lights, plates, signs, advertisements or other fittings (other than the licence plate referred to in Condition 6 and other signage referred to in (c) to (g) below) displayed on or from the vehicle, except those approved by the Council in accordance with or displayed to comply with requirements under the current lighting and licensing regulations approved by the appropriate Secretary of State.
- (b) The vehicle must not be equipped with any sign or notice such as the word "CAB" or "TAXI" or be of such design or appearance as to lead any person to believe that the vehicle is a hackney carriage.
- (c) The vehicle to display on the rear passenger doors in a prominent position, "**Private Hire Vehicle – Insurance Invalid Unless Pre-booked With Operator**" door stickers, as issued by Peterborough City Council and be permitted to advertise the name and telephone number of the Operator employing the vehicle, and that words "Taxi" or "Cab" are not featured. These stickers must be permanently affixed to the vehicle. Magnetic door signs are not permitted.
- (d) Vehicles must display a Part 1 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The name of the proprietor
 - The contact telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - The vehicle registration number, and
 - The vehicle licence plate number
- (e) Alongside the Part 1 notice, vehicles must also display a Part 2 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The Driver's photograph and
 - The driver's licence number
- (f) Vehicles must display a no smoking sign as required by the Health Act 2006
- (g) All licensed vehicles must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council should the licence be suspended or revoked.

Radio, Microphone, PDA, mobile phone etc

3. Any radio, microphone, PDA, mobile phone etc. installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.

Use of Taximeter

4. If the vehicle is fitted with a taximeter, that taximeter must be so constructed, attached and maintained as to comply with the following requirements:
- (a) all taximeters must be calendar controlled, approved and sealed by a person authorised by the authority.
 - (b) the machinery of the taximeter must be only visible to persons who have boarded the vehicle;
 - (c) the taximeter shall be fitted with a key, flag, or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (d) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (e) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance/time;
 - (f) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (g) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - (h) the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. All meters must be sealed by an authorised officer of the city council and be calendar controlled.
 - (i) only meters approved by the Peterborough City Council may be fitted to the vehicle.

Private hire vehicles that are fitted with a taximeter must display inside the vehicle a statement of maximum fares as set by the council. Operators and / or drivers cannot demand a fare greater than that recorded on the taximeter, save for any extra charges authorised by the council.

Maintenance of Vehicle

5. The vehicle shall:
- (a) be of such design to enable any person in the carriage to communicate with the driver;
 - (b) be fitted with a roof or covering which can be kept watertight;
 - (c) contain windows and a means of opening and closing not less than one window on each side;
 - (d) contain seats which must be properly cushioned or covered;
 - (e) be provided with a proper carpet, mat or other suitable covering for the floor;
 - (f) contain fittings and furniture kept in a clean condition safe and well maintained and in every way fit for public service;
 - (g) be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage;
 - (h) be provided with at least four doors (or three doors in the case of the diesel "Fortwo" Smart Car);
 - (i) be a right hand drive vehicle.

- (j) Vehicles fitted with a passenger tail lift must maintain a valid LOLER (Lifting Operations Lifting Equipment Regulations) certificate of compliance, and produce it upon request.
6. A plate provided by the Council identifying the vehicle as a Private Hire vehicle must be securely fixed to the outside the vehicle at the rear in such a manner that the plate is not obscured from view by any fixtures or fittings.

The plate shall be capable of being removed by a constable or authorised Officer of the Council should the Licence be suspended or revoked. Whilst the vehicle is not being used as a Private Hire vehicle the licence plate must be covered from public view. Drivers are reminded that it is an offence to drive a licensed Private Hire vehicle whilst not being in possession of a current private hire driver's licence.

7. The vehicle shall be submitted for annual inspection at the place, date and time as notified by the Council in each year during which the licence is in force and at any other time at the Authority's discretion. When submitted for inspection it shall be in a complete and thoroughly good condition and the engine, chassis, body, wheels, fittings, furniture and all parts must be in good repair and order. All steering parts and braking linkages must be thoroughly cleaned. All vehicles more than six years old to be tested every six months.
8. All brakes, machinery, furniture and fittings shall be kept in good order and condition.

Safety Equipment

9. There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment must be in date and carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

Licence Period

10. Private Hire vehicle Licences shall be granted for a period of 12 months or such other period as the Council may determine from time to time. Expired plates must be returned to the council or retained by the appointed testing station upon renewal.

Change of Address or Ownership of vehicle

- (a) The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place. The proprietor must also complete and submit the required application with fee, as soon as practically possible, and in any case within 14 days, if they transfer ownership of the vehicle.
- (b) All signage relating to hire and reward (including door signage, taximeter if fitted, company insignia etc.) must be removed from the vehicle, whenever it is sold or transferred outside Peterborough's licensed trade, or delicensed.

Vehicle Documentation

12. The proprietor of a Private Hire vehicle licensed by the Council shall at the request of an authorised Officer or any Police Constable produce for inspection the following documentation within 7 days from the time the request is made at a place notified to the driver by the authorised Officer or Police Constable.
- (a) a certificate of the policy of Insurance or security required by Part IV of the Road Traffic Act 1988 or other enactment in respect of such Private Hire vehicle;
 - (b) the Private Hire vehicle Licence issued by the City Council;
 - (c) a current Ministry of Transport Test Certificate (where applicable) or CoC issued by the authority;

- (d) the vehicle registration documents; and
- (e) the driving licence issued by DVLA or acceptable equivalent defined by DVLA

13 Alteration of Vehicle

- (a) No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force. Approval from the licensing authority must be obtained prior to installing CCTV in a vehicle.
- (b) Windows must conform with both Type Approval and Construction and Use Regulations. Post manufacturer window tinting is not permitted

Employees

14. If the proprietor permits or employs any other person to drive a licensed vehicle as a Private Hire vehicle, he shall before that person commences to drive the vehicle ensure that the driver holds a valid private hire driver's licence, is insured as required by the Road Traffic Act and that the driver fully understands the conditions attached to both this licence and the private hire driver's licence.

15 Vehicle Requirements

- (a) Vehicles will be licensed subject to the following restrictions.

	Petrol, diesel or any other non ULEV/ZEV	ULEV	ZEV
Maximum age at time of first being licensed	4 years old	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	9 years old	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	6 years old	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	8 years old	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 75g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

- (b) A vehicle will continue to be licensed as set out above, subject to the vehicle passing any necessary tests laid down by the City Council and there being no break during the licensing period.
- (c) Vehicles will be subject to 6 monthly inspections at a time and place to be notified by the authorised Officer of the Council.
- (d) Any vehicle damage that materially affects the safety, performance appearance, or the comfort of the passenger, must not be used for hire and reward purposes, until the vehicle has been suitably repaired.

Where a vehicle is off the road due to accident damage, subject to satisfactory documentary evidence being produced to the authorised Officer, the Council may allow a replacement vehicle that meets the above criteria to be licensed as a replacement for the accident damaged vehicle for a period not exceeding 3 months. All accidents must be reported to the council within seventy-two hours.

Cheques

16. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

Other licence holder responsibilities

17. All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

Consultation Draft

PETERBOROUGH CITY COUNCIL
PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

The following are conditions attached to the private hire driver's licence. These conditions are additional to the requirements imposed on private hire drivers and vehicles by the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution.

1. Use of Taximeter

The driver of a private hire vehicle provided with a taximeter shall ensure that the taximeter is sealed and approved by a person authorised by the City Council. All meters must be calendar controlled.

- (a) As soon as the vehicle is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- (b) Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Transport Lighting Act 1957 and also at any other time at the request of the hirer;
- (c) If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).

2. Fare to be Demanded

- (a) The driver shall not demand (from any hirer of a private hire vehicle) a fare in excess of (any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare) the fare shown on the face of the taximeter. The driver **must** confirm prior to the commencement of the journey, the name of the hirer, the destination and the cost of the journey;
- (b) The driver of a private hire vehicle shall not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare shown on the face of the taximeter.

3. Interference with Equipment

The driver of a private hire vehicle shall not tamper with or permit any unauthorised person to tamper with, any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto, nor with any other equipment attached to or forming part of the vehicle.

4. Shortest Route

The driver of a private hire vehicle shall not without reasonable cause unnecessarily prolong in distance or in time, the journey for which the private hire vehicle has been hired.

5. Driver's Identification Badge

The Driver must at all times when acting as a driver of a private hire vehicle wear his identity badge, as provided by the Council, in such manner as to be plainly and distinctly visible. The badge must be handed over for inspection, if requested, to any authorised officer or Police Officer for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.

6. The driver of a private hire vehicle shall, when required to do so by an authorised officer of the Council or any Police Officer, return the driver's badge and licence to the Council and obtain a receipt for it. The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return the driver's badge to the Council. Badges must be renewed before the expiry date of the existing badge. (Exceptions may be made in exceptional circumstances, see paragraph 1.27) Drivers are reminded that it is an offence to drive a licensed Hackney / Private Hire vehicle whilst not being in possession of a current licence.
7. Assistance with Luggage
- The driver of a private hire vehicle so constructed as to carry luggage shall:
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such a person.
8. Operation of Vehicle
- (a) Once a passenger has alighted the vehicle, the driver may park the vehicle whilst waiting for the next booking, provided that there are no parking restrictions, it is not causing an obstruction, and not within the defined city centre area.
 - (b) Private hire vehicles and drivers waiting for their next booking within the city centre are required to wait in designated car parks, until the vehicle is booked and required to proceed to the destination at the appointed time within the city centre. The council has designated Wellington Street and Pleasure Fair Meadow car parks, and will designate further car parks for this purpose (subject to amendment to the Traffic Regulation Order and Directors approval) which will be published on the council's website.
 - (c) The council reserves the right to restrict private hire vehicles from these car parks as and when necessary, for example a city wide event.
 - (d) Drivers must switch off their vehicle engine when waiting in the designated car parks, and not leave their engine idling when parked for more than a couple of minutes anywhere.
9. Drivers of private hire vehicles shall at all times carry a written record of all hirings to be produced on demand to an authorised officer of the City Council or any Police Officer. **THE DRIVER SHALL ONLY ACCEPT HIRINGS THAT HAVE BEEN PASSED VIA THE PREMISES OF THE LICENSED OPERATOR FOR WHOM HE WORKS AND IMMEDIATELY UPON RECEIPT OF SUCH A HIRING THE DRIVER MUST RECORD THE SAME IN HIS OWN RECORD OF BOOKINGS BEFORE PROCEEDING TO THE PICK-UP POINT.**
10. Lost Property
- The driver of a private hire vehicle shall, immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein. Any property found shall be returned to the hirer or handed in to the nearest Police Station within 24 hours.
11. Carriage of Other Persons
- The driver of a private hire vehicle shall not permit any other person to be conveyed in the vehicle without the express consent of the first hirer.
12. Licence Plate
- (a) The driver of a private hire vehicle shall not wilfully or negligently cause or suffer any licence plate to be concealed from public view whilst the vehicle is being used for the purpose of hire. The driver must ensure that the plate is securely fixed to the rear outside of the vehicle in such a manner as to be easily removed by an authorised officer of the Council or Police Officer.

- (b) The licensed driver must ensure that the vehicle is displaying a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council, should the licence be suspended or revoked.

13. Prompt Attendance

The driver of a private hire vehicle shall, if he is aware that the vehicle has been hired, be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that time and place, unless delayed or prevented by reasonable cause.

14. Change of Address

The driver shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.

15. Conduct of Driver

The driver shall:

- (a) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner;
- (b) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (c) not drink, eat or smoke in the vehicle;
- (d) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- (e) 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 (Drivers are reminded that it is an offence to sound a horn whilst stationary except in traffic and not at all between 11.30pm and 7.00am in areas where there is a 30mph speed limit in force); and
- (f) NOT consume ANY alcohol whilst on duty and ensure that he/she complies with statutory legislation in relation to drink driving offences.
- (g) Co-operate with any reasonable request made by an Authorised Officer.

16. Smoking

It is against the law for a driver or passenger to smoke in a licensed vehicle. For the avoidance of doubt, the council also forbids the smoking of electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers

17. Passengers

- (1) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- (2) The driver shall not allow any child below the age of twelve years to be conveyed in the front of a private hire vehicle:

18. Written Receipts

The driver shall if requested by the hirer of a private hire vehicle provide the hirer with a written receipt for the fare paid.

19. Vehicle Damage Notification

The driver of a private hire car shall within seventy two hours report all accidents in writing to the Council.

20. Animals

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself, the proprietor or operator of the vehicle. Any animal belonging to or in the custody of any passenger may be conveyed at the driver's discretion.

21. The carrying of hearing dog, guide dog or other assistance dog shall not be at the driver's discretion and such a dog accompanying a visually or hearing impaired person must be carried at no additional cost.

22. Health of Driver

The driver of a private hire vehicle must inform the Council without delay about the onset or worsening of any health condition likely to cause them to be a source of danger to the public when driving either now or in the future. Examples are giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, parkinson's disease, heart disease, angina, 'coronaries', high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug taking and loss of a limb or use of a limb. THIS LIST DOES NOT INCLUDE ALL THE DISABILITIES THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF DISABILITIES.

Temporary conditions, other than recurrent ones, not expected to last more than three months need not be reported. Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor.

23. A Group 2 medical certificate completed by a registered general practitioner who is licensed to practice in the UK must be submitted with all new applications and every three years upon renewal and then annually thereafter when the applicant reaches 65 years old.

24. Period of Licences

Private Hire Drivers Licences are generally issued for a three year duration, but may be granted for a lesser duration if appropriate, or if the applicant's right to work is of a shorter or limited duration. Drivers are responsible for ensuring they renew their licence at the appropriate time. Drivers who fail to renew their licence prior to expiry will be required to apply as a new driver, except in exceptional cases R (on the application of Exeter City Council) v Sandle [2011] LLR480.

25. Acceptance of Hirings

The driver shall not whilst driving or in charge of a private hire vehicle ply for hire or otherwise:

- (a) tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
- (b) cause or procure any other person to tout or solicit on any road or other PUBLIC place any person to hire or be carried for hire in any private hire vehicle; or
- (c) offer the vehicle for immediate hire whilst the driver is on a road or PUBLIC PLACE or PRIVATE PROPERTY.

26. Before commencement of a journey the driver shall confirm the passenger's name and destination. The driver shall confirm the fare before the commencement of the journey unless a sealed meter is used in accordance with the City Council's regulations.

27. Before commencement of duty, a private hire driver shall ensure:

- (a) that the vehicle is licensed in accordance with the City Council's regulations;
- (b) the vehicle is correctly insured as required by the relevant Road Traffic Regulation Act or any other enactment; and
- (c) that he inspects the vehicle to ensure that it is in a fit and proper condition to be used as a private hire vehicle.
- (d) the vehicle is displaying the required notice in the windscreen identifying the vehicle licence number
- (e) the vehicle is displaying the correct Part 1 and Part 2 notice, in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle. The part 1 notice must contain the following information;
 - name of the proprietor,
 - the telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - the vehicle registration number, and
 - the vehicle licence plate number.

The Part 2 notice must display the drivers photo and licence number

28. When a driver is not using a licensed vehicle for private hire purposes, the driver shall ensure that the licence plate is obscured from public view. Drivers are reminded that it is an offence to drive a licensed Private Hire vehicle whilst not being in possession of a current private hire driver's licence.

29. Documentation

At the request of an authorised officer of the Council or a Police Officer the driver must within 7 days produce for inspection the following documents:

- (a) the vehicle licence;
- (b) the vehicle registration documents;
- (c) a Certificate of the policy of motor insurance as required by Part IV of the Road Traffic Act 1988 or any other enabling Act;
- (d) where appropriate a Ministry of Transport Test Certificate; or CoC and
- (e) his own driving licence issued by DVLA or equivalent as defined by DVLA.

30. Convictions/Cautions

- (a) The proprietor/driver shall within 48 hours disclose to the Council in writing details of an arrest and release, charge or conviction of any sexual offence, or offence involving dishonesty, or violence, any convictions, cautions, DVLA penalty points etc. imposed on him (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.
- (b) Licensed drivers must also report to the council within 7 days any changes to their immigration status, or any convictions of an immigration offence, or any requirement to pay an immigration penalty. A licence ceases to have effect if the person does not have the right to work in the UK. Any licence which has expired due to the person's immigration status must be returned to the council within 7 days.
- (c) All licensed drivers are required to maintain continuous registration with the DBS update service and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance and where there is reasonable cause for doing so

31. Advertisements etc.

The driver of a private hire vehicle shall not place or suffer to be placed any printed, written or other matter by way of advertisement on any part of the vehicle except with the prior written consent of the Council.

Cheques

32. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

Private Hire Operator's Licence Conditions

Introduction

Private Hire Operators are licensed to provide pre-booked journeys for passengers at an agreed fare. Legislation states that the journey must be pre-booked with the operator prior to commencing, where a fare is undertaken without being pre-booked it is against the law and the driver's insurance will almost certainly be invalid.

The council has a responsibility to regulate Private Hire Operators in accordance with legislation, when receiving an application as well as considering any legislative requirements local authorities also have the ability to take into consideration local factors or issues that may be relevant when granting a licence.

When considering a new application for an operator's licence we will consider the location of the premises, parking arrangements for vehicles and what the effect of granting the licence is likely to have on anyone in the vicinity, this includes residents, the public and other businesses.

Some locations such as the city centre and other densely populated areas do not easily accommodate businesses such as the private hire trade due to the space required for vehicles etc. Due to this we would not grant a licence unless the applicant can demonstrate such measures to ensure that there will not be a detrimental effect on anyone in the vicinity, this will also include any parking infringements by drivers visiting the office that are encouraged due to the location. Any application for a city centre location will also be considered in accordance with the Peterborough City Centre Development Plan.

In granting a licence the authority will attach conditions to the licence, and as part of the authority's role within regulation it will ensure compliance by the operator to these conditions. Some conditions are prescribed by legislation and are mandatory; others are adopted locally where deemed appropriate or necessary.

It is good practice and appropriate to regularly review the conditions in order to ensure that they remain relevant and are fit for purpose. It should be remembered that where conditions are set by legislation then these cannot be amended or removed and therefore will continue to be attached to all operator licences.

These conditions are in addition to the requirements imposed upon operators by the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to enforcement action which could lead to suspension or revocation of the licence and/or prosecution.

1. Planning Requirements

- (a) There shall (where planning legislation and practice requires it) be in force for the premises from which the business is to be conducted a valid planning consent in these cases. Operators must comply fully with any condition attached to such consent.
- (b) Where planning consent is not required written confirmation from the council's planning department will be required.
- (c) In the case of an operator with only one vehicle operating from a residential address and the council's planning department has confirmed that planning permission is not required the following conditions must be adhered to:
 - (i) only one vehicle can operate from the premises
 - (ii) customers must not visit the premises
 - (iii) customers must be picked up away from the premises
 - (iv) any advertising from the premises must have prior approval from the council's planning department.

2. Records

2.1 Records of vehicles and drivers

- (a) The operator shall be responsible for maintaining at his premises **(AND AT EACH SUCH PREMISES IF OPERATING FROM TWO OR MORE PREMISES)** particulars of all vehicles operated by him, which shall include the following:-
- (i) the call sign or other identifying mark used on booking records;
 - (ii) the licence plate number;
 - (iii) the vehicle registration number;
 - (iv) the name and address of vehicle proprietor;
 - (v) a valid current certificate of motor insurance or security for the vehicle together with, where appropriate, a Ministry of Transport certificate and or certificate of compliance, and ensure both the driver and vehicle hold a current licence issued by the same authority;
 - (vi) the names and addresses of drivers and the badge numbers of drivers.
- (b) The above records to be produced on request to an authorised officer of the Council or to a Police Officer.
- (c) Operators must provide due diligence in the form of written records to demonstrate that staff and drivers are fully trained and aware of their responsibilities. Operators may demonstrate this with training records to include safeguarding and disability awareness, other checks performed by the operator, company policies etc. The due diligence records must be made available to an authorised officer upon request.
- (d) Operators who provide wheelchair accessible vehicles (WAV) must ensure that the driver is appropriately trained to safely load, unload and convey passengers in a safe and secure manner. This training must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- (e) Operators are required to keep and maintain a register of all staff that will be taking bookings and/or dispatching vehicles.
- (f) Operators are required to evidence that they have had sight of a Basic DBS check for any and all individuals on their register of booking and dispatch staff and must ensure that Basic DBS checks are conducted on any individuals added to their register. Should an employee cease to be on the register and is then later re-entered, a new Basic DBS certificate must be requested for that individual and sight of this recorded.
- (g) Operators are required to provide a copy of their policy on employing ex-offenders in roles that would be on the register as above.

2.2 Records of bookings

- (a) Before the commencement of each journey of every private hire booking the operator shall enter in a suitably bound book, **TO BE HELD AT THE PREMISES FROM WHICH THE BOOKING IS MADE**, the pages of which are numbered consecutively, the following details:-
- (i) the time and date of each booking;
 - (ii) by what method the booking was received, i.e. telephone or personal call;
 - (iii) journey from _____ to _____; (Full address including house number where appropriate)
 - (iv) the full name of the hirer;
 - (v) cost of fare quoted for journey.
 - (vi) the name of the driver who fulfilled the booking
 - (vii) that driver's licence number or individual call sign
 - (viii) the vehicle registration number which fulfilled the booking
 - (ix) the name of the individual that dispatched the vehicle or accepted the booking

If the above data is to be retained electronically, the operator must make appropriate provision to

ensure it is backed up to maintain data integrity and retention period.

(Note: If a licence plate number or call sign is used, a record showing the vehicle registration number and the plate number or call sign allocated shall be displayed and kept on the licensed premises).

- (b) If an operator subcontracts a booking to another licensed operator, both operators must keep a record of bookings. The initial operator who accepted the booking must provide due diligence of checks made to ensure the operator they passed the booking onto is correctly licensed. This due diligence must be documented and made available to an authorised officer.
- (c) The records shall be kept for a period of not less than six months from the date of the last entry, or such longer period as required by an authorised officer of the Council and must be produced on reasonable request to any such officer or to a Police Officer.

3. **Information as to Charges**

No operator of a private hire vehicle which is licensed by the Authority under this Act shall invite or accept a booking for such vehicle, or control or arrange a journey to be undertaken by such vehicle, without first drawing the attention either orally or in writing to the person making the booking, information as to the basis of charge for the hire of the vehicle. The Operator shall ensure that such information is passed to the driver.

4. **Statement of Fares**

Operator's who provide private hire vehicles that are fitted with a taximeter must ensure that the vehicle displays a current statement of maximum fares as set by the council.

Operator's must make customers fully aware of any additional charges which may be applied, e.g.

- (a) the minimum charge of each hiring (if any);
- (b) the fare tariff;
- (c) any additional charges (eg. cleaning a soiled vehicle)

These additional charges must be clearly displayed in the operator's office and website where available.

5. **Term of Licence**

A Private Hire Vehicle Operator's Licence is usually granted for a five year duration, but may be granted for a lesser duration if requested to do so in writing, or the applicant's immigration status limits it to a shorter duration.

6. **Ofcom licence**

Operators who utilise a radio system will be required to provide proof of their current licence from Ofcom.

7. **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:-

- (a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place the vehicle shall, unless delayed or prevented by reasonable cause, punctually attend at that appointed time and place.
- (b) 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.

- (c) Ensure that any waiting area provided by the operator has adequate seating facilities and has valid public liability insurance in place for this area.
- (d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- (e) Ensure that if it is intended that a diesel "Fortwo" Smart Car is to be dispatched to fulfill a booking, it is highlighted with the customer and if requested, an alternative licensed vehicle is supplied.
- (f) Ensure that no additional charges or costs are levied or applied by them or their drivers for the conveying of assistance dogs.
- (g) Where the operator has a wheelchair accessible vehicle within their fleet, ensure that no additional costs are levied by them or their drivers for conveying disabled passengers.

8. **Disorder**

The holder of an operator's licence shall not permit any person who is drunk, or is behaving in a disorderly manner, to remain upon the premises in respect of which the licence is in force.

9. **Change of Address**

- (a) The operator shall notify the Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an operator) during the period of the licence within seven days of such change taking place.
- (b) Where there is a change of address from which the business is conducted, the operator must ensure that all necessary requirements including any planning permissions are in place prior to the business operating from the new location.

10. **Convictions/Cautions**

- (a) The operator shall within 48 hours disclose to the Council in writing details of any conviction/cautions imposed on him or arrests and release, charge or conviction of any sexual offence, or offence involving dishonesty or violence, (or if the operator is a company or partnership, on any of the directors or partners or other persons with significant control) during the period of the licence.
- (b) The operator must notify the council within seven days of any changes to their immigration status or, if since the grant of their licence there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.
- (c) An operator's licence ceases to be in effect if the person to whom it was granted becomes disqualified by reason of their immigration status. Where this applies the person must cease to operate and return their operator's licence to the council within 7 days.
- (d) Operators (who are not also licensed drivers), are required to submit a basic DBS disclosure on an annual basis
- (e) Where the operator is a company, the annual DBS requirement extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators must notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.

11. **Facilities for Passengers**

- (a) The operator shall ensure that where any passenger waiting area or room is provided it is kept physically separate from any driver rest area and operations room.

- (b) The operator shall ensure that his/her staff, driver's, vehicle proprietors, passengers or prospective passengers are not allowed to congregate on a public road, footpath or any other public place adjacent to his/her licensed premises whilst waiting for the arrival of vehicles.
- (c) The operator shall ensure that the internal and exterior of **EACH of HIS/HER** premises ARE kept in good repair to the satisfaction of the Council.

12. **Complaints and requirement to display required information - Part 1 notice**

- (a) Operators must have a formal written complaints procedure and policy in place which must be made freely available to all customers. The procedure must, as a minimum include and document the following matters:
 - (i) The way in which customers can complain, including the operator's business name and telephone number.
 - (ii) When the complaint was made (date and time)
 - (iii) Who made the complaint
 - (iv) The nature of the complaint
 - (v) When the complainant can expect to be contacted by the operator regarding the complaint (not more than 72 hours from receipt).
 - (vi) The resolution offered by the operator, and
 - (vii) That the complainant may further their complaint to the licensing department if they remain unsatisfied with the operators resolution.
- (b) The operator is responsible for ensuring that the complaint records are documented in a written or electronic format, contain all the information required in 12 (a) (ii) to (vi), be retained for a minimum period of six months and made available to an authorised officer.
- (c) These requirements are to remain the responsibility of the operator who accepted the booking, even where the booking has been subcontracted to another licensed operator.
- (d) All vehicles utilised by the operator (except where subcontracted to another licensed operator) must clearly display a Part 1 notice, which must contain the following information in a conspicuous unobscured place, which can be easily read by a passenger travelling in the rear and front of the vehicle:
 - (i) The name of the proprietor
 - (ii) The contact telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - (iii) The vehicle registration number, and
 - (iv) The vehicle licence plate number
- (e) Operators must monitor complaints to see if there are any trends, or if they relate to particular drivers or vehicles. Where a trend is apparent, appropriate action must be taken by the operator to address the issue.
- (f) If an operator is made aware of a safeguarding or serious complaint relating to the 'fit and proper' status of a driver, they must notify the council immediately and provide details of the actions taken by the operator.

13. **Taximeters**

- (a) The operator shall ensure that vehicles operated by him which are fitted with a sealed taximeter, charge a fare or charge calculated from the point in the district at which the hirer commences his journey and shall not exceed that displayed on the taximeter at the completion of the journey. The taximeter being brought into operation at the commencement of the journey.
- (b) The operator must ensure that all vehicles operated by his base station fitted with meters have been sealed by a person authorised by the Council.

14. **Acceptance of Bookings**

- (a) The operator must advise all drivers **OF VEHICLES IN RESPECT OF WHICH HE ACCEPTS A BOOKING THAT**, whilst on duty, being in charge of a licensed private hire vehicle HE shall not ply for hire or otherwise:-
- (i) tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
 - (ii) cause or procure any other person to tout or solicit on any road or other PUBLIC place any person to hire or be carried for hire in any private hire vehicle; or
 - (iii) offer the vehicle for immediate hire whilst the driver is on a road or public place or private property.
- (b) The Operator/Proprietor shall not permit any person not being the holder of a valid licence issued by the City Council to drive a licensed private hire vehicle.

15. **Satellite Offices**

Where a satellite office is in operation the following conditions will apply in addition to those previously mentioned:

- (a) Private hire vehicles must not park illegally on the public highway in the vicinity of the satellite office, breach road traffic legislation or breach parking restrictions or cause obstruction or annoyance to the public, other road users or other businesses.
- (b) Vehicles must not be allowed to congregate in the vicinity of the satellite office unless there is adequate off street parking to accommodate all vehicles.
- (c) Private hire vehicles must only attend the satellite office to undertake pre-booked fares and should depart immediately on the collection of their passenger
- (d) Vehicles should not be dispatched to the satellite office unless the passenger is ready for collection.
- (e) Booking records must be kept in accordance with section 2 of this document.
- (f) Private Hire Marshals must be clearly identifiable to the public and fully aware of their responsibilities in accordance with the conditions as attached to the operator's licence and all associated legislation.
- (g) Private Hire Marshals or any other person representing the operator must not approach the public or any prospective customer and offer a vehicle for hire, regardless of their location, be it in a public or private place. This includes handing out business cards to prospective customers without the customer making an initial enquiry.
- (h) Where official marshals are not employed by the operator and existing members of staff of a premises are acting as an agent for the operator, then the agent representing the operator must not approach the public or any prospective customer and offer a vehicle for hire, regardless of their location, be it in a public or private place. This includes handing out business cards to prospective customers without the customer making an initial enquiry.
 - (i) Driver's must not take bookings direct from customers.
 - (j) Where a driver is temporarily undertaking the role of a marshal, the driver must be clearly identifiable as such and must not be in the vicinity of his vehicle.
 - (k) Where a driver is temporarily undertaking the role of a marshal, the driver must not take a booking and then carry out the job himself.

16. **Licence Fees**

- (a) A licence in respect of which a licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

17 **Other licence holder responsibilities**

- 17.1 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

PETERBOROUGH CITY COUNCIL

Limousine and Speciality Vehicles Licence Conditions

Peterborough City Council reserve the right to consult with DVSA (Driver and Vehicle Standards Agency (formerly VoSA)) if it believes a vehicle does not meet the standards set out in the latest version of their document for Guidance for Limousine Operators. The authority may refuse any vehicle upon application that does not meet the criteria.

It is the responsibility of each applicant to ensure that no more than 8 (Eight) passengers are ever transported in the vehicle at any one time. Seating capacity can be defined by the number of seating positions, which again can be defined by sculpting in the seat and/or seat belts. When signing the vehicle licence application you are confirming that you will adhere to this.

On application for a limousine vehicle licence the applicant must be able to prove that the vehicle is of an approved standard to be used on the UK highway. If a vehicle is less than ten years of age it will require an IVA (Individual Vehicle Approval) certificate, a current MOT test certificate and a V5 vehicle registration certificate. Any vehicle over ten years of age will require a current MOT test certificate and a V5 vehicle registration certificate.

If any applicant is unsure how to obtain the relevant registration documentation, they should contact DVLA and/or DVSA.

Limousines should ideally be chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

For the licensing of prestige cars each vehicle must comply with the Road Vehicle (Construction and Use) Regulations. It is expected that the type of vehicle relevant to this category of licensing would be a Rolls Royce, Daimler, Bentley, Jaguar or other high end models from manufacturers such as BMW or Mercedes Benz however this list is non-exhaustive and approval will be at the council's discretion; Also incorporated into this section would be vintage or classic cars. Other vehicles that the authority may be asked to licence could be Kit cars, or something of a more retro nature such as those from television, examples being a Ford Capri or a Reliant three wheeler.

All vehicles when presented for inspection must have all relevant documentation such as the MOT test certificate and a V5 vehicle registration certificate.

All speciality vehicles should ideally be chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

Peterborough City Council reserve the right to consult with DVSA if it believes a vehicle does not meet the standards of roadworthiness as set out in the categorisation of vehicle defects.

It should be noted that at the time of writing there is an exemption under the Local Government (Miscellaneous Provisions) Act 1976, when vehicles are used for weddings and funerals. However, this may change once the results of the law commission consultation are known, and changes made to legislation.

1. **Licensing Requirements**

- 1.1 The general conditions imposed by Peterborough City Council (hereafter referred to as the Council) for private hire vehicle operators and drivers will be applicable to the licensing of stretch limousines and Speciality Vehicles unless amended by the following provisions.
- 1.2 The general conditions imposed by the Council for private hire vehicles where applicable to the

licensing of stretch limousines and speciality vehicles are included in section 12. General Conditions for Private Hire Vehicles.

1.3 The type of work undertaken by stretch limousines will differ significantly from that of regular private hire work in that the vehicle will only be licensed for the carriage of passengers for special events, examples of which are:

- Prom nights
- Theatre trips
- Hen nights
- Stag nights
- Party trips
- Race days

or any other similar events considered by the Council to be special in nature. However, vehicles used solely for weddings and funerals are exempt from the requirements of private hire licensing.

2. Private Hire Operator's Licence

2.1 Persons taking bookings for private hire work using stretch limousines or speciality vehicles will be required to hold a private hire operator's licence issued by the Council.

2.2 All bookings of a limousine or speciality vehicle for use as a private hire vehicle must be made through a licensed private hire operator. Any vehicle licensed by the Council will only be used for hire under the terms of a private hire operator's licence already issued or granted to an operator within the District or to any new licensed operator.

3. Private Hire Driver's Licence

3.1 Any person driving a stretch limousine or speciality vehicle for private hire will be required to be licensed as a private hire driver by the Council.

4. Stretched Limousine - Definition

4.1 A stretch limousine is defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an authorised coachbuilder that is capable of carrying up to but not exceeding 8 passengers. There will be no age limit for first registration and no maximum upper age limit, subject to the vehicle being mechanically and physically maintained in accordance with the provisions of the Council's standard conditions relating to private hire vehicles.

4.2 In order for the limousine to be considered for licensing, the applicant must prove that the "stretch" was carried out by the manufacturer or by a coachbuilder approved by the vehicle manufacturer. American limousines must have been built by an approved coachbuilder under the QVM programme, (Qualified Vehicle Modifier) for Ford vehicles or the CMC programme (Cadillac Master Coachbuilders). The onus is placed upon the applicant to prove that the vehicle meets the prescribed standards.

4.3 Once licensed as a private hire vehicle, the limousine will be subject to any statutory requirements imposed by Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.4 Stretch limousines will be regarded as luxury vehicles used for special events. The use of such a vehicle for standard private hire work is not considered to be appropriate.

5. Vehicle Testing

5.1 A stretched limousine vehicle will be subject to a **twice yearly mechanical examination** at intervals to be specified by the Council at its authorised testing station (Aragon) to determine its safety and

suitability for the type of work for which it is to be licensed. This will apply to all stretched limousines regardless of age, date of import or date of registration. **A licence for a stretched limousine will be issued for a period of 12 months only**, renewal subject to a satisfactory retest.

5.2 The Vehicle Registration Document V5 must indicate in the field "Type Approval Number" that it has undergone one of the following approvals and meets the technical standards of either:

- a European Whole Vehicle Type approval, or
- a British National Type approval, or
- an Individual Vehicle Approval (IVA) (formerly known as the Single vehicle Approval scheme (SVA)).

5.3 Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.

5.4 Documentation is to be provided proving that the 'stretch' was performed by the manufacturer or by a coachbuilder approved by the vehicle manufacturer e.g. American limousines must have been built by an approved coachbuilder under the QVM programme for Ford Vehicles or the CMC programme for Cadillac Vehicles.

5.5 A plate on the door pillar shall confirm the total weight of the vehicle.

5.6 DVLA V5 or equivalent shall be produced to authenticate registration.

5.7 A speciality vehicle will be subject to an **annual MOT test** at any DVSA authorised MOT testing centre. This will apply to all speciality vehicles regardless of age, date of import or date of registration. **A licence for a speciality vehicle will be issued for a period of 12 months**, renewal subject to a satisfactory retest.

5.8 Limousine and speciality vehicles will receive an exemption to display an external identification plate, a paper permit will be issued which must be clearly displayed on the nearside of the front windscreen.

5.9 An exemption notice will be issued and must be carried in the vehicle at all times, the notice must be produced upon request by an authorised officer of the council or any police officer on request.

5.10 The driver will also be exempt from wearing a private hire badge under the exemption notice. But must have it available for immediate inspection by an authorised officer of the council or any police officer on request.

5.11 The vehicle will be exempted from displaying the vehicle licence number in the windscreen and the Part 1 Part 2 notice.

6. **Vehicle Requirements**

6.1 Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times. The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight of the vehicle, such as 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced).

6.2 Where applicable, an installation certificate must be produced from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.

6.3 The vehicle must maintain valid road vehicle excise duty.

6.4 Vehicles may either be left or right hand drive.

6.5 Vehicles must be fitted with at least 4 doors (limousines).

6.6 All seats shall be fitted with appropriate seat belts, which must be fitted in accordance with the current Road Vehicle (Construction & Use) Regulations (limousines). In the case of speciality vehicles seat belt requirements will depend on the Road Vehicle (Construction and Use) Regulations relating to the age of the vehicle; where this allows for seatbelt exemption children must not be carried in the vehicle.

6.7 Stretch limousines with heavily tinted glass in the windows behind the driver's cockpit will be considered for licensing. Glass in the driver cockpit must satisfy the current legal requirements. Tinted glass shall conform to the legal requirements as laid down by DVSA.

7. **Passengers**

7.1 The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.

7.2 The vehicle must not carry more than 8 passengers at any time and for this purpose a babe in arms will be classed as a passenger no matter what their age.

7.3 Passengers must not be carried in the front compartment.

8. **Insurance**

8.1 The vehicle must have 'hire and reward insurance' to carry out private hire work and a full policy of insurance must be presented before the vehicle is licensed. An insurance cover note will not be accepted.

9. **Alcohol**

9.1 Alcohol shall only be served while the vehicle is stationary and afterwards all bottles shall be placed in a secure receptacle.

9.2 No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence under the licensing Act 2003 permitting the sale or supply of the same.

9.3 If there are any passenger's below the age of 18, then there shall be no alcohol in the vehicle.

9.4 Any 'glassware' in the vehicle must be made of either shatterproof glass or plastic.

10. **Entertainment**

10.1 The driver shall not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the vehicle (based on the age of the youngest passenger).

10.2 Entertainment provided in the vehicle shall be under the terms of any relevant legislative requirements. Activities which are prohibited within the vehicle are:

- Striptease
- Lap Dancing
- Pole Dancing
- Any other activity or performance of a like kind.
- The driver of the vehicle shall not knowingly permit to be played any video, DVD or other recording image that is unsuitable having regard to the age of passengers being conveyed. In deciding what a suitable regard shall be, the driver must take notice of the classification of the video, DVD or recorded image awarded by the British Board of Film Classification

11. **Advertisements**

11.1 No signs, notices or any other markings will be displayed on or in the vehicle without the written

permission of the Council. There is no requirement for the vehicle to display a door sign denoting the operator's details.

- 11.2 In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry a maximum of 8 passengers and a sign to this effect must be displayed within the passenger compartment of the vehicle.

12. **General Conditions for Private Hire Vehicles**

- 12.1 Listed in this section are the conditions taken from the council's general conditions for private hire vehicles which are applicable to the licensing of stretch limousines and speciality vehicles.

12.2 Maintenance of Vehicle

- a) The vehicle shall be of such a design to enable any person in the carriage to communicate with the driver;
- b) The vehicle will be provided with a proper carpet, mat or other suitable covering on the floor;
- c) The vehicle will be kept in a clean, safe condition and well maintained and in every way fit for public service; and
- d) The vehicle will be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage.

12.3 Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

12.4 Change of Address

The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place.

12.5 Vehicle Documentation

The proprietor of a Private Hire vehicle licensed by the Council shall at the request of an authorised Officer or any Police Constable produce for inspection the following documentation within 7 days from the time the request is made at a place notified to the driver by the authorised Officer or Police Constable.

- a) a certificate of the policy of Insurance or security required by Part IV of the Road Traffic Act 1988 or other enactment in respect of such Private Hire vehicle;
- b) the Private Hire vehicle Licence issued by the City Council;
- c) a current Ministry of Transport Test Certificate or CoC (where applicable);
- d) the vehicle registration documents; and
- e) the driving licence (issued by DVLA)

12.6 Alteration of Vehicle

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

12.7 Employees

If the proprietor permits or employs any other person to drive a licensed vehicle as a Private Hire vehicle, he shall before that person commences to drive the vehicle ensure that the driver holds a valid private hire driver's licence, is insured as required by the Road Traffic Act and that the driver fully understands the conditions attached to both this licence and the private hire driver's licence.

13. **Right of Appeal**

- 13.1 Under Section 48 (7) of the 1976 Act, any person aggrieved by the refusal of the council to grant a private hire vehicle licence, or any conditions specified in such a licence may appeal to a Magistrates' Court.
- 13.2 Please note that failure to comply with any of the aforementioned conditions including the general conditions relating to private hire vehicles may result in the commencement of criminal proceedings, and/or in the suspension or revocation of an existing licence, or in the refusal to issue a new licence.

Consultation Draft

Guidelines Relating to the Relevance of Convictions / Cautions in Relation to Taxi Licensing

Introduction

The City Council as the Taxi Licensing Authority, has the responsibility to ensure all drivers of hackney carriages and private hire vehicles that are available for hire to the public, are 'fit and proper' persons to hold the relevant drivers' licences, and are not disqualified by reason of their immigration status. The taxi Licensing Authority will take such measures as appropriate in order to protect members of the public, other road users and the drivers themselves.

There is no definition or general test that determines whether or not a driver is deemed 'fit and proper' to hold a licence. It is a matter of judgment for the Licensing Authority in order to assess any risks or concerns, taking into consideration such matters as the applicant's integrity, honesty and previous character. Previous convictions and cautions are taken into account as well as other information.

Convictions and cautions do not necessarily mean that an application will be refused, or a licence will be revoked. Also, where an applicant does not have any convictions or cautions, the applicant must still be deemed 'fit and proper' by the Licensing authority. Each case is treated on its own merits.

The assessment is ongoing and drivers have a duty to disclose within 48 hours, any convictions or cautions which might affect their suitability to hold a private hire or hackney carriage driver's licence.

The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:

- That a person is a fit and proper person
- That the person does not pose a threat to the public.
- That the public are safeguarded from dishonest person
- The safeguarding of children and young persons

These guidelines will be referred to by officers exercising their powers of delegation, under the Council's Scheme of Delegations in determining whether or not a person is 'fit and proper' to hold a driver's licence.

1. General

1.1 Scope

These guidelines apply to the grant, revocation, suspension or renewal of Operator's Licences ("Operator's Licences"), Licences to drive hackney carriages and/or private hire vehicles ("Driver's Licences") and hackney carriage and/or private hire proprietors licences (vehicle licenses) issued by Peterborough City Council ("the Council").

1.2 Purpose

The purpose of these guidelines are to facilitate the Council's duties and responsibilities in determining the impact of convictions and cautions on the grant or renewal of Driver's, Operator's and Proprietors Licences in accordance with the legislative considerations set out below.

2. Legislative Background

2.1 Licensing Legislation

The Council licences drivers, operators and proprietors under the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 ("the Relevant Legislation").

2.2 Grant and Renewal of Licences

Sections 51, 55 and 59 of the Relevant Legislation prescribe that the Council shall not grant a Driver's or Operator's Licence unless satisfied that the applicant is fit and proper for that purpose.

Whilst the relevant legislation is not specific as to what will constitute a fit and proper person for the purpose of determining whether to issue a Licence, it is commonly accepted that any history of offending will be a relevant consideration. The overriding aim of the licensing authority is to protect the public.

2.3 Immigration Act 2016

The immigration Act also places a duty on the licensing authority to verify an applicant's right to work in the UK prior to issuing a licence. The council is prohibited from issuing a licence, (drivers and operators licence) to anyone who is disqualified by reason of their immigration status. This means that driver and operator licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a licence.

Where a person's immigration permission to be in the UK is time-limited to less than the statutory length for a driver or operator's licence, the licence must be issued for a duration which does not exceed the applicant's period of permission to be in the UK and work.

The provisions also add immigration offences and penalties to the list of grounds on which operator and private hire and hackney carriage driver licences may be suspended or revoked by this authority. Where licences expire, or are revoked or suspended on immigration grounds, the licence must be returned within seven days. Failure to return the licence within seven days is a criminal offence.

2.4 Suspension or Revocation of Licence

Section 61 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew a Driver's Licence in the following circumstances:

- (a) there has been a conviction/caution for an offence involving dishonesty, indecency or violence;
- (b) there has been a conviction or caution for an offence under or a failure to comply with the Relevant Legislation; or
- (c) that since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (d) any other reasonable cause

Similarly, Section 62 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew an Operator's Licence in the following circumstances:

- (a) there has been an offence under or non-compliance with the Relevant Legislation;
- (b) any conduct on the part of the Operator which renders him unfit to hold a licence;
- (c) any material change since the Licence was granted in any of the circumstances of the operator on the basis of which the licence was granted;
- (d) that the operator has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (e) any other reasonable cause.

2.5 The Council will also have due regard to:

- (a) s.17 of the Crime and Disorder Act 1998 which states 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- (b) The Department for Transport's Statutory Taxi & Private Hire Vehicle Standards Guidance which

recognises the need for criminal record checks as an important safety measure and details that a licence should not be granted in relation to: Crimes resulting in Death, Exploitation, Sexual Offences, including applicants on the Sex Offenders Register or on any barred list.

3. Disclosure of Convictions/Cautions

- 3.1 All persons (“Applicants”) seeking to obtain an Operator’s, Driver’s or Proprietors Licence will be required to disclose the existence and detail of all relevant convictions and/or cautions they may have.
- 3.2 For the purpose of meeting their disclosure obligations, applicants for a driver's licence will be required to obtain an Enhanced Disclosure with barred list check from the Disclosure and Barring Service (“DBS”) and maintain continuous registration with the DBS update service, and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance, and where there is reasonable cause for doing so.
- 3.3 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.
- 3.4 The Council will decide what level of disclosure is required and in doing so will have regard to the Rehabilitation of Offender’s Act 1974 and the Rehabilitation of Offender’s Act 1974 (Exceptions) Order 2002 (“the Order”). In particular, the following is of note:

4. Drivers

- 4.1 Hackney and private hire drivers working with children and/or vulnerable adults are included within the scope of the Order. This means that all convictions, irrespective of age or sentence imposed can be considered if relevant to the application and will not become spent for this purpose.
- 4.2 In view of the application of the Order, the Council will request an Enhanced Disclosure with barred list check from the Disclosure and Barring Service (DBS) the response to which will contain information of any current or spent convictions, cautions, reprimands or warnings as well as for example other relevant information held by the Police. More information about the DBS and the checks that they perform is available on their website.

5. Operators and proprietors

- 5.1 Private Hire Operators and vehicle proprietors do not fall within the Exemption of the Order, however it is acknowledged that whilst that individual may not be directly responsible for transporting members of the public, they will have access to personal information about passengers and afforded access to them if they walked into the Operator’s office to hire a private hire vehicle.
- 5.2 In view of the above and requirement of the Relevant Legislation, that Operators and Proprietors are fit and proper persons, the Council will require operators and proprietors (who are not also licensed drivers) to submit a basic DBS disclosure with their application and on an annual basis.
- 5.3 Where the application for an operators licence is in the name of a company, the DBS requirement (including annual DBS) extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators are required to notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.
- 5.4 Information obtained from the DBS will be shared only with those authorised to receive it in the course of their duties.

6. Assessment of Applications

- 6.1 The Council will not preclude applications from persons who have previous criminal convictions /cautions subject to the application of these guidelines. In particular, having a criminal record will not necessarily be a bar from obtaining a Licence. Each case will be decided on its own merits.

- 6.2 The fact that no convictions/cautions are revealed does not mean that applications will automatically be granted. In some cases, the applicant's history may be such that they can never be deemed a fit and proper person. The Council retains absolute discretion as to whether or not a Licence will be granted, having regard to the legislation outlined at paragraph 2 above, all information obtained and observations made during the relevant application process.
- 6.3 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Licensees who are licensed by multiple authorities are expected to inform all such authorities of the authorities that they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take into account as appropriate.
- 6.4 Careful consideration of the evidence provided should be given if an applicant has on more than one occasion been arrested, charged, but not convicted of a serious offence, which suggests on the balance of probabilities that they could pose a danger to the public. Consideration will be given to refusing the application. In assessing the action to take, the safety of the travelling public must be the paramount concern.
- 6.5 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material, particularly in giving information required on the application form. Where an applicant has made a false statement, false declaration or omitted to include information on their application for the grant or renewal of a licence, the licence will normally be refused.
- 6.6 The Council is also entitled to use other records and available information when determining applications. This may include information held by the council or other Licensing Authorities, use of NR3, information disclosed by the Police under the Common Law Police Disclosure (CLPD) scheme for reporting offences where there is a pressing social need, or with the Home Office regarding immigration offences. Anyone on the Disclosure and Barring Service (DBS) Barred List will normally be refused a licence. Any licence holder who is subsequently included on the DBS Barred List will normally have their licence revoked.
7. **Impact of Cautions/Convictions**
- 7.1 Each application will be carefully assessed and in each case the information provided will be considered in relation to the particular circumstances and shall take into account one or more of the following (non-exhaustive) factors:
- 7.2 **Level of Responsibility.** The Council will consider the level of independence afforded to the Applicant. An Applicant who works alone with minimal supervision will be considered a greater risk than one who works in a group and/or is closely supervised.
- 7.3 **Date of Offence(s).** The Council recognises that historic offences may have less relevance than recent offences. As a general rule, a pattern of unrelated or similar offences over a period of time will be considered more serious than an isolated minor conviction.
- 7.4 **Attitude of the Applicant.** The Council will look for evidence that the applicant has been rehabilitated and has demonstrated a determination not to re-offend.
- 7.5 **Mitigating Circumstances.** The Council may ask applicants about offence(s)/convictions so that the context can be considered. Due consideration will also be given to any references provided.
- 7.6 **Sentence Imposed.** The Council will consider any sentence imposed as an indication of the Court's view of the seriousness of the offence.
8. **Rehabilitation**
- 8.1 These guidelines prescribe the minimum periods of rehabilitation which will ordinarily need to have elapsed before an application can be approved. These minimum periods will be considered in

conjunction with the general considerations outlined above, as well as with reference to any additional information provided or observations made during the disclosure procedure.

8.2 Representatives of the Council tasked with deciding whether or not to approve an application have absolute discretion as to the application of the minimum periods of rehabilitation. This will apply both in favour of granting an application prior to the expiry of a rehabilitation period (for example where exceptional circumstances exist) or in declining an application before or after the expiry of a rehabilitation period (for example where there is evidence of any recent, persistent or habitual offending history).

Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

9. Right of Appeal

9.1 Applicants have a right to appeal against decisions made in pursuance of these guidelines in the following circumstances:

9.2 Licences

A right of appeal arises against the following decisions:

- Refusal to grant or renew an Operator's or Driver's Licence;
- Suspension or revocation of an Operator's or Driver's Licence; and
- The imposition of conditions which may have been placed on the grant of an Operator's or Driver's Licence.

Any such appeal must be made in writing to the Magistrates Court within 21 days of the date of the decision letter having been served.

The appeal will be processed and determined by the Magistrates Court.

9.3 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes this statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver (Road Safety Act 2006, s 52, 2A & 2B).

9.4 A suspension or revocation of the licence of an operator takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the operator.

10. Updating and Repeat Checks

10.1 Successful applicants are required to notify the Council within 48 hours of any convictions or cautions, arrests and release, charge or conviction of any sexual offence, or offence involving dishonesty or violence, or any other relevant matter criminal or civil, which may question their fit and proper status, they may receive after the grant of their Licence/Approval.

10.2 In order to assist the determination of an applicant's 'fit and proper' status, all applicants are required to provide a valid DBS check. The level of DBS required is determined by the type of application. Operators and Proprietors (who are not also licensed drivers) will be required to provide an annual basic disclosure. All licensed drivers must provide an Enhanced DBS and barred lists check, maintain continuous registration with the DBS update service and authorise the licensing authority to routinely check for new information.

10.3 If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.

11. Breaches of these guidelines

- 11.1 Applicants are prohibited from driving a private hire or hackney carriage vehicle, or performing the duties of an operator without first having obtained a relevant Licence for this purpose.
- 11.2 Persons who have previously been granted a Driver's or Operator's Licence which has been suspended or revoked are prohibited from continuing to drive or perform the duties of an operator unless they have submitted an appeal in accordance with paragraph 9 of this Policy.

12. Guidelines

The following paragraphs offer a general guide on the decision, which might be taken where cautions or convictions are disclosed.

Offences Involving Violence

Offences against Children under 14 years and Young Persons 14 to 17 years

- 12.1 Drivers of hackney carriages and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such vulnerable persons. The Council seeks to minimise risks associated with children and young persons and for that reason a more serious view will be taken when offences of violence involve children or young persons.
- 12.2 Where the commission of an offence involved loss of life a licence will normally be refused. In other cases anyone of a violent disposition will normally be refused to be licensed until they have at least been 10 years free of such conviction or the end of a term of imprisonment if applicable must have passed before an application is likely to be considered favourably. However given the range of the offences that involve violence, consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.

Offences against Other Persons

- 12.3 As hackney carriage and private hire vehicle drivers maintain close contact with the public, where the commission of an offence involved loss of life a licence will normally be refused. In other cases minimum periods of time from completion of any sentence imposed will be applicable before an application is likely to be considered favourably. Each case is assessed on its own merits and consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.
- 12.4 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
- Murder
 - Manslaughter
 - Manslaughter or culpable homicide whilst driving
 - Terrorism offences
 - Exploitation
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
- 12.5 A licence will not normally be granted where the applicant has a conviction for an offence such as:
- Malicious wounding or grievous bodily harm which is racially aggravated
 - Arson
 - Actual bodily harm which is racially aggravated
 - Grievous bodily harm with intent
 - Robbery

- Possession of a firearm
- Riot
- Assault on the Police
- Common assault which is racially aggravated
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction is less than 10 years prior to the date of application.

12.6 An application will normally be refused where the applicant has a conviction for an offence such as:

- Racially aggravated criminal damage
- Racially aggravated offence
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction or completion of any sentence imposed is less than 7 years prior to the date of application.

12.7 An application will normally be refused where the applicant has a conviction for an offence such as:

- Common assault
- Assault occasioning actual bodily harm
- Affray
- Fear of provocation of violence(S4 Public Order Act 1986)
- Intentional harassment, alarm or distress (S4A Public Order Act 1986)

and the conviction or completion of any sentence imposed is less than 10 years prior to the date of application.

12.8 An application will normally be refused where the applicant has a conviction for an offence such as:

- Obstruction
- Criminal damage
- Harassment, alarm or distress (S5 Public Order Act 1986)
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction or completion of any sentence imposed is less than 3 to 5 years prior to the date of application

13. **Weapon Offences**

13.1 If an applicant has been convicted of possession of a weapon or a weapon related offence, this will give serious cause for concern as to whether the person is a fit and proper person to carry members of the public. Depending on the circumstances of the offence, an applicant should be conviction free and completed any sentence imposed at least 7 years prior to the date of application.

14. **Sex and Indecency Offences**

14.1 Any applicant currently on the Sex Offenders Register will not be granted a licence.

Offences against Children under 14 years and Young Persons 14 to17 years

14.2 Drivers of hackney carriage and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such

vulnerable persons. Where the commission of a sexual offence involves a child or young person an application for a licence will normally be refused.

Offences against Other Persons

14.3 As hackney carriage and private hire vehicle drivers often carry unaccompanied passengers, an application will normally be refused where an applicant has a conviction for an offence of:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.4 An application will normally be refused where the applicant has a conviction for an offence relating to:

- Sexual or indecent assault
- Possession of indecent photographs, child pornography etc
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.5 An application will normally be refused where the applicant has a conviction for an offence relating to:

- Indecent exposure
- Soliciting (including kerb crawling)
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.6 A licence will not normally be granted if an applicant has a conviction for any sex or indecency offence.

15. Dishonesty Offences

15.1 Drivers of hackney carriages and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. It should also be noted that a private hire driver is not bound by a set fare structure and therefore is open to potential abuse by dishonest drivers. Customers often use the trade for journeys to airports and drivers are privy to the knowledge that premises will be empty for a period of time. In addition overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. Passengers may comprise especially vulnerable people.

15.2 For these reasons a serious view is taken of any convictions involving dishonesty. In general a minimum period of 7 years from conviction or completion of any sentence imposed should be required before an application can be considered favourably. Offences of dishonesty include, but are not limited to:

- Theft
- Burglary
- Fraud
- Benefit Fraud
- Handling or receiving stolen goods
- Forgery
- Conspiracy to defraud
- Obtaining money or property by deception
- Other deception
- Taking a vehicle without consent

- Or any similar offences / offences involving dishonesty (including attempted or conspiracy to commit) offences which replace the above.

16. Drug Offences

- 16.1 A serious view will be taken with regard to any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered. A licence will not normally be granted where the 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, until at least 10 years have elapsed since the conviction or completion of any sentence imposed.
- 16.2 An application will normally be refused where an applicant has any conviction for possession of drugs, or related to the possession of drugs, until at least 5 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.
- 16.3 If there is evidence of persistent drugs use, misuse or dependency, a medical examination (in accordance with the DVLA Group 2 Medical Standards) will be required before an application will be considered. If the applicant was an addict then they will be required to show evidence that they have been free from drug taking for a period of at least 5 years after detoxification treatment.

17. Driving Offences

- 17.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. Unless there are exceptional circumstances a licence will not normally be granted where an applicant has a conviction for an offence such as:

- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by driving unlicensed, disqualified or uninsured drivers or
- Or any similar offences

- 17.2 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions may reflect the fact that the licensee does not take their professional responsibilities seriously and is therefore not a 'fit and proper' person to be granted or retain a licence.

- **Major offences / High risk offences** (see Annex A for examples of major/high risk offences). An Application received which details one of the major / high risk traffic offences in Annex A, on the DVLA licence, will normally be refused or a current licence suspended or revoked. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or sanction imposed.
- **Minor offences** (see Annex B for examples of minor offences). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence or sanction imposed

18. Drunk driving / driving under the influence of drugs / using a mobile phone whilst driving

- 18.1 A serious view shall be taken of convictions for driving or being in charge of a vehicle whilst under the influence of alcohol or other substances. Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not normally be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed.
- 18.2 If there is any indication that the applicant is an alcoholic, a medical examination (in accordance with

the DVLA Group 2 Medical Standards) shall be arranged by the applicant, at their expense, before an application is considered. If the applicant was an alcoholic, then they will be required to show evidence that they have undergone rehabilitation and have been free from any issues for a period of at least 7 years.

18.3 An isolated conviction for drunkenness shall not debar an applicant from obtaining a licence. However, a number of related convictions could indicate a problem necessitating a medical, as laid down in 18.2.

18.4 Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they:

- Are much less aware of what's happening on the road around them
- Fail to see road signs
- Fail to maintain proper lane position and steady speed
- Are more likely to 'tailgate' the vehicle in front
- React more slowly, take longer to brake and longer to stop
- Are more likely to enter unsafe gaps in traffic
- Feel more stressed and frustrated.

18.5 There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, serious view will be taken of convictions for driving whilst using a mobile phone. Where an applicant has a conviction for using a hand-held mobile telephone or hand-held device whilst driving, a licence will not normally be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

18.6 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.

19. **Discrimination Offences**

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

20. **Licensing Offences**

20.1 Licensing legislation is designed to ensure the public are protected and as such a serious view will be taken of convictions for offences under the Acts, such as plying for hire, overcharging, and refusing to carry disabled persons, when deciding whether an applicant is fit & proper. In general a period of 3 to 5 years free of conviction must have elapsed before an application should be considered.

20.2 A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.

20.3 If an applicant has had a licence suspended, revoked or refused by another authority, then checks will be made with that authority to aid the decision making process.

21. **Insurance offences**

21.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided 7 years have elapsed since the completion of any sanction or sentence imposed.

21.2 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

21.3 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst

without insurance will normally have his operator's' licence revoked immediately and be prevented from holding a licence for at least 3 years.

22. Outstanding Charges and Summonses

- 22.1 If an applicant is the subject of any outstanding charge, summons, or is currently on bail awaiting a charging decision, no decision will be made, or licence granted until these outstanding matters are resolved.

Annex A

MAJOR TRAFFIC OFFENCES

- AC10 Failing to stop after an accident
AC20 Failing to give particulars or to report an accident within 24 hours
AC30 Undefined accident offences
- BA10 Driving while disqualified by order of court
BA30 Attempting to drive while disqualified by order of court
- CD10 Driving without due care and attention
CD20 Driving without reasonable consideration for other road users
CD30 Driving without due care and attention or without reasonable consideration for other road users
CD40 Causing death through careless driving when unfit through drink
CD50 Causing death by careless driving when unfit through drugs
CD60 Causing death by careless driving with alcohol level above the limit
CD70 Causing death by careless driving then failing to supply a specimen for analysis
CD71 Causing death by careless driving then failing to supply a specimen for drug analysis
CD80 Causing death by careless, or inconsiderate driving
CD90 Causing death by driving: unlicensed, disqualified or uninsured drivers
- DD40 Dangerous driving
DD60 Manslaughter or culpable homicide while driving a vehicle
DD80 Causing death by dangerous driving
DD90 Furious driving
- DR10 Driving or attempting to drive with alcohol level above limit
DR20 Driving or attempting to drive while unfit through drink
DR30 Driving or attempting to drive then failing to supply a specimen for analysis
DR40 In charge of a vehicle while alcohol level above limit
DR50 In charge of a vehicle while unfit through drink
DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR61 Failure to supply a specimen for drug analysis in circumstances other than driving or attempting to drive
DR70 Failing to provide specimen for breath test
DR80 Driving or attempting to drive when unfit through drugs
DR90 In charge of a vehicle when unfit through drugs
- IN10 Using a vehicle uninsured against third party risks
- LC20 Driving otherwise than in accordance with a licence
LC30 Driving after making a false declaration about fitness when applying for a licence
LC40 Driving a vehicle having failed to notify a disability
LC50 Driving after a licence has been revoked or refused on medical grounds
- MS50 Motor racing on the highway
MS60 Offences not covered by other codes
- UT50 Aggravated taking of a vehicle

MINOR TRAFFIC OFFENCES

- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS30 Play street offences
- MS70 Driving with uncorrected defective eyesight
- MS80 Refusing to submit to an eyesight test
- MS90 Failure to give information as to identity of driver etc

- MW10 Contravention of Special Road Regulations (excluding speed limits)

- PC10 Undefined contravention of Pedestrian Crossing Regulations
- PC20 Contravention of Pedestrian Crossing Regulations with moving vehicle
- PC30 Contravention of Pedestrian Crossing Regulations with stationary vehicle

- TS10 Failing to comply with traffic light signals
- TS20 Failing to comply with double white lines
- TS30 Failing to comply with a "Stop" sign
- TS40 Failing to comply with direction of a constable or traffic warden
- TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
- TS60 Failing to comply with school crossing patrol sign
- TS70 Undefined failure to comply with a traffic direction sign
- TT99 To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within 3 years, the driver is liable to be disqualified

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition

- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers
- C80 Using a mobile phone while driving a vehicle

- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type or vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway

Aiding, Abetting, counselling or procuring

Offences as coded above, but with 0 change to 2 (for example CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 change to 4 (for example CU10 becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (for example CU10 becomes CU16)

Non-endorsable offences

Some offences are non-endorseable. A non-endorsable offence is an offence which courts do not endorse onto paper counterpart. No penalty points are attributed to these offences but they carry a period of disqualification. At the end of the disqualification (over 56 days) the driver will have to apply for a renewal licence together with the appropriate fee. Any queries about offences and endorsements should be directed to the convicting court.

Testing criteria for vehicles which have reached the standard age limit

Modern technological advances have improved the build quality and durability of all vehicles so that they are now designed with a longer lifespan. However, this is dependant on regular preventative maintenance and servicing being carried out effectively and in accordance with the manufacturer's' specifications. Failure to carry out such checks and tests can lead to costly repairs and even failure of critical safety features.

Licensed vehicles are subject to increased mileage and wear and tear than general vehicles. To ensure that the licensing of older vehicles does not have a negative impact on public safety or the environment, the council has an essential testing criteria. The criteria are items which the council considers to be critical areas of a vehicle test, which, if failed on a mechanical inspection are considered a major failure. Failure of these essential items can indicate that regular preventative maintenance has not been carried out, or if it has, it has not been effective.

Vehicles which remain licensed beyond a standard age are subject to this essential testing criteria The age of the vehicle is determined from the date when first registered as indicated on the vehicle's V5 registration log book.

Where a licensed vehicle fails a mechanical inspection on one or more of the items contained in the table below, it will be immediately suspended and must not be used. The vehicle may be repaired and re-presented to the appointed testing station (Aragon) within 30 days for retesting. If the vehicle passes the mechanical test within 30 days, the suspension will be lifted and the vehicle may be re-licensed. If a vehicle does not pass the mechanical test within 30 days, for whatever reason, it will be de-licensed.

Licensed vehicles should be presented to the appointed testing centre in a good serviceable condition, and subject to routine planned preventative maintenance and servicing in order to ensure the safety of passengers, the driver and the general public.

Age and type of vehicle subject to critical test criteria:

Fuel type	Hackney Carriage	Private Hire Vehicle
Petrol, Diesel and other non ULEV, ZEV	10 years old	8 years old
ULEV	12 years old	12 years old
ZEV	12 years old	12 years old

Critical Items	
Steering and Suspension	Steering mechanism / system
	Transmission shafts
	Front suspension
	Rear suspension
Brakes	Condition of service brake system
	Condition of parking brake system
Tyres and Wheels	Tyre type and condition
	Road wheels
General	Exhaust emissions
	Vehicle structure
	Appearance – interior
	Appearance – exterior
Road Test	Where an issue is highlighted by the appointed testing centre, this will be determined on an individual basis depending on diagnosis

Private Hire Vehicle Plate Exemption

1. Objectives

- 1.1 The aim of the policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow “executive vehicles” to operate without displaying external identification plates (private hire vehicle licence plate).

2. Introduction

- 2.1 The displaying of the external identification plate on a licensed vehicle and a drivers badge is important in terms of public safety and reassurance. They indicate to the travelling public that prior to being licensed both the vehicle and the driver have been subjected to checks to assist with public safety issues.
- 2.2 However there are occasions when the requirement to display an external identification plate may have the opposite effect in the terms of customer safety and could have commercial implications for the operating business. The display of local authority licence plates may also deter some corporate customers from using the service; and in some cases the identification of the vehicle as licensed may allow “high risk” passengers to more readily be targeted putting both them and the driver at risk.
- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate (licence plate) and drivers of those vehicles wear a driver’s badge. The same legislation also allows Peterborough City Council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver’s badge.
- 2.4 It is not intended that a significant number of private hire vehicles licensed by Peterborough City Council should be exempt from the council's requirement to display an external vehicle identification plate, however the council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.
- 2.5 In creating its policy Peterborough City Council does not seek to provide a definite list of vehicles it considers to be suitable (subject to use) for exemption from the requirement to display external vehicle identification plates.
- 2.6 This section provides guidance to potential applicants on the standards of vehicle, comfort and equipment that the council considers should be the minimum standard of comfort and vehicle type before the Authority would consider such an application.

3. Policy

- 3.1 Exemptions from displaying external identification plates (vehicle licence plates) may be in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles will not be allowed.
- 3.2 Each application will be assessed on its own merit and each vehicle will be inspected by an authorised council officer to ensure that it is fit for purpose.
- 3.3 Applications for the exemption from the requirement to display an external identification plate on the rear of a private hire vehicle may be considered where the following requirements are met;
- a) Vehicle models must be either four door saloons, or five door estates or five door hatchbacks. Applications will not normally be accepted in respect of people carrier type vehicles.
 - b) Vehicles must be of a standard of comfort and equipped to a level equal to or above luxury brands of vehicles such as “S” and “E” Class Mercedes- Benz, 7 Series BMW, Lexus “GS” or “LS” models, Audi A8 Series, Jaguar, Rolls Royce and Bentley saloons. (The highest specification executive type

- cars from other manufacturers may also be considered).
- c) The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating.
 - d) The type of work is “executive” in nature. This means that the vehicle is used specifically and exclusively to provide transport under a written contract to a company or person, or by the type of clients who for security or personal safety reasons would not want the vehicle to be identifiable.
- 3.4 Applications may only be made by a person holding a private hire operator's licence issued by Peterborough City Council.
 - 3.5 Where an operator wishes to make an application for a vehicle to be exempt from displaying an external identification plate they will be required to complete the appropriate application form. The application must be accompanied by supporting documentation and a non refundable fee.
 - 3.6 The council may require applicants to provide additional documentation as reasonably necessary to allow the council to make an informed decision. Where such documentation is not provided to the satisfaction of the council the application will be refused.
 - 3.7 Peterborough City Council is entitled to recover its costs in relation to the application for and issuing of an exemption notices and may charge such fees as it believes are appropriate to recover all or part of those costs.
 - 3.8 The fee to accompany an application for an exemption notice is listed in the council's Taxi Fees and Charges schedule and is non refundable.
 - 3.9 Where an application is granted, an exemption notice will be issued as soon as practical after the decision is made.
 - 3.10 Where a vehicle is exempted from the requirement to display an external identification plate the licensed driver of the vehicle will also be exempted from wearing a driver's badge.
 - 3.11 Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicle's current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for the same period of time as that vehicles private hire licence unless either the licence or notice is otherwise surrendered or revoked.
 - 3.12 Exemption notices may be renewed annually subject to the vehicle under going an inspection by a licensing officer to ensure that it continues to be fit for purpose for an exemption. The annual renewal fee for an exemption notice is listed in the council's Taxi Fees and Charges schedule and is non refundable.
 - 3.13 The fee for a replacement plate or exemption notice is listed in the council's Taxi Fees and Charges schedule.
 - 3.14 The authority to determine any application for an exemption notice is by delegation to the Licensing Manager.
 - 3.15 Applicants have the right to appeal a decision where a grant of a notice is refused or revoked; appeals must be in writing and will be reviewed by the licensing committee.
 - 3.16 All vehicles granted an exemption notice must in addition to this policy also comply in accordance with the requirements of the council's standard private hire conditions.
 - 3.17 Where there is any inconsistency between the standard private hire conditions and these conditions, then these conditions shall prevail.

Private Hire Vehicle Plate Exemption Conditions

The conditions listed below apply to all private hire vehicles granted an exemption from Peterborough City Council from the requirement to display an external identification plate (private hire vehicle licence plate). The following conditions in addition to the standard conditions required for private hire vehicles.

- a) The vehicle licence plate and exemption notice issued by the council in accordance to the requirements of the Local Government (Miscellaneous Provisions) Act 1976 shall remain the property of the council.
- b) Any vehicle granted an exemption from displaying a vehicle licence plate will be required to have the vehicle licence plate normally displayed on the rear of the vehicle affixed to the inside of the boot lid. The plate when so affixed must be readily visible when that boot lid is raised.
- c) In the event of loss or damage rendering the plate or notice unserviceable the operator shall make immediate application for a replacement which a fee is payable.
- d) The exemption notice issued by the council must be carried in the vehicle at all times and must be produced upon request to an authorised officer of the council or any police officer on request.
- e) When issued an exemption notice, the vehicle will not be required to display door signs which the council require private hire vehicles to display.
- f) When issued an exemption notice a taximeter must not be installed in the vehicle.
- g) The operator will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
- h) The operator will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising third party companies, products or services.
- i) During the period of the exemption notice the driver will not be required to wear a private hire drivers badge but must have it available for immediate inspection by an authorised officer of the council or any police officer on request.
- j) During the period of exemption notice the driver of the vehicle whilst engaged on private hire work will be smartly dressed in either a formal chauffeur's uniform or business suit with collar and tie.
- k) The operator will notify the council immediately of any change of use of the vehicle.
- l) The vehicle must not be used for private hire purposes other than for executive use (i.e. not for "normal" airport journey's or daily private hire use).
- m) The driver and passenger front side window glass and front windscreen must clear. However tinted windows can be fitted to the rear side and rear window glass of the vehicle provided they are factory fitted, comply with current legislation and comply with any current private hire vehicle conditions.
- n) The exemption will cease to have an effect on the sale or transfer of the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale or transfer of ownership immediately and in writing. The exemption notice must be returned to the council along with the private hire vehicle licence plate unless being sold to another private hire operator licensed by the council; in which case the only the exemption notice has to be returned.
- o) Exempted vehicles will not be required to display a Part 1 or Part 2 notice, or the licensed plate number in the windscreen

City of Peterborough
HACKNEY CARRIAGE FARES
(INCLUSIVE OF VAT)

FOR DISTANCE AND TIME

DAY TARIFF (0600hrs – 2200hrs)

FOR THE FIRST MILE OR PART THEREOF	£3.50
ON COMPLETION OF THE FIRST MILE	£4.00
FOR EACH SUBSEQUENT MILE	£2.00
WAITING TIME	£15.00 PER HOUR

NIGHT TARIFF (2200hrs – 0600hrs)
& CHRISTMAS & NEW YEAR

1800Hrs DEC 24th TO 0600Hrs DEC 27th AND 1800Hrs DEC 31st to 0600 HRS JAN 2nd

FOR THE FIRST MILE OR PART THEREOF	£4.00
ON COMPLETION OF THE FIRST MILE	£5.00
FOR EACH SUBSEQUENT MILE	£2.50
WAITING TIME	£18.00 PER HOUR

ADDITIONAL CHARGES APPLICABLE AT ALL TIMES:

BICYCLES, E-SCOOTERS, DOGS (excluding assistance dogs)	£2.00
WHERE MORE THAN 4 PASSENGERS ARE CARRIED	£3.00

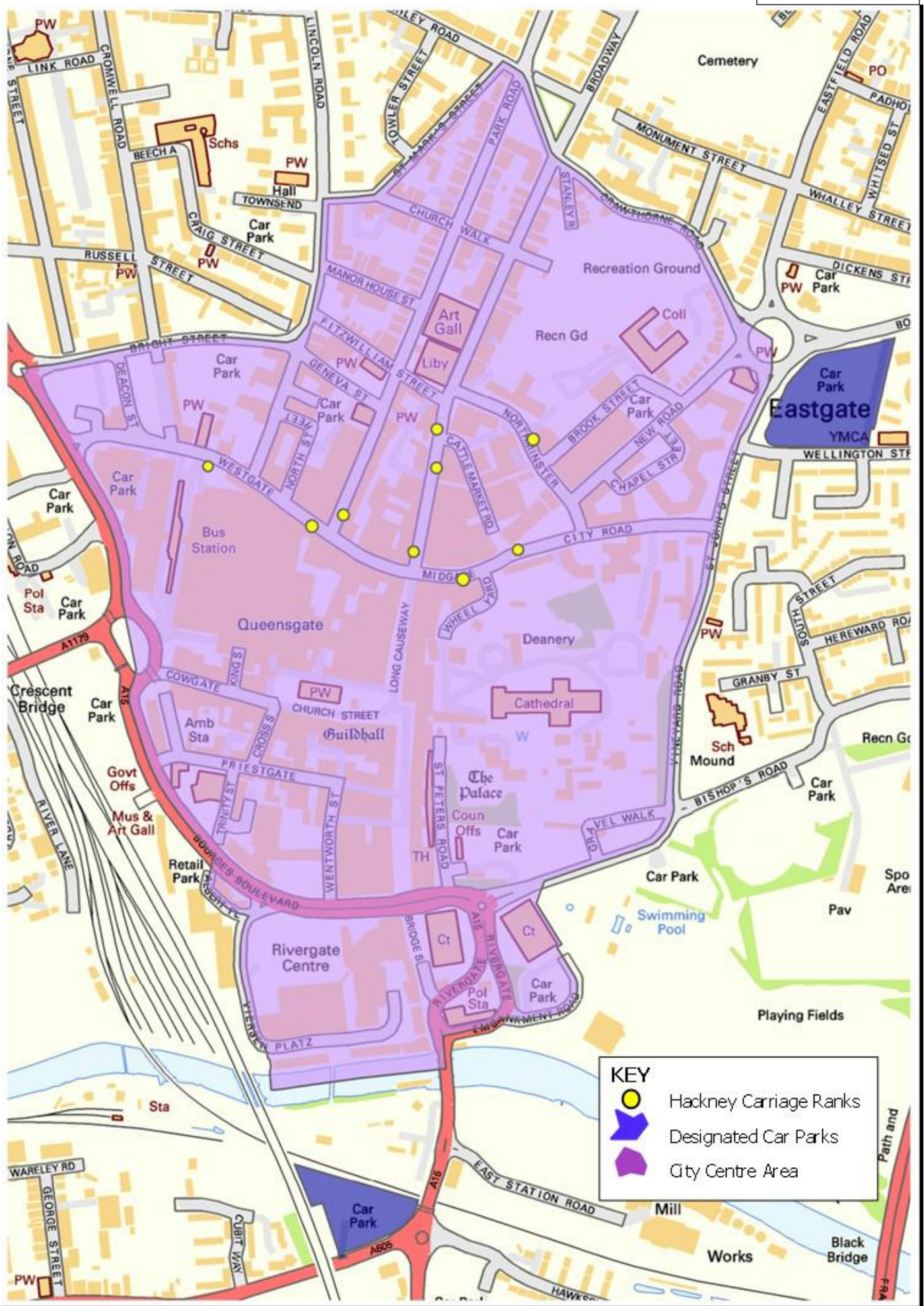
A FEE OF £75.00 IS PAYABLE FOR PERSONS SOILING THIS VEHICLE.

COMPLAINTS

THE PASSENGER SHOULD CONTACT THE LICENSING OFFICER, PETERBOROUGH CITY COUNCIL, (TEL: 01733 747474) ON ANY MATTER CONCERNING THE FARE OR ANY OTHER ASPECT OF THE JOURNEY AFTER HAVING FIRST OBTAINED A RECEIPT FROM THE DRIVER STATING NAME AND BADGE NUMBER.

THIS VEHICLE LICENCE NUMBER IS:-


**HACKNEY
CARRIAGE**



KEY

-  Hackney Carriage Ranks
-  Designated Car Parks
-  City Centre Area

Example of a Part 1 Notice



Drivers licence number
PHD / HCD 01234
Complaints can be made to
Peterborough City Council
licensing@peterborough.gov.uk
or by calling 01733 747474

Example of a Part 2 notice

The proprietor of this
vehicle is:
XYZ vehicles
Should you wish to
comment positively or
negatively on any aspect of
your journey today, please
call 01234 567890
Vehicle registration
AB01CDE
Licence plate number
PH/HC 0123

The above examples provide the minimum size of the Part 1 and Part 2 notice.
The minimum font size required for information is Arial size 16 in bold.

Policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3)

1 Background

- 1.1 Licensing Authorities are required to satisfy themselves that those holding hackney carriage and private hire driver licenses are 'fit and proper' to do so. This is done firstly during the determination of an application for a licence, and then at any time during the currency of a licence. For example, when evidence is obtained that suggests that a licensed individual is not a fit and proper person, the licensing authority is entitled to suspend, revoke or refuse to renew a licence.
- 1.2 Information which may question the 'fit and proper' status of an applicant or licensed driver, may come from many sources, one of which is other licensing authorities.
- 1.3 All applicants for either a new or renewal driver licence, are required to declare if they have previously applied for a hackney carriage or private hire driver licence with this or any other licensing authority, and declare if any previous application was granted or refused.
- 1.4 Prior to the introduction of NR3, if drivers did not disclose information about a previous revocation or refusal of a licence, there was often no way to find this information out, which could have public safety implications and be relevant to an individual's 'fit and proper' status.
- 1.5 The Local Government Association commissioned the development of a national register of hackney carriage and private hire driver licence refusals and revocations, the 'National Register of Refusals and Revocations' or NR3. The objective of NR3 is to ensure that licensing authorities are able to make properly informed decisions on whether an applicant is 'fit and proper'.
- 1.6 The register allows licensing authorities to record details of where a hackney carriage or private hire drivers' licence has been refused or revoked, and allows licensing authorities to check driver licence applications against the register.
- 1.7 All applications for a new drivers licence or drivers licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.
- 1.8 Each application will be considered on its own merits. However, where an applicant fails to fully disclose information as requested, which is subsequently identified through NR3, this will, in all instances, raise questions about an applicant's integrity and status as a 'fit and proper' person.
- 1.9 Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision or receipt of information of or under NR3 are necessary to the authority's statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence. It is not intended that any NR3 data will be transferred out of the United Kingdom.

2 Scope

- 2.1 This policy covers how Peterborough City Council will use NR3 and how the Council will comply with data protection requirements.
- 2.2 In this policy, the 'first authority' refers to a licensing authority which made a specific entry onto the National Register of Refusals and Revocations; the 'second authority' refers to a licensing authority which is seeking more detailed information about the entry.

3 Overarching Principles

- 3.1 NR3 is a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire vehicle driver's licence revoked, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official

authority vested in the licensing authority (Peterborough City Council) that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or private hire vehicle drivers' licence.

- 3.2 This policy covers the use that this authority, Peterborough City Council will make of the ability to access and use information contained on the National Register of Taxi Licence Revocations and Refusals (NR3). The NR3 contains information relating to any refusal to grant, or revocation of a hackney carriage or private hire driver's licence. This information is important in the context of a subsequent application to another authority for a drivers' licence by a person who has had their licence refused or revoked in the past.
- 3.3 Peterborough City Council have signed up to use NR3. This means that when an application for a hackney carriage or private hire drivers' licence is refused, or when an existing hackney carriage or private hire driver's licence is revoked, that information will be entered onto the register.
- 3.4 When an application for a new drivers' licence, or renewal of an existing drivers' licence is received, Peterborough City Council will make a search the NR3. The search will only be made by an officer who has been trained in the use of the NR3 and who is acting in accordance with this policy. If details are found that appear to relate to the applicant, a request will be made to the authority that entered that information for further details.
- 3.5 Any information that is received from any other authority in relation to an application will only be used in relation to that application, and the determination of it, and will not be used for any other purpose. Any data that is received will only be kept for as long as is necessary in relation to the determination of that application. This will include the period of time processing that application, making a decision, notifying the applicant of the outcome of that decision, and any appeal processes.
- 3.6 For the avoidance of doubt, any such data will be kept for a period of no more than 35 days from the date of the service of the written notification of the determination of the application.
- 3.7 Where an appeal to the magistrates' court is made, the data will be retained until that appeal is determined or abandoned.
- 3.8 Where the appeal is determined by the magistrates' court, there is a further right of appeal to the Crown Court. In these circumstances, the data will be retained for a period of no more than 35 days from the date of the decision of the magistrates' court. If an appeal is made to the Crown Court, the data will be retained until that appeal is determined or abandoned.
- 3.9 Where the appeal is determined by the magistrates' court or the Crown Court, it is possible to appeal the decision by way of case stated. Accordingly, the data will be retained for a period of no more than 35 days from the date of the decision of the Crown Court (if the decision was made by the magistrates' court, the retention period has already been addressed).
- 3.10 If an appeal by way of case stated is made, the data will be retained until all court proceedings relating to that appeal by way of case stated (which will include potential appeals to the Court of Appeal and Supreme Court) have been determined.
- 3.11 The data will be held securely in accordance with Peterborough City Council's general policy on the secure retention of personal data. Which is available at:
<https://www.peterborough.gov.uk/asset-library/Data-Protection-Policy.pdf>
- 3.12 At the end of the retention period, the data will be erased and/or destroyed in accordance with Peterborough City Council's general policy on the erasure and destruction of personal data which is available at.
(TBA)

4 Adding information of refusal or revocation to NR3

- 4.1 Where an application for a licence is refused, or an existing licence is revoked, Peterborough City Council will record this decision on NR3. The information recorded on NR3 will be limited to an individual's:

- name
- date of birth
- address and contact details
- national insurance details
- driving licence number
- decision taken
- date of decision
- date decision effective

- 4.2 Recording this information on NR3 does not mean that applicants will be automatically prevented from securing a licence in the future, but is intended simply to ensure that licensing authorities are able to access an applicant's full licensing history, should further licence applications be made elsewhere.
- 4.3 Data is held on the NR3 register for a period of 25 years, in line with the national NR3 guidance. If during that time another authority requests further details relating to this decision, because of an application made, the licensing authority may provide reason for the refusal of or revocation of the application or licence.
- 4.4 Applicants and licence holders have various rights in relation to their data:
- the right to request access to their data;
 - the right to rectification or erasure of their data;
 - the right to restrict processing of their data; and
 - the right to object to the processing of their data for this purpose.
- 4.5 If an applicant or licence holder wishes to object to their information being added to the NR3 register, they are required to appeal in writing within 28 days of receiving notification of the council's intention to add details to NR3. The authority will consider any such requests and respond within one month.
- 4.6 If applicants for and licence holders of, hackney carriage or private hire driver licenses, wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, they can do so to the authority's Data Protection Officer, contact details below. This includes submitting a subject access request.

Ben Stevenson
 Peterborough City Council
 Town Hall, Bridge Street
 Peterborough
 PE1 1HG
dataprotection@peterborough.gov.uk

- 4.7 Individuals also have a right to make a complaint to the Information Commissioner's Office, who can be contacted as below.

The Information Commissioner's Office
 Wycliffe House, Water Lane
 Wilmslow, Cheshire
 SK9 5AF
 Tel: 01625 545700
<http://www.ico.org.uk>

5 Checking the NR3 register as part of the application and renewal process

- 5.1 When an application is made to Peterborough City Council for the grant of a new, or renewal of, a hackney carriage or private hire driver's licence, Peterborough City Council will check the NR3.
- 5.2 Peterborough City Council will then retain a clear written record of every search that is made of the register. This will detail:
- the date of the search;
 - the name or names searched;

- the reason for the search (new application or renewal);
- the results of the search; and
- the use made of the results of the search (this information will be entered to the register at a later date)

5.3 This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

5.4 If Peterborough City Council discovers any match (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the authority that entered those details (the first authority) for further information about that entry. That request will also include details of Peterborough City Council's data protection policy in relation to the use of any data that is obtained as a result of this process.

5.5 This request will be made in writing in accordance with the form at Appendix 1 of this policy. It will be posted or emailed to the contact address of the authority that entered those details (the first authority) which will be detailed in the register.

6 Responding to a request made for further information regarding an entry on NR3

6.1 When Peterborough City Council receives a request for further information from another authority a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

6.2 Peterborough City Council will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request.

6.3 Peterborough City Council will conduct a Data Protection Impact Assessment. This will consider how the other authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the end of that period. It is expected that if the second authority has adopted a policy similar to this, that should be a reasonably straightforward process.

6.4 If Peterborough City Council is satisfied that the other authority's (the 2nd authority) data protection procedures are satisfactory, consideration will then be given as to what information will be disclosed. This will be determined by an officer who has been trained to discharge this function.

6.5 Any disclosure must be considered and proportionate, taking into account the data subject's rights and the position and responsibilities of a licensed driver. Data is held on the NR3 register for a period of 25 years, but Peterborough City Council (the 1st authority) will not disclose information relating to every entry. Each application will be considered on its own merits.

6.6 Peterborough City Council will disclose information relating to a revocation or refusal to grant a driver's licence in accordance with the timescales contained within the licensing authority's Guidelines Relating to the Relevance of Convictions / Cautions in relation to Taxi Licensing (as attached at Appendix G of the overarching policy).

6.7 Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined in the councils Guidelines) which is within the timescales determined in those Guidelines, the information will be disclosed.

6.8 Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined in the councils Guidelines) which is outside the timescales determined in those Guidelines, the information will not be disclosed. However, in every case, consideration will be given to the full circumstances of the decision, and there may be occasions where information is provided other than in accordance with this policy.

6.9 Any information about convictions will be shared in accordance with this policy under part 2 of schedule 1, to the Data Protection Act (DPA) 2018; that is, the processing is necessary for reasons of substantial public interest in connection with the exercise of a function conferred on the authority by an enactment or rule of law.

- 6.10 The officer will record what action was taken and why. Peterborough City Council will make and then retain a clear written record of every decision that is made as a result of a request from another authority. This will detail:
- the date the request was received
 - how the data protection impact assessment was conducted and its conclusions
 - the name or names searched
 - whether any information was provided
 - if information was provided, why it was provided (and details of any further advice obtained before the decision was made)
 - if information was not provided, why it was not provided (and details of any further advice obtained before the decision was made) and
 - how and when the decision (and any information) was communicated to the requesting authority

This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

7 Using any information obtained as a result of a request to another authority

- 7.1 When Peterborough City Council receives information as a result of a request that has been made to another authority, it will take that information into account when determining the application for the grant or renewal of a hackney carriage and private hire drivers' licence. This will be in accordance with the usual process for determining applications.
- 7.2 Peterborough City Council will make and then retain a clear written record of the use that is made of the results of the search (this information will be added to the register detailed above).

Information disclosure form

This form is submitted following a search of the National Register of Refusals and Revocations (NR3)

(For completion by requestor authority)

Name of licensing authority requesting information:				
Requestor authority reference number:				
Name of licensing authority from which information is sought:				
Name of individual in respect of whom the request is made:				
Decision in respect of which the request is made		Refusal		Revocation
Other details for this record				
Address:	Driving licence number:	NI:	Reference number:	

Declaration by requesting authority:

The authority hereby confirms that this information is being sought in connection with the exercising of its statutory function to ensure that holders of hackney carriage and private hire licences are fit and proper persons, and that the processing of this data is therefore necessary in the performance of a task carried out in the public interest.

The information provided below will only be processed, used and saved by the authority in connection with this particular application and in accordance with the authority's retention policy relating to the provision of such information.

To enable the authority to conduct a data protection impact assessment, details of this authority's policy in relation to the use of information obtained as a result of this request can be accessed at (TBA)

Signed		Print Name	
Position		Date	

(For completion by providing authority)

Further information to support the decision recorded on NR3 in respect of the above named individual:

--

Declaration by providing authority:

The authority hereby confirms that it has conducted a data protection impact assessment.

It also confirms that the information above is accurate, and has been provided after thorough consideration by the authority as to the proportionality and lawfulness of making this disclosure. The information reflects the basis on which the decision recorded in the National Register of Refusals and Revocations was made. In the event that the authority becomes aware that this information is no longer accurate, we will advise the above named authority accordingly.

The authority also confirms that, as part of the basis for securing, retaining or applying for a hackney carriage or private hire driver licence, the above named individual has been made aware of the fact that this information will be shared, in accordance with all relevant data and privacy requirements.

Signed		Print Name	
Position		Date	

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Consultation on Draft Hackney Carriage and Private Hire Policy amendments

Peterborough City Council are consulting on amendments to Peterborough City Council's Hackney Carriage and Private Hire Licensing policy, and invite your comments.

The initial overarching policy was adopted and took effect on 26 July 2017 and is therefore due for revision and consultation prior to 25 July 2022.

As part of the consultation process, we are writing to those likely to be affected by the policy and recognise that in some areas it may be difficult to identify the correct persons or bodies to consult. With this in mind, it would be appreciated if you could pass this information on to the most appropriate person or body to respond, if necessary.

The consultation will run for 8 weeks, starting Friday 28 January 2022 and finishing on Friday 25 March 2022. Should you wish to respond and make comment, please ensure that you do so prior to the end of the consultation period, to ensure your comments can be properly considered, prior to the adoption of the final policy.

The amended policy, when adopted, will provide guidance and information regarding the general approach taken by the council, when administering its functions within the legislative framework. Amendments to the policy are in line with statutory guidance, best practice and other relevant legislation.

A copy of the amended policy for consultation can be found on the council's website. (See link below)
www.peterborough.gov.uk/council/consultations

Any person who wishes to respond to the consultation may do so in the following manner:

In writing to: Consultation Officer, Peterborough City Council, Licensing Department, Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY

Or by email to: lpc@peterborough.gov.uk

Please note: We are unable to accept verbal responses, however, should any person require any further information or clarification on the draft policy or the consultation process, please call 01733 747474.

Paper copies are also available to view at the council's main office, Sand Martin House in Fletton Quays and in Central Library on Broadway, during opening hours.

Although we are not able to give an individual response to each comment received, please be assured that every relevant response will be given due consideration.

Summary of amendments:

A number of the proposed changes are required following the introduction of DfT Statutory guidance, in order to better protect children and vulnerable adults, summary below:

- Mandatory Safeguarding and County Lines Awareness Training for licensed drivers and operators
- Changes in DBS requirements for Drivers, operators and proprietors
- Requirement for a licence holder to notify within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence
- Adoption and use of NAFN NR3
- Amendments to Guidelines on Convictions and Cautions
- Requirement for any applicant to provide a Certificate of Good Conduct or criminal record(s) information, if since the age of 18, they have lived or worked outside the UK for a period of six or more continuous months

- Operators to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy on employing ex-offenders

One amendment is due to a change in legislation brought about by the Finance Act 2021

- Tax Conditionality. From 4 April 2022 applicants are required to ensure that they are correctly registered with HMRC for tax purposes. Applicants renewing an operator and/or drivers licence will be required to provide a tax code check number.

The following proposed amendments are to address: concerns from the trade, consideration of local circumstances, the council's zero carbon ambition, public safety and best practice.

- Amendments to Hackney carriage and private hire vehicle age restrictions, testing, critical failure, dependant on fuel type and CO2 emissions. Removal of PHV mileage restrictions.
- Requirement to display licence plate number in windscreen of hackney carriage and private hire vehicles
- A renewal application must be submitted prior to the expiry of any existing licence.
- No dual plating of licensed vehicles
- Any non-M1 type approved vehicles must provide a VIVA with their application
- Designated Vehicles under the Equality Act
- Amendments to the designated car park waiting areas for private hire vehicles.
- Operators which are companies, must notify of a change of director/partner etc.

The above is a summary only, a more detailed breakdown of the amendments including details of the paragraphs and types of licenses affected can be found on the website

www.peterborough.gov.uk/council/consultations or

www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/taxi-enforcement

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THANK YOU FOR SAVING MY SID

Poppy raises cash for hospital that saved her brother's life **PAGE 4**



Man tried to suffocate ex-partner's boyfriend: **Page 5**



Final farewell to one of city's 'favourite sons': **Pages 8&9**

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PUBLIC NOTICES

GENERAL NOTICES

PETERBOROUGH CITY COUNCIL

HIGHWAYS
The City of Peterborough Annex 2 resurfacing, Temporary Prohibition of Through Traffic Order 2022 Ref: 22-164
Notice is given that the Council of the City of Peterborough intends in not less than seven days to make an Order pursuant to section 14(1) of the Road Traffic Regulation Act 1984, the effect of which is to stop any vehicle from proceeding along the road known as annex 2 resurfacing extras, as outlined in the schedule below.

Scheme Location	Limits	Traffic Order Required	Details
A15 - Glington Roundabout	Glington Services Roundabout and all 4 adjoining roads (Werrington Parkway, Glington Bypass, Lincoln Road)	Road Closure	Diversion: A15 (Glington Bypass), A1175, A16, A47, A15 (Werrington Bypass) and Vice Versa
Crowland/Peterborough Road	As lies between A47 Crowland Road to A16 Peterborough Road		Diversion: A16, A47, B1040 and Vice Versa

The Council is satisfied that traffic should be prohibited due to proposed works being executed on the above road. The alternative route for vehicles affected by this order is: as outlined in the schedule above. The proposed order will come into force on the 14 February 2022 and will continue until the resurfacing works have been completed or until the 13 February 2023, whichever is the earlier. Closure dates will be confirmed locally on site. It is anticipated that the works will take place between the 14 February 2022 and the 22 February 2022. For further information please contact Peterborough Highway Services on 01733 747474. RC1 Steve Cox Executive Director, Place and Economy 03 February 2022

PLANNING

Listed Building Application(s): Ref: 21/01911/LBC Peterborough Single storey rear infill extension to connect dwelling to converted outbuilding 108 Oundle Road Woodston Peterborough PE2 9PJ - Ref: 21/01958/HHFUL Orton Longueville Erection of carport to front of existing garage including replacement gates 3 St Botolph Lane Orton Longueville Peterborough PE2 7DG - Ref: 21/01910/HHFUL Peterborough Single storey rear infill extension to connect dwelling to converted outbuilding 108 Oundle Road Woodston Peterborough PE2 9PJ - Listed Building Application(s) affecting the character or appearance of a Conservation Area: Ref: 22/00048/LBC Thorney Remove aluminium garage door from outbuildings and reinstate brickwork with wooden personnel door 74 Wisbech Road Bluebell Cottage Thorney Peterborough PE6 0SD - Ref: 22/00058/LBC Barnack Single storey extension to garage annex, with link to house, replacement of outbuilding with single storey garden office, inground swimming pool and photovoltaics to new roof areas 22 Main Street Barnack Stamford PE9 3DN -

Planning Application(s) affecting the character or appearance of a Conservation Area: Ref: 22/00036/HHFUL Southorpe Single storey glazed side/rear extension with tiled roof, window replacement and internal alterations including garage conversion The Cottage Main Street Southorpe Stamford -

Planning Application(s) affecting the character or appearance of a Conservation Area and setting of a Listed Building: Ref: 22/00059/HHFUL Ailsworth Detached garage and storage within the existing curtilage of the property 15 Main Street Ailsworth Peterborough PE5 7AF - Ref: 22/00052/HHFUL Thornhaugh First floor side extension 5 Russell Hill Thornhaugh Peterborough PE8 6HL -

Environmental Statement Subsequent Application: An application has been made to Peterborough City Council that relates to a subsequent application where the original application for planning permission was accompanied by an Environmental Statement. Ref: 22/00026/DISCHG by c/o Rebecca Smith Vistry East Midlands on 12/01/2022 Peterborough The discharge of conditions attached to the original planning permission 16/02017/OUT, including the following pre-commencement conditions: C12. Hampton Leys London Road Peterborough - The Environmental Statement relevant to this application was submitted as part of outline planning permission (ref)

Major Development: Ref: 21/01204/FUL Peterborough Construction of glass-sided structure for use as a student dining area Hampton Gardens School Hartland Avenue Hampton Gardens Peterborough - The applications may be inspected online at www.peterborough.gov.uk/publicaccess. Comments should be submitted no later than 21 days from publication date - please see the Council's website www.peterborough.gov.uk/planning/help on how to comment.

PETERBOROUGH CITY COUNCIL

NOTICE OF CONSULTATION ON PETERBOROUGH CITY COUNCIL'S HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Notice is hereby given that Peterborough City Council in accordance with the Local Government (Miscellaneous Provisions) Act 1976 and Town and Police Clauses Act 1847, has revised and redrafted the Hackney Carriage and Private Hire Licensing Policy.

The Council are undertaking an eight week public consultation on the revisions, starting 28 January and ending 25 March 2022. The Council welcomes any comments that you may have on the revised proposed policy. A copy of the draft policy can be viewed and or downloaded on the council website

www.peterborough.gov.uk/council/consultations Alternatively, a paper copy can be viewed at Sand Martin House in Fletton Quays or Central library, Broadway, during opening hours.

Any person wishing to comment on the draft policy, may do so in writing to, The Licensing Consultation Officer, Peterborough City Council, Sand Martin House, Bittern Way, Fletton Quays, Peterborough, PE2 8TY or by email to lpca@peterborough.gov.uk by close of business on 25 March 2022.

FOR ALL YOUR LATEST INFORMATION ON PLANNING PROPOSALS, TRAFFIC NOTICES, GOODS VEHICLE OPERATOR LICENCES, LICENCES TO SELL ALCOHOL AND PROBATE NOTICES
SEE OUR PUBLIC NOTICES SECTION

PUBLIC NOTICES

GVOL

Goods Vehicle Operator's Licence
JOHN JENKINS trading as JJ TREE & LANDSCAPE SERVICES LTD of 130 NEW ROAD, WOODSTON, PETERBOROUGH, PE2 9HG is applying for a licence to use UNIT 47 SECOND DROVE INDUSTRIAL ESTATE, FENGATE, PETERBOROUGH, PE1 5XA as an operating centre for 1 goods vehicles and 0 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House at 386 Harehills Lane, Leeds, LS9 6NF stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

GOODS VEHICLE OPERATORS LICENCE
MOTORPOINT LTD OF CHAMPION HOUSE (FORMERLY SALISBURY HOUSE) STEPHENSONS WAY, CHADDESDON, DERBY, ENGLAND, DE21 6LY is applying for a licence to use EDGERLEY DRAIN ROAD, PETERBOROUGH, PE1 5NL as an operating centre for 2 goods vehicles and 0 trailers. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

List of Consultees – Consultation period 28 January to 25 March 2022

Organisation	Contact Method	Date(s)
General Public	Public notice in local press (ET)	03/02/22
	Notice of consultation at Town Hall, Sand Martin House, Central Library and notice board at the Train Station	28/01/22 to 26/03/22
	Consultation document made available in Sand Martin House and Central Library	28/01/22 to 26/03/22
	Consultation document made available on Peterborough City Council Website - Consultation and Taxi webpages	28/01/22 to 26/03/22
Trade		
Peterborough Hackney Drivers Federation	Meeting detailed discussion	22/03/2022
Peterborough Private Hire Drivers Association	Meetings detailed discussion	08/03/2022
Licensed Operators (69 off)	Email	28/01/22 & 15/03/22
Licensed Drivers (703 off)	Email	28/01/22 & 15/03/22
	Trade notice board Railway Station	28/01/22 to 26/03/22
Other Stakeholders		
All Ward Councillors	Email	28/01/22 & 15/03/22
Parish Councillors (46 off)	Email	31/01/22 & 15/03/22
Resident Groups / Community Associations	Email	01/02/22 & 15/03/22
Cambridgeshire Constabulary including Superintendent and Chief Constable	Email	31/01/22 & 15/03/22
Police Crime Commissioner	Email	31/01/22 & 15/03/22
Cambridgeshire Chamber of Commerce	Email	31/01/22 & 15/03/22
Children's Passenger Transport	Email	31/01/22 & 15/03/22
Education and Social Care Transport	Email	15/03/22
Groups & organisations representing potentially vulnerable persons RNIB, Age UK, Healthwatch, Disability Peterborough, City College, Enabling Independence, Adult Social Care, Living Sport, Primary Care Trust	Email	31/01/22 & 15/03/22
Local Children Safeguarding – Director of Children Services	Email	28/01/22 & 15/03/22
Campaign for Better Transport	Email	31/01/22 & 15/3/22
Peterborough MP's	Email	15/03/22
Neighbouring Authorities: South Cambs South Holland Council Huntingdonshire Council Fenland Council South Kesteven Council East Cambs Council Cambridge City Council	Email	31/01/22 & 15/03/22

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Analysis of the 139 Consultation Responses to the Draft Hackney Carriage and Private Hire Licensing policy - (Consultation period ran from 28/1/ to 25/3/22 inclusive)

Of the 139 responses received:

- 2 responses were from Police representatives
- 137 responses were from the trade (private hire and hackney carriage drivers and operators)
 - Some individuals responded more than once:
 - 1 individual responded 5 times
 - 3 individuals responded 3 times
 - 3 individuals responded 2 times
 - 2 representatives responded on behalf of Peterborough Private Hire Drivers Association (PPHDA)

Therefore, of the 137 responses from the trade, 122 were from separate individuals, with 2 responses representing PPHDA. In order to present the information most accurately, all responses from an individual, (and individuals representing PPHDA) will be calculated as one response. (i.e. 123 from the trade and 2 from the police)

The 123 trade responses broadly relate to the following main points.:

Point no	No of responses	%	Response summary
1	116	94%	Disagree with the change to vehicle age limits as detailed in Paragraph 2.27 of the draft policy: <ul style="list-style-type: none"> • Due to the financial pressures on the trade, 2 years of limited trading due to COVID, inflation, fuel prices etc. investment into new vehicles is not possible at this time, unless grants for drivers are provided. • request that the new policy is only applied to newly licensed vehicles, with 'grandfather rights' applied to existing licensed vehicles • extend entry into the trade for vehicles which are 5 years old for petrol and diesel not 4 years as proposed
2	8	8%	Are In support of the vehicle age and CO2 reduction: <ul style="list-style-type: none"> • However TX EV should be licensed for 20 years
3	45	37%	Disagree with the proposed emissions level 75g/km proposed as they are too stringent, request that this is increased to between 100 – 120g/km to allow for a greater pool of vehicles to choose from, including hybrid, which could meet the standards.
4	21	17%	Request that the council approves other vehicle testing stations other than Aragon which is the only appointed testing station approved for use. Claim that Aragon does not have sufficient capacity and drivers are having to wait for an available test appointment.
5	19	15%	Have concerns about the vehicle charging infrastructure in Peterborough; <ul style="list-style-type: none"> • is currently insufficient to meet demand if licensed drivers move to ULEV / ZEV vehicles
6	30	24%	Signage requirements leave licensed vehicles vulnerable to criminal damage; <ul style="list-style-type: none"> • New requirement for vehicle licence plate number displayed in windscreen • Part 1 and Part 2 notice – redundant as passenger can request drivers badge number • PHV – door stickers should be magnetic
7	14	11%	Support the implementation of Safeguarding County lines training requirement <ul style="list-style-type: none"> • But the costs should be paid by the council, not applicants • Should only apply to drivers who provide school transport services
8	4	3%	Testing requirement 4 monthly:

			<ul style="list-style-type: none"> How will the policy be applied? Will it be limited to major faults or will it include minor faults, such as wiper blades and bulbs?
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Responses to Consultation on Draft Hackney Carriage and Private Hire Licensing policy (Consultation period 28/1/ to 25/3/22 inclusive)

3 Responses received: 28/1/2022, 1/2/22, 3/2/22 - Tariq Mahboob ST Transport Solutions	
Points raised	Point number
<p>Email received 28/1/22</p> <p>1) Paragraph 2.27 certain amendments have been made with regards to vehicles e.g. to the vehicle age limit. Will the new age limit affect existing vehicle licenses or will it only be a hurdle for new applicants? As a Hackney Carriage proprietor myself, I am certain Hackney Carriage drivers will want to raise the pandemic as a concern for the new 12 year limit on vehicles past which they cannot be licenced. Their cars have aged by 2 years during the pandemic so it seems a little unfair that if this applies to existing vehicles, we should lose another 3. In total we will have lost 5 years on top of future restrictions we may face during the pandemic as it is ongoing.</p> <p>2) Paragraph 2.39 relating to vehicle faults. I note that vehicles with multiple faults on multiple occasions may be tested x3 a year. Could you please clarify what you mean by multiple faults? Is this limited to major faults or even minor ones such as a faulty bulb or wiper blades?</p> <p>3) Condition 3.2 of Appendix B in my opinion seems to be a little redundant as the customer only requires the driver's badge number if (s)/he wishes to make a complaint. As the Regulating Authority, you will already have the rest of the information such as a driver's name, telephone number, driver licence number among other details. Additionally, for Hackney Carriage, the Fare Sheet inside the vehicle also states the license number.</p> <p>4) In light of the recent planning approval given to the taxi office on 35 Westgate, referring to your Conditions of obtaining an operator's licence it states quite clearly that a taxi office is required to have parking available for their vehicles. The drivers do not feel that due attention will be paid to this point when looking at granting an operating licence to the taxi office.</p>	<p>Answer provided</p> <p>Point 8</p> <p>Point 6</p> <p>Specific case, not relevant to policy revisions</p>
<p>Email 1/2/22 As per our conversation earlier could you please clarify whether the new proposed vehicle age restrictions will effect existing vehicles.</p>	<p>Answer provided</p>
<p>Email 3/2/22</p> <p>I understand due to high levels of emissions emitted from vehicles it would have a detrimental effect on one's health and the environment. I have no objections to the age limit for all future licensed vehicles however I am concerned that this would apply to existing vehicles. I purchased my vehicle for a considerable sum knowing that I had 15 years to recuperate on my investment.</p> <p>This would have a effect on me and my family as it would mean that I would need to find the money to purchase another vehicle sooner than I anticipated and also making a loss on my existing vehicle.</p> <p>I hope you take my concerns on board and honour the 15 years on my existing vehicle.</p>	<p>Point 1</p>
3 Response received: 29/1/22, 31/1/22, 1/2/22 Mahmood Khan – Peterborough Railway Drivers Representative	
Points raised	
<p>Email 29/1/22 I would like u add the new tx5 ev should be given at least 20 years from new after investing £60.000 and better quality build London is now heart of these cabs and manufactures are giving mot life why are u considering 15 years I am against this proposal.</p>	<p>As below</p>
<p>Email 31/1/22</p> <p>I fully support the idea of 12 years of vehicles should be out of hackney trade which was in place before u made decisions to go 15 years due that vehicles which are in the trade at moment are in bad conditions and very bad and poorly maintained.</p> <p>The new tx5 ev which are operating at moment are in better built and new structure with Modern technology they should be 20 years. And should all be electric by 2025 we should go</p>	<p>Point 2</p>

green city and all existing diesels vehicles should be decommissioned by 2025 fully support your report and have more charging points in the city.	Point 5
Email 1/2/22 To my early email I didn't mentioned that existing tx 2 tx4 hackney carriage have modified to all old Nissan engines in peterborough did these vehicles owners notified to council about engines. NO u should take necessary against these current cabs which are in trade these vehicles are smoking guzzler on the ranks and produce dirty diesel emissions and don't meet euro 5/6 fuel emissions even now in year 2022 . when majority council going green with ev vehicles in public service.	As above
5 Responses received: 29/1/22, 31/1/22, 1/2/22, 4/2/22, 18/2/22 – Tahir Khurshid	
Points raised	
Email 29/1/22 Hi I heard Peterborough Council lowering the age limit from 15 to 12 years on existing vehicles which is not fair bcz I bought cab and its already 12 years old if that law passed we will be out of work kindly this should not apply on existing vehicles	Point 1
Email 31/1/22 Hi I bought black cab just 2 months ago and its 12 years old already when I bought it the age limit was 15 years and if council pass new 12 years old limit I'm gonna loose My money who going to compensate me we work very hard with drunk people to earn that money with rude behaviour and abusive language	As above
Email 1/2/22 Hi we already loose 2 years because covid19 in business and now council trying to lowering the age limit of Hackney Carriage from 15years to 12 which is not fair and we will be out of work as we have no funds to buy new vehicle for taxi please do not apply new law on existing vehicles	As above
Email 4/2/22 As I received this email about lowering the age limit of Hackney Carriage from 15 years to 12 years my cab already 12 years old and I bought it just over 2 months how I'm gonna cover my money if its come out of taxi ? I thought its got 3 years left on it and now all of sudden I recieved your email which is really worrying thing I'll out of my work can you please update me	As above
Email 18/2/22 Thanks for replying I bought cab plate no hc 70 recently about 3 months ago in November last year 2021 I paid 10k before I bought I confirm of licensing office and I have been told it will come out of taxi in October 2024 I believe its got 3 years left that's why I bought the cab if you low the limit then who will compensate me	As above
Response received: 31/1/22 – Mohammed Tazeem	
Points raised	
I have been working as a hackney carriage driver for 35 years & I am turning 65 this year. I have invested in my cab in 2017 to take me up to my retirement which will be in 2 years, but I am unable to purchase another cab at this moment in time due to finances and my age. I am already going through financial difficulty in paying for my mortgage, my bills, my daily expenses and providing for my family, and my cab is my livelihood. In addition to this, I have already lost two years of my cab working productively through COVID-19 which has caused even more detriment to my finances. The decision you are making has now given me great stress & I am concerned about my future without being able to drive this cab. Are the council going to compensate me for getting a new cab? I cannot afford to buy a new cab myself. I would like to petition against this decision and I hope you are able to reevaluate this, and hopefully come to a better resolution for all of us drivers in this situation.	Point 1
Response received: 7/2/22 PC Paul Hawkins	
Points raised	
No comment at this time	

Response received: 10/2/22 Sisodia Kamlesh	
Points raised	
Hi, Sorry but I do not agree with this taxi age limit law. For the last 2/3 years I'm already struggling with my business because of covid 19 and now you brought this law in Peterborough so I'm going to be jobless so please, I request that you do not do this law for now at least give us a few years so we all settle down. Thank you.	Point 1
3 Response received: 31/1/22, 15/2/22, 16/2/22 Ilyas Shafiq	
Points raised	
Hi please correct me if I am wrong according to the consultation does it state that we have to have all hybrid cars by 2024 please can you confirm this with me as I am in middle of purchasing a new PHV I need to make sure thanks	Answer provided
15/2/22 - I think it's too soon for you guys to bring the hybrid electric vehicles out I understand you want to as a city make it a green city by 2030 but what u guys don't forget during the pandemic how much of a hard time us taxi trade have had and it's not easy a hybrid electric cars are not cheap they cost a minimum of £20,000 and now that is a huge investment especially for the way the trade is in peterborough it's too soon you should allow us to carry in with diesel cars a little while and please take us to consideration we are just providing a public a service	Point 1
16/2/22 - I was in the process of buying a new car had a deal done but had to pull out due to your policy coming and rumours beyond it diesel cars will be banned by 2024 and cars are not cheap even diesel cars cost minimum of 12-13000 pounds and that is a huge investment just for a couple years please peterborough city council please have show some support to us taxi drivers in this policy and allow us to put diesel cars in and remember their are other authority vehicles working in peterborough they will still cause pollution example Huntingdon, south Kesteven, south Holland they are working in peterborough and their council does not have such a policy as yet so please take all our messages in to consideration I am still waiting for your consultation to end because my vehicle is due to run out by end of year and I certainly can't afford a hybrid car .	As above
Response received: 15/2/22 Omar Taj-Eddine	
Points raised	
I'am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere. I also have no objection to the measures Peterborough City Council wish to take to reduce these levels. I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years. Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough. I think this decision should exempt existing vehicles and be applied to newer ones. I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment. If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle. I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.	Point 1
Response received: 15/2/22 Muhammed Umar Farooq	
Points raised	

<p>I am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere.</p> <p>I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.</p> <p>I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years.</p> <p>Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough.</p> <p>I think this decision should exempt existing vehicles and be applied to newer ones.</p> <p>I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment.</p> <p>If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle.</p> <p>I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	Point 1
2 Responses received: 8/2/22, 15/2/22 Muhmmad Umar Farooq	
Points raised	
<p>Hi good morning I have questions about euro 6 diesel car private hire / Hackney what is new age limit coming for which car diesel and this car are euro 6 can you reply for that thanks have a good day</p>	
<p>15/2/22 - I am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere.</p> <p>I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.</p> <p>I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years.</p> <p>Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough.</p> <p>I think this decision should exempt existing vehicles and be applied to newer ones.</p> <p>I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment.</p> <p>If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle.</p> <p>I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	Point 1
Response received: 15/2/22 Ali Haider	
Points raised	
<p>My name is Ali Haider. I am a private hire driver. My badge number is 1061. I have received the consultation paper via email. I would be very grateful if you tell me what is new in the consultation process going forward. This could just be where you could highlight whats new or about to change. I feel this would be very helpful to my private hire and hackney colleagues who may not understand the process fully. Thank you for your time.</p>	Answer provided
Response received: 15/2/22 Ali Raza	
Points raised	

I have had a look at the consultation that you sent. Firstly I would like to say I would like clarification with regards to my vehicle (PH Plate 678) which is manufactured in 2017 and I got plated in December 2021 so where does that leave me and will I have to get a newer car which complies with the new emission requirements. So I objective to the changes you propose based on this.	Point 1
Response received: 15/2/22 Shahzad Ashraf	
Points raised	
I am writing to object to the changes the council wants to make because I think at this time it is unfair because my trade was badly affected by the covid pandemic and you the council show no support to us. Drivers are struggling financially and would be unfair to ask us to invest further to be able to drive in Peterborough	Point 1
Response received: 15/2/22 Mohammed Adrees	
Points raised	
My name is Mohammed Adrees my badge number is HCD 353, I am sending you this email to make you aware that this consultation you released is hard to believe that you want to put more financial burden and stress on us drivers by expecting us to take a big hit on our pockets and buy cars which are in excess of £15000 in the current to meet your requirements, I completely object and will be speaking to my local councilors and MP regarding this	Point 1
Response received: 15/2/22 Jahanzeb Arif	
Points raised	
This is to make you aware that I am objecting to the changes you have laid out because I feel that it would impact the trade in a negative way and will drive people away from the trade because of the spiralling costs to maintain a car as a private hire vehicle. The average cost of a car which complies with ULEZ requirements is £17000 and in the current climate it is almost impossible to expect drivers to invest this amount money on top of the all the other costs.	Point 1
Response received: 15/2/22 - Muhammad Irfan	
Points raised	
I am writing to object to the new policy changes you propose because I feel in the current climate I can not afford to invest a big amount in a new car. My current vehicle can run until 2026 but you have not made clear whether this is still the case under the changes you want to make or will i lose 2 years because you want to change the conditions this year	Point 1
Response received: 15/2/22 Amjad Aslam	
Points raised	
I object to the policy consultation you sent because the changes are to hard and will affect and impact me financially because the emissions requirements are almost impossible to comply with unless I invest £18000 in a vehicle which meets those standards However I think that the safeguarding and county lines is a good initiative but the cost should be met the council and not me and other drivers	Point 1 Point 3 Point 7
Response received: 15/2/22 G Ahmed	
Points raised	
I am writing to ask you to reconsider the proposal for the three year cut to existing vehicle license. The reason is that as an existing driver I will be not be able to work any longer and will consequently become unemployed and therefore a burden to the state as I can't afford a newer vehicle. My current vehicle is a 2010 Lti TX4. The past two years have been nothing but a struggle for myself and my family due to work being reduced to 25% to pre pandemic level, this compounded by fuel rises and inflation in general has meant that me and my fellow	Point 1

colleagues have really struggled to meet basic standards of living for ourselves and our families. Please consider such matters when making such proposals/decisions.	
Response received: 15/2/22 H Rehman	
Points raised	
<p>I am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere.</p> <p>I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.</p> <p>I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years.</p> <p>Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough.</p> <p>I think this decision should exempt existing vehicles and be applied to newer ones.</p> <p>I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment.</p> <p>If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle.</p> <p>I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	Point 1
Response received: 16/2/22 Atif Rashid	
Points raised	
I am replying to your consultation to make you aware that I am unhappy you want to implement the new ulez policy because this is even worse than what is required by TLP in London and also the cost and maintenance of such vehicle and hybrid cars are at the highest level they have ever been. I agree with safeguarding you want to implement	Point 1 Point 7
Response received: 16/2/22 Azhar Mahmood	
Points raised	
Hackney driver 249 Azhar Mahmood replying to the proposed changes to the policy in peterborough. The policy has not been thought through properly because what you propose even more prosperous and bigger cities have not and are not implementing anything similar. There are roughly around 1200 PHV in peterborough and you have not even got any infrastructure for charging them vehicles whilst they are working.	Point 1 Point 5
Response received: 16/2/22 Mohammed Iqbal	
Points raised	
I am putting forward my objections for the changes to PHV age and emissions limits, you have not helped anyone during the pandemic only a measley £800 and now expect us to take a bigger hit and investment thousands of pounds in new cars when even we have suffered the most financially from all business in Peterborough	Point 1 Point 3
Response received: 16/2/22 Zeeshan Ahmed	
Points raised	
Your proposal to change the policy to govern the taxi and ph trade is very draconian and above the national requirements and are coming at a time when the trade is struggling financially because of covid. I have lost almost 2 years during the pandemic and now you expect me to invest £15000-£18000 in a ulez or hybrid car.	Point 1
You are offering no incentives or even grants to help finance this change and over the past 10 years you have made millions from our trade and taken away all our acces points of contact	

within the council like before when you had a dedicated team for licensing and you have opened that to the wider licensing team who at times are not very helpful because they don't understand what we asking them.	
Response received: 16/2/22 Mohammed Rizwan	
Points raised	
<p>I'am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere.</p> <p>I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.</p> <p>I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years.</p> <p>Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough.</p> <p>I think this decision should exempt existing vehicles and be applied to newer ones.</p> <p>I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment.</p> <p>If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle.</p> <p>I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	Point 1
Response received: 16/2/22 – Zaheer Abbas	
Points raised	
The new proposal that you are putting forward affects me because my current vehicle is ULeZ euro 6 but it put will not pass your proposed 75g/km on top of which then I would have to invest in a new car again at a massive personal cost. You have offered no alternative like big major cities who have offered the trade grants worth thousands of pounds and even invested in the infrastructure to charge and keep the car on the road during the time drivers are working. You have not put anything forward with regards to this. Also a lot of big cities offer at least 2 or even 3 authorised MOT testing station so why for over 20 years has only one company got the monopoly in this in Peterbrough.	Point 3 Point 5 Point 1 Point 4
Response received: 16/2/22 - Muhammad Umair Asim	
Points raised	
What you are propsoing for the changes are good in some aspects like the safeguarding and coutny lines. But what about expanding out the use of other MOT stations within peterborough. You want implement changes to the emissions and ulez cateryory to be inline witj other cities but why are you not considering this when it comes to MOT stations because most cities have at least 2 or 3 preffered garages for testing. So i object to other chnages you propose based on this which you should also chnage if you want to bring in those changes.	Point 7 Point 4
Response received: 16/2/22 – Auzar Mohammed	
Points raised	
My objections to this are on the basis that even though everyone is pushing for net 0 what are the council doing to help the driver to move with the changes. The ulez emissions requirement are to stringent and are over and above the national requirements	Point 1 Point 3
Response received: 16/2/22 – Muhammed Saqib Riaz	
Points raised	

The proposal does not talk anything about what you will offer to help drivers to replace and change vehicles to meet the new emissions standards and or replace our current cars like offering grants and other options to replace our cars. You not said anything about how you will help cars to stay in the road whilst we are driving my providing charging points through out the city in various areas and locations and not just the ridiculous 3 charging points you have put in town centre for the Hackney vehicles. You have completed neglected our trade over the past 2 years during the Covid-19 pandemic and gave us a pathetic £800 in grants to “help us”. Yet you still managed to give yourself a pay rise and say there is not enough in your budget for basic services the city needs. You need to wake up and come down into the real world and see what we have to go through to provide a essential and key service to keep people in this city on the move without any appreciation.	Point 1 Point 5
Response received: 17/2/22 – Aamir Mumtaz Bhatti	
Points raised	
I would like to object to the changes of the term to which my car will reduce to 9 years	Point 1
Response received: 17/2/22 – Habib Khan	
Points raised	
Hi I strongly object to the new draft policy u are trying to implement. I invested in my cab taking into consideration I have 15 years. If this policy was to go ahead not only myself but my family will be affected and therefore I will be dependent on the government. Also the 4 month MOT is a stupid idea if there a handful of drivers that have issue with there vehicle they should be punishment not the whole trade.	Point 1 Point 8
Response received: 17/2/22 - Husnain Shah	
Points raised	
In response to your consultation I would like to say that I feel it is a good idea that you want to introduce safeguarding and county lines courses. However I feel that some of the other proposals are not very good because at this difficult time during this pandemic you expect us to Invest thousands of pounds to meet the new criteria to be able to work as a private hire driver. Also over the years you have done nothing but reduce the service you provide to our trade whilst making millions and not reinvesting a penny back into this trade. The emissions you expect the new cars to meet are virtually impossible and even more stringent than London.	Point 7 Point 1 Point 3
Response received: 17/2/22 Qeis Sherzad	
Points raised	
Your consultation is very unfair and does not help drivers all it has done is cause cause confusion within the trade you have not me tinned what will the cars that are already licensed and working what will the council be investing to help the trade to purchase such vehicles also what will you do regarding putting dozens dozens charging points that will be needed to help us stay on the road and not keep going home to keep recharging our vehicles	Point 1 Point 5
Response received: 17/2/22 – Ansar Ali	
Points raised	
Thank you for the email,there are some very good proposals that you put forward eg the safeguarding also the age for new hybrids you want to increase to 8 years from first being plated upto 17 years but you also should consider laying out infrastructure to help the trade to charge whilst we are working for the plugin cars you also need consider to stop the monopoly of Amy services and expand the MOT testing to other garages around peterborough	Point 7 Point 2 Point 5 Point 4
Response received: 17/2/22 – Mohammed Basharat	
Points raised	
The consultation is 3 years to late and should have been sent out years ago so drivers would have had enough time to prepare and be aware of the changes your want to happen in line	

with 2030 net zero. The emissions you want the cars to achieve are even worse than what is required by licensed cars in London, you want to reduce the age of new euro 6 emissions vehicles from new to 4 years which is unfair especially if you expect that vehicle to be out of service after a total of 9 years on top of 6 monthly testing. All you want to do is make money from this trade as you have been doing for 30 years without investing any money back to help us in anyway except a measly £800 during the covid pandemic I object strongly to your proposals that put more financial burden upon us drivers	Point 3 Point 1
Response received: 17/2/22 – Saifullah Zadran	
Points raised	
Your proposals are not very good because on some areas there is no clarification as to happens to my car which has 2 years to run on it. If then you expect me to invest a further £15000-£18000 on a euro 6 emissions or hybrid vehicle what help in the form grants will you offer to help me and the wider trade. You just want to take take and take from us without giving us anything back or any help whatsoever	Point 1
Response received: 17/2/22 – Meraj Aryoub	
Points raised	
I am happy you are bringing changes to the trade in line with 2030 net zero, but you don't clarify what happens to my vehicle (PHV 525) as it still has around 2 years to run. Do your new proposals mean I will have to buy new vehicle after 12 months or can I run it till 2024. You also are proposing some good changes by bringing in safeguarding but again you don't inform us how this will work, how often will we have to do this course who will pay for it and if I have to pay for it what will you offer me towards it in the form of a grant! You should be offering grants in line with other big cities around the country who have helped their drivers in their ambitious plans for net zero 2030 by funding the new cars that have come onto the roads. There is so much more I can say but I for now will say that I strongly object to what you propose especially if you want me to bare the financial burden of upgrading my car to meet your requirements	Point 2 Point 7 Point 1
Response received: 17/2/22 – Asif Rehman	
Points raised	
I am happy that you are proposing to increase the age for electric and hybrid vehicles to 17 years from manufacturer date and 8 years for first time plates. But you need to consider how and where we will charge these vehicles. You have to provide charging point for us to charge our vehicles whilst we are on our shift. You also need expanding and open up and stop the monopoly for MOT testing of private hire vehicles and find other certified and give other garages the opportunity to do this also. However the euro 6 emissions requirements you are proposing are very stringent and are above national requirements	Point 2 Point 5 Point 4 Point 3
Response received: 17/2/22 – Mohammed Afzal	
Points raised	
I am quite angry and upset that you have released this paper now as it is unclear what happens to my vehicle which I have just got plated for this the first time in January 2022 and would under the current policy run until 2028. So now you want me to invest another £15000 or more in a year or two to meet your proposed new policy requirements it doesn't make any sense whatsoever! Also why has only 1 garage had the monopoly for MOT testing for the past 30 years and why have you not opened or are not willing to open this up to other garages you are certified by VOSA. So I am writing to say that I am strongly objecting to what you propose because you have not weighed up the consequences and financial burden this will place on me and other driver's	Point 1 Point 4
Response received: 17/2/22 – Majid Ali	
Points raised	
Your consultation has some very good proposals in it but I feel that you have missed some issues and points and have not mentioned how you will provide and help the driver to stay on	

<p>the road whilst I work. As you are aware most of the electric vehicles are plug in chargers and you have not put any Infrastructure with this in mind. You cannot expect me to drive into town or go home in between every fare to maintain a good level of charge on the car to complete my shift. Also you seriously need to consider and expand on the MOT testing stations and consider other certified MOT garages this will bring peterborough in line with other cities who have at least 2 or 3 MOT stations this will ease the back log that has been created by the pandemic. What you have proposed with regards to euro 6 emissions proposals it would be very hard for drivers to meet these requirements so on these grounds I object to the policy changes and would suggest that you re evaluate and take a look at the consultation and consider these points before making a final decision.</p>	<p>Point 5 Point 4 Point 3 Point 1</p>
<p>2 Responses received: 17/2/22 & 2/3/22 – Mohammed Tauseef</p>	
<p>Points raised</p>	
<p>17/2/22. I'm writing in response regarding to the new policies you have outlined in the consultation process:</p> <ul style="list-style-type: none"> • When a new vehicle passes its first taxi M.O.T test at the. The garage should issue Hackney/Private hire, collecting it from council office can have significant delay for the driver to work. • Private hire sign need to magnetic so when you are not working overnight you can remove them. Being visible there are more chance having vehicle broken in. • Having driver details in windscreen is a great risk for the car to be broken in by thief as the know this is Private hire. There is safety issue. Customer has enough information to make complain. Most taxi operator are working on computerised system which gives all relevant information of the driver and vehicle to customer. • There should be more then one M.O.T garage. This is monopoly to the M.O.T garage (argon)and some occasion they are fully book, you have to wait two/three weeks. • 2.39 M.O.T for Hackney/Private vehicle are carried out every 6 Months after certain age. Why do we need testing every 4 months. More expense for vehicle owner please be considerate to the driver. • 2.41 why cant you have a valid M.O.T on the national recognisable database. You should issue a valid M.O.T certificate and Exemption certificate. Some time police stop us because we do not have valid M.O.T certificate on their system. • 2.47 if vehicle has a valid M.O.T why can you not work on it till it runs out. • Lack of communication of Peterborough City Council with the driver when council fees are changed. Driver only founds out when he has to pay. • 3.94 if you give a company/business card to the customer and they ring the office, you should have the right to pick up the customer. • 2.4 In London which is capital city of England their emission limit is 100g/km. Why is Peterborough city council asking for less which is 75g/km or less? council asking for too much. We should be getting support/sub-subsidy from the local council as other councils are supporting their drivers. • Government has a policy to cut carbon emission level by 2030. Why are Peterborough city council want to change early in 2024. • Safeguarding and county line courses are new. I suggest safeguarding course is taken when you make School transport badge. How often do we have to take these courses and what is the cost? • Age limit of Hackney(15 yrs)/Private hire(10yrs). hire are to be decreased in your new proposal. This is not fair o on the driver. This will put more burden on us to buy new vehicle for taxi. Vehicles are 30%-40% more expensive the pre pandemic. Age limit should be left same as before. <p>These are few of suggestions which I personally have made.</p>	<p>Point 6 Point 4 Point 8 Point 3 Point 7 Point 1</p>
<p>2/3/22. I am writing regarding the taxi policy consultation In the policy you have stated for DBS, if you out of UK for more than six months, you will need a DBS check from the country you have been. I suggest this period (six month) is short it should be two years or more because lot of drivers have elderly parents living abroad who not well, they need care and they have nobody to take care apart from their childrens. For this reason I want you to take extended time.</p>	

<p>If the driver has been accused of a criminal offence. The drivers taxi badge should be not taken off him immediately. He is innocent until proven guilty. The investigation sometime can take a long time. This can have huge impact on the drivers income.</p>	
<p>Response received: 21/2/22 – Ali Khan</p>	
<p>Points raised</p>	
<p>I'am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere. I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself as I have invested £35000 in on my taxi with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years. Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough. I think this decision should exempt existing vehicles and be applied to newer ones. I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment. If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle. I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	<p>Point 1</p>
<p>Response received: 22/2/22 Abdelilah Saoud</p>	
<p>Points raised</p>	
<p>I'm writing to you this email so I can rise my concern about the 12 years age limit for the existing cabs. As you aware I love my job and I love providing services to the public especially to the people with disabilities that gives me the privilege,but I was bit shocked when the taxi enforcement are thinking of taking away 3 years from the existing cabs. As u know we suffered very hard with this COVID for the past 2 years the taxi work has gone down in such big way,and now u thinking of the 12 years age limit. When I bought this cab it was based on 15 years to be in service,now if you decide to change it to 12 years that will have big impact in my life . I shall be jobless and I be finding have to pay my mortgage,my loan,basically I will have financial ruin. Could you please kindly not to take this action of 12 years age limit for the existing cabs so now we can arrange our future better now we know.</p>	<p>Point 1</p>
<p>Response received: 22/2/22 – Mohammed Adnan</p>	
<p>Points raised</p>	
<p>In regards to the consultation you have sent there are some very good things that you have proposed like the safeguarding courses that you want drivers to take but no information has been provided as to the cost and frequency of these course's and who will pay for these. Also you are proposing that we should have stickers in the front windscreen, this is not a good idea because this will mark the for break-ins and vandalism as has happened in the past. Also for years now we have been told that we need to cover our PH plate if we driver our cars for personal use, because the MOT does not cover us. So what of the sticker with all the same details displayed on the front windshield, where does that leave the situation with the MOT covering us or not? Also what will happen with my own vehicle which has another 2 years to run but your proposal doesn't clarify wether this is still the case or will it end in July 2022</p>	<p>Point 7 Point 6 Point 1</p>
<p>Response received: 23/2/22 – Usman Khalil</p>	
<p>Points raised</p>	

<p>Reagarding the proposals which you have put forward i am replying to object to many points firstly you want to reduce the age limits of vehicles which is unfair because this puts extra burden of cost upon me whilst reducing the benefits of how long i can run the car for. My current vehicle has around 2 years run but will i lose a year or more.</p> <p>You are proposing to force us to use only our own GPs for future medicals, again you are putting extra costs upon the driver where as we always used registered GPs and Doctors who charge a fairer amount for the same service which is usually around £60 bug GP surgeries charge anything upto and above £120 so again doubling the cost.</p> <p>The MOT testing facility at Nursery Lane has become inadecuvate because of the amount of hackney and private hire vehicles there are in peterborough. This has to be seriously looked at and must be opened up to other VOSA certified garages. There are more issues also but for now this is all will say</p>	<p>Point 1</p> <p>Point 4</p>
Response received: 23/2/22 – Ishtiaq Ahmed	
Points raised	
<p>The things you are proposing are not fair and are unduly putting more pressure on drivers who are already struggling due to Covid over the past 2 years. You are being yet again unfair and expecting the trade as whole to burden the massive expense to replace perfectly fine cars which are running without any problems because Aragon which you own pass them systematically every year.</p> <p>You have offered no incentive to help us with grants to replace our cars you have not proposed any infrastructure which you will install across the city to help charge the vehicles whilst working, you have just been taking our money for years whilst cutting the services you provide us and have never reinvested a penny back to help us.</p> <p>Now you are proposing we pay more for newer eco friendly cars pay more for MOTs pay more for medical tests pay more for safeguarding whilst you pocket more and more money from us and not give us anything in return</p>	<p>Point 1</p> <p>Point 5</p>
Response received: 23/2/22 – Khurram Manzoor	
Points raised	
<p>The the proposal you have sent has many issues which I belive are not good</p> <p>But firstly I think some are so very good eg the safeguarding course and also the age of electric vehicles coming into the trade is very good upto 17 years, but at the same time you want increase the emissions required and reduce the benefit we from cars by having to replace them more expensive ones which is unfair at a time like this after covid</p>	<p>Point 7</p> <p>Point 2</p> <p>Point 3</p> <p>Point 1</p>
Response received: 23/2/22 – Ijaz Ahmed	
Points raised	
<p>The things you are proposing are not fair and are unduly putting more pressure on me I am already struggling due to COVID over past 2 years. Now you are proposing we pay more for newer eco friendly cars pay more for mots pay for more medical tests which I can't afford</p>	<p>Point 1</p>
Response received: 23/2/22 – Siyar Gholambaudin	
Points raised	
<p>The diesel emissions for Euro 6 you want to change are very unfair and will impact the trade adversely also the mot station needs to expanded to 2/3 more garages</p> <p>The cost of the new hybrid cars is way to high on the current market are above £15000 and will be a burden for drives</p>	<p>Point 3</p> <p>Point 4</p> <p>Point 1</p>
Response received: 23/2/22 – Waqqas Majid	
Points raised	
<p>My current car runs until 2028 but what you propose I will possibly lose 2 years or more you want me to invest thousands more to drive here whilst toh offer no incentive or grants to help the trade</p>	<p>Point 1</p>

Response received: 23/2/22 – Imran Ali		
Points raised		
<p>I'd like to inform you that I reject and refuse the draft policy that has been drafted. Many amendments are required to this draft and especially where it concerns the changes to vehicles. Diesel vehicles should be at least 5 years old to first being licensed with unlimited mileage and no mileage restrictions. I'd also like to point out that you are trying to implement the CO2 emissions at being 75 ghm, if you research hybrid vehicles do not reach the CO2 emissions and only electric and plug-ins reach this. Windscreen stickers should be abolished and not be implemented. Private hire vehicles stickers should be given the option to be made magnetic. I refuse and reject this consultation from being implemented.</p>		Point 1 Point 3 Point 6
Response received: 23/2/22 – Ali Haider		
Points raised		
<p>After reviewing your proposal, I find some things that I object to:</p> <ol style="list-style-type: none"> 1. The time that my car can be a taxi has been shortened by a year. I feel this is going to cause me hardship as I will have to buy a car a year earlier than I would have. 2. My car is a Euro 6 car which means that it is ULEZ free. My car is 101g/km. Your proposal says that this will not pass the new emissions test which you are proposing at 75g/km. 3. You have not proposed anything in regards to what you will be investing into the infrastructures of the city to help drivers maintain charge of our cars if they are electric whilst we work. 4. Aragon has gone past its sell-by date and is not fit for purpose purely based on the amount of vehicles that are currently in the trade and has to be opened to other MOT garages. 5. You are further burdening the cost of more expensive medical exams if we can only use our own GPs. 6. If Peterborough is supposedly coming in line with other licensing authorities, why is there such a discrepancy between, for example, Peterborough and Huntingdon. Huntingdon cars can be licensed for 12 years. <p>I feel more can be done for the hard working drivers of Peterborough. Thank you.</p>		Point 1 Point 3 Point 5 Point 4
Response received: 23/2/22 – Mustakim Gaibee		
Points raised		
<p>I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to COVID and Brexit we are being robbed. Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet CO2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targeted to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.</p>		Point 1 Point 3 Point 6
Response received: 23/2/2022 – Mazher Iqbal		
Points raised		
<p>Now you are proposing we pay more for newer eco friendly cars, pay for MOTs, pay more for medical tests, pay more safeguarding whilst you are not giving any incentive to drivers. Please bear in mind poor drivers whilst making new policies..</p>		Point 1
Response received: 23/2/22 – M Mahmood		
Points raised		
<p>Your proposals are unfair and are a massive expense to me if I was to change my vehicle in the current climate of COVID losses we have suffered. You have not proposed anything you will invest to help us in regards with infrastructure and charging points throughout the city. You need to reconfirm stop your own company namely Aragon doing MOTs and stop this discrimination and anti-competition commission laws. It feels by this policy you are against the drivers rather than helping and working with us.</p>		Point 1 Point 5 Point 4

Response received: 23/2/22 – Muhammed Adeel	
Points raised	
I am happy you want increase the age of hybrid cars to 17 years but you have not said who will pay for this change is cars or how you be helping me to make this change in this stressful and expensive age we live in where the cost of everything is going up	Point 1
Response received: 23/2/22 – Soran Kamel	
Points raised	
I'd like to refuse and reject the draft policy that is being drafted. Many amendments are required to this draft and many need to be amended. Vehicles should be taken in to consideration and should be amended, vehicles which are diesels should be at least euro 6, have a unlimited mileage restriction and being up to 5 years old to first being licensed and being delicensed when they reach up to 10 years old. Hybrid vehicles do not meet the co2 that you are trying to implement, this must be amended and changed. 75 gkm is low and hybrid vehicles do not meet this. The age for hybrid vehicles should be up to 8 years old to first being licensed and up to 15 years old to being delicensed. I'd refuse and reject this proposal and would like amendments changed which are better for the drivers as vehicles are costing a lot more and large amount of investments are required to be made.	Point 1 Point 3
Response received: 23/2/22 – Muhammad Nadeem	
Points raised	
The things you are proposing are not fair and are unduly putting more pressure on drivers who are already struggling due to Covid over the past 2 years. You are being yet again unfair and expecting the trade as whole to burden the massive expense to replace perfectly fine cars which are running without any problems because Aragon which you own pass them systematically every year. You have offered no incentive to help us with grants to replace our cars you have not proposed any infrastructure which you will install across the city to help charge the vehicles whilst working, you have just been taking our money for years whilst cutting the services you provide us and have never reinvested a penny back to help us. Please bear in mind poor drivers whilst making such brutal policies	Point 1 Point 5
Response received: 23/2/22 – Ehjaz Ahmed Bostan	
Points raised	
The proposed changes are good but have a lot of things which are not and will mean I have to invest more in the thousands to buy a new car which in the current market is £15000_£18000 Which will meet you emissions test. What you want to do in regards to safeguarding and age of hybrid ans electric cars is good	Point 1 Point 3 Point 7
Response received: 23/2/22 – Adeel Shoaib	
Points raised	
I'm writing to refuse and reject the draft that is trying to be implemented Vehicles which are hybrid would not meet the requirements that you are trying to implement and large amounts of money would be required to be invested Hybrids should be upto 8 years old to first being licensed and and up to 15 years old to being delicensed Diesel vehicles should be at least up to 5 years old with unlimited mileage and no restrictions vehicles should also be euro 6 Stickers should be abolished as our vehicles are being targeted to being broke into making us having to spend more to repair our cars and being off the road for the day I'd like to refuse and reject the draft policy being introduced	Point 3 Point 1 Point 6
Response received: 23/2/22 – Tanveer Ahmed	
Points raised	

<p>Id like to refuse and reject the consultation being implemented This should be consulted with drivers first before anyone else as this is our livelihood Amendments need to be made to vehicles ages and co2 Hybrid vehicles would not reach c02 emissions as they exceed 90 gkm, only plug in and electric vehicles would be below 75 gkm which would mean us having to make big investments Currently due to covid our work has been affected and we would like you to amend the policies I refuse and reject these draft policy</p>	<p>Point 1 Point 3</p>
Response received: 23/2/22 – Shahzad Ramzan	
Points raised	
<p>The mot testing situation to which the council holds a monopoly with its own in house company Aragon has to change and be expanded to other garages Also you need to show us what you are offering us in grants and incentives to change and invest thousands of more pounds to meet your new requirements</p>	<p>Point 4 Point 1</p>
Response received: 23/2/22 – S.A.H Shah	
Points raised	
<p>To proposed changes are okay but i gave concern on something like to meet emission test I have to spend lots of money and also age of car</p>	<p>Point 3 Point 1</p>
Response received: 23/2/22 – Arshad Mehmood	
Points raised	
<p>whatyou are proposing is very bad because you just want me to invest more and more whilst taking away all the service you once provided</p>	<p>Point 1</p>
Response received: 23/2/22 – Delroy Cranston	
Points raised	
<p>Good evening I am mr Delroy Cranston . I have just been made aware of some of the changes being imposed. I have not long brought a 8 seater which has 3 years left to go and I understand that with your new proposal that will be reduced . I don't think that's fair , also I believe it's good we can all be green by all taxis being electric or very low emission but that is going to be very expensive . So what I suggest is maybe the council find away to help the drivers pay towards this . Yours sincerely mr Cranston.</p>	<p>Point 1</p>
Response received: 23/2/22 – Nusrat Mirza	
Points raised	
<p>I am happy what you are proposing in regards to hybrid to run for longer but still you need to consider opening up the mot testing to other garages because Aragon is not adequate any longer</p>	<p>Point 2 Point 4</p>
Response received: 23/2/22 – Zahid Iqbal	
Points raised	
<p>What you want to change about the euro 6 emissions is to hard to pass and will impact me badly because I will have to invest a lot of money to change and replace my car</p>	<p>Point 1 Point 3</p>
Response received: 23/2/22 – Tanveer Hussain	
Points raised	
<p>You want drivers to invest in new cars which are hybrid but have not proposed any investment you the council will make in infrastruture to charge the cars whilst the drivers are working</p>	<p>Point 5</p>
Response received: 23/2/22 – Aon Syed	
Points raised	

I would like 5 years cars any mileage , also dont want to big sticker inside of my car , i would like to review this thank you	Point 1 Point 6
Response received: 23/2/22 – Shayan Sherazi	
Points raised	
I am not agree with the new policy. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	Point 1 Point 3 Point 6
Response received: 23/2/22 – Qadeer Hussain	
Points raised	
My car is a 2016 and I will lose 2 years if you pass what you are proposing also what you want to do with the new euro 6 requirements you want to bring in are unfair You want the trade to bring on newer zero emissions to meet net zero ambitions you have for Peterborough to go hand I hand with the future combined greater Cambridgeshire plan. You will and need to invest in thousands just like you want the trade to do in charging points across the city to charge the cars. The monopoly of Aragon has to come to an end because they are ro small to handle all the cars that they have to do	Point 1 Point 3 Point 5 Point 4
Response received: 23/2/22 – Qamran Ali	
Points raised	
You want to bring in things which are over and above what it should be. The euro 6 required are to stringent and are even worse than what is required to ply this trade in London The hybrid and electric proposal is very good if implemented but has flaws because you don't propose what you will offer me as a driver to help me invest and buy such a car and what you do to about charging points in the city	Point 1 Point 3 Point 5
Response received: 23/2/22 – Zahid Hussain	
Points raised	
Things you want to change are good in some regards and also not good. Good you want to increase ages of hybrid cars but the cost has be to incentivised and grant led by council funding and also you have increased the amount of charging point in the city	Point 1 Point 5
Response received: 23/2/21 - Mahmood Hussain	
Points raised	
I want private hire vehicle to be 5 years any mileage please would help, also I would like no stickers in my car I would like you to suggest a better idea , I would like pcc to work with private hire association to resolve this thank you	Point 1 Point 6
Response received: 23/2/22 – Mohammed Siddique	
Points raised	
I would like to object to the age reduction from 10 years to 9. I have a hybrid and it still does not meet the requirements. The stickers on the front screen should be a removable sign I hope you consider these points	Point 1 Point 3 Point 6
Response received: 23/2/22 – Mohammed Kabir	
Points raised	

<p>What you propose doesn't say anything about my car which under current policy requirements has at least 2 years but I will lose over a year under your proposed policy change. The new requirement for euro 6 emissions is way to tough and will be hard for most cars to meet. You have proposed that you the trade to bring net zero cars but what if anything will you offer me to replace my car in the future to meet these changes. Net zero cars will cost around £35000 to £40000 will I get any help to by because it is to much money to invest You have had a monopoly for decades with the MoT testing for PH and Hackney with your in house company which over the years has had many names but is currently known as Aragon, this has to change and be opened to more VOSA garages who can do MOTs</p>	<p>Point 1 Point 3</p> <p>Point 4</p>
Response received: 23/2/22 – Shahid Iqbal	
Points raised	
<p>Very happy that you want the trade to go greener and cleaner but if you want 100s of more hybrid electrical cars you have to invest and build charging points in Peterborough Also you have to help the trade to invest and buys such vehicles which is what most of the cities and town have been doing</p>	<p>Point 2 Point 5 Point 1</p>
Response received: 23/2/22 – Zulfiqar Ali	
Points raised	
<p>Hi , I like to suggest 5 years Mileage on private hire vehicle, also I would not like a big sticker in front screen of my car , please can you do some thing else thank you</p>	<p>Point 1 Point 6</p>
Response received: 23/2/22 – Shafiq Hashmi	
Points raised	
<p>I am happy you want to bring in changes to the safeguarding and public safety but you don't propose whi will pay and the cost of this. You also don't say what you will do to offer me a grant to fund a newer and greener car in this climate of covid losses and restrictions</p>	<p>Point 7 Point 1</p>
Response received: 23/2/22 – Muhammad Raheel	
Points raised	
<p>Hi I would like private hire vehicle to be 5 years any milage , also I don't want a big sticker in side my front screen, mot is always a disappointing experience, I would like more options</p>	<p>Point 1 Point 6 Point 4</p>
Response received: 23/2/22 – Etiq Muhammed	
Points raised	
<p>I am not agree with the new policy, I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.</p>	<p>Point 1 Point 3 Point 6</p>
Response received: 23/2/22 – Hidayatullah Khan	
Points raised	
<p>I am not agree with the new policy. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged.</p>	<p>Point 1 Point 3 Point 6</p>

I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	
Response received: 23/2/22 – Avan Sleman	
Points raised	
I'd like to refuse and reject the licensing policies that have been drafted and would like you to amend this policy. My point is towards vehicles. Vehicle age should be increased to 5 years old for diesel vehicle with unlimited mileage and having 10 years on them since date of registration. Hybrid vehicles should be 15 years old and up to 8 years old with unlimited mileage for first being licensed. In regards to CO2 emissions this should be increased to at least 110g/km due to looking in to my vehicle and other vehicles licensed which are hybrid they do not meet this legislation. Vehicles should be euro 6 diesels. Vehicles which are licensed should not have any windscreen stickers or stuck on private hire stickers due to vandals striking and damaging vehicles. Our vehicles are easy targets for thief's. I'd like to put out to you that I reject this consultation and the draft should be amended taking into consideration drivers working for Peterborough city council as drivers have not been asked for their opinions.	Point 1 Point 3 Point 6
Response received: 23/2/22 – Feroz Khan	
Points raised	
I am not agree with the new policy. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	Point 1 Point 3 Point 6
Response received: 23/2/22 – Abdul Rzai	
Points raised	
I'd like to object to the consultation policies that you have provided on the draft, a lot of amendments are required to this. In regards to vehicle licensing especially we have just been through covid and work has not been the same as before, I currently own a hybrid vehicle, in regards to vehicle regulations you should reconsider due to the age limits and especially CO2 emissions, any hybrid vehicle unless it's plug in or electric will not pass and the investment that has been made for this vehicle will go to ruin. I'd refuse the policies that have been drafted and would like this to be reconsidered and amended.	Point 1 Point 3
Response received: 23/2/22 – Sheraz Khan	
Points raised	
I'd like to point out and refuse and reject the policy that you have drafted out. Vehicles which are diesels should be at least 5 years old with unlimited mileage. Hybrid vehicles c02 emissions if you research catch 110gkm minimum, the draft policy should be having hybrid vehicles and should be no limit on this. Diesel vehicles should be at least 5 years old before first being licensed and with no mileage restrictions. Windscreen stickers should be abolished due to vehicles currently being damaged due to vandals having private hire stickers on them, the vehicles which have private hire stickers on them should be able to make them magnetic and not permanent. I'd refuse and reject this policy that has been drafted and many amendments required	Point 1 Point 3 Point 6
Response received: 23/2/22 – Amer Saddique	
Points raised	
id like to refuse and reject the draft proposal that has been introduced. i have many issues with the consultation. this being many like vehicles, mot station. you are currently advising	Point 1 Point 4

and trying to get drivers to get hybrid vehicles and electric vehicles in to place for driving in the city. if you look at what you are trying to implement which is the C02 these do not meet hybrid vehicles and currently to buy hybrid vehicles we are looking to invest a minimum of at least £15,000. due to covid and brexit work has died down, it's wrong for you to implement a policy without consulting your drivers which are licensed within peterborough city council. hybrid vehicles are at least 110 gkm, you are trying to implement 75 gkm which doesn't meet any hybrid vehicles except electric vehicles and plug in vehicles. windscreen stickers should be abolished as it makes our vehicles easier to target when there are vandals out there. private hire stickers should be displayed when working and drivers should have the ability to remove these from doors when using vehicles for private use and not for business. i'd like to refuse and reject this draft policy.	Point 3 Point 6
Response received: 23/2/22 - Marewan Ahmed	
Points raised	
I am writing to advise of my objections to the policy that has been drafted. I'd like to point out regarding some amendments required to the draft policy. Especially to the age of the vehicles and vehicle licensing. Another point id like to point out which is the windscreen labels which is being advised of, due to current situations arising where private hire vehicles are being targeted for robberies. I'm writing to refuse and reject this policy which is drafted and id point out my views in due course. Hybrid vehicles would not meet the required requirements should this draft go ahead which is not relatable to taxis and due to Covid there is currently a rise in vehicle costs which makes it unaffordable for us to invest in.	Point 1 Point 6 Point 3
Response received: 23/2/22 – Zia UI Amin	
Points raised	
I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being robbed. Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged.	Point 1 Point 3 Point 6
Response received: 23/2/22 – Mohammad Iqbal	
Points raised	
The council as usual has proposed a new way to take more money from drivers without returning any benefits to us from the hundreds of thousands of pounds you earn from the trade. You want us to once burden the cost by spending thousands to meet your ridiculous new policy requirements	Point 1
Response received: 23/2/22 – Waqar Ayub	
Points raised	
My car has 4 years to run but I will lose 2 years under your consultancy if it goes through and would make me invest thousands of more pounds to buy a new cars which will meet your requirements	Point 1
Response received: 24/2/22 – Wajid Hussain	
Points raised	
The euro 6 emissions you want to bring are too stringent and also if you want the trade to go net-zero what are you offering in line with other cities in the form of grants to help drivers invest in these cleaner options. You have to also show what you are proposing to invest in the infrastructure around the city to help us change our cars whilst we work. There is no infrastructure in the city that can accept this sudden change. I think practically you are not ready as well. I am also concerned about the car category that you restricted for cars to be under 75 g/km CO2 but even Toyota 2022 cars which are hybrid are within the range of 103 - 115 g/km. How can we do a big investment while the earning is not as much to cover the	Point 1 Point 5 Point 3

price and other expenses of the car? What kind of help you are planning to give in respect to getting a car that comes under your design cleaner system.	
Response received: 24/2/22 – Abdul Orighil	
Points raised	
I am not agree with the new policy consultation. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	Point 1 Point 3 Point 6
Response received: 24/2/22 – Khurshid Ahmed	
Points raised	
I am not agree with the new policy consultation. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	Point 1 Point 3 Point 6
Response received: 24/2/22 – Bachi Qawma	
Points raised	
I am writing to refuse and reject the policy trying to be implements. Many different amendments are required to the draft policy that you are trying to implement. This includes changed in the vehicles age and regulations. Vehicles which are hybrid vehicles would not meet the co2 emissions you are trying to implement. 75 gkm is low and would need to be amended as hybrid vehicles would be at least 110 gkm. Stickers should be abolished and not be made to be displayed due to vehicles being vandalised and damaged. I refuse and reject for this policy to be rolled out.	Point 1 Point 3 Point 6
Response received: 24/2/22 – Abrar Ahmed	
Points raised	
I am not agree with the new vehicle policy consultation. Cause we been suffering from covid19 and cars prices are so high. Because of covid our cars loosing 2 years already. How i can put another £15000 to replace my car. Other councils are paying nearly £12000 to drivers to replace their cars. I'd refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed. Thanks	Point 1 Point 6
Response received: 25/2/22 – Mandeep Singh	
Points raised	
I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being robbed. Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought	Point 1 Point 3 Point 6

Response received: 25/2/22 - Zaheer Abbas	
Points raised	
My vehicle runs until 2024 and whatever you purpose I will lose a year. Also I have to buy a expensive vehicle to use as private hire while due to covid19 and lock down business wasn't running well and now on top you start another challenge with changes and as a business you're not supporting in any way. I will suggest just stop taxi service in Peterborough while you have unusual ideas.	Point 1
Response received: 26/2/22 – Ansar Khan	
Points raised	
Good morning.I am not agree with the new policy consultation I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so ...	Point 1
Response received: 27/2/22 – Sajjad Ramzan	
Points raised	
The mot testing situation to which the council holds a monopoly with its own in house company Aragon has to change and be expanded to other garages. Also you need to show us what you are offering us in grants and incentives to change and invest thousands of more pounds to meet your new requirements	Point 4 Point 1
Response received: 01/3/22 – Asif Sherazi	
Points raised	
I am not agree with the new policy. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should have any vehicle which is diesel up to 5 years old and having no mileage restrictions. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Vehicles which are hybrid should be within 8 years old for first being licensed and up to 15 years old to be delicensed. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.	Point 1 Point 3 Point 6
Response received: 2/3/22 – Iftikhar Ali	
Points raised	
Hi,the Peterborough city council policy about the Hackney and private hire special about electric cars very expensive drivers already have to pay house mortgage plus electric cars financing is too much all this things straight way effect the family life this one destroys family is well ,please think about	Point 1
Response received: 6/3/22 – Tariq Mahmood	
Points raised	
Thank you for the consultation you have posted. I do not agree with this proposal you have wrote. There needs to be amendments made to this proposal. Such as vehicle age limits and the vehicle conditions as such. I refuse to agree and wish for further consultations from drivers and see what we have proposed. This makes a big impact to the drivers and as such these conditions are not agreeable. Amendments such as co2 emissions emitting from vehicles need to be amended, looking at hybrid vehicles they do not meet requirements you have set out and as such would not be compliant with taxi conditions. Hybrid vehicles are economical to the environment and for the roads, co2 emissions need to be amended and at least a maximum of 120gkm needs to be edited where you have wrote 75gkm. In regards to vehicle age limited diesel vehicles needs to be a maximum of 5 years old to get in to the taxi trade and still remaining with 10 years on the vehicle as long as the vehicle is Euro 6, these diesel vehicles are equipped with ad blue which is economical for the environment. Hybrid, electric vehicles up to 8 years old to be first licensed and to be	Point 1 Point 3

delicensed when they are 15 years old. Private hire vehicle signs need to be made magnetic as vehicle are also used for personal use. The window stickers need to be amended and either need to be removed easily or not be required as taxis get targeted by vandals and get damaged meaning drivers are unable to make their income and have to make expenses to get the vehicle on the road again. I refuse the proposal you have wrote and require above amendments.	Point 6
Response received: 13/3/22 – Mohammad Akhtar	
Points raised	
I am Muhammad Akhtar PH 622. Requesting you regarding new electric cars. Very hard to buy electric cars, Please make easy for us. Hope you understand please find the best and easy way.	Point 1
2 Responses received: 13/3/22, 15/3/22 – Ajaz Hassan	
Points raised	
13/2/22 - MY concern is some taxi driver won't be able buy new taxi if you reduce age less than 10 years because not long ago, we all come out of lockdown and as you know taxi trade was hit Badley people has go on furlough scheme to survive. Some of us have hybrid cars they are zero mission hybrid cars are can stay 10 years I think they are environment friendly diesel one may be less than 10 years. We already go through CRB checks why you making change, you should make extra check for driver who dose school jobs, Bage holder who work with kids. I have been working more than 14 years private hire but this too much you pushing people out of taxi trade making more difficult to Worke how we going to afford to pay expense you puting on all driver.	Point 1 Point 7
15/3/22 - MY concern is some taxi driver won't be able buy new taxi if you reduce age less than 10 years because not long ago, we all come out of lockdown and as you know taxi trade was hit Badley people has go on furlough scheme to survive. Some of us have hybrid cars they are zero mission hybrid cars are can stay 10 years I think they are environment friendly diesel one may be less than 10 years. We already go through CRB checks why you making change, you should make extra check for driver who dose school jobs, School Bage holder who work with kids. I have been working more than 14 years private hire but this too much you pushing people out of taxi trade making more difficult to Work how we going to afford to pay expense you putting on all driver. I am disagree some of the change you are try to make. THANK YOU	
Response received: 14/2/22 – Imtiaz Ahmed	
Points raised	
I am writing to advise that I, Imtiaz Ahmed, hackney carriage 147, badge number 660, vote against the proposal of paragraph 2.27 of the draft policy. My reasoning is in relation to the financial loss suffered due to the covid pandemic. I have and still am suffering serious financial instability. The proposed policy criteria is not feasible or affordable at all. The requirement of this new policy will bring about further financial instability and I am unable to afford a vehicle in relation to the new requirements. I will not be able to pay bills and related responsibilities. I deeply request that my request is considered and taken seriously as the proposed changes under paragraph 2.27 will bring about financial and mental stress.	Point 1
Response received: 15/3/22 – Tahleel Khan	
Points raised	
I would like to raise a few concerns first one being the age limit on vehicles. As you are aware of the current situation with how expensive vehicles have now become it is really difficult for drivers and small companies to purchase 3 year old vehicles. Not only that but fuel prices have also become rocket high.	Point 1
Response received: 15/3/22 – Murad Lodhi	
Points raised	

<p>I am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere. I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.</p> <p>I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years. Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough. I think this decision should exempt existing vehicles and be applied to newer ones. I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment. If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle. I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	Point 1
Response received: 15/3/22 - Munawar Shah	
Points raised	
<p>I have no objections to the age limit for all future licensed vehicles however I am concerned that this would apply to existing vehicles. I purchased my vehicle for a considerable sum knowing that I had 15 years to recuperate on my investment. This would have a effect on me and my family as it would mean that I would need to find the money to purchase another vehicle sooner than I anticipated and also making a loss on my existing vehicle. I hope you take my concerns on board and honour the 15 years on my existing vehicle.</p>	Point 1
Response received: 15/3/22 – Mohammed Jumail on behalf of Peterborough Private Hire Association	
Points raised	
<p>Dear sir/madam I am aware of the regulation regarding the hackney carriage and private hire changes which you would like enforce. Firstly we as a peterborough drivers assosiaction already disagree with most of the changes and have had a meeting regarding this including few hundred drives present at a location which was due to the limitation on number regarding the current corona and venue restrictions.</p> <p>If you look at other councils regarding M.O.T, They have multiple choices regarding to the test centre where a taxi mot can be done at and independent garages and for alot less fees. Where as in Peterborough we are only using the council depot Mot station further more 2 mot's are required if a car is more than 6 years old. With everything going up in prices for example the cost of fuel, bagde fees, mot test fees etc were are not happy at all and we would like to hold a meeting with the taxi enforcement team regarding many other issues. If for instance we are UNABLE to discuss and resolve these matters we will make a more FORMAL approach and can hold a planned strike and take other measures in to consideration. Many thanks. We look forward to a reply.</p>	Point 4
Response received: 15/3/22 – Abid Hussain	
Points raised	
<p>I have received an email regarding the policy about Taxis in peterborough. I am Private Hire Driver and I would request you not reduce the age and mileage of the vehicles because it will affect the ability to buy a vehicle for livelihood. Inflation rate is higher, prices of gas, electricity water bills and groceries gone up. It would put hardship on us if you introduce new proposed policy which I believe requires new cars with less millage to be used for taxi. It might result unemployment because it would make very hard to get a new vehicle. I would be really grateful to you if you introduce a policy which ecomic friendly for drivers at the time of higher inflation rate.</p>	Point 1

Response received: 15/3/22 – Police Superintendent Neil Billany

Points raised

I am the local policing commander for Peterborough and Fenland and have reviewed the proposed revisions.

Between 2015/2016 as an Inspector I led the Metropolitan Police's Taxi and Private Hire Policing Team, a team of 61 police officers investigating sexual offences committed in licenced taxi and private hire vehicles, and vehicles purporting to be a taxi or PHV, and also routine compliance checks on drivers, vehicles and operators. At this time I was the most senior police officer nationally working full time in this area. Through this role I was invited to work with the Department for Transport and I provided evidence to the group that produced the revised national guidance.

I remain a supporter of CCTV in Taxi and Private Hire vehicles, and while noting that this is not mandatory I strongly support wider use of CCTV in licensed vehicles, both for passenger and driver safety.

Another cause for my involvement in this work was the issue with drivers from one licensed area working almost exclusively in another, via app based operators (i.e. Uber, Lyft etc). I do not know the impact of this on Peterborough, so cannot fully comment at this stage, but if for example there is a trend of TfL / Uttlesford licenced drivers (2 significant examples of licensing authorities who license drivers not living / working in their area) working in Peterborough I would ask what regulatory powers Peterborough Council held, and would place on record concern that any expectation for enforcement, or compliance activity, would fall to the police and not the local authority given the regrettable lack of authority for Peterborough to manage drivers not licenced by them.

Response received: 15/3/22 – Pervez Shahid

Points raised

In response to your new consultation about the proposed changes I am writing to oppose all your proposal particularly bringing down the age limit of Vehicles. As you all will be well aware of recent fuel increas and prices war of vehicles. In this time while we just coming out of covid-19 these changes are unnecessary. Hence I am completely against those changes and request you to delay this proposal at least for next 10 years Thanks for your kind consideration

Point 1

Response received: 15/3/22 – Shahzad Ghazan

Points raised

I am not agree with the new policy consultation. I'd like to refuse and reject this policy from being implemented. I'm not happy with this as due to covid and brexit we are being suffered, Vehicles age limited should be amended and so should. Hybrid vehicles do not meet co2 emissions which you are trying to implement and this should be reconsidered. Stickers should be abolished as vehicles are being targets to being robbed and damaged. I'd refuse and reject this proposal being brought in and I'd like this to be taken in to consideration to be changed.

Point 1
Point 3
Point 6

Response received: 16/3/22 – Jaswant Singh

Points raised

I'm not agree with new licensing policy, We all taxi drivers are struggling to feed our families because of covid and now high feul prices personally i need more time to recover from covid so can postpone for few years

Point 1

Response received: 16/3/22 – Habib Ur-Rehman

Points raised

I'am fully aware of the impact combustion powered vehicles have on the environment due to high levels of emitted pollution in the atmosphere. I also have no objection to the measures Peterborough City Council wish to take to reduce these levels.

I would however hoped that the decision makers take into consideration the burden this will have on the taxi drivers including myself who invested in their taxis with the thought that their

Point 1

<p>vehicles will operate for a 15 year period as stated in the licence (a contract) issued by the council which states 15 years. Due to the Coronavirus epidemic we have lost almost two years of trade and high levels of lost earnings, chopping 3 more years of the lives of our vehicles would leave us in a dire financial situation, a decision which would be inconsiderate and unethical while similar age vehicles licensed in neighbouring council work within Peterborough. I think this decision should exempt existing vehicles and be applied to newer ones. I acquired my vehicle for a considerable sum based on the trust I have Peterborough City Council that I had 15 years to recuperate on my investment. If this vehicle age cut is to be implemented this would have an effect on me and my family as it would mean that I would need to finance the purchase of another vehicle sooner than anticipated i would also suffer a loss on my existing vehicle. I wish you take my and other taxi drivers concerns who are in similar situation into consideration and honour the 15 years clause set in the taxi licence for my existing vehicle.</p>	
<p>Response received: 16/3/22 – Amjad Khan</p>	
<p>Points raised</p>	
<p>I'm a private hire owner driver, I own 2014 private hire car and I'm not in a position to buy a new at the moment as time were very tough in covid period also is not fare if you car is already in taxi why should wee have to suffer I'm sure you can understand ower cercomstands</p>	<p>Point 1</p>
<p>Response received: 18/3/22 – Ash Hussain</p>	
<p>Points raised</p>	
<p>We have read the proposed draft licensing policy and we are fully behind the council, we also want to help and improve our environment. We request two changes to me made to the proposals. Firstly the existing licences should be allowed to run to there natural expiry date. New rules should not be applied to these licenses. Secondly due to the hardship that the trade has incurred during the Covid-19 period. Many colleagues have fallen way behind and there quality of life has gone in reverse gear and it has taken them considerable hard work and effort to hold there heads above the water, just as they were getting back to normality, we are faced with new hardships due to the current economic situation. We are facing rising inflation and cost of fuel has reached new highs also the general cost of living spiralling out of control. Therefore we request that these new regulations should be deferred for a couple of years when hopefully things will improve. I reiterate that we fully behind the new proposal but request that the implementation be delayed for as long as possible.</p>	<p>Point 2 Point 1</p>
<p>Response received: 20/3/22 – Shaukat Iqbal</p>	
<p>Points raised</p>	
<p>I'm writing in response regarding to the new policies you have outlined in the consultation process:</p> <ul style="list-style-type: none"> • When a new vehicle passes its first taxi M.O.T test at the. The garage should issue Hackney/Private hire, collecting it from council office can have significant delay for the driver to work. • Private hire sign needs to magnetic so when you are not working overnight you can remove them. Being visible there are more chance having vehicle broken in. • Having driver details in windscreen is a great risk for the car to be broken in by thief as the know this is Private hire. There is safety issue. Customer has enough information to make complain. Most taxi operator are working on computerised system which gives all relevant information of the driver and vehicle to customer. • There should be more than one M.O.T garage. This is monopoly to the M.O.T garage (argon)and some occasion they are fully book, you have to wait two/three weeks. • 2.39 M.O.T for Hackney/Private vehicle are carried out every 6 Months after certain age. Why do we need testing every 4 months? More expense for vehicle owner please be considerate to the driver. 	<p>Point 6 Point 4 Point 8</p>

<ul style="list-style-type: none"> • 2.41 why can't you have a valid M.O.T on the national recognisable database. You should issue a valid M.O.T certificate and Exemption certificate. Sometimes the police stop us because we do not have valid M.O.T certificate on their system. • 2.47 if vehicle has a valid M.O.T why can you not work on it till it runs out. • Lack of communication of Peterborough City Council with the driver when council fees are changed. Driver only founds out when he has to pay. • 3.94 if you give a company/business card to the customer and they ring the office, you should have the right to pick up the customer. • 2.4 In London which is capital city of England their emission limit is 100g/km. Why is Peterborough city council asking for less which is 75g/km or less? council asking for too much. We should be getting support/subsidy from the local council as other councils are supporting their drivers. • Government has a policy to cut carbon emission level by 2030. Why do Peterborough city council want to change earlier (2024)? • Safeguarding and county line courses are new. I suggest safeguarding course is taken when you make School transport badge. How often do we have to take these courses and what is the cost? <p>Age limit of Hackney(15 years)/Private hire(10yrs). hire is to be decreased in your new proposal. This is not fair o on the driver. This will put more burden on us to buy new vehicle for taxi. Vehicles are 30%-40% more expensive the pre pandemic. Age limit should be left same as before.</p>	<p>Point 3</p> <p>Point 7</p> <p>Point 1</p>
<p>Response received: 22/3/22 – Ghulam Shabir</p>	
<p>Points raised</p>	
<p>I am Hackney Carriage 34 I would like to make a request to keep the same Hackney carriage policy as before because at the moment Hackney carriage trade is going down because due to the competition off the private hire trade and Hackney carriage trade repsentives ho have not repsented this trade in the right manner for example we just put are fare prices up after about 12 years wich I made request for so at the moment we are moving in the right direction so please give us your support and time so that things can get better for Hackney carriage trade in the future due to the emission side of the trade if you take strong action right now we will lose about 15 to 20 cabs and that could rely damage this trade so I look forward to you making Sansable desation</p>	<p>Point 1</p> <p>Point 3</p>
<p>Response received: 22/3/22 – Mohammed Qadir</p>	
<p>Points raised</p>	
<p>I would like to say that I am against the age limit being reduced for current vehicles as it will have a extremely negative effect to the drivers their families and other dependents, as the current lifespan of the hackney carriage vehicles is 15 years, but due to the pandemic we have lost 2 years of that lifespan as we have been earning next to nothing , and if it is reduced again by 3 years then we will only have a lifespan of just 10 years ,which is not morally correct and we will get back on our investment, it will put drivers into extreme hardship due to the increasing cost of living, the cost of energy for households is going up by at least 50% ,the cost of water by Anglian water is also increasing, along with fuel prices and most likely increases in the council tax, cost of living across the board is increasing every other week, in some other unitary authorities the council has added a year or two years on taxi life to make up for the loss of earnings due to the pandemic, I think the taxi should have grandfather rights to any new proposals</p>	<p>Point 1</p>
<p>Response received: 22/3/22 – Mohammed Jahangeer</p>	
<p>Points raised</p>	
<p>Yes I would like to make a comment on the draft policy. When the below decision was approved in 2019 did the council put any budget forward to support their decision. Does the council have a revised plan how this was going to be achieved and was this discussed to the general public and taxi drivers. Making wrong decisions by councils will force taxi drivers to leave as it's not affordable leaving the Peterborough City Council with shortages of vehicles.</p>	<p>Point 1</p>

<p>This will have a devastating effect on schools, hospital staff, disability people and the general public. I would like to advise the honourable council If a driver purchases a five year old vehicle at £14k which then expires after 7 years then the drivers will be forced to look elsewhere for a career. The question which I would like ask is what's the maximum age in larger cities who are perhaps 5 times bigger than us, so I made some enquiries on the City of Leeds and received the following response. City of Leeds give 7 year expiry on vehicles and a 3 year extension, although we do encourage drivers to move to the electric vehicle's by 2030. So the question I ask is why are the Peterborough City Council making changes which make no sense as well as putting all the expenses on the taxi drivers.</p>	
<p>Response received: 23/3/22 – Mohammad Aslam</p>	
<p>Points raised</p>	
<p>I am emailing regarding the decision you are about to make for the hackney carriage age limit. I would like to take this opportunity to give you a broader view of the situation we are in, from the point of view of a hackney carriage driver. Firstly, I would like to speak about the railway station rank. The railway badge is very expensive, meaning you cannot think about working there. The charges are extortionate at Peterborough. The badge holder has to pay £1500 a year and before covid it was £1900, considering the rest of country was paying £600 a year. Working on this station is like you are working for whoever is issuing the badges. Secondly, the bus station rank. You, the Council, have bent your sub law to give permission to a private hire company. In result, the bus station rank is abandoned by the hackney carriage drivers because the work is taken by the private taxi firm. Thirdly, the Westgate rank. You, the Council, have bent your sub byelaw and rewarded permission to yet another private taxi firm next to the westgate rank. This means that the work from westgate rank will disappear over a few years time and we will lose another rank. Fourthly, the Tesco rank. The recent gas works displays how concerned you are about hackney carriage - we were left without a rank. Tesco is changing its status from matro to express, limiting its varity. The high prices are deferring customers to shop elsewhere, meaning we will lose work. The passport office has moved to keys park. The city market is being closed and the other buildings have been converted into accommodations. This will take away our work. And now you are reducing age limit! From all of this, it shows your lack of commitment to look after our interest. I do not see a future for hackney carraige in Peterborough. You have developed outskirts of the city and with shops closing in Queensgate, the work is based outside of Peterborough.Thank you. I hope you take the above into consideration.</p>	<p>Point 1</p>
<p>Response received: 23/3/22 – Waheed Iqbal</p>	
<p>Points raised</p>	
<p>Can I please complete my 15 Years on this cab as I have recently purchase this for the amount of £7000 and I can't at the moment afford to buy another cab.</p>	<p>Point 1</p>
<p>Response received: 24/3/22 – Zameer Ali on behalf of Peterborough Private Hire Association</p>	
<p>Points raised</p>	
<p>On behalf of the Peterborough Private Hire Association and to which we represent over 700+ current licence holders. The Association has reached out to the all the Private Hire Operators. We would like to object to a number of amendments to the Hackney Carriage and Private Hire Licensing policy.</p> <p>1.37 The conditions set by this council require both hackney carriages and private hire vehicles to display the licence plate on the rear of the vehicle. A hackney carriage vehicle is required to display a white plate and a private hire vehicle must display a yellow plate, unless exempted. All licensed vehicles are required to display a sign identifying the vehicle licence number in the top left-hand side of the windscreen, unless exempted private hire. Due to recent stints of targeted Private hire vehicle robberies, our members have concerns. This signage for all licensed vehicles are required to display a sign identifying the vehicle licence number in the top left-hand side of the windscreen, unless exempted private hire. Being permanently affixed to vehicles making our members a target to further robberies. These vehicles are also used for private, social and domestic purposes and so should not be</p>	<p>Point 6</p>

subject to a permanent signage. Private hire vehicles being used for private, social and domestic use should cover their private hire plate but you cannot cover this signage. We have no objection to the signage but the permanency of them. We would want them to be a wallet plate, giving our member the option of removing them when they are not working, when they are using 'their' vehicles for private, social and domestic purposes. Please see the example below;



2.24 Private hire vehicles must display on the rear passenger doors in a prominent location, permanently affixed (not magnetic) door signage. This signage must state 'Private hire vehicle – insurance invalid unless pre-booked with operator'.

Once again, due to recent stint of targeted Private hire vehicle robberies, our members have concerns. This signage must state 'Private hire vehicle – insurance invalid unless pre-booked with operator' being permanently affixed to vehicle making our member a target to further robberies. These vehicles are also used for private, social and domestic purposes and so should not be subject to a permanent signage. Private hire vehicles being used for private, social and domestic should cover their private hire plate but you cannot cover this signage. We have no objection to the signage but the permanency of them. We would want them to be magnetised, giving our member the option of removing them when they are not working, when they are using 'their' vehicles for private, social and domestic purposes.

2.27 Therefore there are various age restrictions and testing requirements applicable for vehicles it will licence. There are conditions regarding the maximum age a vehicle will be initially licensed, the age at which six monthly tests are required, and the age at which a vehicle will be de-licensed, and they are different for private hire, hackney carriages, speciality and limousine vehicles and by fuel type and vehicle emissions.

Our industry in general has made significant investments into purchasing greener vehicles. We have moved with the times and made changes where we have been able to. From Euro 6 and ad-blue vehicles to hybrid and electric. You will find a lot of vehicles that have been introduced to the industry and licenced in the precipitations that they were greener. Even most of the hybrids licenced at the current moment don't meet the requirements of ULEV. Every driver/operator before investing in a vehicle would have checked the longevity of that vehicle. The decision would have been made on the precipitation that these vehicles would be licenced for at least 10 years, which is the current policy.

Proposed changes would affect a massive amount of our members and operators who have adhered to your policy and made significate investments. We propose the vehicles that are already in the industry given the right to finish their 10 years tender. (Grandfather rights). For the vehicle already licenced

Point 3

Point 1

Vehicles which are Petrol, Diesel (and other non ULEV or ZEV)	Hackney carriage	Private hire
Maximum age at time of first being licensed		5 years old
Maximum age limit beyond which the vehicle will not be licensed		10 years old
Age at which the vehicle will be subject to six monthly inspections		8 years old
Age at which the vehicle will be Subject to Critical testing criteria		8 years old

As you see from the table above, we would like 5 years unlimited for PHV's. This will allow PHD's to purchase vehicles that are more affordable but only to the maximum age limit of 10 years but only up to 2030 which ever come first.

Covid 19 has hit the industry in an unprecedented way to which we have never known before. There has been a massive decrease to drivers income for the last 2 years and is also set to continue. This has impacted drivers ability to invest in newer vehicles. Allowing vehicles to be introduced at maximum of 5 years unlimited mileage will give the industry some breathing space to recover. We would like this to be taken into consideration. This will allow the PCC to adhere to the 2030 target without impacting as much.

Driver/Operators which provide specialised converted mobility vehicles.

The Drivers/Operators that provide tail lift vehicles to the disability community, whether it's to the schools' transport, local doctor surgeries/hospitals/nursing homes etc, have strong concerns:

- Capacity of the vehicle on the market.
- Range (miles).
- Expense of replacing
- Charging points/infrastructure.
- Repair and Maintenance due to lack of specialised engineers
- Cost of maintenance.
- Conversion cost (tracks, tail lifts).

We have had Drivers/Operators say they will not be replacing these types of vehicles due to the expense alone.

Has there been a study on how these changes will impact different communities?

The impact to Drivers/Operators ability to invest in new vehicles of these specific type will be directly affected by the introduction of ulev/zev.

The market has **NOT** caught up to what is required. In simple terms, we as an industry would not be able to provide these services to this sector of the mobility community whether it is schools transport or to the elderly moving around the city.

Once again allowing petrol/diesel vehicles to be introduced at maximum of 5 years unlimited mileage will give the industry time to adapt. Giving time to the manufactures to also catch up and giving enough time for the infrastructure to be in place for a seamless transition.

Covid 19 impacted

Covid 19 has hit the industry in unprecedented ways to which we have never known before. There has been a massive decrease in the number of fares as large sectors of the country were closed down. The effects to drivers/operator income have been devastating for the last 2 years and is also set to continue. We as an industry who are key workers have lost drivers to Covid but have continued to work throughout with increased expenses due to covid such as sanitisers, masks, screens etc

Covid has directly impacted drivers and operator ability to invest in newer vehicles. ULEV and ZEV are even more expensive. Allowing petrol/diesel vehicles to be introduced at maximum of 5 years unlimited mileage but only to the maximum age limit of 10 years but only up to 2030 which ever come first, this will give the industry some recovery time to recoup some of the losses sustained by Covid. This will allow Drivers/Operators to purchase vehicles that are more affordable.

We would request you to take these points into consideration. This will allow the PCC to adhere to the 2030 target without impacting as much.

2.43 The appointed vehicle testing station is Aragon, based at Nursery Lane, Fengate, Peterborough PE1 5BG. All fees payable for vehicle testing must be paid directly to Aragon.

Any complaints regarding vehicle testing should be made directly to Aragon.

Aragon is an independent company which is owned by the PPC. Other VOSA approved MOT station could and should able to do the more "stringent" and "enhanced" test. Why does an independent company like Aragon have exclusive rights or monopoly on the sector of the industry?

Should this not adhere to competition law.

Only having one testing station for over 1400 licensed vehicles to be tested is ridiculous.

Drivers are frustrated with not being able to book a test due to capacity issues, lack of staff or covid. This would need to change.

We would like to request the 6-month check to be given out to VOSA approved MOT stations, which would alleviate the pressure on Aragon but still have the yearly test at Nursery Lane.

Section 5

Point 5

Point 4

Point 7

<p>Safeguarding We agree with safeguarding and county line training for the drivers and operators. We would want this to be in-house with the operates. As the drivers find it difficult to understand, what is required of them. Our private hire community speak multiple different languages. We would want the best result for the subject. We would also request for Licencing to work with School transport so one course covers both departments.</p>	
Response received: 24/3/22 – Hussain Muhammad	
<p>Points raised</p>	
<p>I'm one of your driver & very thankful to the Peterborough city council for giving chance to the individual drivers to give their opinions. I'm not really happy & will not be agreed with few things going to be changed as vehicles age limits should be stayed same as before & also there shouldn't be any miles restriction for the 5 years old vehicle & the limit should be stayed 10 years for the private hire diesel cars, there are few more things that the drivers are concerned but I've just highlighted couple of them,many thanks</p>	Point 1
Response received: 25/3/22 – Mehboob Riaz	
<p>Points raised</p>	
<p>I am writing to say that I say sorry first to late reply back I put my opinion according to your new decision for future for more clean and better atmosphere and control pollution its good for if u do it this in future but if u do it know its put more finicial burden to everyone I do request to the council we been in hard time in covid more than year and stuck other circumstances so I do deeply request to council please give us a our full limit time for vehicle we already have on the road because we need a time to arrange for another vehicle. Many thanks for kindly to Peterborough City Council</p>	Point 1

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Department
for Transport

Statutory Taxi & Private Hire Vehicle Standards

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1. Introduction

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

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

Terminology

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

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

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

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

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

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

3. Administering the Licensing Regime

Licensing policies

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

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

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

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

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

Duration of licences

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

Whistleblowing

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

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

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

Consultation at the local level

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

Changing licensing policy and requirements

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

4. Gathering and Sharing Information

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

The Disclosure and Barring Service

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

The Disclosure and Barring Service Update Service

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

Common Law Police Disclosure

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

Licensee self-reporting

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

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

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

Referrals to the Disclosure and Barring Service and the Police

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

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

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

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

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

Working with the Police

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

Sharing licensing information with other licensing authorities

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

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

Multi-agency Safeguarding Hub (MASH)

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

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

Complaints against licensees

4.29 Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence. **All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.** Such a system will help authorities to build a fuller picture of the potential risks an individual may pose and may tip the 'balance of probabilities' assessment that licensing authorities must take.

4.30 Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.

4.31 To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles. This is likely to result in additional work for the licensing authority but has the advantage of ensuring consistency in the handling of complaints. Currently, it is more likely that a complaint against a taxi driver would be made directly to the licensing authority whereas a complaint against a private hire vehicle driver is more likely to be made to the operator. An effective partnership in which operators can share concerns regarding drivers is also encouraged.

4.32 Importantly, this approach will assist in the directing of complaints and information regarding the behaviour of drivers who may be carrying a passenger outside of the area in which the driver is licensed to the authority that issued the licence. In order for this to be effective licensing authorities must ensure that drivers are aware of a requirement to display information on how to complain and take appropriate sanctions against those that do not comply with this requirement.

4.33 In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an 'independent witness' to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.12.

Overseas convictions

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

5. Decision Making

Administration of the licensing framework

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

Training decision makers

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

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

The regulatory structure

5.6 It is recommended that councils operate with a Regulatory Committee or Board that is convened at periodic intervals to determine licensing matters, with individual cases being considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board. This model is similar to that frequently adopted in relation to other licensing matters. To facilitate the effective discharge of the functions, less contentious matters can be delegated to appropriately authorised council officers via a transparent scheme of delegation.

5.7 It is considered that this approach also ensures the appropriate level of separation between decision makers and those that investigate complaints against licensees, and is the most effective method in allowing the discharge of the functions in accordance with the general principles referred to in 5.4. In particular, the Committee/Board model allows for:

- Each case to be considered on its own merits. It is rare for the same councillors to be involved in frequent hearings – therefore the councillors involved in the decision making process will have less knowledge of previous decisions and therefore are less likely to be influenced by them. Oversight and scrutiny can be provided in relation to the licensing service generally, which can provide independent and impartial oversight of the way that the functions are being discharged within the authority.
- Clear separation between investigator and the decision maker – this demonstrates independence, and ensures that senior officers can attempt to resolve disputes in relation to service actions without the perception that this involvement will affect their judgement in relation to decisions made at a later date.

5.8 Avoidance of bias or even the appearance of bias is vital to ensuring good decisions are made and instilling and/or maintaining confidence in the licensing regime by passengers and licensees.

5.9 Unlike officers, elected members are not usually involved in the day to day operation of the service and as such do not have relationships with licence holders that may give the impression that the discharge of a function is affected by the relationship between the decision maker and the licence holder.

5.10 Some licensing authorities may decide to operate a system whereby all matters are delegated to a panel of officers; however, this approach is not recommended and caution should be exercised. Decisions must be, and be seen to be, made objectively, avoiding any bias. In addition, it may be more difficult to demonstrate compliance with the principles referred to above due to the close

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

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

Fit and proper test

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

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

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

Criminal convictions and rehabilitation

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

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

6. Driver Licensing

Criminality checks for drivers

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

Safeguarding awareness

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

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

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

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

‘County lines’ exploitation

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

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

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

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

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

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

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

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

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

Language proficiency

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

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

7. Vehicle Licensing

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

Criminality checks for vehicle proprietors

7.2 Enhanced DBS and barred list checks are not available for vehicle licensing. **Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.

7.3 However, it is important that authorities acknowledge that in many cases individuals that license a vehicle may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking to licence a vehicle to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately.

7.4 A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

7.5 Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the ‘fit and proper’ test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.

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

In-vehicle visual and audio recording – CCTV

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

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

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

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

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

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

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

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

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

Stretched Limousines

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

8. Private Hire Vehicle Operator Licensing

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

Criminality checks for private hire vehicle operators

8.2 Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. **Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the 'fit and proper' threshold.

8.3 However, it is important that authorities acknowledge that in many cases individuals that license as a private hire vehicle operator may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking a private hire vehicle operator licence to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately

8.4 Refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence; this decision must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

8.5 A private hire vehicle operator licence may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective

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

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

Booking and dispatch staff

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

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

Record keeping

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

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

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

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

Use of passenger carrying vehicles (PCV) licensed drivers

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

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

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

9. Enforcing the Licensing Regime

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

Joint authorisation of enforcement officers

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

Setting expectations and monitoring

9.3 Licensing authorities should ensure that drivers are aware of the policies that they must adhere and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.

9.4 The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity (see paragraphs 4.29 - 4.33). This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Suspension and revocation of driver licences

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

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

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

9.6 Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. [Guidance for licensing authorities](#) to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.

9.7 Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.

9.8 A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.

9.9 New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.

9.10 A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

Annex – Assessment of Previous Convictions

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

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

Crimes resulting in death

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

Exploitation

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

Offences involving violence against the person

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

Possession of a weapon

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

Sexual offences

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

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

Dishonesty

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

Drugs

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

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

Discrimination

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

Motoring convictions

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

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

Drink driving/driving under the influence of drugs

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

Using a hand-held device whilst driving

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

Annex – Disclosure and Barring Service information

Table 1: Information included in criminal record checks

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

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

Annex – CCTV Guidance

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

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

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

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

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

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

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

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

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

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

Annex - Staying Safe: Guidance for Passengers

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

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

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

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

When using a private hire vehicle, passengers should always:

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

When using a taxi, passengers should where possible:

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



Peterborough City Council

Hackney Carriage and Private Hire Licensing Policy

June 2022

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Definitions

The Council	Means Peterborough City Council
The Licensing Authority	Means the licensing function within Peterborough City Council
The Controlled District	Boundary area of a local authority which has adopted the provisions of the 1976 Act
The Licensing Committee	Is the committee which determine licensing matters as set out in the council's constitution
Authorised Council Officer	A council officer who is authorised by the council to exercise powers and duties conferred by legislation
This Policy	Is this policy document and appendices
Applicant	Is a person or business who has submitted an application for either a grant or renewal of a licence
Licensed Vehicle	Is a vehicle which is licensed under the 1847 Act as a hackney carriage or licensed under the 1976 Act as a private hire vehicle
Proprietor	Is the registered owner or part owner of a vehicle
Taximeter	Is the device used for calculating the fare to be charged for the journey by measuring distance travelled plus any time waiting. Fitted in all hackney carriage vehicles and some private hire vehicles
Fare Card	Is a card which must be displayed in vehicles that are fitted with a taximeter which indicates the maximum authorised fare to be charged for distance travelled, waiting time and soilage charge and the licence plate number
The Licence Plate	The plate which licensed vehicles must display which shows the licence number, the maximum amount of persons to be carried, expiry date, vehicle registration number, and make and colour of vehicle
Date of First Registration	Means the date shown as the date of first registration on the vehicle's V5 logbook issued by DVLA
Driving licence	A full GB driving licence issued by DVLA or acceptable equivalent as defined by DVLA
Licensed Driver	A driver licensed under the 1847 Act to drive a hackney carriage vehicle or under the 1976 Act to drive a private hire vehicle.
Badge	Issued to all licensed drivers and must be worn when working as a licensed driver
Operator	The business which invites and accepts bookings for private hire work
Private Hire Vehicle	A vehicle licensed under the 1976 Act
Private Hire Door Stickers	Door stickers which must be permanently affixed to the rear doors of private hire vehicles which display 'Private Hire vehicle – Insurance invalid unless pre-booked with an operator'
Hackney Carriage Vehicle	A vehicle licensed under the 1847 Act commonly referred to as a taxi
DVLA	Is the Driver and Vehicle Licensing Agency
DfT	Is the Department for Transport
DVSA	Driver and Vehicle Standards Agency (which replaced VOSA in 2014)
The Equality Act	Means the Equality Act 2010
Assistance Dog	Is a dog which is trained to assist people with disabilities to help them with their day to day life
Conditions	Mean the conditions of licence applied by the council to either a driver's licence, an operator's licence or a vehicle licence.
The 1847 Act	The Town and Police Clauses Act 1847 and the provisions within
The 1976 Act	The Local Government (Miscellaneous Provisions) Act 1976 and the provisions within
Road Traffic Acts	Including all associated legislation
PSV	Means Public Service Vehicle
WAV	Wheelchair Accessible Vehicle
Byelaws	Locally adopted 'conditions' applicable to hackney carriage drivers

Key Facts about Peterborough and District

Peterborough is a modern and progressive city with a strong historical character that makes it a stimulating environment in which to live, work and visit.

In the 2011 Census, Peterborough had a population of approximately 183,000, with an approximate population of 203,600 in 2018. Compared to neighbouring districts and for the East of England and England as a whole, ONS estimates show that Peterborough has seen the strongest growth in population between 2011 and 2018 of 9%. The wider sub-region, in which Peterborough is the economic centre, has a population of approximately 6,201,210 people in 2018 in the East of England region.

Neighbouring districts that look towards Peterborough as a key economic centre include Fenland, Huntingdonshire, South Holland, South Kesteven, East Northamptonshire and Rutland.

Today, Peterborough is one of the fastest growing cities in the country with a vibrant private sector delivering record job growth in recent years. The city enjoys an unrivalled strategic location in the East of England. It is only 45 minutes from central London and within striking distance of the region's other great cities being well served as it is by airports, rail and road links.

The city owes much of its increasing fortunes in recent years to a city council that focuses on three key areas for its people – prosperity, education and quality of life.

Peterborough continues to invest in regeneration, infrastructure and accessibility, with projects within the city centre and the outskirts. This creates a vibrant mix of activities and premises catering for a multi-cultural city, offering a wide range of facilities to residents and visitors.

There are over 1330 licensed drivers, approximately 112 licensed hackney carriage vehicles (taxis), and over 849 licensed private hire vehicles and 69 operators.

Peterborough city council recognise the vital and important role that hackney carriage and private hire vehicles, drivers and operators play in an integrated transport system. They provide services in situations where other forms of transport are either not available such as rural areas, late night economy or for persons with mobility difficulties.

On the 24th of July 2019, at a meeting of Peterborough City Council's Full Council, members unanimously declared a climate emergency and agreed to make the Council's activities net-zero carbon by 2030. The motion commits the Council to achieve 100 percent clean energy across its buildings and services by 2030 and ensuring that **all** strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero-carbon across the entire city by 2030.

The council's strategic priorities are:

- Drive growth, regeneration and economic development
- Improve educational attainment and skills
- Safeguard vulnerable children and adults
- Implement the Environment capital agenda
- Support Peterborough's culture and leisure trust Vivacity
- Keep all our communities safe, cohesive and healthy
- Achieve the best health and wellbeing for the city

SECTION 1

1. Introduction

Policy Purpose, Status and Scope

- 1.1 The purpose of this policy is to provide guidance and information regarding the general approach taken by Peterborough City Council, when administering its functions within the legislative framework of the 1847 and 1976 Acts. It has traditionally exercised these responsibilities through a number of sets of conditions, byelaws, guidelines and procedures which have been developed and adopted over the years. It is widely considered best practice to create a unified policy that brings together all of these procedures and documents in one overarching policy.
- 1.2 This policy does not override the legal requirements embodied in any primary or secondary legislation in force at the time of adoption or as may be enacted after the adoption of this policy. Where there are any subsequent changes made to the applicable legislation, or its interpretation by the courts that conflict with this policy, the conflicting elements shall not apply and will be amended at the earliest opportunity.
- 1.3 The legislation places a duty on the council as the licensing authority for licensing hackney carriage and private hire vehicles, drivers of those vehicles and operators of those vehicles. The licensing authority understands the importance and responsibility it has in ensuring that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that drivers are fit and proper to undertake the role. This policy and the imposition of conditions found in the appendix documents are considered appropriate to address all these aspects.
- 1.4 The primary focus when administering its functions are public safety, safeguarding and wellbeing.
- 1.5 In exercising its discretion in carrying out regulatory functions, the council will have regard to this policy and appendices, statutory guidance and best practice.
- 1.6 In formulating this policy, consideration has been given to local circumstances and requirements, the DfT best practice guidance March 2010, the DfT Statutory Taxi & Private Hire Vehicle Standards Guidance (July 2020) issued under section 177(1) of the Policing and Crime Act 2017, and IoL Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades (April 2018).
- 1.7 Every decision, application and enforcement action will be considered on its own merits.
- 1.8 The council may depart from this policy if merited, but will provide clear and compelling reasons for doing so.
- 1.9 This policy is not a comprehensive statement of the law, applicants should always obtain their own legal advice if they are unsure of the requirements of legislation.
- 1.10 It must be noted that vehicles and drivers licensed by different local authorities can be used for private hire purposes within this district. These vehicles and drivers are not subject to compliance with the conditions applied by this authority. But must still comply with their own local authority conditions and the general law.

Consultation and Revision

- 1.11 The council consulted with stakeholders prior to the adoption of this policy, and will do so for the further continuation and development of the policy.
- 1.12 This policy and appendices will be kept under review and revised as appropriate and in any event, not less than every five years. The council expects licence holders to comply with its terms and conditions.

- 1.13 The council will keep the policy and appendices under review and will consult where appropriate on proposed revisions. Appendices and sections of the policy may be updated and amended by the licensing committee after consultation without the whole policy being consulted upon.
- 1.14 The initial policy took effect on 26 July 2017, when it was adopted by Full Council, therefore it must be subject to review and consultation prior to July 2022.
- 1.15 The consultation took place between Friday 28 January 2022 to Friday 25 March 2022, with those listed in paragraph 1.17. All consultation responses will be given due consideration when determining the final policy.
- 1.16 The consultation draft policy will be made freely available on the council's website and main council buildings. There will be a public notice in the local newspaper advising of the consultation and period.
- 1.17 Consultation takes place with the following:
- Peterborough Hackney Carriage Representatives
 - Taxi and private hire drivers and proprietors
 - Peterborough private hire operators
 - Peterborough City Council Councillors
 - Parish Councillors
 - Passenger Transport
 - Local Children's Safeguarding
 - Police Chief Constable
 - Peterborough Chamber of Commerce
 - Groups representing disabled people
 - Campaign for Better Transport
 - Neighbouring Licensing (Local) Authorities
 - General public

(And other bodies and groups that the Licensing Authority consider appropriate)

- 1.18 The Licensing Committee will fully consider all responses to the consultation at a meeting on 7 July 2022, then recommend to full council at a meeting TBA to adopt the amended policy. Where the adoption of this policy results in a process change, this will be implemented at the earliest opportunity.

The Licensing Regime – General overview

- 1.19 The primary legislation applicable is the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Vehicles used for hire and reward which accommodate a maximum of up to eight passengers, drivers of those vehicles and operators of private hire vehicles are regulated by the above legislation. Vehicles which accommodate more than eight passengers are classed as Public Service Vehicles (PSV) and are not covered by the legislation or this policy. The council has no involvement in the licensing of PSV's, they are the responsibility of The Traffic Commissioner.
- 1.20 Any person who carries out hire and reward work without the correct licences, would be breaking the law and therefore would not have valid insurance. This can have serious consequences for all parties involved, if an accident or incident occurs.
- 1.21 In order to be licensed correctly the licenses must 'match', i.e. issued by the same local authority. A hackney carriage vehicle and the driver must be licensed by the same local authority. For private hire, the operator, driver and vehicle must be licensed by the same authority. This does not prohibit the operator subcontracting a booking to another operator licensed by a different local authority.
- 1.22 The legislation places a duty on the local authority to only licence those who are considered to be 'fit and proper'. The term 'fit and proper' is not defined in legislation therefore the widest interpretation will apply.

- 1.23 The legislation allows local authorities to set their own conditions, requirements and application processes. Which means that each local authority's requirements and conditions are different. However the DfT Statutory Guidance (issued under section 177(1) of the Policing and Crime Act 2017) to which licensing authorities must have due regard, aims to set minimum standards to directly address safeguarding of the public.
- 1.24 The aim of the legislation is to ensure that the public have reasonable access to these services and to ensure the public are protected. Public safety is paramount and has a wide scope, it includes public safeguarding, protecting vulnerable persons and public wellbeing. To achieve the aim of the legislation and having due regard to the guidance issued by the Secretary of State, Peterborough City Council have set conditions and processes in place, which promote well run, safe and responsible businesses.

Applicant and Licence holders responsibilities

- 1.25 Other general law is also applicable such as the Road Traffic Act, Health and Safety at Work Act, the Health Act, the Equality Act etc. This is not a definitive list and not all applicable legislation is enforced or regulated by the council. Peterborough City Council expects licence holders to ensure that they keep up to date and comply with all applicable legislation pertaining to their roles.
- 1.26 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.
- 1.27 All renewal applications must be submitted to the Council prior to the date of expiry of the existing licence. If a licence holder fails to submit a fully complete application to renew before the date of expiry of the licence, they will be required to apply as a new application and meet all the requirements. The Council will only consider a late renewal in exceptional cases R (on the application of Exeter City Council) v Sandle [2011] LLR480, in which case the renewal date will be from the date of expiry of the previous licence. The Council will accept licence renewals from 28 days before the date of expiry.
- 1.28 Licence holders must ensure that they are correctly registered with HMRC for tax purposes. From April 2022, licence applications for drivers (hackney carriage and private hire) and operators licenses will be subject to the requirements of the Finance Act 2021. The Licensing Authority is legally required to share information with HMRC and cannot consider a renewal application, until confirmation from HMRC has been obtained that applicant(s) are correctly registered for tax purposes.
- 1.29 In order to assist the determination of an applicant's 'fit and proper' status, all applicants are required to provide a valid DBS check. The level of DBS required is determined by the type of application. Operators and Proprietors (who are not also licensed drivers) will be required to provide an annual basic disclosure. All licensed drivers must provide an Enhanced DBS and barred lists check, maintain continuous registration with the DBS update service and authorise the licensing authority to routinely check for new information.
- 1.30 As the DBS cannot access criminal records held overseas, all applicants who have spent an extended period (six months or more) living or working outside the UK since they were 18 years of age, will be required to submit a 'Certificate of Good Character' or criminal record(s) information, for each Country they lived or worked in for six months or more. Further information on applying for overseas criminal record information or 'Certificates of Good Character' can be found in the Home Office guidance. (see link below)
- <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

- 1.31 All licence holders must notify the licensing department within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence, including speeding offences.

Role of Hackney Carriage and Private Hire Trade and the difference between them

- 1.32 The council recognises the importance of hackney carriage and private hire vehicles, drivers, proprietors and operators. They play an essential role in the provision of local transport for those who have difficulty getting about on public transport, those enjoying the night time economy, taking children to school etc., and are vital in helping to maintain a healthy local economy. They can often be the first contact for a visitor to the local area.
- 1.33 Whilst the general public do not always know the difference between a hackney carriage and a private hire vehicle, and often refer to both as taxis, there are significant distinctions in law, on how they are allowed to operate. However, both have equal importance.
- 1.34 Within the district in which a hackney carriage vehicle (and driver) are licensed, they are available for immediate hiring, they can be hailed (or flagged) in the street, can wait on a rank and be approached directly by a member of the public i.e. 'ply for hire' in public places. They are not required to be booked via an operator. They must display a fare card within the vehicle which shows the current maximum fares to be charged as set by the local authority. In law, these are allowed to be called 'taxis' or 'cabs', and are sometimes also referred to as Black or London Cabs. Hackney carriages licensed by another local authority who operate within this district cannot ply for hire or wait on ranks. They may however be used for private hire purposes, i.e. carry out pre-booked journeys.
- 1.35 A private hire vehicle is not allowed to accept direct bookings from the public. They can only accept bookings from a licensed operator, they cannot operate independently, i.e. without a licensed operator. They cannot be hailed in the street or wait on ranks. If a private hire driver accepts a fare which has not been pre-booked through a licensed operator, they are committing an offence and potentially driving without valid insurance. The fares charged are not regulated by the authority, but must be agreed with the operator at the time of booking. Although, within district, where a private hire vehicle has a taximeter fitted, the fare charged cannot be more than would be charged by the taximeter fare. They are not allowed to use the term 'taxi' or 'cab' but may be called 'minicabs'.
- 1.36 In determining if a vehicle is being used for private hire purposes and needs to be licensed, the council will have regard to the guidance issued by DfT. See link below.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/3985/phv-licensing-guidance.pdf
- 1.37 The conditions set by this council require both hackney carriages and private hire vehicles to display the licence plate on the rear of the vehicle. A hackney carriage vehicle is required to display a white plate and a private hire vehicle must display a yellow plate, unless exempted. All licensed vehicles are required to display a sign identifying the vehicle licence number in the top left hand side of the windscreen, unless exempted private hire.

The Cambridgeshire & Peterborough Local Transport Plan

- 1.38 In developing this policy due regard has been given to the Cambridgeshire & Peterborough Local Transport Plan to ensure consistency and development for a sustainable future. The council encourages the uptake of electric and ultra-low emission private hire vehicles and taxis where possible. Electric charging points have been installed in various locations and development of these is ongoing.
- 1.39 Peterborough do not have a set limit for hackney carriage vehicles, this ensures that taxis and private hire vehicles are readily available for passengers in Peterborough. The conditions set by this council are aimed to ensure licensing standards result in a high level of service and that vehicles offer a safe and comfortable journey.

- 1.40 Training for all new drivers is in place. All new applicants must pass the taxi competency course provided by Peterborough Regional College and any other training as prescribed by the licensing authority in relation to disability awareness, safeguarding and County Lines.
- 1.41 The licensing department have regular contact with hackney carriage representatives to support the improvement and development of taxi ranks.
- 1.42 Further information on the local transport plan can be found on the council website. See link below <https://cambridgeshirepeterborough-ca.gov.uk/wp-content/uploads/documents/transport/local-transport-plan/LTP.pdf>

Passenger Transport

- 1.43 To become an approved operator for children's transport, please call the Passenger Transport Team on 01733 747474

Information sharing

- 1.44 The council works in partnership with many other enforcement agencies such as the Police, HM Revenue and Customs, the Home Office, DVSA, Department of Work and Pensions, NAFN NR3, benefit fraud etc. The council will share information with other departments or regulatory bodies including other Licensing Authorities where appropriate. The council is legally required to provide information if requested, pursuant to a criminal offence, or to detect fraud, or immigration offences.
- 1.45 The legislation also requires local authorities to maintain a public register.
- 1.46 The council will work with neighbouring authorities and report to them any relevant matters that relate to their licence holders.

Decision making

- 1.47 Each application and enforcement action will be determined on its own merits. Determination of applications will be made in accordance with this policy, the council's constitution, statutory guidance, common law precedent and industry best practice. Officers have delegated powers, but may also refer certain matters to the licensing committee if appropriate.
- 1.48 Enforcement actions will be in accordance with this policy, the council's enforcement policy and the Regulators' Code 2014.
- 1.49 Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that the imposition of a condition is unfair, may appeal to the magistrate's court within 21 days of being given the decision. Except in the case of a refusal to grant a Hackney Carriage proprietors (vehicle) licence, in which case the appeal is directly to Crown Court.

Immigration Act – all licences

- 1.50 The council has a statutory obligation to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licenses will be undertaken in accordance with the requirements of the Immigration Act 2016 with due regard to Home Office guidance.
- 1.51 The council takes this responsibility seriously and has checks in place to ensure compliance with the Act, and will liaise where required with relevant Home Office departments. If however, a licence has been issued incorrectly for whatever reason, the licence ceases to have effect if the person does not have the right to work in the UK. Any licence which has expired due to the person's immigration status must be returned to the council within 7 days.
- 1.52 A licence may be suspended or revoked or refused to be renewed if, since the grant of the licence

there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.

- 1.53 Proprietors and operators also have an obligation to ensure that they only utilise persons who have the right to work in the UK. Failure to observe this obligation, or to provide due diligence checks, will be subject to enforcement action by the appropriate Home Office department, which may result in a civil penalty or imprisonment and loss of licence.

Policing And Crime Act 2017

- 1.54 The council will give full regard to the guidance issued by the Secretary of State regarding the protection of children, and vulnerable individuals who are 18 or over, from harm. The revised policy includes amendments in line with the DfT Statutory Taxi & Private Hire vehicle Standards July 2020. If any future changes to the guidance affect any parts of this policy or related appendices they will be amended at the earliest opportunity.
- 1.55 The Statutory guidance recommends adoption of several best practice minimum standards, in order to better protect children and vulnerable adults and by extension, the wider public, when using taxis and private hire vehicles. Some of these best practices were already in place, however, the following are now also incorporated;
- Mandatory requirement for licensed drivers to maintain subscription to the DBS update service and allow the licensing authority to make enquiry checks with DBS
 - Annual basic DBS disclosure requirement for proprietors and operators, who are not also licensed drivers
 - Checking and reporting to NAFN NR3 (see Appendix M)
 - Mandatory safeguarding training, including county lines, for all licensed drivers and operators.
 - Requirement for all licence holders to notify the licensing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.
 - Requirement for all applicants who since the age of 18, have spent an extended period (i.e. six months or more) outside the UK, to provide a Certificate of Good Character or criminal record(s) information.
 - Revisions to the Guidelines Relating to the Relevance of Convictions
 - Operators to maintain a register of staff, have sight of a basic DBS for staff on the register and provide a copy of their policy on employing ex-offenders.

SECTION 2

2 General provisions for hackney carriages and private hire vehicles

Vehicles General

- 2.1 Peterborough city council has not set a limit for the amount of hackney carriage vehicles it will licence. There is no provision for the council to limit the amount of private hire vehicles it licences.
- 2.2 Proprietors (who are not also licensed drivers) must provide a basic DBS disclosure with their application and annual renewal. Where the proprietor of the vehicle is a company or partnership, a basic DBS will be required for all directors, partners, secretary, etc. and any other persons with significant control. Proprietors who have not resided continuously in the UK since they were 18 years old, i.e. have spent an extended period (six or more continuous months) outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable.
- 2.3 The maximum duration of a vehicle licence is one year, this is a requirement of legislation. However, a vehicle licence can be renewed up to the age at which it will be de-licensed as specified in the relevant appendices.
- 2.4 If a renewal application has not been received at the end of the vehicle's licensed period, the vehicle cannot be used for hire and reward purposes. Any vehicle which has not renewed before the expiry

of the licence, will be classed as de-licensed, and will be required to apply as a new vehicle and meet the required age and specification criteria for a new vehicle. Exceptions may be made, in exceptional circumstances (see paragraph 1.27).

- 2.5 An application for a vehicle renewal must be submitted to the Licensing Authority, prior to the expiry of the existing licence and prior to having the vehicle tested. The appointed testing station will not release a renewal plate, unless a fully complete vehicle renewal application (including fee), has been confirmed as received and determined by the Licensing Authority.
- 2.6 It is the responsibility of the vehicle owner to ensure that renewal applications, paperwork and mechanical tests are carried out in a timely manner to avoid the unnecessary burden of a vehicle being de-licensed.
- 2.7 Once a vehicle is licensed as either a private hire vehicle or a hackney carriage vehicle it remains a licensed vehicle until it is de-licensed. This means that these vehicles can only be driven by licensed drivers. The only exception to this is where an applicant is undertaking a test, or the vehicle is being tested e.g. driven by a garage mechanic.
- 2.8 Therefore any other person who is not a licensed driver themselves, are not permitted to drive licensed vehicles, even when the vehicle is considered 'off duty'. Any insurance policy which provides insurance for a licensed vehicle to an unlicensed person, is likely to be invalid and in any case, will not be accepted by the Licensing Authority. Insurance policies are usually invalid if the insured is knowingly breaking the law by driving the vehicle.
- 2.9 Vehicles which accommodate more than 8 passengers cannot be licensed as a hackney carriage or private hire vehicle.
- 2.10 The council has set conditions applicable to the testing requirements, internal and external specifications, of the vehicles it will licence. These can be found on the appendices attached, Appendix C for private hire vehicles and Appendix A for hackney carriage vehicles. There is a separate set of conditions applicable for Limousine and speciality vehicles, licensed as private hire vehicles, which can be found at Appendix F. These appendices also provide detail on vehicle specification, design, vehicle age limits, types of vehicles etc. that may be licensed.
- 2.11 This authority does not allow 'duel plating' of licensed vehicles. No vehicle will be granted a licence if it is licensed in another district. Any vehicle found to be licensed by another authority will have the licence suspended or revoked.
- 2.12 The council has set these conditions as the minimum standards to ensure that the public travel in safe, comfortable and roadworthy vehicles. All vehicles must also conform to the M1 type approval and construction and use regulations. Vehicles which are not M1 type approved, (e.g. N1) must provide VIVA (Voluntary Individual Vehicle Approval) documentation confirming conformity and safety of alterations and updated V5C to correlate.
- 2.13 Whilst each application will be determined on its own merits, it is unlikely that the council would licence a vehicle which did not meet the licensing standards and specifications. Where a vehicle proprietor wishes to licence a vehicle which did not meet the specifications and standards, they are encouraged instead to put forward a case for modification of the standards.
- 2.14 All vehicles must provide adequate heating and ventilation systems for the driver and passengers. Passengers must be able to operate the windows independently.
- 2.15 All expired plates must be returned to the council or retained by the appointed testing station upon renewal.
- 2.16 All licensed vehicles must comply with the requirements of the Health Act 2006 and display a no smoking sign. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time. For the avoidance of doubt, the council also forbids the smoking of electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers

Appearance

- 2.17 Vehicles must be safe, comfortable, the passenger compartments must be clean and dry including upholstery, without rips or tears or sharp protrusions. Proprietors, drivers and operators must ensure that the vehicles they utilise, meet the expectations of this council and the travelling public.
- 2.18 The exterior of the vehicle must be reasonably clean to ensure that passengers can get in and out of the vehicle without fear of getting their clothing dirty with dust, oil, mud and other road debris. Drivers are also reminded to ensure that the licence plate and registration plate remain clean and visible.
- 2.19 Any vehicle damage that materially affects the safety, performance, appearance, or the comfort of the passenger must not be used for hire and reward purposes, until the vehicle has been suitably repaired.
- 2.20 All licensed vehicles must display the licence plate on the outside at the rear of the vehicle, unless it is a private hire vehicle and has been granted a plate exemption certificate.
- 2.21 The licence plate must be securely fixed to the outside of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised council officer or police officer.
- 2.22 All licensed vehicles (except private hire vehicles which have been granted a plate exemption certificate) must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council should the licence be suspended or revoked.
- 2.23 The council will not permit any advertising which it considers inappropriate, therefore all advertising, (except for the operator name and telephone number), on or in vehicles must be approved prior to being placed on or in the vehicle.
- 2.24 Private hire vehicles must display on the rear passenger doors in a prominent location, permanently affixed (not magnetic) door signage. This signage must state 'Private hire vehicle – insurance invalid unless pre-booked with operator'.
- 2.25 All signage relating to hire and reward (including door signage, company insignia etc.) must be removed from the vehicle, whenever it is sold or transferred outside Peterborough's licensed trade, or delicensed.

Age policy

- 2.26 The council must ensure that the vehicles it licenses are fit and safe for the purpose they are licensed for, with consideration to reliability, environmental impacts, passenger comfort, and the need to sustain a high quality of licensed vehicles.
- 2.27 Therefore there are various age restrictions and testing requirements applicable for vehicles it will licence. There are conditions regarding the maximum age a vehicle will be initially licensed, the age at which six monthly tests are required, and the age at which a vehicle will be de-licensed, and they are different for private hire, hackney carriages, speciality and limousine vehicles and by fuel type and vehicle emissions.

The table and information provided below is a guide, but please refer to the appropriate appendices attached.

Petrol or Diesel vehicles licensed prior to 26 July 2022 have acquired (Grandfather) rights as set out below

Petrol or Diesel	Hackney carriage	Private hire
Maximum age limit beyond which the vehicle will not be licensed	15 years old or until 31/12/2029 (whichever is soonest)	10 years old or until 31/12/2029 (whichever is soonest)
Age at which the vehicle will be subject to six monthly inspections	6 years old	6 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old	8 years old

Petrol or Diesel vehicles which are initially licensed on or after 26 July 2022 (and other non ULEV or ZEV) are subject the restrictions below.

Petrol or Diesel New 26/7/22	Hackney carriage	Private hire
Maximum age at time of first being licensed	3 years old	4 years old
Maximum age limit beyond which the vehicle will not be licensed	12 years old or until 31/12/2029 (whichever is soonest)	9 years old or until 31/12/2029 (whichever is soonest)
Age at which the vehicle will be subject to six monthly inspections	6 years old	6 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old	8 years old

ALL Vehicles (both Hackney Carriage and Private Hire) that are ULEV (Ultra-Low Emission) or ZEV (Zero Emission) will be subject to the following age restriction criteria:

	ULEV	ZEV
Maximum age at time of first being licensed	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a Hybrid or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 105g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

It is the Council's ambition that at the next policy review in December 2024, all newly licensed vehicles will need to be either Zero or Ultra-low emission.

Insurance

- 2.28 It is the responsibility of proprietors, operators and drivers to ensure that they are properly insured at all times. Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid an inadvertent criminal offence.
- 2.29 Applications for new or renewal of a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver for hire and reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is maintained at all times. It is considered best practice for proprietors and or drivers to keep copies of expired insurance policies for a reasonable period of time in case of any retrospective claims.
- 2.30 Insurance policies for a licensed vehicle which contain named drivers who are not also licensed drivers, will not be accepted. (see paragraph 2.8)

Safety equipment

- 2.31 All licensed vehicles must have a suitable and efficient fire extinguisher and first aid kit containing appropriate first aid dressings and appliances. Such equipment must be in date and carried in such a position in the vehicle as to be readily available and visible for immediate use in an emergency.

CCTV in licensed vehicles

- 2.32 The installation of CCTV in licensed vehicles can be both a deterrent to would-be troublemakers and be a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents. If fitted correctly, it can assist the police and insurance companies with their investigations.
- 2.33 The installation of CCTV in licensed vehicles is not imposed as a condition. Whilst the council understands the benefits to the trade, as well as to passengers, and encourages its use in licensed vehicles, it is left to the judgement of the proprietors, drivers and operators to determine.
- 2.34 Where drivers, proprietors and operators have considered it appropriate to install CCTV in their vehicles as a safeguarding measure, they must notify the council prior to installation. They must be registered with the ICO and comply with all aspects of data protection and CCTV codes of practice. Further information can be found on the following link [.https://ico.org.uk/](https://ico.org.uk/)
- 2.35 CCTV must be professionally installed to ensure no interference with other equipment, in such a manner that it does not increase the risk of injury or discomfort to the driver and passengers, or affect any other safety system or in any way breach the motor vehicle construction and use regulations. It must be regularly checked and maintained, be openly overt and the vehicle must display the required signage.
- 2.36 CCTV must not be used to record conversations of the travelling public as it is highly intrusive. Some systems have a driver panic button which if activated does record sound, this should only be used in extreme circumstances, such as in response to a threat of physical violence.

Maintenance of vehicles

- 2.37 It is expected by the council and the travelling public, that all vehicles over three years old are serviced in accordance with the manufacturer's requirements or at least annually. Licensed vehicles have high usage and mileage and it is in the public interest, as well as the drivers, to ensure that vehicles are properly maintained.
- 2.38 Maintenance is a key factor with any vehicle and it's good practice for all commercial vehicles to be part of a planned preventative maintenance programme, where all vehicles are routinely serviced to

ensure safety and quality. The council expects this level of commitment from drivers and operators. It should be noted that the 12 monthly and 6 monthly tests carried out by the testing centre, is to confirm a level of safety and quality, rather than highlight to the driver what maintenance needs to be carried out.

- 2.39 Vehicles which present to the councils appointed testing station with multiple faults on multiple occasions which demonstrate that the vehicle is not being appropriately maintained, may be subject to 3 mechanical tests annually (every 4 months) to ensure public safety.

Vehicle testing

- 2.40 The law requires all vehicles to have a yearly MOT test. However, as licensed vehicles provide a service to the public and have more usage, wear and tear, it is appropriate to subject these vehicles to a more stringent and enhanced test than the standard MOT test. Prior to licensing any vehicle, it must have passed this enhanced test at the council's appointed testing station.
- 2.41 Once a vehicle has passed this enhanced test and provided all required documentation, the council will issue a Certificate of Compliance (CoC), which stands in place of an MOT certificate. An MOT certificate will not be issued, this means that the vehicle will not show as having a valid MOT on the national recognised database.
- 2.42 If licence holders wish to obtain an MOT in addition to the CoC test, they may do so. But will still be subject to the CoC testing requirements and frequency of testing, at the council's appointed testing centre, as detailed in this policy and appendices attached.
- 2.43 The appointed vehicle testing station is Aragon, based at Nursery Lane, Fengate, Peterborough PE1 5BG. All fees payable for vehicle testing must be paid directly to Aragon. Any complaints regarding vehicle testing should be made directly to Aragon.
- 2.44 The council considers it appropriate to require all vehicles of a certain age, to be subject to a six monthly vehicle test at the appointed testing station. This is to ensure that, as the vehicle gets older, it still meets the required standards applied by this council, and the law regarding vehicle emissions.
- 2.45 Vehicles must be presented for vehicle testing at the appointed testing station. Proprietors and or drivers, must book these appointments themselves directly with Aragon. They must make sure that they organise the tests sufficiently in advance to ensure that the vehicle remains compliant with the vehicle testing requirements set out in the conditions (i.e. yearly or six monthly).
- 2.46 It is an offence to use on a public road a vehicle of testable age that does not have a current certificate of compliance, except when:
- Taking it away from the testing station after it has failed the test
 - Taking it to or bringing it away from a place where by previous arrangement repairs are to be or have been made to remedy the defects for which the vehicle was failed
 - Taking it to the testing station for a test booked in advance.
- Even in the above circumstances you may still be prosecuted for driving an unroadworthy vehicle if it does not comply with the various regulations affecting its construction and use.
- 2.47 Vehicles which have failed the vehicle test must not be used for hire and reward work, until the vehicle has been re-presented to the testing station and been passed as fit for use and is licensed.

Accidents

- 2.48 Any accident that causes damage which materially affects the safety, performance, appearance, or the comfort or convenience of the persons carried therein, must be reported to the council as soon as reasonably practicable, and in any case within 72 hours. Failure to report an accident within the given timeframe is an offence.
- 2.49 The driver involved in the accident must provide details to the licensing department of how, where

and when the accident occurred. The damage to the vehicle must be assessed by an officer, where the vehicle is not capable of being driven, photos must be taken and given to the licensing department with the vehicle's licence plate and a vehicle suspension notice will be issued.

- 2.50 Drivers, proprietors and operators are advised that the council may be contacted by insurance companies to verify an accident damage report and details provided.
- 2.51 Vehicles which have sustained damage may apply for a temporary replacement vehicle whilst the vehicle is being repaired. The replacement vehicle will carry the same licence number as the damaged vehicle, therefore the licence plate for the damaged vehicle must be given back in order for the temporary plate to be released. Replacement vehicles must first be passed as fit for service by the council's appointed testing station and must meet all the other requirements and standards applicable. There is a separate application form and fee payable for this service and the reinstatement of the plate.

Taximeters

- 2.52 All hackney carriages licensed by this authority are required to have a working taximeter fitted in the vehicle, some private hire vehicles are also fitted with a taximeter. Where a taximeter is fitted, it must be calendar controlled, must not be set at a higher fare than the current maximum fare as agreed by the council. The taximeter must be sealed by a person authorised by the authority.
- 2.53 Within district, if a vehicle is fitted with a taximeter it must be used when conveying passengers, the fare demanded cannot be more than that shown on the taximeter. If a fare has been quoted and agreed and is less than the fare shown on the taximeter, the quoted lesser fare must be charged. (The current fare card is attached at Appendix J)

Transfer of ownership of the vehicle

- 2.54 If a proprietor wishes to transfer ownership of a licensed vehicle, they must complete the required application, providing full details of the new owner of the vehicle as soon as practically possible, and in any case within 14 days. A proprietor who fails to give such notice, without reasonable excuse, is guilty of an offence.

Accessibility of vehicles

- 2.55 An accessible public transport system where people with disabilities have the same opportunities to travel as other members of society is the aim of this council. The council expects that proprietors, drivers and operators give full consideration to the service they provide to ensure they provide service to all members of society without discrimination.
- 2.56 The council is committed to social inclusion and ensuring a wide variety of opportunity is available to all residents to enjoy a high quality of life. It is recognised that making door to door journeys easily and on-demand is crucial to social inclusion for disabled people.
- 2.57 All hackney carriages licensed by this council are designated for the purposes of section 165 of the Equality Act 2010, wheelchair accessible vehicles (WAV) and appear on the maintained list under section 167 of the 2010 Act. This is to ensure that people with disabilities are able to hire the vehicle on the spot with the minimum delay or inconvenience.
- 2.58 Private hire vehicles which meet the criteria (ability to carry a passenger in their wheelchair) will be designated and added to the 167 published list. Exemptions will be considered on a case by case basis.
- 2.59 Drivers of designated vehicles are required to perform duties to assist passengers and must not refuse or charge disabled persons more than a non-wheelchair user for the same journey.
- 2.60 Section 165 of the Act sets out the duties placed on drivers of designated wheelchair vehicles. The duties are:

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

The Act then goes on to define mobility assistance as assistance:

- To enable the passenger to get into or out of the vehicle;
- If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- To load the passengers luggage into or out of the vehicle;
- If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

- 2.61 Drivers of designated vehicles (who are not exempt) who fail to comply with the section 165 requirements will be committing an offence which will be taken particularly seriously.
- 2.62 All licensed drivers must ensure that no extra charges are applied for conveying persons with disabilities.
- 2.63 All licensed vehicles must convey assistance dogs for no additional charge. It is a breach of the Equality Act to refuse to carry an assistance dog, unless the driver has applied for and been issued an exemption certificate. (Further information on exemption certificates and notices can be found in section 3.75 to 3.80)
- 2.64 The council encourages all private hire operators to include wheelchair accessible vehicles amongst their fleet and to ensure that no additional costs are levied by them or their drivers, for conveying disabled passengers or assistance dogs.
- 2.65 Private hire vehicles fitted with a tail lift for wheelchairs, must provide a valid LOLER (Lifting Operations Lifting Equipment Regulations) certificate of compliance to prove that the tail lift has been tested and checked to the required standards and must be retested every six months as per HSE (Health and Safety Executive) requirements.

Funeral and wedding vehicles

- 2.66 There is no requirement for a vehicle to be licensed as a private hire if it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a funeral director for the purpose of funerals.
- 2.67 There is no requirement for a vehicle to be licensed as a private hire while it is being used in connection with a wedding.

Speciality Vehicles and Limousines

- 2.68 Limousine and speciality vehicles are generally used for special occasions such as anniversaries, stag and hen parties, prom nights, etc. and may be vintage, specialist, or stretched vehicles.
- 2.69 Limousine and speciality vehicles used for the purpose of hire and reward are required to be licensed as private hire vehicles and all bookings must be made via a licensed operator.
- 2.70 These are specialist types of vehicles with their own set of conditions, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these specialist conditions, then these specialist conditions shall prevail. The conditions can be found at Appendix F.
- 2.71 The council strongly recommends that anyone wishing to purchase and licence a speciality vehicle or limousine, contacts the licensing team prior to purchase, to ensure that the vehicle will meet the

conditions applied. Each application will be determined on its own merits.

Critical failure

- 2.72 The council has an essential testing criteria for vehicles which have reached a certain age. The essential testing criteria are items which the council considers to be critical areas of a vehicle test, e.g. steering and suspension, brakes, exhaust emissions etc. This is considered a major failure and can indicate that regular preventative maintenance has not been carried out, or if it has, it has not been effective. See Appendix H for testing criteria for vehicles which have reached the standard age limit.
- 2.73 If a vehicle fails a mechanical test on one or more of these critical items the vehicle will be automatically suspended and the vehicle must not be used. The vehicle may be repaired and re-presented to the testing station within 30 days for retesting. If the vehicle passes the mechanical test within 30 days the suspension notice will be lifted and the vehicle may be relicensed.
- 2.74 If the vehicle does not pass the mechanical test within 30 days it will be de-licensed.
- 2.75 Vehicle emissions are tested and checked on mechanical inspections. Vehicles will only pass the mechanical inspection, if the vehicle emissions continue to meet the defined criteria as set out in the V5 vehicle registration log book.

Private hire exemption to display licence plate etc.

- 2.76 The council recognises that there is a specialist market for the use of unmarked hire and reward vehicles. For example, executives who wish to give the appearance of using a chauffeur driven car, or who require an unmarked vehicle for security reasons. Such customers will expect these vehicles to be prestige high specification vehicles and will also expect the driver to be smartly dressed either as a chauffeur or in a business suit with collared shirt and tie.
- 2.77 The ability to exempt a vehicle from displaying the licence plate only applies to private hire vehicles, it does not extend to hackney carriages which must display their plates at all times.
- 2.78 Prestige high specification private hire vehicles which carry out contract work such as executive bookings etc. may apply for an exemption certificate, which exempts that vehicle from the requirement to display the vehicle licence number in the windscreen, Part 1 and Part 2 notice, the licence plate and door signage. It also exempts the licensed driver from wearing his badge, however the driver must carry his badge with him so that it is immediately available. The vehicle will still be issued with a licence plate, which must be affixed within the boot of the vehicle. Insurance which covers the driver and vehicle for hire and reward purposes must still be maintained.
- 2.79 Vehicles which have been issued with an exemption certificate must not be used for general daily private hire work. Exempted vehicles found to be carrying out standard private hire work will be subject to enforcement action and the exemption certificate may be revoked.
- 2.80 Exempted vehicles must not display any advertisements, signage, logos, or insignias advertising the operating company inside or outside the vehicle.
- 2.81 Operators and proprietors who wish to apply for an exemption certificate must complete the application form, pay the required fee and provide sufficient supporting documentation to establish the vehicle will be solely used for executive bookings. Where issued, an exemption certificate renewal date will coincide with the renewal of the private hire vehicle licence.
- 2.82 There are extra conditions applicable to exempted vehicles, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these extra conditions, then these extra conditions shall prevail. The extra conditions can be found at Appendix I.
- 2.83 If an exemption certificate has been issued and the vehicle will no longer be utilised solely for

executive type bookings, the certificate must be surrendered and returned to the council. If the vehicle is still licensed, it must then display the vehicle licence number in the windscreen, Part 1 and Part 2 notice, the plate and door stickers as required by the conditions for private hire vehicles.

Required information to be displayed inside all licensed vehicles – Part 1 and Part 2 notice

- 2.84 Members of the public who have cause for concern, or who wish to complain about a journey in a licensed vehicle, will need some information about the driver or vehicle which conveyed them in order to progress their complaint or report their concern.
- 2.85 Whilst licensed vehicles display their licence plate which contains identifying details, these are displayed on the outside of the vehicle. Members of the public do not routinely get the information off the licence plate prior to getting into a licensed vehicle. If they have a problematic journey, they may attempt to get the information, but this can be difficult if it is late at night or the vehicle quickly drives away.
- 2.86 Also, whilst licensed drivers are required to wear their licence badge, which contains their information, a passenger may feel it too confrontational to request to see the driver's badge, especially if they have had a difficult journey.
- 2.87 In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, the council has determined that certain information must be displayed inside all licensed vehicles, (except for exempted (executive) private hire vehicles) in the form of a Part 1 and Part 2 notice.
- 2.88 A Part 1 notice must contain the following information and must be displayed in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle;
- the proprietor of the vehicle,
 - the telephone number where a customer can make a complaint, report a concern, or comment positively e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - the vehicle registration number, and
 - the vehicle licence plate number.
- 2.89 A Part 2 notice must be displayed alongside the Part 1 notice and must contain a photograph of the driver of the vehicle and the driver's licence number in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle. See Appendix L
- 2.90 By requiring the display of a Part 1 and Part 2 notice inside all licensed vehicles, the customer is fully empowered to easily report issues or concerns. It will also assist proprietors and operators to quickly identify the vehicle and driver utilised in order to address the complaint or concern reported.

SECTION 3

3. General provisions for hackney carriage and private hire drivers

Drivers general

- 3.1 The council can only licence drivers that it considers are 'fit and proper' to hold a licence, and that the applicant is not disqualified by reason of their immigration status. There is no definition or general test that determines whether or not a driver is deemed 'fit and proper' to hold a licence. It is a matter of judgement for the licensing authority in order to assess any risks or concerns, taking into consideration such matters as the applicant's integrity, honesty and previous character. Previous convictions and cautions are taken into account as well as other information.
- 3.2 Therefore the council will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be, or remain licensed.

- 3.3 Applicants and existing licence holders are required to share information held about them by various bodies, such as DVLA, the police, medical information, right to work, immigration status, etc. The council can request any information it deems may be relevant to determine their fit and proper status. This may include checking a driver's prior history with this or any other council, use of NR3, using intelligence from the police or any other regulatory authority as appears relevant.
- 3.4 In order to be eligible to apply to be a licensed driver, an applicant must have held a valid full GB driving licence (or equivalent as defined by DVLA) for a minimum of 12 months. Therefore the minimum age a person could be eligible to apply is 18 years old. There is no maximum age, so long as the applicant still meets the full criteria.
- 3.5 In order to be a licensed driver an applicant must:
- Submit a signed completed application form with fee,
 - Provide a tax check code (required from 4 April 2022),
 - Provide proof of right to work in the UK,
 - Complete and pass the taxi competency course provided by Peterborough Regional College,
 - Provide a satisfactory enhanced DBS with barred list check and sign up and maintain registration with DBS update,
 - Provide a DVLA check,
 - Provide group 2 medical report,
 - Provide a recent passport type photo,
 - Undertake and pass the approved Safeguarding training, and
 - Pass the driving assessment test.
- 3.6 All new and renewal driver (and operator) applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing drivers and operators will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Licensed drivers are required to attend refresher training every three years and provide proof of pass attendance with their renewal application.
- 3.7 Drivers licenses are generally issued for a three year duration. They may be issued for a lesser period if appropriate, e.g. the applicant's right to work is of a shorter or limited duration. They may also be renewed, however, if a licensed driver fails to renew prior to the date of expiry of the existing licence, they will be required to apply as a new driver and meet all the requirements. Exceptions may be made in exceptional circumstances. (see paragraph 1.27)
- 3.8 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all **new** driver applicants are required to confirm that they have read and understood HMRC's published guidance in relation to their tax obligations.
- 3.9 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all driver applicants seeking to **renew** their licence are required to complete a HMRC tax check to confirm that the individual or company has been appropriately registered for tax and that the income from the licensed activity has been reported on a tax return. This is also a requirement for any driver licensed with another licensing authority that is seeking to be licensed with Peterborough City Council. The Licensing Authority must receive confirmation that the applicant has completed a tax check before they are able to make a determination on any application.
- 3.10 It is the responsibility of the driver to ensure they apply for their renewal with all relevant supporting original documentation in good time to avoid any unnecessary burden.
- 3.11 It is important that drivers notify the council within 48 hours, of any significant changes which occur after their licence has been granted. Such as change of name or address, or email address or telephone number, change of immigration status, changes in their physical or mental health which may affect their driving ability, all convictions, cautions or arrests, DVLA penalty points etc. or any other matter which may question their fit and proper status,

- 3.12 All licensed drivers are required to wear their drivers badge whilst working as a licensed driver. Failure to comply is an offence under the 1976 Act and local byelaws. Drivers are reminded that the driver's badge remains the property of Peterborough City Council, all expired, surrendered or revoked badges must be returned to the council.
- 3.13 This council issues two types of licences for drivers, a hackney carriage driver licence and a private hire driver licence. The driving assessment test for hackney carriage drivers is more rigorous. Therefore a hackney carriage driver may drive a private hire vehicle, but a private hire driver cannot drive a hackney carriage vehicle.
- 3.14 Private hire drivers may apply to become hackney carriage drivers, they will need to submit the required application and fee and pass the enhanced test.

Suitability of driver

- 3.15 Licensed drivers will come into contact with vulnerable people, drivers are expected to assist passengers with luggage, shopping etc., they will be driving for prolonged periods of time, and will have access to sensitive information, therefore the council must fully assess an applicant's suitability prior to and after issuing a licence.
- 3.16 Consideration of suitability includes character and patterns of behaviour and are not limited to incidents which occur whilst the driver is 'on duty'. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk, will also be taken into account when assessing their fit and proper status. For new applications, the onus is on the applicant to satisfy the council that they are 'fit and proper'.
- 3.17 The council requires applicants to fulfil certain criteria to ensure that the public are protected and drivers are able to provide the service which is expected of them.
- 3.18 Applicants will be required to undertake and provide an Enhanced DBS (Disclosure and Barring Service) with barred list check and a medical health check to the DVLA group 2 standard, and share information held by DVLA and other licensing authorities upon new and renewal applications.
- 3.19 Applicants for new and renewals, who fail to report or declare an offence, or other relevant matter, will be taken particularly seriously. As it deliberately prevents the authority from taking into account that information in protecting public safety. It also shows a blatant breach of conditions and will go toward consideration of suitability and their fit and proper status.

Application process

- 3.20 Applicants must fully complete an application and provide the relevant paperwork required and fee. Where supporting documentation is required to be submitted, only the original document will be accepted, not photocopies or photographs of the original. Applicants who deliberately fail to declare or who make false statements on the application form or during the application process, may be subject to legal action if it constitutes fraud.
- 3.21 Applicants must be able to prove their immigration status and that they have a right to work in the UK.
- 3.22 New applicants must complete and pass the Taxi Competency Course delivered by Peterborough Regional College and prescribed Safeguarding and County-Lines training.
- 3.23 Applicants who have criminal convictions, may submit an enquiry with the enhanced DBS and barred list check for consideration, prior to taking the college course, medical check and driving assessment test. The convictions and cautions will be assessed and the applicant will be provided with an indicative decision. This does not prohibit the applicant from submitting a full application for a formal determination.

- 3.24 When an applicant has fulfilled all the application criteria, they will be required to take a driving assessment test, to assess driving ability, safety, control of the vehicle, awareness of controls within the vehicle, and local Knowledge, without the use of satellite navigation equipment.

Convictions, cautions and related matters

- 3.25 In considering fit and proper, the council will take into consideration any prior convictions and cautions. Therefore, all applicants are required to undertake and submit an Enhanced DBS with barred list check. This check will detail all criminal convictions and cautions including those that are spent, and other relevant matters which may be held by the police about them. It does not prove an applicant's right to work.
- 3.26 The council uses an external provider called GB Group (First Advantage) to process the DBS certificates. Applicants are responsible for completing these checks and must register and apply online via the GB Group (First Advantage) website. After registering and completing the online process, applicants are required to print off the completed form and take it to a post office with the relevant identification and original documentation required. Applicants are also responsible for the payment of the appropriate fee in order to complete the issuing of the DBS certificate. DBS certificates must be no older than 3 months at the time of application.
- 3.27 All licensed drivers are required to maintain continuous registration with the DBS update service and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance and where there is reasonable cause for doing so.
- 3.28 Due to the type of work performed by licensed drivers, they do not fall under the Rehabilitation of Offenders Act. This means that what would be considered as spent, under the Rehabilitation of Offenders Act, are still taken into consideration when determining applications for licensed drivers.
- 3.29 Where convictions or cautions appear on a DBS, it is not the place of the council to go behind the existence or reason of that conviction. Whilst mitigating circumstances may have applied at the time of the conviction, the council cannot re-try the conviction. Depending on the offence committed, applicants may be able to demonstrate that it was a 'one off', they acted out of character, so is unlikely to be repeated. Each application will be determined on its own merits.
- 3.30 Applicants who have not resided continuously in the UK since they were 18 years old, i.e. have spent an extended period (six or more continuous months) living or working outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable, in addition to the Enhanced DBS certificate.
- 3.31 The existence of a criminal conviction or caution does not necessarily preclude an applicant from obtaining a driver's licence. Conversely, the absence of any convictions or cautions does not mean that an applicant will be licensed. Each application will be determined on its own merits.
- 3.32 The National Anti-Fraud Network has developed a national register of taxi and private hire driver licence refusals and revocations known as NR3. The licensing authority provides information to NR3, a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire drivers licence revoked, or an application refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority, that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or private hire driver licence.
- 3.33 It is a mandatory part of applying for or renewing a hackney carriage or private hire driver licence to disclose information on applications made and licences granted, refused or revoked by another authority. All applicants will have their details checked against the register, and any relevant information taken into account in assessing the application. Where an application is refused, or where a licence is granted but subsequently revoked, this information will be entered into the register. Further information is contained in the policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3) attached at Appendix M

- 3.34 Further information is contained in the guidelines relating to the relevance of convictions / cautions in relation to taxi licensing attached at Appendix G.
- 3.35 Whilst each application is determined on its own merits, some offences are of such a serious nature that it is unlikely that a licence would be issued. Such as crimes resulting in death, exploitation and indecency offences relating to sexual assault or rape.
- 3.36 Under Common Law Police Disclosure (CLPD) the police can share information regarding a licensed driver even before conviction if there is a 'pressing social need'. This ensures that where there is a public protection risk, the police will pass information onto a regulator body to allow swift actions to mitigate any serious safeguarding risk. The CLPD replaced the Notifiable Occupation Scheme which was withdrawn in March 2015.
- 3.37 It is a requirement for licensed drivers to notify the licensing department of any cautions, convictions, arrests, immigration offences, road traffic offences such as speeding, or any other relevant matters criminal or civil, which may question their fit and proper status, that occur during or after the licence has been issued. In such circumstances, licensed drivers must notify the licensing department within 48 hours of an arrest and release, charge or conviction.
- 3.38 If it comes to the attention of the council that a licensed driver has failed to notify the council of relevant matters which occur during or after the licence has been issued, it will be taken particularly seriously. It shows a propensity towards dishonesty and questions the fit and proper status of the licence holder.

DVLA

- 3.39 As driving is the predominant aspect of a licensed driver, the council needs to consider if applicants hold a valid driving licence and if the licence holder has been issued any penalty points.
- 3.40 As the paper counterpart of the driving licence was abolished in June 2015, applicants and licensed drivers will be required to share information held about them by DVLA via an online process.
- 3.41 Applicants and licensed drivers are required to register online with the DVLA share my licence portal, and provide the access code to the council with their application and upon request. The access code will provide the council with information regarding penalty points etc. As the access code is only valid for a limited duration, drivers may be contacted and requested to provide another code, to enable progression of their application.
- 3.42 As the DVLA share my licence portal can only check driving licenses issued in Great Britain (England, Wales and Scotland) applicants who hold an acceptable equivalent driving licence, (as defined by DVLA) will need to convert it to a GB driving licence prior to application.
- 3.43 Consideration of penalty points and driving offences will be made in accordance with the guidelines relating to the relevance of convictions / cautions in relation to taxi licensing which can be found at Appendix G

Medical Requirements

- 3.44 It is essential that licensed drivers are in good health as they are expected to carry passengers' luggage, will drive on the road for longer periods than most car drivers, and may need to assist disabled passengers. The council must be satisfied that the drivers it licenses are sufficiently fit to undertake the tasks expected of them.
- 3.45 Being a licensed driver is a demanding role, safe driving requires the involvement of vision, hearing, attention, concentration, perception, good reaction time, judgement, coordination, muscle power and control etc. Therefore various body systems need to be functional for safe driving.
- 3.46 Due to the length of time an occupational driver (hackney carriage and private hire) spends at the

wheel, it is appropriate to have more stringent medical checks and standards than those applicable to normal car drivers.

- 3.47 The DVLA, The Royal Society of Medicine and the DfT recommend and consider it best practice for licensed drivers (hackney carriage and private hire) to be subject to the DVLA group 2 medical requirements. The DVLA group 2 medical is a recognised national standard developed by DVLA for bus and lorry drivers.
- 3.48 To ensure that public safety is protected, the council has chosen to adopt this best practice and require all applicants to obtain and submit a group 2 medical report with their application for new and renewals.
- 3.49 Therefore applicants are required to undergo a medical examination by a registered general practitioner and submit the doctor's group 2 medical report with their application, to enable the council to consider their fitness to hold a licence.
- 3.50 The group 2 medical assessment must be completed by a doctor registered and licensed to practice in the UK or registered within the EU. If the applicant's own doctor completes the medical assessment it may speed up the application, as they already have full access to their medical records.
- 3.51 A group 2 medical report must be submitted with all new applications and every three years upon renewal and then annually thereafter when the applicant reaches 65 years old. Applicants must pay any fees to the registered medical practitioner for completing the medical and report. The medical assessment must be no older than four months at the time of submission with the relevant application.
- 3.52 Applicants must arrange and book these appointments themselves and provide photographic proof of identity to the registered medical practitioner. If the registered practitioner is unable to complete the vision assessment section of the medical, the applicant must arrange for an optician or optometrist to complete this part.
- 3.53 Licensed drivers must notify the council and their medical practitioner of any deterioration in their physical or mental health which may affect their ability to drive or complete their tasks as a licensed driver. The council expects licensed drivers to be responsible and to not continue to drive following any deterioration in their health, or any health problems which could endanger the lives of the general public.
- 3.54 If a licensed driver is involved in an accident in which s/he is injured, they must ensure that they are fit prior to returning to hire and reward work, this is for the safety of the driver and the general public. Drivers who have suffered whiplash must ensure that they have sufficient movement in the neck area to enable them to observe any potential hazards.

Taxi Competency Course provided by Peterborough Regional College.

- 3.55 Peterborough City Council and Peterborough Regional College have jointly developed a course specifically for those who wish to be licensed drivers. The course tests some of the skills required to be a licensed driver, such as reading and writing, numeracy, equality and disability awareness, customer service, understanding of the conditions applied by the council, etc.
- 3.56 All new applicants must pass the taxi competency course provided by Peterborough Regional College. Those wishing to enrol on the course should contact the information centre at Peterborough Regional College, Park Crescent Campus, contact telephone number 01733 863068, where they will be issued with the course handbook and the pre-course reading material. When attending the course, applicants must take with them two forms of identification, one of which must be a DVLA driving licence with photo card, the other a utility bill no more than 3 months old.
- 3.57 Applicants must conduct themselves appropriately when attending the course. Behaviour of a rude or abusive manner will question their 'fit and proper' status and may result in their application being terminated.

Driving Assessment Test

- 3.58 Once a complete application has been received and assessed, new applicants must take and pass a driving assessment test. The test will assess driving ability, control of the vehicle, awareness of controls within the vehicle, and local area knowledge without the use of satellite navigation equipment.
- 3.59 Applicants must provide a roadworthy licensed vehicle in which to take their test.
- 3.60 The tests applied are different for private hire driver applicants and hackney carriage driver applicants. As hackney carriage drivers can be hired on the spot, the local knowledge part of the test is more rigorous. Also as all hackney carriages are designated WAV's, applicants must be able to demonstrate that they can safely load, unload and safely secure a wheelchair in the vehicle.
- 3.61 Historically the driving assessment test has been provided in house by authorised council officers. The council have determined that the test should be delivered by an external provider whose assessors have been accredited by DVSA. This will ensure that the person undertaking the role of examiner is specifically trained in this role.
- 3.62 The current approved list of Driving Assessment Test providers can be found on the council's website. <https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/hackney-carriages>

Service Expectations

- 3.63 The council and the travelling public expect licensed drivers to provide good customer service and behave in a civil and courteous manner. They are expected to be clean and smart in their appearance. The vehicle must also be clean, presentable and roadworthy. They are expected to provide reasonable assistance with luggage or shopping and provide a written receipt if requested with no extra charge. Arrive at the appointed time and not prolong any journey. As professional occupational drivers, they are expected to drive with consideration to other road users and weather conditions.
- 3.64 Drivers must be aware of and comply with the conditions applied by this council and other appropriate legislation. Drivers who fail to observe these requirements may be subject to enforcement action.
- 3.65 Conditions applicable to private hire drivers are attached at Appendix D.
- 3.66 Hackney carriage drivers are conditioned by way of byelaws. The council have reviewed and updated the byelaws and are attached at Appendix B
- 3.67 Drivers must not operate any equipment which may distract them whilst driving. Drivers must not cause annoyance to passengers during the journey by playing music or constantly talking on a hands free mobile phone.
- 3.68 Drivers must be aware of their obligations under the Equality Act to provide a service and assistance to passengers with mobility problems, disabilities and to take assistance dogs, without extra charge.
- 3.69 Drivers who refuse or fail to take assistance dogs without an exemption certificate may be prosecuted by the passenger and may also be subject to enforcement action by the council.
- 3.70 This council condemns discriminatory behaviour which is harassing, racist, religiously motivated, homophobic, sexist, or in any way offensive to disability or gender. Complaints of this nature are taken particularly seriously. The council does not have any power over passengers who use licensed vehicles, but will give support to the trade where possible. Drivers who experience any of the above behaviour should report it to the police.
- 3.71 Licensed drivers must ensure that they fully consider the safety of the passenger, other road users, parking restrictions, street furniture and other hazards when stopping to allow a passenger to alight

the vehicle.

- 3.72 Driving for long periods of time, when sleepy or fatigued impairs driving ability, reduces reaction time, vigilance, alertness, concentration, is dangerous and increases the risk of accidents. Licensed drivers have a duty to make a conscious decision to take regular rest periods, to ensure their own safety and the safety of the travelling and general public. Licensed drivers must not drive if they are taking medication which impairs their judgement or driving ability.

Requirement to display information – Part 1 and Part 2 notice

- 3.73 As licensed vehicles may be driven by different licensed drivers and licensed drivers may utilise different licensed vehicles, the Part 1 and Part 2 notices can be interchanged. The driver must ensure that the correct information is displayed in the Part 1 and Part 2 notice prior to the commencement of all journeys with passengers.
- 3.74 The Part 1 notice must correctly reflect the proprietor information for that journey and drivers must ensure that they display their Part 2 notice in the vehicle they are driving. (See section 2.84 To 2.90 for further information and Appendix L for example)

Exemption certificate

- 3.75 Drivers may apply for an exemption certificate if, for health reasons, they are unable to convey assistance dogs, or provide physical assistance to passengers in wheelchairs. Drivers who have a medical condition, a disability or physical condition which makes it impossible or unreasonably difficult to provide the service, may apply for an exemption certificate.
- 3.76 The council will only consider exemption applications which are accompanied with a medical report signed by a registered medical practitioner. The period of the exemption certificate will be individually determined based on the medical practitioner's recommendation. The council may request applicants to be assessed by the council's professional qualified medical assessor, particularly where the period of exemption is likely to be long term.
- 3.77 Where an exemption application has been considered and approved by the council, the driver will be issued with an exemption certificate and an exemption notice. The exemption notice must be displayed in the vehicle on the nearside of and immediately behind the windscreen of the vehicle, in a manner that readily permits its removal, so that its front is clearly visible from the outside of the vehicle and its back is clearly visible from the driver's seat of the vehicle, when they are driving. The exemption notice must be removed prior to another licensed driver driving the vehicle. Failure to display the notice could leave the driver open to prosecution, if they then do not comply with the requirements of the Equality Act. Only one exemption notice should be displayed in a vehicle at any one time.
- 3.78 If an exemption application is refused, the applicant will be informed in writing providing reasons for the decision to refuse. Applicants who have been refused an exemption can appeal the refusal to the Magistrates Court within 28 days.
- 3.79 Drivers who have been issued with an exemption certificate must inform proprietors or operators that they have the exemption, to avoid any unnecessary distress or delay to passengers.
- 3.80 Licensed drivers of designated WAV vehicles who fail to comply with the duties under section 165 of the Equality Act will be subject to enforcement action. Drivers convicted of failure to comply with this section are unlikely to be considered a 'fit and proper' person.

Idling offence environmental impact

- 3.81 Drivers are reminded that stationary idling is an offence under section 42 of the Road Traffic Act 1988. For further information on idling please see the council's website.
<https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/taxi->

Monitoring of licensed drivers

- 3.82 In the interests of public safety, the council has a duty to ensure that licensed drivers remain fit and proper and will intervene where appropriate. Complaints made to the council are recorded and monitored.
- 3.83 Where serious complaints, which question a drivers fit and proper status are received, they are investigated and appropriate action is taken. Less serious complaints and minor infringements are not investigated to the same degree, but the accumulation of several complaints and infringements about the same driver could highlight that there is a cause for concern and will not go unnoticed. It could highlight a training need, a lack of understanding of conditions or legislation, or a failure to provide good customer care.

Private Hire Drivers – Designated waiting areas within the city centre

- 3.84 Previously the conditions of this council required private hire vehicles to return to base after a passenger had alighted the vehicle. However, the imposition of this condition can have a negative impact on the environment and other road users, as the vehicles travel to and from base.
- 3.85 An alternative condition which prevents these unnecessary journeys to base, whilst ensuring that the city centre is not choked with waiting private hire vehicles has now been adopted.
- 3.86 Once a passenger has alighted the vehicle, the driver may park the vehicle whilst waiting for the next booking, provided that there are no parking restrictions, it is not causing an obstruction, and not within the defined city centre area.
- 3.87 Private hire vehicles and drivers waiting for their next booking within the city centre are required to wait in designated car parks, until the vehicle is booked and required to proceed to the destination at the appointed time within the city centre. The council has designated Wellington Street and Pleasure Fair Meadow car parks, and will designate further car parks for this purpose (subject to amendment to the Traffic regulation Order and Directors approval) and published them on the council's website.
- 3.88 The council reserves the right to restrict private hire vehicles from waiting in designated car parks as and when necessary, for example during a city wide event.
- 3.89 Designated car parks will be located at different approaches into the city centre and have sufficient CCTV coverage.
- 3.90 Private hire drivers who are waiting in designated car parks in their vehicles will not be required to pay parking charges. If however, a driver parks and walks away from the car park, they must 'pay and display' as any other car park user.
- 3.91 The designated car parks will still be open to the general public, however, they do not contain public conveniences and must not be used for this purpose or for the purpose of sleeping. Drivers who cause a public nuisance, behave inappropriately or commit any public order offences will be subject to enforcement action.
- 3.92 A map attached at Appendix K shows the area which is defined for the purpose of this policy as the city centre, the designated car parks and hackney carriage ranks.
- 3.93 Private hire drivers must switch off their vehicle's engine when waiting in the designated car parks, and not leave their vehicle engine idling, when parked for more than a couple of minutes anywhere.
- 3.94 If a private hire driver is parked and is approached directly by a member of the public, the driver commits an offence if the driver takes an active part in the 'booking' process, e.g. by contacting the operator directly by radio or mobile phone to make that booking for his own vehicle there and then.

Hackney carriage drivers

- 3.95 It is understood that Hackney carriage drivers waiting on taxi ranks, will attempt to operate a first in the queue system. So that when a customer approaches, the taxi at the front of the rank will expect to take that passenger. Whilst this etiquette generally works without incident, drivers are advised that the customer may, for whatever reason, choose not to take the first taxi at the rank.
- 3.96 The customer has the choice in this situation, drivers who, whilst waiting on a rank, refuse or neglect to drive without reasonable cause are committing an offence.
- 3.97 Drivers are also advised that it is an offence to leave their vehicle unattended on a rank.
- 3.98 As the testing criteria for hackney carriage drivers is more stringent than those applied to private hire drivers, a licensed hackney carriage driver may also drive private hire vehicles.

Hackney carriage proprietors – Part 1 notice

- 3.99 Hackney carriage proprietors must ensure that their vehicles comply with the requirement to display required information in the form of a Part 1 notice as detailed in section 2.84 To 2.90 and example provided at Appendix L.
- 3.100 If a proprietor is made aware of a safeguarding or serious complaint concerning the fit and proper status of a driver, they must notify the licensing department immediately or as soon as practically possible and provide details of their actions taken.

SECTION 4

4 Operators

General

- 4.1 The legislation requires any person, who in the course of business makes provision for the invitation or acceptance of bookings for a private hire vehicle, must be licensed as a private hire operator.
- 4.2 Any individual, partnership, company or other body that advertises the services of a private hire vehicle, provided with a driver, for hire and reward, is required to be licensed as an operator.
- 4.3 The acceptance of bookings may be provided for by a variety of methods, such as, in person, by telephone, text, email, internet, smart phone app, in writing, or by any other communication means.
- 4.4 The legislation requires the authority to only licence operators who are considered to be fit and proper to hold an operators licence and who are not disqualified by reason of their immigration status.
- 4.5 All work undertaken by private hire vehicles (and drivers), must be pre-booked via a licensed operator. All three licences (private hire vehicle, private hire driver and operator) must be issued by the same local authority.
- 4.6 Operators can only utilise drivers and vehicles that are correctly licensed. Operators who fail to ensure that the drivers and vehicles they utilise have valid licenses, are guilty of an offence and will be subject to enforcement action.
- 4.7 An operator's licence is usually granted for a five year duration, but may be granted for a lesser duration if requested to do so in writing or if the applicant's immigration status limits it to a shorter duration.
- 4.8 All renewal applications must be submitted to the Council prior to the date of expiry of the existing licence. Exceptions may be made in exceptional circumstances. (see paragraph 1.27)

- 4.9 There is no provision within the legislation to transfer an operator's licence. New applicants must be subject to the fit and proper test and new premises must also be assessed for suitability.
- 4.10 An operator's licence cannot be issued to persons who do not have the right to work in the UK. A licence ceases to be in force if the person to whom it was granted becomes disqualified by reason of their immigration status. Where this applies, the person must immediately cease to operate and return their operator's licence to the council within 7 days.
- 4.11 Licensed operators may accept bookings and may subcontract these bookings, but only to another licensed operator. However, the operator who accepted the initial booking remains responsible for that booking.
- 4.12 Operators are required by law to keep a record of bookings and records relating to each and every vehicle operated by the operator. Records of bookings must be made before the commencement of the journey. All such records must be made available to an authorised officer for inspection. Further information can be found in the Operator's conditions at Appendix E.

Application – suitability of applicant

- 4.13 Operators are generally the owners of the private hire business. They have access to private information, are responsible for ensuring they only utilise properly licensed, insured and safe vehicles and drivers, therefore the council is required to ensure that they are also fit and proper.
- 4.14 The council requires applicants to complete the application and submit it with the appropriate fee, with supporting documentation, which will be used to establish that they are fit and proper to hold an operators licence. The supporting documents must be the originals, not photocopies or photographs.
- 4.15 Operators (who are not also licensed drivers), are required to submit a basic DBS disclosure with their application and on an annual basis. The basic disclosure will list any current convictions and cautions, but nothing which is considered spent under the Rehabilitation of Offenders Act. Applicants who have not resided continuously in the UK since they were 18 years of age, i.e. have spent an extended period (six or more continuous months) outside the UK, will be required to submit a Certificate of Good Conduct or criminal record information, from each Country applicable.
- 4.16 Where the application for an operators licence is in the name of a company, the DBS requirement (including annual DBS) extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators are required to notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.
- 4.17 Applicants for operators licences are required to provide details of their name and address. The address where they intend to operate the business, any trade or business activities s/he has carried on before making the application, any prior applications made for an operator's licence, if any prior operator's licence has been suspended or revoked, details of any convictions. This includes any convictions where applicants or those associated in running the business have been convicted of any offences. This is to ensure that those involved in the operation of the business are fit and proper to operate a business.
- 4.18 In accordance with the tax conditionality requirements within the Finance Act 2021, from 04 April 2022, all operator applicants seeking to renew their licence are required to complete a HMRC tax check to confirm that the individual and or company has been appropriately registered for tax and that the income from the licensed activity has been reported in a tax return. This is also a requirement for any operator licensed with another licensing authority that is seeking to be licensed with Peterborough City Council. The licensing authority must receive confirmation that the applicant has completed a tax check before they are able to determine any application.
- 4.19 Applicants who intend to operate a radio system will be required to provide proof of their licence from

Ofcom. This licence was previously issued by the Department of Trade and Industry but changed to Ofcom in 2003.

- 4.20 The council will not grant a licence to an operator whose premises are located outside our area. This is to ensure that proper regulation and enforcement measures may be taken by the council and is in no way intended to be a restraint of trade.
- 4.21 All new and operator (and driver) applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing operators (and drivers) will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Operators are required to attend refresher training every five years and provide proof of pass attendance with their renewal application.

Suitability of premises

- 4.22 When considering an application for an operator's licence at a new premises, consideration may be given to the location, the vicinity, facilities, parking arrangements, planning permission etc. to ensure that the grant of a licence will not negatively impact on the surrounding area, including businesses, residents and the general public.
- 4.23 Operators intending to operate from new premises will be required to submit with their application proof of planning permission, or proof that planning permission is not required. Where planning permission is required, operators must comply with any condition attached to such permission. Whilst any breach of planning legislation will be enforced by the planning department, it may also be used in consideration of an operator's fit and proper status.

Operators responsibilities and obligations

- 4.24 Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator. Further information is contained within the operator's conditions attached at Appendix E
- 4.25 If an operator subcontracts a booking to another licensed operator, both operators must keep a record of the booking. The operator who accepted the initial booking remains fully responsible for that journey even though it has been subcontracted to another licensed operator. The initial operator must record what checks they made to ensure that the operator they passed the booking onto is correctly licensed.
- 4.26 Regardless of which operator fulfils the booking, the operator can only dispatch a vehicle licensed by the same authority that licenses the operator and driven by a driver also licensed by that same authority.
- 4.27 It is not expected that subcontracting of bookings would be commonplace. Customers who book through a Peterborough operator would expect a vehicle and driver also licensed by this authority. The conditions and standards applied by other licensing authorities are different to those applied by this authority, therefore, may not meet the licensing requirements of this authority.
- 4.28 The customer has the choice of which operator they book through. This means that the customer may choose an operator licensed by a neighbouring authority, known as cross border hiring. The legislation permits these bookings and the council cannot get involved in these private hire contracts. Operators should aspire to ensure that their drivers and vehicles provide the highest standard of service, so that they are the operator of choice.
- 4.29 The Licensing Authority must be satisfied that private hire operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles, do not pose a risk to the

public. To this end, operators are required to keep and maintain a register of all staff that will be taking bookings and/or dispatching vehicles.

- 4.30 Operators are required to evidence that they have had sight of a Basic DBS check for any and all individuals on their register of booking and dispatch staff and must ensure that Basic DBS checks are conducted on any individuals added to their register. Should an employee cease to be on the register and is then later re-entered, a new Basic DBS certificate must be requested for that individual and sight of this recorded.
- 4.31 Operators are required to provide a copy of their policy on employing ex-offenders in roles that would be on the register as above.
- 4.32 Operators need to be aware of their obligations when it comes to data protection. Where databases containing personal information, such as records of bookings are maintained electronically or if they have CCTV, they are required to be registered with the Information Commissioner's Office (ICO). Further information including a self-assessment, can be found on the ICO website;
<https://ico.org.uk>
- 4.33 Operators must ensure they have all the correct insurances in place for the vehicles and drivers they utilise. Those who provide a waiting area for customers must ensure that they have valid public liability insurance.
- 4.34 Operators must make customers fully aware of any additional charges which may be applied, e.g. for waiting time and for cleaning a soiled vehicle. These additional charges must be clearly displayed in the operator's office and website where available.
- 4.35 Operators are responsible for ensuring that the vehicles utilised are clean, fit for the purpose of the booking and comply with the conditions applied by this council. It is expected that operators have a planned maintenance programme in place for all vehicles it utilises. The testing requirements applied by this council are to confirm a level of safety and quality, rather than to highlight what maintenance needs to be carried out.
- 4.36 The council encourages all private hire operators to include wheelchair accessible vehicles amongst their fleet. They must ensure that no additional costs or charges are levied by them or their drivers for conveying disabled passengers or assistance dogs.
- 4.37 Operators who provide wheelchair accessible vehicles must ensure that the driver is appropriately trained to safely load, unload and convey passengers in a safe and secure manner. This training must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- 4.38 Operators must ensure that the drivers they utilise are fit and proper to carry out the bookings and are appropriately trained for their role. Operators should be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness.
- 4.39 Where a private hire vehicle is unsuitable to fulfil a booking on the basis that a vehicle of more than eight passenger seats is required (vehicles which accommodate more than eight passengers are classed as Public Service Vehicles), the operator must inform the person making the booking that PSV's are not licensed by the council, but rather are the responsibility of the Traffic Commissioner, and that the driver of such vehicles are subject to different checks and are not required to undergo an enhanced DBS check.
- 4.40 Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

Part 1 notice and complaint policy

- 4.41 As responsible business owners, operators will understand that the drivers and vehicles they utilise represent their business when undertaking bookings. Operators will want to ensure good customer service, as this builds a respected reputation, resulting with repeat bookings and a successful business. Where vehicles or drivers fail to provide a good service, the operators business can suffer.
- 4.42 Whilst a vast majority of bookings take place without problem, there are occasions where a customer has cause for concern or complaint. Aggrieved customers have a right to complain if the service provided fails to meet expectations. It is also right for responsible operators to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention.
- 4.43 Complainants must be dealt with in a respectful timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and maintain records of complaints received.
- 4.44 A copy of the complaints policy and procedure must be given to the council and will be required with all new and renewal applications.
- 4.45 The complaint records must detail specific information, be monitored, and be made available to authorised officers upon request.
- 4.46 The specified information to be recorded must include the following information as a minimum:
the name of the complainant and how they can be contacted,
the date the complaint was made and the time and date of the journey,
If the booking was subcontracted the details of the licensed operator who fulfilled the booking and any action taken by the subcontractor regarding the complaint or concern
the name of the driver and vehicle being reported,
the nature of the complaint or concern,
The date by which the operator will respond to the complaint, which must not exceed 72 hours from time of receipt,
The action taken if any, by the operator to resolve the complaint or concern.
- 4.47 Operators must also inform the complainant, that they can further their complaint to the council if they remain dissatisfied with the outcome of their complaint.
- 4.48 If an operator is made aware of a safeguarding or serious complaint concerning the fitness of a driver, they must notify the licensing department immediately or as soon as practically possible and provide details of the actions taken by the operator.
- 4.49 Operators must ensure that the vehicles they utilise display a correctly completed Part 1 notice (See section 2.73 to 2.79 and appendix L for further information) and door signage

SECTION 5

5. Safeguarding

- 5.1 Safety, security and welfare applies to passengers and licensed drivers. Licensed drivers deal with strangers, they work alone often late at night, carry cash and may be at risk of violence, non-payment of fares, verbal abuse etc. Proprietors and operators must consider these factors when determining what safeguarding measures should be in place. The council encourages the use of CCTV in licensed vehicles, but has not made it a condition of licences due to the financial burden involved. However, proprietors and operators should consider the benefits and disadvantages of safeguarding measures such as, CCTV, cashless payment systems, communication systems, etc. in licensed vehicles in their risk assessments.
- 5.2 Drivers and operators may refuse to carry any passenger if they have good cause, e.g. a customer's behaviour or demeanour is threatening, offensive or abusive or has previously refused 'bilked' payment. Where this occurs drivers and operators should keep records of why the service was

refused.

- 5.3 Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.
- 5.4 Licensed drivers, proprietors and operators provide a public service and have a duty of care to all passengers. They also have a moral and social responsibility to report concerns about someone who is vulnerable. Should a licensed driver, proprietor or operator have any concerns about the vulnerability of a child or public safeguarding they must report this immediately as it may prevent the vulnerable child from becoming a victim. Reports of imminent danger should be made to the police on 999. Where there is no immediate danger, or you wish to pass on some information or intelligence please call 101.
- 5.5 All new and renewal driver and operator applicants will be required to undertake mandatory safeguarding and County Lines training, as prescribed by the licensing authority prior to making an application. Existing drivers and operators will also be required to undertake mandatory training. A licence will not be renewed if the training has not been completed within an appropriate timeframe. Licensed drivers are required to attend refresher training every three years and provide proof of pass attendance with their renewal application. Operators are required to attend refresher training every five years and provide proof of pass attendance with their renewal application.
- 5.6 Further information can be found on the following link
<https://safeguardingcambspeterborough.org.uk/concerned/>

SECTION 6

Enforcement

- 6.1 The council has a responsibility to ensure that all licence holders adhere to the standards and conditions applied by this authority and the legislation.
- 6.2 As all licence holders are considered to be 'fit and proper', they are expected to fully understand the conditions and requirements placed on them by this authority and other applicable legislation.
- 6.3 The council will take appropriate action against licence holders upon receipt of evidence that an offence has been committed. An offence may be a breach of the legislation or condition imposed on a licence, or byelaw, or this policy.
- 6.4 Offences under legislation outside that applicable to private hire and hackney carriages, may be considered, if they call into question the fit and proper status of the licence holder.
- 6.5 The council will undertake overt and covert targeted enforcement operations as well as ad hoc compliance checks on licence holders. These operations and compliance checks may be inside and outside normal office hours and may involve partner agencies.
- 6.6 Some breaches of legislation cannot be enforced by the council, but will be enforced where appropriate, by other partner agencies, e.g. the Police, DVSA, the Home Office etc.
- 6.7 Every enforcement action taken by the council, will be determined on the individual circumstances, will be in accordance with this policy, the council's enforcement policy and the Regulators Code.
- 6.8 There are a range of sanctions and actions which may be taken by the council, e.g. prosecution, suspension, revocation, refusal to renew, formal written warning, caution, verbal warning, advisory letter, note on records and no action. The course of action will depend on the severity of the offence

committed, the evidence available and the risk to public safety.

- 6.9 Prosecutions will be taken where it is in the public interest.
- 6.10 The council will revoke or suspend or refuse to renew a licence where the licence holder has committed offences that put public safety at risk.
- 6.11 Any person who witnesses speeding, dangerous, reckless, or careless driving by a licensed driver or otherwise, should report each incident to the police (as they are the enforcing body for driving offences) with sufficient information to allow the police to take appropriate action.

Right of appeal

- 6.12 This Licensing Authority retains absolute discretion to decide that a licence will not be granted if the vehicle, driver or operator does not meet the requirements of the policy or conditions of licensing. There is a right of appeal to the Magistrates' Court within 21 days of being given that decision, and thereafter to the Crown Court. In the case of a refusal to grant a hackney carriage proprietors (vehicle) licence, the right of appeal is directly to the Crown Court within 21 days.

SECTION 7

7. Fees, Charges and Refunds

- 7.1 The licence fees applied by this council are set on a cost recovery basis. They are regularly reviewed and any increase or reduction will be published and consulted upon as required by the legislation. The current fees and charges are available on the website. (see link below)
<https://www.peterborough.gov.uk/business/licences-and-permits/taxis-and-private-hire/hackney-carriages>
- 7.2 The council sets the maximum fares which can be charged by hackney carriage vehicles within its district. This does not prohibit a driver from charging less than the fare shown on the meter. Please see Appendix J attached for the current maximum fare table.
- 7.3 The council has no power to regulate the fares charged by private hire operators, they are a private contract between the customer and the operator. Operators are required to display any additional fees which may be charged e.g. for waiting time or for cleaning a soiled vehicle.
- 7.4 Requests for refunds by licence holders must be made in writing and will be considered on a case by case basis. Consideration will be given to the reason for the request and the costs incurred by the council at the point of request, including the cost incurred to arrange the refund. Please note that some fees are non-refundable.

Appendices

Peterborough Conditions of Fitness for Hackney Carriage Vehicles	A
Peterborough City Council byelaws for Hackney Carriage	B
Peterborough City Council Private Hire Vehicle Licence Conditions	C
Peterborough City Council Private Hire Drivers Licence Conditions	D
Private Hire Operator's Licence Conditions	E
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Guidelines Relating to the Relevance of Convictions / Cautions in relation to Taxi Licensing	G
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Example of Part 1 and Part 2 Notice	L
Policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3)	M

PETERBOROUGH CONDITIONS OF FITNESS FOR HACKNEY CARRIAGE VEHICLES

Hackney Carriage Vehicle Specification and Type Approval

SECTION 1. APPROVED VEHICLES

1.1 The following vehicles are approved by Peterborough City Council (the Licensing Authority) to be licensed as Hackney Carriage Vehicles: LTI TX2, TX4, LEVC TX, , Mercedes-Benz Vito and M8 Taxis, the Peugeot E7 SE and XS short wheelbase models, the Nissan Dynamo Taxi and any other vehicle that meets the requirements specified within the conditions of fitness.

SECTION 2. VEHICLE APPROVAL

- 2.1 It must be understood that, although the conditions set out in this document have been complied with, approval will be withheld if the Licensing Authority is of the opinion that a vehicle is unsuitable for public use.
- 2.2 Although the Licensing Authority may extend approval of any particular type of taxi to all other taxis conforming to the design of that type, it must be understood that the Licensing Authority may withdraw such general approval if, in it's opinion, any unsuitable features arise.
- 2.3 No vehicle will be authorised as a Hackney Carriage Vehicle unless it conforms with the requirements as set out within this document unless; where justifiable reasons exist the committee may decide to approve the vehicle.
- 2.4 Vehicles will be licensed subject to the following restrictions.

Petrol or Diesel vehicles licensed prior to 26 July 2022 have acquired (Grandfather) rights as set out below	
Maximum age limit beyond which the vehicle will not be licensed	15 years old or until 31/12/2029 (whichever is soonest)
Age at which the vehicle will be subject to six monthly inspections	6 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old

Other Vehicles including those that are initially (newly) licensed on or after 26 July 2022 are subject the restrictions below.

	Petrol, diesel or any other non ULEV/ZEV	ULEV	ZEV
Maximum age at time of first being licensed	3 years old	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	12 years old or until 31/12/2029 (whichever is soonest)	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	6 years old	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	10 years old	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 105g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

- 2.5 Years of age; calculated from the date on which the vehicle was first registered under the Vehicle and Excise Registration Act 1994. The operating period being subject to compliance with the council's standard of fitness.
- 2.6 Vehicles subject to 6 monthly inspections at a time and place to be notified by the authorised officer of the council.
- 2.7 An application for the approval of a new type of Hackney Carriage vehicle must be made in writing to the Licensing Authority.
- 2.8 The applicant must study the Conditions of Fitness set out in Section 3 of this document and provide detailed specifications of the proposed vehicle, or vehicle conversion demonstrating that the vehicle meets the requirements of the Conditions of Fitness. It will also be necessary to arrange a preliminary inspection of the vehicle.
- 2.9 The applicant should address any current guidance issued by the Department for Transport (DfT) [or any replacement body if this should change] for the design of Hackney Carriage Vehicles and indicate to the Licensing Authority the extent to which those guidelines have been accommodated. In particular, applicants should demonstrate that they have taken account of current DfT guidance as regards ergonomic requirements for accessible taxis.
- 2.10 There shall be provided and maintained in the vehicle at all times a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances. Such equipment must be in date and carried in such a position in the vehicle as to be readily available for immediate use in an emergency.
- 2.11 Arrangements must then be made to present the completed vehicle for inspection by the Licensing Authority. When presented, all associated equipment must be present for the inspection and testing of the vehicle; i.e. wheelchair ramps, straps, safety equipment etc. A declaration must be provided by the manufacturer or authorised person that the vehicle conforms to the law and is safe for use as a public carriage, together with a certificate of registration and summarised documentary evidence that the vehicle meets the Conditions of Fitness as stated in Section 3 of this document.
- 2.12 Any proposed structural alterations to the original specification must be submitted to the Licensing Authority for approval.
- 2.13 The approval of the vehicle will be determined by the Licensing Committee who will consider each application under its own merits. Although a vehicle may meet the criteria as set out by the Conditions of Fitness, where justifiable reasons exist the committee may decide after consideration not to approve the vehicle. Where a vehicle does not completely comply with the Conditions of Fitness, however justifiable reasons exist the committee may decide after consideration to approve the vehicle.

SECTION 3. CONDITIONS OF FITNESS

3. General Construction

- 3.1 Every new type of hackney carriage vehicle must comply in all respects with the requirements of the Motor Vehicle (Type Approval) Regulations 1980, the Motor Vehicle (Type Approval) Regulations (Great Britain) 1984, the Motor Vehicles (EC Type Approval) Regulations 1998 and with any further national or international legislation as may be applicable.
- 3.2 Every new type of Hackney Carriage Vehicle offered for approval must comply in all respects with the Road Vehicles (Construction and Use) Regulations 1986 (C & U). Every new type of taxi offered for approval must comply in all respects with British and European vehicle regulations and be "type approved" to the requirements of the M1 category of European Whole Type Approval Directive 2007/46/EC as amended. Those taxis which have not been "type approved" to the M1 category (e.g. conversions) must be presented with approved certification that the specific vehicle meets the requirements of that category.

- 3.3 Vehicles offered for Hackney Carriage approval must be constructed in a way as to allow the carriage of disabled persons and must accommodate as a minimum a disabled person in a Department of Transport reference wheelchair in the passenger compartment.
- 3.4 No equipment and/or fittings, other than those approved by the Local Authority may be attached to, or carried on the inside or outside of the vehicle.
- 3.5 No modification may be carried out to a Hackney Carriage Vehicle without prior approval from the Licensing Authority.
- 3.6 Before considering any modification to a Hackney Carriage Vehicle, approval must be sought from the Licensing Authority.
- 4. Steering**
- 4.1 The steering wheel must be on the offside of the vehicle.
- 5. Tyres**
- 5.1 All tyres must comply with the relevant legislation and be marked accordingly.
- 5.2 Tyres must be of the designated size, speed and weight rating for that make and model of vehicle as prescribed by the vehicle manufacturer.
- 6. Brakes**
- 6.1 An anti-lock braking system is to be fitted.
- 7. Interior lighting**
- 7.1 Adequate lighting must be provided for the driver and passengers.
- 7.2 Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position. This must be within reach of wheelchair passengers. Lighting must also be provided at floor level to each passenger door and be activated by the opening of the doors.
- 8. Electrical Equipment**
- 8.1 Any additional electrical installation and/or aftermarket components to be used within the taxi must meet the requirements of the relevant Automotive Electromagnetic Compatibility (EMC) Directive, as amended, and be marked accordingly.
- 9. Fuel Systems**
- 9.1 Any engine powered by liquid petroleum gas (LPG), compressed natural gas (CNG), liquid natural gas (LNG), petrol or any combination of these fuels must be fitted with an automatic inertia fuel cut off device.
- 10. Exhaust emissions standards**
- 10.1 New taxi models must meet the current and relevant EC Directive for exhaust emissions, i.e. the respective Euro standard. Current, approved, taxi models must meet prescribed emissions standards.
- 11. Body**
- 11.1 The body must be of the fixed head type with a partially glazed partition separating the passenger from the driver.

11.2 The overall length must not exceed 5.2 metres. This is essential for determining the size of taxi ranks, other pick-up points in Peterborough's city centre.

12. Facilities for the disabled

12.1 Every taxi must be equipped to approved standards in order that wheelchair passengers may be carried.

12.2 Approved anchorages must be provided for wheelchair tie downs and the wheelchair passenger restraint. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other.

12.3 Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.

12.4 The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. The minimum angle of a hinged door when opened must be 90 degrees.

12.5 The clear height of the doorway must be not less than 1.2 metres.

12.6 Grab handles must be placed at door entrances to assist the elderly and disabled. All grab handles must be in a contrasting colour.

12.7 The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements:

- a. be not more than 380 mm from the ground, (measured at the centre of the tread width);
- b. the surface shall be covered in a slip-resistant material;
- c. have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering.

Should any entrance be more than 380 mm from the ground, an external interim step must be made available when the associated passenger door is opened and comply with the following requirements-

- a. not be more than 380 mm in height from the ground, (measured at the centre of the step width);
- b. not be less than 250 mm deep;
- c. the surface shall be covered in a slip-resistant material;
- d. have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
- e. not be capable of operation whilst the vehicle is in motion;
- f. if automatic or powered, be fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger;
- g. can fold or retract so that it does not project beyond the side face of the vehicle and the vehicle is not capable of being driven away unless the step is so folded or retracted.

12.8 The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.

12.9 Where seats are placed facing each other, there must be a minimum space of 350mm between any part of the front of a seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level.

12.10 Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the

cushion.

- 12.11 A ramp for the loading of a wheelchair and occupant must be available at all times for use, as a minimum, at the nearside passenger door on all new vehicles presented for licensing. The ramp must be 70cm wide, as a minimum, and comprise a single non-slip surface. It is desirable for this facility to be available at the offside passenger door also. An adequate locking device must be fitted to ensure that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed safely when not in use.

13. Passenger compartment

- 13.1 Occasional seats must be at least 40cm in width and the distance from the back of the upholstery to the front edge of the seat must be not less than 35.5cm.
- 13.2 Occasional seats must be so arranged as to rise automatically when not in use. When not in use, they must not obstruct doorways.
- 13.3 The rear seat dimensions must be adequate to carry the appropriate number of adult passengers comfortably.
- 13.4 Suitable means must be provided to assist persons to rise from the rear seat with particular attention to the needs of the elderly and disabled.
- 13.5 Lap and diagonal seatbelts must be fitted on all seats (including rear facing seats).
- 13.6 Colour contrasting sight patches are required on all passenger seats.
- 13.7 Head restraints must be fitted for all (forward and rear facing) seats. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.
- 13.8 An induction loop system (or equivalent) must be fitted.

14. Driver's compartment

- 14.1 The driver's compartment must be so designed that the driver has adequate room, can easily reach, and quickly operate, the controls.
- 14.2 The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, controls must be properly protected from contact with luggage.
- 14.3 Every vehicle must be provided with an approved means of communication between the passenger and the driver. If a sliding window is fitted on the glazed partition, the maximum width of the opening must not exceed 11.5cm.
- 14.4 Where a single-piece glazed partition is fitted, a facility must be provided for making payment to the driver.

15. Visibility – Driver

- 15.1 A single-piece, full width rear window must be fitted. The design of headrests should maximise rear sightlines for the driver when any of the passenger seats are not occupied.

16. Visibility – Passenger

- 16.1 The windows should maximise passenger visibility into and out of the vehicle.
- 16.2 The bottom of the window line for front and side windows must be low enough to afford passengers adequate visibility out of the vehicle.

- 16.3 A proportion of the window area in the passenger compartment must be available for opening by the seated passenger.
- 16.4 Windows must conform with both Type Approval and Construction and Use Regulations. Post manufacturer window tinting is not permitted.
- 16.5 Passenger windows must be capable of being opened easily by passengers, including those in wheelchairs, when seated. The control for opening a window must be clearly identified to prevent it being mistaken for any other control.

17. Heating and ventilation

- 17.1 An adequate heating and ventilation system must be provided for the driver and passengers and means provided for independent control by the driver and the passengers. All switches must be within easy reach of seated passengers, including those in wheelchairs.

18. Door fittings

- 18.1 An approved type of automatic door securing device must be fitted to passenger doors to prevent them being opened when the vehicle is in motion.
- 18.2 When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism.
- 18.3 The door must not open from the inside if the driver has the foot brake depressed.
- 18.4 The interior door handle must be clearly identified to prevent it being mistaken for any other control.

19. Fare table and number plate

- 19.1 A frame must be provided for the fare table and fixed in an approved place. A position for an interior number plate is to be provided with the words "The number of this taxi is...." Shown immediately above the position of the plate.

20. Floor covering

- 20.1 The flooring of the passenger compartment must be covered with a slip resistant material, which can be easily cleaned.
- 20.2 The floor covering must not impede the movement of wheelchairs. The colour of the floor covering must contrast with any up-stand areas around it and with the colour of the seats.

21. Luggage

- 21.1 Suitable dedicated provision for the secure carriage of luggage must be made, separated from the passenger compartment and proportionate in size to the number of passengers carried.

22. Taximeter

The vehicle shall be provided with a taximeter which must be so constructed, attached and maintained as to comply with the requirements of the Council:-

- a. all taximeters must be calendar controlled, approved and sealed by a person authorised by the authority
- b. the taximeter shall be fitted with a key, flag, or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter and cancel any external "For Hire" sign;

- c. such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
- d. when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance/time;
- e. the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
- f. the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
- g. the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances;
- h. the taximeter affixed to the vehicle shall be appropriately set to ensure that the Council's hackney carriage fare scale currently in force in the City is recorded thereon.

23. Taxi Roof Sign

- 23.1 A "Taxi" roof sign approved by the council must be fitted and be clearly visible daytime and nighttime when the taxi is available for hire.

24. Radio Equipment

- 24.1 Where equipment for the operation of a two-way radio system is fitted to a taxi, no part of the apparatus may be fixed in the passenger compartment or in the rear boot compartment if LPG tanks or equipment are situated therein.
- 24.2 Any other radio equipment, either in the passenger or driver compartment, must be approved by the council.

25. Electrical Equipment

- 25.1 Any additional or non-standard electrical installation to the original vehicle must be installed and tested by a professional installer and be protected by a suitably rated fuse. Any additional installation must comply with all relevant regulations.
- 25.2 Approval from the licensing authority must be obtained prior to installing CCTV in a vehicle.

26. Required information to be displayed inside the vehicle – Part 1 and Part 2 notice

- 26.1 The proprietor must ensure that the vehicle displays a Part 1 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The name of the vehicle proprietor
 - The contact telephone number where a customer can make a complaint, report a concern, or positive comment e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - The vehicle registration number
 - The vehicle licence plate number
- 26.2 Alongside the Part 1 notice, vehicles must also display a Part 2 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The licensed drivers photograph and
 - The driver's licence number
- 26.3 All licensed vehicles must comply with the requirements of the Health Act 2006 and display a no smoking sign. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time. For the avoidance of doubt, the council also forbids the smoking of

electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers

26.4 All licensed vehicles must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council, should the licence be suspended or revoked.

27 **Other licence holder responsibilities**

27.1 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

Byelaws for Hackney Carriages

BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by Peterborough City Council with respect to hackney carriages in Peterborough.

Interpretation

- 1 Throughout these byelaws "the council" means Peterborough City Council and "the district" means the City of Peterborough

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

- 2 (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage, displayed on the outside of the carriage on plates affixed thereto, in such a manner as to be easily removed by an authorised officer of the council or by a police officer.
- 2 (b) A proprietor or driver of a hackney carriage shall –
- (i) Not wilfully or negligently cause or suffer any such plate to be concealed from public view while the carriage is standing or plying for hire; and
 - (ii) Not cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

Provision regulating how hackney carriages are to be furnished or provided

- 3.1 The proprietor of a hackney carriage shall-
- (a) Provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) Cause the roof or covering to be kept water-tight;
 - (c) Provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) Cause the seats to be properly cushioned or covered;
 - (e) Cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) Provide means for securing luggage if the carriage is so constructed as to carry luggage
 - (h) Provide an efficient fire extinguisher and first aid kit which shall be carried in such a position as to be readily available for use;
 - (i) Provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver, and
 - (j) Make no material change to the specification design or appearance of the hackney carriage without the prior approval of the council.
- 3.2 The driver of a hackney carriage shall cause the display of a notice in the inside of the vehicle, containing the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
- The name of the vehicle proprietor
 - The contact telephone number where a customer can make a complaint or report a concern, e.g. 'Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)'
 - The vehicle registration number
 - The vehicle licence plate number
 - A photograph of the licensed driver who is driving the hackney carriage at that time and
 - That drivers licence number

- 4 The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say –
- (a) The taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) Such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the council;
 - (d) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
 - (g) The taximeter must comply with paragraph 9 of Schedule 1, or paragraph 13 or Schedule 2 to the Measuring Instruments Regulations 2016 (SI 2016 No 1153).

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges

- 5 The driver of a hackney carriage provided with a taximeter shall –
- (a) When standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - (b) Before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
- 6 A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
- 7 The driver of a hackney carriage shall, when plying for hire in any street and not actually hired –
- (a) Proceed with reasonable speed to one of the stands appointed by the council;
 - (b) If a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) On arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) From time to time, when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

- 8 A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
- 9 The driver of a hackney carriage shall be clean and smart in their appearance and behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 10 The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 11 A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of person specified on the plate affixed to the outside of the carriage.
- 12 The badge provided by the council and delivered to the driver of a hackney carriage shall be worn by the driver when standing or plying for hire, and when hired, in such position and manner as to be plainly visible. All expired badges must be returned to the council.
- 13 The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage –
 - (a) Convey a reasonable quantity of luggage;
 - (b) Afford reasonable assistance in loading and unloading; and
 - (c) Afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.
- 14 A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in the front seat of the vehicle any person under 12 years of age unless an infant of 2 years or less conveyed in a seat or cot approved for that purpose by the British Standards Institute (or any other body carrying out the functions of the said Institute) and securely fixed to the front seat of the vehicle.
- 15 The driver must notify the council in writing within seven days of any significant changes which occur whilst they are licensed. Such as, changes in health status which may affect ability to drive, all convictions, cautions and arrests, including penalty points issued by DVLA, or any other matter which may question their fit and proper status.
- 16 If a proprietor is aware of a safeguarding issue or serious complaint concerning the 'fit and proper' status of a driver, they must notify the licensing authority immediately or as soon as practically possible including any actions taken
- 17 The driver of a hackney carriage must not eat or drink in the hackney carriage when hired, or consume alcohol whilst standing or plying for hire or when hired.
- 18 The driver of a hackney carriage vehicle must not display or permit to be displayed on or in the hackney carriage any advertising without the prior approval of the council.
- 19 Without the express consent of the hirer, the driver must not play any radio or sound reproducing equipment in the vehicle, other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- 20 The driver shall if requested by hirer of the hackney carriage, provide a written receipt, free of charge.

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

- 21 (i) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the council, the rate or fare being calculated by a combination of distance and time unless the hirer express at the commencement of the hiring his desire to engage by time.
- (ii) Where a hackney carriage furnished with a taximeter is hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the council which it may not be possible to record on the face of the taximeter.
- 22 (i) The proprietor of a hackney carriage shall cause a statement of the fares fixed by council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (ii) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time which the carriage is plying or being used for hire.

Provision securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof

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

Penalties

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

Repeal of Byelaws

All prior byelaws relating to hackney carriages which were made by Peterborough City Council are hereby repealed. This byelaw shall come into force on ...26 April 2012

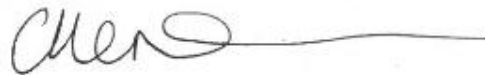
The Common Seal of Peterborough City Council was hereunto affixed in the presence of:

Authorised Signatory:



The common seal of Peterborough City Council will be hereunto affixed, dated and signed, following consultation, any revision agreed by virtue of the consultation process and confirmation from the Secretary of State. The above byelaws will then take effect four weeks after receiving confirmation from the Secretary of State.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into force on the 26 day of April 2012.



Signed by authority of the Secretary of State.

PETERBOROUGH CITY COUNCIL
PRIVATE HIRE VEHICLE LICENCE CONDITIONS

The following are conditions attached to the Private Hire vehicle licence. These conditions are additional to the requirements imposed upon proprietors/drivers and vehicles by the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution.

Appearance, Design, Signs, Notices etc

1. (a) The vehicle must not be equipped with roof fittings except that a wireless aerial which may be fitted but only in such a manner so as to satisfy the Council.
- (b) All vehicles must also conform to the M1 type approval and construction and use regulations. Vehicles which are not M1 type approved, (e.g. N1) must provide VIVA (Voluntary Individual Vehicle Approval) documentation confirming conformity and safety of alterations and updated V5C to correlate.
2. (a) There shall be no lights, plates, signs, advertisements or other fittings (other than the licence plate referred to in Condition 6 and other signage referred to in (c) to (g) below) displayed on or from the vehicle, except those approved by the Council in accordance with or displayed to comply with requirements under the current lighting and licensing regulations approved by the appropriate Secretary of State.
- (b) The vehicle must not be equipped with any sign or notice such as the word "CAB" or "TAXI" or be of such design or appearance as to lead any person to believe that the vehicle is a hackney carriage.
- (c) The vehicle to display on the rear passenger doors in a prominent position, **"Private Hire Vehicle – Insurance Invalid Unless Pre-booked With Operator"** door stickers, as issued by Peterborough City Council and be permitted to advertise the name and telephone number of the Operator employing the vehicle, and that words "Taxi" or "Cab" are not featured. These stickers must be permanently affixed to the vehicle. Magnetic door signs are not permitted.
- (d) Vehicles must display a Part 1 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The name of the proprietor
 - The contact telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - The vehicle registration number, and
 - The vehicle licence plate number
- (e) Alongside the Part 1 notice, vehicles must also display a Part 2 notice, which must contain the following information in a conspicuous unobscured place so that it can be easily read by a passenger travelling in the rear and front of the vehicle;
 - The Driver's photograph and
 - The driver's licence number
- (f) Vehicles must display a no smoking sign as required by the Health Act 2006
- (g) All licensed vehicles must display a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council should the licence be suspended or revoked.

Radio, Microphone, PDA, mobile phone etc

3. Any radio, microphone, PDA, mobile phone etc. installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.

Use of Taximeter

4. If the vehicle is fitted with a taximeter, that taximeter must be so constructed, attached and maintained as to comply with the following requirements:
- (a) all taximeters must be calendar controlled, approved and sealed by a person authorised by the authority.
 - (b) the machinery of the taximeter must be only visible to persons who have boarded the vehicle;
 - (c) the taximeter shall be fitted with a key, flag, or other device, the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (d) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - (e) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance/time;
 - (f) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (g) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - (h) the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. All meters must be sealed by an authorised officer of the city council and be calendar controlled.
 - (i) only meters approved by the Peterborough City Council may be fitted to the vehicle.

Private hire vehicles that are fitted with a taximeter must display inside the vehicle a statement of maximum fares as set by the council. Operators and / or drivers cannot demand a fare greater than that recorded on the taximeter, save for any extra charges authorised by the council.

Maintenance of Vehicle

5. The vehicle shall:
- (a) be of such design to enable any person in the carriage to communicate with the driver;
 - (b) be fitted with a roof or covering which can be kept watertight;
 - (c) contain windows and a means of opening and closing not less than one window on each side;
 - (d) contain seats which must be properly cushioned or covered;
 - (e) be provided with a proper carpet, mat or other suitable covering for the floor;
 - (f) contain fittings and furniture kept in a clean condition safe and well maintained and in every way fit for public service;
 - (g) be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage;
 - (h) be provided with at least four doors (or three doors in the case of the diesel "Fortwo" Smart Car);
 - (i) be a right hand drive vehicle.

- (j) Vehicles fitted with a passenger tail lift must maintain a valid LOLER (Lifting Operations Lifting Equipment Regulations) certificate of compliance, and produce it upon request.
6. A plate provided by the Council identifying the vehicle as a Private Hire vehicle must be securely fixed to the outside the vehicle at the rear in such a manner that the plate is not obscured from view by any fixtures or fittings.

The plate shall be capable of being removed by a constable or authorised Officer of the Council should the Licence be suspended or revoked. Whilst the vehicle is not being used as a Private Hire vehicle the licence plate must be covered from public view. Drivers are reminded that it is an offence to drive a licensed Private Hire vehicle whilst not being in possession of a current private hire driver's licence.

7. The vehicle shall be submitted for annual inspection at the place, date and time as notified by the Council in each year during which the licence is in force and at any other time at the Authority's discretion. When submitted for inspection it shall be in a complete and thoroughly good condition and the engine, chassis, body, wheels, fittings, furniture and all parts must be in good repair and order. All steering parts and braking linkages must be thoroughly cleaned. All vehicles more than six years old to be tested every six months.
8. All brakes, machinery, furniture and fittings shall be kept in good order and condition.

Safety Equipment

9. There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment must be in date and carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

Licence Period

10. Private Hire vehicle Licences shall be granted for a period of 12 months or such other period as the Council may determine from time to time. Expired plates must be returned to the council or retained by the appointed testing station upon renewal.

11. Change of Address or Ownership of vehicle

- (a) The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place. The proprietor must also complete and submit the required application with fee, as soon as practically possible, and in any case within 14 days, if they transfer ownership of the vehicle.
- (b) All signage relating to hire and reward (including door signage, taximeter if fitted, company insignia etc.) must be removed from the vehicle, whenever it is sold or transferred outside Peterborough's licensed trade, or delicensed.

Vehicle Documentation

12. The proprietor of a Private Hire vehicle licensed by the Council shall at the request of an authorised Officer or any Police Constable produce for inspection the following documentation within 7 days from the time the request is made at a place notified to the driver by the authorised Officer or Police Constable.
- (a) a certificate of the policy of Insurance or security required by Part IV of the Road Traffic Act 1988 or other enactment in respect of such Private Hire vehicle;
 - (b) the Private Hire vehicle Licence issued by the City Council;
 - (c) a current Ministry of Transport Test Certificate (where applicable) or CoC issued by the authority;

- (d) the vehicle registration documents; and
- (e) the driving licence issued by DVLA or acceptable equivalent defined by DVLA

13 Alteration of Vehicle

- (a) No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force. Approval from the licensing authority must be obtained prior to installing CCTV in a vehicle.
- (b) Windows must conform with both Type Approval and Construction and Use Regulations. Post manufacturer window tinting is not permitted

Employees

14. If the proprietor permits or employs any other person to drive a licensed vehicle as a Private Hire vehicle, he shall before that person commences to drive the vehicle ensure that the driver holds a valid private hire driver's licence, is insured as required by the Road Traffic Act and that the driver fully understands the conditions attached to both this licence and the private hire driver's licence.

15 Vehicle Requirements

- (a) Vehicles will be licensed subject to the following restrictions.

Petrol and Diesel vehicles licensed prior to 26 July 2022 have acquired (Grandfather) rights as set out below	
Maximum age limit beyond which the vehicle will not be licensed	10 years old or until 31/12/2029 (whichever is soonest)
Age at which the vehicle will be subject to six monthly inspections	6 years old
Age at which the vehicle will be Subject to Critical testing criteria	8 years old

Other vehicles including those that are initially (newly) licensed on or after 26 July 2022 are subject the restrictions below.

	Petrol, diesel or any other non ULEV/ZEV	ULEV	ZEV
Maximum age at time of first being licensed	4 years old	8 years old	17 years old
Maximum age limit beyond which the vehicle will not be licensed	9 years old or until 31/12/2029 (whichever is soonest)	15 years old	18 years old
Age at which the vehicle will be subject to six monthly inspections	6 years old	8 years old	8 years old
Age at which the vehicle will be Subject to Critical testing criteria	8 years old	12 years old	12 years old

For the purposes of the above, a vehicle is considered to be ULEV or ZEV if:

	ULEV	ZEV
Vehicle Type:	It is a plug in Hybrid (PHEV), or Extended Range Electric Vehicle (E-REV)	It is Battery Electric, or Hydrogen Fuel Cell, or Electric
V5C document details:	Taxation class = ALTERNATIVE FUEL CO2 (g/km) = 105g/km (or less)	Taxation Class = Alternative Fuel or Electric CO2 (g/km) = 0g/km

- (b) A vehicle will continue to be licensed as set out above, subject to the vehicle passing any necessary tests laid down by the City Council and there being no break during the licensing period.
- (c) Vehicles will be subject to 6 monthly inspections at a time and place to be notified by the authorised Officer of the Council.
- (d) Any vehicle damage that materially affects the safety, performance appearance, or the comfort of the passenger, must not be used for hire and reward purposes, until the vehicle has been suitably repaired.
Where a vehicle is off the road due to accident damage, subject to satisfactory documentary evidence being produced to the authorised Officer, the Council may allow a replacement vehicle that meets the above criteria to be licensed as a replacement for the accident damaged vehicle for a period not exceeding 3 months. All accidents must be reported to the council within seventy-two hours.

Cheques

- 16. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

Other licence holder responsibilities

- 17. All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

PETERBOROUGH CITY COUNCIL
PRIVATE HIRE DRIVER'S LICENCE CONDITIONS

The following are conditions attached to the private hire driver's licence. These conditions are additional to the requirements imposed on private hire drivers and vehicles by the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution.

1. Use of Taximeter

The driver of a private hire vehicle provided with a taximeter shall ensure that the taximeter is sealed and approved by a person authorised by the City Council. All meters must be calendar controlled.

- (a) As soon as the vehicle is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- (b) Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Transport Lighting Act 1957 and also at any other time at the request of the hirer;
- (c) If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).

2. Fare to be Demanded

- (a) The driver shall not demand (from any hirer of a private hire vehicle) a fare in excess of (any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare) the fare shown on the face of the taximeter. The driver **must** confirm prior to the commencement of the journey, the name of the hirer, the destination and the cost of the journey;
- (b) The driver of a private hire vehicle shall not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare shown on the face of the taximeter.

3. Interference with Equipment

The driver of a private hire vehicle shall not tamper with or permit any unauthorised person to tamper with, any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto, nor with any other equipment attached to or forming part of the vehicle.

4. Shortest Route

The driver of a private hire vehicle shall not without reasonable cause unnecessarily prolong in distance or in time, the journey for which the private hire vehicle has been hired.

5. Driver's Identification Badge

The Driver must at all times when acting as a driver of a private hire vehicle wear his identity badge, as provided by the Council, in such manner as to be plainly and distinctly visible. The badge must be handed over for inspection, if requested, to any authorised officer or Police Officer for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.

6. The driver of a private hire vehicle shall, when required to do so by an authorised officer of the Council or any Police Officer, return the driver's badge and licence to the Council and obtain a receipt for it. The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return the driver's badge to the Council. Badges must be renewed before the expiry date of the existing badge. (Exceptions may be made in exceptional circumstances, see paragraph 1.27) Drivers are reminded that it is an offence to drive a licensed Hackney / Private Hire vehicle whilst not being in possession of a current licence.
7. Assistance with Luggage
- The driver of a private hire vehicle so constructed as to carry luggage shall:
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such a person.
8. Operation of Vehicle
- (a) Once a passenger has alighted the vehicle, the driver may park the vehicle whilst waiting for the next booking, provided that there are no parking restrictions, it is not causing an obstruction, and not within the defined city centre area.
 - (b) Private hire vehicles and drivers waiting for their next booking within the city centre are required to wait in designated car parks, until the vehicle is booked and required to proceed to the destination at the appointed time within the city centre. The council has designated Wellington Street and Pleasure Fair Meadow car parks, and will designate further car parks for this purpose (subject to amendment to the Traffic Regulation Order and Directors approval) which will be published on the council's website.
 - (c) The council reserves the right to restrict private hire vehicles from these car parks as and when necessary, for example a city wide event.
 - (d) Drivers must switch off their vehicle engine when waiting in the designated car parks, and not leave their engine idling when parked for more than a couple of minutes anywhere.
9. Drivers of private hire vehicles shall at all times carry a written record of all hirings to be produced on demand to an authorised officer of the City Council or any Police Officer. **THE DRIVER SHALL ONLY ACCEPT HIRINGS THAT HAVE BEEN PASSED VIA THE PREMISES OF THE LICENSED OPERATOR FOR WHOM HE WORKS AND IMMEDIATELY UPON RECEIPT OF SUCH A HIRING THE DRIVER MUST RECORD THE SAME IN HIS OWN RECORD OF BOOKINGS BEFORE PROCEEDING TO THE PICK-UP POINT.**
10. Lost Property
- The driver of a private hire vehicle shall, immediately after the termination of any hiring or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein. Any property found shall be returned to the hirer or handed in to the nearest Police Station within 24 hours.
11. Carriage of Other Persons
- The driver of a private hire vehicle shall not permit any other person to be conveyed in the vehicle without the express consent of the first hirer.
12. Licence Plate
- (a) The driver of a private hire vehicle shall not wilfully or negligently cause or suffer any licence plate to be concealed from public view whilst the vehicle is being used for the purpose of hire. The driver must ensure that the plate is securely fixed to the rear outside of the vehicle in such a manner as to be easily removed by an authorised officer of the Council or Police Officer.

- (b) The licensed driver must ensure that the vehicle is displaying a sign identifying the vehicle licence number in the top left hand side of the windscreen (as viewed from inside the vehicle). The approved sign provided by the council must be fitted internally, in such a manner that the sign can be clearly viewed from outside the vehicle. The sign shall be capable of being removed by a constable or authorised officer or the council, should the licence be suspended or revoked.

13. Prompt Attendance

The driver of a private hire vehicle shall, if he is aware that the vehicle has been hired, be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that time and place, unless delayed or prevented by reasonable cause.

14. Change of Address

The driver shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.

15. Conduct of Driver

The driver shall:

- (a) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner;
- (b) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (c) not drink, eat or smoke in the vehicle;
- (d) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- (e) 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 (Drivers are reminded that it is an offence to sound a horn whilst stationary except in traffic and not at all between 11.30pm and 7.00am in areas where there is a 30mph speed limit in force); and
- (f) NOT consume ANY alcohol whilst on duty and ensure that he/she complies with statutory legislation in relation to drink driving offences.
- (g) Co-operate with any reasonable request made by an Authorised Officer.

16. Smoking

It is against the law for a driver or passenger to smoke in a licensed vehicle. For the avoidance of doubt, the council also forbids the smoking of electronic cigarettes and vaping in licensed vehicles, whether by the driver or passengers

17. Passengers

- (1) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- (2) The driver shall not allow any child below the age of twelve years to be conveyed in the front of a private hire vehicle:

18. Written Receipts

The driver shall if requested by the hirer of a private hire vehicle provide the hirer with a written receipt for the fare paid.

19. Vehicle Damage Notification

The driver of a private hire car shall within seventy two hours report all accidents in writing to the Council.

20. Animals

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself, the proprietor or operator of the vehicle. Any animal belonging to or in the custody of any passenger may be conveyed at the driver's discretion.

21. The carrying of hearing dog, guide dog or other assistance dog shall not be at the driver's discretion and such a dog accompanying a visually or hearing impaired person must be carried at no additional cost.

22. Health of Driver

The driver of a private hire vehicle must inform the Council without delay about the onset or worsening of any health condition likely to cause them to be a source of danger to the public when driving either now or in the future. Examples are giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, parkinson's disease, heart disease, angina, 'coronaries', high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug taking and loss of a limb or use of a limb. THIS LIST DOES NOT INCLUDE ALL THE DISABILITIES THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF DISABILITIES.

Temporary conditions, other than recurrent ones, not expected to last more than three months need not be reported. Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor.

23. A Group 2 medical certificate completed by a registered general practitioner who is licensed to practice in the UK must be submitted with all new applications and every three years upon renewal and then annually thereafter when the applicant reaches 65 years old.

24. Period of Licences

Private Hire Drivers Licences are generally issued for a three year duration, but may be granted for a lesser duration if appropriate, or if the applicant's right to work is of a shorter or limited duration. Drivers are responsible for ensuring they renew their licence at the appropriate time. Drivers who fail to renew their licence prior to expiry will be required to apply as a new driver, except in exceptional cases R (on the application of Exeter City Council) v Sandle [2011] LLR480.

25. Acceptance of Hirings

The driver shall not whilst driving or in charge of a private hire vehicle ply for hire or otherwise:

- (a) tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
- (b) cause or procure any other person to tout or solicit on any road or other PUBLIC place any person to hire or be carried for hire in any private hire vehicle; or
- (c) offer the vehicle for immediate hire whilst the driver is on a road or PUBLIC PLACE or PRIVATE PROPERTY.

26. Before commencement of a journey the driver shall confirm the passenger's name and destination. The driver shall confirm the fare before the commencement of the journey unless a sealed meter is used in accordance with the City Council's regulations.

27. Before commencement of duty, a private hire driver shall ensure:

- (a) that the vehicle is licensed in accordance with the City Council's regulations;
- (b) the vehicle is correctly insured as required by the relevant Road Traffic Regulation Act or any other enactment; and
- (c) that he inspects the vehicle to ensure that it is in a fit and proper condition to be used as a private hire vehicle.
- (d) the vehicle is displaying the required notice in the windscreen identifying the vehicle licence number
- (e) the vehicle is displaying the correct Part 1 and Part 2 notice, in a conspicuous unobscured place which can be easily read by a passenger travelling in the rear and front of the vehicle. The part 1 notice must contain the following information;
 - name of the proprietor,
 - the telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - the vehicle registration number, and
 - the vehicle licence plate number.
 The Part 2 notice must display the drivers photo and licence number

28. When a driver is not using a licensed vehicle for private hire purposes, the driver shall ensure that the licence plate is obscured from public view. Drivers are reminded that it is an offence to drive a licensed Private Hire vehicle whilst not being in possession of a current private hire driver's licence.

29. Documentation

At the request of an authorised officer of the Council or a Police Officer the driver must within 7 days produce for inspection the following documents:

- (a) the vehicle licence;
- (b) the vehicle registration documents;
- (c) a Certificate of the policy of motor insurance as required by Part IV of the Road Traffic Act 1988 or any other enabling Act;
- (d) where appropriate a Ministry of Transport Test Certificate; or CoC and
- (e) his own driving licence issued by DVLA or equivalent as defined by DVLA.

30. Convictions/Cautions

- (a) The proprietor/driver shall within 48 hours disclose to the Council in writing details of an arrest and release, charge or conviction of any sexual offence, or offence involving dishonesty, or violence, any convictions, cautions, DVLA penalty points etc. imposed on him (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.
- (b) Licensed drivers must also report to the council within 7 days any changes to their immigration status, or any convictions of an immigration offence, or any requirement to pay an immigration penalty. A licence ceases to have effect if the person does not have the right to work in the UK. Any licence which has expired due to the person's immigration status must be returned to the council within 7 days.
- (c) All licensed drivers are required to maintain continuous registration with the DBS update service and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance and where there is reasonable cause for doing so

31. Advertisements etc.

The driver of a private hire vehicle shall not place or suffer to be placed any printed, written or other matter by way of advertisement on any part of the vehicle except with the prior written consent of the Council.

Cheques

32. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

Private Hire Operator's Licence Conditions

Introduction

Private Hire Operators are licensed to provide pre-booked journeys for passengers at an agreed fare. Legislation states that the journey must be pre-booked with the operator prior to commencing, where a fare is undertaken without being pre-booked it is against the law and the driver's insurance will almost certainly be invalid.

The council has a responsibility to regulate Private Hire Operators in accordance with legislation, when receiving an application as well as considering any legislative requirements local authorities also have the ability to take into consideration local factors or issues that may be relevant when granting a licence.

When considering a new application for an operator's licence we will consider the location of the premises, parking arrangements for vehicles and what the effect of granting the licence is likely to have on anyone in the vicinity, this includes residents, the public and other businesses.

Some locations such as the city centre and other densely populated areas do not easily accommodate businesses such as the private hire trade due to the space required for vehicles etc. Due to this we would not grant a licence unless the applicant can demonstrate such measures to ensure that there will not be a detrimental effect on anyone in the vicinity, this will also include any parking infringements by drivers visiting the office that are encouraged due to the location. Any application for a city centre location will also be considered in accordance with the Peterborough City Centre Development Plan.

In granting a licence the authority will attach conditions to the licence, and as part of the authority's role within regulation it will ensure compliance by the operator to these conditions. Some conditions are prescribed by legislation and are mandatory; others are adopted locally where deemed appropriate or necessary.

It is good practice and appropriate to regularly review the conditions in order to ensure that they remain relevant and are fit for purpose. It should be remembered that where conditions are set by legislation then these cannot be amended or removed and therefore will continue to be attached to all operator licences.

These conditions are in addition to the requirements imposed upon operators by the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to enforcement action which could lead to suspension or revocation of the licence and/or prosecution.

1. Planning Requirements

- (a) There shall (where planning legislation and practice requires it) be in force for the premises from which the business is to be conducted a valid planning consent in these cases. Operators must comply fully with any condition attached to such consent.
- (b) Where planning consent is not required written confirmation from the council's planning department will be required.
- (c) In the case of an operator with only one vehicle operating from a residential address and the council's planning department has confirmed that planning permission is not required the following conditions must be adhered to:
 - (i) only one vehicle can operate from the premises
 - (ii) customers must not visit the premises
 - (iii) customers must be picked up away from the premises
 - (iv) any advertising from the premises must have prior approval from the council's planning department.

2. Records

2.1 Records of vehicles and drivers

- (a) The operator shall be responsible for maintaining at his premises **(AND AT EACH SUCH PREMISES IF OPERATING FROM TWO OR MORE PREMISES)** particulars of all vehicles operated by him, which shall include the following:-
- (i) the call sign or other identifying mark used on booking records;
 - (ii) the licence plate number;
 - (iii) the vehicle registration number;
 - (iv) the name and address of vehicle proprietor;
 - (v) a valid current certificate of motor insurance or security for the vehicle together with, where appropriate, a Ministry of Transport certificate and or certificate of compliance, and ensure both the driver and vehicle hold a current licence issued by the same authority;
 - (vi) the names and addresses of drivers and the badge numbers of drivers.
- (b) The above records to be produced on request to an authorised officer of the Council or to a Police Officer.
- (c) Operators must provide due diligence in the form of written records to demonstrate that staff and drivers are fully trained and aware of their responsibilities. Operators may demonstrate this with training records to include safeguarding and disability awareness, other checks performed by the operator, company policies etc. The due diligence records must be made available to an authorised officer upon request.
- (d) Operators who provide wheelchair accessible vehicles (WAV) must ensure that the driver is appropriately trained to safely load, unload and convey passengers in a safe and secure manner. This training must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- (e) Operators are required to keep and maintain a register of all staff that will be taking bookings and/or dispatching vehicles.
- (f) Operators are required to evidence that they have had sight of a Basic DBS check for any and all individuals on their register of booking and dispatch staff and must ensure that Basic DBS checks are conducted on any individuals added to their register. Should an employee cease to be on the register and is then later re-entered, a new Basic DBS certificate must be requested for that individual and sight of this recorded.
- (g) Operators are required to provide a copy of their policy on employing ex-offenders in roles that would be on the register as above.

2.2 Records of bookings

- (a) Before the commencement of each journey of every private hire booking the operator shall enter in a suitably bound book, **TO BE HELD AT THE PREMISES FROM WHICH THE BOOKING IS MADE**, the pages of which are numbered consecutively, the following details:-
- (i) the time and date of each booking;
 - (ii) by what method the booking was received, i.e. telephone or personal call;
 - (iii) journey from _____ to _____; (Full address including house number where appropriate)
 - (iv) the full name of the hirer;
 - (v) cost of fare quoted for journey.
 - (vi) the name of the driver who fulfilled the booking
 - (vii) that driver's licence number or individual call sign
 - (viii) the vehicle registration number which fulfilled the booking
 - (ix) the name of the individual that dispatched the vehicle or accepted the booking

If the above data is to be retained electronically, the operator must make appropriate provision to

ensure it is backed up to maintain data integrity and retention period.

(Note: If a licence plate number or call sign is used, a record showing the vehicle registration number and the plate number or call sign allocated shall be displayed and kept on the licensed premises).

- (b) If an operator subcontracts a booking to another licensed operator, both operators must keep a record of bookings. The initial operator who accepted the booking must provide due diligence of checks made to ensure the operator they passed the booking onto is correctly licensed. This due diligence must be documented and made available to an authorised officer.
- (c) The records shall be kept for a period of not less than six months from the date of the last entry, or such longer period as required by an authorised officer of the Council and must be produced on reasonable request to any such officer or to a Police Officer.

3. **Information as to Charges**

No operator of a private hire vehicle which is licensed by the Authority under this Act shall invite or accept a booking for such vehicle, or control or arrange a journey to be undertaken by such vehicle, without first drawing the attention either orally or in writing to the person making the booking, information as to the basis of charge for the hire of the vehicle. The Operator shall ensure that such information is passed to the driver.

4. **Statement of Fares**

Operator's who provide private hire vehicles that are fitted with a taximeter must ensure that the vehicle displays a current statement of maximum fares as set by the council.

Operator's must make customers fully aware of any additional charges which may be applied, e.g.

- (a) the minimum charge of each hiring (if any);
- (b) the fare tariff;
- (c) any additional charges (eg. cleaning a soiled vehicle)

These additional charges must be clearly displayed in the operator's office and website where available.

5. **Term of Licence**

A Private Hire Vehicle Operator's Licence is usually granted for a five year duration, but may be granted for a lesser duration if requested to do so in writing, or the applicant's immigration status limits it to a shorter duration.

6. **Ofcom licence**

Operators who utilise a radio system will be required to provide proof of their current licence from Ofcom.

7. **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:-

- (a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place the vehicle shall, unless delayed or prevented by reasonable cause, punctually attend at that appointed time and place.
- (b) 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.

- (c) Ensure that any waiting area provided by the operator has adequate seating facilities and has valid public liability insurance in place for this area.
- (d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- (e) Ensure that if it is intended that a diesel "Fortwo" Smart Car is to be dispatched to fulfill a booking, it is highlighted with the customer and if requested, an alternative licensed vehicle is supplied.
- (f) Ensure that no additional charges or costs are levied or applied by them or their drivers for the conveying of assistance dogs.
- (g) Where the operator has a wheelchair accessible vehicle within their fleet, ensure that no additional costs are levied by them or their drivers for conveying disabled passengers.

8. **Disorder**

The holder of an operator's licence shall not permit any person who is drunk, or is behaving in a disorderly manner, to remain upon the premises in respect of which the licence is in force.

9. **Change of Address**

- (a) The operator shall notify the Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an operator) during the period of the licence within seven days of such change taking place.
- (b) Where there is a change of address from which the business is conducted, the operator must ensure that all necessary requirements including any planning permissions are in place prior to the business operating from the new location.

10. **Convictions/Cautions**

- (a) The operator shall within 48 hours disclose to the Council in writing details of any conviction/cautions imposed on him or arrests and release, charge or conviction of any sexual offence, or offence involving dishonesty or violence, (or if the operator is a company or partnership, on any of the directors or partners or other persons with significant control) during the period of the licence.
- (b) The operator must notify the council within seven days of any changes to their immigration status or, if since the grant of their licence there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.
- (c) An operator's licence ceases to be in effect if the person to whom it was granted becomes disqualified by reason of their immigration status. Where this applies the person must cease to operate and return their operator's licence to the council within 7 days.
- (d) Operators (who are not also licensed drivers), are required to submit a basic DBS disclosure on an annual basis
- (e) Where the operator is a company, the annual DBS requirement extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators must notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.

11. **Facilities for Passengers**

- (a) The operator shall ensure that where any passenger waiting area or room is provided it is kept physically separate from any driver rest area and operations room.

- (b) The operator shall ensure that his/her staff, driver's, vehicle proprietors, passengers or prospective passengers are not allowed to congregate on a public road, footpath or any other public place adjacent to his/her licensed premises whilst waiting for the arrival of vehicles.
- (c) The operator shall ensure that the internal and exterior of **EACH of HIS/HER** premises ARE kept in good repair to the satisfaction of the Council.

12. **Complaints and requirement to display required information - Part 1 notice**

- (a) Operators must have a formal written complaints procedure and policy in place which must be made freely available to all customers. The procedure must, as a minimum include and document the following matters:
 - (i) The way in which customers can complain, including the operator's business name and telephone number.
 - (ii) When the complaint was made (date and time)
 - (iii) Who made the complaint
 - (iv) The nature of the complaint
 - (v) When the complainant can expect to be contacted by the operator regarding the complaint (not more than 72 hours from receipt).
 - (vi) The resolution offered by the operator, and
 - (vii) That the complainant may further their complaint to the licensing department if they remain unsatisfied with the operators resolution.
- (b) The operator is responsible for ensuring that the complaint records are documented in a written or electronic format, contain all the information required in 12 (a) (ii) to (vi), be retained for a minimum period of six months and made available to an authorised officer.
- (c) These requirements are to remain the responsibility of the operator who accepted the booking, even where the booking has been subcontracted to another licensed operator.
- (d) All vehicles utilised by the operator (except where subcontracted to another licensed operator) must clearly display a Part 1 notice, which must contain the following information in a conspicuous unobscured place, which can be easily read by a passenger travelling in the rear and front of the vehicle:
 - (i) The name of the proprietor
 - (ii) The contact telephone number where a customer can make a complaint or report a concern, e.g. Should you wish to comment positively or negatively on any aspect of your journey today, please call (insert telephone number)
 - (iii) The vehicle registration number, and
 - (iv) The vehicle licence plate number
- (e) Operators must monitor complaints to see if there are any trends, or if they relate to particular drivers or vehicles. Where a trend is apparent, appropriate action must be taken by the operator to address the issue.
- (f) If an operator is made aware of a safeguarding or serious complaint relating to the 'fit and proper' status of a driver, they must notify the council immediately and provide details of the actions taken by the operator.

13. **Taximeters**

- (a) The operator shall ensure that vehicles operated by him which are fitted with a sealed taximeter, charge a fare or charge calculated from the point in the district at which the hirer commences his journey and shall not exceed that displayed on the taximeter at the completion of the journey. The taximeter being brought into operation at the commencement of the journey.
- (b) The operator must ensure that all vehicles operated by his base station fitted with meters have been sealed by a person authorised by the Council.

14. **Acceptance of Bookings**

- (a) The operator must advise all drivers **OF VEHICLES IN RESPECT OF WHICH HE ACCEPTS A BOOKING THAT**, whilst on duty, being in charge of a licensed private hire vehicle HE shall not ply for hire or otherwise:-
- (i) tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
 - (ii) cause or procure any other person to tout or solicit on any road or other PUBLIC place any person to hire or be carried for hire in any private hire vehicle; or
 - (iii) offer the vehicle for immediate hire whilst the driver is on a road or public place or private property.
- (b) The Operator/Proprietor shall not permit any person not being the holder of a valid licence issued by the City Council to drive a licensed private hire vehicle.

15. **Satellite Offices**

Where a satellite office is in operation the following conditions will apply in addition to those previously mentioned:

- (a) Private hire vehicles must not park illegally on the public highway in the vicinity of the satellite office, breach road traffic legislation or breach parking restrictions or cause obstruction or annoyance to the public, other road users or other businesses.
- (b) Vehicles must not be allowed to congregate in the vicinity of the satellite office unless there is adequate off street parking to accommodate all vehicles.
- (c) Private hire vehicles must only attend the satellite office to undertake pre-booked fares and should depart immediately on the collection of their passenger
- (d) Vehicles should not be dispatched to the satellite office unless the passenger is ready for collection.
- (e) Booking records must be kept in accordance with section 2 of this document.
- (f) Private Hire Marshals must be clearly identifiable to the public and fully aware of their responsibilities in accordance with the conditions as attached to the operator's licence and all associated legislation.
- (g) Private Hire Marshals or any other person representing the operator must not approach the public or any prospective customer and offer a vehicle for hire, regardless of their location, be it in a public or private place. This includes handing out business cards to prospective customers without the customer making an initial enquiry.
- (h) Where official marshals are not employed by the operator and existing members of staff of a premises are acting as an agent for the operator, then the agent representing the operator must not approach the public or any prospective customer and offer a vehicle for hire, regardless of their location, be it in a public or private place. This includes handing out business cards to prospective customers without the customer making an initial enquiry.
 - (i) Driver's must not take bookings direct from customers.
 - (j) Where a driver is temporarily undertaking the role of a marshal, the driver must be clearly identifiable as such and must not be in the vicinity of his vehicle.
 - (k) Where a driver is temporarily undertaking the role of a marshal, the driver must not take a booking and then carry out the job himself.

16. **Licence Fees**

- (a) A licence in respect of which a licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

17 **Other licence holder responsibilities**

- 17.1 All licence holders (proprietors, operators and drivers) shall co-operate with any reasonable request made by an Authorised Officer.

PETERBOROUGH CITY COUNCIL

Limousine and Speciality Vehicles Licence Conditions

Peterborough City Council reserve the right to consult with DVSA (Driver and Vehicle Standards Agency (formerly VoSA)) if it believes a vehicle does not meet the standards set out in the latest version of their document for Guidance for Limousine Operators. The authority may refuse any vehicle upon application that does not meet the criteria.

It is the responsibility of each applicant to ensure that no more than 8 (Eight) passengers are ever transported in the vehicle at any one time. Seating capacity can be defined by the number of seating positions, which again can be defined by sculpting in the seat and/or seat belts. When signing the vehicle licence application you are confirming that you will adhere to this.

On application for a limousine vehicle licence the applicant must be able to prove that the vehicle is of an approved standard to be used on the UK highway. If a vehicle is less than ten years of age it will require an IVA (Individual Vehicle Approval) certificate, a current MOT test certificate and a V5 vehicle registration certificate. Any vehicle over ten years of age will require a current MOT test certificate and a V5 vehicle registration certificate.

If any applicant is unsure how to obtain the relevant registration documentation, they should contact DVLA and/or DVSA.

Limousines should ideally be chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

For the licensing of prestige cars each vehicle must comply with the Road Vehicle (Construction and Use) Regulations. It is expected that the type of vehicle relevant to this category of licensing would be a Rolls Royce, Daimler, Bentley, Jaguar or other high end models from manufacturers such as BMW or Mercedes Benz however this list is non-exhaustive and approval will be at the council's discretion; Also incorporated into this section would be vintage or classic cars. Other vehicles that the authority may be asked to licence could be Kit cars, or something of a more retro nature such as those from television, examples being a Ford Capri or a Reliant three wheeler.

All vehicles when presented for inspection must have all relevant documentation such as the MOT test certificate and a V5 vehicle registration certificate.

All speciality vehicles should ideally be chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

Peterborough City Council reserve the right to consult with DVSA if it believes a vehicle does not meet the standards of roadworthiness as set out in the categorisation of vehicle defects.

It should be noted that at the time of writing there is an exemption under the Local Government (Miscellaneous Provisions) Act 1976, when vehicles are used for weddings and funerals. However, this may change once the results of the law commission consultation are known, and changes made to legislation.

1. Licensing Requirements

- 1.1 The general conditions imposed by Peterborough City Council (hereafter referred to as the Council) for private hire vehicle operators and drivers will be applicable to the licensing of stretch limousines and Speciality Vehicles unless amended by the following provisions.
- 1.2 The general conditions imposed by the Council for private hire vehicles where applicable to the

licensing of stretch limousines and speciality vehicles are included in section 12. General Conditions for Private Hire Vehicles.

1.3 The type of work undertaken by stretch limousines will differ significantly from that of regular private hire work in that the vehicle will only be licensed for the carriage of passengers for special events, examples of which are:

- Prom nights
- Theatre trips
- Hen nights
- Stag nights
- Party trips
- Race days

or any other similar events considered by the Council to be special in nature. However, vehicles used solely for weddings and funerals are exempt from the requirements of private hire licensing.

2. Private Hire Operator's Licence

2.1 Persons taking bookings for private hire work using stretch limousines or speciality vehicles will be required to hold a private hire operator's licence issued by the Council.

2.2 All bookings of a limousine or speciality vehicle for use as a private hire vehicle must be made through a licensed private hire operator. Any vehicle licensed by the Council will only be used for hire under the terms of a private hire operator's licence already issued or granted to an operator within the District or to any new licensed operator.

3. Private Hire Driver's Licence

3.1 Any person driving a stretch limousine or speciality vehicle for private hire will be required to be licensed as a private hire driver by the Council.

4. Stretched Limousine - Definition

4.1 A stretch limousine is defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an authorised coachbuilder that is capable of carrying up to but not exceeding 8 passengers. There will be no age limit for first registration and no maximum upper age limit, subject to the vehicle being mechanically and physically maintained in accordance with the provisions of the Council's standard conditions relating to private hire vehicles.

4.2 In order for the limousine to be considered for licensing, the applicant must prove that the "stretch" was carried out by the manufacturer or by a coachbuilder approved by the vehicle manufacturer. American limousines must have been built by an approved coachbuilder under the QVM programme, (Qualified Vehicle Modifier) for Ford vehicles or the CMC programme (Cadillac Master Coachbuilders). The onus is placed upon the applicant to prove that the vehicle meets the prescribed standards.

4.3 Once licensed as a private hire vehicle, the limousine will be subject to any statutory requirements imposed by Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.4 Stretch limousines will be regarded as luxury vehicles used for special events. The use of such a vehicle for standard private hire work is not considered to be appropriate.

5. Vehicle Testing

5.1 A stretched limousine vehicle will be subject to a **twice yearly mechanical examination** at intervals to be specified by the Council at its authorised testing station (Aragon) to determine its safety and

suitability for the type of work for which it is to be licensed. This will apply to all stretched limousines regardless of age, date of import or date of registration. **A licence for a stretched limousine will be issued for a period of 12 months only**, renewal subject to a satisfactory retest.

- 5.2 The Vehicle Registration Document V5 must indicate in the field "Type Approval Number" that it has undergone one of the following approvals and meets the technical standards of either:
- a European Whole Vehicle Type approval, or
 - a British National Type approval, or
 - an Individual Vehicle Approval (IVA) (formerly known as the Single vehicle Approval scheme (SVA)).
- 5.3 Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
- 5.4 Documentation is to be provided proving that the 'stretch' was performed by the manufacturer or by a coachbuilder approved by the vehicle manufacturer e.g. American limousines must have been built by an approved coachbuilder under the QVM programme for Ford Vehicles or the CMC programme for Cadillac Vehicles.
- 5.5 A plate on the door pillar shall confirm the total weight of the vehicle.
- 5.6 DVLA V5 or equivalent shall be produced to authenticate registration.
- 5.7 A speciality vehicle will be subject to an **annual MOT test** at any DVSA authorised MOT testing centre. This will apply to all speciality vehicles regardless of age, date of import or date of registration. **A licence for a speciality vehicle will be issued for a period of 12 months**, renewal subject to a satisfactory retest.
- 5.8 Limousine and speciality vehicles will receive an exemption to display an external identification plate, a paper permit will be issued which must be clearly displayed on the nearside of the front windscreen.
- 5.9 An exemption notice will be issued and must be carried in the vehicle at all times, the notice must be produced upon request by an authorised officer of the council or any police officer on request.
- 5.10 The driver will also be exempt from wearing a private hire badge under the exemption notice. But must have it available for immediate inspection by an authorised officer of the council or any police officer on request.
- 5.11 The vehicle will be exempted from displaying the vehicle licence number in the windscreen and the Part 1 Part 2 notice.
6. **Vehicle Requirements**
- 6.1 Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times. The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight of the vehicle, such as 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced).
- 6.2 Where applicable, an installation certificate must be produced from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.
- 6.3 The vehicle must maintain valid road vehicle excise duty.
- 6.4 Vehicles may either be left or right hand drive.
- 6.5 Vehicles must be fitted with at least 4 doors (limousines).

6.6 All seats shall be fitted with appropriate seat belts, which must be fitted in accordance with the current Road Vehicle (Construction & Use) Regulations (limousines). In the case of speciality vehicles seat belt requirements will depend on the Road Vehicle (Construction and Use) Regulations relating to the age of the vehicle; where this allows for seatbelt exemption children must not be carried in the vehicle.

6.7 Stretch limousines with heavily tinted glass in the windows behind the driver's cockpit will be considered for licensing. Glass in the driver cockpit must satisfy the current legal requirements. Tinted glass shall conform to the legal requirements as laid down by DVSA.

7. **Passengers**

7.1 The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.

7.2 The vehicle must not carry more than 8 passengers at any time and for this purpose a babe in arms will be classed as a passenger no matter what their age.

7.3 Passengers must not be carried in the front compartment.

8. **Insurance**

8.1 The vehicle must have 'hire and reward insurance' to carry out private hire work and a full policy of insurance must be presented before the vehicle is licensed. An insurance cover note will not be accepted.

9. **Alcohol**

9.1 Alcohol shall only be served while the vehicle is stationary and afterwards all bottles shall be placed in a secure receptacle.

9.2 No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence under the licensing Act 2003 permitting the sale or supply of the same.

9.3 If there are any passenger's below the age of 18, then there shall be no alcohol in the vehicle.

9.4 Any 'glassware' in the vehicle must be made of either shatterproof glass or plastic.

10. **Entertainment**

10.1 The driver shall not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the vehicle (based on the age of the youngest passenger).

10.2 Entertainment provided in the vehicle shall be under the terms of any relevant legislative requirements. Activities which are prohibited within the vehicle are:

- Striptease
- Lap Dancing
- Pole Dancing
- Any other activity or performance of a like kind.
- The driver of the vehicle shall not knowingly permit to be played any video, DVD or other recording image that is unsuitable having regard to the age of passengers being conveyed. In deciding what a suitable regard shall be, the driver must take notice of the classification of the video, DVD or recorded image awarded by the British Board of Film Classification

11. **Advertisements**

11.1 No signs, notices or any other markings will be displayed on or in the vehicle without the written

permission of the Council. There is no requirement for the vehicle to display a door sign denoting the operator's details.

- 11.2 In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry a maximum of 8 passengers and a sign to this effect must be displayed within the passenger compartment of the vehicle.

12. **General Conditions for Private Hire Vehicles**

- 12.1 Listed in this section are the conditions taken from the council's general conditions for private hire vehicles which are applicable to the licensing of stretch limousines and speciality vehicles.

12.2 Maintenance of Vehicle

- a) The vehicle shall be of such a design to enable any person in the carriage to communicate with the driver;
- b) The vehicle will be provided with a proper carpet, mat or other suitable covering on the floor;
- c) The vehicle will be kept in a clean, safe condition and well maintained and in every way fit for public service; and
- d) The vehicle will be fitted in such a way to enable luggage to be secured if the vehicle is so constructed to carry luggage.

12.3 Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

12.4 Change of Address

The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place.

12.5 Vehicle Documentation

The proprietor of a Private Hire vehicle licensed by the Council shall at the request of an authorised Officer or any Police Constable produce for inspection the following documentation within 7 days from the time the request is made at a place notified to the driver by the authorised Officer or Police Constable.

- a) a certificate of the policy of Insurance or security required by Part IV of the Road Traffic Act 1988 or other enactment in respect of such Private Hire vehicle;
- b) the Private Hire vehicle Licence issued by the City Council;
- c) a current Ministry of Transport Test Certificate or CoC (where applicable);
- d) the vehicle registration documents; and
- e) the driving licence (issued by DVLA)

12.6 Alteration of Vehicle

No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force.

12.7 Employees

If the proprietor permits or employs any other person to drive a licensed vehicle as a Private Hire vehicle, he shall before that person commences to drive the vehicle ensure that the driver holds a valid private hire driver's licence, is insured as required by the Road Traffic Act and that the driver fully understands the conditions attached to both this licence and the private hire driver's licence.

13. **Right of Appeal**

- 13.1 Under Section 48 (7) of the 1976 Act, any person aggrieved by the refusal of the council to grant a private hire vehicle licence, or any conditions specified in such a licence may appeal to a Magistrates' Court.
- 13.2 Please note that failure to comply with any of the aforementioned conditions including the general conditions relating to private hire vehicles may result in the commencement of criminal proceedings, and/or in the suspension or revocation of an existing licence, or in the refusal to issue a new licence.

Guidelines Relating to the Relevance of Convictions / Cautions in Relation to Taxi Licensing

Introduction

The City Council as the Taxi Licensing Authority, has the responsibility to ensure all drivers of hackney carriages and private hire vehicles that are available for hire to the public, are 'fit and proper' persons to hold the relevant drivers' licences, and are not disqualified by reason of their immigration status. The taxi Licensing Authority will take such measures as appropriate in order to protect members of the public, other road users and the drivers themselves.

There is no definition or general test that determines whether or not a driver is deemed 'fit and proper' to hold a licence. It is a matter of judgment for the Licensing Authority in order to assess any risks or concerns, taking into consideration such matters as the applicant's integrity, honesty and previous character. Previous convictions and cautions are taken into account as well as other information.

Convictions and cautions do not necessarily mean that an application will be refused, or a licence will be revoked. Also, where an applicant does not have any convictions or cautions, the applicant must still be deemed 'fit and proper' by the Licensing authority. Each case is treated on its own merits.

The assessment is ongoing and drivers have a duty to disclose within 48 hours, any convictions or cautions which might affect their suitability to hold a private hire or hackney carriage driver's licence.

The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:

- That a person is a fit and proper person
- That the person does not pose a threat to the public.
- That the public are safeguarded from dishonest person
- The safeguarding of children and young persons

These guidelines will be referred to by officers exercising their powers of delegation, under the Council's Scheme of Delegations in determining whether or not a person is 'fit and proper' to hold a driver's licence.

1. General

1.1 Scope

These guidelines apply to the grant, revocation, suspension or renewal of Operator's Licences ("Operator's Licences"), Licences to drive hackney carriages and/or private hire vehicles ("Driver's Licences") and hackney carriage and/or private hire proprietors licences (vehicle licenses) issued by Peterborough City Council ("the Council").

1.2 Purpose

The purpose of these guidelines are to facilitate the Council's duties and responsibilities in determining the impact of convictions and cautions on the grant or renewal of Driver's, Operator's and Proprietors Licences in accordance with the legislative considerations set out below.

2. Legislative Background

2.1 Licensing Legislation

The Council licences drivers, operators and proprietors under the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 ("the Relevant Legislation").

2.2 Grant and Renewal of Licences

Sections 51, 55 and 59 of the Relevant Legislation prescribe that the Council shall not grant a Driver's or Operator's Licence unless satisfied that the applicant is fit and proper for that purpose.

Whilst the relevant legislation is not specific as to what will constitute a fit and proper person for the purpose of determining whether to issue a Licence, it is commonly accepted that any history of offending will be a relevant consideration. The overriding aim of the licensing authority is to protect the public.

2.3 Immigration Act 2016

The immigration Act also places a duty on the licensing authority to verify an applicant's right to work in the UK prior to issuing a licence. The council is prohibited from issuing a licence, (drivers and operators licence) to anyone who is disqualified by reason of their immigration status. This means that driver and operator licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a licence.

Where a person's immigration permission to be in the UK is time-limited to less than the statutory length for a driver or operator's licence, the licence must be issued for a duration which does not exceed the applicant's period of permission to be in the UK and work.

The provisions also add immigration offences and penalties to the list of grounds on which operator and private hire and hackney carriage driver licences may be suspended or revoked by this authority. Where licences expire, or are revoked or suspended on immigration grounds, the licence must be returned within seven days. Failure to return the licence within seven days is a criminal offence.

2.4 Suspension or Revocation of Licence

Section 61 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew a Driver's Licence in the following circumstances:

- (a) there has been a conviction/caution for an offence involving dishonesty, indecency or violence;
- (b) there has been a conviction or caution for an offence under or a failure to comply with the Relevant Legislation; or
- (c) that since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (d) any other reasonable cause

Similarly, Section 62 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew an Operator's Licence in the following circumstances:

- (a) there has been an offence under or non-compliance with the Relevant Legislation;
- (b) any conduct on the part of the Operator which renders him unfit to hold a licence;
- (c) any material change since the Licence was granted in any of the circumstances of the operator on the basis of which the licence was granted;
- (d) that the operator has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (e) any other reasonable cause.

2.5 The Council will also have due regard to:

- (a) s.17 of the Crime and Disorder Act 1998 which states 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- (b) The Department for Transport's Statutory Taxi & Private Hire Vehicle Standards Guidance which

recognises the need for criminal record checks as an important safety measure and details that a licence should not be granted in relation to: Crimes resulting in Death, Exploitation, Sexual Offences, including applicants on the Sex Offenders Register or on any barred list.

3. **Disclosure of Convictions/Cautions**

- 3.1 All persons (“Applicants”) seeking to obtain an Operator’s, Driver’s or Proprietors Licence will be required to disclose the existence and detail of all relevant convictions and/or cautions they may have.
- 3.2 For the purpose of meeting their disclosure obligations, applicants for a driver's licence will be required to obtain an Enhanced Disclosure with barred list check from the Disclosure and Barring Service (“DBS”) and maintain continuous registration with the DBS update service, and provide authorisation in order to enable the licensing authority to routinely check for new information in accordance with statutory guidance, and where there is reasonable cause for doing so.
- 3.3 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.
- 3.4 The Council will decide what level of disclosure is required and in doing so will have regard to the Rehabilitation of Offender’s Act 1974 and the Rehabilitation of Offender’s Act 1974 (Exceptions) Order 2002 (“the Order”). In particular, the following is of note:

4. **Drivers**

- 4.1 Hackney and private hire drivers working with children and/or vulnerable adults are included within the scope of the Order. This means that all convictions, irrespective of age or sentence imposed can be considered if relevant to the application and will not become spent for this purpose.
- 4.2 In view of the application of the Order, the Council will request an Enhanced Disclosure with barred list check from the Disclosure and Barring Service (DBS) the response to which will contain information of any current or spent convictions, cautions, reprimands or warnings as well as for example other relevant information held by the Police. More information about the DBS and the checks that they perform is available on their website.

5. **Operators and proprietors**

- 5.1 Private Hire Operators and vehicle proprietors do not fall within the Exemption of the Order, however it is acknowledged that whilst that individual may not be directly responsible for transporting members of the public, they will have access to personal information about passengers and afforded access to them if they walked into the Operator’s office to hire a private hire vehicle.
- 5.2 In view of the above and requirement of the Relevant Legislation, that Operators and Proprietors are fit and proper persons, the Council will require operators and proprietors (who are not also licensed drivers) to submit a basic DBS disclosure with their application and on an annual basis.
- 5.3 Where the application for an operators licence is in the name of a company, the DBS requirement (including annual DBS) extends to all named Directors, Partners, Company Secretaries and all persons with significant control. Operators are required to notify the licensing authority in writing of any changes in directors, partners or other persons with significant control, within seven days. This notification must include a basic DBS for any new person.
- 5.4 Information obtained from the DBS will be shared only with those authorised to receive it in the course of their duties.

6. **Assessment of Applications**

- 6.1 The Council will not preclude applications from persons who have previous criminal convictions /cautions subject to the application of these guidelines. In particular, having a criminal record will not necessarily be a bar from obtaining a Licence. Each case will be decided on its own merits.

- 6.2 The fact that no convictions/cautions are revealed does not mean that applications will automatically be granted. In some cases, the applicant's history may be such that they can never be deemed a fit and proper person. The Council retains absolute discretion as to whether or not a Licence will be granted, having regard to the legislation outlined at paragraph 2 above, all information obtained and observations made during the relevant application process.
- 6.3 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Licensees who are licensed by multiple authorities are expected to inform all such authorities of the authorities that they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take into account as appropriate.
- 6.4 Careful consideration of the evidence provided should be given if an applicant has on more than one occasion been arrested, charged, but not convicted of a serious offence, which suggests on the balance of probabilities that they could pose a danger to the public. Consideration will be given to refusing the application. In assessing the action to take, the safety of the travelling public must be the paramount concern.
- 6.5 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material, particularly in giving information required on the application form. Where an applicant has made a false statement, false declaration or omitted to include information on their application for the grant or renewal of a licence, the licence will normally be refused.
- 6.6 The Council is also entitled to use other records and available information when determining applications. This may include information held by the council or other Licensing Authorities, use of NR3, information disclosed by the Police under the Common Law Police Disclosure (CLPD) scheme for reporting offences where there is a pressing social need, or with the Home Office regarding immigration offences. Anyone on the Disclosure and Barring Service (DBS) Barred List will normally be refused a licence. Any licence holder who is subsequently included on the DBS Barred List will normally have their licence revoked.

7. **Impact of Cautions/Convictions**

- 7.1 Each application will be carefully assessed and in each case the information provided will be considered in relation to the particular circumstances and shall take into account one or more of the following (non-exhaustive) factors:
- 7.2 **Level of Responsibility.** The Council will consider the level of independence afforded to the Applicant. An Applicant who works alone with minimal supervision will be considered a greater risk than one who works in a group and/or is closely supervised.
- 7.3 **Date of Offence(s).** The Council recognises that historic offences may have less relevance than recent offences. As a general rule, a pattern of unrelated or similar offences over a period of time will be considered more serious than an isolated minor conviction.
- 7.4 **Attitude of the Applicant.** The Council will look for evidence that the applicant has been rehabilitated and has demonstrated a determination not to re-offend.
- 7.5 **Mitigating Circumstances.** The Council may ask applicants about offence(s)/convictions so that the context can be considered. Due consideration will also be given to any references provided.
- 7.6 **Sentence Imposed.** The Council will consider any sentence imposed as an indication of the Court's view of the seriousness of the offence.

8. **Rehabilitation**

- 8.1 These guidelines prescribe the minimum periods of rehabilitation which will ordinarily need to have elapsed before an application can be approved. These minimum periods will be considered in

conjunction with the general considerations outlined above, as well as with reference to any additional information provided or observations made during the disclosure procedure.

8.2 Representatives of the Council tasked with deciding whether or not to approve an application have absolute discretion as to the application of the minimum periods of rehabilitation. This will apply both in favour of granting an application prior to the expiry of a rehabilitation period (for example where exceptional circumstances exist) or in declining an application before or after the expiry of a rehabilitation period (for example where there is evidence of any recent, persistent or habitual offending history).

Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

9. Right of Appeal

9.1 Applicants have a right to appeal against decisions made in pursuance of these guidelines in the following circumstances:

9.2 Licences

A right of appeal arises against the following decisions:

- Refusal to grant or renew an Operator's or Driver's Licence;
- Suspension or revocation of an Operator's or Driver's Licence; and
- The imposition of conditions which may have been placed on the grant of an Operator's or Driver's Licence.

Any such appeal must be made in writing to the Magistrates Court within 21 days of the date of the decision letter having been served.

The appeal will be processed and determined by the Magistrates Court.

9.3 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes this statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver (Road Safety Act 2006, s 52, 2A & 2B).

9.4 A suspension or revocation of the licence of an operator takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the operator.

10. Updating and Repeat Checks

10.1 Successful applicants are required to notify the Council within 48 hours of any convictions or cautions, arrests and release, charge or conviction of any sexual offence, or offence involving dishonesty or violence, or any other relevant matter criminal or civil, which may question their fit and proper status, they may receive after the grant of their Licence/Approval.

10.2 In order to assist the determination of an applicant's 'fit and proper' status, all applicants are required to provide a valid DBS check. The level of DBS required is determined by the type of application. Operators and Proprietors (who are not also licensed drivers) will be required to provide an annual basic disclosure. All licensed drivers must provide an Enhanced DBS and barred lists check, maintain continuous registration with the DBS update service and authorise the licensing authority to routinely check for new information.

10.3 If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.

11. Breaches of these guidelines

- 11.1 Applicants are prohibited from driving a private hire or hackney carriage vehicle, or performing the duties of an operator without first having obtained a relevant Licence for this purpose.
- 11.2 Persons who have previously been granted a Driver's or Operator's Licence which has been suspended or revoked are prohibited from continuing to drive or perform the duties of an operator unless they have submitted an appeal in accordance with paragraph 9 of this Policy.

12. Guidelines

The following paragraphs offer a general guide on the decision, which might be taken where cautions or convictions are disclosed.

Offences Involving Violence

Offences against Children under 14 years and Young Persons 14 to 17 years

- 12.1 Drivers of hackney carriages and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such vulnerable persons. The Council seeks to minimise risks associated with children and young persons and for that reason a more serious view will be taken when offences of violence involve children or young persons.
- 12.2 Where the commission of an offence involved loss of life a licence will normally be refused. In other cases anyone of a violent disposition will normally be refused to be licensed until they have at least been 10 years free of such conviction or the end of a term of imprisonment if applicable must have passed before an application is likely to be considered favourably. However given the range of the offences that involve violence, consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.

Offences against Other Persons

- 12.3 As hackney carriage and private hire vehicle drivers maintain close contact with the public, where the commission of an offence involved loss of life a licence will normally be refused. In other cases minimum periods of time from completion of any sentence imposed will be applicable before an application is likely to be considered favourably. Each case is assessed on its own merits and consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.
- 12.4 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
- Murder
 - Manslaughter
 - Manslaughter or culpable homicide whilst driving
 - Terrorism offences
 - Exploitation
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
- 12.5 A licence will not normally be granted where the applicant has a conviction for an offence such as:
- Malicious wounding or grievous bodily harm which is racially aggravated
 - Arson
 - Actual bodily harm which is racially aggravated
 - Grievous bodily harm with intent
 - Robbery

- Possession of a firearm
- Riot
- Assault on the Police
- Common assault which is racially aggravated
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction is less than 10 years prior to the date of application.

12.6 An application will normally be refused where the applicant has a conviction for an offence such as:

- Racially aggravated criminal damage
- Racially aggravated offence
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction or completion of any sentence imposed is less than 7 years prior to the date of application.

12.7 An application will normally be refused where the applicant has a conviction for an offence such as:

- Common assault
- Assault occasioning actual bodily harm
- Affray
- Fear of provocation of violence(S4 Public Order Act 1986)
- Intentional harassment, alarm or distress (S4A Public Order Act 1986)

and the conviction or completion of any sentence imposed is less than 10 years prior to the date of application.

12.8 An application will normally be refused where the applicant has a conviction for an offence such as:

- Obstruction
- Criminal damage
- Harassment, alarm or distress (S5 Public Order Act 1986)
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction or completion of any sentence imposed is less than 3 to 5 years prior to the date of application

13. **Weapon Offences**

13.1 If an applicant has been convicted of possession of a weapon or a weapon related offence, this will give serious cause for concern as to whether the person is a fit and proper person to carry members of the public. Depending on the circumstances of the offence, an applicant should be conviction free and completed any sentence imposed at least 7 years prior to the date of application.

14. **Sex and Indecency Offences**

14.1 Any applicant currently on the Sex Offenders Register will not be granted a licence.

Offences against Children under 14 years and Young Persons 14 to17 years

14.2 Drivers of hackney carriage and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such

vulnerable persons. Where the commission of a sexual offence involves a child or young person an application for a licence will normally be refused.

Offences against Other Persons

14.3 As hackney carriage and private hire vehicle drivers often carry unaccompanied passengers, an application will normally be refused where an applicant has a conviction for an offence of:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.4 An application will normally be refused where the applicant has a conviction for an offence relating to:

- Sexual or indecent assault
- Possession of indecent photographs, child pornography etc
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.5 An application will normally be refused where the applicant has a conviction for an offence relating to:

- Indecent exposure
- Soliciting (including kerb crawling)
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.6 A licence will not normally be granted if an applicant has a conviction for any sex or indecency offence.

15. Dishonesty Offences

15.1 Drivers of hackney carriages and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. It should also be noted that a private hire driver is not bound by a set fare structure and therefore is open to potential abuse by dishonest drivers. Customers often use the trade for journeys to airports and drivers are privy to the knowledge that premises will be empty for a period of time. In addition overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. Passengers may comprise especially vulnerable people.

15.2 For these reasons a serious view is taken of any convictions involving dishonesty. In general a minimum period of 7 years from conviction or completion of any sentence imposed should be required before an application can be considered favourably. Offences of dishonesty include, but are not limited to:

- Theft
- Burglary
- Fraud
- Benefit Fraud
- Handling or receiving stolen goods
- Forgery
- Conspiracy to defraud
- Obtaining money or property by deception
- Other deception
- Taking a vehicle without consent

- Or any similar offences / offences involving dishonesty (including attempted or conspiracy to commit) offences which replace the above.

16. Drug Offences

- 16.1 A serious view will be taken with regard to any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered. A licence will not normally be granted where the 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, until at least 10 years have elapsed since the conviction or completion of any sentence imposed.
- 16.2 An application will normally be refused where an applicant has any conviction for possession of drugs, or related to the possession of drugs, until at least 5 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.
- 16.3 If there is evidence of persistent drugs use, misuse or dependency, a medical examination (in accordance with the DVLA Group 2 Medical Standards) will be required before an application will be considered. If the applicant was an addict then they will be required to show evidence that they have been free from drug taking for a period of at least 5 years after detoxification treatment.

17. Driving Offences

- 17.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. Unless there are exceptional circumstances a licence will not normally be granted where an applicant has a conviction for an offence such as:

- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by driving unlicensed, disqualified or uninsured drivers or
- Or any similar offences

- 17.2 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions may reflect the fact that the licensee does not take their professional responsibilities seriously and is therefore not a 'fit and proper' person to be granted or retain a licence.

- **Major offences / High risk offences** (see Annex A for examples of major/high risk offences). An Application received which details one of the major / high risk traffic offences in Annex A, on the DVLA licence, will normally be refused or a current licence suspended or revoked. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or sanction imposed.
- **Minor offences** (see Annex B for examples of minor offences). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence or sanction imposed

18. Drunk driving / driving under the influence of drugs / using a mobile phone whilst driving

- 18.1 A serious view shall be taken of convictions for driving or being in charge of a vehicle whilst under the influence of alcohol or other substances. Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not normally be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed.
- 18.2 If there is any indication that the applicant is an alcoholic, a medical examination (in accordance with

the DVLA Group 2 Medical Standards) shall be arranged by the applicant, at their expense, before an application is considered. If the applicant was an alcoholic, then they will be required to show evidence that they have undergone rehabilitation and have been free from any issues for a period of at least 7 years.

18.3 An isolated conviction for drunkenness shall not debar an applicant from obtaining a licence. However, a number of related convictions could indicate a problem necessitating a medical, as laid down in 18.2.

18.4 Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they:

- Are much less aware of what's happening on the road around them
- Fail to see road signs
- Fail to maintain proper lane position and steady speed
- Are more likely to 'tailgate' the vehicle in front
- React more slowly, take longer to brake and longer to stop
- Are more likely to enter unsafe gaps in traffic
- Feel more stressed and frustrated.

18.5 There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, serious view will be taken of convictions for driving whilst using a mobile phone. Where an applicant has a conviction for using a hand-held mobile telephone or hand-held device whilst driving, a licence will not normally be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

18.6 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.

19. **Discrimination Offences**

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

20. **Licensing Offences**

20.1 Licensing legislation is designed to ensure the public are protected and as such a serious view will be taken of convictions for offences under the Acts, such as plying for hire, overcharging, and refusing to carry disabled persons, when deciding whether an applicant is fit & proper. In general a period of 3 to 5 years free of conviction must have elapsed before an application should be considered.

20.2 A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.

20.3 If an applicant has had a licence suspended, revoked or refused by another authority, then checks will be made with that authority to aid the decision making process.

21 **Insurance offences**

21.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided 7 years have elapsed since the completion of any sanction or sentence imposed.

21.2 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

21.3 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst

without insurance will normally have his operator's' licence revoked immediately and be prevented from holding a licence for at least 3 years.

22. Outstanding Charges and Summonses

- 22.1 If an applicant is the subject of any outstanding charge, summons, or is currently on bail awaiting a charging decision, no decision will be made, or licence granted until these outstanding matters are resolved.

Annex A

MAJOR TRAFFIC OFFENCES

- AC10 Failing to stop after an accident
- AC20 Failing to give particulars or to report an accident within 24 hours
- AC30 Undefined accident offences

- BA10 Driving while disqualified by order of court
- BA30 Attempting to drive while disqualified by order of court

- CD10 Driving without due care and attention
- CD20 Driving without reasonable consideration for other road users
- CD30 Driving without due care and attention or without reasonable consideration for other road users
- CD40 Causing death through careless driving when unfit through drink
- CD50 Causing death by careless driving when unfit through drugs
- CD60 Causing death by careless driving with alcohol level above the limit
- CD70 Causing death by careless driving then failing to supply a specimen for analysis
- CD71 Causing death by careless driving then failing to supply a specimen for drug analysis
- CD80 Causing death by careless, or inconsiderate driving
- CD90 Causing death by driving: unlicensed, disqualified or uninsured drivers

- DD40 Dangerous driving
- DD60 Manslaughter or culpable homicide while driving a vehicle
- DD80 Causing death by dangerous driving
- DD90 Furious driving

- DR10 Driving or attempting to drive with alcohol level above limit
- DR20 Driving or attempting to drive while unfit through drink
- DR30 Driving or attempting to drive then failing to supply a specimen for analysis
- DR40 In charge of a vehicle while alcohol level above limit
- DR50 In charge of a vehicle while unfit through drink
- DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
- DR61 Failure to supply a specimen for drug analysis in circumstances other than driving or attempting to drive
- DR70 Failing to provide specimen for breath test
- DR80 Driving or attempting to drive when unfit through drugs
- DR90 In charge of a vehicle when unfit through drugs

- IN10 Using a vehicle uninsured against third party risks

- LC20 Driving otherwise than in accordance with a licence
- LC30 Driving after making a false declaration about fitness when applying for a licence
- LC40 Driving a vehicle having failed to notify a disability
- LC50 Driving after a licence has been revoked or refused on medical grounds

- MS50 Motor racing on the highway
- MS60 Offences not covered by other codes

- UT50 Aggravated taking of a vehicle

MINOR TRAFFIC OFFENCES

- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS30 Play street offences
- MS70 Driving with uncorrected defective eyesight
- MS80 Refusing to submit to an eyesight test
- MS90 Failure to give information as to identity of driver etc

- MW10 Contravention of Special Road Regulations (excluding speed limits)

- PC10 Undefined contravention of Pedestrian Crossing Regulations
- PC20 Contravention of Pedestrian Crossing Regulations with moving vehicle
- PC30 Contravention of Pedestrian Crossing Regulations with stationary vehicle

- TS10 Failing to comply with traffic light signals
- TS20 Failing to comply with double white lines
- TS30 Failing to comply with a "Stop" sign
- TS40 Failing to comply with direction of a constable or traffic warden
- TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
- TS60 Failing to comply with school crossing patrol sign
- TS70 Undefined failure to comply with a traffic direction sign
- TT99 To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within 3 years, the driver is liable to be disqualified

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition

- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers
- C80 Using a mobile phone while driving a vehicle

- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type or vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway

Aiding, Abetting, counselling or procuring

Offences as coded above, but with 0 change to 2 (for example CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 change to 4 (for example CU10 becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (for example CU10 becomes CU16)

Non-endorsable offences

Some offences are non-endorseable. A non-endorsable offence is an offence which courts do not endorse onto paper counterpart. No penalty points are attributed to these offences but they carry a period of disqualification. At the end of the disqualification (over 56 days) the driver will have to apply for a renewal licence together with the appropriate fee. Any queries about offences and endorsements should be directed to the convicting court.

Testing criteria for vehicles which have reached the standard age limit

Modern technological advances have improved the build quality and durability of all vehicles so that they are now designed with a longer lifespan. However, this is dependant on regular preventative maintenance and servicing being carried out effectively and in accordance with the manufacturer's' specifications. Failure to carry out such checks and tests can lead to costly repairs and even failure of critical safety features.

Licensed vehicles are subject to increased mileage and wear and tear than general vehicles. To ensure that the licensing of older vehicles does not have a negative impact on public safety or the environment, the council has an essential testing criteria. The criteria are items which the council considers to be critical areas of a vehicle test, which, if failed on a mechanical inspection are considered a major failure. Failure of these essential items can indicate that regular preventative maintenance has not been carried out, or if it has, it has not been effective.

Vehicles which remain licensed beyond a standard age are subject to this essential testing criteria The age of the vehicle is determined from the date when first registered as indicated on the vehicle's V5 registration log book.

Where a licensed vehicle fails a mechanical inspection on one or more of the items contained in the table below, it will be immediately suspended and must not be used. The vehicle may be repaired and re-presented to the appointed testing station (Aragon) within 30 days for retesting. If the vehicle passes the mechanical test within 30 days, the suspension will be lifted and the vehicle may be re-licensed. If a vehicle does not pass the mechanical test within 30 days, for whatever reason, it will be de-licensed.

Licensed vehicles should be presented to the appointed testing centre in a good serviceable condition, and subject to routine planned preventative maintenance and servicing in order to ensure the safety of passengers, the driver and the general public.

Age and type of vehicle subject to critical test criteria:

Fuel type	Hackney Carriage	Private Hire Vehicle
Petrol, Diesel and other non ULEV, ZEV	10 years old	8 years old
ULEV	12 years old	12 years old
ZEV	12 years old	12 years old

Critical Items	
Steering and Suspension	Steering mechanism / system
	Transmission shafts
	Front suspension
	Rear suspension
Brakes	Condition of service brake system
	Condition of parking brake system
Tyres and Wheels	Tyre type and condition
	Road wheels
General	Exhaust emissions
	Vehicle structure
	Appearance – interior
	Appearance – exterior
Road Test	Where an issue is highlighted by the appointed testing centre, this will be determined on an individual basis depending on diagnosis

Private Hire Vehicle Plate Exemption

1. Objectives

- 1.1 The aim of the policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow “executive vehicles” to operate without displaying external identification plates (private hire vehicle licence plate).

2. Introduction

- 2.1 The displaying of the external identification plate on a licensed vehicle and a drivers badge is important in terms of public safety and reassurance. They indicate to the travelling public that prior to being licensed both the vehicle and the driver have been subjected to checks to assist with public safety issues.
- 2.2 However there are occasions when the requirement to display an external identification plate may have the opposite effect in the terms of customer safety and could have commercial implications for the operating business. The display of local authority licence plates may also deter some corporate customers from using the service; and in some cases the identification of the vehicle as licensed may allow “high risk” passengers to more readily be targeted putting both them and the driver at risk.
- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate (licence plate) and drivers of those vehicles wear a driver’s badge. The same legislation also allows Peterborough City Council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver’s badge.
- 2.4 It is not intended that a significant number of private hire vehicles licensed by Peterborough City Council should be exempt from the council's requirement to display an external vehicle identification plate, however the council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.
- 2.5 In creating its policy Peterborough City Council does not seek to provide a definite list of vehicles it considers to be suitable (subject to use) for exemption from the requirement to display external vehicle identification plates.
- 2.6 This section provides guidance to potential applicants on the standards of vehicle, comfort and equipment that the council considers should be the minimum standard of comfort and vehicle type before the Authority would consider such an application.

3. Policy

- 3.1 Exemptions from displaying external identification plates (vehicle licence plates) may be in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles will not be allowed.
- 3.2 Each application will be assessed on its own merit and each vehicle will be inspected by an authorised council officer to ensure that it is fit for purpose.
- 3.3 Applications for the exemption from the requirement to display an external identification plate on the rear of a private hire vehicle may be considered where the following requirements are met;
 - a) Vehicle models must be either four door saloons, or five door estates or five door hatchbacks. Applications will not normally be accepted in respect of people carrier type vehicles.
 - b) Vehicles must be of a standard of comfort and equipped to a level equal to or above luxury brands of vehicles such as “S” and “E” Class Mercedes- Benz, 7 Series BMW, Lexus “GS” or “LS” models, Audi A8 Series, Jaguar, Rolls Royce and Bentley saloons. (The highest specification executive type

- cars from other manufacturers may also be considered).
- c) The vehicle will be in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating.
 - d) The type of work is “executive” in nature. This means that the vehicle is used specifically and exclusively to provide transport under a written contract to a company or person, or by the type of clients who for security or personal safety reasons would not want the vehicle to be identifiable.
- 3.4 Applications may only be made by a person holding a private hire operator's licence issued by Peterborough City Council.
 - 3.5 Where an operator wishes to make an application for a vehicle to be exempt from displaying an external identification plate they will be required to complete the appropriate application form. The application must be accompanied by supporting documentation and a non refundable fee.
 - 3.6 The council may require applicants to provide additional documentation as reasonably necessary to allow the council to make an informed decision. Where such documentation is not provided to the satisfaction of the council the application will be refused.
 - 3.7 Peterborough City Council is entitled to recover its costs in relation to the application for and issuing of an exemption notices and may charge such fees as it believes are appropriate to recover all or part of those costs.
 - 3.8 The fee to accompany an application for an exemption notice is listed in the council's Taxi Fees and Charges schedule and is non refundable.
 - 3.9 Where an application is granted, an exemption notice will be issued as soon as practical after the decision is made.
 - 3.10 Where a vehicle is exempted from the requirement to display an external identification plate the licensed driver of the vehicle will also be exempted from wearing a driver's badge.
 - 3.11 Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicle's current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for the same period of time as that vehicles private hire licence unless either the licence or notice is otherwise surrendered or revoked.
 - 3.12 Exemption notices may be renewed annually subject to the vehicle under going an inspection by a licensing officer to ensure that it continues to be fit for purpose for an exemption. The annual renewal fee for an exemption notice is listed in the council's Taxi Fees and Charges schedule and is non refundable.
 - 3.13 The fee for a replacement plate or exemption notice is listed in the council's Taxi Fees and Charges schedule.
 - 3.14 The authority to determine any application for an exemption notice is by delegation to the Licensing Manager.
 - 3.15 Applicants have the right to appeal a decision where a grant of a notice is refused or revoked; appeals must be in writing and will be reviewed by the licensing committee.
 - 3.16 All vehicles granted an exemption notice must in addition to this policy also comply in accordance with the requirements of the council's standard private hire conditions.
 - 3.17 Where there is any inconsistency between the standard private hire conditions and these conditions, then these conditions shall prevail.

Private Hire Vehicle Plate Exemption Conditions

The conditions listed below apply to all private hire vehicles granted an exemption from Peterborough City Council from the requirement to display an external identification plate (private hire vehicle licence plate). The following conditions in addition to the standard conditions required for private hire vehicles.

- a) The vehicle licence plate and exemption notice issued by the council in accordance to the requirements of the Local Government (Miscellaneous Provisions) Act 1976 shall remain the property of the council.
- b) Any vehicle granted an exemption from displaying a vehicle licence plate will be required to have the vehicle licence plate normally displayed on the rear of the vehicle affixed to the inside of the boot lid. The plate when so affixed must be readily visible when that boot lid is raised.
- c) In the event of loss or damage rendering the plate or notice unserviceable the operator shall make immediate application for a replacement which a fee is payable.
- d) The exemption notice issued by the council must be carried in the vehicle at all times and must be produced upon request to an authorised officer of the council or any police officer on request.
- e) When issued an exemption notice, the vehicle will not be required to display door signs which the council require private hire vehicles to display.
- f) When issued an exemption notice a taximeter must not be installed in the vehicle.
- g) The operator will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
- h) The operator will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising third party companies, products or services.
- i) During the period of the exemption notice the driver will not be required to wear a private hire drivers badge but must have it available for immediate inspection by an authorised officer of the council or any police officer on request.
- j) During the period of exemption notice the driver of the vehicle whilst engaged on private hire work will be smartly dressed in either a formal chauffeur's uniform or business suit with collar and tie.
- k) The operator will notify the council immediately of any change of use of the vehicle.
- l) The vehicle must not be used for private hire purposes other than for executive use (i.e. not for "normal" airport journey's or daily private hire use).
- m) The driver and passenger front side window glass and front windscreen must clear. However tinted windows can be fitted to the rear side and rear window glass of the vehicle provided they are factory fitted, comply with current legislation and comply with any current private hire vehicle conditions.
- n) The exemption will cease to have an effect on the sale or transfer of the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale or transfer of ownership immediately and in writing. The exemption notice must be returned to the council along with the private hire vehicle licence plate unless being sold to another private hire operator licensed by the council; in which case the only the exemption notice has to be returned.
- o) Exempted vehicles will not be required to display a Part 1 or Part 2 notice, or the licensed plate number in the windscreen

City of Peterborough
HACKNEY CARRIAGE FARES
(INCLUSIVE OF VAT)

FOR DISTANCE AND TIME

DAY TARIFF (0600hrs – 2200hrs)

FOR THE FIRST MILE OR PART THEREOF	£3.50
ON COMPLETION OF THE FIRST MILE	£4.00
FOR EACH SUBSEQUENT MILE	£2.00
WAITING TIME	£15.00 PER HOUR

NIGHT TARIFF (2200hrs – 0600hrs)
& CHRISTMAS & NEW YEAR

1800Hrs DEC 24th TO 0600Hrs DEC 27th AND 1800Hrs DEC 31st to 0600 HRS JAN 2nd

FOR THE FIRST MILE OR PART THEREOF	£4.00
ON COMPLETION OF THE FIRST MILE	£5.00
FOR EACH SUBSEQUENT MILE	£2.50
WAITING TIME	£18.00 PER HOUR

ADDITIONAL CHARGES APPLICABLE AT ALL TIMES:

BICYCLES, E-SCOOTERS, DOGS (excluding assistance dogs)	£2.00
WHERE MORE THAN 4 PASSENGERS ARE CARRIED	£3.00

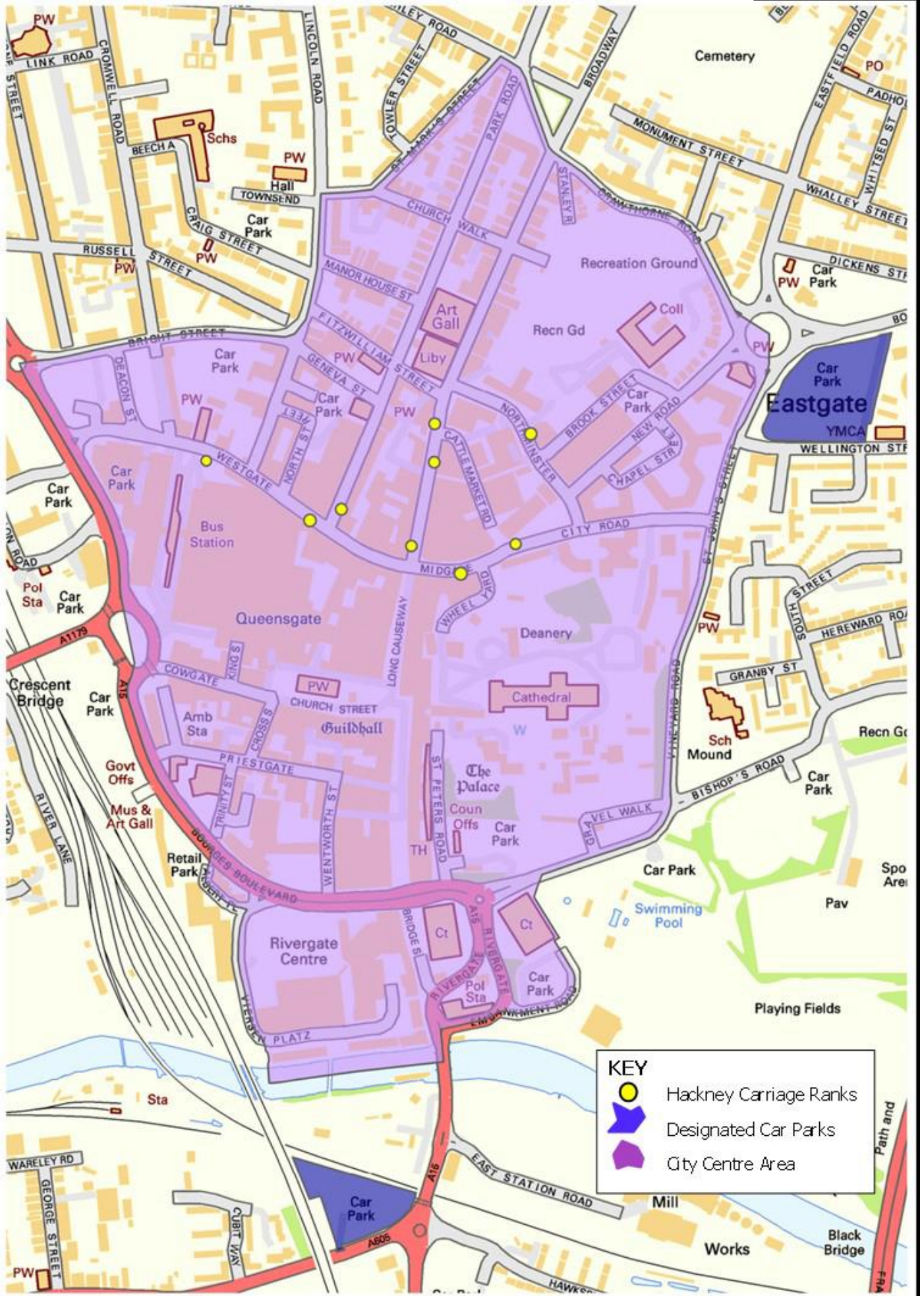
A FEE OF £75.00 IS PAYABLE FOR PERSONS SOILING THIS VEHICLE.

COMPLAINTS


THE PASSENGER SHOULD CONTACT THE LICENSING OFFICER, PETERBOROUGH CITY COUNCIL, (TEL: 01733 747474) ON ANY MATTER CONCERNING THE FARE OR ANY OTHER ASPECT OF THE JOURNEY AFTER HAVING FIRST OBTAINED A RECEIPT FROM THE DRIVER STATING NAME AND BADGE NUMBER.

THIS VEHICLE LICENCE NUMBER IS:-

**HACKNEY
CARRIAGE**



Example of a Part 1 Notice



Drivers licence number
PHD / HCD 01234
Complaints can be made to
Peterborough City Council
licensing@peterborough.gov.uk
or by calling 01733 747474

Example of a Part 2 notice

The proprietor of this
vehicle is:
XYZ vehicles
Should you wish to
comment positively or
negatively on any aspect of
your journey today, please
call 01234 567890
Vehicle registration
AB01CDE
Licence plate number
PH/HC 0123

The above examples provide the minimum size of the Part 1 and Part 2 notice.
The minimum font size required for information is Arial size 16 in bold.

Policy on the use of the National Register of Taxi Licence Revocation and Refusals (NR3)

1 Background

- 1.1 Licensing Authorities are required to satisfy themselves that those holding hackney carriage and private hire driver licenses are 'fit and proper' to do so. This is done firstly during the determination of an application for a licence, and then at any time during the currency of a licence. For example, when evidence is obtained that suggests that a licensed individual is not a fit and proper person, the licensing authority is entitled to suspend, revoke or refuse to renew a licence.
- 1.2 Information which may question the 'fit and proper' status of an applicant or licensed driver, may come from many sources, one of which is other licensing authorities.
- 1.3 All applicants for either a new or renewal driver licence, are required to declare if they have previously applied for a hackney carriage or private hire driver licence with this or any other licensing authority, and declare if any previous application was granted or refused.
- 1.4 Prior to the introduction of NR3, if drivers did not disclose information about a previous revocation or refusal of a licence, there was often no way to find this information out, which could have public safety implications and be relevant to an individual's 'fit and proper' status.
- 1.5 The Local Government Association commissioned the development of a national register of hackney carriage and private hire driver licence refusals and revocations, the 'National Register of Refusals and Revocations' or NR3. The objective of NR3 is to ensure that licensing authorities are able to make properly informed decisions on whether an applicant is 'fit and proper'.
- 1.6 The register allows licensing authorities to record details of where a hackney carriage or private hire drivers' licence has been refused or revoked, and allows licensing authorities to check driver licence applications against the register.
- 1.7 All applications for a new drivers licence or drivers licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.
- 1.8 Each application will be considered on its own merits. However, where an applicant fails to fully disclose information as requested, which is subsequently identified through NR3, this will, in all instances, raise questions about an applicant's integrity and status as a 'fit and proper' person.
- 1.9 Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision or receipt of information of or under NR3 are necessary to the authority's statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence. It is not intended that any NR3 data will be transferred out of the United Kingdom.

2 Scope

- 2.1 This policy covers how Peterborough City Council will use NR3 and how the Council will comply with data protection requirements.
- 2.2 In this policy, the 'first authority' refers to a licensing authority which made a specific entry onto the National Register of Refusals and Revocations; the 'second authority' refers to a licensing authority which is seeking more detailed information about the entry.

3 Overarching Principles

- 3.1 NR3 is a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire vehicle driver's licence revoked, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official

authority vested in the licensing authority (Peterborough City Council) that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or private hire vehicle drivers' licence.

- 3.2 This policy covers the use that this authority, Peterborough City Council will make of the ability to access and use information contained on the National Register of Taxi Licence Revocations and Refusals (NR3). The NR3 contains information relating to any refusal to grant, or revocation of a hackney carriage or private hire driver's licence. This information is important in the context of a subsequent application to another authority for a drivers' licence by a person who has had their licence refused or revoked in the past.
- 3.3 Peterborough City Council have signed up to use NR3. This means that when an application for a hackney carriage or private hire drivers' licence is refused, or when an existing hackney carriage or private hire driver's licence is revoked, that information will be entered onto the register.
- 3.4 When an application for a new drivers' licence, or renewal of an existing drivers' licence is received, Peterborough City Council will make a search the NR3. The search will only be made by an officer who has been trained in the use of the NR3 and who is acting in accordance with this policy. If details are found that appear to relate to the applicant, a request will be made to the authority that entered that information for further details.
- 3.5 Any information that is received from any other authority in relation to an application will only be used in relation to that application, and the determination of it, and will not be used for any other purpose. Any data that is received will only be kept for as long as is necessary in relation to the determination of that application. This will include the period of time processing that application, making a decision, notifying the applicant of the outcome of that decision, and any appeal processes.
- 3.6 For the avoidance of doubt, any such data will be kept for a period of no more than 35 days from the date of the service of the written notification of the determination of the application.
- 3.7 Where an appeal to the magistrates' court is made, the data will be retained until that appeal is determined or abandoned.
- 3.8 Where the appeal is determined by the magistrates' court, there is a further right of appeal to the Crown Court. In these circumstances, the data will be retained for a period of no more than 35 days from the date of the decision of the magistrates' court. If an appeal is made to the Crown Court, the data will be retained until that appeal is determined or abandoned.
- 3.9 Where the appeal is determined by the magistrates' court or the Crown Court, it is possible to appeal the decision by way of case stated. Accordingly, the data will be retained for a period of no more than 35 days from the date of the decision of the Crown Court (if the decision was made by the magistrates' court, the retention period has already been addressed).
- 3.10 If an appeal by way of case stated is made, the data will be retained until all court proceedings relating to that appeal by way of case stated (which will include potential appeals to the Court of Appeal and Supreme Court) have been determined.
- 3.11 The data will be held securely in accordance with Peterborough City Council's general policy on the secure retention of personal data. Which is available at:
<https://www.peterborough.gov.uk/asset-library/Data-Protection-Policy.pdf>
- 3.12 At the end of the retention period, the data will be erased and/or destroyed in accordance with Peterborough City Council's general policy on the erasure and destruction of personal data which is available at.
(TBA)

4 Adding information of refusal or revocation to NR3

- 4.1 Where an application for a licence is refused, or an existing licence is revoked, Peterborough City Council will record this decision on NR3. The information recorded on NR3 will be limited to an individual's:

- name
- date of birth
- address and contact details
- national insurance details
- driving licence number
- decision taken
- date of decision
- date decision effective

- 4.2 Recording this information on NR3 does not mean that applicants will be automatically prevented from securing a licence in the future, but is intended simply to ensure that licensing authorities are able to access an applicant's full licensing history, should further licence applications be made elsewhere.
- 4.3 Data is held on the NR3 register for a period of 25 years, in line with the national NR3 guidance. If during that time another authority requests further details relating to this decision, because of an application made, the licensing authority may provide reason for the refusal of or revocation of the application or licence.
- 4.4 Applicants and licence holders have various rights in relation to their data:
- the right to request access to their data;
 - the right to rectification or erasure of their data;
 - the right to restrict processing of their data; and
 - the right to object to the processing of their data for this purpose.
- 4.5 If an applicant or licence holder wishes to object to their information being added to the NR3 register, they are required to appeal in writing within 28 days of receiving notification of the council's intention to add details to NR3. The authority will consider any such requests and respond within one month.
- 4.6 If applicants for and licence holders of, hackney carriage or private hire driver licenses, wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, they can do so to the authority's Data Protection Officer, contact details below. This includes submitting a subject access request.

Ben Stevenson
 Peterborough City Council
 Town Hall, Bridge Street
 Peterborough
 PE1 1HG
dataprotection@peterborough.gov.uk

- 4.7 Individuals also have a right to make a complaint to the Information Commissioner's Office, who can be contacted as below.

The Information Commissioner's Office
 Wycliffe House, Water Lane
 Wilmslow, Cheshire
 SK9 5AF
 Tel: 01625 545700
<http://www.ico.org.uk>

5 Checking the NR3 register as part of the application and renewal process

- 5.1 When an application is made to Peterborough City Council for the grant of a new, or renewal of, a hackney carriage or private hire driver's licence, Peterborough City Council will check the NR3.
- 5.2 Peterborough City Council will then retain a clear written record of every search that is made of the register. This will detail:
- the date of the search;
 - the name or names searched;

- the reason for the search (new application or renewal);
- the results of the search; and
- the use made of the results of the search (this information will be entered to the register at a later date)

5.3 This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

5.4 If Peterborough City Council discovers any match (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the authority that entered those details (the first authority) for further information about that entry. That request will also include details of Peterborough City Council's data protection policy in relation to the use of any data that is obtained as a result of this process.

5.5 This request will be made in writing in accordance with the form at Appendix 1 of this policy. It will be posted or emailed to the contact address of the authority that entered those details (the first authority) which will be detailed in the register.

6 Responding to a request made for further information regarding an entry on NR3

6.1 When Peterborough City Council receives a request for further information from another authority a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

6.2 Peterborough City Council will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request.

6.3 Peterborough City Council will conduct a Data Protection Impact Assessment. This will consider how the other authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the end of that period. It is expected that if the second authority has adopted a policy similar to this, that should be a reasonably straightforward process.

6.4 If Peterborough City Council is satisfied that the other authority's (the 2nd authority) data protection procedures are satisfactory, consideration will then be given as to what information will be disclosed. This will be determined by an officer who has been trained to discharge this function.

6.5 Any disclosure must be considered and proportionate, taking into account the data subject's rights and the position and responsibilities of a licensed driver. Data is held on the NR3 register for a period of 25 years, but Peterborough City Council (the 1st authority) will not disclose information relating to every entry. Each application will be considered on its own merits.

6.6 Peterborough City Council will disclose information relating to a revocation or refusal to grant a driver's licence in accordance with the timescales contained within the licensing authority's Guidelines Relating to the Relevance of Convictions / Cautions in relation to Taxi Licensing (as attached at Appendix G of the overarching policy).

6.7 Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined in the councils Guidelines) which is within the timescales determined in those Guidelines, the information will be disclosed.

6.8 Where the reason for refusal to grant or revocation relates to a conviction (or similar as defined in the councils Guidelines) which is outside the timescales determined in those Guidelines, the information will not be disclosed. However, in every case, consideration will be given to the full circumstances of the decision, and there may be occasions where information is provided other than in accordance with this policy.

6.9 Any information about convictions will be shared in accordance with this policy under part 2 of schedule 1, to the Data Protection Act (DPA) 2018; that is, the processing is necessary for reasons of substantial public interest in connection with the exercise of a function conferred on the authority by an enactment or rule of law.

- 6.10 The officer will record what action was taken and why. Peterborough City Council will make and then retain a clear written record of every decision that is made as a result of a request from another authority. This will detail:
- the date the request was received
 - how the data protection impact assessment was conducted and its conclusions
 - the name or names searched
 - whether any information was provided
 - if information was provided, why it was provided (and details of any further advice obtained before the decision was made)
 - if information was not provided, why it was not provided (and details of any further advice obtained before the decision was made) and
 - how and when the decision (and any information) was communicated to the requesting authority

This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.

7 Using any information obtained as a result of a request to another authority

- 7.1 When Peterborough City Council receives information as a result of a request that has been made to another authority, it will take that information into account when determining the application for the grant or renewal of a hackney carriage and private hire drivers' licence. This will be in accordance with the usual process for determining applications.
- 7.2 Peterborough City Council will make and then retain a clear written record of the use that is made of the results of the search (this information will be added to the register detailed above).

Information disclosure form

This form is submitted following a search of the National Register of Refusals and Revocations (NR3)

(For completion by requestor authority)

Name of licensing authority requesting information:			
Requestor authority reference number:			
Name of licensing authority from which information is sought:			
Name of individual in respect of whom the request is made:			
Decision in respect of which the request is made	Refusal		Revocation
Other details for this record			
Address:	Driving licence number:	NI:	Reference number:

Declaration by requesting authority:

The authority hereby confirms that this information is being sought in connection with the exercising of its statutory function to ensure that holders of hackney carriage and private hire licences are fit and proper persons, and that the processing of this data is therefore necessary in the performance of a task carried out in the public interest.

The information provided below will only be processed, used and saved by the authority in connection with this particular application and in accordance with the authority's retention policy relating to the provision of such information.

To enable the authority to conduct a data protection impact assessment, details of this authority's policy in relation to the use of information obtained as a result of this request can be accessed at (TBA)

Signed		Print Name	
Position		Date	

(For completion by providing authority)

Further information to support the decision recorded on NR3 in respect of the above named individual:

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Declaration by providing authority:

The authority hereby confirms that it has conducted a data protection impact assessment.

It also confirms that the information above is accurate, and has been provided after thorough consideration by the authority as to the proportionality and lawfulness of making this disclosure. The information reflects the basis on which the decision recorded in the National Register of Refusals and Revocations was made. In the event that the authority becomes aware that this information is no longer accurate, we will advise the above named authority accordingly.

The authority also confirms that, as part of the basis for securing, retaining or applying for a hackney carriage or private hire driver licence, the above named individual has been made aware of the fact that this information will be shared, in accordance with all relevant data and privacy requirements.

Signed		Print Name	
Position		Date	

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Carbon Impact Assessment

Please complete all areas marked in blue. Guidance on each question is available to the right of the form.

Submit your completed assessment to the Environment Team for approval: climatechange@peterborough.gov.uk

SECTION A: Proposal Details

No.	Question	Answer
1	Date	27-May-22
2	Proposal title	Taxi Policy
3	Proposal start date (if applicable)	01/08/2022
4	Proposal end date (if applicable)	01/08/2025
5	Your name	Jacqui Harvey
6	Directorate	Place & Economy
9	Head of Service approval (printed)	Place & Economy
Completion reason		
7	What was the trigger for completing this assessment?	Committee Report
8	If you selected 'other' for question 6, please explain the reason for submitting this assessment.	
Project overview		
10	Please provide a brief description of the proposal, including the expected outcomes.	Hackney carriage and private hire legislation is primarily concentrated in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The aim of the legislation is to protect the public. The legislation provides a broad framework for the licensing of drivers, vehicles and operators, but allows local authorities to set their own standards and conditions, to ensure the public travel in safe well-maintained vehicles driven by competent drivers. Peterborough City Council's current Hackney Carriage and Private Hire Licensing Policy was adopted by full council on 26 July 2017. The policy is required to be kept under review and revised as appropriate and in any event not less than every 5 years. Therefore, the current policy is due for review and consultation before July 2022.

SECTION B: Proposal Impact

No.	Question	Answer
Buildings		
11	Will the proposal have an impact on the COUNCIL's energy consumption in buildings?	Neutral
12	Please provide an explanation for your answer to Question 11. Enter N/A if the answer was Neutral	
13	Will the proposal have an impact on the CITY's energy consumption in buildings?	Neutral
14	Please provide an explanation for your answer to Question 13. Enter N/A if the answer was Neutral	N/A
Travel		
15	Will the proposal have an impact on the COUNCIL's energy consumption for travel?	Neutral
16	Please provide an explanation for your answer to Question 15. Enter N/A if the answer was Neutral	N/A
17	Will the proposal have an impact on the CITY's energy consumption for travel?	Decrease
18	Please provide an explanation for your answer to Question 17. Enter N/A if the answer was Neutral	The Taxi Policy will move us nearer to an ambitious net zero output from taxis and private hire vehicles as we phase out diesel engines and associated grandfather rights on older vehicles within the trade over the next 3 years and actively encourage ULEV and ZEV vehicles to support the timescales for the City's electric vehicle charging infrastructure proposals to be in place on a wider scale for these vehicles. Reducing carbon emissions from over 1000 vehicles within the trade as a direct result of our policy changes.
Water		
19	Will the proposal have an impact on the COUNCIL's water usage?	Neutral
20	Please provide an explanation for your answer to Question 19. Enter N/A if the answer was Neutral	N/A
21	Will the proposal have an impact on the CITY's water usage?	Neutral
22	Please provide an explanation for your answer to Question 21. Enter N/A if the answer was Neutral	N/A
Renewable Energy		
23	Will the proposal have an impact on the COUNCIL's creation of renewable energy?	Neutral

24	Please provide an explanation for your answer to Question 23. Enter N/A if the answer was Neutral	There is no direct increase in renewable generation.
25	Will the proposal have an impact on the CITY's creation of renewable energy?	Neutral
26	Please provide an explanation for your answer to Question 25. Enter N/A if the answer was Neutral	There is no direct increase in renewable generation however it is possible that taxi firms may explore the installation of renewable generation to power their vehicles, as they are encouraged by the strategy to adopt electric vehicles.
Carbon Capture		
27	Will the proposal have an influence on the COUNCIL's capturing of carbon, for instance planting trees?	No
28	Please provide an explanation for your answer to Question 27. Enter N/A if the answer was Neutral	N/A
29	Will the proposal have an influence on the CITY's capturing of carbon, for instance planting trees?	No
30	Please provide an explanation for your answer to Question 29. Enter N/A if the answer was Neutral	N/A
Waste		
31	Will the proposal have an impact on the COUNCIL's waste production?	Neutral
32	Please provide an explanation for your answer to Question 31. Will measures be included to improve reuse, reduction or recycling of materials or products? Enter N/A if the answer was Neutral	N/A
33	Will the proposal have an impact on the CITY's waste production? Will measures be included to improve reuse, reduction or recycling of materials or products?	Neutral
34	Please provide an explanation for your answer to Question 33. Will measures be included to improve reuse, reduction or recycling of materials or products? Enter N/A if the answer was Neutral	N/A
Products and Infrastructure		
35	Will the proposal involve the COUNCIL purchasing or selling a building or large volume of equipment? Have measures been included to ensure energy efficiency?	No

36	Please provide an explanation for your answer to Question 35. Has energy efficiency been considered? Enter N/A if the answer was No	N/A
37	Will the proposal involve a person/organisation within the CITY purchasing or selling a building or large volume of equipment? Have measures been included to ensure energy efficiency?	No
38	Please provide an explanation for your answer to Question 37. Enter N/A if the answer was No	N/A
Other		
39	Are there any further ways in which your proposal could have an impact on carbon emissions?	No
40	Please provide an explanation for your answer to Question 39. Enter N/A if the answer was No	
SECTION C: Actions		
No.	Question	Answer
41	Have any of the areas that you identified as having an impact been quantified? If not, is this possible as part of the project? Please explain how you will quantify the impact. Enter N/A if not applicable	We hope to be able to quantify the change in vehicles types coming forwards or being refused for licensing within this policy period and will be able to collate this periodically to demonstrate a probable impact with some quantifiable data based on vehicle types in use by 2025 (the lifetime of this policy) and also consider this vehicle data when the next review of the policy arises in 2025. We do (as and Environmental Health dept) also collate air quality data as a department but this is subjective based on weather and seasonal patterns so maybe difficult to quantify as it will also contain all vehicle data. However, we will progressively look to see how these two data areas can be connected in relation to dropping CO2 levels in particular across the City.
42	If you identified any areas in which carbon emissions will rise or other negative environmental impacts will occur, can these be justified as appropriate or necessary when considering other benefits of the project? Please explain. <i>Enter N/A if not applicable</i>	N/A. Increasing the uptake of electric vehicles will bring additional including reducing fuel poverty, improving physical and mental health, improving air quality, stimulating our economy and providing jobs to the local area.
43	If you identified any areas in which carbon emissions will rise or other negative environmental impacts will occur, what steps will you take to reduce or minimise these? Please explain. <i>Enter N/A if not applicable</i>	N/A
44	Carbon impacts should be monitored as the project progresses. What information will you use to manage this process?	Hackney & Private Hire vehicle applications and Pollution Control Air Quality Data
Overall Summary		

Provide an overall summary of the assessment.

You should include:

- Statements on the impact to the council's carbon emissions and environmental impact
- Statements on the impact to the city's carbon emissions and environmental impact
- Indication whether the project will likely have an overall positive, negative or neutral impact on carbon emissions

The recommended Policy provides clear messaging and certainty to the trade regarding expected minimum emissions standards and replacement vehicle ownership periods. Likewise, a focused package of ultra-low emission vehicle measures can be implemented that provides incentives for vehicle technologies with the largest zero emissions range, thereby improving value for public money.

A ULEV is currently defined as any car or van that emits less than 75 g/km of CO₂ from the tailpipe. All ZEVs are also guaranteed to meet this definition, additionally technologies that incorporate an internal combustion engine and electric motor can also meet this definition depending on the proportion of zero emission miles. Due to advances in technology, it is expected that from 2021 an ULEV will be defined as a car or van that emits less than 50 g/km with a minimum required zero emission range.

These vehicle types, when in regular use as private hire and Hackney vehicles will have an overall positive impact on reduction of carbon emissions across the City with an ambition that at the next Policy uplift in 2025 that this will be further enhanced by the City's charging infrastructure enabling regular charging point to be in place for trades such as this to easily access a recharge at a reasonable cost within the City, thus encouraging lower emissions from vehicles.

Submit your completed assessment to the climate change team for approval: climatechange@peterborough.gov.uk

Approved by
Date

Hannah Swinburne
24/06/22

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