



GREAT YARMOUTH BOROUGH COUNCIL

Licensing Committee

Date: Monday, 16 May 2022

Time: 18:00

Venue: Council Chamber

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

- 3 **MINUTES** 3 - 5
- To confirm the minutes of the meeting held on 29 November 2021.
- 4 **TAXI LICENSING POLICY** 6 - 89
- Report attached.
- 5 **ANY OTHER BUSINESS**
- To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.
- 6 **EXCLUSION OF PUBLIC**
- In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-
- "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."
- 7 **APPLCATION FOR A FIRST CLASS HACKNEY CARRIAGE**
DRIVERS LICENCE
- Details
- 8 **APPLICATION FOR A FIRST CLASS HACKNEY CARRIAGE**
DRIVERS LICENCE
- Details



GREAT YARMOUTH
BOROUGH COUNCIL

Licensing Committee

Minutes

Monday, 29 November 2021 at 18:00

PRESENT:-

Councillor G Carpenter (in the Chair); Councillors Bird, Borg, Cordiner-Achenbach, Galer, Hanton & Lawn.

Councillor Flaxman-Taylor attended as a substitute for Councillor Bensly.

Councillor Mogford attended as a substitute for Councillor Stenhouse.

Councillor Wainwright attended as a substitute for Councillor B Walker.

Mrs D Wilby (Licensing & Elections Manager) & Mrs C Webb (Executive Services Officer).

Mr D Lowens (Solicitor, nplaw).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bensly, Hacon, Stenhouse and B Walker.

2 DECLARATIONS OF INTEREST

There were no declarations of interest given at the meeting.

3 MINUTES

The minutes of the meeting held on 20 September 2021 were confirmed.

4 MATTERS ARISING

There were no matters arising from the above minutes which were not covered elsewhere on the agenda.

5 GAMBLING POLICY

The Committee received and considered the report from the Licensing & Elections Manager.

The Licensing & Elections Manager reported that the licensing authorities were required to publish a statement of principles and review it every 3 years. The policy had been reviewed and updated to reflect minimal changes in legislation, Gambling Commission guidance and related matters. This had been subject to a 9 week consultation period during July & September which included the responsible authorities and a range of organisations including the Gambling Commission, existing gambling operators and organisations representing vulnerable people. No comments were received in response to the consultation. Therefore, if Members agreed to the draft policy they could recommend it for adoption by Council on the 9 December 2021.

The Solicitor flagged two issues to the Committee. Firstly, on page 10; the paragraph headed "Appropriate Licensing Environment", mentioned a non-remote betting operating licence under s65(2)(c) of the Act and whether this should be a general betting licence. Secondly, at the top of page 11; it mentioned Categories B2-D under s172(8) of the Act and should this be B,C or D rather than B2-D. The Licensing & Elections Manager confirmed that she would amend the policy to reflect the advice which the solicitor had given at the meeting.

Councillor Wainwright proposed that the draft policy be recommended to Council for adoption on the 9 December 2021. This was seconded by Councillor Mogford.

Following a vote; it was RESOLVED:-

That the draft Gambling Policy be recommended for adoption by Full Council at its meeting of 9 December 2021.

6 ANY OTHER BUSINESS

The Chairman reported that there was no other business being of sufficient urgency to warrant consideration at the meeting.

The meeting ended at: 20:00

URN: 22-085

Subject: Taxi Licensing policy

Report to: Licensing Committee – 16 May 2022

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISION REQUIRED

Following the approval by Licensing Committee to adopt the Statutory Taxi and Private Hire Vehicle Standards' guidance issued by Department for Transport (DfT), a review of the Hackney Carriage & Private Hire Licensing Policy has been undertaken.

A draft policy has been subject to consultation over a 6 week period during March and April. Two comments were received during this consultation and have been considered within the policy.

Members are asked to approve the attached draft policy as the new Taxi Licensing Policy.

1. Background

- 1.1 Following the approval by Licensing Committee to adopt the Statutory Taxi and Private Hire Vehicle Standards' guidance issued by Department for Transport (DfT), a review of the Borough Council's Hackney Carriage & Private Hire Licensing Policy has been undertaken.
- 1.2 The current policy has been amended to include several proposed amendments to incorporate new procedures and legislation and is attached at appendix 1.

2. Amendments

- 2.1 The Key changes are as follows:

Drivers

- **DBS Update Service** – all drivers will be requested to sign up for the DBS Update Service. Six monthly checks with the DBS will be carried out on each driver. If a driver is not registered with the update service they will be required to produce and pay for a full DBS enhanced disclosure every 6 months.

This is in line with the current Department for Transport Statutory Standards

- **Local Knowledge Test** – The ability to communicate effectively in English will also be verified during this test. This means that Licensed drivers must be able to understand written and verbal instructions and requests and be able to respond appropriately.

This is in line with the current Department for Transport Statutory Standards

- **Convictions Policy** – The convictions policy has been updated to reflect the standard required in the current Department for Transport Statutory Standards.
- **NR3 Database** – The Borough Council has signed up to the National Register of Refusals and Revocations (NR3 register). This means that when an application for a taxi driver's licence is refused, or when an existing taxi driver's licence is revoked, that information will be placed on the register. The details of all new applicants will also be checked against the information held on the register.

This is in line with the current Department for Transport Statutory Standards

- **HMRC tax check** – From 4 April 2022, all renewals for taxi or private hire licences in England and Wales will require the applicant to complete a tax check with HMRC first. Once satisfied HMRC will provide a 9-character code for the applicant to share with the licensing authority.

Vehicles

- **Basic DBS for Hackney Carriage and Private Hire proprietors** – Vehicle proprietors will be required to produce a satisfactory basic DBS disclosure at the time of application. ((If the owner is also a Hackney Carriage driver with the authority then this pre-requisite will not be required)

This is in line with the current Department for Transport Statutory Standards.

- **LPG** – it is proposed to remove current conditions specific to LPG vehicles as it is not foreseen that we will receive any further applications for LPG vehicles.

Operators

- **DBS check for Operator base staff** – all staff at the Operator base receiving and making bookings will be required to produce a basic DBS disclosure.

This is in line with the current Department for Transport Statutory Standards.

- **HMRC tax check** – From 4 April 2022, all renewals for taxi or private hire operators in England and Wales will require the applicant to complete a tax check with HMRC first. Once satisfied HMRC will provide a 9-character code for the applicant to share with the licensing authority.

3. Consultation

- 3.1 The draft policy has been subject to a six week formal consultation process; which has taken place between March and April 2022. Consultation was by way of letters to all consultees and publication of the draft policy on the website.
- 3.2 Two comments were received following the consultation, and these have been set out in the attached document (appendix 2) together with officer comments.

4. Recommendation

- 3.1 It is recommended that the draft policy be considered and approved as the taxi licensing policy to commence on 1 June 2022.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	consulted
Section 151 Officer Consultation:	
Existing Council Policies:	Hackney Carriage and Private Hire Policy and Handbook
Financial Implications (including VAT and tax):	None
Legal Implications (including human rights):	Yes - Nplaw consulted
Risk Implications:	
Equality Issues/EQIA assessment:	
Crime & Disorder:	
Every Child Matters:	

Comments received on draft Taxi Licensing policy

No.	Organisation	Comments received	Officer response
1.	Roy Symonds	<p>As the Legal Rep for the GYBTA, and my experiences with the Taxi Trade in GY, since 1968, may I please comment?</p> <p>It would seem that this document and the Policy Review, sets up several hurdles an applicant and the GYBC have to visit even before an application is even considered. Whilst we believe in giving people a new chance, the Public's safety must be uppermost, and thus the reputation of Taxi Drivers could only be improved here.</p> <p>All aspects of these reviews and the ones you bring into action must be completely explained to all drivers old and new, on your website, to make this process as user-friendly as possible.</p> <p>DBS Update Service. - This would seem a reasonable request. Would this be the same service used by the NHS, where any person registered with the update service would be automatically monitored on a monthly basis, thus no longer requiring any further 3 yearly applications. Furthermore, we understand that this service costs NHS employees just £12.00 per year. What cost do you see charging for this?</p> <p>Local Knowledge Test - This has always been a subject of contention. The Trade has offered their input of new questions, but this has never been taken up. We appreciate that it is essential that any licensed driver speaks clear and fluent English; this has not always been the case. Moreover, the flagrant overuse of SatNavs, in order to find a destination is not always fitting, though a driver with the command of English should not always require this equipment, as the customer generally knows how to get</p>	<p>Noted</p> <p>This is correct. The annual cost is currently £13 and will need to be paid directly to the DBS service.</p> <p>Comments noted. The Local Knowledge test has several elements, such as questions on driver conditions, basic numeracy as well as destinations and routes so is considered a valuable test for those wanting to become a taxi driver. On approval of policy it will also include an English test.</p>

		<p>anywhere local. However on saying that we all have to ask for more details on occasion due to the ever growing new street names.</p> <p>Convictions Policy - This seems reasonable. Any potential or present Driver must not have obtained a conviction that would reflect his or her unsuitability to be driving a Public Vehicle. As the GYBC seems intent to protect itself at every opportunity, it is understood that regulations and standards are a vital requirement. Moreover, this should be tightened up to leave no doubt in person's suitability. This should include serious Motoring Offences.</p> <p>NR3 Database - This seems reasonable and extends the principles of Common Law throughout the whole of the UK; not just on Local information. It seems appropriate to delve deeper if any applicant has been refused a license elsewhere. And equally not grant a license if mutual rules are to be followed.</p> <p>HMRC tax check. - Again this seems reasonable and any person not registering with the HMRC, or unknown to the HMRC, is committing an offence anyway.</p> <p>Vehicles In the case of the requirement of a satisfactory basic DBS check for owners of vehicles and Hackney Plates, we would hope that all owners concerned are required to have a Hackney License and not just be a</p>	<p>Comments only.</p> <p>Comments only.</p> <p>Comments only.</p> <p>There are no current regulations that require a plateholder to be a licensed driver.</p>
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		<p>business owner, using the business as a money maker and not a occupation of work.</p> <p>Office Operators - As for Private Hire / Taxi Operators and all their front-line staff, it seems reasonable that they must also be required to hold the DBS check facility. And that it be a requirement that any person involved with the Public, who are not drivers, should also be registered prior to their starting work. Of course any HMRC check should also be a requirement at every level.</p>	<p>Comments only. Currently legislation only requires licensed drivers and operators to provide a HMRC check code on renewal.</p>
2.	Andy Kitchen Albies Taxis	<p>With the amendment of the policy, I understand the need to update but would it not be in every ones best interest to wait till the industry and the licensing team have got back to some sort of normality as well as staffing levels to deal with the extra work required. As well as a good time to have a full consultation within Industry to update with the possibility change to licences to the advantage of all</p> <p>My thinking as follows</p> <p>1/The taxi trade being one most effected and devastating impact of the pandemic on the trade due to driver/staff shortages so any extra paper work and red tape at this time could put off potential new staff also the remaining staff who are still considering to preserve in the industry at this time might sway their decision</p> <p>2/ the licensing team at the moment appear to have a back log on plate renewals etc due to the lockdown so there's possibly put more pressure on the team with the extra paper work required with the policy adoption</p> <p>3/ the possibility of constructive talks with the trade to update policy's looking at the future of the industry which is in very uncertain times at present</p>	<p>Comments noted.</p> <p>The main need for policy changes is due to the Statutory standards which were issued by the Department for transport. The focus within the Standards is on protecting children and vulnerable adults.</p> <p>Licensing Committee agreed to implement these standards within policy last year.</p>

		<p>One update I have been discussing is a possibility of a home to school licences driver and Vehicle like other areas have this would give more revenue to the council and increase employment within the town also would not affect the independent taxi trade. with over two million pounds worth of contracts going to Essex based company</p> <p>I hope that we will be allowed to be involved at any meetings with regard to the policy adoption</p>	<p>The home to school licence proposal does not form part of this policy amendment but will be looked into separately.</p>
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Hackney Carriage and Private Hire Policy and Handbook

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Glossary and definitions

Within this handbook the following expressions have effect as below

- **“Borough Council”** means the Great Yarmouth Borough Council
- **“Authorised officer”** means an officer of the Borough Council authorised in writing;
- **“Driver's licence”** means, in relation to the driver of a hackney carriage, a licence under section 46 of the Town Police Clauses Act 1847 and, in relation to the driver of a private hire vehicle, a licence under section 51 of Local Government (Miscellaneous Provisions) Act 1976;
- **“Hackney carriage”** means a carriage exposed for hire to the public, whether standing in the public street or a private yard;
- **“Hackney carriage byelaws”** means the byelaws for the time being in force in the district of the Borough Council relating to hackney carriages;
- **“Private Hire Vehicle”** is a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers.
- **“Operate”** means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle;
- **“Operator's licence”** means a licence issued by the Borough Council under section 55 of the Local Government (Miscellaneous Provisions) Act 1976;
- **“Taximeter”** means any device for calculating the fare to be charged in respect of any journey in a hackney carriage by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both;
- **“Vehicle licence”** means in relation to a hackney carriage a licence under sections 37 to 45 of the Town Police Clauses Act 1847 and in relation to a private hire vehicle means a licence under section 48 of Local Government (Miscellaneous Provisions) Act 1976. .
- **“Special Event Vehicle”** means a private hire vehicle exclusively used for special occasions. .
- **“Hackney Rank/Stand”** A designated place adopted by the Borough Council where hackney carriages can wait for the arrival of a hirer.
- **“Notify the Borough Council”** means notify the Licensing Team at the Borough Council in writing.
- **“The District”** means the district administered by Great Yarmouth Borough Council
- **“Authorised Officer/Agent”** means an officer authorised by the Borough Council or acting on behalf of the Borough Council or a Police Officer
- **“The Operator”** means the person to whom the Borough Council has granted an Operator's Licence to which these conditions apply.
- **“The Vehicle”** means the vehicle subject of the hackney carriage or private hire vehicle licence to which the conditions are attached
- **“The Proprietor”** means person, persons, or body named in the licence as the proprietor of the vehicle. This includes a part proprietor and in relation to a vehicle that is the subject of a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement

- **“The Driver”** means the person to whom the Borough Council has granted a hackney carriage/private hire driver’s licence.
- **“Nominated Garage”** means garage(s) approved by the Borough Council for the purpose of undertaking mechanical inspections
- **“Mechanical Inspection Report”** means a certificate issued by the Borough Council’s Agent
- **“Licence plate”** means plate issued by the Borough Council for the purpose of identifying the vehicle as a Hackney Carriage or Private Hire vehicle

Any obligation in these conditions not to do any act or thing includes an obligation not to cause or permit that act or thing to be done

Any reference to any statute or subordinate legislation includes a reference to any amendment or re-enactment.

Introduction

This handbook is the policy document for matters relating to the licensing of Hackney Carriages, Private Hire Vehicles and their drivers and Operators. It contains the following elements

1. The Borough Council Policy for Licensing of:
 - a. Hackney Carriage Vehicles (First, Second and Third Class)
 - b. Private Hire Vehicles
 - c. Drivers of Hackney Carriage and Private Hire Vehicles
 - d. Private Hire Operators
2. The procedures for applying for, processing and issuing of such licences
3. The general conditions attached to such licences

This handbook consolidates and replaces previous policy and guidance on this matter. It has been subject to consultation and has been formally adopted by the Borough Council.

The Borough Council is responsible for licensing all hire vehicles that operate within the district, which are provided with a driver and operate with less than nine passenger seats.

The Borough Council does not limit the number of licences of drivers, vehicles or Operators issued – all cases will be treated on their merits and in accordance with the licensing policy

There are two types of vehicle licences:

- Hackney Carriage vehicles and
- Private Hire vehicles - which are only available by prior booking arrangement

Although the description 'taxi' should only be applied to a hackney carriage any hire vehicle is usually known as a 'taxi' by the public.

Private Hire vehicles may only undertake journeys in response to advance bookings. The Borough Council is also responsible for granting private hire Operators' licences for the premises at which these bookings are made

The Borough Council is responsible for the licensing of the drivers of both classes of vehicle.

As provided for in Section 75(2) of the Local Government (Miscellaneous Provisions) Act 1976 the Licensing requirements do not apply:

- where a vehicle is used for bringing passengers into the District where the contract for hire was made outside the District, providing the vehicle is not made available for hire within the District
- to a vehicle used in connection with funerals or wholly or mainly by a person who is a funeral director, for the purpose of funerals
- when the vehicle is being used in connection with a wedding ceremony

The difference between the nature of the trades undertaken by hackney carriage and private hire vehicles may not be readily apparent, but the following brief description should clarify the situation:

- **A hackney carriage** - may ply for hire from an appointed hackney carriage stand (hereafter referred to as a rank) in the District or may be hailed in the street. The fares for such journeys are controlled under the rates or fares fixed by the Borough Council and the vehicle must be fitted with a taximeter calibrated to those fares.
- **A private hire vehicle** - may only undertake journeys in response to advance bookings. The charges for such journeys are not subject to Borough Council control and should be agreed with the client before the start of the journey.

The Borough Council has adopted the Local Government (Miscellaneous Provisions) Act 1976, Part II, Section 45; The Town Police Clauses Act 1847, Section 68 and the Public Health Act 1875, Section 171.

In addition to the statutory requirements, the Borough Council may attach to the grant of a licence such conditions as the Borough Council considers reasonably necessary.

Any requirements of legislation that affects the operations being carried out under the terms of any licence granted should be regarded as if they are conditions of that licence. Wherever there appears in this Handbook a summary of any statutory provisions, you are advised that such summary may not be exhaustive.

Details held on drivers, vehicles or Operators are held for the purposes of issuing licences. The processing of this information is necessary for the Council to undertake a public task as defined under Article 6(1)(e) of the Act, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Town and Police Clauses Act and Local Government (Miscellaneous Provisions) Act. For the full privacy notice please visit <https://www.great-yarmouth.gov.uk/privacy/licensing>.

In case of a complaint against the service provision, the Borough Council has a formal complaint procedure. See the Borough Council website or phone or visit the Borough Council offices for details of this procedure.

Policy objectives and aims

This policy is intended to enable the council to provide a robust licensing regime which enables the hackney carriage and private hire trades to provide the best possible service to the public with the overriding aim of maintaining and improving public safety.

The objectives of this policy are:

- the protection of the public
- the maintenance and development of professional and respected hackney carriage and private hire trades
- enabling access to an efficient and effective local transport service
- the protection of our local environment.
- Consideration of accessibility issues associated with the conveyance of all passengers, in line with the Equality Act 2010

The council aims to improve our environment and air quality by encouraging the use of low and ultra-low emission (such as electric, hybrid or liquefied petroleum gas [LPG]) taxi and private hire vehicles.

We will keep this policy under review at least every five years in line with the Statutory Taxi and Private Hire Vehicle Standards to ensure that it remains up-to-date.

In the exercise of its powers as the Licensing Authority, the Council will have regard to this policy. Notwithstanding this, every application or enforcement measure will be considered on its own merits. Should it be necessary to depart from this policy, the Council will record its reasons for doing so.

Committee Procedure

Applications may be referred to Licensing Committee for consideration and determination.

The Licensing Committee consists of Councillors. A Chairman is appointed to supervise the Committee during the process. The Committee may be advised by a legal representative. A number of Council Officers may also attend the hearing, in an advisory capacity. However, they do not take part in the decision-making process

Where a matter is referred to Committee for consideration, notification will be given in writing of the reason and the date, time and venue of the Committee hearing.

A number of applications and disciplinary matters could be considered on the day. Each matter will be considered on its own merits and the public will be excluded to protect confidentiality where appropriate. In these circumstances the public will not have access to the meeting.

After hearing the evidence and representations from all parties, the Committee will make their decision. This decision will also be given in writing together with notification of any right of appeal.

The Committee have a number of options which include the following:

- Grant or refuse the application
- Issue a verbal warning
- Suspend or revoke a licence
- Apply conditions and/or penalty points to the licence
- No further action

Right of Appeal

If the Borough Council refuses the grant of a Vehicle, Operator or Drivers Licence, or in the case of a disciplinary hearing, decide to suspend or revoke a Drivers Licence or take any other formal action, the person will have the right of appeal to a Magistrates' Court. In the case of refusal to grant a Hackney Carriage Vehicle (Proprietors) Licence, appeal will be to the Crown Court. Appeals may be made against all or any of the conditions attached to a licence granted. Any appeal must be made within 21 days of the grant of licence or the refusal of such a licence

Serving of Notices

Sub-sections (2) to (5) of S233 of the Local Government Act 1972 shall have effect and are incorporated in the conditions for vehicles, Operators and drivers in relation to any notices required or authorised by the conditions to be given or served on the licensee by or on behalf of the Borough Council or any authorised officer.

Licence Compliance monitoring and enforcement

The Borough Council has a responsibility to secure compliance with legal standards and licence conditions of the drivers, vehicles and Operators it has licensed. Enforcement covers offences related to 'taxi' legislation, drivers' behaviour, the condition of the vehicles and the investigation of complaints made by the public against any licence holder.

As well as granting and issuing licences the Borough Council also has the power to suspend or revoke licences and take Court action, if necessary, against any offending licence holder. Licensing and enforcement is carried out by Borough Council officers appointed 'Authorised Officers' for that purpose and they have been issued with written authority to do so as well as having a Council identity badge.

Where checks on applicants for Drivers or Operator Licenses reveal any concerns about the fitness or propriety to hold such licenses then the application will be referred to the Borough Council's Licensing Committee for hearing and determination, unless the matter needs urgent action in the interests of public safety. In this case the decision can be delegated to the Head of Service or Licensing Manager.

All complaints will be dealt with in a timely manner and compliance checks will be carried out by Authorised Officers on a regular basis.

Any driver found to be in breach of council licensing conditions will be dealt with appropriately. Those drivers caught breaking the law or behaving in an unacceptable way may also be reported to the Licensing Committee who may suspend, revoke or refuse to renew their licence.

Vehicle testing in accordance with national best practice and the requirements contained in this handbook will be undertaken by the Borough Council's appointed vehicle testing contractor as an authorised agent for the Borough Council at their nominated garage.

Unfit Vehicle Notices

Unfit Vehicle Notices can be issued by Authorised Officers and Police Officers where vehicle defects give cause for concern.

Immediate Unfit Notices will be given if the vehicle appears to be unsafe to carry members of the public. Once a Notice is issued the vehicle must not be used for hire with immediate effect. The vehicle must be presented to either an Authorised Officer or the Borough Councils approved testing station with the faults rectified. Only after this will the Notice be lifted and the vehicle can then be used for hire.

If the Notice is not lifted within two-months, the vehicle licence will be deemed revoked.

Deferred Notices can be issued which means the vehicle can continue to be used for the time specified and the faults rectified within a specified time. When the faults are rectified the vehicle must be presented to the Borough Councils approved testing station for inspection.

General compliance

Any breach of the requirements of this policy, including failure to disclose information relating to convictions etc., may result in suspension or revocation of a licence or other appropriate action.

The council subscribes to the National Register of Hackney Carriage and Private Hire Driver Licence Refusals and Revocations (NR3) to check all drivers applying for licences (new and renewal) against the register. Where an existing licence is revoked or an application refused, this will be recorded on the register. Further information explaining the council's policy on using the NR3 register is shown in appendix 9.

Conditions

The Borough Council has the power to attach conditions to Driver, Vehicle and Operator licences. The standard conditions are as set out in this handbook document. Any requirements of legislation that effects the operations being carried out under the terms of a licence shall be regarded as if they are conditions of that licence.

Hackney Carriage and Private Hire Drivers Policy

Introduction

A combined licence is issued in the Great Yarmouth borough which authorises the driver to drive either a Hackney Carriage or a Private Hire vehicle provided that these vehicles are licenced by the Borough Council.

Driver's Licences shall be valid for a maximum term of three years (unless a shorter period is deemed appropriate by the Borough Council or by the Immigration Act)

Fit and Proper Person

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

The aim of the licensing regime is to ensure that, so far as possible, those licensed to drive either a Hackney Carriage or Private Hire vehicle are suitable persons to do so. Suitable means that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit. They also should be honest individuals who would not take advantage of their position to abuse, assault or defraud customers. The general term used in taxi licensing to describe this person is 'fit and proper'.

The test when considering whether an applicant/licence holder is 'fit and proper' is to pose oneself the following question, 'Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?'.

In deciding whether the applicant is a fit and proper person the Borough Council have regard to a number of factors as outlined below. Each case will be considered individually on its merits. The Borough Council does not have a limit on the number of Driver Licences issued.

Licensing Criteria and pre-requisites

For all new applications:

Requirement	
Be 21 years or over	
Have the right to work in the UK	A right to work check under the immigration Act 2016 will be carried out before a licence is issued. This requires a face to face meeting with a member of the Licensing team. Authorised documentation must be provided to prove that the applicant has the right to work in the UK and the council will use the right to work check list provided by the Home Office to establish this.

<p>Hold a full DVLA driver's licence which has been valid for the past twelve (12) months</p>	<p>The applicant will need to supply their DVLA driving licence with your current address. A check will need to be carried out to ensure that an applicant's DVLA driving licence is valid. The applicant will need to register on line at https://www.gov.uk/view-driving-licence and submit the code to the Licensing Section. Please note that this code is only valid for 21 days, therefore should not be obtained until the applicant has completed and received all relevant documents. If the applicant does not have access to the internet, help will be available from the Licensing Team.</p>
<p>Pass a local knowledge test of the Borough or in the case of horse drawn hackney carriage drivers a knowledge test relating to animal welfare</p>	<p>The test consists of questions on the applicant's knowledge of the law, conditions of licensing, basic numeracy, popular destinations and local knowledge of the borough. The ability to communicate effectively in English will also be verified during this test. This means that Licensed drivers must be able to understand written and verbal instructions and requests and be able to respond appropriately. The test fee is non-refundable and must be paid at the time of booking. An 80% pass rate is required and, should an applicant fail the test, each subsequent re-test will cost a further fee.</p> <p>All applicants for horse drawn hackney carriages driver's licences will be required to undertake and pass a knowledge test relating to animal welfare (the required pass rate will be 100%)</p>
<p>Provide an enhanced Disclosure and Barring Service Certificate (DBS)</p>	<p>A DBS enhanced disclosure must be completed to provide a full record of any cautions, convictions or intelligence held on the applicant or driver's record. Subscription to the DBS update service will also be required to enable regular criminal records checks. All criminal record information must be considered for this occupation type, whether or not it might be considered 'spent' under other circumstances. Information revealed on a DBS will only be used for the purpose of determining an application in relation to hackney carriages or private hire licensing. For applicants who have lived outside of the UK, it will be necessary to obtain a certificate of good conduct from their embassy or home country, or to obtain an exemption from this requirement from the council. The certificate must be in English and provided at the applicant's expense. This is in addition to the DBS check.</p>

Undertake a medical to group 2 standard showing that the applicant is physically fit to drive a hackney carriage or private hire vehicle	<p>A medical will be required upon initial application and must be carried out by a registered Medical Practitioner. The medical standard required will be that of a Group 2 driver (DVLA Drivers Medical Group) the same standards that are applicable to other professional drivers. Subsequent medicals will be required at age 45, then every five years after the age of 45 and then annually from the age of 65 years. A driver under the age of 65 with a controlled medical condition may also be required to undergo a full medical annually.</p> <p>Medicals can be obtained either by going to a family GP or from a central agency. Applicants will need to pay for this service direct to the provider - there is no standard fee for this service.</p> <p>If you have a Group 2 medical for other purposes (i.e. HGV or PSV Licence) it may be able to be used for your taxi driver's licence. Please discuss this with a member of the licensing team</p>
Attend an approved safeguarding awareness training session	All licensed drivers must be aware of the responsibility with regards to the safeguarding of vulnerable groups and will be required to undertake safeguarding training as prescribed by Great Yarmouth Borough Council. A fee is payable to attend a training session.
Horse drawn hackney carriage drivers licences only – Code of Practice Road Driving Assessment for single horse urban environment.	<p>This assessment is provided by the British Driving Society Ltd and the applicant will need to pay for this service direct. Information and costs can be found at www.britishdrivingsociety.co.uk</p>
Information regarding previous licences, revocations, or refusals	The Borough Council has signed up to the National Register of Refusals and Revocations (NR3 register). This means that when an application for a taxi driver's licence is refused, or when an existing taxi driver's licence is revoked, that information will be placed on the register. The details of all new applicants will also be checked against the information held on the register.
Completed Application form	
Passport sized photo	
Payment of prescribed fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

For all Renewal applications:

Requirement	
Medical fitness	<p>Medicals will be required at age 45, then every five years after the age of 45 and then annually from the age of 65 years. A driver under the age of 65 with a controlled medical condition may also be required to undergo a full medical annually.</p> <p>A fee is payable for this service direct to the provider.</p>
Convictions and Criminal History	<p>The DBS Update Service will be utilised. This will enable regular checks to be made by the Licensing Team.</p> <p>Drivers who have not subscribed to the update service will be required to complete a new enhanced DBS disclosure every 6 months.</p>
DVLA Licence check	<p>A check will need to be carried out to ensure that an applicant's DVLA driving licence is valid. The applicant will need to register on line at https://www.gov.uk/view-driving-licence and submit the code to the Licensing Section. Please note that this code is only valid for 21 days, therefore should not be obtained until the applicant has completed and received all relevant documents. If you do not have access to the internet, help will be available from the Licensing Team</p>
Information regarding previous licences, revocations, or refusals	<p>The National Register of Refusals and Revocations (NR3 register) will be checked on licence renewal. Where an existing licence is revoked the authority will automatically record this decision on NR3</p>
Safeguarding	<p>All licensed drivers must be aware of the responsibility with regards Safeguarding of vulnerable groups and will be required to undertake Safeguarding Training as prescribed by Great Yarmouth Borough Council. A fee is payable to attend a training session. Drivers will also have an obligation to adhere to the code of conduct published by the Borough Council in relation to safeguarding.</p>
Code from HM Revenues and Customs (HMRC)	<p>Applicants will be required to request a tax check from HMRC. HMRC will advise as to what information is to be provided and once satisfied will issue a 9-character code. This code is to be provided to the Licensing Team when applying to renew the licence.</p>
Completed application form	
Passport sized photo	
Payment of prescribed fee	<p>Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing</p>

Convictions

The public are entitled to have the utmost confidence in drivers of taxis and private hire vehicles and the Borough Council must ensure that only fit and proper persons obtain a drivers licence.

The Borough Council has adopted a policy on convictions in relation to taxi and private hire vehicle drivers. It is recommended that persons with convictions read the policy before applying for a licence. (see Appendix II) They may also wish to speak to the Licensing Team for advice.

The occupation of taxi and private hire licensing is excluded from the Rehabilitation of Offenders Act 1988. Therefore, all convictions, regardless of how long ago may be taken in consideration when determining applications.

Combined Driver Licence renewals will be accepted up to one calendar month before they are due to expire.

General Licence Conditions

All drivers shall operate strictly within the terms of any licence issued by the Borough Council.

Any requirements of legislation, which effects the operations being carried out under the terms of this licence, shall be regarded as if they are conditions of this licence.

It is the driver's responsibility to provide the following information throughout the term of their licence:

- Annual DVLA check - A driver shall produce their DVLA driving licence for inspection by an authorised officer annually and at any point during the period of the licence when requested.
- Medical Certificate in accordance with conditions

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and liable on summary conviction to a fine. In addition to such action, whether or not resulting in criminal proceedings being taken, such act may lead to the suspension or revocation of an existing licence or refusal to renew such a licence.

National Register of Taxi Licence Refusals and Revocations (NR3)

The Licensing authority provides information to the National Register of Taxi Licence Refusals and Revocations (NR3), a mechanism for licensing authorities to share details of individuals who have had a hackney carriage or private hire licence revoked, or an application for one refused. This is necessary in assessing whether an individual is a fit and proper person to hold a hackney carriage or private hire licence.

Therefore

- Where a hackney carriage/private hire licence is revoked, or an application for one refused, the authority will automatically record this decision on NR3
- All applications for a new licence or licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific license application and will not be retained beyond the determination of that application.

Information recorded on NR3 itself will be limited to:

- Name
- Date of birth
- Address and contact details
- National insurance number
- Driving licence number
- Decision taken
- Date of decision
- Date decision effective

Information will be retained on NR3 for a period of 25 years.

Convictions/Criminal Offences/Serious Illness

- The driver shall notify the Borough Council in writing if he/she receives any summons, charge, conviction, caution, fixed penalty notice or is arrested, in all cases within seven days of receiving such. The written notification should include the following details where relevant:
 - Offence / alleged offence;
 - Date, place & time of offence/alleged offence;
 - Whether acting as a hackney/private hire;
 - If motoring offence:
 - whether paying passengers carried;
 - speed or alleged speed;
 - speed limit for road;
 - Punishment e.g. amount of fine, number of penalty points issued etc.
 - whether speed awareness course undertaken
- The Driver must immediately inform and in any case within seven (7) days, disclose to the Council in writing, details of any serious illness or any change in medical fitness to drive during the period of his licence
- The Council will have the power through its Authorised Officer/Agent to take drivers off the road in serious criminal offences and in cases of serious illness especially any change in medical fitness to drive
- For the avoidance of doubt such notification is made when it is received by the Licensing Manager in writing, not when it is sent by the driver. The onus is on the

driver to ensure the disclosure is received accordingly. The driver making a disclosure should obtain a receipt or other proof that the Council has received the information

- If a Driver accrues 9 or more points in a 3 year period on his/her DVLA driving licence, they will be required to appear before the Licensing Committee in order for their continued suitability to hold a driver's licence to be assessed.
- Any driver who receives, during the currency of their licence, a conviction for drink driving may have their licence suspended by an Authorised Officer.
- Depending on the circumstances or the number of penalty points accrued on their DVLA driver's licence, drivers may be referred to the Licensing Committee. In doing so, the Committee must have regard to all convictions, cautions, charges, driving convictions, complaints of unacceptable conduct/behaviour, breach of licence conditions and other convictions obtained.
- Drivers should be aware that if they fail to comply with this requirement it may prevent the Borough Council from renewing their driver's licence under delegated authority.

Change of Address

The driver must inform the Council of any change of address, in writing, before the change of address, where possible, but not more than seven (7) days after in any case of such a change.

Deposit of Licence

If a driver is permitted or employed to drive a vehicle of which the Operator is someone other than himself/herself, he/she shall, before driving that vehicle, deposit his private hire licence with that Operator for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle.

The Operator must return such licence to the driver when he ceases to drive any vehicle operated by that Operator

Equality Act 2010

Section 165

All drivers of designated vehicles must comply with Section 165 of the Equality Act 2010. This Act sets out the duties placed on drivers of designated wheelchair accessible taxis and PHV's. The duties are:

- To carry the passenger while in the wheelchair
- Not to make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat to carry the wheelchair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required

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

- To enable the passenger to get into or out of the vehicle;
- To enable the passenger to get in and out of the vehicle while in a wheelchair;
- To load the passenger's luggage into or out of the vehicle;
- To load the wheelchair into or out of the vehicle should the passenger not wish to remain in the wheelchair.

Any driver of a designated vehicle with a medical reason for not complying with these requirements must obtain a medical certificate from a registered medical practitioner to exempt him. An application must then be made to the Council for an Exemption Certificate. A payment for such certificate(s) may be charged.

Section 168

This section imposes duties on the driver of a taxi which has been hired –

- By or for a disabled person who is accompanied by an assistance dog, or
- By another person who wishes to be accompanied by a disabled person with an assistance dog.

The driver must –

- Carry the disabled person's dog and allow it to remain with that person;
- Not make any additional charge for doing so

Any breach of the Equality Act will be treated seriously. All drivers where failings under the act are proven may be prosecuted and will be referred to Licensing Committee for a review of their licence with consideration given to revocation.

Operators

All drivers are responsible to check that the Operators through whom they are working has a current Operator's licence.

The driver shall notify the Borough Council in writing of any change in the private hire Operator he/she is working under the control of within 7 days of the change taking place.

Passenger Transport Badge Holders

If a licensed driver holds a badge with a County Council to carry passengers on school or other contracts, and that badge is suspended or revoked by the County Council, the driver shall notify the Borough Council of the suspension or revocation, in writing, within 72 hours.

Hackney Carriage and Private Hire Drivers' Conditions

1. Appearance

- the Driver shall be clean and tidy in appearance
- the Driver shall at all times be dressed in a manner not to cause embarrassment to members of the public and in particular, but without prejudice, to the generality of the foregoing:
 - shall wear smart casual or business dress, which includes tailored knee length shorts and smart jeans
 - shall not wear - swimming costumes; sleeveless vests or singlets; ripped or torn jeans; cut-down shorts; T-shirts containing any printing of an offensive or inflammatory matter

2. Conduct

- the Driver shall behave in a professional, courteous, civil and orderly manner at all times
- the Driver shall take all reasonable precautions to ensure the safety of persons conveyed in, entering or alighting from the vehicle
- the Driver shall at all times when operating, wear the badge provided by the Council in such position as to be plainly visible
- the Driver shall not smoke in the vehicle at any time. The use of Electronic Cigarettes (e-cigs), Personal Vaporizers (PV) and Electronic Nicotine Delivery Systems (ENDS) is also prohibited at all times.
- eating or drinking in the vehicle without the express consent of the passenger(s) is not permitted
- the Driver shall not cause or permit the noise emitted by any radio or other equipment in the vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle

When hired to drive to a particular destination, a driver shall (subject to any directions given by the hirer) proceed to that destination by the shortest available route.

3.Badges

- The Driver's badge must be worn in a position where it may be seen at all times. The driver shall upon expiry (without immediate renewal), revocation or suspension of his licence, forthwith return to the Council the driver's badge issued to him by the Council. Driver badges remain the property of the Council at all times.
- A driver shall not damage or deface a driver's badge nor allow any other person to do so.
- In the event of a disqualification from driving, a driver shall immediately inform the Borough Council and return their driver's badge.

4. Prompt Attendance

The Driver who has agreed or has been hired or he/she has otherwise been instructed by the Operator or proprietor of the vehicle to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with the vehicle at such appointed time and place

5. Fare to be demanded

The Driver shall not demand from any hirer of a private hire vehicle a fare in excess of that previously agreed for the 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 taximeter. Journeys shall be by the shortest or most direct route unless requested otherwise.

6. Number of Passengers

- The Driver shall not convey in the vehicle a greater number of persons than the number of persons specified in the vehicle licence and on the plate affixed to the outside of the vehicle, regardless of the age of any passenger carried
- The Driver shall not convey in the front seat, any child below the age of twelve years, unless that child is wearing a suitable restraint and not more than one person in that seat
- The Driver shall not, without the consent of the hirer, permit any other person to be carried whilst hired

7. Luggage

The Driver of a vehicle so constructed as to carry luggage shall, when requested by a person hiring the vehicle:

- convey a reasonable amount of luggage
- afford reasonable assistance in loading and unloading
- afford reasonable assistance in removing it to or from the entrance of any building, station or any place at which he may take up or set down such person

8. Carriage of Animals

- Only animals belonging to or in the custody of any passenger may be carried in a licensed vehicle whilst operating. This is at the discretion of the driver with the exception of assistance dogs, which must be accepted. It is an offence under the Equality Act for a driver (unless they hold an Exemption certificate) to refuse to carry a Guide, Hearing, or other assistance dogs – such as Dogs for the Disabled, Support Dogs, Canine Partners for Independence - that is in the charge of a fare paying passenger. No charge shall be made for the carriage of such a dog whilst in the company of a disabled person or any person training such a dog and the dog should be allowed to remain with the passenger

- Any driver with a medical reason for not complying with this condition must obtain a medical certificate from a registered medical practitioner to exempt him or her. An application must then be made to the Council for an Exemption Certificate. A payment for such certificate(s) may be charged. All vehicles and drivers must comply with the requirements of the Equality Act 2010 in respect of carrying assistance dogs

9. Receipts

Any passenger requesting a receipt for any payment made, must be provided with a receipt showing the date, fare paid and must be signed by the driver. This shall be in such a form as to identify the company or individual providing the receipt.

10. Breakdowns

In the event of a breakdown during a hiring, the driver shall ensure that alternative arrangements are made for passengers to continue their journey.

11. Lost Property

- the Driver shall immediately after the termination of any hiring of a vehicle or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- Any property found by or handed to the driver, should be reported to the Borough Council Licensing Team and where necessary taken within 24 hours to the nearest police station and left in the custody of the officer in charge.

12. Death of a Passenger

- Any driver, who knowingly carries in the vehicle, the dead body of any person shall immediately thereafter notify the fact to the Borough Council Licensing Team:

13. Touting and Soliciting

The Driver shall not, whilst driving or in charge of a private hire vehicle:

- tout or solicit any person to hire, or be carried for hire in any private hire vehicle
- cause or procure any other person to tout or solicit any person to hire or be carried for hire in any private hire vehicle
- ply for hire or appear to be plying for hire by offering a vehicle for immediate hire while they or that vehicle are on a road or other public place;
accept an offer for the immediate hire of a vehicle while they or that vehicle are on a road or other public place except where the offer is first communicated to the driver in person by telephone or vehicle radio without him / her in any way procuring the offer.

In this condition "road" means any highway and any other road to which the public has access and includes bridges over which a road passes.

Hackney Carriage Vehicle Policy

Introduction

Vehicle licences will be issued for a maximum of one year.

Hackney Carriage Vehicle Licensing Criteria

The following will be checked before a vehicle licence is issued

Licensing criteria	Required standard
Proof of Registered Keeper (V5 Registration Document)	<p>An applicant for a vehicle licence must be the registered keeper of the vehicle.</p> <p>For initial applications, the applicant will need to prove that they are the lawful keeper of the vehicle by providing an original copy of the vehicles V5 (vehicle registration document). A bill of sale (receipt) for that vehicle may be produced if the V5 is not available but the bill must include the date of first registration and the original V5 document must be produced within a calendar month.</p>
Vehicle Fitness standards	<p>A satisfactory vehicle inspection report following an inspection by an Authorised Officer/Agent of the Council together with proof that the vehicle meets current MOT standards. All vehicles licensed by the Borough Council require inspection at an approved garage (a list of approved garages can be found on the vehicle application form). [see Appendix V]</p> <p>All vehicles over 5 years (date as shown on DVLA V5 registration document) shall have a vehicle compliance test at an approved Vehicle Testing Station every 6 months.</p>
A current vehicle insurance certificate	<p>To enable us to licence a vehicle we require sight of an original valid insurance policy, and schedule or cover note for that vehicle covering the vehicle for Hackney Carriage work. Emailed copies of insurance documents are acceptable.</p> <p>It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.</p> <p>If the proprietor fails to produce a certificate of insurance cover on request he/she shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers. The suspension will remain in place until a satisfactory certificate of insurance is produced.</p>

	Any driver insured to drive a licensed vehicle must hold a Hackney Carriage/Private Hire Drivers Licence
Valid excise licence for the vehicle	All vehicles are required to be taxed.
Basic DBS check	Proprietors of vehicles will be required to undertake a Basic DBS Check. (If the owner is also a Hackney Carriage driver with the authority then this Pre-requisite will not be required)
Completed application form	
Payment of correct fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

From January 2005 all new Hackney Carriage Vehicle Licences must comply with the following requirements. Existing vehicle licences that were issued prior to January 2005 should follow the vehicle specification outlined in the Private Hire Vehicle Policy.

Licensing Criteria	Required Standards
Maximum no of passengers is 8	motor vehicles constructed or adapted to seat not more than eight (8) passengers. If the applicant wishes to licence a vehicle with above eight (8) passengers, they must contact the Traffic Commissioner's Office
The council will not allow vehicles to be licensed for dual purposes or by more than one authority	no vehicle will be granted a licence if it is licensed in another District due to the problems of meeting the variance in conditions applied in different Districts and the enforcement of those conditions in cases of non-compliance (i.e. signs, meters, suspensions or revocation)
Hackney carriage vehicle requirements	Any new plate shall be a brand new purpose built vehicle for the performance as a Hackney Carriage which has been fully tested to M1 category. Such vehicle cannot be replaced unless it is replaced with at least an equivalent specification but newer purpose built model that is still less than 9 years old on initial registration.
	<p>All vehicles shall be so constructed as to facilitate the carriage of people with disabilities and must be capable of accommodating a person in a wheelchair in the passenger compartment, provided the wheelchair fits within the dimensions specified below.</p> <p>Suitable means shall be provided to assist persons to rise from the rear seats with particular attention to the needs of people with disabilities</p>

	Grab handles shall be placed at door entrances to assist the elderly and people with disabilities
Wheelchair facilities	<p>Approved anchorages shall be provided for wheelchairs. These anchorages must be either chassis or floor linked and be capable of withstanding stresses to a dynamic deceleration test of 15g peak at 20 mph. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.</p> <p>The door and doorway shall be so constructed as to permit an unrestricted opening across the doorway of at least 75 centimetres. The minimum angle of the door, when opened, must be 90 degrees. The clear height of the doorway shall not be less than 120 centimetres.</p> <p>The outer edge of the floor at each entrance must be fitted with non-slip treads.</p> <p>The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.</p> <p>A ramp or ramps for the loading of a wheelchair and occupant shall be available at all times for use at the rear nearside passenger door. An adequate locating device must be fitted to ensure that the ramp/ramps do not slip or tilt when in use. Provision must be made for the ramps to be stored safely when not in use.</p>
Steering	The steering wheel shall be on the offside of the vehicle
Interior lighting	Adequate lighting shall be provided for the driver and passengers. Separate lighting controls for both passenger and driver must be provided. In the case of the passenger compartment, an illuminated control switch must be fitted in an approved position. Lighting must also be provided at floor level to each passenger door and be actuated by the opening of the doors.
Driver's compartment	<p>The inside of the vehicle shall have a partially glazed partition separating the passengers at the rear of the vehicle, from the driver. The front seat(s) of the vehicle will be included in the number of passengers allowed to use the vehicle; however, these seats shall be used at the driver's discretion in order to maintain the safety of the driver. When these seats are not to be used, the number of passengers carried should be reduced accordingly.</p> <p>The driver's compartment shall be so designed that the driver has adequate room, can easily reach and quickly operate the controls and give hand signals on the offside of the vehicle.</p> <p>The controls must be so placed as to allow reasonable access to the driver's seat and, when centrally placed, must be properly protected from contact with luggage.</p>

	Every vehicle must be provided with an approved means of communication between the passenger and driver.
Engine size	The Borough Council encourages the use of eco-friendly vehicles. No minimum engine capacity is required; however please note the seating requirements with respect to the size of vehicle to be licensed.
Seating	all passenger seats must face forward or rearward to the direction of travel
Windows	Windows shall be provided at the sides and rear. Passenger door windows must be capable of being opened easily by passengers when seated. The control for opening a door window must be clearly identified to prevent being mistaken for any other control.
Heating and Ventilation	An adequate heating and ventilation system shall be provided for the driver and passengers and means provided for independent control by the drivers and passengers
Number of doors	Hackney Carriage vehicles that are London type vehicles must have at least two doors for the use of passengers travelling in the vehicle, neither being the door used by the driver.
Door fittings	An approved type of automatic door locking device shall be fitted to passenger doors. When the vehicle is stationary, the passenger doors must be capable of being readily opened from the inside and outside of the vehicle by one operation of the latch mechanism. The interior door handle must be clearly identified to prevent being mistaken for any other control.
Floor covering	The flooring of the passengers' compartment must be covered in non-slip material which can easily be cleaned.
Luggage	Provision shall be made for the carrying of luggage
Health & Safety	all motorised vehicles must be equipped with an operational fire extinguisher and a first aid kit (to comply with Health & Safety (First Aid) Regulations 1981)
Body work	Exterior Bodywork and Wheel trims - The bodywork of the vehicle shall be in good condition, be free from major rust, dents and scratches and shall be as originally fitted by the manufacturer. Wheel trims must be fitted to all road wheels where part of the manufacturer's original specification
Interior	Upholstery - All upholstery shall be clean and in a well maintained condition. No tear, crack, hole or burn will be acceptable other than 'fair, wear & tear'. Upholstery includes seats, headrests, armrests, carpets and other trim.
Fixtures and fittings	All fittings shall be properly maintained and in good working order. Fittings include clocks, interior lights, sun blinds, door surrounds, grab handles, other equipment provided for passenger comfort and

	any equipment in, on or forming part of the vehicle including wheelchair ramps and securing fitments.
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Vehicle fitness standard

The inspection is to determine that the vehicle is in roadworthy condition and meets the standards required by the Borough Council to be a licensed vehicle; in accordance with national best practice and the requirements contained in this handbook. [see Appendix V]

No vehicle shall be first licensed or re-licensed unless the vehicle has passed the vehicle inspection at one of the Borough Council's approved testing stations. All Hackney Carriage & Private Hire vehicles after 5 years (date as shown on DVLA V5 registration document) shall have a vehicle compliance test at an approved Vehicle Testing Station every 6 months.

The Borough Council will not grant/renew a vehicle licence unless the person examining it (on behalf of the Borough Council) has confirmed that it meets the standards specified in this Handbook and, at the same time, the vehicle has been certified roadworthy to MOT standard and has a current MOT certificate.

Costs of such testing is payable by the person wishing to licence the vehicle. In addition the history of the vehicle may be taken into consideration when determining whether the vehicle should be licensed.

The 6 monthly compliance test certificate required for vehicles over 5 years old (see above) must be produced to the Borough Council within 7 days of the date of the test. Tests can be carried out by an approved testing station up to one calendar month before the 6 monthly point of the licence.

A vehicle which fails an inspection/safety check during the currency of a licence with the Borough Council will have the fault(s) rectified and the vehicle re-inspected at the same testing station within 2 months of the original inspection – failure to do so will lead to the automatic revocation of the vehicle licence.

A vehicle may be inspected by an authorised officer of the Borough Council or a Police Officer, at any reasonable time. If the person inspecting the vehicle is not satisfied as to the fitness of the vehicle he may give written notice to the proprietor/Operator to make the vehicle available for further inspection and testing at such reasonable time and place as may be specified and the vehicle licence may be suspended until the authorised officer or police officer is so satisfied. If the authorised officer or police officer is not satisfied within two months of the initial inspection the Vehicle licence shall be deemed revoked. An authorised officer or police officer may permit other persons to examine the vehicle on their behalf (e.g. DVSA).

The vehicle must be inspected and a satisfactory report issued by the Borough Councils appointed testing agent within one month preceding the application for a vehicle licence or renewal of a vehicle licence.

The requirement for Inspection applies to all vehicles, including those newly registered.

All vehicles being presented for testing at the approved Borough Council testing station shall be in clean condition to allow the tester to inspect the vehicle. The tester may refuse to test a vehicle that does not conform to this requirement.

Vehicle Replacement

Where a licensed vehicle is off the road due to accident damage, subject to satisfactory documentary evidence being produced to the authorised officer, the Borough Council will allow a replacement vehicle that meets the Borough Council's criteria for a hackney carriage/private hire vehicle.

Once repaired, a new vehicle inspection report may be required

A replacement vehicle must have a current certificate of insurance or cover note which covers the use of the vehicle.

Annual Renewal

Vehicle renewal applications will be accepted up to one calendar month before they are due to expire providing the MOT certificate/Compliance Test Certificate is no more than 3 calendar months older than the renewal date. Vehicle licences will not be granted an earlier renewal date than their current expiry date. Vehicle Registration documents (V5C) are not required to be produced upon renewal of a vehicle licence, providing there has been no material changes to that vehicle/document during the proceeding licence period.

- vehicles must comply with all prerequisites
- applications must be made in good time to enable all formalities to be completed
- no licence will be issued unless the application is complete with all documents, information and the payment required. Incomplete applications will be returned to applicants
- applications made after the expiry date will be considered as new applications and not a renewal

Altered Vehicles

Any vehicle which has been altered from the original manufacturer's specification, re-registered or has been an insurance loss (categories N and S only) shall only be considered for licensing if the vehicle has been subjected to a satisfactory Individual Vehicle Approval (IVA) or Voluntary Individual Vehicle Approval (VIVA) test (engineers report) from the Driver and Vehicle Standards Agency (DVSA) Vehicles without a DVSA engineers report will only be considered for licensing if they have been built to the manufacturers original specification. The IVA test is appropriate for vehicles not previously registered in the UK, and a VIVA for vehicles registered in the UK that need to prove compliance.

Category A and B write offs will not be considered fit for licensing.

Wheelchair accessible hire vehicles

There are a growing number of wheelchair accessible vehicles which are licensed by the Borough Council. All new Hackney Carriage Vehicles registered with the Borough Council must be wheelchair accessible.

Sections 165 and 167 of the Equality Act 2010 require drivers of designated wheelchair accessible taxis and private hire vehicles to:

- Carry the passenger while in the wheelchair;
- To not make any additional charge for doing so;
- Carry the wheelchair, if the passenger chooses to sit in a passenger seat;
- Take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- Give the passenger such mobility assistance as is reasonably required.

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

- To enable the passenger to get into or out of the vehicle;
- To enable the passenger to get in and out of the vehicle while in a wheelchair;
- To load the passenger's luggage into or out of the vehicle;
- To load the wheelchair into or out of the vehicle should the passenger not wish to remain in the wheelchair.

A list of all wheelchair accessible vehicles will be maintained in accordance with Section 167 of the Equality Act 2010 on the Licensing webpage. This list will be periodically updated based on the details given at the time of vehicle licensing.

Permitting or Employing any other Person to Drive

- Before any proprietor of a vehicle permits or employs any person to drive his/her vehicle, he/she shall ensure that the vehicle is adequately insured for that person to drive and produce evidence of that insurance for inspection by any person permitted or employed to drive
- If the proprietor of a vehicle permits or employs any other person to drive his/her vehicle, he/she shall, before the person commences driving, cause the driver to give him/her Licence to Drive for retention until such time as the driver ceases to be permitted or employed to drive a licensed vehicle owned by the proprietor

Private Hire Vehicle Policy

Introduction

Vehicle licences will be issued for a maximum of 12 months. Private Hire vehicles may only undertake journeys in response to advance bookings. These bookings must be undertaken by an operator who in return is required to hold a Private Hire Operator's Licence.

Private Hire Vehicle Licensing Criteria

The following will be checked before a vehicle licence is issued

Licensing criteria	Required standard
Proof of Registered Keeper (V5 Registration Document)	<p>An applicant for a vehicle licence must be the registered keeper of the vehicle.</p> <p>For initial applications, the applicant will need to prove that they are the lawful keeper of the vehicle by providing an original copy of the vehicles V5 (vehicle registration document). A bill of sale (receipt) for that vehicle may be produced if the V5 is not available but the bill must include the date of first registration and the original V5 document must be produced within a calendar month.</p>
Vehicle Fitness standards	<p>A satisfactory vehicle inspection report following an inspection by an Authorised Officer/Agent of the Council together with proof that the vehicle meets current MOT standards. All vehicles licensed by the Borough Council require inspection at an approved garage (a list of approved garages can be found on the vehicle application form). [see Appendix V]</p> <p>All vehicles over 5 years (date as shown on DVLA V5 registration document) shall have a vehicle compliance test at an approved Vehicle Testing Station every 6 months.</p>
A current vehicle insurance certificate	<p>To enable us to licence a vehicle we require sight of an original valid insurance policy, and schedule or cover note for that vehicle covering the vehicle for Private Hire work. Emailed copies of insurance documents are acceptable.</p> <p>It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.</p> <p>If the proprietor fails to produce a certificate of insurance cover on request he shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers. The suspension will remain in place until a satisfactory certificate of insurance is produced.</p>

	Any driver insured to drive a licensed vehicle must hold a Hackney Carriage/Private Hire Drivers Licence
Valid excise licence for the vehicle	All vehicles are required to be taxed.
Basic DBS check	Proprietors of vehicles will be required to undertake a Basic DBS Check. (If the owner is also a Hackney Carriage/Private Hire driver with the authority then this Pre-requisite will not be required)
Completed application form	
Payment of correct fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

The Borough Council will not grant or renew a licence unless satisfied that the vehicle is suitable to be a licensed vehicle, is in a suitable mechanical condition, safe and comfortable. Only vehicles which meet the following specification will be considered for licensing

Vehicle Specification

Licensing Criteria	Required Standards
Maximum no of passengers is 8	Motor vehicles constructed or adapted to seat not more than eight (8) passengers. If an applicant wishes to licence a vehicle with above eight (8) passengers, they must contact the Traffic Commissioner's Office
The council will not allow vehicles to be licensed for dual purposes or by more than one authority	No vehicle will be granted a licence if it is licensed in another District due to the problems of meeting the variance in conditions applied in different Districts and the enforcement of those conditions in cases of non-compliance (i.e. signs, meters, suspensions or revocation)
Age limit	Vehicles should not exceed nine years of age on initial registration. There is no renewal limit providing the Council's licensing conditions continue to be complied with (The age of the vehicle to be taken from the vehicle registration document)
Engine size	The Borough Council encourages the use of eco-friendly vehicles. No minimum engine capacity is required; however please note the seating requirements with respect to the size of vehicle to be licensed.
Hatchback type vehicles	The hatch will not be considered or counted as a door for means of entry or exit;

Saloon type vehicles	Estate versions of saloon vehicles fitted with seats in the rear luggage compartment will be licensed for a maximum of 4 passengers
Seating	<p>Where separate seats for each person are provided, one person shall be counted for each separate seat where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 40.7cm (16") measured in a straight line along the front of each seat. Where continuous seating is fitted with arms for separating the seating spaces and they can be folded back or put out of use, the seats shall be measured as if the arms had not been fitted; any passenger(s) carried in the front of a vehicle must have separate seat(s) from the driver; the number of seats for which the vehicle is to be plated will be decided by the Borough Council's Authorised Officer/Testing Agent and will be based upon the items above and the bylaws. Any additional seating in the vehicle must be removed and the fixings plated over to prevent re-instatement, before the grant of a licence; wheelchair accessible vehicles will have the seating capacity determined for fixed seating and separately for passengers carried in wheelchairs.</p> <p>All passenger seats must face forward or rearward to the direction of travel;</p> <p>The vehicle must have seats with a minimum width of not less than 400mm per person.</p> <p>The vehicle shall be fitted with appropriate seatbelts to the front and rear seats of the vehicle.</p>
Wheels	Normal saloon type vehicles must be fitted with four road wheels and be right-hand drive.
Luggage	luggage space must be a minimum of 0.5 m ³ and be physically separated from the passenger seating
Health & Safety	all motorised vehicles must be equipped with an operational fire extinguisher and a first aid kit (to comply with Health & Safety (First Aid) Regulations 1981)
Doors	The vehicle shall have four side opening doors (designed for the purpose of permitting persons access to/from the interior) - any lift-up tailgate shall not be included; or a vehicle shall have three side opening doors (designed for the purpose of permitting persons access to/from the interior) and two rear opening doors (designed for the purpose of permitting persons access to/from the interior). Vehicles constructed with less than 4 doors may be considered for licensing as Private Hire Vehicles or Special Event Vehicles.

	Any vehicle's suitability for licensing will also be determined by the positioning of its seating, fittings and fixtures for the ingress and egress of passengers and their safety.
Windows	Tinted Windows. - No glass, with the exception of a tinted sun-strip along the top of the windscreen, shall be tinted to such an extent as to obscure the view of the inside of the vehicle under normal workshop lighting conditions from a distance of 4 metres. Stretched Limousines are exempt from this requirement
M1 category	The vehicle must have European Community Whole Vehicle Type Approval (ECWVTA) and must show category M1 on the V5C/logbook. If these requirements cannot be satisfied, or if the vehicle has been altered from the original manufacturers specification, then a Driver and Vehicle Standards Agency (DVSA) Individual Vehicle approval (IVA) or Voluntary Individual Vehicle Approval (VIVA) inspection must be undertaken, and a satisfactory report produced.
Appearance	The appearance of a Private Hire vehicle must not lead people to believe it is a Hackney Carriage Vehicle.
Wheelchair accessible vehicles	Wheelchair accessible vehicles shall be properly equipped with properly mounted fittings for the safe securing of a wheelchair and a passenger seated in it, when carried in the vehicle. If a mechanical hoist is fitted to the vehicle this will be required to be inspected annually by the manufacturer or his approved agent and a certificate produced to that effect.
Body work	Exterior Bodywork and Wheel trims - The bodywork of the vehicle shall be in good condition, be free from major rust, dents and scratches and shall be as originally fitted by the manufacturer. Wheel trims must be fitted to all road wheels where part of the manufacturer's original specification
Interior	Upholstery - All upholstery shall be clean and in a well maintained condition. No tear, crack, hole or burn will be acceptable other than 'fair, wear & tear'. Upholstery includes seats, headrests, armrests, carpets and other trim.
Fixtures and fittings	All fittings shall be properly maintained and in good working order. Fittings include clocks, interior lights, sun blinds, door surrounds, grab handles, other equipment provided for passenger comfort and any equipment in, on or forming part of the vehicle including wheelchair ramps and securing fitments.

Vehicle fitness standard

The inspection is to determine that the vehicle is in roadworthy condition and meets the standards required by the Borough Council to be a licensed vehicle; in accordance with national best practice and the requirements contained in this handbook. [see Appendix V]

No vehicle shall be first licensed or re-licensed unless the vehicle has passed the vehicle inspection at one of the Borough Council's approved testing stations. All Hackney Carriage & Private Hire vehicles after 5 years (date as shown on DVLA V5 registration document) shall have a vehicle compliance test at an approved Vehicle Testing Station every 6 months.

The Borough Council will not grant/renew a vehicle licence unless the person examining it (on behalf of the Borough Council) has confirmed that it meets the standards specified in this Handbook and, at the same time, the vehicle has been certified roadworthy to MOT standard and has a current MOT certificate.

Vehicles of a class that are not subject to 'EU Type approval' and are being tested for the first time will be additionally tested to ensure tyres and any other aspect of the vehicle are safe and mechanically sound for the benefit of passengers.

Costs of such testing is payable by the person wishing to licence the vehicle. In addition the history of the vehicle may be taken into consideration when determining whether the vehicle should be licensed.

The 6 monthly compliance test certificate required for vehicles over 5 years old (see above) must be produced to the Borough Council within 7 days of the date of the test. Tests can be carried out by an approved testing station up to one calendar month before the 6 monthly point of the licence.

A vehicle which fails an inspection/safety check during the currency of a licence with the Borough Council will have the fault(s) rectified and the vehicle re-inspected at the same testing station within 2 months of the original inspection – failure to do so will lead to the automatic revocation of the vehicle licence.

A vehicle may be inspected by an authorised officer of the Borough Council or a Police Officer, at any reasonable time. If the person inspecting the vehicle is not satisfied as to the fitness of the vehicle he may give written notice to the proprietor/Operator to make the vehicle available for further inspection and testing at such reasonable time and place as may be specified and the vehicle licence may be suspended until the authorised officer or police officer is so satisfied. If the authorised officer or police officer is not satisfied within two months of the initial inspection the Vehicle licence shall be deemed revoked. An authorised officer or police officer may permit other persons to examine the vehicle on their behalf (e.g. DVSA).

The vehicle must be inspected and a satisfactory report issued by the Borough Councils appointed testing agent within one month preceding the application for a vehicle licence or renewal of a vehicle licence.

The requirement for Inspection applies to all vehicles, including those newly registered.

All vehicles being presented for testing at the approved Borough Council testing station shall be in clean condition to allow the tester to inspect the vehicle. The tester may refuse to test a vehicle that does not conform to this requirement.

Vehicle Replacement

Where a licensed vehicle is off the road due to accident damage, subject to satisfactory documentary evidence being produced to the authorised officer, the Borough Council will allow a replacement vehicle that meets the Borough Council's criteria for a hackney carriage/private hire vehicle.

Once repaired, a new vehicle inspection report may be required

A replacement vehicle must have a current certificate of insurance or cover note which covers the use of the vehicle.

Annual Renewal

Vehicle renewal applications will be accepted up to one calendar month before they are due to expire providing the MOT certificate/Compliance Test Certificate is no more than 3 calendar months older than the renewal date. Vehicle licences will not be granted an earlier renewal date than their current expiry date. Vehicle Registration documents (V5C) are not required to be produced upon renewal of a vehicle licence, providing there has been no material changes to that vehicle/document during the proceeding licence period.

- vehicles must comply with all prerequisites
- applications must be made in good time to enable all formalities to be completed
- no licence will be issued unless the application is complete with all documents, information and the payment required. Incomplete applications will be returned to applicants
- applications made after the expiry date will be considered as new applications and not a renewal

Altered Vehicles

Any vehicle which has been altered from the original manufacturers specification, re-registered or has been an insurance loss (categories N and S only) shall only be considered for licensing if the vehicle has been subjected to a satisfactory IVA or VIVA test (engineers report) from the Driver and Vehicle Standards Agency (DVSA) Vehicles without a DVSA engineers report will only be considered for licensing if they have been built to the manufacturers original specification. The IVA test is appropriate for vehicles not previously registered in the UK, and a VIVA for vehicles registered in the UK that need to prove compliance.

Category A and B write offs will not be considered fit for licensing.

Wheelchair accessible hire vehicles

There are a growing number of wheelchair accessible vehicles which are licensed by the Borough Council. All new Hackney Carriage Vehicles registered with the Borough Council must be wheelchair accessible.

Sections 165 and 167 of the Equality Act 2010 require drivers of designated wheelchair accessible taxis and private hire vehicles to:

- Carry the passenger while in the wheelchair;
- To not make any additional charge for doing so;
- Carry the wheelchair, if the passenger chooses to sit in a passenger seat;
- Take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- Give the passenger such mobility assistance as is reasonably required.

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

- To enable the passenger to get into or out of the vehicle;
- To enable the passenger to get in and out of the vehicle while in a wheelchair;
- To load the passenger's luggage into or out of the vehicle;
- To load the wheelchair into or out of the vehicle should the passenger not wish to remain in the wheelchair.

A list of all wheelchair accessible vehicles will be maintained in accordance with Section 167 of the Equality Act 2010 on the Licensing webpage. This list will be periodically updated based on the details given at the time of vehicle licensing.

Permitting or Employing any other Person to Drive

- Before any proprietor of a vehicle permits or employs any person to drive his/her vehicle, he/she shall ensure that the vehicle is adequately insured for that person to drive and produce evidence of that insurance for inspection by any person permitted or employed to drive
- If the proprietor of a vehicle permits or employs any other person to drive his/her vehicle, he/she shall, before the person commences driving, cause the driver to give him/her Licence to Drive for retention until such time as the driver ceases to be permitted or employed to drive a licensed vehicle owned by the proprietor

Vehicle Licences Conditions

1. Renewal

A licence can only be renewed if a licence has been previously held and it has not been allowed to lapse or been revoked. There may be no lapse between licences.

2. Maintenance and Appearance of Vehicle

- when it is available for hire, the vehicle and its fittings must at all times:
 - be safe
 - be tidy
 - be clean
 - comply with all statutory requirements applicable to the class of vehicle
- the vehicle must be maintained to a high standard of appearance to the complete satisfaction of the Council, throughout the term of the licence
- the vehicle must be kept in exceptional condition including cleanliness and cosmetic appearance

3. Inspection of Vehicle

The vehicle must not be made available for hire or used as a hackney carriage/private hire unless there is a current mechanical inspection certificate in force and lodged with the Council in respect of that vehicle.

4. Alteration of Vehicle

During the currency of the Licence no alterations in the specification, design or appearance of the vehicle shall be made without the prior written approval of the Borough Council.

5. Documents and Internal Signage

- There must be carried in the vehicle when it is available for hire or being used as a licensed vehicle the sign issued by the Council giving the vehicle licence number and the maximum number of passengers to be carried.
- Hackney Carriage vehicles must also carry a copy of the current tariff as approved by the Council clearly displayed within the vehicle where it may be seen by any passenger on board;

6. External Signs etc.

No signs, notices, advertisements, plates, marks, letters, figures, symbols, emblems, other than those mentioned below shall be displayed on, in or from the vehicle.

- Signs permitted are:
 - any registration number
 - any sign required by statute or subordinate legislation
 - any sign on a taximeter indicating that the vehicle is for hire

- the licence plate giving the licence number and the maximum number of passengers to be carried on the outside rear of the vehicle.
- Roundels (crests) issued by the Borough Council with the licence number - on the rear doors
- the roof sign referred to below
- any sign indicating membership of a national motoring organisation
- any sign informing passengers not to smoke in the vehicle
- the tariff card as above
- any sign approved by the Council to indicate that the payment of fares may be made by credit card shall be displayed on the front windscreen of the vehicle
- any sign provided by the Norfolk County Council to show that the vehicle is used for school contracts shall be displayed in the windscreen in such a manner so as not to obstruct the driver's vision, and may only be displayed when actually employed in the performance of such contract work with pupils being carried.
- any other sign specifically approved in writing by the Borough Council must meet the conditions as set out above,
- no sign may contain any material of a religious or political nature or contain any matter likely to cause offence.
- On private hire vehicles no sign may include in the lettering any word whether in the singular or plural the words 'taxi', 'cab' or 'hire' or any word of a similar meaning or appearance to any of those words whether alone or as part of another word
- Any sign permitted must be positioned so as not to impede visibility and, in any event, no sign shall be placed on the rear window of the vehicle or hanging obstruction be placed in any part of the vehicle.

7. Advertising on outside of vehicle

The Borough Council will allow advertisements to be placed upon a vehicle subject to the following:

- The proprietor of a licensed vehicle shall not display or permit to be displayed on the vehicle any sign or advertisement whatsoever unless written permission has been obtained from the Borough Council.
- All advertisements shall comply with the British Code of Advertising Practice and shall be in a form acceptable to the Advertising Standards Authority. The Borough Council reserves the right to require the licensee to withdraw from display any advertisement which may be considered inaccurate, misleading, unlawful, defamatory, in bad taste or of an unacceptable standard.
- No advertisement will be permitted that relates to or advertises alcohol, nudity, gambling, smoking materials or others of a political nature.
- The same advertising must be displayed on the nearside and offside panels of vehicles.

- Any advertising may cover both back panels.
- Advertising may not be stuck over door trims. Door trims may not be removed to accommodate advertising.
- In the case of Private Hire Vehicles advertising is subject to the specific exclusion of the words "taxi", "cab" or "hire" the use of which will not be permitted.

The Borough Council reserves the right to withdraw from display any advertisement which may be considered inaccurate, misleading, unlawful, defamatory, in bad taste or of an unacceptable standard

8. Licence Plate

- The Council must be informed immediately should the licence plate showing the number of the Hackney Carriage or Private Hire Licence be broken, lost or defaced or stolen. If lost or stolen, the matter shall be reported to the police and a relevant reference number shall be required (i.e. Crime Number or Lost Property reference). On no account must a hackney carriage ply for hire without a correctly displayed plate, as required under the Police Town Clauses Act 1947, Sections 51 and 52.
- Plates, badges and licences remain the property of the Council and must be returned immediately on ceasing operation or when the Council revoke or refuse to renew a licence or where the Proprietor no longer holds a licence issued by the Council. Authorised officers are entitled to physically remove the plate from the vehicle and retain it where necessary
- The Licence Plate shall be fixed in a permanent manner and displayed outside and on the rear of the vehicle, either immediately above or below the bumper. It shall be fixed in such a position that it and the vehicle's registration mark is not obscured, with its particulars facing outwards and that the figures and numbers endorsed thereon are distinct and legible.
- The Licence Plate is to be clearly visible. The licence plate must not obstruct any signage prescribed by the Borough Council or any lights or the vehicles registration mark. Any items such as towbars must not obstruct the licence plate.
- Special Event Vehicles must display the smaller special plate issued by the Borough Council

9. Roof Signs for Hackney Carriages

- A sign bearing the word 'taxi' on its front face must be installed on the roof of the vehicle. It shall be securely fitted to the vehicle and must be of a design and shape approved by the Borough Council The word 'taxi' must be plainly and distinctly visible. The sign may include the name and landline telephone number of the hackney carriage company, and must be capable of being illuminated during the hours of darkness. The sign must at all times comply with any requirements of vehicle lighting regulations when illuminated.

- This shall not apply to a vehicle complying with the Public Carriage office standards - any vehicle of this specification must display a sign bearing the word 'taxi' distinctly visible from the front of the vehicle.

For Private Hire vehicles no roof signs are permitted

10. Change of Address

The proprietor/vehicle licence holder must inform the Council of any change of address, in writing, before the change, where possible, but not more than seven (7) days afterwards.

11. Compliance

The responsibility for complying with these conditions, unless otherwise stated, shall be the proprietors/vehicle licence holder and drivers jointly and severally.

12. Wheelchair accessible vehicles

(ie vehicles in which passengers may be conveyed whilst seated in the wheelchair)

- a vehicle complying with the specifications required by the Disability Discrimination Act 1995 must be adapted or designed to carry at least one wheelchair bound passenger:
- there must be sufficient space between the front of the rear seat and any partition for an occupied wheelchair to turn
- there must be sufficient space for a wheelchair to travel
- there must be a separate means of securing the chair and the wheelchair occupant.
- there must be wheelchair ramps carried in the vehicle.
- a vehicle designed or adapted in accordance with the above may carry a maximum of two signs indicating that it is capable of carrying wheelchair bound passengers;

any swivel seat fitted must meet the requirements of the above Act.

13. Towing of trailers

- No licensed vehicle may tow any trailer unless evidence of valid insurance (see below) to cover such use of hire and reward has been produced to the Council and the licence endorsed.
- Any trailer used must comply in all respects with the requirements of EC94/20 Type Approval and any Acts and Regulations relating to trailers or parts thereof which may be in force at the time of licensing.
- The driver must hold the appropriate towing licence issued by the DVLA.
- Tyres & Wheels
 - tyres and wheels for the trailer must comply to manufacturers specification and current legislation relating to tyres;
 - a spare wheel and tyre to manufacturers specification and current legislation must be fitted to the trailer; and
 - a suitable toolkit must be carried.

- Lights - Full road lighting must be fitted to the trailer to comply with all legal requirements. All lights should be 'E' marked
- Insurance
 - a current certificate of insurance must be produced which covers the use of the trailer and the vehicle to be licensed to tow it: and
 - public liability insurance to the value of £100,000 must be produced to cover any luggage carried in the trailer.
- Advertisements - No advertisements will be allowed to be displayed on the trailer
- Licence Plate - An additional Borough Council vehicle plate must be purchased and displayed on the offside rear of the trailer.
- Number Plate - All trailers must be fitted with an approved style number plate bearing the same number as towing vehicle

14. Maintenance of vehicle and safety equipment

The proprietor/licence holder of the vehicle shall:

- provide sufficient means by which any person in the vehicle may communicate with the driver
- ensure the roof or covering to be kept watertight
- provide adequate windows and the means of opening and closing them
- ensure the seats to be properly cushioned and covered
- ensure the floor to be covered with a proper carpet, mat or other suitable covering
- ensure the fittings and furniture generally to be kept in a clean and well-maintained condition
- provide means for securing luggage
- Fire Extinguisher
 - To be carried in such a position as to be readily accessible and available in any emergency. The fire extinguisher should be either a 1kg dry powder or a 2 litre AFFF. Fire extinguishers must be maintained in accordance with BS5306 Part 3 i.e. they must have an annual service, a five-yearly service and refilled. These tests must be carried out by a BAFE certified engineer and new tags and seals must be placed on each extinguisher after inspection.
 - Unique identification tags will be provided for each extinguisher and must be affixed to the extinguisher at all times
- First Aid
 - provide a first aid kit as approved by the Health & Safety (First Aid) Regulations 1981. Such equipment to be carried in such a position in the vehicle as to be readily available at all times. The kit must be kept adequately stocked
 - The first-aid kit is for self-administration only.
- ensure that the vehicle and all its fittings and equipment are at all times when the vehicle is in use or available for hire, kept in an efficient, safe, tidy and clean

condition and all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and Use) Regulations) are fully complied with

- ensure that no material alteration or change in the specification, design, condition or appearance of the vehicle are made without the written approval of the Council at any time whilst the licence is in force
- ensure all vehicles with rear seat belt anchorage points be fitted with rear seat belts
- where a meter is fitted to maintain all meters in working order at all times. Meters to be inspected and sealed by the Council's Authorised Officer/Agent before use
- Where a tariff card is provided it is clearly displayed where it may be seen by a passenger, giving the tariff applied by the Operator through whom the vehicle is operated
- No roof, boot racks or bullbars may be fitted to licensed vehicles during the currency of the licence unless prior authorised by the Borough Council
- Citizen Band Radios - No citizen band radios may be fitted in any Hackney Carriage or Private Hire Vehicle whilst it is licensed.
- Radio Scanning Devices - No radio scanning devices of whatsoever type or sort may be fitted to, carried in or used in or in the vicinity of any Hackney Carriage or Private Hire Vehicle during the currency of the licence.

15. Mechanical Breakdown

If any vehicle, for whatever reason, becomes unfit to complete a journey under a hire agreement:

- the driver shall be entitled to demand the fare for the distance already travelled
- the driver shall secure alternative transport immediately to complete the journey if the hirer so wishes. If the original vehicle is repaired and completes the hiring, the driver shall be entitled to full fare with the exception of any time that the hirer waited for the repair to be executed
- any such incident must be reported to the Council within one (1) working day

16. Hackney Carriage Ranks

The number of hackney carriages stationed at any rank must not exceed the number for which the rank is appointed at any time. No private hire vehicle may use a hackney carriage rank.

17. Complaints, interim inspection and vehicle checks

- Any vehicle against which a complaint is laid must be presented to the Authorised Officer/Agent within one (1) working day of being so requested for inspection.
- The licensee, owner, registered keeper, Operator, driver or other person in charge of the vehicle may be interviewed.
- A vehicle may be called for inspection, including documents, at any reasonable time by the Authorised Officer/Agent to ensure compliance. Failure to attend and show

any documentation as requested may lead to suspension or revocation of licence under Section 68 of the Act.

- An Authorised Officer/Agent may detain any vehicle, at any time, which is suspected of being involved in any infringement of legislation, bylaws or conditions, to ensure its fitness to be used as a licensed vehicle in the interest of public safety.
- if a vehicle fails the test and in the opinion of the examiner would fail to meet the standards required then the plate may be removed by Authorised Officer/Agent, until such time as the vehicle passes the test. Until then, the plate is to be returned to the Licensing authority and the vehicle may not be used for hire and reward
- any vehicle called for inspection that fails to attend may cause the vehicle and Operator licences to be suspended immediately and subsequently the licences may be revoked

18. Vehicle Inspections

- A vehicle which fails a compliance inspection/safety check during the currency of a licence will have the fault (s) rectified and the vehicle re- inspected within 2 months of the original inspection – failure to do so will lead to the automatic revocation of the vehicle licence.
- A Hackney Carriage may be inspected by an authorised officer of the Borough Council or a police officer, at all reasonable times. If the person inspecting the vehicle is not satisfied as to the fitness of the vehicle he may give written notice to the proprietor to make the vehicle available for further inspection and testing at such reasonable time and place as may be specified, and the vehicle licence may be suspended until the officer or police officer is so satisfied.
- If the authorised officer or police officer is not so satisfied within two months of the initial inspection the Hackney Carriage vehicle licence shall be deemed revoked.

Unfit Vehicle Notices

Unfit Vehicle notices can be issued by Authorised Officers and Police Officers where vehicle defects give cause for concern.

Immediate Unfit Notices will be given if the vehicle appears to be unsafe to carry members of the public. Once a Notice is issued the vehicle must not be used for hire with immediate effect. The vehicle must be presented to either an officer or the Borough Councils approved testing station with the faults rectified. Only after this will the Notice be lifted and the vehicle can then be used for hire.

If the Notice is not lifted within two-months, the vehicle licence will be deemed revoked.

Deferred Notices can be issued which means the vehicle can continue to be used for the time specified and the faults rectified within a specified time. When the faults are rectified the vehicle must be presented to a Borough Council approved testing station for inspection.

19. Vehicle Damage and Replacement Vehicles

- The proprietor of any vehicle must report to the Council, in writing, as soon as reasonably practicable, and in any case within seventy two (72) hours, the occurrence of any accident involving the vehicle
- The Authorised Officer/Agent will inspect the vehicle and make a decision as to whether or not the vehicle can continue in service
- If the vehicle can continue in service until a permanent repair is undertaken, the repair must be completed within a maximum of 28 days of the Authorised Officer/Agent's decision
- If any damage is considered by the Authorised Officer/Agent to be extensive enough to affect the safety or general appearance of the vehicle, it must be immediately withdrawn from service and the plate removed. The vehicle must be repaired, submitted for a Council mechanical inspection and the cosmetic appearance inspected by an Authorised Officer/Agent, before the plate is re-affixed and the vehicle returned to service
- In the case of any dispute the matter will be referred to the Councils Licensing Committee
- Any replacement vehicle, either a short-term or permanent replacement, must comply with licensing prerequisites above. A completed application form must be submitted together with the other necessary documents and the appropriate fee, before being used as a licensed vehicle. If all the above items and all conditions are met and are satisfactory, we will produce the licence within seven working days from receipt of an acceptable application

20. Insurance

The proprietor shall keep in force, in relation to the use of the hackney carriage, a policy of insurance in respect of public hire and complying with the provisions of Section 145 of Part VIA Road Traffic Act 1988 which covers third party liability both in respect of physical injury or death and in respect of damage to personal belongings. The certificate of insurance and schedule must be produced, on demand to an authorised officer of the Borough Council for inspection.

It shall be the responsibility of the proprietor of a hackney carriage to produce proof of continuous insurance cover in respect of public hire. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.

If the proprietor fails to produce a certificate of insurance cover on request he shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in suspension of the Hackney Carriage Vehicle licence.

21. Transfer of interest in the vehicle

If a proprietor of a licensed hackney carriage vehicle or of a private hire vehicle transfers his interest, in whole or in part, in the vehicle to any other person not specified in the vehicle

licence he must notify the Borough Council within 14 days using the appropriate form. The form must be accompanied by the fee and supporting documents.

22. Taximeters

All Hackney Carriage vehicles licensed or to be licensed shall have a taximeter fitted. Each taximeter shall be tested by one of the Borough Council's approved testing stations in order to establish that the meter does not produce a fare in excess of the maximums prescribed in the current Hackney Carriage Fare Tariff approved by the Borough Council.

The taximeter shall be placed in a safe position and so far as possible so that all letters and figures on the face thereof shall be at all times plainly visible to any persons being conveyed in the carriage. For that purpose, the letter and figures shall be capable of being suitably illuminated during the period of hiring.

The driver of a hackney carriage shall, at the commencement of the journey, activate the meter so that the word 'Hired' is clearly visible and shall keep the meter operating until the termination of the hiring –

'Commencement of the journey' means:

- When the hirer enters the vehicle.
- When the driver has attended at an appointed place, and has made his presence known to the hirer.
- When the driver has presented him/herself at an appointed place at a specified time.

The driver of a Hackney Carriage Vehicle shall when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate a sign, which shall bare the words 'For Hire' in clear legible letters.

Any taximeter fitted to a Hackney Carriage Vehicle, which has been adjusted or repaired shall have the taximeter retested by one of the Borough Council's approved testing stations.

The taximeter shall clearly display a fare not exceeding the rate or fare approved by the Borough Council.

The taximeter and all the fitting thereof shall be so affixed to the carriage with security seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently disabling the security seals.

A taxi meter fitted to a licensed vehicle may be inspected by an authorised officer of the Borough Council or by a Police Officer at all reasonable times.

If the officer or constable inspecting the vehicle is not satisfied as to the fitness of the vehicle or the accuracy of the meter, he may without prejudice to the taxi meter condition, give written notice to the proprietor to make the Hackney Carriage and/or taxi meter available for further inspection and testing at such reasonable time and place as may be specified, and the vehicle licence may be suspended until the officer or constable is satisfied as to the vehicles fitness or as to the accuracy of the taxi meter.

If the officer or constable is not so satisfied within two months of the initial inspection, the Hackney Carriage Licence shall be deemed revoked.

23. Passengers

The proprietor or owner of a Licensed Hackney Carriage shall not permit to be conveyed in the vehicle a greater number of persons than prescribed on the licence for the vehicle.

The driver of a Licensed Hackney Carriage shall not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in the vehicle.

A driver shall not refuse to carry fewer persons than the number marked on the plate.

24. CCTV Cameras

Licensed Vehicle proprietor may, subject to the written approval of the Borough Council, install and use a visible closed circuit TV (CCTV) surveillance camera in their vehicles which face outward and are for insurance purposes only. Should CCTV be required inside the vehicle by the Operator, written approval must be sought from the Council and would be subject to conditions.

25. Carriage of Portable Oxygen Tanks

Hackney carriage/private hire vehicle drivers will accept the carriage of portable oxygen tanks for passengers that require their usage for medical purposes.

Private Hire Operator Policy

Introduction

Any person who receives bookings or has contracts for the hire and reward for a private hire vehicle is required to hold an Operator's licence.

An Operator's Licence shall be valid for a maximum term of five years (unless a shorter period is deemed appropriate by the Borough Council).

Licence renewals will be accepted up to one calendar month before they are due to expire.

Private Hire Operator Licensing Criteria

The following will be checked before an Operators licence is issued

Licensing criteria	Required standard
Basic DBS check	An Operator must be a 'fit and proper person' and will be subject to a basic DBS check. (If the operator is also a Hackney Carriage/Private Hire driver with the authority then this pre-requisite will not be required)
Conviction declaration	The applicant must also make a declaration (by means of a form or questionnaire provided for the purpose) as to any criminal or motoring convictions recorded or pending against him/her
Code from HM Revenues and Customs (HMRC)	Applicants will be required to request a tax check from HMRC. HMRC will advise as to what information is to be provided and once satisfied will issue a 9-character code. This code is to be provided to the Licensing Team when applying to renew the licence.
Basic DBS checks for Operator Base staff	All staff at the Operator base receiving and making bookings will be required to produce a basic DBS disclosure.
Completed application form	
Payment of prescribed fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

Conditions relating to Operators Licences

1. Records to be kept by the Operator

- records 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, folder or other means approved by the Council (this can include electronic record systems providing the information is recorded, securely stored and readily retrievable), and produced for examination or on demand by an Authorised Officer/Agent or Police Officer

- the Operator shall enter in the record book, before the commencement of each journey, the following particulars of every booking invited or accepted by him
 - name and contact details of the hirer
 - location of the pick-up point
 - location of the destination
 - time the pick-up is required
 - time the booking was made
 - fare agreed and other details of booking
 - licence number of the vehicle and driver completing the hiring
 - Details of the individual that responded and/or dispatched the vehicle to the booking request.
- the Operator shall keep records of the particulars of all vehicles operated by him, including ;
 - Licence plate number,
 - name and address of the owner,
 - registration number
 - Names, addresses and badge numbers of driver of such vehicles, together with any radio call sign used
- The Operator shall keep all records for a period of six months or such longer period as is required by an Authorised Officer of the Borough Council.
- All records kept must comply with the Data Protection Act 2018

2. Standard of Service

The Operator shall provide a prompt, efficient and reliable service to members of the public at all times of operation, and for this purpose shall in particular

- ensure when a vehicle has been booked, the driver attends at the appointed time and place punctually, unless delayed or prevented by sufficient means
- any premises provided by the Operator for the benefit of the public (whether for the purpose of booking or waiting), must be kept clean, adequately heated, ventilated and lit
- ensure the waiting area provided has adequate seating facilities
- ensure good order is maintained on the premises

3. Provisions Regulating Signs on Vehicles

The proprietor of a private hire business shall not cause any advertisement in respect of his business or the vehicles used for that purpose to include the words 'taxi', or 'cab', whether in the singular or plural, or words of similar meaning or appearance to either of these words, whether alone or as part of another word. Only licensed vehicles may carry any advertisement in relation to any hackney carriage or private hire Operator.

4. Provisions Regulating the Conduct of the Operator

- An Operator shall immediately upon receipt, notify the Council in writing, of any complaints concerning the cleanliness/condition of a vehicle or a complaint against a driver
- An Operator shall maintain a log detailing any complaints received from customers. This shall be available for inspection by any authorised officer or police officer upon request. The log must provide the complainants name/address/complaint details & any action taken against driver/vehicle proprietor.
- An Operator shall notify the Borough Council within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.

Operators may be referred to the Licensing Committee for a review of their licence. In doing so, the Committee must have regard to all convictions, police cautions, charges, driving convictions, complaints of unacceptable conduct/behaviour, breach of licence conditions and other convictions obtained.

Operators should be aware that if they fail to comply with this condition, it may prevent the Borough Council from renewing their licence under delegated authority.

- An Operator must not include in his or her trading title any reference to “taxi” or “cab” unless he/she is also the proprietor of a hackney carriage vehicle
- The Operator’s licence must be produced on request of an authorised officer or police officer on request.
- Operators must ensure that non-licensed staff, i.e. controllers, cleaners etc behave in a civilised and appropriate manner when involved in the operation of the business.
- All booking and dispatch staff should be subject to a basic DBS check.
- The Operator shall provide a suitable number of parking spaces for vehicles awaiting allocation for the conveyance of passengers. These parking spaces must be notified to the Licensing Team at the time of any application or at any time there is a change in these arrangements. The Operator shall ensure that no vehicle, being operated by him or her, shall at anytime park in a position where parking restrictions are in place, at that time, any breach of this condition will be contrary to Section 55 (3) of the Act.
- An Operator must, if possible, accept a booking for a Private Hire vehicle if the booking is requested by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him/her.
- An Operator cannot make an additional charge for the carriage of an assistance dog.
- In addition to any other requirement, an Operator of a special event vehicle must also record the nature of the special event i.e. why was a special event vehicle booked
- No Operator shall invite or accept a private hire vehicle booking or control or arrange a journey to be undertaken by a private hire vehicle without first making available the charge for the hire of the vehicle to the person making the booking. The charge can be notified in writing or verbally.
- The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times. This includes the following:

- Ensure that when a private hire vehicle has been hired to attend at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, attend punctually at the appointed time and place.
 - Keep clean, adequately heated, ventilated and lit any premises which the Operator provides to which the public have access, whether for the purpose of booking or waiting.
 - Ensure that any waiting area provided by the Operator has adequate seating facilities.
 - Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- The Equality Act 2010 makes it an offence for a private hire Operator to fail or refuse to take a booking for a private hire vehicle;
 - if the booking is requested by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him; and
 - the reason for the failure or refusal is that the disabled person will be accompanied by his assistance dog.
 - This is subject to medical exemption certificates and it is also an offence for the Operator to make any additional charge as a result of the need to carry an assistance dog.

5. Operator Office Location

Operator's office must be located within the District to enable any Authorised Officer/Agent access to the premises or any records as required by statutes or conditions

The Operator shall notify the Borough Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an Operator) during the period of the licence within seven days of such change taking place.

6. Deposit of Driver and Vehicle Licences

- Any Operator who employs or permits anyone to drive any licensed vehicle owned by him or her will ensure that the driver's licence is deposited with him or her during the period that the driver is employed or permitted to drive. The licence must be returned to the driver at the end of that period.
- Any vehicle employed or used by an Operator must be licensed and the proprietor of the vehicle shall deposit his vehicle licence with the Operator during the period that his vehicle is so employed. The Operator must return the licence to the vehicle proprietor at the end of that period.

7. Vehicles and drivers

- An Operator must ensure that all vehicles and drivers working for them are licensed by the Borough Council.
- When a new driver begins to work under the control of an Operator, and when an existing driver leaves, the Operator must inform the Borough Council in writing of that change within 7 days.

- An Operator shall undertake to ensure that all drivers and vehicles owned, controlled or operated by them shall be licensed and comply with all the conditions of their driver's licence and / or Private Hire Vehicle licence.

10. Penalties

The Local Government (Miscellaneous Provisions) Act 1976 provides that any person who acts in contravention of the provisions of Part II of the Act shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. In addition such action, whether or not resulting in criminal proceedings being taken, may lead to the suspension or revocation of an existing licence or refusal to renew such a licence

Private Hire Special Event Vehicle Policy

Vehicle licences will be issued for a maximum of 12 months. Private Hire vehicles may only undertake journeys in response to advance bookings. These bookings must be undertaken by an operator who in return is required to hold a Private Hire Operator's Licence.

The following will be checked before a vehicle licence is issued

Licensing criteria	Required standard
Proof of Registered Keeper (V5 Registration Document)	<p>An applicant for a vehicle licence must be the registered keeper of the vehicle.</p> <p>For initial applications, the applicant will need to prove that they are the lawful keeper of the vehicle by providing an original copy of the vehicles V5 (vehicle registration document). A bill of sale (receipt) for that vehicle may be produced if the V5 is not available but the bill must include the date of first registration and the original V5 document must be produced within a calendar month.</p>
Vehicle Fitness standards	<p>A satisfactory vehicle inspection report following an inspection by an Authorised Officer/Agent of the Council together with proof that the vehicle meets current MOT standards. All vehicles licensed by the Borough Council require inspection at an approved garage (a list of approved garages can be found on the vehicle application form). [see Appendix V]</p>
A current vehicle insurance certificate	<p>To enable us to licence a vehicle we require sight of an original valid insurance policy, and schedule or cover note for that vehicle covering the vehicle for Private Hire work. Emailed copies of insurance documents are acceptable.</p> <p>It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.</p> <p>If the proprietor fails to produce a certificate of insurance cover on request he shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers. The suspension will remain in place until a satisfactory certificate of insurance is produced.</p> <p>Any driver insured to drive a licensed vehicle must hold a Hackney Carriage/Private Hire Drivers Licence</p>

Valid excise licence for the vehicle	All vehicles are required to be taxed unless exempt.
Basic DBS check	Proprietors of vehicles will be required to undertake a Basic DBS Check. (If the owner is also a Hackney Carriage/Private Hire driver with the authority then this Pre-requisite will not be required)
Completed application form	
Payment of correct fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

Conditions relating to Special Event Vehicles

1. Application in Writing

Any person wishing to apply for a special event vehicle licence will be required to apply in writing to Borough Council stating the type of vehicle, and age, which they intend to use and the reasons why they believe that they should be considered for this vehicle category. Vehicles issued with a special event licence shall only be used for special occasions and executive business contracts. Vehicles licensed within this category shall not be used for everyday private hire use, e.g. 'school contracts' but must work under the control of a private hire Operator.

2. Sale of Alcohol

The licensee shall not facilitate the sale of alcohol unless there is in force an appropriate authorisation under the Licensing Act 2003 (either a premises licence or temporary event notice) permitting the sale of alcohol.

3. Types of Vehicle

Special event vehicles are a type of private hire vehicle and fall into the following 4 categories:

- Executive Vehicles;
- Novelty Vehicles
- Stretched Limousines;
- Historic Vehicles

Executive Vehicles & Novelty Vehicles presented for licensing for the first time should not normally be older than 3 years on the day the application is received.

Stretch Limousines presented for licensing for the first time should not normally be older than 7 years on the day the application is received.

Historic Vehicles presented for licensing for the first time must not have been constructed after 1st January 1973. Note: This is in accordance with DVLA taxation class for Historic Vehicles.

4. Licence Plate

The special exterior vehicle licence plate will be required to be fixed to the rear of the vehicle.

5. Communication Equipment

No vehicle shall be fitted with a two-way radio system.

6. Stretched Limousines

A “stretched limousine”, is a saloon type vehicle that has undergone an increase in length by extending the wheelbase after manufacture. An “American stretched limousine” is a stretched limousine imported from the USA and typically will have been manufactured originally by Lincoln (Ford) or Cadillac.

The purpose of this Policy and subsequent conditions is to protect public safety. The conditions will apply in addition to the Authority’s standard conditions for private hire vehicles and take account of the fact that stretched limousines will:

- travel generally at slower speeds than normal taxis;
- not normally overtake other vehicles;
- be easily recognisable by the hirer;
- be heavier and considerably longer than standard cars;
- be adapted or converted by someone other than the original manufacturer.

For the purposes of calculating the seating capacity of a vehicle the minimum width of a passenger seat is 400mm (16 inches). In the case of an ‘L’ shaped seat, sufficient space must be made available in the corner to prevent the passenger on one side of the corner encroaching on the passenger on the other side.

In the case of a stretched limousine, or an American stretched limousine, where the vehicle has been constructed or adapted to seat up to 8 passengers, originals of the following documentation will be required by the Borough Council before an initial application for a vehicle licence can be considered:

- Completed importation documentation where applicable and individual vehicle approval (IVA) or Voluntary Individual Vehicle Approval (VIVA) certificate.
- Proof the ‘stretch’ was performed by the manufacturer or by a Coachbuilder approved by the vehicle manufacturer i.e. American Limousines must have been built by an approved coachbuilder under the QVM programme for Ford Vehicles or the CMC programme for Cadillac Vehicles.
- DVLA Registration Document (V5).
- Valid Certificate of Insurance, with cover for hire and reward.
- Current MOT certificate issued by an approved Testing Station.
- Where applicable, an installation certificate from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.

- Valid Road Vehicle Excise licence.

Any replacement parts fitted to stretch limousine vehicles must meet the approved standards of the stretched specifications i.e. tyres will not only have to meet the size specifications, but must also meet the weight specification.

Stretch limousines are exempt from Condition regarding tinted windows fitted to the side and rear window glass of the vehicle. The driver and passenger front side window glass and the front windscreen (cockpit area) must comply with Condition

7. Private Hire Operator – Additional Requirement

Special event vehicles must be specifically requested by the customer and it is not for the Operator to determine which class of vehicle should be assigned to the booking. In addition to the normal private hire Operator records required Operators of special event vehicles are to maintain a record of the nature of the special event i.e. Why the customer requested a special event vehicle.

Horse Drawn Hackney Carriage Vehicle Licence Policy

Introduction

Vehicle licences will be issued for a maximum of one year.

Horse Drawn Hackney Carriage (Landau) Vehicle Licensing Criteria

The following will be checked before a vehicle licence is issued

Licensing criteria	Required standard
Vehicle Fitness standards	A satisfactory inspection report following an inspection by an Authorised Officer/Agent of the Council. All vehicles licensed by the Borough Council require inspection at an approved garage (a list of approved garages can be found on the vehicle application form). [see Appendix V]
A current insurance certificate	<p>To enable us to licence a Horse drawn Hackney Carriage we require sight of an original valid insurance policy, and schedule or cover note for that vehicle covering public liability for no less than £5,000,000 (5 million).</p> <p>The policy must give details of plate number and list all named drivers for the carriage.</p> <p>It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.</p> <p>If the proprietor fails to produce a certificate of insurance cover on request he or she shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers. The suspension will remain in place until a satisfactory certificate of insurance is produced.</p> <p>Any driver insured to drive a licensed vehicle must hold a Hackney Carriage/Private Hire Drivers Licence</p>
Veterinary Surgeon Certificate	<p>A satisfactory Veterinary surgeon certificate of inspection carried out by an authorised veterinary surgeon will be required for every horse used.</p> <p>An interim Veterinary surgeon certificate of inspection will also be required - typically in July of every year.</p>
Valid Horse Passport	A valid horse passport will be required for every horse used and a copy supplied to the Licensing Team.

Basic DBS check	Proprietors of Horse drawn Hackney Carriages will be required to undertake a Basic DBS Check. (If the owner is also a Hackney Carriage/Private Hire driver with the authority then this Pre-requisite will not be required)
Horse ID mark	All horses must bear an identification mark. This must be either freeze marking or hoof branding. This mark must be present when inspected by an authorised vet and entered on the veterinary certificate. The brands should be in numbers and placed on the front nearside hoof.
Completed application form	
Payment of correct fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

Horse drawn Hackney Carriages vehicle Specification

Only vehicles meeting the following specification will be considered for licensing:

- A landau of traditional construction and appearance having spoke wheels and solid rubber tyres with a door on each side of the carriage. A drop down hood in two sections, meeting in the middle when closed and having rigid glass or plastic windows.
- A carriage with one door only at the rear, having spoke wheels and solid rubber tyres. The hood being in one piece, closing from front to rear, with no rigid windows.

Licensing Conditions for Horse drawn Hackney Carriages

- The vehicle shall be produced for examination and inspection by an Authorised Officer/Agent of the Council at such times and at such places as may be required
- The Council shall be notified if any alteration is proposed to be made to any part of the vehicle, before such alteration is carried out
- The vehicle shall be fitted with a sufficient drag-chain and slipper or other sufficient brake
- The vehicle shall be kept in good order, the inside and outside clean and braking machinery efficient
- The floor of the vehicle shall be covered with mats of a suitable material
- The vehicle shall have a watertight roof and a means of opening and closing the windows
- The seats of the vehicle shall be properly cushioned or covered; fittings and furniture shall be kept clean and adequate for the convenience of persons travelling in the vehicle

- The vehicle shall at all times display the plate showing the Hackney Carriage licence number
- The number of passengers carried in the vehicle shall not exceed the number on the Hackney Carriage licence
- A Second class Hackney Carriage shall not be used unless a dung catcher (as manufactured in accordance with the Council's specification) is fitted to the vehicle, which has the effect of preventing at least 90% of the horse dung from being deposited on the highway
- The licensee is to indemnify the Council from and against all claims by third parties arising from or in connection with the exercise of these rights hereby granted
- The Council will require the licensee to obtain road and public liability insurance policies, which include the Council's name. The amount of cover provided in respect of public liability should be a minimum of five million pounds (£5,000.000). The Council shall inspect and approve the policies before the licence is operated
- The licensee shall observe and comply with such bylaws and safety regulations recommended or imposed by law, and the bylaws and conditions from time to time in force within the District, which relate to the operating of horse-drawn vehicles
- The licensee shall not permit any person to mount, ride, drive, otherwise use, or treat any horse or the animal in their charge in such a manner as to cause suffering to the animal
- The licensee shall not cause or permit any horse or other animal in their charge to be kicked or ill-treated in any manner
- The maximum hours of working for any horse shall be ten (10) hours per day, five (5) days a week in a seven (7) day period and all horses shall be rested as appropriate. A sufficient quantity of palatable and fresh food and water shall always be available to all animals. In addition, a supply of fresh water shall always be available to all animals. Food and water being contained in a proper bag or receptacle
- Only horses shall be used to pull landaus. No horse, which in the opinion of any Authorised Officer/Agent, is incapable of pulling the vehicle or is in poor physical condition or which is suffering from any injury, disability or illness, shall be allowed to be harnessed to a landau or other vehicle
- Every part of the harness of animals drawing a Hackney Carriage shall be kept in order so that the animal is properly and securely attached to the carriage and under due control
- In the event of an Authorised Officer/Agent of the Council having reason to suspect that an animal being used in the operation of a Hackney Carriage is unfit to fulfil its functions, that animal shall be subjected to immediate inspection by a qualified veterinary surgeon and the licensee shall meet the costs involved. Where an animal is found unfit, its use in the operation of a Hackney Carriage shall be discontinued until a certificate of fitness signed by a qualified veterinary surgeon is produced to the Council's Authorised Officer/Agent
- All horses engaged in pulling second class Hackney Carriages must be at least 14.2 hands high

- The current Council Fare Table shall be exhibited on the exterior of both sides of the carriage so as to be in full view of the public at all times
- No person shall be charged more than the fares set out in the current Council Fare Table and the choice of single or return journeys shall be at the discretion of the hirer
- The licence shall be revocable in case of the Council being reasonably satisfied that a breach of the foregoing conditions or any Act or Bylaw relating to Hackney Carriages has occurred

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Pedicab Hackney Carriage Vehicle policy

Introduction

Vehicle licences will be issued for a maximum of one year.

Pedicab Hackney Carriage Vehicle Licensing Criteria

The following will be checked before a vehicle licence is issued.

Licensing criteria	Required standard
Vehicle Fitness standards	A satisfactory inspection report following an inspection by an Authorised Officer/Agent of the Council. All vehicles licensed by the Borough Council require inspection at an approved garage (a list of approved garages can be found on the vehicle application form). [see Appendix V]
A current insurance certificate	<p>To enable us to licence a Pedicab Hackney Carriage we require sight of an original valid insurance policy, and schedule or cover note for that vehicle covering public liability for no less than £5,000,000 (5 million).</p> <p>The policy must give details of plate number and list all named drivers for the carriage.</p> <p>It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance proof is to be reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.</p> <p>If the proprietor fails to produce a certificate of insurance cover on request he shall produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers. The suspension will remain in place until a satisfactory certificate of insurance is produced.</p> <p>Any driver insured to drive a licensed vehicle must hold a Hackney Carriage/Private Hire Drivers Licence</p>
Basic DBS check	Proprietors of Pedicab Hackney Carriages will be required to undertake a Basic DBS Check. (If the owner is also a Hackney Carriage/Private Hire driver with the authority then this Pre-requisite will not be required)
Completed application form	
Payment of correct fee	Up to date fees can be found online at https://www.great-yarmouth.gov.uk/article/2393/Taxi-licensing

Pedicab Hackney Carriages Specification

Only vehicles meeting the following specification will be considered for licensing:

- Purpose built Tricycle rickshaws fitted with at least 2 passenger seats

Specific Licensing Conditions for Pedicab Hackney Carriages

- The vehicle shall be produced for examination and inspection by an Authorised Officer of the Council at such times and at such places as may be required
- The Council shall be notified if any alteration is proposed to be made to any part of the vehicle, before such alteration is carried out
- The vehicle shall be kept in good order, the inside and outside clean and braking machinery efficient
- The vehicle shall have a watertight roof
- The seats of the vehicle shall be properly cushioned or covered; fittings and furniture shall be kept clean and adequate for the convenience of persons travelling in the vehicle
- The vehicle shall at all times display the plate showing the Hackney Carriage licence number
- The number of passengers carried in the vehicle shall not exceed the number on the Hackney Carriage licence
- The licensee is to indemnify the Council from and against all claims by third parties arising from or in connection with the exercise of these rights hereby granted
- The Council will require the licensee to obtain road and public liability insurance policies, which include the Council's name. The amount of cover provided in respect of public liability should be a minimum of five million pounds (£5,000,000). The Council shall inspect and approve the policies before the licence is operated
- The licensee shall observe and comply with such bylaws and safety regulations recommended or imposed by law, and the bylaws and conditions from time to time in force within the District
- The licensed Pedicab is exempt from the Council's policy of requiring hackney carriage vehicles to be installed with a taximeter
- The licensed Pedicab is exempt from any requirement to carry wheelchair passengers.
- For road safety purposes the licensed Pedicab may only operate between the following hours (1 hour after sunrise to 1 hour before sunset)
- Maximum fares for a licensed Pedicab will be agreed by Council during the application process
- The current Council Fare Table shall be exhibited on the exterior of both sides of the carriage so as to be in full view of the public at all times
- No person shall be charged more than the fares set out in the current Council Fare Table and the choice of single or return journeys shall be at the discretion of the hirer

- The licence shall be revocable in case of the Council being reasonably satisfied that a breach of the foregoing conditions or any Act or Bylaw relating to Hackney Carriages has occurred
- All other relevant rules applying to Private Hire and Hackney Carriage vehicles not referred to or exempted above (including licence fees, plating, advertising, cleanliness, carriage of assistance dogs etc) shall apply Other relevant considerations

That the area of operation for licensed Pedicabs be set as a specified radius (to be determined by the Licensing Committee) of a specified town centre or tourist attraction (to be determined by the Licensing Committee). The view of the Licensing Authority being that it would be unreasonable to expect a licensed Pedicab driver to undertake a hiring outside the specified distance / radius.

APPENDIX I

PENALTY POINTS SYSTEM

The Borough Council operates a local penalty points scheme. This is a separate scheme to that which operates under the Road Traffic Offenders Act 1988.

Penalty points can be imposed on the drivers of Private Hire Vehicles and Hackney Carriages, proprietors of vehicles and Operators of Private Hire Vehicles for various infringements and are shown below. This system is designed for the public interest, as an aid to ensure continued public safety and to give the individual concerned a chance to rectify any relatively minor breaches of licence conditions without the need for the Council to resort straight to suspension/revocation or prosecution.

Drivers aggrieved by the imposition of penalty points on their hackney carriage /private hire drivers licence may appeal in writing to the Licensing Manager within 21 days of the notification of points awarded and have the matter considered by the Councils Licensing Committee.

If an individual concerned accrues a total of 12 local penalty points within a 3 year period then he/she will automatically be referred to the Licensing Committee of the Council to show just cause why their licence should continue.

The following list, whilst not exhaustive, details the circumstances in which a licence holder will be directly referred to the Licensing Committee:

- Providing false or misleading information on licence application form, or failing to provide relevant information including any convictions imposed;
- Authorised officer refused access to Operator/driver records;
- Carrying excess passengers;
- Abusive or obstructive behaviour (verbal or physical) to authorised officers of the Borough Council or police officers;
- Using a vehicle for which the licence has been suspended or revoked;
- Carrying an offensive weapon in the vehicle;
- Driver not holding a current DVLA licence;
- Nine or more penalty points on a DVLA driving licence;
- Convictions including motoring convictions for:
 - Drinking/drugs and driving;
 - Causing death by careless driving;
 - Reckless/dangerous driving
 - Offences resulting in disqualification;
 - Disqualified from holding a licence until driving test passed.

The following list, whilst not exhaustive, details the number of penalty points that will be awarded for the infringements shown:

Infringement	Penalty
Failing to have a Private Hire Driver/ Hackney Carriage Driver badge in his/her possession whilst driving a licensed vehicle	3 Points
Not having an appropriate Fire Extinguisher and/or first aid kit in the vehicle	3 Points
Failing to notify the Licensing Office, in writing within 7 days, of a change to name and/or address	3 Points
Failing to carry Licensing Handbook whilst driving a licensed vehicle	3 Points
Failing to display any Plates, Signs or Notices required by the Borough Council	3 Points
Failing to deal with lost property in the correct manner	3 Points
Private Hire Operator failing to notify the Licensing Office of any complaints received	3 Points
Failing to attend the Council Offices when directed by an authorised officer	3 Points
Failing to provide annual check documentation within 7 days of request.	3 Points
The issue of an Unfit vehicle notice for any reason other than for an accident	3 Points
Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	3 Points
Failing to attend at appointed time and place without sufficient cause	3 Points
Failing to display fare card (Hackney carriage)	3 Points
Parking/Stopping contrary to authorised road markings	3 Points
Parking/Stopping with one or more wheels on the pavement – in avoidable circumstances where obstruction has been caused	3 Points
Failing to notify the Licensing Office, in writing within 7 days, of any points or convictions being imposed	4 Points
Failing to produce a valid insurance certificate/cover note within 7 days of request	4 Points
Failing to notify the Licensing Office, in writing within 72 hours, of being involved in an accident	4 Points
Leaving a vehicle unattended on the rank	4 Points
Private Hire Operator failing to maintain their records in the correct format	4 Points
A licensed vehicle not carrying a spare wheel that is capable of being used	4 Points
Using a mobile phone, radio hand set, eating or drinking whilst the vehicle is in motion unless specifically exempted by law	6 Points
Displaying any feature on a private hire vehicle which would suggest it is a taxi	6 Points
Using a unlicensed vehicle	6 Points
Private Hire drivers touting for business	6 Points
Failing to notify the Licensing Office of any change in medical fitness to drive	6 Points

APPENDIX II

POLICY ON CONVICTIONS AND CRIMINAL OFFENCE GUIDELINES

The following statement is the policy of the Great Yarmouth Borough Council and will apply to all applicants for and holders of a Hackney Carriage and Private Hire Driver's licence:

1. The public are entitled to have the utmost confidence in drivers of hackney carriage (taxis) and private hire vehicles. The Borough Council must ensure that only fit and proper persons obtain drivers' licences.
2. As noted from the Institute of Licensing guidance this is reflected in the following test:

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

3. In deciding whether an individual is a fit and proper person to be granted a drivers licence previous convictions and cautions are very relevant. For this reason, applicants for new licences must declare all previous convictions and cautions. Where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a fit and proper person.
4. Existing licence holders must inform the Borough Council, in writing, of any convictions and cautions they receive within seven days of receiving such.
5. A formal written warning and the issue of penalty points may be given to an individual who has a conviction, or has been issued with a caution, when it is not considered appropriate to revoke or suspend his or her licence.
6. If the Licensing Officer considers on a preliminary view that an application should be refused, or a licence revoked or suspended, the officer will arrange to see the individual so that the full facts can be ascertained. If, following the interview, the officer is still of the view that the application ought to be refused, or the licence revoked or suspended, the matter will be referred for consideration by the Licensing Committee. If a serious offence has been committed, the officer may revoke the licence or suspend the driver immediately. The individual will be notified of the time and date of the meeting and will be able to attend and speak. He/she will be entitled to be represented at the meeting by a friend, colleague or solicitor.
7. If the Licensing Committee refuses an application, or revokes or suspends the licence, the individual has a right of appeal to the Magistrates' Court.
8. It is an offence for any person knowingly or recklessly to make a false statement or to omit any material particular in giving information required by the applicant for a licence, punishable by up to seven (7) years imprisonment upon conviction. Applicants are therefore advised to make a full statement of all offences, (whether spent or not) on the relevant form.
9. It is difficult to lay down precise guidelines as to when a conviction or caution will lead to an application being refused, or an existing licence being revoked or

suspended. However, the following guidelines will hopefully be of assistance to applicants and licence holders alike. The following list is not exhaustive, and each case will be considered and decided on its own merits.

Offence	Required Standards
Crimes resulting in death or intention to cause death or serious injury of another person	Where an applicant has been convicted of a crime which resulted in the death of or serious injury to another person or was intended to cause the death or serious injury of another person they will not be licensed. Existing licence holders will have their licence reviewed.
Exploitation	Where an applicant has been convicted of a crime involving, related to, or has any connection with the abuse or exploitation of another individual irrespective of whether the victim or victims were adults or children they will not be licensed. Existing licence holders will have their licence reviewed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.
Offences involving violence	Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed. Existing licence holders will have their licence reviewed.
Possession of a weapon	Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. Existing licence holders will have their licence reviewed.
Sexual offences	Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list. Existing licence holders will have their licence reviewed.

Dishonesty	Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.
Drugs	<p>Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least ten years have elapsed since the completion of any sentence imposed.</p> <p>Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed.</p> <p>In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.</p> <p>Existing licence holders will have their licence reviewed.</p>
Discrimination	<p>Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p> <p>Existing licence holders will have their licence reviewed.</p>
Motoring Convictions and Offences	<p>Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public.</p> <p>It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not prohibit the granting of a licence or may not result in action against an existing licence.</p> <p>A minor traffic or vehicle related offence is one which</p> <ul style="list-style-type: none"> • Does not involve loss of life • Driving under the influence of drink or drugs • Driving whilst using a mobile phone

	<p>And has not resulted in injury to any person or damage to any property (including vehicles)</p> <p>Generally, no formal action will be taken unless the individual has seven or more points on their DVLA licence for minor traffic or similar offences. For applicants and existing licence holders that have more than seven points, each case will be treated on its own merits and may need to be reviewed by Licensing committee.</p> <p>In totting up cases where a period of disqualification is given, an applicant will normally be expected to show a period of 12 months free from conviction before their application will be considered. Existing licensees will have their licence reviewed.</p> <p>A major traffic or vehicle related offence is one which</p> <ul style="list-style-type: none"> • Is not covered above; and also any offence which results in injury to any person or damage to any property (including vehicles) • It also includes driving without insurance or • Any offence connected with motor insurance <p>Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. Existing licence holders will have their licence reviewed.</p>
Drink driving/driving under the influence of drugs.	<p>Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.</p> <p>Existing licence holders will have their licence reviewed.</p>
Using a hand-held device whilst driving	<p>Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.</p>

	Existing licence holders will have their licence reviewed.
Hackney carriage and private hire offences	Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. Existing licence holders will have their licence reviewed.
Vehicle use offences	Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. Existing licence holders will have their licence reviewed.

APPENDIX III

HACKNEY CARRIAGE BYELAWS

Byelaws made under Section 68 of the Town Police Clauses Act, 1847 and Section 171 of the Public Health Act, 1875 by the **Great Yarmouth Borough Council** with respect to Hackney Carriages in the Borough of Great Yarmouth

1.	Throughout these bylaws "the Council" means the Great Yarmouth Borough Council. "The District" means the Borough of Great Yarmouth. "First class hackney carriage" means a hackney carriage propelled by mechanical means. "Second class hackney carriage" means a hackney carriage drawn by an animal or animals. PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE, CORRESPONDING WITH THE NUMBER OF ITS LICENCE, SHALL BE DISPLAYED.
2.(a)	The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto
(b)	A proprietor or driver of a hackney carriage shall:-
(i)	not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire
(ii)	not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.
	PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED
3.	The proprietor of a hackney carriage shall:-
(a)	provide sufficient means by which any person in the carriage may communicate with the driver
(b)	cause the roof or covering to be kept water-tight
(c)	provide any necessary windows and a means of opening and closing not less than one window on each side
(d)	cause the seats to be properly cushioned or covered
(e)	cause the floor to be provided with a proper carpet, mat, or other suitable covering
(f)	cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way, fit for public service
(g)	provide means for securing luggage if the carriage is so constructed as to carry luggage
(h)	provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
(i)	provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4.	The proprietor of a first class hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:-
(i)	if the taximeter is fitted with a flag or other device bearing the words "For Hire":
(a)	the words "For Hire" shall be exhibited on each side of the flag or other device in plain letters at least one and a half inches in height

	<p>and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible</p> <p>(b) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible</p> <p>(c) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.</p> <p>(ii) if the taximeter is not fitted with a flag or other device bearing the words "For Hire":</p> <p>(a) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "Hired" to appear on the face of the taximeter</p> <p>(b) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.</p> <p>(iii) 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 bylaw in that behalf for the hire of the carriage by distance</p> <p>(iv) 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</p> <p>(v) 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</p> <p>(vi) 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.</p> <p>5. The Proprietor of a first class hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "For Hire" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:</p> <p>(a) the sign shall bear the words "For Hire" in plain letters at least one and a half inches in height</p> <p>(b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.</p> <p>6. The Proprietor of a second class hackney carriage shall provide the carriage with a sufficient drag-chain and slipper or other sufficient brake.</p> <p>PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES</p> <p>7. The driver of a first class hackney carriage shall:</p> <p>(i) if the taximeter is fitted with a flag or other device bearing the words "For Hire":</p> <p>(a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible</p>
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	<p>(b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring</p> <p>(ii) if the taximeter is not fitted with a flag or other device bearing the words "For Hire":</p> <p>(a) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of bylaw 5 so that the words "For Hire" are clearly and conveniently legible by persons outside the carriage</p> <p>(b) as soon as the carriage is hired whether by distance or time, operate the said sign so that the words "For Hire" are not conveniently legible by persons outside the carriage</p> <p>(c) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "Hired" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.</p> <p>(iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.</p>
8.	A Proprietor or driver of a hackney carriage shall not tamper with or permit any persons to tamper with any taximeter with which the carriage is provided, with the fittings thereof or with the seals affixed thereto.
9.	<p>The driver of a hackney carriage shall when plying for hire in any street and not actually hired:</p> <p>(a) proceed with reasonable speed to one of the stands fixed by the bylaw in that behalf</p> <p>(b) if a stand, at the time of his arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand</p> <p>(c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction</p> <p>(d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward</p> <p>(e) remain in his carriage if it occupies the first or second position on the stand, ready to be hired at once.</p>
10.	A Proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
11.	The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
12.	The Proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless

	<p>delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.</p> <p>13. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.</p> <p>14. A Proprietor of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.</p> <p>15. If a badge has been provided by the Council and delivered to the driver of a hackney carriage, he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.</p> <p>16. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:</p> <ul style="list-style-type: none"> (a) convey a reasonable quantity of luggage (b) afford reasonable assistance in loading and unloading (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such persons. <p>17. A Proprietor or driver of a second class hackney carriage shall not in any street feed or allow to be fed any horse or any other animal harnessed to a carriage unless the food is contained in a proper bag or other receptacle or is delivered with the hand.</p> <p>18. The driver of a second class hackney carriage shall, while standing, plying or driving for hire cause every part of the harness of the animal or animals drawing the carriage to be kept in order so that the animal or animals drawing the carriage to be kept in order so that the animal or animals shall be properly and securely attached to the carriage, and under due control.</p> <p>18.(a)**The Proprietor or driver of a hackney carriage shall not while standing, plying or driving for hire, drive or allow to be driven, or harness or allow to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage, or any person traversing any street, to risk of injury.</p> <p>19. While any hackney carriage is stationed on an authorised stand, the driver shall not sweep out or wash such carriage.</p> <p>PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF</p> <p>20. The Proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.</p> <p>21. The Proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found or handed to him:</p> <ul style="list-style-type: none"> (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the Police Headquarters, Great Yarmouth, or the Police Station, Gorleston and leave it in the custody of the officer in charge of the office on his giving a receipt for it (b) be entitled to receive from any person to whom the property shall be redelivered 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) but not more than five pounds. <p>PROVISIONS FIXING THE STANDS OF HACKNEY CARRIAGES</p>
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22.	(This Byelaw has ceased to have effect by virtue of Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 but the stands fixed by the Byelaw are deemed to have been appointed under that Section and are (as amended) set out in Appendix 1). PROVISIONS FIXING THE RATES OR FARES, AS WELL FOR TIME AS DISTANCE TO BE PAID FOR FIRST CLASS HACKNEY CARRIAGES WITHIN THE BOROUGH AND SECURING THE DUE PUBLICATION OF SUCH FARES
23.	(These Byelaws ceased to have effect by virtue of Section 65(6) of the Local Government (Miscellaneous Provisions) Act 1976. The table of fares (as amended) is set out in Appendix 2).
24.(a)	The Proprietor of a hackney carriage shall cause a statement of the fares fixed by the bylaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
(b)	The Proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.
	PENALTIES
25.	Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.
26.	The Byelaws made by the Mayor, Aldermen and Burgesses of the County Borough of Great Yarmouth on the 28 July 1965 and 7 April 1971 and confirmed by one of Her Majesty's Principal Secretaries of State of 1 December 1965 and 10 May 1971 respectively and the Byelaw made by the Council of the Borough of Great Yarmouth on the 10 November 1977 and confirmed by one of Her Majesty's Principal Secretaries of State on the 23 December 1977 are hereby repealed.
	IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed this second day of May One thousand nine hundred and seventy eight.

APPENDIX IV

HACKNEY CARRIAGE STANDS

The Borough Council has appointed stands for **motorised hackney carriages**. The table below is a historical list of the locations, which is currently under review.

	Name of Street	Situation of stand	Number of vehicles
1	Alexander Rd (Western Side)	12 metres south of its junction with Regent Road, southwards for a distance of 25 metres	4
2	Beach Coach Station	Lay-by in Coach Station	20
3	Hall Quay	East side, 39.5m from its junction with Regent Street.	5
4	Market Gates Rd	South side	4
5	Regent Street	South side, from a point 46 metres north-east of its junction with Howard Street South in a north easterly direction for a distance of 20 metres	6
6	Theatre Plain	East Side (see below, feeder rank added)	8
7	Marine Parade	West side from a point 9.5 metres north of its junction with U60492 Trafalgar Road (<i>measured from its centre line</i>) northwards for a distance of 12 metres.	2
8	Marine Parade	Britannia Pier entrance bus stop Northwards	4
9	Marine Parade	West side from a point 32 metres north of its junction with Standard Road (measured from its centre line) northwards for a distance of 53 metres.	10
10	Marine Parade	From entrance to Sea Life Centre extending northwards	6
11	Pier Walk, Gorleston	East of the main entrance to the Ocean Rooms, vehicles parking parallel to the kerb	3
12	Bus stops Marine Parade	The use of the following bus stops between 11.45pm and 6.30am West side near Bourbon Street West side near Tower	2 2
13	King Street	27 metres south-east of the centreline of its junction with the C610 King Street, south-eastwards for a distance of 50 metres (6pm-8am)	10
14	St Peters Road	North side of St Peters Road from a point 15 metres, due east of junction of St Peters Rd	4

	Name of Street	Situation of stand	Number of vehicles
		and Standard Place, extending 32 metres in an easterly direction	
15	Freemantle Road	East Side, outside Tattersalls Gate at Racecourse	6
16	Marine Parade	Outside 59 Marine Parade	2
17	High Street, Gorleston	East side of public conveniences (Feathers Plain)	5
18	School Lane, Gorleston	North Side	4
19	Brewery Plain	To the north of the entrance to Tesco's supermarket (now palatial bingo/casino)	2
20	South Beach Parade	On the east side of the Parade extending northward from the opening leading to the Pleasure Beach (11pm – 6am) <i>Also Landau rank in the daytime</i>	14
21	Marine Parade	To run Southwards from the southern end of the bus stop outside Bourbon Street, for the hours 11pm to 6.30am (this is to supplement the existing rank for two taxis)	8
22	Temple Road Eastern side	From a point 63 metres south of the centreline of the junction of the U60486 South Market Road southwards for a distance of 46 metres	8
24	Theatre Plain South-West side	From a point 29 metres north-west of the centreline of its junction with the C610 King Street northwards for a distance of 14 metres (6am-6pm)	2

The Borough Council has appointed stands for **landaus, second class hackney carriages** at the following locations

	Name of Street	Situation of stand	Number of vehicles
1	Marine Parade	Britannia Pier Rank (Landau Station)	11
2	South Beach Parade	On east side of Parade extending northwards from opening leading to Pleasure Beach	14

APPENDIX V

HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE COMPLIANCE TESTING STATIONS AND STANDARDS

The Council has appointed the following test stations:

Centre	Phone number	Opening Hours:
Runham Garage & MOT Centre 22-26, North River Road, Great Yarmouth	01493 332166	Monday to Friday 8.00 am to 6.00 pm Saturday 8.00 am to 1.00 pm
Pertwee & Back Ltd, Southgates Road, Great Yarmouth	01493 331551	Monday to Friday 8.30 am to 5.00 pm
Perfect Engineering, Harfreys Road, Harfreys Industrial Estate, Great Yarmouth	01493 657131	Monday to Friday 8.00am to 5.00pm
Eastern Car Commercials, Whipstock House, Southgates Road, Great Yarmouth	01493 332013	Monday to Friday 8.00 am to 5.00 pm,
Albies Workshop Suffling Road Great Yarmouth	01493 855577	Monday to Friday 8.00 am to 6.00pm,
Swift Enterprises GY Ltd Swift House Morton Peto Road Gapton Hall Estate Great Yarmouth	01493 302030	Monday to Friday 6.00am to 8.00pm Saturday 8.00am to 1.00pm By Appointment
Autotune Unit 2 Anglia House Riverside Road Gorleston Great Yarmouth NR31 6PX	01493 658882	Monday to Friday 8.00am to 6pm Saturday 9.00am to 12 noon
LS Motor Repairs Unit 8/9 Suffolk Road Gorleston Great Yarmouth NR31 0LN	(01493) 859469	Monday to Friday 9.00am to 4.00pm Saturday 9.00am to 1:00pm
Waveney District Council Testing Station Rotterdam Road Lowestoft NR32 2EF	01502 565626	By Appointment Specific test station for Special Event Vehicles and cases where prescribed by Authorised Officers

Guidance for Approved Testers

1. This document is intended to provide practical guidance to vehicle testers charged with assessing vehicles being issued with a certificate of compliance. It will also give a general insight into the type of examination the vehicle will be subjected to before it can be issued with a certificate of compliance.
2. It is the responsibility of owners, Operators and drivers to ensure that their vehicles comply with the current rules and regulations of the appropriate Road Traffic Act and current Construction and Use Regulations at all times.
3. Where a vehicle is found not to conform to the requirements of the M.O.T. test and/or compliance test standards, that vehicle may have its licence suspended until the Borough Councils authorised officers are satisfied that the vehicle is fit to be licensed.
4. No adaptations, alterations, modifications, additional equipment, optional extras with the exception of tow bars fitted to a professional standard, are to be fitted to the vehicles without the prior approval of the Borough Council. Any owner wishing to alter or modify the vehicle, including the fitting of extras or alternative parts to those supplied by the manufacturer must seek prior permission from the Borough Council. Certain modifications may require special inspection by the Borough Council's authorised officer or his nominee before approval is given. (A fee may be applicable)
5. When a vehicle presented for compliance test fails on more than twelve items, that vehicle will have to be re-submitted for a full compliance test and a re-test fee will be charged. The vehicle proprietor will be issued with a failure sheet from the testing station, and the testing station will supply a copy of the failure sheet to the Licensing Team at the Borough Council.
6. Both M.O.T. and compliance tests must be completed by the same examiner at the same test station at the same time of day (obviously MOT testing is completed without avoidable distraction etc so compliance testing may be carried out before or after the MOT inspection). Compliance failure items must be resolved with the same garage at a later date.
7. The Borough Council recognises the need for approved MOT vehicle station examiners to test drive Hackney Carriage and Private Hire vehicles as part of the compliance inspection process.
8. Vehicles which are less than 3 years old and do not under national law require an MOT are required to be tested which will include a compliance test as well as a mechanical test to MOT standards
9. The procedures and standards for the tests must follow those laid down in:
 - The “Best Practice Guide to Inspection of Hackney Carriage & Private Hire Vehicles” produced by the Hackney Carriage and Private Hire Inspection Technical Officer Group of the Public Authority Transport Network and published by the Freight Transport Association

http://www.fta.co.uk/export/sites/fta/_galleries/downloads/vehicle_testing/Hackney_Carriage_document_0812.pdf

- The national MOT inspection manual for classes 3,4,5 and 7 vehicle applicable to Hackney Carriages and Private Hire Vehicles as currently published by the Driver and Vehicle Standards Agency
- The Great Yarmouth Borough Council Hackney Carriage and Private Hire Policy & Handbook

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