

North East Lincolnshire Council

Hackney carriage, private hire vehicle driver and operator licensing policy

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# Introduction

The licensing of Hackney Carriages dates back to 1847 and 1976 for Private Hire Vehicles (Outside London).

Hackney Carriage and Private Hire Vehicles play a vital part in the transport network. They are used by people on low incomes, young people, and also provide services to people with mobility difficulties when other forms of transport may not be suitable.

The main aim of the licensing regime is to protect public safety through monitoring and checks of licensed vehicles, drivers, private hire operators and new applicants for licences to ensure their suitability and that:

* a person is a fit and proper person
* a person does not pose a threat to the public
* the public are safeguarded from dishonest persons
* vulnerable persons, children and young persons are safeguarded

The Local Authority will ensure that all licensed vehicles meet the standards set by the Council. This is to improve the health and wellbeing of all, especially vulnerable people by providing a taxi service that is fit for purpose.

## Best Practice Guidance

This Policy information has been formulated from the Department for Transport; however, local circumstances have also been considered in this policy.

This document sets out the Policies the Authority will apply when making decisions about new applications for licences, and licences currently in force.

# Granting New Drivers Licences

It is the Policy of the Local Authority that every application for a licence must be accompanied by evidence of the following:

* BTEC or NVQ Level 2 Award in Introduction to the role of the professional Taxi and Private Hire Driver
* Application form declaring any convictions / endorsements and that the applicant has the right to work in the UK
* Enhanced DBS Disclosure (£44.00)
* An Immigration check
* The National Register for Revocations and Refusals will be checked
* Medical to Group 2 Standards
* Full Driving Licence held for at least 12 months
* 1 Passport Photograph
* 2 References
* Local Knowledge Test
* Attend a 2 hour Child Sexual Awareness Briefing
* Certificate of Good Conduct may be required

In the event of violent convictions being disclosed, Licensing Officers will consider the penalty imposed in relation to the conviction(s), the amount of such conviction(s), the length of time since the conviction(s) and the type of conviction(s) disclosed when determining the application.

Where Licensing Officers have delegated powers to grant licences, they will utilise the guidelines when making a decision of whether or not to grant a licence. Should there be any doubt in the Officers opinion as to whether the applicant is a ‘fit and proper person,’ then the licence will be referred to the Hackney Carriage Sub Committee.

The fit and proper test is open-ended. What makes somebody fit and proper to hold a licence is not set down by statute. Provided that the test is approached by considering the purpose of the legislation – regulatory compliance and public safety – the authority is free to take into account any factor which they consider goes to the driver’s or operator’s fitness and propriety.

The authority will consider other factors which it considers to be relevant to the test. For example, the Council would expect that drivers and operators should work cooperatively with, and be civil and respectful towards officers of the Licensing Authority who are carrying out their duties.

Licensing Officers have delegated powers to suspend private hire and hackney carriage drivers’ licenses issued by North East Lincolnshire Council for up to 14 days under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

 The Hackney Carriage Sub Committee then makes a decision as to whether they are a fit and proper person for the grant, renewal or continuation of a licence. The guidance members of the Hackney Carriage Sub Committee refer to when making decisions is attached as [Appendix 1](#_Appendix_1).

# Renewal of Private Hire and Hackney Carriage Drivers Licences

Private Hire and Hackney Carriage Drivers licences are issued for three years. The conditions attached to Licensed Private Hire and Hackney Carriage Drivers licences are attached as [Appendix 2](#_Appendix_2).

Each licensed driver’s DVLA licence is checked at least once a year, to ensure drivers still have full entitlements to drive and also to check any endorsements.

It is a requirement that all licensed drivers have an enhanced DBS every three years. Hackney Carriage and Private Hire Drivers have a notifiable occupation and the Police notifiable coordinator will notify of any cautions / convictions deemed relevant to the Council.

It is also a requirement of the drivers licence conditions that they notify the Council of any warning, endorsement, conviction etc. in writing within seven days.

All drivers must have also completed an awareness session on Child Sexual Exploitation (CSE) before renewal.

A group two medical is also required depending on the driver’s age, if a medical is outstanding at the time of the drivers licence renewal, the licence will not be issued until a medical has been received confirming the driver is fit.

An immigration check is completed upon renewal.

If a driver does not fall within officers delegated powers to grant the licence renewals, the driver will attend Hackney Carriage Sub Committee for a review of the renewal. It will be a committee decision as to whether or not to grant the licence.

## Revocation, Suspension & Refusal to grant / renew Licences

Where a licence holder or new applicant has been referred to the Hackney Carriage Sub Committee for a review of their licence / application, the Hackney Carriage Sub Committee can suspend or revoke the licence, or refuse the application. Licensing Officers can also suspend licences.

Any suspension, revocation or refusal of a licence can be appealed to the Magistrates Court.

# Private Hire Operator Licences

A person who operates a private hire service must apply to the Local Authority for a Private Hire Operators Licence. The Authority will not grant a licence unless it is satisfied the applicant is a fit and proper person. The purpose of licensing Private Hire Operators is to ensure the safety of the public who will be using operator’s premises, vehicles and drivers through them.

The Private Hire Operators Licence is issued for five years and inspected annually.

If a Private Hire Operator is not also a licensed driver they are required to have a standard police disclosure every three years and must notify the authority of any conviction / caution being made against them in writing within 7 days.

The Private Hire Operator shall ensure that every licensed vehicle is driven by a licensed driver at all times. A breech of this, or any other condition of the Operator licence would bring into question the suitability of the Operator.

A single breech may result in the suspension of the licence. Where a more serious breech is associated with the Operator then the revocation of the licence may be more appropriate. In the event of previous warnings being issued to the Operator the Committee may consider a suspension or revocation of the licence.

Where a licensee obstructs an officer acting in pursuance of the licensing legislation, or fails to comply with any requirement properly made to them their licence can be reviewed by the Hackney Carriage Sub Committee.

Other conduct issues would bring into question the suitability of the Operator such as formal complaints, lack of action against drivers who breach requirements, or any other inappropriate behaviour would normally result in a review of the Operator licence.

Any failure of the Operator to comply with the Equalities Act 2010 the Authority shall review the licence and the Committee will consider a suspension or revocation of the licence.

The Local Authority can suspend, revoke or refuse to renew the Private Hire Operator licence as it can for drivers licences. The guidance members of the Hackney Carriage Sub Committee refer to when making decisions is attached as [Appendix 1](#_Appendix_1).

The conditions attached to Licensed Private Hire and Hackney Carriage Drivers Licences are attached as [Appendix 3](#_Appendix_3).

# Licensed Hackney Carriage & Private Hire Vehicles

Hackney Carriage Vehicles can ply for hire, be hailed in the street and operate from the ranks. Hackney Carriage Vehicles can also take their own bookings. Hackney Carriage Vehicles have a ‘Taxi’ sign on the roof, which is illuminated. They all have a white licensed plate on the rear of the vehicle which has the vehicle details including the registration of the vehicle and expiry date of the vehicle licence. Inside the Hackney Carriage Vehicle there will be a tariff card to show passengers the fare. The Tariff (fare) is set by the Council.

Private Hire Vehicles must be booked in advance through a licensed Private Hire Operator; they cannot ply for hire in the street. Private Hire Vehicles have half-moon shaped door signs on the front two doors, which say “Advanced Bookings Only,” and confirms the Private Hire Operators details. They have a yellow plate on the rear of the vehicle which has the vehicle details including the registration of the vehicle and expiry date of the vehicle licence. Inside the Private Hire Vehicle there will be a sticker on the windscreen confirming the plate number and the amount of passengers the vehicle is licensed to carry.

The Local Authority will grant licences to Private Hire and Hackney Carriage Vehicles when the specification and conditions are met. The vehicle must have no more than 8 passenger seats to fall within Local Authorities’ licensing remit.

The Authority shall impose such conditions it considers necessary on licensed vehicles. The Specification and Conditions for Hackney Carriage and Private Hire Vehicles are attached to this document as [Appendix 4](#_Appendix_4).

# Limitation of Licensed Vehicle Numbers

Currently North East Lincolnshire Council limits the number of Hackney Carriage Vehicle licences which is reviewed every three years. The Local Authority is satisfied that there is no unmet demand for the services of Hackney Carriage Vehicles. The last Unmet Demand Survey was undertaken in 2016.

No powers exist for Local Authorities to limit the number of Private Hire Vehicles.

Following a consultation exercise, a decision was made by The Community Protection Committee in August 2012 that the Hackney Carriage fleet should be a mixed fleet of wheelchair accessible vehicles (WAVs) and saloon vehicles. It decided that a mixed fleet would provide a fully comprehensive service that catered for all and not one group in particular.

On the 11th March 2013 an exemption from the above Council Policy was granted to allow WAVs to be replaced with a saloon type vehicle for any Hackney Carriage Vehicle Licence Holder, who is granted a medical exemption.

# Age of Licensed Vehicles

From the 1st July, 2009 all new applications for Hackney Carriage and Private Hire vehicles licences shall only be approved if the vehicle is not more than 5 years old from first registration with DVLA, executive hire vehicles are excluded (subject to successful application and approval).

At this time an upper age limit of licensed vehicles was considered but never became Council Policy due the financial implications to the trade.

# Testing of Licenced Vehicles

The Local Authority needs to be satisfied that licensed vehicles operating within the area are safe to do so.

Hackney Carriage and Private Hire Vehicles are granted licences for a maximum period of 12 months. Older vehicles are issued with licences for 6 months. Vehicles under five years old are inspected and MOT’D and issued with a licence for 12 months. Vehicles over five years old are inspected and MOT’D every six months. A copy of the vehicle inspection testing standards is attached as [Appendix 5](#_Appendix_5).

Prior to being licensed each vehicle is required to have a recent MOT Certificate, valid insurance for Private Hire / Public Hire, Vehicle registration document V5 form and valid Road Tax.

The vehicle must be suitable for Hackney Carriage / Private Hire and conform to the Vehicle Licence Conditions.

# Hackney Carriage Wheelchair Accessible Vehicles

Additionally, Hackney Carriage Wheelchair Accessible Vehicles are required to have:

* Separate insurance for non-motor personal liability.
* V.C.A or Certificate of Conformity issued by the manufacturers before the vehicle was registered.
* A bill of sale from the vender is required, that stipulates the vehicle has been sold to meet the standard of new Hackney Carriage vehicles for North East Lincolnshire Council.

A copy of the Wheelchair Specification is attached as [Appendix 6](#_Appendix_6).

# Assistance Dogs

Under the Equality Act 2010, licensed drivers of taxis and private hire vehicles are under a duty to carry passengers with guide, hearing and other assistance dogs without additional charge. When carrying such passengers, drivers have a duty to:

a) Convey the disabled passenger’s dog and allow it to remain under the physical control of the owner

b) Not to make any additional charge for doing so.

It is best practice to ask the passenger where they want themselves and their dog to sit in the vehicle.

## Enforcement policy

Under the Equality Act 2010, it is an offence for any operator or driver to refuse to carry assistance dogs or to charge more for the fare or booking. On conviction for such an offence, drivers can be fined up to £1,000 and have their licence revoked.

To ensure that the Equality Act 2010 is upheld, the Licensing Authority will have a zero tolerance policy to access refusals – investigating all reported violations of the Act with a view to pursuing a conviction.

## Medical exemption certificates

Drivers who have a certifiable medical condition which is aggravated by exposure to dogs may apply to the council for exemption from the duty on medical grounds. If no exemption has been applied for and subsequently granted, then drivers are still required to carry assistance dogs.

## Obligations of a Taxi Driver to Carry Disabled Persons Using Wheelchairs

North East Lincolnshire Council is committed to an accessible public transport system in which disabled people can enjoy the same opportunities to travel as other members of society. Taxis are a vital link in the accessible transport chain and it is important that disabled people who use wheelchairs can have confidence that the taxi they find on a rank, or hail on the street, will accept them and carry them in their wheelchair at no extra charge.

The Council has determined that it shall provide an exemption to these duties, to drivers who have medical conditions which are aggravated by assisting people in wheelchairs. The Council is responsible for issuing exemption certificates and needs to be satisfied that it is appropriate to do on medical grounds and whether to issue an exemption certificate.

## Driver’s duties are:

1. To carry the passenger while they remain in the wheelchair
2. Not to make any additional charge for doing so
3. If the passenger chooses to sit in a passenger seat, to carry the wheelchair
4. To take such steps as are necessary to ensure the passenger is carried in safely and in reasonable comfort
5. To give such assistance as may be reasonably required
6. To enable the passenger to get into or out of the vehicle
7. If the passenger wishes to remain in their wheelchair, to enable them to be conveyed into and out of the vehicle while in their wheelchair
8. To load the passenger’s luggage into or out of the vehicle
9. If the passenger does not wish to remain in their wheelchair, to load the wheelchair into or out of the vehicle.

# Stretched limousines

The number of limousines imported has been increasing. The majority of limousines are imported for commercial purposes and therefore required to take a Single Vehicle Type Approval (SVA) test. This certificate would be required at the time of licensing.

## Prestige Vehicles

Proprietors of prestige types of vehicles used for special occasions and not regular private hire work can apply to the Local Authority for permission not to display the plate and door signs, each individual application will be considered on its own merits.

## Signage and Advertising

Applications for advertising on licensed vehicles will be considered on application if deemed appropriate. A sample of the advert must be provided for consideration. No advertising would normally be approved on any window(s).

# Driver Safety

Licensed drivers provide an invaluable service, especially late at night when other forms of transport are not available. Licensed drivers are often dealing with strangers and in isolated areas. As drivers carry cash they may be at risk of violence and other offences such as non-payment of fares and verbal and racist abuse.

The Health and Safety Executive has produced a document [public transport – taxi drivers](https://www.hse.gov.uk/violence/hslcasestudies/taxi.htm) which describes precautions drivers can employ to prevent the risk of violence. It also offers practical advice on what can be done in the event of a violent incident.

There are a number of ways to reduce the risks including driver screens and CCTV surveillance. It is not a requirement of the licence to obtain CCTV, as it is considered drivers are best left to their own judgement to decide. Further information on CCTV is attached at [Appendix 7](#_Appendix_7).

# Dress Code

The Local Authority introduced a dress code to promote the professional image of Private Hire and Hackney Carriage Drivers. A copy of the dress code is attached as [Appendix 8](#_Appendix_8).

# Hackney Carriage Stands

The only purpose of Hackney Carriage Stands commonly referred to as taxi ranks is to provide the public with a set location as to where they can hire a licensed hackney carriage vehicle. Current Hackney Carriage Stands are attached as [Appendix 9](#_Appendix_9).

Guidance notes for members of the hackney carriage bub committee

# North East Lincolnshire Council

## Strategic Director Place

## September 2018

# Appendix 1

# Introduction

Officers have delegated powers to issue Private Hire Operator, Hackney Carriage & Private Hire Vehicle Drivers’ Licences where new applicants, or existing drivers applying to renew their licenses have no more than 6 penalty points (except for 1 endorsement of 4 or more penalty points) on their driving licence, and have no unspent convictions, relevant spent convictions, police cautions, reprimands, final warnings, or any relevant information that has been provided by the Chief Police Officer on an Enhanced Disclosure & Barring Services Certificate.

Relevant information taken into consideration that is not an unspent conviction is always in the public’s interest, and usually refers to matters of a violent or sexual/indecency nature.

In the event of violent convictions being disclosed, Licensing Officers will consider the penalty imposed in relation to the conviction(s), the amount of such conviction(s), the length of time since the conviction(s) and the type of conviction(s) disclosed when determining the application.

Additionally in the case of existing drivers, Humberside Police will notify the Senior Licensing Officer of any information that is thought to be relevant, if it is known that the driver’s occupation is a Taxi Driver.

Applicants, or existing drivers or Operators who do not come within this criterion are required to appear before the Hackney Carriage Sub Committee, which then makes a decision as to whether they are a fit and proper person for the grant, renewal or continuation of a licence.

An existing driver or Operator will continue to have their suitability to hold a licence reviewed including their attitude and temperament. If their suitability is questioned throughout the licence duration, they may have their licence reviewed by the Hackney Carriage Sub Committee. This would include formal cautions, reprimands, warnings and formal complaints.

The Authority expects that licence holders conduct themselves in a manner that does not bring their profession or authority into disrepute. This includes not threatening or acting violently to members of the public or Officers, taking appropriate care of vulnerable passengers including not refusing a wheelchair passenger or a passenger with an assistance dog. Licensees who fail to meet these expectations may expect the Authority to revoke their licence.

# Background

A copy of the Guidance notes for new applicants is available to all persons interested in holding a Private Hire Operator, Hackney Carriage/Private Hire Drivers licence. The guidance gives information of the required criteria and step by step guide of the procedure.

New applications are only accepted when proof is provided of obtaining BTEC or NVQ Level 2 Award in Transporting Passengers by Taxi and Private Hire (other qualifications that are similar are also accepted).

All applicants are requested to reveal whether or not they have any convictions which are unspent or spent under the terms of the Rehabilitation of Offenders Act 1974 and any relevant driving offences, spent convictions, cautions, reprimands and warnings by the Police. Existing drivers are required to inform the Council of this information, in writing within 7 days of the imposition during the currency of their licence.

Applicants have to complete an authorisation form requesting an Enhanced Disclosure and Barring Service check; existing drivers have a check at 3 yearly intervals. Driving offences are recorded on Driving Licences which are checked annually. Driver’s licences are issued for 3 years.

A summary of the rehabilitation periods, after which convictions become spent, is set out below.

| **Sentence/Disposal** | **Buffer period for adults (18 and over at the time of conviction or the time the disposal administered).****This includes from the end date of the sentence (including the licence period)** | **Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the end date of the sentence (including the licence period)** |
| --- | --- | --- |
| A custodial sentence\* of over 4 years, or a public protection sentence  | Never Spent | Never Spent |
| Custodial sentence of over 30 months (2 and a half years) and up to and including 48 months (4 years)  | 7 years  | 3 and a half years  |
| Custodial sentence of over 6 months and up to and including 30 months 2 and a half years  | 4 years | 2 years |
| Custodial sentence of 6 months or less | 2 years | 18 months |
| Community order or youth rehabilitation order\*\* | 1 year | 6 months |
| **Sentence/disposal** | **Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered)** | **Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered)** |
| Fine  | 1 year | 6 months |
| Conditional discharge  | Period of the order | Period of the order |
| Absolute discharge | None  | None |
| Conditional caution and youth conditional caution | 3 months or when the caution ceases to have effect if earlier | 3 months |
| Simple caution, youth caution | Spent immediately  | Spent immediately  |
| Compensation order\* | On the discharge of the order (i.e. when it is paid in full) | On the discharge of the order (i.e. when it is paid in full) |
| Binding over order | Period of the order | Period of the order |
| Attendance centre order | Period of the order | Period of the order |
| Hospital order (with or without a restriction order) | Period of the order | Period of the order |
| Referral order | Not available for adults | Period of the order |
| Reparation order | Not available for adults  | None |

\* Custodial sentence includes a sentence of imprisonment (both an immediate custodial and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the powers of criminal courts (sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

\*\* in relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

**Note:**  any reference to imprisonment includes detention in a young offender’s institution, youth custody or corrective training.

The Act is quite clear that a rehabilitated person is to be treated as though he had not committed the offence in question. In exceptional circumstances it is permitted to take it into account, but only where the circumstances appear to be relevant, and where justice cannot be done except by referring to the conviction. Such cases will be the exception and will by Council resolution only refer to serious offences of a violent or sexual/indecency nature. The relevance would depend on the fact that the licence issued by the Council is to drive a motor vehicle, and the licensee is placed in a position of trust with the public.

# Procedure for interview

The Licensing Officer will give out to each member a copy of Confidential Information (if applicable) relating to the applicant or licensee.

Reviews for DVLA reasons only are shown in the report.

The Chairman of the Committee or Licensing Officer outlines the reasons for the review and summarises the details.

The applicant is given the opportunity to add anything before leaving the room with the Licensing Officer while Members deliberate and reach a decision.

* + 1. The applicant is recalled and given the decision. (Anyone dissatisfied with the decision has a right of appeal to the Magistrates – this is explained at the time by legal / licensing officers after the decision has been made by committee).

# Principles in deciding the issue

Members may find the following quotation from Osborne’s Concise Law Dictionary helpful:

The chief rules are to act fairly, in good faith, without bias, and in a judicial temper; to give each party the opportunity of adequately stating his case, and correcting or contradicting any relevant statement prejudicial to his case, and not to hear one side behind the back of the other. A man must not be judge in his own cause, so that a judge must declare any interest he has in the subject-matter of the dispute before him. A man must have notice of what he is accused. Relevant documents which are looked at by the tribunal should be disclosed to the parties interested.

When considering whether to refuse a renewal application, suspend or revoke a current licence, members must have regard to:-

1. A persons entitlement to a fair hearing; article 6 of the European convention on Human rights, and Article 8, the effects on the persons private or family life.
2. The Road Safely Act 2006, section 52, which gives licensing authorities a power to suspend or revoke a drivers licence with immediate effect, where they are of the opinion that the interests of public safety requires such a course of action.

Applicants and licensees can be represented by a friend or solicitor if they wish.

## Conclusion

These notes are intended to provide basic guide lines for Members. The attending solicitor will provide more detailed information and guidance at any particular hearing. The central issue for any of your meetings is to decide whether the applicant is a fit and proper person, to be driving a motor vehicle for the purpose of conveying paying passengers.

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 by this person at any time of day or night. If on the balance of probabilities the answer is no that individual should not hold a licence.

# Appendix A

# Guidelines relating to the relevance of convictions

# General policy

* The Council will as far as possible ensure that all persons holding a Private Hire Operator, Hackney Carriage or Private Hire licence are fit and proper persons.
* The Council will always consider the full facts of each individual case, and each case will be decided on its own merits.
* A person with a current conviction for serious crime need not be permanently barred from obtaining a licence, but should be expected to remain free of conviction for 10 years, according to the circumstances before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances.
* A series of offences over a period of time is more likely to give cause for concern than an isolated, minor conviction. A serious view will be taken when an applicant shows a pattern of offences.
* Persons with convictions for sexual offences will not be issued with a licence.
* The Council will always put the protection of the public first when considering the relevance of convictions or information including formal complaints.
* The council takes formal complaints made against licensed drivers and operators very seriously, as they are already aware of the standards expected of them. A driver or operator with a number of complaints made against them would normally appear before the Committee for a review of their licence.
* In certain circumstances it may be appropriate to depart from the guidelines when making a decision. Where an offence is a one off and there are mitigating circumstances or alternately, there are many offences which may show a pattern of offending or unfitness.
* Any applicant who has a Hackney Carriage or Private Hire Drivers Licence revoked will not normally be issued with a new licence for a least one calendar year following the revocation taking effect.

The following examples give a general guide on the action to be taken where convictions are admitted.

## Minor Traffic Offences

Convictions for minor traffic offences, e.g. obstruction, waiting in a restricted street, speeding etc. should not prevent a person from proceeding with an application. However, the type, number and frequency of this type of offence will be taken into account.

In certain circumstances it may be appropriate to issue a strong warning as to future driving requirements, and the high standards that are expected. If a significant history of offences are disclosed this may warrant refusal.

## Major Traffic Offences

An isolated conviction for reckless driving or driving without due care and attention etc.; should normally merit a warning as to future driving and advice on the standard expected of Hackney Carriage and Private Hire drivers.

More than one conviction for this type of offence within the last two years should merit refusal, and no further application should be considered until a period of 1 to 3 years free from convictions has elapsed.

Where a disqualification is imposed by a court in a “totting up” case an application will generally be refused until a period of 1 year free of conviction has elapsed since the return of the DVLA licence.

In “totting up” cases where a court does not impose a disqualification because of exceptional circumstances, as a Council apply different criteria to the courts, an application will normally be refused unless an applicant can show that a period of 1 year free of conviction has elapsed.

## Drunkenness with Motor Vehicle / Using a hand-held telephone or device

A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of drink, or failing to provide a specimen for analysis.

An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour.

More than one conviction for these offences should raise grave doubts as to the applicant’s fitness to hold a licence. At least 3 years should elapse (after the restoration of the driving licence) before an applicant is considered for a licence.

If there is any suggestion that the applicant is alcohol dependant, a special medical examination (at the applicants own expense) should be arranged before the application is considered. If it is found that the applicant is alcohol dependant then no further application will be considered until a period of 5 years have elapsed, after treatment is complete.

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

## Drunkenness not in Motor Vehicle

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination (see above). In some cases, a warning may be sufficient.

## Drugs

An applicant with a conviction for a drug related offences should be required to show a period of at least 10 years free of convictions, unless there is exceptional circumstances, before an application is entertained or longer after detoxification treatment if he/she was an addict. A certified medical certificate confirming such will be required before an application will be considered.

## Indecency Offences

As Hackney Carriage and Private Hire vehicle drivers often carry unaccompanied, vulnerable passengers, applicants with convictions for indecent exposure, importuning, or any of the more serious sexual offences, should be refused until they can show a substantial period (at least 5 years) free of such offences. In either case, if a licence is granted a strict warning as to future conduct should be issued.

Offences of this nature would always be referred to the Committee to determine.

It is unlikely that anyone with more than one conviction of this kind will be granted a licence.

Applicants who have convictions for rape, any sexual offence involving children, and any offence under the Sexual Offences Act 2003 will be refused a licence.

## Crimes resulting in Death

If an applicant is convicted of a crime which resulted in the death of another person or was intended to cause the death of another person they will not be licensed.

## Violence

As Hackney Carriage, Private Hire drivers and Operators maintain close contact with the public; a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding, assault or any other type of offence of a violent nature. The nature and seriousness of the offence(s) will be taken into consideration. At least 10 years free of such convictions should be shown before an application is considered and even then a strict warning should be administered.

## Exploitation

If an applicant or licensee is convicted of a crime involving, related to, or has any connection with abuse, exploitation or treatment of another individual irrespective of whether the victim was an adult or child they will not be licensed.

## Discrimination

Where an applicant or licensee has been convicted of a crime involving, relating to, or has any connection with abuse, use or treatment of another individual irrespective of whether the victim(s) were adults of children, they will not be licensed.

## 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 7 years have elapsed since the completion of any sentence imposed.

## Dishonesty

Hackney Carriage, Private Hire vehicle drivers and operators are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. It would be comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become “fair game” for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of 7 years free of conviction should be required before entertaining an application.

## Insurance Offences

A serious view should be taken to convictions of driving or being in charge of a vehicle without appropriate Insurance. An isolated incident should not debar an applicant from gaining a licence but a strict warning should be given.

Offences of this nature would always be referred to the Committee to determine.

More than one conviction of this type should raise grave concerns as to the applicant’s fitness to drive a Hackney Carriage or Private Hire vehicle.

Three or more convictions for Insurance offences would normally warrant a refusal as serious doubts would be raised as to whether or not the applicant is fit and proper.

## Cautions

Cautions are not regarded as convictions, but as they are admissions of guilt they may be taken into consideration. A caution is administered where a person admits to the offence.

## Reviews of existing Hackney Carriage and Private Hire Drivers Licences

It is important to recognise that once a licence is granted there is a continuing requirement on the licensee to maintain their safety / suitability, any dishonesty e.g. failure to declare convictions or change in circumstances etc. could result in the licence being refused or revoked.

## Minor Traffic Offences

Convictions for the more minor offences, e.g. waiting in a restricted street, speeding etc., should not prevent a driver from continuing as a licensed driver; however the number and frequency of this type of offence shall be taken into consideration.

A stern warning should be given if it is a one off offence, but if a significant pattern of this type of offence is disclosed this may warrant a suspension or revocation of the licence.

## Major Traffic Offences

An isolated conviction for driving without due care and attention etc. should merit a strong warning, and advice given as to the standard of driving expected of Private Hire and Hackney Carriage drivers.

If more than one conviction for this type of offence is disclosed this would raise grave concerns in relation to the driver’s duty of care to his / her passengers.

## Violence

A Hackney Carriage, Private Hire Driver and Operators are persons of trust and a conviction of a violent nature for example wounding, assault etc. the nature and seriousness of the offence will be taken into consideration.

If it is an isolated incident that did not happen when the driver or operator was working a strong warning would normally be given a pattern of this type of offence would almost certainly lead to revocation of the licence.

## Dishonesty

A driver or operator convicted of dishonesty for example fraud etc. should be taken very seriously as drivers often deal with vulnerable members of the public, who could be taken advantage of.

## Insurance Offences

A serious view should be taken if a driver is found to be in charge of a vehicle without the appropriate insurance as they are carrying paying passengers.

An isolated incident depending on the circumstances would normally warrant a very stern warning, if the circumstances surrounding the incident were inexcusable then a suspension or revocation of the licence would normally be the course of action to take.

One or more of this type of conviction would raise extreme concerns as to the driver’s fitness to drive a Hackney Carriage or Private Hire Vehicle giving concerns to public safety, more than one of this type of offence would normally result in revocation of the licence.

## Indecency Offences

A driver or operator found guilty of an offence of indecent exposure, importuning or any other sexual offence would normally lead to revocation of the licence.

## Complaints

Licensed drivers and operators are in positions of trust, and deal with vulnerable people who often solely rely on their services.

If a licensed driver or operator receives three separate complaints in relation to conduct etc. they would normally appear before the committee.

Officers would have almost certainly have issued a warning, advice or suspensions to a licensed driver or operator before they appear before the committee.

Although on occasions, for more serious or similar complaints it may be appropriate to review the licence before three complaints are received.

If a complaint is received regarding a licensed driver refusing to take an assistance dog; or wheelchair passenger the driver would have their licence reviewed by the Committee even if it is the first official complaint.

All complaints are officially recorded and remain on the driver or operator file. If a licensed driver or operator appears before the committee all recorded complaints made against them would form part of the licence review.

Once a driver or operator has appeared before the committee for complaints, if further complaints are received the driver or operator would re-appear before the committee. All previous complaints would be considered again.

If the committee have any doubt as to whether the person is a ‘fit and proper’ person they may wish to suspend or revoke the licence.

## Smoking inside a licensed vehicle

Licensed drivers operate in licensed vehicles therefore they must remain smoke free at all times and all licensed vehicles display at least one no smoking sticker.

If a driver is witnessed smoking inside the vehicle on three separate occasions by council officers or members, they would appear before the committee.

Due to previous written warnings given by council officers a suspension of the licence would normally be given.

If a driver appeared before the Committee for a second time for smoking inside a licensed vehicle, the Committee would normally consider the revocation of the licence.

## Carrying Assistance Dogs

If a driver appears before the Committee for refusing to take an assistance dog the Hackney Carriage Sub Committee need to give careful consideration as to the suitability of that driver. A suspension or revocation of the licence would be considered. If a driver was to appear for a second time for the same reason the licence would almost certainly be revoked.

## Carrying Disabled Persons Using Wheelchairs

Taxis are a vital link in the accessible transport chain and it is important that disabled people who use wheelchairs can have confidence that the taxi they find on a rank, or hail on the street, will accept them and carry them in their wheelchair at no extra charge.

If a driver appears before the Committee following a wheelchair refusal complaint a suspension or revocation of the licence would be considered. If a driver was to appear for a second time for the same reason the licence would almost certainly be revoked.

## Taxi Meters & Overcharging

It is an offence to charge more than the metered fare. If a driver appears before the Committee for overcharging or an allegation of overcharging a warning would normally be issued. If a driver was to appear before the Committee for the same reason again the suspension of revocation of the licence would be considered.

## Plying for Hire

If a driver is found to be plying for hire the Council may consider the suspension or revocation of the licence.

If a new applicant applying for a licence has committed any offence(s) under the above acts, serious consideration should be given as to whether or not a licence should be granted.

## Failure to declare, warnings, convictions or cautions endorsements

All licensed drivers and operators are required to inform the council of any of the above within 7 days of the imposition. All drivers are reminded of this on application, it is a condition of the licence, letters reminding them of this condition have previously been sent and all existing and new drivers are required to sign a declaration in relation to declaring any of the above.

A serious view should be taken if a driver fails to notify the council of any of the above. A stern warning or suspension is normally given depending on the nature / time since the conviction.

If a driver fails to notify the council for a second time, a longer suspension could be considered; or if the committee felt it appropriate the revocation of the licence could also be an option.

### **Non attendance**

If an applicant or driver fails to attend Committee without prior notification of his / her absence the case will normally be dealt with in their absence.

### **Suspension / Revocation**

In order to provide a stepped approach to enforcement, the following use of licensing powers is proposed where action is required for repeated non-compliance

**First Suspension Period – 7 days**

**Second Suspension Period – 28 days**

If a driver appears before the committee on two or more occasions after having previously been suspended, the committee may wish to use their powers of revocation, depending on the reasons and circumstances surrounding the appearance. Or alternatively issue a longer suspension to those listed above.

# Appendix 2

# Schedule

# Private hire driver’s licence conditions

# Subject to which this licence is granted

1. **CONDUCT OF DRIVER -** The driver shall;
2. afford all reasonable assistance with passengers’ luggage;

b) at all times be clean and respectable in dress and person and behave in a civil and orderly manner;

c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle;

d) not without the express consent of the hirer drink or eat in the vehicle;

e) 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;

f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle;

g) at all times when working wear an identity badge issued by the Council in such a manner and position as to be plainly visible;

h) not wear any clothing bearing marks or other devises (other than an approved identity badge) distinguishing that he/she is a private hire driver, (unless the clothing bearing the operator’s logo has first been submitted to and approved by the council)

i) not tout or solicit in any public place any person to hire or be carried for hire in any private hire vehicle;

j) not cause or procure any other person to tout or solicit in any public place, any person to hire or be carried for hire in a private hire vehicle;

k) not offer a vehicle for immediate hire while the driver or the vehicle is in any public place. (NOTE: It is an offence for Private Hire Vehicles to be used to ply for hire);

l) not accept an offer for the immediate hire of a vehicle while the driver of the vehicle is in any public place except where such offer is first communicated to the driver by apparatus for wireless telegraphy fitted to the vehicle;

(NOTE: “Public Place” shall include “any highway and other premises or place to which at the material time the public have, or are permitted to have, access whether on payment or otherwise

2. **PASSENGERS**

a) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons regardless of age or size than prescribed in the licence for the vehicle.

b) The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.

3. **LOST PROPERTY**

1. The driver shall immediately after the termination of any hiring of a private hire vehicle, or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left therein.
2. If any property accidentally left in a private hire vehicle by the person who may have been conveyed therein is found by or handed to the driver, the driver shall:
3. carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the nearest police station.

ii) 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 police station, whichever be the greater) in any event no more than five pounds.

1. **WRITTEN RECEIPTS -** The driver shall if requested by the hirer of a Private Hire Vehicle provide him/her with a written receipt for the fare paid.
2. **PROMPT ATTENDANCE –** The driver of a private hire vehicle shall, if he is aware that the vehicle is to be in attendance at an appointed time and place or the driver otherwise been instructed by the operator or proprietor of the vehicle be in attendance at an appointed time and place, punctually attend at the appointed time and place, unless delayed or prevented by sufficient cause. If for any reason whatsoever, the driver of a private hire vehicle is unable to attend at the appointed time and place the driver, shall take immediate steps to report the circumstances to the operator or proprietor of the vehicle to enable alternative arrangements to be made.
3. **COPY OF CONDITIONS -** The driver shall at all times when driving a private hire vehicle carry a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.
4. **DEPOSIT OF LICENCE -** If the driver is permitted or employed to drive a private hire vehicle of which the proprietor is someone other than her/himself, he/she shall before commencing to drive that vehicle, deposit this licence with that proprietor for retention by them until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of theirs.
5. **TAXIMETER -** 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).
6. **FARE TO BE DEMANDED -** 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.
7. **CHANGE OF ADDRESS -**The driver 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.
8. **ACCIDENTS -** In the event of a licensed private hire vehicle being involved in any accident causing damage materially affecting the safety, performance or appearance of the vehicle or comfort or convenience of passengers, the proprietor of such vehicle shall report such accident to the Council as soon as reasonably practicable and in event within seventy-two hours of the occurrence thereof.
9. **CONVICTIONS -** The driver shall disclose to the Council in writing details of any convictions (including road traffic offences), cautions, reprimands and warnings by the Police, imposed on the driver during the period of the licence, within seven days of the imposition of the said conviction. In relation to DVLA offences the holder of this licence must notify the Council within seven days of accepting the endorsement.
10. **RETURN OF BADGE -** The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the driver’s badge issued to him/her by the Council when granting this licence.
11. **TRANSFER TO OTHER OPERATOR -** The holder of this licence shall notify the Council in writing within 14 days of his/her transfer from the Operator named to any other Operator and the transfer shall not be effective until this notification has been made and the records amended.
12. **PARKING –** You must not park in such a position or location to be in the vicinity of premises such as bars, restaurants, hospitals, takeaways, public houses, clubs, hotels, casino’s, gaming and amusement arcades, airports, cinemas, theatres, railway stations or bus stations which could give the appearance of being available for hire unless you have been allocated a booking by your operator.

You must not congregate with more than 2 other private hire drivers/vehicles in residential areas and cause a nuisance or road traffic hazard by your parking, noise or activities whilst waiting to be allocated a booking.

You must always be parked legally and in such a way as not to endanger other road users or pedestrians.

1. **VEHICLES DRIVEN TO POSSESS VEHICLE LICENCES -** The holder of this licence shall not at any time use for the purpose of work a vehicle for which there is not in force a valid licence issued by the Council certifying that the vehicle is suitable for use as a private hire vehicle.
2. **MEDICAL REQUIREMENTS -** A medical certificate is required on application. Further medical certificates are required at the age of 45 and each 5 years thereafter until 65 when medicals will be required each year thereafter (except when additional medicals are required in cases where specific medical problems are known about). The driver shall notify the Council as soon as possible and in any event within 21 days of any illness / injury his / her fitness to drive in any way.

SCHEDULE

The North East Lincolnshire Council reserves the right to alter, extend, amend or add further conditions at any time.

# Appendix 3

# Schedule

# Private hire operator’s licences

# Conditions subject to which the licence is granted

1. **Records**

(a) The record required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book or computer, the pages of which are numbered consecutively and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by them: -

(i) The time and date of the booking.

(ii) The name and address of the hirer.

(iii) The time of pick-up.

(iv) The point of pick-up.

(v) The destination.

(vi) The time at which a driver was allocated to the booking.

(vii) Remarks (including details of any sub-contract undertaken at the request of another operator within the Council).

(b) The operator shall also keep records, by means of a register, of the particulars of all private hire vehicles operated by them, which particulars shall include details of the owners registration numbers and drivers of such vehicles, together with any radio call sign used, and shall notify the Council of the amendments within seven days thereof. The register must be available at all times for inspection by an authorised officer of the Council.

(c) All records kept by the operator shall be preserved for a period of not less than six months following the date of the last entry and shall produce such records on request to any authorised officer of the Council or to any constable for inspection within 72 hours.

2. **Standard of Service**

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times for this purpose and shall in particular:-

(a) Ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient 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.

(d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired.

3. **Complaints**

 The operator shall keep a register of all complaints received, together with any action taken and such register shall be made available for inspection by the Council’s authorised officers on their request.

4. **Change of Address**

 The operator shall notify the Council in writing of any change of their address (including any address from which they operate or otherwise conduct their business as an operator) during the period of the licence, within seven days of such change taking place.

5. **Fit and Proper persons**

(a) To ensure all Operators are fit and proper persons to hold a licence, a Basic Disclosure check is required at 3 yearly intervals for those operators that do not hold a Driver’s licence with the Council.

**Convictions**

(b) The operator shall within seven days thereof disclose to the Council in writing details of any conviction, (including road traffic offences), cautions, reprimands and warnings by the Police imposed on them (or if the operator is a company or partnership, on any of the directors or partners) during the period of the licence.

6. **Employment of Licensed Drivers**

 The operator shall ensure that any driver employed by the operator or working from the operator’s premises holds a current Private Hire / Hackney Carriage Driver’s Licence issued by the Council.

7. **Operation of Licensed Vehicles**

(a) The operator shall ensure that all vehicles operated by the operator or from the operator’s premises as are the subject of a current Vehicle Licence issued by the Council.

(b) The operator shall notify the Council, in writing, of the following details of every vehicle operated, within 7 days after the vehicle has been first operated:-

(i) the vehicle registration mark

(ii) the vehicle’s licence plate number

(iii) the name and address of the proprietor

(iv) the names and address of persons that it is intended will drive the licensed vehicle.

(c) The operator shall notify the Council, in writing, of each vehicle that they cease to operate, within seven days after the vehicle has ceased to be operated.

8. **Conduct**

(a) The operator hereby licensed shall not importune or cause or permit to be importuned any person by calling out or otherwise to hire any of the vehicles under their control.

(b) The operator hereby licensed shall not remove or cause or permit to be removed from any vehicles under their control the identification plates or signs issued by the Council.

9. **Advertising Material**

 As from 1st September 2009 all vehicles that are issued licenses will display 2 uniform self-adhesive door signs attached to the upper part of the drivers and passenger doors, unless solely used for executive hire. The only exception is for approved advertising, an application must be submitted to the Council for approval beforehand. The signs are supplied by the Council, other signage is strictly prohibited. The web site address of the operator may be advertised, as per letter sent 9th September 2009.

10. **Non-Operation from “Licensed Premises”**

 The operator shall not operate from any address being premises licensed to sell alcohol under the Licensing Act 2003. The expression “premises” shall include land adjacent to and belonging to the building the subject of the premises licence in question.

11. **Wearing of Operator’s Logo**

The operator may require all private hire drivers to wear clothing that bears the operator’s logo, which may include the business name and telephone number. The said logo must not exceed 10 cm in length by 5 cm in height and must have previously been submitted to and approved by the council.

12. **Review of Operators Licence**

 The licence will be reviewed on application and inspected annually. The review will take into consideration the proprietors, booking records, waiting facilities, off street parking and any other changes in circumstances since the last licence was issued. An additional review may be considered at any time during the life of the licence where there are reasonable grounds.

# Appendix 4

# Schedule

# Hackney carriage vehicle licence

# Conditions subject to which this licence is granted

1. SPECIFICATION OF VEHICLE

1. The Hackney Carriage vehicle hereby licensed as from the 5th April 2005 must

be designed and developed exclusively for use as a wheelchair accessible taxi, have M1 classification and comply in all respects to EC Whole Vehicle Type Approval, or UK Low Volume Type Approval.

 (b) To have at least four doors, all of which must be capable of being opened from the inside of the vehicle and have adequate seating accommodation. The seat width requirement is 16 inches per person. The width for three persons of 48 inches shall be measured by taking the actual distance between the arm rests.

 (c) Production of the registration document (V5 form) that records when first registered; model type; body type; vehicle type approval will be required to be produced at the time of mot testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form); (must be issued before registration document issued) a bill of sale from the vender that stipulates the vehicle is the standard of the new specification.

(d) As from 1st July 2009 all new vehicle licences including change of cars must be under 5 years of age, proof of the V5 form must be produced.

2. MAINTENANCE OF VEHICLE

 (a) At such time as the Hackney Carriage Vehicle hereby licensed is required to be tested for Ministry of Transport purposes the vehicle shall be brought to the appropriate Council for a vehicle Inspection, after it has passed an MOT.

 (b) Vehicles under 5 years of age will be inspected once per annum, while vehicles over 5 years of age will be tested and inspected twice per annum.

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

 (d) Anchorage provided for wheelchair access vehicles must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage 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.

 (e) Provisions must be made for the ramp(s) to be stowed safely when not in use.

3. ALTERATION OF VEHICLE

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

 (b) There may be installed a partition safety screen, providing that this is supplied and installed in compliance with relevant statutory requirements and comfortable for the rear seat passenger. (A safety check list is available on request at the Hackney Carriage Office).

 (c) There may be installed a CCTV camera, providing that all image handling and recording equipment complies with the requirements of current and future Data Protection legislation and has been registered. (Contact the help line on 03031231113 for further information). There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall not be less than 88sq CM (11 X 8 cm). Applications must be submitted to the Council in writing stating that the equipment complies to DP legislation, together with proof that the user has registered as a Data controller with the Commissioner and the proposed signage for approval prior to the operation of any form of CCTV system. Compliance with Data Protection legislation is the proprietor’s responsibility.

4. IDENTIFICATION PLATE

 (a) The Licence Plate identifying the vehicle is required to be exhibited on the vehicle pursuant to Section 38(h) of the Town Police Clauses Act 1847 and shall be securely fixed by nuts and bolts or self-tapping screws (not tied) to the rear bumper of the vehicle. No part of the licence plate shall be positioned any further than 20 inches from the furthest part of the rear offside of the vehicle’s bumper and shall be clearly visible from the rear and in such manner as to be easily removable by any authorised officer of the Council or a Constable. If reflectors on the vehicle make it impossible for the 20 inches to be complied with, the plate must be positioned as close to the right side edge as possible. Alternatively the plate may be attached to a bracket in the required position. ‘Black Cab’, purpose built vehicles are exempt from displaying in this position, if the location of rear bumper will obscure the visibility of the plate. Please note it is an offence to display a licence plate from the interior side of the vehicle.

 (b) The proprietor shall report the loss of an identification plate to the Council within 24 hours.

 (c) The driver/proprietor of the vehicle must keep the licence plate clean and visible at all times when available for hire.

5. TAXI METERS

 The proprietor of the Hackney Carriage hereby licensed shall cause the same to be provided with a taximeter so constructed, attached and maintained that:-

 (a) The words "FOR HIRE" shall be exhibited on the meter in plain letters in a position in which the words are horizontal and legible.

 (b) When the machinery of the taximeter is in action, there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity, a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the Council's decision in that behalf for the hire of the carriage by distance.

 (c) 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.

 (d) The taximeter shall be so placed that all letters and figures on the face thereof may be 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.

 (e) 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.

6. INTERIOR MARKINGS, SIGNS, NOTICES & TABLE OF FARES

1. The proprietor shall cause to be clearly marked and displayed in the vehicle in such a position as to be visible at all times to persons conveyed therein the number of this licence, the number of passengers prescribed in this licence and the table of fares as approved by the Council
2. No signs, notices, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever, with the exception of plastic poppies (with a maximum diameter of 20 centimetres) on the front external radiator grill, shall be displayed on, in or from the vehicle except as may be required by any statutory provisions or required or permitted by these conditions, unless firstly approved by the Council for special circumstances, provided however that this condition shall not apply to any indication on a meter fitted to the vehicle.

(c) The proprietor shall cause to be affixed and maintained in the vehicle in a position conspicuous in accordance with the directions of the Council any sign or notice relating to Hackney Carriage vehicles which the Council may from time to time require, i.e. “No Smoking” signs as from 1st July 2007. (See at 17 below)

7. ROOF SIGNS

 (a) The roof sign must display the word “TAXI”, be of the type approved by the Council, i.e. 18 inches in length and 5 inches in height, except in the case of where vehicles have a standard taxi sign installed in such vehicles, and the said roof sign shall not be required.

 (b) The word "TAXI" shall be kept illuminated during the hours of darkness when plying for hire.

8. ADVERTISING

The Hackney Carriage hereby licensed shall display no advertisement unless its size, colour and subject matter and its position on the vehicle shall have been first approved in writing by the Council. A draft copy of the advertisement must be firstly submitted for approval, together with the appropriate fee. Advertising may be displayed on the rear quarter panels and rear of the vehicle only, excluding all windows.

9. ACCIDENTS

 In the event of the Hackney Carriage vehicle hereby licensed being involved in any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers the proprietor of such vehicle shall report such accident to the Council as soon as reasonably practicable and in any event within seventy-two hours of the occurrence thereof.

10. 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.

11. CONVICTIONS

 The proprietor shall within seven days thereof disclose to the Council in writing details of any convictions (including road traffic offences), cautions, reprimands and warnings by the Police, imposed on the proprietor (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

12. DEPOSIT OF DRIVERS' LICENCE

 If the proprietor permits or employs any other person to drive the vehicle as a Hackney Carriage vehicle, the proprietor shall before that person commences to drive the vehicle cause the driver to deliver to the proprietor a Hackney Carriage driver's licence for the proprietor's retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of the proprietor.

13. NUMBER OF PERSONS TO BE CARRIED

 The Hackney Carriage vehicle hereby licensed must not carry a greater number of persons than that authorised by this Licence. The Licence is issued for a maximum number of passengers (regardless of age or size).

14. NOTIFICATION OF TRANSFER OF LICENCE

 Any transfer of this Licence by the Holder to any other person must be notified to the Council, in writing within 14 days of such transfer and no such transfer shall be effective until this notification has been made and the Council's Official Register amended accordingly.

15. PRODUCTION OF CERTIFICATE OF INSURANCE

 (a) During the currency of this licence, there shall be in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988.

 (b) As from the 5th April 2005 additional appropriate insurance for non-motor personal liability is required for wheelchair accessible vehicles.

 (c) The holder of this licence shall if requested produce to the Council's Licensing Officer a current Certificate of Insurance or valid Insurance Cover Note.

16. CARRIAGE OF ASSISTANCE DOGS

The Hackney Carriage vehicle hereby licensed must carry guide; hearing or assistance dogs belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Application forms for an exemption of duty are available at the Hackney Carriage Office, (requirements of S37 of the Disability Discrimination Act 1995). If approved, a ‘notice of exemption’ provided by the Council, identifying the driver named must be displayed in the vehicle. Drivers have a responsibility to ensure that their company is aware of such a condition when they are first employed.

17. NO SMOKING

As from the 1st July 2007 legislation requires that all vehicles used to transport members of the public are smoke free at all times. This includes Hackney Carriage vehicles and applies to passengers and drivers even if the vehicle is not been used for public hire use. (See at 6(c) above for displaying of signs).

SCHEDULE

The North East Lincolnshire District Council reserves the right to alter or amend or add further conditions at any time.

**SCHEDULE**

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

**SUBJECT TO WHICH THIS LICENCE IS GRANTED**

1. SPECIFICATION OF VEHICLE

1. The private hire vehicle hereby licensed shall be a four door saloon car or similar vehicle with at least four doors. All passenger doors must be capable of being opened from inside the vehicle. The vehicle must have adequate seating accommodation for not less than four persons in addition to the driver. The seat width size requirement is 16" per person. The width for 3 persons of 48" shall be measured by taking the actual distance between the arm rests.
2. As from 1st July 2009 all new vehicle licences including change of cars must be under 5 years of age, proof of the V5 form must be produced. Exceptions: unless the vehicle is used solely for executive hire work.
3. Stretched Limousines are required before licensed to have an MOT at a VOSA inspection station and to provide a certificate (SVA) of evidence of compliance with British regulations under the Single Vehicle Approval inspection regime or an Individual Vehicle Approval certificate (IVA) that replaced the SVA as from 29th April 2009.

2. MAINTENANCE OF VEHICLE

(a) At such time as the Private Hire Vehicle hereby licensed is required to be tested for Ministry of Transport purposes the vehicle shall be tested and brought to the Council where a vehicle inspection shall take place.

(b) Vehicles under 5 years of age will be tested and inspected once per annum, while vehicles over 5 years of age will be tested and inspected twice per annum.

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

3. ALTERATION OF VEHICLE

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

1. There may be installed a partition safety screen, providing that this is supplied and installed

in compliance with relevant statutory requirements and comfortable for the rear seat passenger. (A safety check list is available on request at the Hackney Carriage Office).

(c) There may be installed a CCTV camera, providing that all image handling and recording equipment complies with the requirements of current and future Data Protection legislation and has been registered. (Contact the help line on 03031231113 for further information). There must be signs displayed in and out of all windows of the vehicle informing passengers that the vehicle is fitted with surveillance equipment. The signs shall not be less than 88sq CM (11 X 8 cm). Applications must be submitted to the Council in writing stating that the equipment complies to DP legislation, together with proof that the user has registered as a Data controller with the Commissioner and the proposed signage for approval prior to the operation of any form of CCTV system. Compliance with Data Protection legislation is the proprietor’s responsibility.

4. IDENTIFICATION PLATE AND DISC

(a) The Licence Plate identifying the vehicle is required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 and shall be securely fixed by nuts and bolts or self-tapping screws (not tied) to the rear bumper of the vehicle. No part of the licence plate shall be positioned any further than 20 inches from the furthest part of the rear offside of the vehicle’s bumper and shall be clearly visible from the rear and in such manner as to be easily removable by an authorised Officer of the Council or a Constable. If reflectors on the vehicle make it impossible for the 20 inches to be complied with, the plate must be positioned as close to the right side edge as possible. Alternatively the plate may be attached to a bracket in the required position. Please note it is an offence to display a licence plate from the interior side of the vehicle.

(b) The disc identifying the vehicle as a Private Hire vehicle is required to be exhibited in the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 shall be securely fixed on or adjacent to the nearside lower corner of the interior of the windscreen on the vehicle so that all particulars thereon are clearly visible by daylight from the nearside of the road and visible at all times to the person conveyed therein. The disc shall be marked with the number of this licence plate, the number of passengers prescribed in this licence and a sign bearing the following words “Fares are not controlled by North East Lincolnshire Council and passengers are advised to agree the appropriate charges before commencing a journey”.

(c) The proprietor shall report the loss of an identification plate or disc to the Council within 24 hours.

(d) The driver/proprietor of the vehicle must keep the licence plate clean and visible at all times when available for hire.

5 (a) INTERIOR MARKINGS, SIGNS, NOTICES , ADVERTISING

(1) No signs, notices, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever with the exception of plastic poppies (with a maximum diameter of 20 centimetres) on the front external radiator grill) shall be displayed on, in or from the vehicle except as may be required by any statutory provisions or required or permitted by these conditions, unless firstly approved by the Council for special circumstances, provided however that this condition shall not apply to any indication on a meter fitted to the vehicle.

(2) The proprietor shall cause to be affixed and maintained in the vehicle in a position conspicuous in accordance with the directions of the Council any sign or notice relating to Private Hire vehicles which the Council may from time to time require, i.e. “No Smoking” signs as from 1st July 2007.

(See at 16 below).

(3) The Private Hire hereby licensed shall display no advertisement unless its size, colour and subject matter and its position on the vehicle shall have been first approved in writing by the Council. A draft copy of the advertisement must be firstly submitted for approval, together with the appropriate fee. Advertising may be displayed on the rear quarter panels and rear of the vehicle only, excluding all windows.

5 (b) N.E.L.C DOOR SIGNS

 As from 1st September 2009 all vehicles that are issued licenses will display 2 permanent uniform self-adhesive door signs, attached to the upper part of the drivers and passenger doors, unless solely used for executive hire. The signs are supplied by the Council, other signage is strictly prohibited unless written applications are approved for Commercial Advertising. (See at 5 (3) above).

6. ACCIDENTS

In the event of the private hire vehicle hereby licensed being involved in any accident causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers the proprietor of such vehicle shall report such accident to the Council as soon as reasonably practicable and in any event within seventy-two hours thereof.

7. CHANGE OF ADDRESS

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

8. CONVICTIONS

The proprietor shall within seven days thereof disclose to the Council in writing details of any convictions (including road traffic offences), cautions, reprimands and warnings by the Police imposed on the proprietor (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

9. DEPOSIT OF DRIVERS' LICENCES

If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he/she shall before that person commences to drive the vehicle cause the driver to deliver to him/her private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of theirs.

10. NUMBER OF PERSONS TO BE CARRIED

The Private Hire Vehicle hereby licensed must not carry a greater number of persons regardless of age or size than that prescribed in this Licence.

11. PREMISES FROM WHICH VEHICLE TO BE OPERATED

The holder of this Licence shall operate the vehicle subject of this Licence only from the premises of the Private Hire Operator nominated in the Schedule below.

12. NOTIFICATION OF TRANSFER TO NEW OPERATOR

The holder of this Licence shall notify the Council in writing within 14 days of any transfer from the Operator named in the Schedule below to any other Operator and the transfer shall not be effective until this notification has been made and the schedule amended accordingly.

13. NOTIFICATION OF TRANSFER OF LICENCE

Any transfer of this Licence by the Holder to any other person must be notified to the Council, in writing, within 14 days of such transfer and no such transfer shall be effective until this notification has been made and the Council's official Register amended accordingly.

14. PRODUCTION OF CERTIFICATE OF INSURANCE

(a) During the currency of this licence, there shall be in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988.

(b) The holder of this licence shall produce to the Council's Licensing Officer a Current Certificate of Insurance or Valid Insurance Cover Note as and when required.

15. CARRIAGE OF ASSISTANCE DOGS

The Private Hire vehicle hereby licensed must carry guide; hearing or assistance dogs belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Application forms for an exemption from duty are available at the Hackney Carriage Office, (requirements of S37A of the Disability Discrimination Act 1995). If approved, a ‘notice of exemption’ provided by the Council, identifying the driver named must be displayed in the vehicle. Drivers have a responsibility to ensure that their company is aware of such a condition when they are first employed.

16. NO SMOKING

1st July 2007 legislation requires that all vehicles used to transport members of the public are smoke free at all times. This includes Private Hire vehicles and applies to passengers and drivers even if the vehicle is not been used for private hire use. (See at 5(2) above for displaying of signs)

SCHEDULE

The North East Lincolnshire District Council reserves the right to alter or amend or add further conditions at any time.

# Appendix 5

| **CODE** | **ITEM** | **CONDITION REQUIRED** |
| --- | --- | --- |
| 1 | Roof Sign (HC Only) | All Hackney Carriages must be fitted with a roof sign as approved by the Council. Vehicles that are designed and developed exclusively for use as a taxi will have a standard taxi sign installed in such vehicles. The size of the roof sign for saloon and people carrier type vehicles must be 18 inches in length by 5 inches in height. |
|  |  |  |
| 2/3 | Roof Sign Working/Condition(HC Only) | The roof sign must display the word “TAXI” and be capable of being illuminated during the hours of darkness. The roof sign must be securely fixed and cause no danger to the driver or members of the public and should be free from damage. |
|  |  |  |
| 4 | Displaying signs or stickers | Private Hire Vehicles must not display any signs, stickers, advertisements, plates, marks , numbers letters, figures, symbols, emblems or devices whatsoever unless firstly approved by the Council, in which case a letter of approval must be produced at the time of testing. In the case of Hackney Carriage, a Table of Fares must be displayed. Private Hire must display the disc supplied by the Council in the front windscreen above the Vehicle excise Licence, in the nearside bottom corner.  |
|  |  |  |
| 5a/5b | Plate | The Licence plate must be securely fixed by nuts and bolts or self-tapping screws (attached) to the rear. The whole of the plate shall be positioned within 20 inches of the rear offside edge of the vehicle, and shall be clearly visible from the rear. (Purpose built vehicles are exempt from displaying the plate in this position). The plate must be clean legible and free from damage. |
|  |  |  |
| 6 | Door signs | The door signs must be clean, legible and free from damage. They must have correct operator and telephone number on. They must be stuck directly on to doors and **not** on magnets. |
|  |  |  |
| 7 | Number of doors | Licensed vehicles must have a minimum of 4 doors, all of which can be opened from the inside of the vehicle. (This includes rear opening doors). |
|  |  |  |
| 8 | Width between arm rests | A minimum width of 48 inches is required between the rear arm rests providing each passenger with a seat width of 16 inches. |
| 9 | Head Lining | The head lining shall be intact, clean and free from holes, tears, stains or any other damage. |
|  |  |  |
| 10 | Floor Carpets | The floor must be sound and covered by fitted vehicle carpets, if fitted with mats, they must be clean and undamaged. Carpet off cuts is not acceptable. Floor coverings must not be so badly worn as would be likely to cause danger to passengers. |
|  |  |  |
| 11 | Seats | All seats and upholstery must be clean and free from stains, holes, tears and damage. There must be no sharp edges, which could cause injury or damage. Seat coverings must be sound, intact and clean. Seat springs shall be sound and not penetrating the fabric of the seat. There shall be no loose rugs, blankets, cushions or other articles on the passenger seats. |
|  |  |  |
| 12 | Door Lining/Handles | All fittings shall be secure, complete and be capable of being operated both from inside and outside the vehicle. The door linings shall be clean, free from holes, stains or any other damage. |
|  |  |  |
| 13 | Fascia/Switches | The gauges shall be correctly illuminated. All interior and passenger lights where fitted shall be secure and operate. All switches and fittings shall be secure and operate correctly. There shall be no exposed wires, large holes or sharp edges in the fascia. |
|  |  |  |
| 14 | Windows | All windows must be clear of any obstruction damage or signage which will impede the view of the driver. All windows must be capable of being operated. |
|  |  |  |
| 15 | Boot | The boot shall be kept clean and free of large stains and spills. Matting, if fitted must be in one piece and be capable of being cleaned. The boot must be kept clear for the use of passenger’s luggage except for the storage of the spare wheel and jack.  |
|  |  |  |
| 16 | Rear Bumper | Must be fitted and securely mounted. It must not be damaged or corroded. |
|  |  |  |
| 17 | Boot/rear door | The boot/rear door must open and close easily and must not be corroded and free from damage, large dents and areas of corrosion, and suitable for carrying passengers luggage and shall be secure when shut. The boot/rear door must be free of leaks. |
|  |  |  |
| 18 | N/S Rear door/wing/wheel arch | Must be in a sound condition, free from damage, large dents and areas of corrosion, which could be a danger to passengers and their belongings. |
|  |  |  |
| 19 | N/S Front door/wing | As for code 18 |
|  |  |  |
| 20 | Bonnet | As for code 18 |
|  |  |  |
| 21 | Front Bumper | As for code 16 |
|  |  |  |
| 22 | O/S Front door/wing | As for code 18 |
|  |  |  |
| 23 | O/S Rear door/wing/wheel arch | As for code 18 |
| 24 | General Bodywork | The general bodywork of the vehicle should be free from corrosion, accident damage, scratches and dents. All paint work on the vehicle must be uniform.  |
|  |  |  |
| 25 | Trims | Should where fitted be secure, with no protruding edges. |
|  |  |  |
| 26 | Cleanliness | Vehicle should be in a state of cleanliness that is considered suitable for carrying members of the public and not in a condition that may cause damage.  |
|  |  |  |
| 27 | Wiring | Ensure that wiring where visible is not corroded or chaffed and that all junctions and installations are electrically sound. |
| 28 | Oil Leaks | Oil leaks must not create any type of hazard for the vehicle, pedestrians or other road users. |
| 29 | Vehicle Structure/Age | The structure of the vehicle as a whole must be in a sound condition with no signs of excessive corrosion or damage & must be under 5 years old at the time of licensing for new vehicles |
| 30 | Mirrors | All mirrors must be securely mounted and not cracked, broken or corroded so as to distort any view to the rear. Where a mirror is intended to be adjustable it must be capable of being adjusted. |
| 31 | Registration plates | Checked for condition, correct location and that they conform to legal requirements. |
| 32 | Anchorage for wheel chair access vehicles (HC only) | Check anchorage is provided for wheelchair. These anchorages must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage 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.   |
| 33 | Ramps for wheel chair access vehicle (HC only) | Check a ramp(s) for the loading of a wheelchair and occupant is available. Provisions must be made for the ramp(s) to be stowed safely when not in use. |
| 34 | Proof of vehicle specification documentation for wheel chair access vehicles (HC only) | As from the 5th April 2005, all new HC vehicles presented for testing must be designed and developed exclusively for use as a taxi, have M1 classification and comply in all respects to either EC Whole Vehicle Type Approval, or UK Low Volume Type Approval. **Vehicles that are presented for the first time for testing and inspection must be produced with the registration document (V5 form), together with the (VCA) form that was issues by the Vehicle Certification Agency to the manufacturer before the vehicle was registered. (The VCA form will stipulate the type of approval; model type; body type together with a bill of sale from the vender that stipulates that the vehicle sold meets the specification as above at code 1;2;3 and 36** |
| 35 | VEL  | The Vehicle excise licence displayed must be valid. |
| 36 | No Smoking signs | “No Smoking” signs must be displayed in both types of vehicles in a prominent position. |
|  | Other | Any item, defect or fault which in the opinion of the vehicle tester which renders the vehicle in their opinion, to be unfit for use as a hackney carriage or private hire will be noted as a fail.  |

North East Lincolnshire Council reserves the right to alter or amend or add further Testing Standards at any time.

# Appendix 6

# North East Lincolnshire Council

# Minimum vehicle standards for hackney carriages as from

#  5th April 2005

**New specification for all new Hackney Carriage vehicles licensed:**

a) Every new taxi cab offered for approval must be designed and developed exclusively for use as a wheelchair accessible taxi, have M1 classification and comply in all respects to EC Whole Vehicle Type Approval, (E C W V T A), or UK Low Volume Type Approval (UK L V T A).

1. **Production of the registration document (V5 form) that records when first registered; model type; body type; vehicle type approval will be required to be produced at the time of mot testing and licensing, together with a certificate provided by the manufacturer, issued by the Vehicle Certification Agency (VCA form); and a bill of sale from the vendor that stipulates the vehicle is the standard of the new specification.**

***(N.B:- The VCA certificate or Certificate of Conformity must have been issued before the vehicle has been registered with the DVLA. Adaptations will not be accepted after registered.)***

**In addition to the above vehicle specification:**

c) Anchorage provided for wheelchair access vehicles must be either chassis or floor linked. Restraints for wheelchair and occupant must be independent of each other. Anchorage must be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment.

The vehicle must also comply with the following current conditionsattached to Hackney Carriage vehicle licenses:

d) To have at least four doors, all of which must be capable of being opened from the inside of the vehicle and have adequate seating accommodation for not less than four persons in addition to the driver. The seat width requirement is 16” per person. The width for 3 persons of 48” shall be measured by taking the actual distance between the arm rests.

1. The roof sign must display the word “TAXI” and be capable of being illuminated during the hours of darkness; be of the type approved by the Council, i.e. 18 inches in length and 5 inches in height, except in the case of where vehicles have a standard taxi sign installed in such vehicles, the said roof sign shall not be required.
2. **A bill of sale from the seller to say that the Vehicle meets the specification for North East Lincolnshire Council.**

**PLEASE NOTE -** As from 1st July 2009 all new vehicle licences including change of cars must be under 5 years of age, proof of the V5 form must be produced. Exceptions: unless the vehicle is used solely for executive hire work.

*All other conditions imposed on Hackney Carriage vehicle licenses still apply.*

*North East Lincolnshire Council reserve the right to alter, amend or add*

*further conditions at any time.*

# Appendix 7

# Data Protection CCTV

*For Compliance advice, proprietors are advised to consult the Information Commissioner who has designed a 'CCTV' Small User checklist to comply with the legal requirements and give advice on applying for registration to comply with the Data Protection Act 1998.*

**Telephone: 03031231113, 01625 545745 Facsimile*:* 01625 524510**

**Website: www.ico.org.uk or e-mail:** **registration@ico.org.uk**

Once permission and an approval certificate is received from the ICO you must inform the Council in writing, also providing your approval document from the ICO.

**Signage**

There must be signs informing passengers that the vehicle is fitted with surveillance equipment. The signs shall be located on each passenger door window and legible from the outside and inside of the vehicle. The signs shall not be less than 88sq CM (11 X 8 CM).

The proposed signage must be submitted to the Council for approval prior to the operation of any form of CCTV system. An example of the wording on the sign is as follows:-

*(Delete the word taxi or private hire as applicable)*

**PASSENGER NOTICE**

This taxi/private hire vehicle is protected by a

**Digital surveillance Camera**

# Appendix 8

# North East Lincolnshire Council

# Hackney Carriage & Private Hire

# Drivers’ Dress Code

A reasonable standard of dress is required of all drivers when on duty.

Drivers should ensure they are clean and tidy at all times.

**All drivers will be required to wear:**

1. A long or short-sleeved shirt with a collar attached. (This includes polo-shirts, with a company logo if desired)
2. Trousers, or a skirt for females
3. In the summer months, or at other times of extreme hot weather, tailored knee-length shorts, with shoes or smart trainers if desired.

**Specifically not allowed:**

1. T-shirts with logos or slogans on, especially if they could cause offence.
2. Ripped Jeans.
3. Flip flops or any other style of shoe that could pose a hazard when driving.
4. Running vests (singlets).
5. String vests.
6. Hoods.
7. Baseball caps.
8. Sports clothes i.e. football shirts, running shorts.
9. (In respect of football shirts, the policy will not be enforced if there are exceptional circumstances or occasions).
10. Track suits and jogging bottoms.

Driver’s badges should be worn when away from the car and meeting passengers.

**Whilst this seeks to avoid over-specification, in the case of disagreement, the Taxi Licensing Officer will decide whether particular clothes meet the code. Appeal will be to the Licensing Manager.**

# Appendix 9

Hackney Carriage Ranks – Backed by Traffic Regulation Order

| **Town/Village** | **Road** | **Location (approx.)** | **Restriction** | **Spaces** |
| --- | --- | --- | --- | --- |
| Cleethorpes | Grant Street | South-east of Station Road | No waiting at any time except taxis | 2 |
| Cleethorpes | Grimsby Road | Outside McDonald’s | No waiting at any time except taxis | 4 |
| Cleethorpes | Grimsby Road | East of Park Street | No waiting 6pm-6am except taxis | 4 |
| Cleethorpes | High Street | West of Osborne Street | No waiting 11pm-7am except taxis | 4 |
| Cleethorpes | Market Street | East of Osborne Street | No waiting 11pm-7am except taxis | 2 |
| Cleethorpes | Market Street | West of Osborne Street | No waiting 11pm-7am except taxis | 5 |
| Cleethorpes | Sea Road | North-east of Alexandra Road | No waiting 11pm-7am except taxis | 5 |
| Cleethorpes | Sea Road | South-west of North Promenade | No waiting at any time except taxis | 5 |
| Cleethorpes | Sea Road | Outside ‘Bucket and Spade’ PH | No waiting 11pm-7am except taxis | 5 |
| Cleethorpes | Sea View Street | Outside ‘The Point’ | No waiting 11pm-7am except taxis | 2 |
| Cleethorpes | Station Road | North-west of Grant Street | No waiting at any time except taxis | 8 |
| Grimsby | Bethlehem Street | East of former ‘Petits’ | No stopping at any time except taxis | 4 |
| Grimsby | Garibaldi Street | Opposite covered Market | No waiting at any time except taxis | 10 |
| Grimsby | Osborne Street | Outside ‘Poundland’ | No stopping at any time except taxis | 4 |
| Grimsby | South St. Mary’s Gate | Rear of ‘The Friary’ PH | No stopping at any time except taxis | 4 |
| Grimsby | Station Approach Road | Opposite Wetherspoons PH | No waiting at any time except taxis | 6 |
| Grimsby | Thames Court | North of Wingate Road | No waiting at any time except taxis | 2 |
| Grimsby | Victoria Street South | Between Pasture Street & Frederick Ward Way | No stopping at any time except taxis | 12 |
| Grimsby | Victoria Street West | Outside ‘Istanbul’ | No stopping at any time except taxis | 5 |
| Humberston | North Sea Lane | Opposite Trawlerman PH | No waiting at any time except taxis | 4 |

Hackney Carriage Ranks – To be introduced under an Experimental Traffic Regulation Order

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Town/Village** | **Road** | **Location (approx.)** | **Restriction** | **Spaces** |
| Grimsby | Riverhead | Opposite Multi-Storey car park | No waiting at any time except taxis | 4 |