

## Options paper joint taxi licensing policy with officer recommendations

## Appendix 2

### POLICY ENFORCEMENT 1: Penalty points system

The councils will operate a points based enforcement scheme. Points will be issued by the council based on a standard tariff. Points remain on a drivers or operators licence for 12 months from date of issue. Details of the scheme are shown in Appendix H.

**This is a new or changed policy for both councils**

### POLICY ENFORCEMENT 2: Points limit in 12 months.

Drivers who exceed 12 points or operators who exceed 30 points in any 12 month period will be required to attend a hearing before the relevant licensing panel to determine whether they are a fit and proper person under relevant licensing legislation.

**.This is a new or changed policy for both councils**

Penalty Points	Total		Vale		South		Taxi Only		Customer	
Introduction of a penalty points enforcement scheme; drivers who exceed 12 points in any 12 month period will be suspended pending a committee or panel hearing.										
Strongly agree	42	38%	21	37%	21	38%	5	10%	37	60%
Tend to agree	20	18%	9	16%	11	20%	8	16%	12	19%
Neither agree nor disagree	17	15%	8	14%	9	16%	14	28%	3	5%
Tend to disagree	11	10%	5	9%	6	11%	5	10%	6	10%
Strongly disagree	22	20%	14	25%	8	15%	18	36%	4	6%
Don't know	0	0%	0	0%	0	0%	0	0%	0	0%
Total number of responses	112	100%	57	100%	55	100%	50	100%	62	100%

Concerns about the scheme were primarily based on a lack of clear understanding of its proposed operation. The Licensing officers will still offer informal advice and education in their first dealings with drivers and operators who breach the conditions. There will be no more enforcement than currently takes place. The aim is to make the staged enforcement system more transparent and predictable. There was a legal challenge to a penalty points scheme in Cardiff but that was based on the automatic suspension of drivers when a certain number of points were accrued without reference to the licensing committee. The proposed system maintains committee oversight at all stages if required and any suspensions due to exceeding the number of penalty points will be referred to the panel.

**Officer Recommendation: Adopt Policy Enforcement 1/2 the penalty points system with effect from 1 January 2013**

## POLICY TARIFF 1

South Oxfordshire District Council will operate a hackney carriage tariff. The Vale of White Horse District Council will operate a hackney carriage tariff.

**This is a new or changed policy for both councils**

Tariff Changes													
Total Data	Strongly agree		Tend to agree		Neither nor		Tend to disagree		Strongly disagree		Don't know		Total
Introduction of tariff for South Oxfordshire	41	42%	18	19%	5	5%	6	6%	25	26%	2	2%	97
Remove the tariff for Vale of White Horse	26	28%	7	8%	12	13%	13	14%	32	35%	2	2%	92
Vale	Strongly agree		Tend to agree		Neither nor		Tend to disagree		Strongly disagree		Don't know		Total
Introduction of tariff for South Oxfordshire	25	58%	10	23%	3	7%	3	7%	1	2%	1	2%	43
Remove the tariff for Vale of White Horse	11	22%	2	4%	5	10%	8	16%	23	46%	1	2%	50
South	Strongly agree		Tend to agree		Neither nor		Tend to disagree		Strongly disagree		Don't know		Total
Introduction of tariff for South Oxfordshire	16	30%	8	15%	2	4%	3	6%	24	44%	1	2%	54
Remove the tariff for Vale of White Horse	15	36%	5	12%	7	17%	5	12%	9	21%	1	2%	42
Taxi Only	Strongly agree		Tend to agree		Neither nor		Tend to disagree		Strongly disagree		Don't know		Total
Introduction of tariff for South Oxfordshire	10	23%	6	14%	3	7%	1	2%	21	49%	2	5%	43
Remove the tariff for Vale of White Horse	17	43%	4	10%	6	15%	4	10%	8	20%	1	3%	40
Customer	Strongly agree		Tend to agree		Neither nor		Tend to disagree		Strongly disagree		Don't know		Total
Introduction of tariff for South Oxfordshire	31	57%	12	22%	2	4%	5	9%	4	7%	0	0%	54
Remove the tariff for Vale of White Horse	9	17%	3	6%	6	12%	9	17%	24	46%	1	2%	52

There is strong support for the introduction of an SODC (79%) and retention of the VOWHDC (63%) tariff from taxi users. The taxi trade themselves are far more mixed; in SODC 37% of the trade wish to have a tariff with 51% against. In VOWHDC 53% of taxi trade

wish to see it removed with 30% looking to keep it.

The adoption or rejection of a tariff requires a further statutory consultation with the trade and customers. This process would take several months. The current VOWHDC tariff has not changed significantly in the last four years and is due for a restructure.

Officer recommendation: Adopt a tariff for South Oxfordshire by 31 July 2013 and retain tariff for the Vale of White Horse and carry out a review by 31 July 2013

#### POLICY VEHICLE 12: Hackney carriage roof signs

The requirements for the roof sign are:

- the roof sign is an aerodynamic triangular structure and is referred to by some sign manufacture's as "streamline" or "sloped"
- the long dimension is 45 cm (18 inches), the base is 15 cm (six inches) and the height is 15 cm (six inches)
- the roof sign has a white background
- the roof sign must be connected to the taximeter and it must be automatically controlled.
- the roof sign must be lit when the taximeter is not active or when the vehicle is plying for hire and not lit when the taximeter is in use or the vehicle is not available for hire
- the relevant council's logo, measuring 12.5cm wide and 9.5cm high (see appendix D), must be displayed on the far left of the front of the roof sign. The proprietor's surname or company name must be displayed in the remaining space. The word "taxi" may also be displayed in conjunction with the owner or company name
- nothing else is displayed on the front of the roof sign.

This is a new or changed policy for Vale

## Hackney carriage roof signs

Introduce requirements to standardise roof box signs.	Total		Vale		South		Taxi Only		Customer	
	Strongly agree	38	35%	17	31%	21	38%	13	27%	25
Tend to agree	25	23%	12	22%	13	24%	8	16%	17	28%
Neither agree nor disagree	17	15%	7	13%	10	18%	9	18%	8	13%
Tend to disagree	12	11%	9	16%	3	5%	7	14%	5	8%
Strongly disagree	15	14%	12	22%	3	5%	10	20%	5	8%
Don't know	1	1%	0	0%	1	2%	0	0%	1	2%
Total number of responses	108	100%	57	100%	51	100%	47	100%	61	100%

There is a clear indication that customers favour well marked and instantly recognisable hackney carriages. In addition, 43% of the trade support this proposal. The shift to uniform roof boxes makes hackney carriages clearly identifiable and promotes public safety. The current cost of a roof box is £72 including VAT. If adopted the proposal would be to remove the current requirement for self adhesive notices on the rear doors of hackney carriage vehicles which currently cost £42 every three years. Policy to commence from 1 April 2013 with new roof boxes being required as part of annual licence renewal or when new plates issued. Door stickers to be withdrawn at same time to reduce the net cost.

**Officer Recommendation: Adopt revised roof box specifications for Vale of White Horse hackney carriages and remove requirement for door stickers with effect from 1 April 2013. (rolling implementation on renewal of licence)**

#### POLICY VEHICLE 5: Wheelchair accessible vehicles (WAV)

The councils will continue to encourage the licensing of vehicles that are wheelchair accessible by giving a reduction in vehicle licence fees. The eligibility of such vehicles is defined as any vehicle that has:

- met the European Community Whole Vehicle Type Approval or the UK Low Volume Type Approval (ESVA or IVA)
- has suitable tracking, seatbelt and wheelchair anchorages

been constructed or modified to accommodate disabled passengers. The licence fee reductions are subject to annual review

**This is a new or changed policy for both councils**

#### POLICY VEHICLE 6: Certification for wheelchair adapted vehicles

When a vehicle has been modified post manufacture to provide access or special facilities for disabled passengers the vehicle must have all modifications and adaptations, including all seats, seat belts and anchorages, retested or approved to meet either the European Whole Vehicle Type Approval or the UK Low Volume Type Approval (ESVA or IVA) that meets the required standard. Prior to the first licensing of the vehicle the operator must produce certification that the vehicle meets the required standards.

**This is a new or changed policy for both councils**

#### POLICY VEHICLE 7: Private hire vehicles and hackney carriage vehicles

The councils will require all new hackney carriage and private hire vehicles that have been manufactured or adapted to carry passengers in their wheelchairs and have side or rear-loading facilities to have:

- been fitted with an appropriate ramp or tail lift that has been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998.
- The wheelchair must always be carried in a secure and stable position as recommended by the vehicle manufacturer or conversion company
- A system for the effective anchoring and securing of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces
- All wheelchair tracking must comply with European Standard UNECE Regulation 14 (EC Directive 76/115 EEC)

- Each wheelchair user shall be provided with a disabled-person seatbelt, which fastens to the structure of the vehicle either permanently or temporarily by use of approved fixings to the position of the wheelchair
- A VOSA certificate of compliance following a post conversion inspection or construction to agreed standards will indicate compliance with the above standards

Any driver must be fully trained in the safe operation of the equipment. The equipment must be maintained in good working order and available for use at all times.

This is a new or changed policy for both councils

Wheelchair Accessible Vehicles										
To allow a wider range of wheelchair accessible vehicles. To require certification for wheelchair adapted vehicles when a vehicle has been modified post manufacture to provide access or special facilities for disabled passengers. To add safety requirements where rear loading lifts are in use.	Total		Vale		South		Taxi Only		Customer	
Strongly agree	31	28%	20	36%	11	20%	5	10%	26	43%
Tend to agree	40	36%	19	35%	21	38%	18	37%	22	36%
Neither agree nor disagree	27	25%	11	20%	16	29%	15	31%	12	20%
Tend to disagree	3	3%	1	2%	2	4%	2	4%	1	2%
Strongly disagree	5	5%	2	4%	3	5%	5	10%	0	0%
Don't know	4	4%	2	4%	2	4%	4	8%	0	0%
Total number of responses	110	100%	55	100%	55	100%	49	100%	61	100%
There seems to be broad acceptance for this change to clarify the requirements and increase the range of acceptable vehicles.										
Officer recommendation: Adopt Vehicle Policies 5/6/7 relating to Wheelchair Accessible Vehicles with effect from 1 January 2013										

**POLICY VEHICLE 9: Certificates of compliance**

The councils will only accept MOTs and certificates of compliance from council approved testing centres that have been issued within 28 days of the vehicle licence renewal date.

**This is a new or changed policy for South Oxfordshire**

- 60 (58%) Strongly agree
- 24 (23%) Tend to agree
- 10 (10%) Neither agree nor disagree
- 2 (2%) Tend to disagree
- 5 (5%) Strongly disagree
- 2 (2%) Don't know

**POLICY VEHICLE 10: Compliance testing requirements**

The councils require all vehicles (with exception to vehicles less than one month old and less than 1500 recorded miles which are exempt) to be licensed as hackney carriages and private hire vehicles to undergo an MOT and compliance test before the issue of a licence. Testing must be undertaken in a council approved testing centre. In addition to this vehicles must be tested and licensed in accordance with Policy Vehicle 9: Certificates of compliance above.

**This is a new or changed policy for both councils**

- 62 (56%) Strongly agree
- 26 (23%) Tend to agree
- 9 (8%) Neither agree nor disagree
- 6 (5%) Tend to disagree
- 7 (6%) Strongly disagree
- 1 (1%) Don't know

The current Vale inspection regime: 1-3 years old annual compliance check/MOT  
4-6 year old 6 monthly compliance check/MOT  
7+ years old 4 monthly compliance check/MOT

**Officer recommendation: Adopt the Policy Vehicles 9 & 10 for certificate of compliance and approved compliance testing centres:**

Vale continue with existing arrangements until the new testing centres have been appointed 30 September 2013 South Oxfordshire by 30 September 2013.

## POLICY VEHICLE 8: Maximum age of vehicles

The councils will not apply age restrictions to vehicles meeting the required standards as set out in Appendix A and Appendix B.

**This is a new or changed policy for both councils**

Vehicle Age	Total		Vale		South		Taxi Only		Customers	
Option 1 - Maximum age of vehicle when first licensed is 5 Years and 7 years for specialist wheelchair adapted vehicles	27	24%	10	18%	17	31%	8	16%	19	31%
Option 2 - As above, but in addition no vehicles older than 10 years, or 12 years for wheel chair adapted vehicles, will be licensed	38	34%	16	29%	22	40%	16	32%	22	36%
Option 3 - No age restriction, no change from existing policies	42	38%	29	52%	13	24%	25	50%	17	28%
None of these	1	1%	0	0%	1	2%	1	2%	0	0%
Don't know	3	3%	1	2%	2	4%	0	0%	3	5%
Total number of responses	111	100%	56	100%	55	100%	50	100%	61	100%

This was a controversial topic during the taxi trade meetings provoking a range of views. Several of the large operators were very keen to see the introduction of option 2 as they tend to operate modern, high quality fleets. Some of the smaller operators or those operating predominately school transport services were keen to see older age limits particularly on WAV. There was a consensus that there were issues with some operators having old, poor quality fleets. There was a view that more frequent testing of older vehicles was appropriate. The new joint policy would increase this to every four months for vehicles over seven years old.

If an age restriction was introduced for vehicles then it is proposed that a two year 'grand-father' clause would be brought in allowing vehicles over 10 years old currently licensed to be re-licensed for a further two years. This would allow drivers and operators two additional years to plan the replacement of the vehicle. For vehicles aged nine years a similar one year period would be introduced ensuring a minimum of two years notice.



In the absence of evidence that demonstrates a problem with the current arrangements, it is recommended that there is no need to change the Council's policies in this regard. In the event that either or both Councils determine to change the existing policy they must state the reason why. If there is to be no age condition then the adoption of the current Vale inspection would be appropriate:

- 1-3 years old annual compliance check/MOT
- 4-6 year old 6 monthly compliance check/MOT
- 7+ years old 4 monthly compliance check/MOT

Officer recommendation: Maintain the current policy with no age restriction on vehicles.

#### POLICY DRIVER 9: Medical examination

A medical examination carried out by a GP at the surgery the applicant is registered at is required before the grant of a driver's licence in order to assess an applicant's fitness to drive a licensed vehicle. A DVLA Group 2 standard of medical fitness for professional drivers will be required.

**This is a new or changed policy for South Oxfordshire**

47 (45%)	Strongly agree
41 (39%)	Tend to agree
8 (8%)	Neither agree nor disagree
3 (3%)	Tend to disagree
4 (4%)	Strongly disagree
1 (1%)	Don't know

#### POLICY DRIVER 10: Medical re-examination

Licence holders must be re-examined in accordance with the DVLA Group 2 standard. More frequent checks will also be required if, in the opinion of the medical practitioner, it is necessary. Drivers age 45 and over will require a medical every five years. Drivers aged 65 and over must be examined annually. Drivers or applicants with insulin dependent diabetes are subject to satisfactory annual consultant assessment as per the DVLA's 'At a Glance Guide to the Current Medical Standards of Fitness to Drive'.

**This is a new or changed policy for both councils**

Officer recommendation: Adopt Policy Drivers 9/10 to require South Oxfordshire drivers have a medical carried out by a GP at the surgery the applicant is registered and for South Oxfordshire and Vale to adopt the DVLA Group 2 standard without a three year testing regime. With effect from 1 January 2013.

## POLICY DRIVER 6: Disability awareness qualification

All licensed drivers must demonstrate successful completion of a disability awareness qualification within six months of first being licensed or within 12 months of renewing their licence.

**This is a new or changed policy for South Oxfordshire**

33 (31%)	Strongly agree
31 (30%)	Tend to agree
17 (17%)	Neither agree nor disagree
14 (13%)	Tend to disagree
9 (9%)	Strongly disagree
1 (1%)	Don't know

If adopted in SODC the intention would be to go out to tender for the new, larger single contract. This would ensure consistency of standards across the two councils.

**Officer recommendation: Adopt Policy Driver 6 to bring in disability awareness training for all South Oxfordshire drivers with effect from 1 January 2013.**

## POLICY DRIVER 2: Knowledge test

The councils will not issue a licence to drive a hackney carriage or private hire vehicle unless the applicant has passed a knowledge test of the area covering local geography, the councils' hackney carriage and private hire licensing policy, the law relating to hackney carriage and private hire licensing and the Highway Code.

No applicant may sit the test more than five times in any 12 month period except in exceptional circumstances.

**This is a new or changed policy for both councils**

**Officer recommendation: Adopt Policy Driver 2 to limit number of knowledge test retakes for new drivers with effect from 1 January 2013**

**POLICY VEHICLE 14: Plate exemption**

Private hire vehicles which have been granted an exemption from displaying their licence plate by the council shall affix the supplied licence internally on the windscreen adjacent to the tax disc holder. Exempted vehicles shall also display a second licence in the back window of the vehicle. This displays the vehicle/licence details so that they are visible from the rear. The licence shall be affixed in the centre of the window horizontally and at the top or bottom of the window, depending of the location of any brake-lights. Both licences shall be clearly visible from the inside and outside of the vehicle and neither shall be placed in a position that obstructs the view of the driver. These licences are in a prescribed form and will only be issued by the council to avoid opportunities for unlicensed drivers to acquire them. The standard licence plate must also be carried in the boot of the vehicle at all times.

**This is a new or changed policy for Vale**

40 (37%)	Strongly agree
24 (22%)	Tend to agree
27 (25%)	Neither agree nor disagree
1 (1%)	Tend to disagree
13 (12%)	Strongly disagree
2 (2%)	Don't know

**Officer recommendation: Adopt Policy Vehicle 14 harmonising plate exemption procedures with effect from 1 January 2013**

**POLICY DRIVER 3: Spoken English test**

Drivers must demonstrate a basic level of spoken English or they will be required to pass an independently administered English test prior to their application for a private hire or hackney carriage driver's licence being considered.

**This is a new or changed policy for both councils**

74 (65%)	Strongly agree
28 (25%)	Tend to agree
7 (6%)	Neither agree nor disagree
4 (4%)	Tend to disagree
0 (0%)	Strongly disagree
0 (0%)	Don't know

**Officer recommendation: Adopt Policy Driver 3 requiring applicants to demonstrate a minimum standard of spoken English. The test will be independently administered and introduced on 30 September 2013.**

POLICY VEHICLE 13: Advertising on licensed vehicles

Advertising on licensed vehicles will be permitted.

This is a new or changed policy for Vale

32 (30%)	Strongly agree
27 (25%)	Tend to agree
27 (25%)	Neither agree nor disagree
10 (9%)	Tend to disagree
12 (11%)	Strongly disagree
0 (0%)	Don't know

Officer recommendation: Adopt Vehicle Policy 13 allowing advertising on licensed vehicles with effect from 1 January 2013

POLICY VEHICLE 21: Accidents

The councils require that the proprietor of a hackney carriage or driver of a private hire vehicle that is involved in a road traffic accident that causes any damage to the vehicle that requires repair shall report the accident on the council's accident notification pro-forma within three working days of the accident occurring and bring the vehicle for inspection when requested.

This is a new or changed policy for both councils

36 (32%)	Strongly agree
37 (33%)	Tend to agree
13 (12%)	Neither agree nor disagree
16 (14%)	Tend to disagree
9 (8%)	Strongly disagree
0 (0%)	Don't know

Officer recommendation: Adopt Policy Vehicle 21 requiring drivers or operators to report all accidents with effect from 1 January 2013

**POLICY DRIVER 23: Sexual activity**

There must be no sexual activity, including consensual activity, between drivers and passengers either in a licensed vehicle or when a licensed driver is on duty.

**This is a new or changed policy for both councils**

77 (69%)	Strongly agree
25 (22%)	Tend to agree
7 (6%)	Neither agree nor disagree
2 (2%)	Tend to disagree
1 (1%)	Strongly disagree
0 (0%)	Don't know

**Officer recommendation: Adopt Policy Driver 23 with effect from 1 January 2013**

**POLICY PHO 9: Planning consent**

Holders of an operator's licence should note that the grant of an operator's licence does not allow the use of the premises as a private hire operator's base in the absence of planning permission.

**This is a new or changed policy for both councils**

39 (35%)	Strongly agree
33 (30%)	Tend to agree
30 (27%)	Neither agree nor disagree
1 (1%)	Tend to disagree
3 (3%)	Strongly disagree
5 (5%)	Don't know

**Officer recommendation: Adopt Policy PHO 9 with effect from 1 January 2013**

### POLICY PHO 3: Applications

Applications for a private hire operator's licence must be accompanied by a business plan setting out how the operator intends running the business. Applications also have to be accompanied by two references; one must be from a previous employer, the other from a professional person, e.g. an accountant or solicitor, as evidence that the applicant is capable of keeping adequate records.

This is a new or changed policy for Vale

28 (26%)	Strongly agree
30 (28%)	Tend to agree
25 (23%)	Neither agree nor disagree
5 (5%)	Tend to disagree
16 (15%)	Strongly disagree
4 (4%)	Don't know

Officer recommendation: Adopt Policy PHO 3 with effect from 1 January 2013

### POLICY PHO 8: Public liability insurance

The councils will require applicants to provide evidence that public liability insurance to the value of £5 million has been taken out for premises that are open to the public (e.g. waiting rooms) and will not issue a licence until it is satisfied that this is the case.

This is a new or changed policy for both councils

51 (45%)	Strongly agree
39 (35%)	Tend to agree
17 (15%)	Neither agree nor disagree
3 (3%)	Tend to disagree
1 (1%)	Strongly disagree
2 (2%)	Don't know

Officer recommendation: Adopt Policy PHO 8 with effect from 1 January 2013

**POLICY PHO 12: Duration of licences**

Private hire operators' licences will be granted for a three-year period subject to the power to grant a licence for a shorter period if required.

**This is a new or changed policy for South Oxfordshire**

40 (39%)	Strongly agree
35 (34%)	Tend to agree
18 (17%)	Neither agree nor disagree
5 (5%)	Tend to disagree
3 (3%)	Strongly disagree
2 (2%)	Don't know

**Officer recommendation: Adopt Policy PHO 12 with effect from 1 April 2013**

**POLICY VEHICLE 15: CCTV**

The councils will not require enhanced security or CCTV measures in vehicles. Operators and drivers may install such equipment but its use must be clearly indicated by signs in the vehicle including contact details for the system manager/operator. All such equipment and images must be operated in accordance with the Data Protection Act 1998. It is the responsibility of the driver/operator to ensure this compliance.

No audio, video or recording systems shall be installed or operated in the vehicle without prior written notification being supplied to the council.

**This is a new or changed policy for both councils**

**Officer recommendation: Adopt Policy Vehicle 15 with effect from 1 January 2013**

**POLICY VEHICLE 1: Numbers**

The councils will not set a limit on the number of hackney carriages that they license.

**This policy is already in place at both councils**

**POLICY VEHICLE 2: Minimum standards**

The councils have adopted minimum standards that they will apply to all licensed vehicles. These are set out in Appendix A for hackney carriages and Appendix B for private hire vehicles.

**This policy is already in place at both councils**

#### POLICY VEHICLE 3: Number of passengers

Vehicles will, in general, be licensed for the carriage of up to four passengers, but applications in relation to larger vehicles that can accommodate up to eight passengers will be accepted, provided that there is compliance with the specifications set out in Appendix A or Appendix B. The councils will determine 'novelty vehicles' on a case by case basis.

**This policy is already in place at both councils**

#### POLICY VEHICLE 4: Q plate vehicles

Any vehicle with a 'Q' plate registration will not be licensed as 'Q' plates are issued for vehicles which are either not originally registered in the UK and proof of age was unavailable at registration or for vehicles that have been built using a significant proportion of used parts. 'Q' plates are also used to disguise stolen or accident damaged vehicles.

**This policy is already in place at both councils**

#### POLICY VEHICLE 11: Display of licence plate

All hackney carriages and private hire vehicles must display a licence plate affixed to the outside rear of the vehicle. This is a key feature in helping to identify vehicles that are properly licensed.

The external licence plate supplied by the council shall be securely fixed to the outside and rear of the vehicle either by direct fixing, e.g. screw, bolt or rivet, or on a secure bracket. No temporary fixings such as magnets or Velcro® are allowed. An exemption for private hire vehicles from displaying the plate may be given at the discretion of the licensing officer in accordance with Policy Vehicle 14.

**This policy is already in place at both councils**

#### POLICY VEHICLE 16: Reduced licence fees for less polluting vehicles

The councils will seek to achieve a reduction in emissions from hackney carriages and private hire vehicles by continuing to offer a reduction in fees for vehicles with CO<sub>2</sub> emissions of 120 g/km or lower.

**This policy is already in place at both councils**



**POLICY VEHICLE 17: Stretched limousines and novelty vehicles**

Stretched limousines or novelty vehicles may be granted a private hire vehicle licence provided that they are capable of carrying no more than eight passengers and meet the requirements of the SVA or IVA as set out in Policy Vehicle 18.

**This policy is already in place at both councils**

**POLICY VEHICLE 18: Single Vehicle Approval (SVA) certificates**

In accordance with the DfT guidance, all applications to license stretched limousines or novelty vehicles as private hire vehicles will be judged on their merits. As these vehicles will not meet the usual vehicle specification, additional documentation and inspection will be needed in order that the relevant council's responsibility to ensure safety and suitability, prior to a licence being issued, can be met. This documentation will normally be a Single Vehicle Approval (SVA) or Individual Vehicle Approval (IVA) certificate.

**This policy is already in place at both councils**

**POLICY VEHICLE 19: Imported stretched limousines or novelty vehicles**

Where a vehicle has been imported from another country VOSA approved certification may be required prior to licensing approval.

**This policy is already in place at both councils**

**POLICY VEHICLE 20: Transfer of licences**

Applications to transfer a licence must be made on the prescribed application form.

**This policy is already in place at both councils**

**POLICY VEHICLE 22: Application**

Applications for a hackney carriage or private hire vehicle licence must be made on the prescribed application form in accordance with the council's application procedure.

**This policy is already in place at both councils**

**POLICY VEHICLE 23: Consideration of applications**

The councils will consider all applications on their own merits once they are satisfied that the application is complete.

**This policy is already in place at both councils**

**POLICY VEHICLE 24: Duration of vehicle licences**

The councils will grant hackney carriage and private hire vehicle licences for a period of one year. However a licence may be granted for a shorter period, should this be justified in a specific case.

**This policy is already in place at both councils**

**POLICY VEHICLE 25: Operator's responsibility**

It is the proprietor's or operator's responsibility to ensure that vehicle re-tests are carried out in sufficient time for a new certificate of compliance to be issued and that insurance, vehicle registration documents and the annual fee are available for processing by council staff in time for the issue of a licence.

**This policy is already in place at both councils**

**POLICY VEHICLE 26: Change of details**

The proprietor must notify the relevant council in writing of any change of address or telephone number during the period of the licence within seven days of the change taking place.

**This policy is already in place at both councils**

**POLICY DRIVER 1: Age and experience**

The councils will not impose either a maximum or minimum age limit for drivers. There is a statutory requirement that an applicant must have held a DVLA licence for a least a year.

**This policy is already in place at both councils**

**POLICY DRIVER 4: Competence to drive**

Drivers who have had their hackney carriage and private hire licence suspended due to accumulating nine or more points on their DVLA licence or who have proven complaints about the standard of their driving may be required to pass the Driving Standards Agency Taxi and Private Hire Drivers Assessment in order to be licensed by the councils.

**This policy is already in place at both councils**

**POLICY DRIVER 5: Additional professional qualifications**

The councils will encourage drivers to attend training and assessment for qualifications relevant to the licensed carriage trade.

**This policy is already in place at both councils**

**POLICY DRIVER 7: Driving licences**

Applicants for a hackney carriage/private hire vehicle driver's licence who have held a full EEA driving licence must have held it for at least 12 months in order to be granted a hackney carriage or private hire vehicle driver's licence.

**This policy is already in place at both councils**

**POLICY DRIVER 8: DVLA check**

Before the grant or renewal of a driver's licence, the applicant will be required to submit to a DVLA check. This will be either by post or in person. The DVLA charges a small fee for the service that is passed on to the applicant.

**This policy is already in place at both councils**

**POLICY DRIVER 11: Medical problems**

Licence holders must advise the relevant council within seven days, in writing, of any deterioration in their health that may affect their driving capabilities.

**This policy is already in place at both councils**

**POLICY DRIVER 12: Criminal Record Bureau checks**

The councils will require an Enhanced Criminal Records Bureau disclosure before a licence is granted and then every three years. The councils will not accept CRBs from other organisations.

**This policy is already in place at both councils**

**POLICY DRIVER 13: Random CRB checks.**

Drivers given notice to undertake a random CRB check by the council must do so within 28 days of the request or their licence will be suspended until a satisfactory CRB check has been received by the relevant council.

**This policy is already in place at both councils**

**POLICY DRIVER 14: Disclosure of convictions, cautions, traffic offences etc.**

Applicants for licences are required to disclose all convictions, warnings, reprimands, ASBOs, cautions, community service orders, restraining orders and fixed penalties (including traffic offences) including those that would be regarded as spent under the 1974 Act.

**This policy is already in place at both councils**

**POLICY DRIVER 15: Reporting of all convictions, cautions, traffic offences etc.**

Licensed drivers must report all new convictions, warnings, reprimands, ASBOs, cautions, community service orders, restraining orders and fixed penalties (including traffic offences) in writing within seven working days.

**This policy is already in place at both councils**

**POLICY DRIVER 16: Certificate of good conduct.**

Applicants who have lived outside of England, Scotland, Wales, Northern Ireland, Jersey, Guernsey, Isle of Man and Gibraltar, must provide an authenticated certificate of good conduct from the relevant embassy. If an applicant submits a certificate of good conduct in a language other than English, the council will appoint a translator and the fee will be passed on to the applicant. The application will not be considered complete if this fee has not been paid.

**This policy is already in place at both councils**

**POLICY DRIVER 17: Age limits for certificates of good conduct.**

There is no suggested age or period of time that a certificate of good conduct should cover. As many of the Councils applicants already require a certificate of good conduct, determining an age from which any criminal offences are checked is necessary and so the relevant council will require a certificate of good conduct to cover an applicant from the age of ten in line with what is checked for the CRB. The relevance of convictions at young ages will be taken into account as outlined below

**This policy is already in place at both councils**

**POLICY DRIVER 18: Consideration of previous convictions**

When assessing whether an applicant is a fit and proper person to hold a licence or an existing licence holder to continue to hold a licence, the relevant council will consider each case on its merits taking into account the driver's previous history of behaviour. It will take account of convictions, warnings, reprimands, ASBOs, cautions, community service orders, restraining orders and fixed penalties (including traffic offences) whether spent or unspent, but only in so far as they are relevant to an application for a licence.

**This policy is already in place at both councils**

**POLICY DRIVER 19: Consideration of previous convictions**

Applicants or existing licence holders may be referred to the relevant sub committee/panel where the applicant/existing licence holder's record includes one or more of the following:

- any term of imprisonment or custody
- any conviction for a violent or sexual offence, or dishonesty which is of a serious nature
- any serious motoring offence, such as dangerous driving, driving whilst disqualified, or drink driving
- nine or more points on their DVLA Driving Licence.

**This policy is already in place at both councils**

**POLICY DRIVER 20: Release of information**

Applicants will be required to sign a mandate for release of information under the data subject access provisions of the Data Protection Act 1984, section 21 (1) and (2), from the DVLA for every application.

**This policy is already in place at both councils**

**POLICY DRIVER 21: Proof of right to work**

The councils will refer to the UK Border Agency's Guidance "Prevention of Illegal Working Immigration, Asylum and Nationality Act 2006: Comprehensive Guidance for Employers on Preventing Illegal Working". (November 2010) when dealing with applicants and therefore all applicants will have to prove their right to work in the UK by supplying the relevant documentation as detailed in the guidance.

**This policy is already in place at both councils**

**POLICY DRIVER 22: Expected standards of behaviour**

The standards expected of licensed drivers are set out in the Code of Good Conduct that is included within the conditions attached to the driver's licence and set out at Appendix C.

**This policy is already in place at both councils**

**POLICY DRIVER 24: Consideration of applications**

Once the relevant council is satisfied that it has a complete application the council will consider the application on its own merits taking into account the driver's previous history of behaviour to determine if they meet the "fit and proper person" criteria. Full details of how applications are considered can be seen at Appendix E.

**This policy is already in place at both councils**

**POLICY DRIVER 25: Duration of driver licences**

The councils will only offer drivers three year licences.

**This policy is already in place at both councils**

**POLICY DRIVER 26: Change of details**

Drivers must notify the relevant council in writing within seven days of any change of address or telephone number during the period of the licence.

**This policy is already in place at both councils**

**POLICY DRIVER 27: Sharing of information**

The councils will share all information with other enforcement bodies including other councils, the police, UK Border Agency, HMRC and the Department for Work and Pensions on enforcement related issues involving licensed drivers, operators and vehicle owners.

**This policy is already in place at both councils**

**POLICY PHO 1: Proof of right to work**

The councils will refer to the UK Border Agency's Guidance "Prevention of Illegal Working Immigration, Asylum and Nationality Act 2006: - Comprehensive Guidance for Employers on Preventing Illegal Working (November 2010)" when dealing with applicants and therefore all applicants will have to prove their right to work in the UK by supplying the documentation detailed in the guidance.

**This policy is already in place at both councils**

**POLICY PHO 2: CRB disclosure**

The councils require a Basic Criminal Records Bureau disclosure and Certificate of Good Conduct (if required) before a licence is granted and then every three years. Where the private hire operator is trading as a limited company the council may also require the directors and company secretary to undertake a Basic CRB check.

**This policy is already in place at both councils**

**POLICY PHO 4: Record keeping**

Operators are required to keep records of each booking, including date and time of booking, the name of the passenger, the pick-up point, the destination, the name of the driver, the registration and plate number of the vehicle and any fare quoted at the time of the booking. These records must be available at the address supplied on the application form.

**This policy is already in place at both councils**

**POLICY PHO 5: Records kept for one year**

Operators must keep records in respect of all bookings, vehicles and drivers, for a period of one year.

**This policy is already in place at both councils**

**POLICY PHO 6: Access to computerised records**

Operators who maintain computerised records will be required to give access to these records to licensing officers upon request in order that the licensing officers can carry out their enforcement duties.

**This policy is already in place at both councils**

**POLICY PHO 7: Instruction on operator computer systems**

Operators will be required to provide adequate instruction to licensing officers in order to enable the licensing officers to interrogate the computerised records to gather the information they require to carry out their enforcement duties.

**This policy is already in place at both councils**



**POLICY PHO 10: Bases outside councils' areas**

The councils will not grant a private hire operator's licence for an operator with an operating base that is outside the councils' areas. This is to ensure that proper regulation and enforcement measures may be taken by the relevant council and is not intended to be a restraint of trade.

**This policy is already in place at both councils**

**POLICY PHO 11: Consideration of applications**

The councils will consider all applications on their own merits once it is satisfied that the application is complete.

**This policy is already in place at both councils**

**POLICY PHO 13: Change of details**

Private hire operators must notify the relevant council in writing within seven days of any change of address or telephone number or any other details during the period of the licence.

**This policy is already in place at both councils**