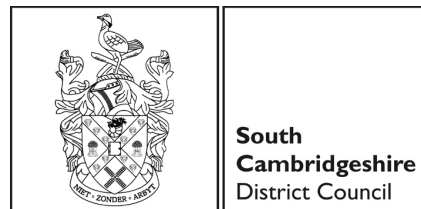


South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 08450 450 500  
f: 01954 713149  
dx: 729500 Cambridge 15  
minicom: 01480 376743  
[www.scambs.gov.uk](http://www.scambs.gov.uk)



12 February 2007

To: Chairman – Councillor RE Barrett  
Vice-Chairman – Councillor R Hall  
Members of the Licensing Committee – Councillors Mrs PM Bear, EW Bullman,  
Mrs SM Ellington, Mrs A Elsby, Mrs SA Hatton, Mrs HF Kember, RB Martlew,  
RM Matthews, DC McCraith, Mrs CAED Murfitt, A Riley, Mrs HM Smith,  
Mrs DSK Spink MBE and  
Councillor MP Howell, Environmental Health Portfolio Holder

Dear Councillor

You are invited to attend a joint meeting of the **ENVIRONMENTAL HEALTH PORTFOLIO HOLDER AND LICENSING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **TUESDAY, 20 FEBRUARY 2007 at 10.00 a.m.**

Yours faithfully  
**GJ HARLOCK**  
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

---

<b>AGENDA</b>		<b>PAGES</b>
<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>	<b>MINUTES OF LAST MEETING</b> To confirm that the minutes of the meeting held on 16 October 2006 are a correct record.	<b>1 - 4</b>
<b>4.</b>	<b>ADOPTION OF DRIVING TEST FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS - RECOMMENDATION TO CABINET</b> The appendices are available in hard copy only.	<b>5 - 8</b>
<b>5.</b>	<b>PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLE LICENSING CONDITIONS - RECOMMENDATION TO CABINET</b> Appendix B available in hard copy only.	<b>9 - 22</b>
<b>6.</b>	<b>PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER APPLICATION GUIDE - RECOMMENDATION TO CABINET</b> Appendix B available in hard copy only.	<b>23 - 32</b>
<b>7.</b>	<b>PRIVATE DRIVER LICENSING CONDITIONS - RECOMMENDATION TO CABINET</b> Appendix B available in hard copy only.	<b>33 - 44</b>



## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

### **Security**

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

### **Emergency and Evacuation**

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

**Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

### **First Aid**

If someone feels unwell or needs first aid, please alert a member of staff.

### **Access for People with Disabilities**

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

### **Toilets**

Public toilets are available on each floor of the building next to the lift.

### **Recording of Business**

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

### **Banners / Placards / Etc.**

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

### **Disturbance by Public**

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

### **Smoking**

The Council operates a NO SMOKING policy.

### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

### **Mobile Phones**

Please ensure that your phone is set on silent / vibrate mode during meetings.



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

At a joint meeting of the Environmental Health Portfolio Holder  
and Licensing Committee held on  
Monday, 16 October 2006 at 10.00 am

PRESENT: Councillor RE Barrett – Chairman  
Councillor R Hall – Vice-Chairman

Councillors: Mrs PM Bear EW Bullman  
Mrs SM Ellington Mrs A Elsby  
Mrs SA Hatton RMA Manning  
RB Martlew DC McCraith  
Mrs CAED Murfitt A Riley

Officers: Dale Robinson, Catriona Dunnett, Myles Bebbington and Maggie Jennings.

**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillor Mrs HF Kember, RM Matthews, Mrs HM Smith and Mrs DSK Spink MBE

**2. DECLARATIONS OF INTEREST**

2.1 None.

**3. MINUTES OF LAST MEETING**

3.1 The minutes of the meetings held on 10 August and 19 September 2006 were agreed as correct records.

**4. GAMBLING ACT 2005 - ADOPTION OF POLICY**

4.1 Members considered the Gambling Act draft Licensing Policy and covering report and noted that

- the Government had extended the timescale for the Council to approve and publish its policy; this was now 31 March 2007
- the first date for accepting applications would be 30 April 2007
- further guidance would be issued by the Gambling Commission regarding the suitability and layout of casino premises
- this authority had not passed a 'no casino' resolution, but was aware that it had the power to do so
- four letters had been received as a result of the consultation process

4.2 Some Members voiced their concern in reviewing the policy as training had not yet been given to Members on the Gambling Act, however on taking a vote it was agreed that consideration of the policy should continue. Members noted that training was scheduled for Friday, 17 November and all those present, except Cllr Mrs A Elsby who would be on holiday, indicated that they would be attending the training session. The Chief Environmental Health Officer informed Members that the policy could be re-examined if they felt it was necessary once they had received training, and reassured them that the policy before them complied with the appropriate legislation.

4.3 General discussion ensued relating to the following:

- Posters advertising GamCare Helpline should be *prominently* displayed
- Defer consideration of a 'no casino' resolution until regulations from the government had been received
- This legislation did not apply to Bingo premises unless the stake money was in excess of £2000
- Confirmation was given that it was the premises or land that were licensed and not the person
- Surprise was expressed that neither the Police nor the CAB had responded to the consultation

4.4 Careful consideration was then given to the contents of the policy and as a result, the following amendments were made:

- para 7.8 – delete *with* in the sentence .... named department *with* whom the Licensing Authority .....
- paras 6.4, 9.2 and 10.2 – delete *ordinarily* in the last bullet point ... cash terminals are *ordinarily* separate from .....
- para 8.1 – delete *both* and *and proportionate, or* in the sentence ... that door supervision is *both* necessary *and proportionate, or* if there is clear .....

4.5 In conclusion, it was agreed that a most frequently Question and Answer format regarding the Gambling Act policy be placed on the council's website and an information sheet to be provided for members in advance of the training session.

4.6 The Licensing Committee, subject to the amendments listed above,

**RECOMMENDS** to the Environmental Health Portfolio Holder that the Gambling Act 2005 Statement of Policy as attached as Appendix C to the agenda be approved and ratified and adopted by Cabinet and Council.

**DECISION BY THE ENVIRONMENTAL HEALTH PORTFOLIO HOLDER**

The Environmental Health Portfolio Holder

**RECOMMENDS** to Cabinet and Council that the Gambling Act 2005 Statement of Policy be approved.

---

**The Meeting ended at 11.20 a.m.**

---

This page is intentionally left blank





merits, any such decision would have an appeal process in accordance with Council procedures.

7. Any applicant who fails the DSA test would have a right of appeal through the Driving Agency procedures. The grant of a DSA pass certificate would not automatically give the holder a right to obtain a licence with this Authority and any subsequent application for a drivers licence would be subject to the normal procedures and checks as referred to in paragraph 4.
8. The Government supported vocational qualifications for Taxi & Private Hire trades was also considered. These qualifications are run by an organisation called Go Skills and are nationally recognised vocational qualifications for the taxi and PHV trades. Areas of training cover customer care, including how best to meet the needs of people with disabilities and other sections of the community, and also topics such as the relevant legislation, road safety, the use of maps and GPS, the handling of emergencies, and how to defuse difficult situations and manage conflict.
9. This was considered to be a good initiative however it had the disadvantages of: -
  - (a) Being largely available to the London Area
  - (b) A cost in excess of £500
  - (c) Take time to obtain i.e. approximately 70 hours

It was therefore felt that requiring this qualification would be overly restrictive and not in compliance with the Governments own best practice guidance.

10. There are currently 81 Authorities in the country that have adopted this testing procedure with another 20 currently at a similar stage to SCDC. Nearby authorities that have adopted this scheme include Bedford and South Bedfordshire whilst St Edmundsbury are considering its worth.

**Options**

11. Members may approve the recommendations, reject them or amend them.

**Implications**

12. Financial	There are no financial implications to the Council
Legal	Any right of appeal for failing the DSA test would lie with the Driving Standards Agency. Any applicant may appeal to a Magistrates Court in compliance with both the Local Government (Miscellaneous Provisions) Act 1976 and the Human Rights Act (right to a fair hearing) if they feel the procedures adopted by the Council are unreasonable.
Staffing	There are no staffing implications arising from this report
Risk Management	N/A
Equal Opportunities	Applications for the test are welcomed from all persons subject to provisions of legislation

**Consultations**

13. During August and September 2006 the Trade was consulted on the proposals. All Operators were contacted and asked for their views. Of the 132 licensed Operators 4 replied and all but one were in favour of the proposed test as detailed in **Appendix B**.

**Effect on Annual Priorities and Corporate Objectives**

14.	Affordable Homes	Not applicable
	Customer Service	Improvement in standards of drivers will benefit the general public
	Northstowe and other growth areas	Not applicable
	Quality, Accessible Services	See customer service
	Village Life	The provision of a safe and reliable transport system assists this objective
	Sustainability	N/A
	Partnership	This is a partnership working with Government agencies

**Conclusions/Summary**

15. The standard of driving is the single biggest area of complaint by customers using South Cambridgeshire Licensed vehicles. Erratic driving, speeding and generally driving without consideration to the needs of the passengers are recurring themes. The introduction of a nationally approved test completed by a Government appointed agency would address a number of these concerns and would help in building confidence between the trade and the travelling public.

**Recommendations**

16. The Environmental Health Portfolio Holder and Licensing Committee is requested to recommend to Cabinet that:

All new applicants or existing drivers who have allowed their licenses to lapse in any manner are required to undertake and pass the Driving Standards Agency test for Private Hire and Hackney Carriages before being granted a licence by South Cambridgeshire District Council except,

- (i) Where an applicant for a Private Hire or Hackney Carriage drivers licence has successfully completed all the Go Skills vocational qualification modules and/or
- (ii) Where an applicant already holds the Institute of Advanced Motoring qualification the DSA driving test shall be waived.

**Background Papers:** the following background papers were used in the preparation of this report: Local Government (Miscellaneous Provisions) Act 1976 Driving Standards Agency private Hire – Hackney Carriage Assessment pack.

**Contact Officer:** Myles Bebbington – Licensing Officer  
 Telephone: (01954) 71 3132  
 Dale Robinson – Corporate Manager – Health & Environmental Services

This page is intentionally left blank



vehicle licensing, views from the trade, conditions of licensing by neighbouring authorities and the need to promote public safety.

7. The main changes proposed within the new conditions relate to the following areas:-

- Type of vehicle with consideration to access and egress. Restricted or inappropriate access or egress could be a safety risk in the case of an accident. Clear guidelines on types of vehicles prevent unsuitable or inappropriate vehicles from being licensed.
- Age of vehicles when first presented for licensing. Age restriction on initial licensing will promote the use of newer and safer vehicles within the trade.
- General Safety and maintenance of vehicles to promote issues of public safety
- Transfer of licence. It is essential that records of ownership are kept up to date for both Local Authority enforcement and partnership working primarily with the Police. Failure to notify a transfer would now be an enforceable matter.
- Penalties for failure to comply with licensing conditions. The addition of this wording assists in promoting the conditions in general by making it clear that the Licensing Authority takes seriously any breaches.

The proposals are intended to maintain and improve the safety of the travelling public and improve the standard of licensed vehicles within the District.

**Options**

8. Members may adopt the following options
- (a) Agree the proposed conditions as recommended at Appendix C.
  - (b) Reject the proposed conditions as recommended at Appendix C.
  - (c) Amend the conditions attached as Appendix C.

**Implications**

9. Financial	Conditions relating to reduced Licensing Fees will result in a small reduction of income for the Licensing Authority
Legal	As referred to in the report. Any applicant for a Private Hire Vehicle or Hackney Carriage Vehicle has a right of appeal to a Licensing sub-committee or a Magistrates Court if the application is refused on the grounds that the vehicle does not meet the licensing conditions adopted by this Authority
Staffing	There are no staffing implications resulting from this report
Risk Management	N/A
Equal Opportunities	The licensing regime promotes equal opportunity

**Consultations**

10. All existing vehicle proprietors were consulted seeking their written views and comments on the proposed changes. Those that replied have their letters attached as **Appendix B**. The general view was in support of the proposed conditions. Constructive comments particularly in respect to the age of vehicles and the engine capacity, have been considered and the proposed conditions amended to accommodate these, whilst still ensuring that public safety and high standards are maintained

**Effect on Annual Priorities and Corporate Objectives**

11.	Affordable Homes	Not applicable
	Customer Service	The improvements in standards will benefit the general public
	Northstowe and other growth areas	Not applicable
	Quality, Accessible Services	As referred to in paragraph 5, relating to access of the service to the general public
	Village Life	The provision of a safe and reliable transport system assists this objective licensing controls are there to ensure the community is not put at risk
	Sustainability	N/A
	Partnership	Enforcement of conditions is regularly carried out as a partnership working with Police and Vehicle inspectorate

**Conclusions/Summary**

12. The intention is to ensure that South Cambridgeshire’s Licensing conditions promote public safety, reflect Government guidance whilst at the same time not being unnecessarily onerous on both the existing trade and those wishing to enter the trade. Careful consideration has been given to the comments made by the trade in preparing this report for members. The revision of these conditions would as far as is practicable ensure that vehicles maintain a high standard and offer a safe service to the general public.

**Recommendation**

13. The Environmental Health Portfolio Holder and Licensing Committee are requested to recommend to Cabinet the adoption of the new set of conditions as attached in Appendix C.

**Background Papers:** the following background papers were used in the preparation of this report:

- Local Government (Miscellaneous Provisions) Act 1976
- Town Police Clauses Act 1847
- DFT Taxi & Private Hire Vehicle Licensing – best practise guidance

**Contact Officer:** Myles Bebbington – Licensing Officer  
 Telephone: (01954) 713132  
 Dale Robinson – Corporate Manager Health & Environmental Services

This page is intentionally left blank



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL****VEHICLE LICENCE CONDITIONS**  
**PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGES**  
**(1999-EDITION (1))**

These conditions apply to both hackney carriages and private hire vehicles except where stated. The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times and that the other requirements set out below are strictly complied with:

1. **TYPE OF VEHICLE**

The vehicle must be safe, comfortable and suitable in type, size and design for use as a private hire vehicle and must be:-

- (a) Private Hire Vehicle: not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; or

Hackney Carriage: a "London" type taxi cab finished in the manufacturer's standard colour; or

- (b) a standard saloon type or estate/hatchback/mpv type car finished in the manufacturer's standard colour with a minimum of four doors (sports saloons, drop head coupes, convertibles or touring cars 4x4's will not be licensed); or
- (c) a vehicle specially adapted to carry disabled persons and approved by the Council; and
- (d) have an engine, the nominal cubic capacity of which is not less than 1300ccs; and
- (e) no more than five years old unless in an exceptionally well maintained condition; and
- (f) in a condition so as to comply at all times with all relevant statutory requirements. (Testing by the Council does not avoid the need for MOT certificates for all vehicles more than one year old. The MOT certificate must be produced on the Council's inspection and must have at least 3 months unexpired then).

2. **COACHWORK**

Vehicles must comply with the following:

- (a) the width of the rear part of the body, measured in 15cms below the top and 15cms. in front of the rear back-rest, shall not be less than 1.28m, this measurement to be made with both rear doors closed;
- (b) the minimum leg room for passengers using the rear seats shall be 22cms, the measurement to be taken from the rear door pillar to the nearest point of the rear seat squab;
- (c) all doors shall be capable of being opened from both the inside and the outside and to an angle of at least 60 degrees. Two windows capable of being adjusted and secured in any open or partly open position shall be fitted;
- (d) all glass fitted shall be safety glass, i.e. glass that if fractured does not fly into fragments capable of causing severe cuts;
- (e) broken, discoloured or cracked glass, either in the window, windscreen or other part of the vehicle shall be replaced at once;

- (f) every vehicle shall be refinished as often as necessary and all coachwork shall be maintained in a clean condition and in proper state of repair; and
- (g) if the vehicle is an estate or hatchback type car it must be fitted with a guard rail or other device of a type approved by the Council to separate the rear loading area from the passengers.

3. GENERAL

- (a) The vehicle must be fitted with either all radial or all crossply tyres and the spare wheel and tyre must be of the same type as those fitted to the vehicle (or according to the manufacturer's specification and, if used, then the vehicle must be used according to the manufacturer's advice);
- (b) The vehicle must be fitted on both sides with external rear view mirrors;
- (c) Two way radio equipment may not be installed without the prior approval of the Council's inspecting officer who may specify the position of the equipment to ensure safe operation;
- (d) All parts of the vehicle, its fittings and equipment both internal and external must be kept in an efficient, safe and clean condition and comply at all times with all relevant statutory requirements; and
- (e) The vehicle must at all times be insured to the satisfaction of the Council for fare paying passengers.

4. SAFETY EQUIPMENT

The proprietor shall provide and maintain in good order in the vehicle:

- (a) an efficient fire extinguisher (minimum capacity 0.6 kg) carried in a position so as to be readily available for use; and
- (b) a suitable first aid kit containing appropriate first aid dressings and appliances.

5. INTERIOR MARKINGS

The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be clearly visible to persons conveyed therein:

- (a) the number of the licence;
- (b) the number of passengers prescribed in the Licence;
- (c) the statement in legible letters at least 1cm high "Complaints should be referred to the proprietor in the first instance, and if necessary, then to the Licensing Officer, South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB3 6EA quoting all facts including the number of the private hire vehicle/hackney carriage licence";
- (d) the name of the proprietor; and
- (e) Hackney Carriage: the table of fares currently in operation.

6. EXTERIOR SIGNS

The proprietor shall ensure that:

(a) Except where authorised in writing by the Licensing Officer under Section 75(3) Local Government (Miscellaneous Provisions) Act 1976, at all times the vehicle current licence plate provided by the Council is displayed; and

(b) Private Hire Vehicle: No roof sign shall be displayed at any time.

Hackney Carriage: The vehicle is fitted with a roof sign not exceeding 500mm in length and 120mm in height and bearing the word "TAXI" illuminated in yellow on a black background and no other lettering to the front and the word "TAXI" or the proprietors' name, trading name and/or telephone number illuminated in red on a black background and no other lettering to the rear. Any alternative sign may not be displayed except with the written authority of the Licensing Officer and must in any event bear the words mentioned above and no others;

(c) Hackney Carriage: The roof sign is maintained in good order and displayed at all times on the roof of the vehicle except:-

- (i) when the vehicle is on hire for a wedding;
- (ii) when it is necessary to accommodate passengers luggage by the use of a roof rack;
- (iii) when the vehicle is being used for the proprietor or a person authorised by the proprietor for social, domestic or pleasure purposes;
- (iv) otherwise with the prior approval in writing of the Licensing Officer.

(d) Hackney Carriage: The roof sign is illuminated during the hours of darkness except when the vehicle is under hire.

(e) Private Hire Vehicle: The vehicle shall not be licensed or be deemed to be licensed at any time if no current vehicle licence plate provided by the Council is displayed on the vehicle.

(f) In certain circumstances the Council may authorise or require alternative or additional exterior signs subject to such further or substituted conditions as the Council may determine.

7. ADVERTISEMENT

Subject always to the Council's right to disallow any advertisement, no advertisement shall be displayed on the exterior of the vehicle except on advertisement panels with an area not exceeding 0.56sqm on the side doors.

8. INSPECTION

The proprietor shall submit the vehicle to the Council for inspection:

(a) annually when the licence is due for renewal;

(b) after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers and the proprietor shall notify the Licensing Officer of any such accident within 72 hours; and

(c) at any other time if so requested by the Licensing Officer.

9. CONVICTIONS

The proprietor shall, within seven days disclose to the Licensing Officer, in writing, details of any conviction arising from Court action imposed on him or, if the proprietor is a company, on any of its directors during the period of the licence.

10. CHANGE OF ADDRESS

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

11. SURRENDER OF LICENCE

Except in situations to which Section 49 Local Government (Miscellaneous Provisions) Act 1976 applies (transfer of vehicles with licence), if the proprietor ceases to use the vehicle for the purpose for which it is licensed he shall surrender the licence and return the plate, which remains the property of South Cambridgeshire District Council, to the Licensing Officer.

12. DEPOSIT OF DRIVERS' LICENCES

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

13. HACKNEY CARRIAGE: TAXIMETER

- (a) The vehicle shall be fitted with a taximeter visibly recording the passenger fare payable in conformity with such table of fares as may from time to time be approved by the Council;
- (b) The position of the taximeter shall be agreed by the Council's inspecting officer and shall be maintained at all times so that fare displayed can readily be seen by the passenger; and
- (c) The operation of the taximeter shall accord with any byelaws made by the Council.

14. HACKNEY CARRIAGE: BYELAWS

The vehicle must comply with the relevant provisions of the hackney carriage byelaws or be taken out of service as a hackney carriage until such time as the vehicle complies with the byelaws.

15. DISC CONDITIONS (PRIVATE HIRE VEHICLES)

**The following condition applies ONLY if the Council has allowed in writing a disc to be used instead of a plate.**

The Council has determined that under your Private Hire Vehicle Licence condition 6(f) (Exterior Signs) you may affix a Council approved and supplied disc to the front windscreen (instead of a plate at the rear) for all uses of the vehicle as a private hire vehicle where the driver is acting as a uniformed chauffeur under a written contract for one or more journeys. If any use of the vehicle as a private hire vehicle is made where there is no written contract or where the driver is not in uniform a plate shall be used at the rear of the vehicle. If neither plate nor disc is affixed or if there is any contravention of this provision the vehicle shall not be deemed to be licensed.

[NB: In Cambridge City certain Road Traffic Regulation advantages given to licensed vehicles in use as such may not be available unless a plate is used. You will need to observe the relevant requirements if you wish to claim those advantages.]

- 16. These conditions consolidate, amend and update previous vehicle licence conditions and will be effective upon renewals after 31st March 1999.

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL****PROPOSED VEHICLE LICENCE CONDITIONS**  
**PRIVATE HIRE VEHICLES AND HACKNEY CARRIAGES**  
**2007 edition (1)**

These conditions apply to both hackney carriages and private hire vehicles except where stated. The proprietor of the vehicle must ensure that the vehicle complies with the following conditions at all times and that the other requirements set out below are strictly complied with:-

**1. TYPE OF VEHICLE**

The vehicle must be safe, comfortable and suitable in type, size and design for use as a private hire vehicle and must be:-

- (a) Private Hire Vehicle: not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage; or

Hackney Carriage: a "London" type taxi cab finished in the manufacturer's standard colour; or

- (b) a standard vehicle finished in the manufacturer's standard colour with a minimum of four doors not including the tailgate (unless specifically adapted to be used as an access or egress point) ; or
- (c) a vehicle specially adapted to carry disabled persons and approved by the Council; and
- (d) have an engine, the nominal cubic capacity of which is not less than 1300ccs; (1500cc for diesel cars) Environmentally friendly vehicles such as hybrid vehicles, electric or LPG vehicles will be considered on their individual merits
- (e) no more than five years old from the date of its first registration when first presented for licensing. Luxury executive vehicles used for chauffeuring work may at the discretion of the licensing officer be given an exemption to this condition, subject to no vehicle being more than seven years of age from the date of its first registration; and
- (f) in a condition so as to comply at all times with all relevant statutory requirements. (Testing by the Council does not avoid the need for MOT certificates for all vehicles more than one year old. The MOT certificate must be produced on the Council's inspection and must have at least 3 months unexpired then).
- (g)
- (h) Where, by the removal of seats a vehicles original seating capacity is reduced to the maximum capacity of eight passenger seats, the redundant seat mountings must be rendered unusable. This must be done in such a way as to prevent the easy refitment of seats.

**2. MAINTENANCE OF VEHICLE****(a) LIGHTING EQUIPMENT**

All front and rear lamps including headlamps, stop lamps, directional indicators, hazard lamps and fog lamps shall be fully operational. Also lamp lenses shall be clean and free from any chips or cracks which affect the beam pattern or allow moisture to enter the light casing. Reflectors should be free of corrosion or similar defects.

**(b) STEERING AND SUSPENSION**

The steering shall be fully operational and comply with VOSA inspection regulations. The suspension shall be fully operational, free from any leaks and with no excessive bounce. All components to be in good working order.

## (c) BRAKES

All brakes including the foot and handbrakes shall be in good working order and pull evenly in accordance with VOSA inspection regulations. All vehicles shall be fitted with a high level brake light

## (d) TYRES AND WHEELS

All vehicles shall carry in accordance with manufacturers recommendations a correct fitting spare wheel and tyre and all necessary tools for wheel changing. All tyres including the spare tyre should be in a roadworthy condition and comply with all relevant statutory requirements. Tyres shall be of all radial or all crossply design

## (e) SEATBELTS

All vehicles shall have fully operational seatbelts in the front and rear to accommodate all passengers. Seatbelts should be in good condition and not be frayed or torn. All seatbelts shall be mounted to the vehicle body (not vehicle seats unless specifically designed to do so) and adequately secured.

## (f) HORN

The vehicles horn shall be fully operational and be adequately audible.

## (g) HEATER

The vehicle shall be fitted with a fully operational heater, which can be adjusted according to the needs of the passengers

## (h) WIPERS AND WASHERS

The correct size wiper blades shall be fitted and shall not be torn or frayed. The windscreen washers should operate correctly and fully.

3. COACHWORK

Vehicles must comply with the following:-

- (a) the width of the rear part of the body, measured from internal armrest to internal armrest 1.28m, this measurement to be made with both rear doors closed;
- (b) the minimum leg room for passengers using the rear seats shall be 22cms, the measurement to be taken from the rear door pillar to the nearest point of the rear seat squab;
- (c) all doors shall be capable of being opened from both the inside and the outside and to an angle of at least 60 degrees. Two windows capable of being adjusted and secured in any open or partly open position shall be fitted;
- (d) all glass fitted shall be safety glass, i.e. glass that if fractured does not fly into fragments capable of causing severe cuts;
- (e) Glass, either in the window, windscreen or other part of the vehicle shall not be broken or discoloured and shall be free from cracks in accordance with VOSA regulations;
- (f) All coachwork shall be maintained in a clean condition and in proper state of repair; and
- (g) if the vehicle is an estate or hatchback type car it must be fitted with a guard rail or other device of a type approved by the Council to separate the rear loading area from the passengers.

4. GENERAL

- a) The vehicle must be fitted with an internal rear view mirror and on both sides with external rear view mirrors;
- b) Two way radio equipment may not be installed without the prior approval of the Council's inspecting officer who may specify the position of the equipment to ensure safe operation;
- c) All parts of the vehicle, its fittings and equipment both internal and external must be kept in an efficient, safe and clean condition and comply at all times with all relevant statutory requirements; and
- d) The vehicle must at all times be insured to the satisfaction of the Council for fare paying passengers.
- e) The vehicle shall ensure that at all times whilst the vehicle is used on public roads there is a current vehicle excise licence in force for the vehicle
- f) Hackney Carriages vehicles shall at all times have a fare table issued by South Cambridgeshire District Council displayed within the vehicle in a clear and prominent manner.

5. SAFETY EQUIPMENT

The proprietor shall provide and maintain in good order in the vehicle:-

- (a) an efficient fire extinguisher (minimum capacity 0.6 kg) carried in a position so as to be readily available for use; with the identification number issued by the Council indelibly marked upon it and
- (b) a suitable first aid kit containing appropriate first aid dressings and appliances.

6. EXTERIOR SIGNS

The proprietor shall ensure that:-

- (a) Except where authorised in writing by the Licensing Officer under Section 75(3) Local Government (Miscellaneous Provisions) Act 1976, at all times the vehicle current licence plate provided by the Council is displayed; and
- (b) Private Hire Vehicle: No roof sign shall be displayed at any time Hackney Carriage: The vehicle is fitted with a roof sign not exceeding 500mm in length and 120mm in height and bearing the word "TAXI" illuminated in yellow on a black background and no other lettering to the front and the word "TAXI" or the proprietors' name, trading name and/or telephone number illuminated in red on a black background and no other lettering to the rear. Any alternative sign may not be displayed except with the written authority of the Licensing Officer and must in any event bear the words mentioned above and no others;
- (c) Hackney Carriage: The roof sign is maintained in good order and displayed at all times on the roof of the vehicle except:-
  - (i) when the vehicle is on hire for a wedding;
  - (ii) when it is necessary to accommodate passengers luggage by the use of a roof rack;
  - (iii) when the vehicle is being used for the proprietor or a person authorised by the proprietor for social, domestic or pleasure purposes;
  - (iv) otherwise with the prior approval in writing of the Licensing Officer.

- (d) Hackney Carriage: The roof sign is illuminated during the hours of darkness except when the vehicle is under hire.
- (e) Private Hire Vehicle: The vehicle shall not be licensed or be deemed to be licensed at any time if no current vehicle licence plate provided by the Council is displayed on the vehicle or is subject to condition 15.
- (f) In certain circumstances the Council may authorise or require alternative or additional exterior signs subject to such further or substituted conditions as the Council may determine.

#### 7. ADVERTISEMENT

Subject always to the Council's right to disallow any advertisement, no advertisement shall be displayed on the exterior of the vehicle except on advertisement panels with an area not exceeding 0.56sqm on the side doors.

#### 8. INSPECTION

The proprietor shall submit the vehicle to the Council or its appointed agents for inspection:-

- (a) annually when the licence is due for renewal;
- (b) after any repair made necessary by an accident affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers and the proprietor shall notify the Licensing Officer of any such accident within 72 hours; and
- (c) at any other time if so requested by the Licensing Officer.

#### 9. CONVICTIONS

The proprietor shall, within seven days disclose to the Licensing Officer, in writing, details of any conviction arising from Court action imposed on him or, if the proprietor is a company, on any of its directors during the period of the licence.

#### 10. CHANGE OF ADDRESS

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

#### 11. TRANSFER OF LICENCE

If an owner/proprietor/co-owner of a vehicle in respect of which the Council has granted a licence, transfers his/her interest in the vehicle, he/she shall within 14 days after the transfer give written notice of the transfer to the Council. That notice must contain the name and address of the person to whom the licensed vehicle has been transferred and the written consent to the transfer from the previous proprietor(s)/owner(s).

#### 12. SURRENDER OF LICENCE

Except in situations to which Section 49 Local Government (Miscellaneous Provisions) Act 1976 applies (transfer of vehicles with licence), if the proprietor ceases to use the vehicle for the purpose for which it is licensed he shall surrender the licence and return the plate, which remains the property of South Cambridgeshire District Council, to the Licensing Officer.

#### 13. DEPOSIT OF DRIVERS' LICENCES



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

14. HACKNEY CARRIAGE: TAXIMETER

- (a) The vehicle shall be fitted with a taximeter visibly recording the passenger fare payable in conformity with such table of fares as may from time to time be approved by the Council;
- (b) The position of the taximeter shall be agreed by the Council's inspecting officer and shall be maintained at all times so that fare displayed can readily be seen by the passenger; and
- (c) The operation of the taximeter shall accord with any byelaws made by the Council.

15. HACKNEY CARRIAGE: BYELAWS

The vehicle must comply with the relevant provisions of the hackney carriage byelaws or be taken out of service as a hackney carriage until such time as the vehicle complies with the byelaws.

16. DISC CONDITIONS (PRIVATE HIRE VEHICLES)

**The following condition applies ONLY if the Council has allowed in writing a disc to be used instead of a plate.**

The Council has determined that under your Private Hire Vehicle Licence condition 6(f) (Exterior Signs) you may affix a Council approved and supplied disc to the front windscreen (instead of a plate at the rear) for all uses of the vehicle as a private hire vehicle where the driver is acting as a uniformed chauffeur under a written contract for one or more journeys. If any use of the vehicle as a private hire vehicle is made where there is no written contract or where the driver is not in uniform a plate shall be used at the rear of the vehicle. If neither plate nor disc is affixed or if there is any contravention of this provision the vehicle shall not be deemed to be licensed.

[NB: In Cambridge City certain Road Traffic Regulation advantages given to licensed vehicles in use as such may not be available unless a plate is used. You will need to observe the relevant requirements if you wish to claim those advantages.]

17. FAILURE TO COMPLY WITH CONDITIONS

Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances, in prosecution. There is a right of appeal to the Magistrates Court.

These conditions consolidate, amend and update previous vehicle licence conditions and will be effective upon renewals after 1<sup>st</sup> April 2007.

This page is intentionally left blank



8. It is important that somebody using a Taxi or PHV late at night should be confident that the driver does not have an inappropriate criminal record and that the vehicle is safe. On the other hand if the supply of Taxis or PHV's has been unduly constrained by onerous licensing requirements, then that persons safety might be put at risk by having to wait for a Taxi or PHV to arrive; he or she might even be tempted to use an unlicensed vehicle with an unlicensed driver illegally plying for hire. It is felt that the guidelines proposed do strike a correct balance.
9. Any applicant that is refused a licence by the Corporate Manager – Health and Environmental Services on the grounds that they do not meet the criteria laid out in the guidelines and is therefore considered not to be fit and proper to hold a licence will still have a right of appeal to Members of the Licensing Committee and Magistrates Court.

**Options**

10. Members may adopt the following options
  - (a) Agree the proposed guidelines as recommended at Appendix A
  - (b) Reject the proposed guidelines as recommended at Appendix A
  - (c) Amend the guidelines attached as Appendix A

**Implications**

11. Financial	None arising from this report
Legal	As referred to in this report. Any applicant for a Private Hire Vehicle or Hackney Carriage driving licence has a right of appeal to Members of the Licensing Committee and a Magistrates Court if the application is refused on the grounds that the applicant is not a fit and proper person.
Staffing	There are no staffing implications resulting from this report
Risk Management	N/A
Equal Opportunities	The licensing regime promotes equal opportunity

**Consultations**

12. These guidelines form part of the application procedures and do not directly affect anyone currently licensed or constitute any licensing conditions for drivers. Legal Services has been consulted on these guidelines and had no adverse comments to make. Operating companies were also consulted and one response was received, as at **Appendix B** this response was in favour of the proposed guidelines and indicated that they should be stricter.
13. The proposed guidelines follow those of Peterborough City Council and the Governments circular 13/92 guidelines for applicants for Hackney Carriage and private Hire driver applications. Other neighbouring Authorities have no formal guidelines to assess applications from.

**Effect on Annual Priorities and Corporate Objectives**

14. Affordable Homes	Not applicable
Customer Service	The improvements in standards will benefit the general public
Northstowe and other growth areas	Not applicable

Quality, Accessible Services	As referred to in paragraph 5
Village Life	
Sustainability	
Partnership	Enforcement of conditions is regularly carried out as a partnership working with Police and Vehicle inspectorate

### Conclusions/Summary

15. Drivers of Hackney Carriages and Private Hire vehicles are placed in a position of trust and often are expected to drive persons who are vulnerable. In addition they regularly collect people who may be going on holiday and therefore are privy to information about when properties may be empty. With this in mind it is imperative that those drivers that are licensed by the Authority are of the highest standard. The adoption of the guidelines would as far as is practicable ensure consistency of approach and that applicants achieve a high standard before being considered as fit and proper to undertake such work.

### Recommendations

16. The Environmental Health Portfolio Holder and Licensing Committee are requested to recommend to Cabinet the adoption of the guidelines as attached in Appendix A.

**Background Papers:** the following background papers were used in the preparation of this report: Local Government (Miscellaneous provisions) Act 1976  
Application procedure documents – Peterborough City Council  
Government circular 13/92 guidelines for applicants of Hackney Carriage and Private Hire drivers licences

**Contact Officer:** Myles Bebbington – Licensing officer  
Telephone: (01954) 713132  
Dale Robinson, Corporate Manager Health & Environmental Services

This page is intentionally left blank

**Minor traffic offences**

Where a period of disqualification has been imposed due to the accrual of DVLA penalty points or for a single infringement, an application should not be considered until the DVLA driving licence has been restored for a period of 12 months. Should the DVLA demonstrate a further conviction since the disqualification period then a 12 month period should elapse from the date of the last conviction on the DVLA licence before an application is approved.

Offences covered under this section include:-

- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS60 Offences not covered by other codes as appropriate
- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle excluding goods or passenger vehicles
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence
- PL10 Driving without "L" plates
- PL20 Not accompanied by a qualified person
- PL30 Carrying a person not qualified
- PL40 Drawing an unauthorized trailer
- PL50 Undefined failure to comply with conditions of a provisional licence

**Major traffic offences.**

Where a period of disqualification has been imposed an application should not be considered until the DVLA driving licence has been restored for a period of 12 months and no further motoring conviction has been endorsed on it in that period. Should the DVLA demonstrate a further conviction since the disqualification period then a 12 month period should elapse from the date of the last conviction on the DVLA licence before an application is approved.

- CD10 Driving without due care and attention
- CD20 Driving without reasonable consideration to other road users
- CD30 Driving without due care and attention or without reasonable consideration for other road users
- IN10 Using a vehicle uninsured against third party risk
- BA10 Driving while disqualified by order of court
- BA20 Driving while disqualified under age

An application received which details one of the following offences on the DVLA driving licence (DD30, DD60, DD70, MS50) will normally be refused or a current licence suspended or revoked. The endorsement for these offences remains on the DVLA licence for a period of 11 years. An application will not

normally be approved until the endorsement period has expired and it is shown that no further motoring convictions have been endorsed on it in that period.

DD30 Reckless driving

DD60 Manslaughter or culpable homicide while driving a vehicle

DD70 Causing death by reckless driving

MS50 Motor racing on the highway

Other offences covered as major offences

UT10 Taking or driving away a vehicle without consent or an attempt there at

UT20 Stealing or attempting to steal a vehicle

UT30 Going equipped to steal a vehicle

UT40 Taking or attempting to take a vehicle without consent, driving or attempting to drive a vehicle knowing it to have been taken without consent. Allowing oneself to be carried in or on a vehicle knowing it to have been taken without consent.

UT50 Aggravated taking of a vehicle

The above offences will be treated under the dishonesty and violence categories.

### **Driving whilst under the Influence of Alcohol**

With a motor vehicle:-

An application with one conviction on the DVLA driving licence under this category should not be considered until a period of 36 months has elapsed since the restoration of the DVLA driving licence. More than one conviction of this type and the application should be refused until such time as only one of the convictions remains on the DVLA licence and a period of 36 months has elapsed since the restoration of the licence.

Offences under this section include

DR10 Driving or attempting to drive with alcohol level above limit

DR20 Driving or attempting to drive while unfit through drink or drugs

DR30 Driving or attempting to drive then refusing

DR40 In charge of a vehicle while alcohol level above limit

DR50 In charge of a vehicle while unfit through drink and drugs

DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive.

DR70 failing to provide specimen for breath test.

Not in a motor vehicle

An isolated conviction/caution for drunkenness need not debar an applicant from gaining a licence. However a number of convictions/cautions for drunkenness could indicate a medical problem necessitating critical



examination. In some cases a warning may be sufficient or the application may be refused until a period of 36 months has elapsed since the last conviction/caution.

### **Drugs**

An application should not be considered until a minimum of 3 years free of conviction/caution is shown or 5 years after detoxification treatment if he/she was an addict.

Offences in this category will include:-

1. Possessing controlled drug
2. Possessing controlled drug with intent to supply
3. Producing controlled drug
4. Importing drugs

### **Indecency Offences**

An application should not be considered until a period of 3 years free of conviction/caution is shown, or if the applicant has been placed on the sex offender's register until that period of time has elapsed. Any application with a conviction/caution within this category will be put before the Licensing Committee for determination.

Offences within this category will include:-

1. Indecent exposure
2. Indecent exposure to the annoyance of residents
3. Indecent exposure with intent to insult a female
4. Unlawful sexual intercourse
5. Importuning
- 6 Gross indecency with a female
7. Gross indecency with a male
8. Indecent assault on a female
9. Indecent assault on a child under 16 years of age
- 10 Living off immoral earnings
11. Prostitution
12. Possessing or distributing obscene material
- 13 Buggery
- 14 Rape
- 15 Indecent or nuisance telephone calls.

### **Violence**

An application should not normally be considered until a maximum period of 3 years free of conviction/caution is shown with the exception of 8,9 & 10 when 2 years for a single offence will be the appropriate period.

Offences in this category will include:-

1. Common assault
2. Assault
3. Grievous bodily harm
4. Actual bodily harm
- 5 Assault Police
- 6 Affray
- 7 Riot
- 8 Using threatening words or behaviour
- 9 Breach of the peace
- 10 Drunk & Disorderly
- 11 Common assault
- 12 Obstruction
- 13 Robbery
- 14 Possess offensive weapon/s
- 15 Possess firearm/s
- 16 Possess firearm with intent to use
- 17 Criminal damage
- 18 Violent disorder
- 19 Resist arrest
- 20 Arson

### **Dishonesty**

It should be considered that it is comparatively easy for dishonest drivers to defraud the public by demanding more than the legal fare, it should also be noted that the Private Hire is not bound by a set fare structure and therefore is open to potential abuse by unscrupulous drivers. Customers often use the trade for going to airports and drivers are privy to the knowledge that premises are empty for periods of time. In addition overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any conviction/caution involving dishonesty. In general a period of not less than 3 years free of conviction should be requested before entertaining an application.

Offences in this category will include

1. Theft
2. Theft - shoplifting
3. Theft - employee
4. Theft - from a vehicle
5. Burglary and theft - from a dwelling
6. Burglary and theft - non dwelling
7. Burglary - aggravated
8. Fraudulent use
9. Handling
10. Receiving
11. Forgery
12. Conspiracy to defraud
13. Obtain money by deception
14. Obtain money by forged instrument

15. Deception
16. False accounting
17. False statement
18. Going equipped
19. Taking/driving or attempt to steal a vehicle
20. Allow to be carried in a stolen vehicle
21. Touting for hire car services
22. Perverting the course of justice
23. Plying for hire

Nothing in this criteria would remove an applicants right of appeal to the Licensing review panel or a magistrates court subject to the normal rules currently in place. Additionally we must still determine each application on individual merit.

This page is intentionally left blank



- (a) Requirement for foreign applicants to supply a certificate of good conduct. The Criminal Records Bureau will not generally carry out checks on foreign applicants. Therefore this is the most appropriate way to ensure that such applicants have a satisfactory history
- (b) The power to revoke or suspend a licence for touting or plying for hire within another district boundary. This Authority has no powers to prosecute a driver plying for hire in another district and in general neighbouring Authorities rarely take action. Any vehicle picking up customers illegally would be liable to having their vehicle insurance made void in the case of an accident. It is currently the perception within the trade that touting is an offence worth taking the risk because the likelihood of any Authority taking action is minimal.
- (c) Granting of a one year licence for EU drivers. An EU licence would not indicate any traffic offences committed in the GB (i.e. speeding) and at present there is no method to check the history of the licence with the originating country. However an applicant with a GB licence has a full historical check carried out with the DVLA. Under legislation holders of EU licenses can hold a P/H or H/C license but it is for the Licensing Authority to determine the length of that licence
- (d) The requirement for all new applicants to take the DSA driving test prior to grant of a licence. The introduction of the DSA test is covered in detail by another report.

**Options**

8. Members may take the following options:
- (a) Agree the proposed conditions as recommended at Appendix C
  - (b) Reject the proposed conditions as recommended at Appendix C
  - (c) Amend the conditions attached as at Appendix C

**Implications**

9.

Financial	None arising from this report
Legal	As referred to in this report. Any Private Hire driver who has a licence refused, revoked or suspended has a right of appeal to a Magistrates Court.
Staffing	There are no staffing implications resulting from this report
Risk Management	N/A
Equal Opportunities	The licensing regime promotes equal opportunity

**Consultations**

10. Over 900 operators and licensed drivers have been consulted on this matter. The replies are attached as **Appendix B**. In general, the response from the trade has been supportive of the changes.

**Effect on Annual Priorities and Corporate Objectives**

11.

Affordable Homes	Not applicable
Customer Service	The improvements in standards will benefit the general public
Northstowe and other growth areas	Not applicable

Quality, Accessible Services	As referred to in paragraph 5
Village Life	The provision of a safe and reliable transport system assists this objective
Sustainability	N/A
Partnership	Enforcement of conditions is regularly carried out as a partnership working with Police and neighbouring authorities

**Conclusions/Summary**

12. Drivers of Private Hire vehicles are placed in a position of trust and often are expected to drive persons who are vulnerable. The revision of the conditions would as far as is practicable ensure that drivers maintain a high standard and offer a safe and trustworthy service to the general public.

**Recommendation**

13. The Environmental Health Portfolio Holder and Licensing Committee are requested to recommend to Cabinet the adoption of the Private Hire Driver Licensing Conditions attached at Appendix C.

**Background Papers:** the following background papers were used in the preparation of this report: Local Government (Miscellaneous Provisions) Act 1976  
 Town Police Clauses Act 1847  
 DFT Taxi & Private Hire Vehicle Licensing – best practise guidance

**Contact Officer:** Myles Bebbington – Licensing Officer  
 Telephone: (01954) 713132

This page is intentionally left blank



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**LICENCE CONDITIONS – DRIVERS’ LICENCES**

It is important that you read these conditions.

As a South Cambridgeshire Private Hire or Hackney Carriage Driver you are **NOT** permitted to ply for hire in the Cambridge City Boundary or at any of the taxi ranks within that area, which includes the Railway Station.

Any person caught doing so will be subject to investigation for breach of licence conditions with the possibility of suspension or revocation of their licence.

1. **CONDUCT OF DRIVER**

The driver shall:

- (a) afford all reasonable assistance with passengers’ luggage;
- (b) at all times be clean and respectable in his dress and person and behave in a polite and orderly manner;
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (d) not without the express consent of the passengers smoke, drink or eat in the vehicle during the course of a hiring;
- (e) not without the express consent of the passengers play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- (f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

2. **PASSENGERS**

- (1) The driver shall not convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle, provided however, for this purpose.
- (2) The driver shall not allow there to be conveyed in the front of any licensed vehicle beside him:-
  - (a) any child below the age of ten years; or
  - (b) more than one person;and at all times the driver shall ensure compliance with any relevant regulations regarding seat belt and restraints.
- (3) The driver shall not without the consent of the passengers convey or permit to be conveyed any other person in that vehicle.
- (4) It is the driver’s responsibility to ensure that for every journey there is appropriate third party insurance cover in the event of all passengers’ personal injury.

(5) \*Unless further authorised by the Council in WRITING, this licence does NOT permit there to be conveyed in the vehicle in the course of business at any time any child under the age of 16,

or under the age of 18 who has special needs or under the age of 18 who is looked after by a local authority (for residential care only) if the journey is on behalf of a local authority or a self-governing (grant maintained) school or independent school or further education establishment, whether the journey is under contract directly by them or through volunteer or voluntary body directly engaged by them (including foster parents, adoptive parents or childminders) UNLESS in all of such cases there is another accompanying responsible adult in the vehicle at all relevant times.

3. LOST PROPERTY

- (1) The driver shall immediately after the end of any journey, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- (2) If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed in to the driver, he shall take it as soon as possible and in any event within twenty-four hours if no sooner claimed by or on behalf of its owner to the Chief Executive officer or to the Property Store at Parkside Police Station, Cambridge or to Royston Police Station and leave it in the custody of the Chief Executive or the Officer in charge of the Police Station on their giving a receipt for it.

4. WRITTEN RECEIPTS

The driver shall if requested by the hirer or passenger of a licensed vehicle provide him with a written receipt for the fare paid.

5. ANIMALS

The driver shall not convey in any licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle and he shall ensure that any animal belonging to or in the custody of any passenger is adequately restrained and kept in such a position so as not to distract the driver or otherwise be a cause of danger or nuisance. In the case of hackney carriages guide dogs accompanied by their owners shall be carried free of charge.

The Disability Discrimination Act 1995 – Carriage of Guide, Hearing and other assistance Dogs in Taxis and Private Hire Vehicles came into effect on the 1<sup>st</sup> April 2001. This act means that no Taxi or Private Hire vehicle in this District may refuse to carry an assistance dog of a passenger, unless they hold a valid medical exemption notice. This exemption order is only issued if you have a medical condition that prevents you from the carriage of animals. Further details can be obtained from The Department of Environment Transport Regions, Zone 1/18, Great Minister House, 76 Marsham Street, London. SW1P 4DR.

6. PROMPT ATTENDANCE (PRIVATE HIRE VEHICLES ONLY)

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

7. COPY OF CONDITION

The driver shall at all times when driving any licensed vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

8. DEPOSIT OF LICENCE (PRIVATE HIRE VEHICLES ONLY)

If the driver is permitted or employed to drive a Private Hire Vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit his licence

with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

9. CHANGE OF ADDRESS

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

10. CONVICTIONS

**Any licensed driver shall within seven days disclose to the Licensing Officer in writing details of any conviction arising from Court action imposed on him during the period of the licence.**

11. RENEWAL

The driver shall, at least two weeks prior to the date of the licence expiry, make application to the Authority for a renewal. If an application for renewal is not received by the renewal date the licence will lapse. A renewal application received more than three weeks after the normal renewal date will be classified as a new application and the appropriate fee and procedure will apply.

Where operations continue after a failure to renew, prosecutions are likely to be authorised without notice. In most cases of non-renewal especially with regard to vehicle licensing the third party insurances are placed in jeopardy.

12. RETURN OF BADGE

The driver shall upon the 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 when granting the licence. The badge shall remain the property of the Council.

13. VEHICLE LICENCE DISC

- a) The driver shall not drive for hire or reward any unlicensed vehicle, nor any licensed vehicle that is not displaying in the front windscreen a current licence disc for that vehicle.
- b) The driver, unless he is a holder of a Private Hire Vehicle Operator's Licence, shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council all vehicle licence discs issued to him by the Council.
- c) The licence discs shall remain the property of the Council.

14. CONVEYANCE OF DEAD BODY

If the driver shall knowingly convey in the vehicle the dead body of any person he shall, immediately thereafter, notify the fact to the Environmental Health Officer of the Council.

15. RIGHT OF APPEAL

Anyone with a licence under Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847 and aggrieved by any of the conditions attached to the licence may appeal to a Magistrates' Court within twenty-one days of the grant of the licence.

This page is intentionally left blank

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL****Proposed LICENCE CONDITIONS – DRIVERS’ LICENCES**

**It is important that you read these conditions.**

As a South Cambridgeshire Private Hire or Hackney Carriage Driver you are **NOT** permitted to ply for hire in the Cambridge City Boundary or at any of the taxi ranks within that area, which includes the Railway Station. Any person caught doing so will be subject to investigation for breach of licence conditions with the possibility of suspension or revocation of their licence.

**1. TOUTING OR SOLICITING**

The driver shall not while driving or in charge of a Private Hire Vehicle

- a) Tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle
- b) Cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
- c) Accept an offer for the immediate hire of that vehicle while the driver of that vehicle is on a road or other public place except where such offer is first communicated to the driver by telephone or similar device ( i.e radio) fitted to that vehicle.

**2. CONDUCT OF DRIVER**

The driver shall:-

- (a) afford all reasonable assistance with passengers’ luggage;
- (b) at all times be clean and respectable in his dress and person and behave in a polite and orderly manner;
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (d) not without the express consent of the passengers smoke, drink or eat in the vehicle during the course of a hiring;
- (e) not without the express consent of the passengers play any radio or sound reproducing instruments or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle; and
- (f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

**3. PASSENGERS**

- a) The driver shall not convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle, provided however, for this purpose.
- b) The driver shall not allow there to be conveyed in the front of any licensed vehicle beside him:-
  - i. any child below the age of ten years; or
  - ii. more than one person;and at all times the driver shall ensure compliance with any relevant regulations regarding seat belt and restraints.

Appendix C: Proposed Driver Licence Conditions

- c) The driver shall not without the consent of the passengers convey or permit to be conveyed any other person in that vehicle.
- d) It is the driver's responsibility to ensure that for every journey there is appropriate third party insurance cover in the event of all passengers' personal injury.
- e) \*Unless further authorised by the Council in WRITING, this licence does NOT permit there to be conveyed in the vehicle in the course of business at any time any child under the age of 16, or under the age of 18 who has special needs or under the age of 18 who is looked after by a local authority (for residential care only) if the journey is on behalf of a local authority or a self-governing (grant maintained) school or independent school or further education establishment, whether the journey is under contract directly by them or through volunteer or voluntary body directly engaged by them (including foster parents, adoptive parents or childminders) UNLESS in all of such cases there is another accompanying responsible adult in the vehicle at all relevant times.

4. LOST PROPERTY

- a) The driver shall immediately after the end of any journey, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- b) If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed in to the driver, he shall take it as soon as possible and in any event within twenty-four hours if no sooner claimed by or on behalf of its owner to the Chief Executive officer or to the Property Store at Parkside Police Station, Cambridge or to Royston Police Station and leave it in the custody of the Chief Executive or the Officer in charge of the Police Station on their giving a receipt for it.

5. WRITTEN RECEIPTS

The driver shall if requested by the hirer or passenger of a licensed vehicle provide him with a written receipt for the fare paid.

6. FARE TO BE DEMANDED

The driver of a Private Hire vehicle shall not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a meter and there has been no previous agreement as to the fare, any fare greater than that shown on the face of the taxi meter.

The driver of a Hackney Carriage shall not demand from any hirer of a licensed vehicle any fare greater than that shown on the face of the taxi meter.

7. ANIMALS

The driver shall not convey in any licensed vehicle any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle and he shall ensure that any animal belonging to or in the custody of any passenger is adequately restrained and kept in such a position so as not to distract the driver or otherwise be a cause of danger or nuisance. In the case of hackney carriages guide dogs accompanied by their owners shall be carried free of charge.

The Disability Discrimination Act 1995 – Carriage of Guide, Hearing and other assistance Dogs in Taxis and Private Hire Vehicles came into effect on the 1<sup>st</sup> April 2001. This act means that no Taxi or Private Hire vehicle in this District may refuse to carry an assistance dog of a passenger, unless they hold a valid medical exemption notice. This exemption order is only issued if you have a medical condition that prevents you from the carriage of animals. Further details can be obtained from The Department of Environment Transport Regions, Zone 1/18, Great Minister House, 76 Marsham Street, London. SW1P 4DR.

## Appendix C: Proposed Driver Licence Conditions

### 7. PROMPT ATTENDANCE (PRIVATE HIRE VEHICLES ONLY)

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

### 8. COPY OF CONDITION

The driver shall at all times when driving any licensed vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

### 9. DEPOSIT OF LICENCE (PRIVATE HIRE VEHICLES ONLY)

If the driver is permitted or employed to drive a Private Hire Vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit his licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

### 10. CHANGE OF ADDRESS

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

### 11. CONVICTIONS

Any licensed driver shall within seven days disclose to the Licensing Officer in writing details of any conviction arising from Court action imposed on him during the period of the licence.

### 12. RENEWAL/NEW APPLICATIONS

The driver shall, prior to the date of the licence expiry (see guidance notes for process times for applications, make application to the Authority for a renewal. If an application for renewal is not received by the renewal date the licence will lapse.

Where operations continue after a failure to renew, prosecutions are likely to be authorised without notice. In most cases of non-renewal especially with regard to vehicle licensing the third party insurances are placed in jeopardy.

All new drivers to undertake the DSA (Driving Standards Agency) test before being granted a licence. Existing drivers will be exempt from this requirement unless in individual cases where complaints of bad driving or serious driving offences are committed by existing drivers it is felt appropriate for a driver to take the test to prove they are fit and proper to hold such a licence. A serious driving offence may include persons who have accrued 9 points for totting up offences within a 12 month period.

Any driver obtaining a Private Hire or Hackney Carriage drivers licence with a foreign EU or exchangeable licence as permitted under the Local Government (Miscellaneous Provisions) Act 1976 part II will only be granted a licence for one year. Any subsequent application must be made using a full GB licence.

Applicants from the European Union with permissions to undertake Private Hire or Hackney Carriage type work will be required to submit a certificate of good conduct signed and stamped by the relative embassy. The certificate must be translated into English and delivered as part of the application in an envelope with an untampered seal by the issuing embassy. The certificate must be less than six months old. This will only apply to applicants who cannot provide a full and continuous 5yr residency in the UK.

13. DRIVERS BADGE

The driver shall, when hired display any badge provided by the Council in such a manner as to be plainly visible to customers using the vehicle.

The driver shall upon the 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 when granting the licence. The badge shall remain the property of the Council.

14. VEHICLE LICENCE DISC

a) The driver shall not drive for hire or reward any unlicensed vehicle, nor any licensed vehicle that is not displaying in the front windscreen or rear of the vehicle a current licence disc for that vehicle.

b) The driver, unless he is a holder of a Private Hire Vehicle Operator's Licence, shall upon the expiry (without immediate renewal), revocation or suspension of his licence forthwith return to the Council all vehicle licence discs issued to him by the Council.

c) The licence discs shall remain the property of the Council.

15. CONVEYANCE OF DEAD BODY

If the driver shall knowingly convey in the vehicle the dead body of any person he shall, immediately thereafter, notify the fact to the Corporate Manager – Health & Environmental Services of the Council.

16. HEALTH AND MEDICAL CONDITIONS

The driver hereby licensed shall within 7 days or as soon as practicable thereafter disclose to the Council in writing any medical condition which he would likely to adversely affect his/her ability to drive during the period of the licence.

17. FAILURE TO COMPLY WITH CONDITIONS

Failure to comply with any of these conditions may result in the Council suspending, revoking or refusing to renew the licence and in certain circumstances prosecution.

18. RIGHT OF APPEAL

Anyone with a licence under Local Government (Miscellaneous Provisions) Act 1976 or the Town Police Clauses Act 1847 and aggrieved by any of the conditions attached to the licence may appeal to a Magistrates' Court within twenty-one days of the grant of the licence.