

Public Document Pack



Elections and Members' Services

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Date: 5 February 2016

Dear Councillor

ENVIRONMENT AND LICENSING COMMITTEE - TUESDAY 9 FEBRUARY 2016

I am now able to enclose, for consideration at next Tuesday 9 February 2016 meeting of the Environment and Licensing Committee, the following report appendices that were unavailable when the agenda was printed.

Agenda No	Item
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- | | |
|----|---|
| 3. | <u>Introduction of a Safeguarding Awareness session with test as part of the Private Hire /Hackney Carriage Drivers and Private Hire Operators Licensing Process</u> (Pages 3 - 38) |
| 4. | <u>Changes to the Statement of Policy and Guidelines for the consideration of applications for Hackney Carriage/Private Hire Drivers and Private Hire Operators</u> (Pages 39 - 48) |
| 6. | <u>Changes to Hackney Carriage and Private Hire Vehicle Licence Conditions and Hackney Carriage and Private Hire Driver's Licence Conditions</u> (Pages 49 - 80) |

Yours sincerely

A handwritten signature in black ink, appearing to be "Lyndsey Parnell".

Lyndsey Parnell
Senior Elections and Members' Services Officer
Encs

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Safeguarding Vulnerable Passengers



Working in Partnership with the Taxi/Private Hire Trade



Developed with the support of the Nottingham City Safeguarding Children and Adult Safeguarding Boards, and with thanks to Sheffield Safeguarding Children and Adults Boards and Sheffield Futures for use of their ideas and materials

Learning Outcomes

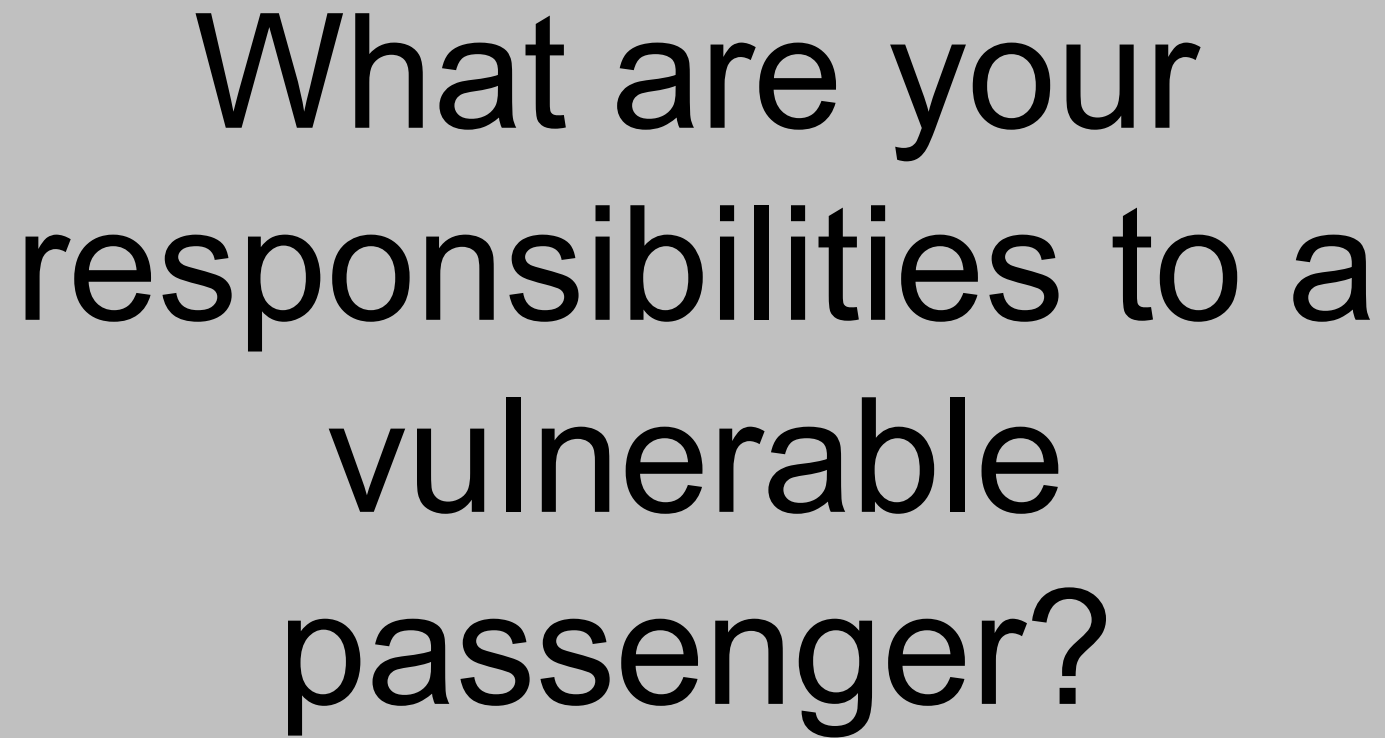
At the end of the session attendees will be able to:

- Understand the need to protect vulnerable adults, young people and children.
- Identify possible victims of abuse and exploitation by understanding indicators of risk.
- Identify sources of advice and pathways for reporting concerns.
- Understand their roles and responsibilities in relation to personal safety and security.

What makes a passenger vulnerable?

In your groups, take a look at the laminated cards.

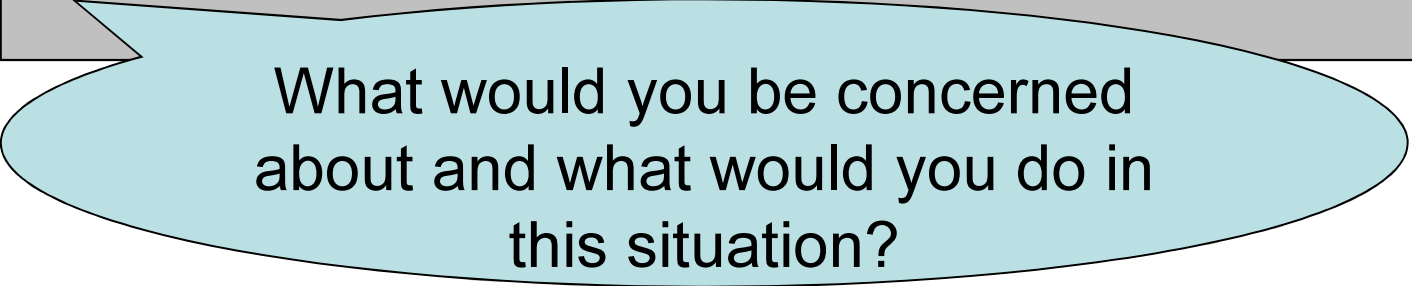
Which of these do you think would make a passenger vulnerable and why?



What are your
responsibilities to a
vulnerable
passenger?



In your groups, take a look at the scenario.



What would you be concerned
about and what would you do in
this situation?

Scenario 1

You work in the City Centre and often pick up passengers from pubs and clubs. You notice that there are often high numbers of young people who appear to be drunk and underage coming out of a particular night club at weekends.

On this occasion when you arrive to pick up your passenger, you see a young girl leaving the premises. The girl seems to be about 14 or 15 years old and is very intoxicated. She is with three significantly older men and the group is walking towards your vehicle.

Scenario 2

You are aware that one of your colleagues regularly picks up a 14 year old girl from a children's home and takes her to a local hotel.

What would you do?

Scenario 3

An elderly lady approaches your taxi at the local railway station.

She has a lot of luggage with her and a walking stick. She appears to be in pain when she walks.

What would you do?

Scenario 4

You collect a man and a woman from a local restaurant. When they get into your vehicle, the man is shouting at the woman who is crying.

During the journey to their home address the man slaps the woman across the face.

What would you do?

Your responsibilities

- Duty of care. Make sure vulnerable people are safe.
- To treat all passengers with dignity and respect
- Duty to pass on information if concerned about abuse / neglect
- Whistle-blowing (other drivers / other services / club staff)



People suffering harm

We need to be aware that some people suffer harm as a result of abuse by others.

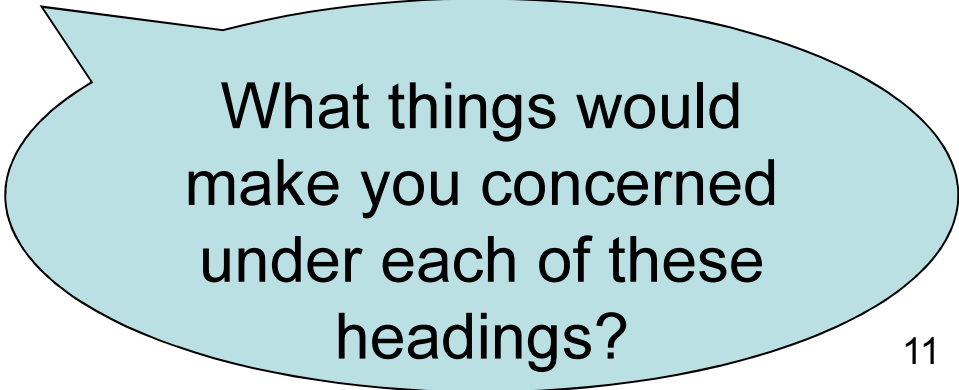
When this is the case, we have a duty to take some action.



**Safeguarding
is everybody's
business**

Types of Abuse

- **Physical**
- **Sexual**
- **Psychological or emotional**
- **Organisational**
- **Self neglect**
- **Modern slavery**
- **Financial or material**
- **Discriminatory**
- **Neglect and acts of omission**
- **Domestic violence**



What things would make you concerned under each of these headings?

Recognising indicators of concern



Children
(Under 18 yrs old)

- Relationships with older males or females.
- Concern that young person is sexually active
- Breaking away from family, friends or professionals
- Not attending school.
- Going missing from home.
- Experimenting with drugs and/or alcohol

Recognising indicators of concern

- Children with physical injuries
- Secretive
- Involved in offending behaviour
- Unexplained mobile phones/credit
- Accepting lifts in different cars
- Sending/receiving inappropriate images
- Spending increasing time on social networking sites

HOW ARE YOUNG PEOPLE TARGETTED

- Vulnerable
- Befriended by offender
- Grooming process
- Blackmail/threats
- Isolation from support

WHO ARE THE OFFENDERS?

- Individuals who control adult sex workers
- Drug dealers with links to violent crime
- Groups of males who exploit for their own sexual gratification
- Males who pass young people on to others for sex
- Female offenders
- Other young people

Recognising indicators of concern



Adults
(18 yrs old and
over)

- Being bullied
- Having decisions made for them all the time
- Preferences being ignored
- Being subject to verbal abuse / put downs
- Physical injuries (bruises / cuts etc)
- Being poorly dressed / unclean
- Someone else controlling money
- Struggling to look after themselves

Definition of Domestic Abuse

The UK Government defines domestic violence and abuse as:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse – psychological, physical, sexual, financial, emotional”

Home Office 2013

What is Sexual Assault?

Sexual assault is when a person intentionally sexually touches another person without reasonable belief that they consented. Touching covers all physical contact, whether with a part of the body or anything else, or through clothing

Family Planning Association Factsheet 2011

What is Sexual Exploitation?

- Young people receive something in return for engaging in sexual activities.
- Offenders have power over victims due to their age, gender, intellect, physical strength and/or economic or other resources.
- Violence, coercion and intimidation are common.
- Boys and young men can be victims as well as girls / young women

What's being done to try and stop this?

- Professionals and Partners are being trained to spot signs of exploitation.
- Young people are being warned of risks.
- Concerns referred to the Police or Social Care are fully investigated
- Information is passed to the police to help disrupt activities and prosecute offenders.

How could all this affect you?



- Concerns about young people in your vehicle.
- Concerns about locations/venues at which you collect or drop young people.
- Concerns about adults paying for young peoples' taxi fares.
- Concerns about young person's conversation in your vehicle.

What can you do to help?



- Be aware of indicators of risk.
- Be aware of young people / adults you think may be at risk.
- Be aware of addresses you are taking young people / adults to.
- Pass on any information/concerns you have.

What to do if you are concerned about a vulnerable passenger

- **Phone 999** if risk is imminent / assault happened or likely to
- If concerned about a **child** contact:
Multi Agency Safeguarding Hub (MASH) on 0300 500 80 90
- If concerned about an **adult** contact:
Multi Agency Safeguarding Hub (MASH) on 0300 500 80 90
Make and keep a **record** of your concerns, what you did and why
- For further advice contact County Licensing Managers

Protecting yourself and others

Good safeguarding practice

- Check at the point of booking if there are any vulnerability issues This will allow you to prepare for the journey in the right way.
- Ask the person booking if an escort for the vulnerable passenger is required and if they are providing one
- Let your control know (or keep a record) of the time you picked up the vulnerable passenger, the time and place you dropped them off and whether there was any incident or anything significant on the journey.
- If you refuse to take a passenger inform someone that you can't take them so they can deal with the person another way (e.g. hospital staff; family; security staff if a club/pub)

Good Safeguarding Practice....continued

- Record incidents
- Be professional – try not to be over-friendly or talk about personal or intimate issues, don't exchange personal contact information such as passenger's telephone numbers or Facebook address. Avoid swearing or aggressive behaviour. Do not touch passengers.
- Never accept an offer of a sexual favour instead of payment.
- Wear in a conspicuous position your drivers badge issued to you by the Council.
- Explain to passengers if using a centralised locking system – don't just put it on without an explanation.

Good Safeguarding Practice....continued

- **DON'T ASSUME** that your passenger wants help – **ALWAYS ASK**
- **Never follow a passenger into the house.**
- **ASK** before making a journey shorter by going off the main roads/using isolated country roads, explain and give the passenger (or person booking) a choice of route.
- **NEVER** set off with a passenger without a specific destination address
- **NEVER** double up on a booking – even if passengers are travelling in a similar direction, they may pose a threat or risk to the other passenger

Good Safeguarding Practice....continued

- If you think the passenger is afraid, offer to ring head office to tell them you have a passenger named XXXX with you and give the address and approximate time of arrival; this reassures the person that they are safe and someone is monitoring the trip.
- As with all professions if you are concerned about another driver's conduct report your concerns to your operator or the relevant agency.
- Organisations should have a lead member of staff for safeguarding, this person should be able to advise colleagues about how to manage vulnerable passengers and any incidents arising.

Good Safeguarding Practice....finally

ALWAYS KEEP A RECORD either in your cab or at your control, of ANY incidents or situations you were not happy with – the record should include a description of what happened and what you did to keep yourself and your passenger safe.



Final example

REMEMBER

We need to be aware that some people suffer harm as a result of abuse by others.

When this is the case, we have a duty to take some action.

Safeguarding is everybody's business

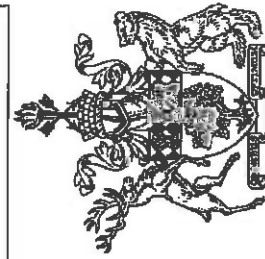


**Safeguarding is
YOUR business**

Policy to be assessed	Taxi Licensing Policy with the introduction of Safeguarding Awareness Session and Test for taxi drivers
Assessment completed by:	Mr David Jayne, Community Safety & Safeguarding Manager, Public Protection Service.
Aims/objectives of the Policy/Service/Procedure	
The aim of this policy is to:	
<ol style="list-style-type: none"> 1. To ensure the safety of the traveling public by raising the awareness of taxi drivers with regard to identifying and reporting safeguarding concerns. 2. Ensure that any aspects of the policy do not have (or potentially have) a negative impact on the protected characteristics of any stakeholder as detailed in the Equality Act 2010. 3. To ensure that all decisions made under the delegation of the policy have been do so after considering the impact of those stakeholders defined as having a protected characteristic. 4. To ensure that members and officers take a firm, balanced, and considered approach to issuing of any licenses covered by the policy. 	

Who are the customers and stakeholders of this service?	
<ol style="list-style-type: none"> 1. The general public. 2. Those members of the public who may choose to travel in a licensed vehicle 3. People working in the taxi trade who require either a Hackney Carriage or Private Hire drivers licence of an Operator's Licence. 4. Council employees. 5. Elected members. 	
Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census:	
Black and minority ethnic people	The Council has no formal data relating to the ethnicity of HC&PH drivers or operators or of the residents who use them or those who provide services to the Taxi trade.
Men/women and transgender	The Council has no formal data relating to the balance of male and female ratio of people who either hold a HC&PH vehicle or operators or the customers that use them. However anecdotal evidence suggests female drivers make up fewer than 5% of licence holders.
Disabled people	The Council has no formal data relating to any disabilities of any Gedling Borough Council HC& PH drivers or operators or the number of disabled customers who use Gedling Borough Council licensed vehicles. Having a disability would not preclude person from holding a HC&PH or operator's licence and officers are aware of at least one licensed driver who also holds a blue badge.
Gay/Lesbian/bisexual People	The Council holds no information in relation to this protected characteristic for any Gedling Borough Council licensed HC&PH driver or operator or any customers or those who provide services the Taxi trade.

	reassurance to drivers and passengers.	
People of different ages	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers.	
What changes could be made to the policy/service/procedure to address any negative impacts?		
What monitoring will be carried out to ensure this policy/service/procedure meets diverse needs		
Officers will review this policy annually.		
What actions will be included in your service plan arising from this assessment?		
Action	Outcome	Date? Who?
Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required? Yes If no then a fuller impact assessment is required.		



People from different faiths	No information is held on this characteristic.		
People of different ages	Drivers must have held a full driving licence for at least 12 months and as such the youngest a Private Hire or Hackney driver could be is 18 years of age		
How will this policy/service/procedure impact on the following groups:			
	<table> <tr> <th>Positive impact</th><th>Negative impact</th></tr> </table>	Positive impact	Negative impact
Positive impact	Negative impact		
Different racial groups	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers. None		
Men/women and transgender	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers. None		
Disabled people	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers. None		
Gay/Lesbian/bisexual people	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers. None		
People from different faiths	The requirement for drivers to participate in an awareness raising session relating to the safeguarding of children, young people and vulnerable adults will offer reassurance to drivers and passengers. None		

EQUALITY IMPACT NEEDS ASSESSMENT

Signed..........(Manager) Signed.....(Corporate Equality Representative)

DELEGATIONS AND REFERRAL TO COMMITTEE

For the purpose of this Policy, simple and conditional cautions, reprimands, warnings and fixed penalties shall be treated as though they were convictions.

1. This Policy is to be applied when making all decisions for the granting or suspension or refusal of a licence for a combined Hackney Carriage/Private Hire Driver's Licence and/or a Private Hire Operator's Licence ('a Licence').
2. Under the Council's Constitution the Environment and Licensing Committee have responsibility for exercising the Council's powers relating to Hackney Carriages and Private Hire Licensing.
3. The following paragraphs set out the delegations and procedures for the grant/suspension/revocation of a Licence. Where there is a delegation to the Corporate Director ('Director'), this is for the grant of a licence only; the Director can only refuse to grant such a licence, or to revoke an existing licence, where:
 - i) The driver is disqualified from driving and no longer holds a licence under Part III of the Road Traffic Act 1998 authorising him to drive a motor vehicle; or
 - ii) The driver's full DVLA licence has been revoked under the provisions of the Road Traffic (New Drivers) Act 1995.
4. **No previous convictions** - delegated authority to the Director.
5. **Minor Traffic Convictions where total number of points is 9 or fewer** – delegated authority to the Director, except where a DVLA licence has been revoked within the 2 year probationary period, under the Road Traffic (New Drivers) Act 1995, and a then a new DVLA licence obtained; even if the points are fewer than 9, the Director shall have no authority to grant the licence.
6. **Convictions within 5 years of application/change in circumstances of existing licence holder** – there is no delegation other than for minor traffic convictions as above; all other applications disclosing any Convictions within the last 5 years must be referred to the Committee.
7. **Convictions more than 5 years but less than 10 years prior to the application** – delegated authority to the Director after consultation with the Chair or Vice Chair and two members of the Committee to grant a Licence, except:
 - i) Where the applicant has a conviction for Violence as detailed in paragraphs (b)(i) and (b)(ii) on pages 13 and 14 following, when the application must be referred to the Committee if the offence is less than 10 years prior to the application (but see below);

- ii) Where the applicant has a conviction for an Indecency Offence as detailed in paragraph (e)(i) on page 16 following, the application must be referred to Committee if the conviction is less than 10 years prior to the application.
- 8. **All Convictions more than 10 years prior to the application** – delegated authority to the Director after consultation with the Chair or Vice Chair, except in the following circumstances where the application must be referred to the Committee:
 - i) Where the applicant has a conviction for an indictable only offence; and/or
 - ii) Where the applicant has a conviction for a serious sexual offence; or
 - iii) Where the convictions are all more than 10 years old and fall outside of the above but it is felt by the Chair/Vice Chair that the circumstances justify refusal.
- 9. **Medical Examinations:** All applicants are required to pass a medical examination (see page 11 following). The presumption will be that any applicant who fails their medical examination will be refused a licence; any applicant wishing to pursue their application and who has failed their medical examination will be referred to Committee.
- 10. **Knowledge test:** All new applicants are required to pass a knowledge test as part of the application process. This tests the applicant's knowledge of routes and landmarks within the Gedling and Nottingham areas, as well as their knowledge of the Highway Code and licence conditions, and the ability of the applicant to do basic mental arithmetic (to ensure they can give correct change).

The application of any driver who takes and fails the test 3 times in succession will be deemed to be incomplete and will not be processed. Such applicant will not be eligible to sit the test during the following 3 month period, during which time it is expected that he will revise the material necessary to pass the test.

There is no 'expiry date' to the test, and no requirement to re take the knowledge test at renewal; however, any driver who has previously held a licence with Gedling Borough Council and who re applies more than two years after the previous licence expired will be required to take the knowledge test again. This is to ensure the he is familiar with the Gedling/Nottingham area and the terms and conditions of the Gedling licence, for the safety of the public.
- 11. **Practical Driving Test:** All new applicants are required to pass a driving test as part of their application. The application of any driver who takes the test and fails 3 times in succession will be deemed to be incomplete and will not be processed. Any such applicant will not be able to re take the test during the following 3 month period.
- 12. **Safeguarding:** all new applicants are required to attend Safeguarding Training and pass a short test as part of the application process, and every third year thereafter as part of the renewal application. All existing drivers are required to

undertake the training and pass the test at first renewal after 1 April 2016, and every 3rd year as part of their renewal application.

13. Duration of licences:

Where the Director under his delegated authority grants a licence, he shall also have authority to determine the term of such licence. Where a licence is granted (whether by Director or Committee), the decision maker shall then consider the term of such licence as follows:

- i) Driver's Licences: the standard licence duration is 3 years. Applicants may apply for a 1 year licence, should they so wish. Where an application for a 3 year licence is submitted, and the applicant is deemed to be a fit and proper person to hold a licence, the Director/Committee may decide it appropriate in the circumstances of that particular applicant, that the licence be restricted to a lesser period (1 year). Please refer to the Policy at page 26.
- ii) Operator's Licences: the standard licence duration will be 5 years. Applicants may apply for a 1 year licence, should they so wish. Where an application for a 5 year licence is submitted, and the applicant is deemed fit and proper to hold a licence, the Director/Committee may decide it appropriate in the circumstances of that particular applicant, that the licence be restricted to a lesser period (1 year). Please refer to the Policy at page 26.

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Policy to be assessed	Various changes to the Hackney Carriage, Private Hire and Operator licence conditions, vehicle specification and testing manual as well as the statement of Policy for the licensing improvements presented to committee on 9 th February 2016.
Assessment completed by:	Mr Kevin Nealon, Community Protection Manager, Public Protection Service.

Aims/objectives of the Policy/Service/Procedure

The aim of this policy is to:

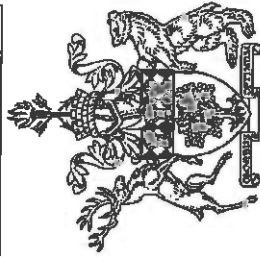
1. Address a number of issues relating to the Councils Hackney Carriage Drivers, Private Hire Vehicle specification as well as the inspection and testing manual driver conditions and Statement of Policy.
2. Ensure that any aspects of the proposed changes do not have (or potentially have) a negative impact on the protected characteristics of any stakeholder as detailed in the Equality Act 2010.
3. To ensure that all decisions made under the delegation of the policy have been do so after considering the impact of those stakeholders defined as having a protected characteristic.
4. To ensure that members and officers take a firm, balanced, and considered approach to issuing of any licenses covered by the policy.
5. To ensure the safety of the traveling public

<p>Who are the customers and stakeholders of this service?</p> <ol style="list-style-type: none"> 1. The general public. 2. Those members of the public who may choose to travel in a licensed vehicle 3. People working in the taxi trade who require either a Hackney Carriage or Private Hire drivers licence of an Operator's Licence. 4. Council employees. 5. Elected members. 	
<p>Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census:</p>	
<p>Black and minority ethnic people</p>	<p>The Council has no formal data relating to the ethnicity of HC&PH drivers or operators or of the residents who use them or those who provide services to the Taxi trade.</p>
<p>Men/women and transgender</p>	<p>The Council has no formal data relating to the balance of male and female ratio of people who either hold a HC&PH vehicle or operators or the customers that use them. However anecdotal evidence suggests female drivers make up fewer than 5% of licence holders.</p>
<p>Disabled people</p>	<p>Licensed private hire and hackney carriage drivers must hold a valid DVLA issued drivers licence. In order to obtain a private hire or hackney licence applicants must also be assessed for their medical fitness by a doctor. In cases where due to an individual's disability a DVLA issued drivers licence could not be obtained or if a hackney carriage or private hire driver's licence can't be issued on the grounds of medical fitness then the individual would not be eligible to obtain a licence.</p>

	The Council has no formal data relating to any disabilities of any Gedling Borough Council HC& PH drivers or operators or the number of disabled customers who use Gedling Borough Council licensed vehicles. Having a disability would not preclude person from holding a HC&PH or operator's licence and officers are aware of at least one licensed driver who also holds a blue badge.		
Gay/Lesbian/bisexual People	The Council holds no information in relation to this protected characteristic for any Gedling Borough Council licensed HC&PH driver or operator or any customers or those who provide services the Taxi trade.		
People from different faiths	No information is held on this characteristic.		
People of different ages	Drivers must have held a full driving licence for at least 12 months and as such the youngest a Private Hire or Hackney driver could be is 18 years of age		
How will this policy/service/procedure impact on the following groups:			
	Positive impact	Negative impact	
Different racial groups	None	None	
Men/women and transgender	The requirement for the driver to display a second badge on the dashboard which must be visible from ever seat within the vehicle with offer reassurance to female passengers especially those travelling on their own.	None	
Disabled people	The lifting equipment used to providing wheelchair access to vehicles I snow recognised and a test	None	

	certificate is required. This will offer reassurance to those who rely on a wheelchair and who use HC/PH vehicles.	
Gay/Lesbian/bisexual people	None	None
People from different faiths	None	None
People of different ages	Some younger drivers who are starting out in career as a HC/PH driver may find that cars with smaller engines are cheaper and this may allow them to enter the trade.	
What changes could be made to the policy/service/procedure to address any negative impacts?		
What monitoring will be carried out to ensure this policy/service/procedure meets diverse needs		
Officers will review this policy within one year.		
What actions will be included in your service plan arising from this assessment?		
Action	Outcome	Date?

	<p>Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required? Yes</p> <p>If no then a fuller impact assessment is required.</p>
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EQUALITY IMPACT NEEDS ASSESSMENT

Signed.....*[Signature]*.....(Manager) Signed.....*[Signature]*.....(Corporate Equality Representative)



Hackney Carriage Vehicle Licence Conditions

Definitions

"The Council" means the Gedling Borough Council.

"Authorised Officer" means any Officer authorised in writing by the Council for the purpose of these conditions and any statutory requirements relating to taxi licensing.

"Hackney Carriages" or "vehicle" has the same meaning as in the Town Police Clauses Act 1847.

"1976 Act" means the Local Government (Miscellaneous Provisions) Act 1976.

"Proprietor" means the person or persons or body named in this licence as the Proprietor of the vehicle and includes a part Proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement.

"Technical Test" means such test as the Council may prescribe to assess the mechanical fitness and suitability of the vehicle.

"Licence Plate" means the plate issued by the Council for the purpose of identifying the vehicle as a Hackney Carriage Vehicle duly licensed by the Council.

"Vehicle Specification" means the specification document agreed by the Council. A copy of the vehicle specification be found on www.Gedling.gov.uk under taxi licensing, or a copy can be requested from the Reception Desk at the Civic Centre offices.

The Proprietor shall observe and perform the following terms and conditions:-

1. Vehicle

- A The vehicle shall be maintained throughout the Licence period so as to comply at all times with the Vehicle Specification approved by the Council, and the interior and exterior of the Hackney Carriage shall be kept in a clean condition and maintained in a safe condition throughout the duration of the Licence.
- B Any damage to a Hackney Carriage shall be reported to the Council by the Proprietor within seventy-two hours of such damage in accordance with the 1976 Act and until such damage is repaired to the satisfaction of the Authorised Officer of the Council, the vehicle shall not be used for hire.
- C The Proprietor shall permit an Authorised Officer or any Constable to

inspect the vehicle at all reasonable times. If the Authorised Officer or Constable is not satisfied as to the condition of the vehicle for use as a Hackney Carriage, the Proprietor shall, after being notified in writing, present the vehicle for inspection at such place within the District of Gedling as is specified in such notice.

- D Without prejudice to the provisions of Condition 1C of these conditions, the Proprietor shall present the vehicle for inspection and testing at such time and at such place within the district of Gedling as specified in a notice served upon the Proprietor by the Council requiring the Proprietor so to do. Provided that the Council shall not, under the provisions of this paragraph, require the Proprietor to present the vehicle for inspection and testing on more than two separate occasions during any one period of twelve months.
- E If the Authorised Officer or Constable is not satisfied as to the condition of the vehicle for use as a Hackney Carriage upon completion of the inspection required by Condition 1 C or 1 D of these Conditions, he/she may immediately suspend the vehicle Licence. The Proprietor shall forthwith upon being required so to do by the Authorised Officer, cause the Licence Plate to be removed from the vehicle and handed to the Authorised Officer or Constable who shall keep it in his custody until such time as he is satisfied as to the condition of the vehicle, whereupon the Licence Plate shall be returned to the Proprietor.
- F The Hackney Carriage Vehicle Licence shall be valid for a period of six months, where the vehicle is over 3 years of age.
- G The Hackney Carriage Vehicle Licence shall be valid for a period of twelve months, where the vehicle is 3 years of age or under and has mileage of less than 36,000 miles
- H
 - (i) If, on inspection, the vehicle fails the technical test, the vehicle must be submitted for re-inspection within fourteen days.
 - (ii) If the Proprietor fails to comply with Condition 1 H (i), an additional fee as set out in the Council's Scale of Fees at the time, will be payable when the vehicle is finally inspected.
- I There shall be provided and maintained in the vehicle at all times when it is in use or available for hire, a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances such equipment to be carried in such a position in the vehicle so as to be readily available for immediate use in an emergency.
- J The vehicle is to carry a set of replacement fuses of various amp rating and replacement bulbs – to include headlight, tail light, side light, brake light, indicator light and rear number plate light as minimum.

- K The proprietor shall ensure that a Hackney Carriage that is mechanically unable to proceed shall not remain on the stand longer than is necessary to call for assistance to remove that Hackney Carriage from that stand.
- L Space saver tyres are allowed provided:
 - I. the type of space saver tyre is an original part of the vehicle's design and manufacture.
 - II. the space saver tyre is limited to use in an emergency situation only at a maximum speed of 50 mph. Distance and mileage is to comply with manufacturers instructions.

2. Licence Plate and Drivers Badge

- A The licence plates issued by the Council shall at all times be kept affixed to the outside of the front and rear of the vehicle, in an upright position, either on or immediately above or below the bumper in such a position that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plates are clearly visible by daylight from the road on both the front and rear of the vehicle
- B The Licence Plate referred to in Condition 2A of these Conditions shall remain the property of the Council and shall be returned forthwith to Customer Services, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham. NG5 6LU on expiry of the Licence unless the Council has granted a further Hackney Carriage Licence in respect of the vehicle, if the Proprietor no longer holds a Hackney Carriage Licence issued by the Council which is in force in respect of the vehicle.
- C The Proprietor of a licensed Hackney Carriage, shall report the damage, loss or theft of any Plate to Customer Services, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham as soon as such damage or theft becomes known.
- D In the event of a Plate being stolen, the Proprietor shall make a report immediately to the local police station.
- E Replacement Plates will be issued for a fee determined by the Council and payable by the Proprietor.
- F The proprietor is to ensure the identity badge holder is mounted inside the vehicle in such a location that it can be seen from all seats within the vehicle. One of the two Drivers badges issued by the Council of the person driving the vehicle is to be mounted in the holder at any time while the vehicle is plying for hire or being used for hire.

3. Documentation

- A At all times the Proprietor shall during the currency of this Licence, keep in force in relation to the user of the vehicle as a Hackney Carriage, a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1972 to include hire and reward.
- B On being so required by an Authorised Officer, the Proprietor of the vehicle shall produce to that Officer for examination, the Certificate of insurance issued by the Insurer in respect of the vehicle for the purposes of Part VI of the Road Traffic Act 1972 and/or proof of ownership of the vehicle and/or the full current MOT Certificate for the vehicle.
- C Provided that if the Proprietor fails to produce the said documents to that Officer, the Proprietor shall, within five days of such a request, produce them to that Officer or to any other Authorised Officer at the Licensing Section, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU.
- D The Proprietor shall notify the Council in writing of any change of address (including a change of business address) during the period of the Licence within seven days of such a change taking place.

4. Advertisements

- A Any advertisement on the vehicle shall be confined to a notice fixed to any of the side door panels of the vehicle containing the following information:-
 - (i) Name of Operator and
 - (ii) Telephone number of Operator.

The design of the notices shall be approved by the Council.

- B No other advertising material shall be exhibited on the vehicle without the prior written approval of the Council's Environment and Licensing Committee.

5. Taxi Meters and Data Systems

- A Taximeters fitted to Gedling Borough Council Hackney Carriages must be of a type previously approved for use under the Measuring Instruments (taximeters) Regulations 2006, and any vehicle presented to the Council after 1 April 2016 for a Hackney Carriage licence must be fitted with calendar controlled taximeter, locked and sealed by the manufacturer/supplier so that tariff rates change automatically and cannot be changed or tampered with manually by any person.
- B Some meters can be controlled by remote control. The use of remote controls is not permitted in vehicles licensed by Gedling Borough Council.
- C Where fitted, taximeters must be maintained in a safe condition in

accordance with manufacturer's guidelines. All taximeters should be fitted in a position, approved by the Council's vehicle tester, where they are not obstructed by other fixtures or fittings within the vehicle and in a place where they are clearly visible to all passengers conveyed in the vehicle

- D The meter must comply with the Council's Hackney Carriage Fares Scale. A copy of this Scale must be displayed in your vehicle where it is visible to all passengers.
- E You must have the meter satisfactorily tested by an Authorised Officer of the Council before it is used. With effect from 1st April 2016, any meter fitted to a Hackney Carriage must be calendar controlled and sealed.
- F The meter must be accurate, be capable of showing that the vehicle is or is not hired.
- G When the meter is working, the fare must be clearly legible. This fare must be unambiguous and must not exceed the rate as given in the Council's Hackney Carriage Fares Scale.
- H The word "FARE" must be clearly printed on the meter so it clearly indicates the fare displayed.
- I You must report any failure of the meter to the Council by 10.00am the next working day.
- J The meter must only be brought into action and the fare or charge must only commence from the point at which the hirer starts his/her journey.
- K A GPS taxi management & dispatch system consisting of a mobile data head and a central dispatch system manufactured may be fitted in accordance with the manufacturer's instructions. The GPS system is not a taximeter. It can be used alongside the vehicle's approved taximeter but must not replace it.

6. Roof Signs

- A The Proprietor of the Hackney Carriage provided with a taxi meter 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;
 - (i) the front of the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height and the back of the sign shall bear the initials "GBC" or the words "GEDLING BOROUGH COUNCIL" and the plate number
 - (ii) 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
 - (iii) the sign shall be capable of being lit internally so that it is

illuminated when the Hackney Carriage is "FOR HIRE" but not so illuminated otherwise

- (iv) the sign shall be fixed in such manner and position and be of such size as shall be approved by the Council
- (v) the Proprietor of the Hackney Carriage shall maintain so far as is reasonably applicable such sign in efficient working order at all times.
- (vi) no other signs shall be displayed on the roof of the vehicle unless by prior written approval from the Councils Environment & Licensing Committee.

7. Fares

- A The Proprietor of the Hackney Carriage herein licensed shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council and notified to the Proprietor. Such rate or fare shall be calculated by distance and time and may be subject to variation from time to time.
- B The Proprietor of the Hackney Carriage shall cause the current table of fares, as fixed from time to time by the Council, to be exhibited inside the carriage. The Proprietor shall not cause the fares table to be concealed or rendered illegible at any time while the vehicle is plying for hire or being used for hire. (Additional copies of the fares may be obtained from Customer Services, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU).
- C The fare charged shall be for the hire of the Hackney Carriage and there shall be no extra charge for luggage.

8 Hackney Carriage Undertaking Private Hire Work

- A If a Hackney Carriage is to undertake private hire work via bookings received from a licensed operator, the proprietor should notify the Council of the operator's company name through which the vehicle is run. If the Hackney Carriage proprietor changes the operator through whom they run the vehicle, then the change must be notified to the Council within 48 hours of such a change.
- B Regardless of how the Proprietor operates the vehicle, once a vehicle is licensed by the Council as a Hackney Carriage, the vehicle remains a Hackney Carriage until such time the licence has either:
 - I. expired
 - II. suspended
 - III. revoked
 - IV. surrendered

The vehicle must therefore be fitted with a compliant meter, rooflight, identity badge holder and licences plates, first aid kit, fire extinguisher

and replacement bulbs and fuses as specified at all times.

9. Hackney Carriage Drivers

- A The Proprietor shall not in the district act as a driver of a vehicle unless he has obtained a current combined Hackney Carriage/Private Hire Vehicle Drivers Licence issued by the Council.
- B The Proprietor shall not in the district;
 - (i) employ or use any person as the driver of the vehicle for the purpose of any hiring unless the person concerned is the holder of a current Hackney Carriage/Private Hire Drivers Licence issued by the Council
 - (ii) permit any other person to act as the driver of a vehicle for the purpose of any hiring unless the person concerned has a current combined Hackney Carriage/Private Hire Vehicle Drivers Licence issued by the Council.
- C The Proprietor shall maintain a list of the names and addresses of all persons employed or otherwise used by him for the purposes of driving the vehicle and shall on request inform the Council of the content of such a list.

10. Radios

The Proprietor shall ensure that any radio equipment fitted to the vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

11. Transfers

The Proprietor shall not assign or in any way part with the benefit of the Licence. If he/she transfers his/her interest in the Hackney Carriage Vehicle to any other person he/she shall, not less than fourteen days before such transfer, give notice in writing thereof to the Council specifying the name and address to whom the vehicle is to be transferred. If, for any reason the Proprietor does not wish to retain the Hackney Carriage Vehicle Licence, he/she must immediately surrender and return the Licence and Plate if appropriate to the Planning and Environment Department, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham.

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 may be liable on summary conviction to a fine not exceeding £1,000 where no other specific penalty is expressed. In addition, such action may lead to the suspension or revocation of an existing Licence or the non-renewal of such a Licence.

Your attention is drawn to the various provisions contained in the 1976 Act which you

are advised to obtain and read carefully.

N.B. These conditions are additional to the statutory requirements relating to Hackney Carriages contained in the Town Police Clauses Act 1847 (and any byelaws made thereunder) and the Local Government (Miscellaneous Provisions) Act 1976.

Private Hire Vehicle Licence Conditions

Definitions

"The Council" means the Gedling Borough Council.

"Authorised Officer" means any Officer authorised in writing for the purpose of these conditions and any statutory requirements relating to private hire licensing.

"Private Hire Vehicle" or "vehicle" means the private vehicle licensed by the Council under the Local Government (Miscellaneous Provisions) Act 1976.

"Proprietor" means the person or persons or body named in the licence as the Proprietor of the Private Hire Vehicle and includes a part Proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement.

"Technical Test" means such test as the Council may prescribe to access the mechanical fitness and suitability of the vehicle.

"Plate" means the Licence Plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licensed by the Council.

"1976 Act" means the Local Government (Miscellaneous Provisions) Act 1976.

"Vehicle Specification" means the specification document agreed by the Council. A copy of the vehicle specification be found on www.Gedling.gov.uk under taxi licensing, or a copy can be requested from the Reception Desk at the Civic Centre offices.

The Proprietor shall observe and perform the following terms and conditions:-

1. Vehicle

- A The vehicle shall be maintained throughout the Licence period so as to comply at all times with the Vehicles Specification approved by the Council, and the interior and exterior of the private hire vehicle shall be kept in a clean condition and maintained in a safe condition throughout the duration of the Licence.
- B Any damage to a private hire vehicle shall be reported to the Council by the Proprietor within seventy-two hours of such damage in accordance with the 1976 Act and until such damage is repaired to the satisfaction of the Authorised Officer of the Council, the vehicle shall not be used for hire.
- C The Proprietor shall permit an Authorised Officer or any Constable to inspect the vehicle at all reasonable times. If the Authorised Officer or

Constable is not satisfied as to the condition of the vehicle for use as a private hire vehicle, the Proprietor shall, after being notified in writing, present the vehicle for inspection at such place within the District of Gedling as is specified in such notice.

- D Without prejudice to the provisions of Condition 1C of these conditions, the Proprietor shall present the vehicle for inspection and testing at such time and at such place within the district of Gedling as specified in a notice served upon the Proprietor by the Council requiring the Proprietor so to do. Provided that the Council shall not, under the provisions of this paragraph, require the Proprietor to present the vehicle for inspection and testing on more than two separate occasions during any one period of twelve months.
- E If the Authorised Officer or Constable is not satisfied as to the condition of the vehicle for use as a private hire vehicle upon completion of the inspection required by Condition 1C or Condition 1D of these Conditions, he/she may immediately suspend the vehicle Licence. The Proprietor shall forthwith upon being required so to do by the Authorised Officer, cause the Licence Plate to be removed from the vehicle and handed to the Authorised Officer or Constable who shall keep it in his custody until such time as he is satisfied as to the condition of the vehicle, whereupon the Licence Plate shall be returned to the Proprietor.
- F The Hackney Carriage Vehicle Licence shall be valid for a period of six months, where the vehicle is over 3 years of age.
- G The Hackney Carriage Vehicle Licence shall be valid for a period of twelve months, where the vehicle is 3 years of age or under and has mileage of less than 36,000 miles
- H
 - (i) If, on inspection, the vehicle fails the technical test, the vehicle must be submitted for re-inspection within fourteen days.
 - (ii) If the Proprietor fails to comply with Condition 1H (i), an additional fee as set out in the Council's Scale of Fees at the time, will be payable when the vehicle is finally inspected.
- I There shall be provided and maintained in the vehicle at all times when it is in use or available for hire, a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle so as to be readily available for immediate use in an emergency.
- J The vehicle is to carry a set of replacement fuses of various amp rating and replacement bulbs – to include headlight, tail light, side light, brake light, indicator light and rear number plate light as minimum.

- K Space saver tyres are allowed provided:
- III. the type of space saver tyre is an original part of the vehicle's design and manufacture.
 - IV. the space saver tyre is limited to use in an emergency situation only at a maximum speed of 50 mph. Distance and mileage is to comply with manufacturers instructions.

2. Licence Plate and Identity Badge

- A The licence plates issued by the Council shall at all times be kept affixed to the outside of the front and rear of the vehicle, in an upright position, either on or immediately above or below the bumper in such a position that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plates are clearly visible by daylight from the road on both the front and rear of the vehicle
- B The Licence Plate referred to in Condition 2A of these Conditions shall remain the property of the Council and shall be returned forthwith to Customer Services, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham. NG5 6LU on expiry of the Licence unless the Council has granted a further Hackney Carriage Licence in respect of the vehicle, if the Proprietor no longer holds a Hackney Carriage Licence issued by the Council which is in force in respect of the vehicle.
- C The Proprietor of a licensed Hackney Carriage, shall report the damage, loss or theft of any Plate to Customer Services, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham. NG5 6LU as soon as such damage or theft becomes known.
- D In the event of a Plate being stolen, the Proprietor shall make a report immediately to the local police station.
- E Replacement Plates will be issued for a fee determined by the Council and payable by the Proprietor.
- F The proprietor is to ensure the identity badge holder is mounted inside the vehicle in such a location that it can be seen from all seats within the vehicle. One of the two Drivers badges issued by the Council of the person driving the vehicle is to be mounted in the holder at any time while the vehicle is plying for hire or being used for hire.

3. Documentation

- A At all times the Proprietor shall during the currency of this Licence, keep in force in relation to the user of the vehicle as a private hire vehicle, a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1972 to include hire and reward.

- B On being so required by an Authorised Officer, the Proprietor of the vehicle shall produce to that Officer for examination, the Certificate of insurance issued by the Insurer in respect of the vehicle for the purpose of Part VI of the Road Traffic Act 1972 and/or proof of ownership of the vehicle and/or the full current MOT Certificate for the vehicle.
- C Provided that if the Proprietor fails to produce the said documents to that Officer, the Proprietor shall, within five days of such a request, produce them to that Officer or to any other Authorised Officer at the Licensing Section, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU.
- D The Proprietor shall notify the Council in writing of any change of address (including a change of business address) during the period of the Licence within seven days of such a change taking place.

4. Advertisements

- A Any advertisement on the vehicle shall be contained in a notice fixed to any of the side door panels of the vehicle containing the following information:-

- (i) Name of operator, and
- (ii) Telephone number of operator.

The design of the notice shall be approved by the Council.

Any proprietor wishing to apply for exemption from the requirements of Condition 4A(2) shall do so in writing to the Council setting out reasons for an exemption to be considered.

- B No other advertising material shall be exhibited on the vehicle without the prior written approval of the Environment and Licensing Committee.
- C For the purposes of Condition 4A of these Conditions the word "taxi" or "cab" whether in singular or plural, or any word of a similar meaning or appearance to either of those words and whether alone or in combination with any other word or words shall not appear in any such advertisement.
- D The foregoing provisions of Condition 4 shall not apply to a sign or notice displayed on or from the vehicle which is prescribed under any enactment.
- E The Proprietor of any private hire vehicle shall not display or cause or permit to be displayed on or above the roof of such vehicle any sign, notice, mark, illumination or other similar feature.

5. Private Hire Drivers

- A The Proprietor shall not in the District act as a driver of a vehicle unless he has obtained a current Hackney Carriage/Private Hire Driver's Licence

issued by the Council.

B The Proprietor shall not in the District:-

- (i) Employ or use any person as the driver of the vehicle for the purpose of any hiring, unless the person concerned has a current Hackney Carriage/Private Hire Drivers Licence issued by the Council.
- (ii) Permit any other person to act as the driver of a vehicle for the purpose of any hiring, unless the person concerned has a current Hackney Carriage/Private Hire Driver's Licence issued by the Council.

C The Proprietor shall maintain a list of the names and addresses of all persons employed or otherwise used by him for the purposes of driving the vehicle and shall on request inform the Council of the contents of such a list.

6. Radios

The Proprietor shall ensure that any radio equipment fitted to the vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

7. Transfers

The Proprietor shall not assign or in any way part with the benefit of the Licence. If he/she transfers his/her interest in any vehicle to any other person he/she shall, not less than fourteen days before such transfer, give notice in writing thereof to the Council specifying the name and address to whom the vehicle is to be transferred. If, for any reason the Proprietor does not wish to retain the Private Hire Vehicle Licence, he/she must immediately surrender and return the Licence and Plate if appropriate to the Planning and Environment Department, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU.

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 £1,000 where no other specific penalty is expressed. In addition, such action may lead to the suspension or revocation of an existing Licence or the non-renewal of such a Licence.

Your attention is drawn to the various provisions contained in the 1976 Act which you are advised to obtain and read carefully.

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Record of Proposed Changes to the Hackney Carriage Vehicle Licence Conditions

Current

The requirement to carry Spare bulbs and fuses not recognised

No method of displaying the drivers licence within the vehicle

One licence plate currently issued which is to be displayed on the rear of the vehicle

Meter Section outdated

Table of Fares

Hackney Carriages used as private hire vehicles not recognised

Proposed

The requirement to carry Spare bulbs and fuses now recognised

Drivers Licence badge holder located on the dashboard and that it is clearly visible from all seats within the vehicle

Two licence plates will be issued from April 2016. A plate will be fixed on both the front and rear of the vehicle

Meter Section updated. Calendar controlled meters to be specified from 1st April 2016

Table of Fares rewritten

Hackney Carriages used as Private Hire Vehicles now recognised

Record of Proposed Changes to the Private Hire Vehicle Licence Conditions

Current

The requirement to carry Spare bulbs and fuses not recognised

No method of displaying the drivers licence within the vehicle

One licence plate currently issued which is to be displayed on the rear of the vehicle

Proposed

The requirement to carry Spare bulbs and fuses now recognised

Drivers Licence badge holder located on the dashboard and that it is clearly visible from all seats within the vehicle

Two licence plates will be issued from April 2016. A plate will be fixed on both the front and rear of the vehicle

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Hackney Carriage Driver's Licence Conditions

Definitions

'Authorised Officer' means any officer authorised in writing by the council for the purposes of these conditions, and any statutory requirements relating to taxi licensing.

'The Council' means Gedling Borough Council.

"Hackney Carriages" or "vehicle" has the same meaning as in the Town Police Clauses Act 1847.

'Proprietor' means the person or persons or body named in the licence as the Proprietor of the Hackney Carriage and includes part Proprietors and in relation to a vehicle subject to a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement.

1. Assignment of Licence

The Licensee shall not assign or in any way part with the benefit of the Licence. It is personal to the Licensee.

2. Deposit of Licence with Hackney Carriage Proprietor

The Licence shall be delivered to and deposited with the Proprietor of the Hackney Carriage or with the Operator, if applicable.

3. Drivers Badge

The driver shall;

- A at any time while the vehicle is plying for hire or being hired wear, in a conspicuous position so as to be clearly visible, one of two drivers badge issued by the Council.
- B mount the identity badge holder inside the vehicle in such a location that it can be seen from all seats within the vehicle. One of the two drivers badges issued by the Council is to be mounted in the holder at any time while the vehicle is plying for hire or being hired.
- C return his/her badges to the Council as soon as the Licence ceases to be in force.

4. Conduct of Driver

The driver shall;

- A afford all reasonable assistance with passengers luggage.
- B be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
- C take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- D not, without the express consent of the hirer, drink or eat in the vehicle whilst it is being hired.
- E at no time cause or permit the noise emitted by any device in the vehicle which he/she is driving, to be a source of nuisance or annoyance to any person whether inside or outside the vehicle.
- F not smoke or permit passengers to smoke in the vehicle at any time.
- G not use or permit passengers to use E-Cigarettes, Personal vaporizers or Electronic Nicotine Delivery Systems within the vehicle at any time

5. Prompt Attendance

The driver of a Hackney Carriage who has agreed, or has been hired to be in attendance with the Hackney Carriage at an appointed time and place shall, unless delayed or prevented by some reasonable cause, punctually attend.

6. Destination

The driver of a Hackney Carriage when hired to a particular destination shall not, without reasonable cause, unnecessarily prolong in distance, or in time, the journey for which the Hackney Carriage has been hired.

7. Passengers

- A the driver shall not convey or permit to be conveyed in a Hackney Carriage, a greater number of persons than that prescribed in the Licence for the vehicle.
- B The driver shall not allow more than one passenger to be conveyed in front of the Hackney Carriage.
- C The driver shall not, without the consent of the hirer of the Hackney Carriage, convey or permit to be conveyed any other person in the vehicle.
- D The driver may, at his/her discretion, convey animals or pets, provided that the driver shall not refuse to convey assistance dogs.

8. Licences Issued for a Three Year Period

The licence holder will sign and submit a declaration to the Council, at the end of each 12 month period, and undergo a DVLA check. If this condition is not complied with the licence holder will be brought before the Environment and Licensing Committee.

9. Statement of Fares

The driver of a Hackney Carriage shall ensure that a statement of fares or rates of fares currently in force in the district shall be displayed at all times and shall not be concealed or rendered illegible at any time while the Hackney Carriage is plying, or being used, for hire.

10. Taxi Meters and Data Systems

- A When the Licensee is driving a vehicle equipped with a taximeter they shall:-
- (a) when the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter.
 - (b) at the commencement of the journey when the vehicle is being used as a Hackney Carriage and is hired by distance, bring the machinery of the taximeter into action 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.
 - (c) be entitled to demand and take for the hire of the vehicle, when used as a Hackney Carriage by distance the rate of fare indicated in the statement displayed inside the vehicle in accordance with Condition 7B of the Council's Conditions for a Hackney Carriage Vehicle, provided always that the Licensee shall not take or demand a fare greater than that shown on the face of the taximeter.
 - (d) ensure that during the time the vehicle is hired by distance the display of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated.
 - (e) not wilfully or negligently cause or suffer the letters or figures in the statement displayed inside the vehicle, in accordance with Condition 7B of the Council's Conditions for a Hackney Carriage Vehicle Licence, to be concealed or rendered illegible at any time.
- B the driver of a Hackney Carriage shall not tamper with or permit any person other than an authorised officer to tamper with any taxi meter, fittings or seals provided in the Hackney Carriage, provided that any necessary repairs may be carried out subject to prior notification to the Council.
- C vehicles must be presented for inspection by the Council as soon as is reasonably practicable following any adjustments or repairs to the taxi meter.
- D the driver shall ensure that when the vehicle is not undertaking a hire journey, no fare is recorded on the face of the meter.
- E on commencement of a journey the driver shall bring the meter into action and keep the meter in action until the termination of the hiring.
- F the driver shall cause the meter to be properly illuminated throughout any part of the hiring which is during the hours of darkness and at any other time if requested to do so by the hirer of the Hackney Carriage.

- G the meter switch must be independent of the roof sign illumination switch.
- H the driver must not charge a fare higher than that displayed on the meter at the termination of the journey.

11. Proceeding to Ranks

The driver of a Hackney Carriage shall, when plying for hire in any street and not actually hired;

- A proceed with reasonable speed to one of the stands appointed by the Council.
- B if a stand, at the time of his arrival, is occupied by the full number of Hackney Carriages authorised to occupy it, proceed to another stand.
- C on arriving at a stand not already occupied by the full number of hackney carriages authorised to occupy it, park the carriage immediately behind the carriages already on the stand so as to face the same direction.
- D from time to time when any other hackney 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 hackney carriage driven off or moved forward.

12. Lost Property

Any property left in a Hackney Carriage shall, within twenty four hours, be taken by the driver, to the nearest police station.

13. Change of Address

The driver shall give notice to the Council of any change of his/her address, during the period of the licence, within seven days of such change taking place.

14. Convictions, Motoring Offences and Charges Pending

The driver shall, within seven days, disclose to the Council, in writing, details of any convictions, motoring offences or any charges pending incurred by him/her during the period of the Licence.

15. Accidents

The Proprietor shall within seventy two hours of any accident involving the vehicle, report in writing such occurrence to the Council.

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 may be liable on summary conviction to a fine not exceeding £1,000 where no other specific penalty is expressed. In addition, such action may lead to the suspension or revocation of an existing Licence or the non-renewal of such a Licence.

Your attention is drawn to the various provisions contained in the 1976 Act which you are advised to obtain and read carefully.

N.B. These conditions are additional to the statutory requirements relating to Hackney Carriages contained in the Town Police Clauses Act 1847 (and any byelaws made thereunder) and the Local Government (Miscellaneous Provisions) Act 1976.



Private Hire Driver's Licence Conditions

Definitions

"Authorised Officer" means any Officer authorised in writing by the Council for the purposes of these conditions.

"The Council" means Gedling Borough Council.

"Proprietor" means the person or persons or body named in the licence as the Proprietor of the Private Hire Vehicle and includes part Proprietors and in relation to a vehicle subject to a hiring agreement or a hire purchase agreement, means the person in possession of the vehicle under that agreement.

"Private Hire Vehicle" or "Vehicle" means the private hire vehicle licensed by the Council under the Local Government (Miscellaneous Provisions) Act 1976.

"The Operator" means a person holding a Licence to operate Private Hire Vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous Provisions) Act 1976.

"1976 Act" means the Local Government (Miscellaneous Provisions) Act 1976.

1. Assignment of Licence

The Licensee shall not assign or in any way part with the benefit of the Licence. It is personal to the Licensee.

2. Deposit of Licence with Hackney Carriage Proprietor

The Licence shall be delivered to and deposited with the Proprietor of the Private Hire Vehicle or with the Operator, if applicable.

3. Drivers Badge

The driver shall;

A at any time while the vehicle is plying for hire or being hired wear, in a conspicuous position so as to be clearly visible, one of two drivers badge issued by the Council.

B mount the identity badge holder inside the vehicle in such a location that it can

be seen from all seats within the vehicle. One of the two drivers badges issued by the Council is to be mounted in the holder at any time while the vehicle is plying for hire or being hired.

- C return his/her badges to the Council as soon as the Licence ceases to be in force.

4. Conduct of Driver

The driver shall;

- A afford all reasonable assistance with passengers' luggage.
- B be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
- C take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- D not, without the express consent of the hirer, drink or eat in the vehicle whilst it is being hired.
- E at no time cause or permit the noise emitted by any device in the vehicle which he/she is driving, to be a source of nuisance or annoyance to any person whether inside or outside the vehicle.
- F not smoke or permit passengers to smoke in the vehicle at any time.
- G not use or permit passengers to use E-Cigarettes, Personal vaporizers or Electronic Nicotine Delivery Systems within the vehicle at any time

5. Prompt Attendance

The driver of a Private Hire vehicle who has agreed, or has been hired to be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some reasonable cause, punctually attend.

6. Destination

The driver of a Private Hire vehicle when hired to a particular destination shall not, without reasonable cause, unnecessarily prolong in distance, or in time, the journey for which the vehicle has been hired.

7. Passengers

- A The driver shall not convey or permit to be conveyed in a Private Hire vehicle a greater number of persons than that prescribed in the Licence the vehicle.
- B The driver shall not allow more than one passenger to be conveyed in the front seat of the Private Hire vehicle, unless more than one seat is provided for passengers.
- C The driver shall not, without the consent of the hirer of the Private Hire vehicle convey or permit to be conveyed any other person in the vehicle.

- D The driver may, at his/her discretion, convey animals or pets, provided that the driver shall not refuse to convey guide dogs for the blind.

8. Licences Issued for a Three Year Period

The licence holder will sign and submit a declaration to the Council, at the end of each 12 month period, and undergo a DVLA check. If this condition is not complied with the licence holder will be brought before the Environment and Licensing Committee.

9. Lost Property

Any property left in a Private Hire Vehicle shall, within twenty four hours, be taken by the driver, to the nearest police station.

10. Change of Address

The driver shall give notice to the Council of any change of his/her address, during the period of the licence, within seven days of such change taking place.

11. Accidents

The Proprietor shall within seventy two hours of any accident involving the vehicle, report in writing such occurrence to the Council.

12. Convictions, Motoring Offences and Charges Pending

The driver shall, within seven days, disclose to the Council, in writing, details of any convictions, motoring offences or any charges pending incurred by him/her during the period of the Licence.

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 may be liable on summary conviction to a fine not exceeding £1,000 where no other specific penalty is expressed. In addition, such action may lead to the suspension or revocation of an existing Licence or the non-renewal of such a Licence.

Your attention is drawn to the various provisions contained in the 1976 Act which you are advised to obtain and read carefully.

N.B. These conditions are additional to the statutory requirements relating to Hackney Carriages contained in the Town Police Clauses Act 1847 (and any byelaws made thereunder) and the Local Government (Miscellaneous Provisions) Act 1976.

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Record of Proposed Changes to the Hackney Carriage Drivers Licence Conditions

Current

Driver to wear badge

Meter Section outdated

Smoking not recognised

Proposed

Driver to wear badge and to display 2nd badge using badge holder mounted on dashboard

Meter Section updated

Smoking now recognised including E-Cigarettes

Record of Proposed Changes to the Private Hire Drivers Licence Conditions

Current

Driver to wear badge

Smoking not recognised

Proposed

Driver to wear badge and to display 2nd badge using badge holder mounted on dashboard

Smoking now recognised including all forms of E-Cigarettes

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Policy to be assessed	Various changes to the Hackney Carriage, Private Hire and Operator licence conditions, vehicle specification and testing manual as well as the statement of Policy for the licensing improvements presented to committee on 9 th February 2016.
Assessment completed by:	Mr Kevin Nealon, Community Protection Manager, Public Protection Service.

Aims/objectives of the Policy/Service/Procedure

The aim of this policy is to:

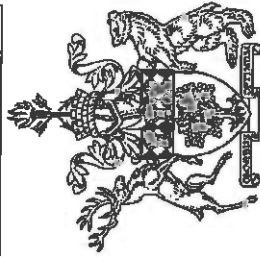
1. Address a number of issues relating to the Councils Hackney Carriage Drivers, Private Hire Vehicle specification as well as the inspection and testing manual driver conditions and Statement of Policy.
2. Ensure that any aspects of the proposed changes do not have (or potentially have) a negative impact on the protected characteristics of any stakeholder as detailed in the Equality Act 2010.
3. To ensure that all decisions made under the delegation of the policy have been do so after considering the impact of those stakeholders defined as having a protected characteristic.
4. To ensure that members and officers take a firm, balanced, and considered approach to issuing of any licenses covered by the policy.
5. To ensure the safety of the traveling public

<p>Who are the customers and stakeholders of this service?</p> <ol style="list-style-type: none"> 1. The general public. 2. Those members of the public who may choose to travel in a licensed vehicle 3. People working in the taxi trade who require either a Hackney Carriage or Private Hire drivers licence of an Operator's Licence. 4. Council employees. 5. Elected members. 	
<p>Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census:</p>	
<p>Black and minority ethnic people</p>	<p>The Council has no formal data relating to the ethnicity of HC&PH drivers or operators or of the residents who use them or those who provide services to the Taxi trade.</p>
<p>Men/women and transgender</p>	<p>The Council has no formal data relating to the balance of male and female ratio of people who either hold a HC&PH vehicle or operators or the customers that use them. However anecdotal evidence suggests female drivers make up fewer than 5% of licence holders.</p>
<p>Disabled people</p>	<p>Licensed private hire and hackney carriage drivers must hold a valid DVLA issued drivers licence. In order to obtain a private hire or hackney licence applicants must also be assessed for their medical fitness by a doctor. In cases where due to an individual's disability a DVLA issued drivers licence could not be obtained or if a hackney carriage or private hire driver's licence can't be issued on the grounds of medical fitness then the individual would not be eligible to obtain a licence.</p>

	The Council has no formal data relating to any disabilities of any Gedling Borough Council HC& PH drivers or operators or the number of disabled customers who use Gedling Borough Council licensed vehicles. Having a disability would not preclude person from holding a HC&PH or operator's licence and officers are aware of at least one licensed driver who also holds a blue badge.		
Gay/Lesbian/bisexual People	The Council holds no information in relation to this protected characteristic for any Gedling Borough Council licensed HC&PH driver or operator or any customers or those who provide services the Taxi trade.		
People from different faiths	No information is held on this characteristic.		
People of different ages	Drivers must have held a full driving licence for at least 12 months and as such the youngest a Private Hire or Hackney driver could be is 18 years of age		
How will this policy/service/procedure impact on the following groups:			
	Positive impact	Negative impact	
Different racial groups	None	None	
Men/women and transgender	The requirement for the driver to display a second badge on the dashboard which must be visible from ever seat within the vehicle with offer reassurance to female passengers especially those travelling on their own.	None	
Disabled people	The lifting equipment used to providing wheelchair access to vehicles I snow recognised and a test	None	

	certificate is required. This will offer reassurance to those who rely on a wheelchair and who use HC/PH vehicles.	
Gay/Lesbian/bisexual people	None	None
People from different faiths	None	None
People of different ages	Some younger drivers who are starting out in career as a HC/PH driver may find that cars with smaller engines are cheaper and this may allow them to enter the trade.	
What changes could be made to the policy/service/procedure to address any negative impacts?		
What monitoring will be carried out to ensure this policy/service/procedure meets diverse needs		
Officers will review this policy within one year.		
What actions will be included in your service plan arising from this assessment?		
Action	Outcome	Date?

<p>Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required? Yes</p> <p>If no then a fuller impact assessment is required.</p>			



EQUALITY IMPACT NEEDS ASSESSMENT

Signed.....*[Signature]*.....(Manager) Signed.....*[Signature]*.....(Corporate Equality Representative)