



**South
Cambridgeshire
District Council**

Hackney Carriage and Private Hire Handbook

1 April 2020

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Appointments: Appointments are made in advance for a visit to:

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The Contact Centre is open at the following times:

Monday to Friday 8.00am – 5.30pm

If you would like to visit us a map is available on our website with details of transport links.

Contents

Definitions	5
1. Hackney Carriage and Private Hire Handbook.....	9
2. Policy Purpose, Status and Scope	9
3. Consultation and Revision	11
4. Implementation	11
5. The Licensing Regime – General Overview	12
6. Information Sharing	13
7. National Register of Refusals and Revocations (NR3).....	14
8. Frequently asked questions about the NR3	15
9. Decision Making.....	17
10. Fit and Proper Test	18
11. Immigration Act.....	20
12. Disclosure and Barring Service (DBS, Convictions, Cautions	20
and other Related Matters).....	20
13. Equal Opportunities	22
14. Policing and Crime Act 2017	22
15. Warnings	22
16. Conditions	23
17. Safeguarding	23
19. Customer Complaints, Compliments and Comments	27
20. Environmental Considerations	29
21. Private Hire and Hackney Carriage Drivers.....	33
28. New Hackney Carriage and Private Hire Driver.....	37
50. Renewal Hackney Carriage & Private Hire Driver Application	52
70. Private Hire and Hackney Carriage Vehicles.....	64
105. New Hackney Carriage & Private Hire Vehicle Application	98

116.	Renew Hackney Carriage & Private Hire Vehicle Application.....	103
129.	Operators.....	110
153.	New Operators Licence	123
161.	Renewal Operators Licence	126
183.	General Information for Drivers	135
	Retention of your personal information	150

1. Introduction

Definitions

Applicant

Person or business who has applied for either a grant or renewal of a licence.

Assistance Dog

a dog which has been trained to guide a blind person;

a dog which has been trained to assist a deaf person;

a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;

a dog of a prescribed category which has been trained to assist a disabled person who has a disability (other than one falling within the above paragraph) of a prescribed kind.

For further information go to www.assistancedogs.org.uk

Authorised Council Officer

A Council officer who is authorised by the Council to exercise powers and duties conferred by legislation.

Badge

Issued to all licensed drivers and must always be worn when working as a licensed driver.

Byelaws	Locally adopted laws applicable to Hackney Carriage drivers. Breach is a criminal offence.
Conditions	Conditions of licence applied by the Council to a driver's licence, an operator's licence or a vehicle licence.
Controlled District	Boundary area of a local authority which has adopted the provisions of the Local Government (Miscellaneous Provisions) Act.
Date of First Registration	The date of first registration on the vehicles V5 logbook issued by DVLA.
Data Controller	The Information Commissioners Office defines a "data controller" as the year to body or person which has legal responsibility under the Data Protection Act (DPA) 2018 for all matters concerning the use of personal data.
DBS	Disclosure & Barring Service.
DfT	Department for Transport.
Door Signage	Council issued door signage which must be permanently affixed to the rear doors of all licenced vehicles.
Driving licence	Full GB driving licence issued by DVLA or, EEA driving licence or, acceptable equivalent as defined by legislation.
DVLA	Driver and Vehicle Licensing Agency.
DVSA	Driver and Vehicle Standards Agency (which replaced VOSA in 2014).
Fare Card	A card which must legally be displayed in Hackney Carriage vehicles which indicates the maximum authorised fare to be charged for distance travelled, waiting time and soiling charge and the licence plate number.

Hackney Carriage Vehicle	A vehicle licensed under the 1847 Act commonly referred to as a taxi.
ICO	Information Commissioners Office.
IoL	Institute of Licensing.
LGA	Local Government Association.
Legislation	Acts of Parliament Regulations, Orders and other Statutory Instruments.
Licensing Authority	The licensing function within South Cambridgeshire District Council.
Licensing Committee	The committee which determines licensing matters as set out in the Council constitution.
Licensed Driver	A driver licensed under the 1847 Act to drive a Hackney Carriage vehicle or under the 1976 Act to drive a Private Hire vehicle.
Licence Plate	The plate that licensed vehicles must display showing the licence number, maximum number of persons to be carried, expiry date, vehicle registration number, and make and colour of vehicle.
Licensed Vehicle	Vehicle licensed under 1847 Act as a Hackney Carriage or licensed under the 1976 Act as a private hire vehicle.
Operator	The business which invites and accepts bookings for private hire work.
Plying for Hire	Plying for hire is when private hire drivers pick people up directly from the street, who have not pre-booked their service
Private Hire Vehicle	A vehicle licensed under the 1976 Act.
Proprietor	Registered owner or part owner of a vehicle.

PSV	Public Service Vehicle.
Road Traffic Acts	Including all associated legislation.
Taximeter	Device used for calculating the fare to be charged for the journey by measuring distance travelled plus any time waiting. Fitted in all hackney carriage vehicles and some private hire vehicles.
The 1847 Act	The Town and Police Clauses Act 1847 as amended and the provisions within.
The 1976 Act	The Local Government (Miscellaneous Provisions) Act 1976 as amended and the provisions within.
The Council	South Cambridgeshire District Council.
The Equality Act	Equality Act 2010 which has legislation specific to disabled people.
WAV	Wheelchair Accessible Vehicle.

1. Hackney Carriage and Private Hire Handbook

- a. South Cambridgeshire District Council licenses Private Hire Operators, Hackney Carriage and Private Hire Drivers, Private Hire and Hackney Carriage Vehicles under the provisions of Part II of the Local Government Miscellaneous Provisions Act 1976 and the Town Police Clauses Act 1847.
- b. This handbook is intended to assist and advise both new applicants and current licence holders on the law and current procedures in relation to Private Hire and Hackney Carriage Driver, Vehicle & Operator licences, in force to ensure the safety of the general public.
- c. In addition to the statutory requirements, there are Council byelaws relating to Hackney Carriages. All vehicle drivers are required to comply with the Licensing Authority's conditions and byelaws and with general motoring legislation.
- d. This handbook accompanies the Hackney Carriage and Private Hire Licensing Policy which has been approved by the Licensing Committee and will be subject to periodic updating and change. Readers are recommended to use this handbook as a guide, in line with the Policy, to ensure understanding and compliance within Taxi Licensing.
- e. It should also be noted that whilst every effort is made to ensure the accuracy of this handbook, South Cambridgeshire District Council cannot be held responsible for any inaccuracies. Please also note that conditions, fees etc. are subject to change at any time.

2. Policy Purpose, Status and Scope

- a. The purpose of the policy is to inform and guide The Council when administering its responsibilities within the legislative framework of the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, (as amended).
- b. It has traditionally exercised these responsibilities by way of conditions, Byelaws, guidelines and procedures which have been developed and adopted over the years.
- c. It is widely considered best practice to create a unified policy that brings together all these procedures and documents in one overarching policy.
- d. The policy does not override the legal requirements embodied in any primary or secondary legislation in force at the time of adoption, or as may be enacted after the adoption of this policy.
- e. Where there are any subsequent changes made to the applicable legislation, or its interpretation by the courts that conflict with this policy, the

conflicting elements will not apply and will be amended at the earliest opportunity.

- f. The legislation places a duty on the Council as the Licensing Authority for licensing Hackney Carriage and Private Hire vehicles, drivers of those vehicles and operators of those vehicles. The Licensing Authority understands the importance and responsibility it has in ensuring that licensed vehicles in the district are safe, comfortable, properly insured and available where and when required, and that drivers and operators are fit and proper to undertake the role.
- g. The primary focus when administering its functions are public safety. In exercising its discretion in carrying out regulatory functions, the Council will have regard to the Policy.
- h. In formulating the policy, consideration has been given to local circumstances and requirements and the DfT best practice guidance. Every decision, application and enforcement action will be considered on its own merits.
- i. The Council may depart from this policy if merited but will provide clear and detailed reasons for doing so.
- j. The policy is not a comprehensive statement of the law; applicants should always obtain their own legal advice if they are unsure of the requirements of legislation.
- k. In setting out the policy, the Licensing Authority seeks to carry out its licensing functions with a view to promoting the following objectives:

l. Safety and protection of the public:

- Consideration of history of convictions and cautions
- Driver conduct and performance
- Knowledge of South Cambridgeshire and Cambridge City
- Health and fitness to fulfil the role of a licensed driver
- Vehicle specifications

m. Vehicle safety, comfort and access:

- Standards of vehicle comfort and appearance
- Location and use of ranks
- Accessibility of facilities
- Number of vehicles available
- Livery

n. The prevention of crime and disorder:

- Commitment to work with the Police and other relevant agencies
- Planned and unplanned enforcement programme to ensure compliance
- Operating rules, conditions, byelaws and fit and proper processes
- Support with local businesses for the dispersal of customers from licensed premises

o. The promotion of environmental sustainability:

- To encourage the uptake of zero and ultra-low emission vehicles
- To only permit licenses for vehicles that comply with the age requirements set out in the policy
- To work with stakeholders and the trade to improve Air Quality across the District

p. The protection of children and adults at risk from harm:

- Safeguarding requirements as set down in the policy
- Cooperation with other agencies to protect children and adults at risk
- Training to cover awareness of Safeguarding
- A robust reporting mechanism for Safeguarding issues
- Determination of fit and proper persons

3. Consultation and Revision

- a. The Council will consult with stakeholders prior to the adoption of the policy, and for the further continuation and development of the policy.
- b. The Council will keep the policy under review and will consult where appropriate on proposed revisions. Appendices and sections of the policy may be updated and amended by the licensing committee after consultation without the whole policy being consulted upon.
- c. Minor editorial changes to ensure content is up to date and do not affect the ethos of the policy will be delegated to officers. Such changes may include changing web addresses, postal addresses, contacts etc.

4. Implementation

- a. The policy will take effect from 1st April 2020 and will override and supersede all existing Council policy and guidance in relation to Hackney Carriage and Private Hire Licensing.

- b. Once adopted, the policy will be kept under review and revised as appropriate and in any event not less than every five years. The Council expects licence holders to comply with its terms and conditions.

5. The Licensing Regime – General Overview

- a. The principal legislation is the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The purpose of taxi licensing is detailed in the DfT “Taxi and Private Hire Licensing – Best Practice Guide” para 8 which states:
 - b. “The aim of local authority licensing of the taxi and PHV trades is to protect the public.”
 - c. Vehicles used for hire with the services of the driver, which accommodate a maximum of up to eight passengers, drivers of those vehicles and operators of Private Hire vehicles are regulated by the above legislation.
 - d. Vehicles which accommodate more than eight passengers are classed as Public Service Vehicles (PSV) and are not covered by the legislation or the Hackney Carriage and Private Hire policy. The Council is not involved in the licensing of PSVs; they are the responsibility of The Traffic Commissioner.
 - e. Any person who carries out Hackney Carriage or Private Hire activities without the correct licences, would be breaking the law and would not have valid insurance. This can have serious consequences for all parties involved, if an accident or incident occurs.
 - f. The legislation creates three types of licence:
 - Vehicles (Hackney Carriage & Private Hire)
 - Drivers (Hackney Carriage and Private Hire)
 - Operators (Private Hire only)
 - g. A Hackney Carriage vehicle and the driver must be licensed by the same local authority. A Private Hire vehicle, driver and operator must be licensed by the same authority. This does not prohibit the Private Hire Operator subcontracting a booking to another operator licensed by a different local authority, but an audit recorded for these contracts must be obtained.
 - h. The legislation places a duty on the local authority to only licence those who are ‘fit and proper’ to hold that licence. (see Local Government

(Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).

- i. The term 'fit and proper' is not defined in legislation, but it may be useful to think of a person being considered as "safe and suitable".
- j. The legislation allows local authorities to set their own conditions, requirements and application processes. This means that each Local Authority's requirements and conditions can be different.
- k. The aim of the legislation and the licensing regime is to ensure that the public are protected and have reasonable access to these services.
- l. Public safety is paramount and has a wide scope; it includes public safeguarding, protecting vulnerable persons and public wellbeing.
- m. To achieve the aim of the legislation and to meet the obligations of the Acts, South Cambridgeshire District Council has adopted a policy which will promote well-run, safe and responsible businesses.
- n. Other general law is also applicable such as the Highway Code, Road Traffic Act, Health and Safety at Work Act, Health Act 2006, Equality Act 2010, etc. This is not a definitive list and not all applicable legislation is enforced or regulated by the Council e.g. Road Traffic Act 1991. South Cambridgeshire District Council expects licence holders to ensure that they keep up to date and comply with all applicable legislation.
- o. Both Hackney Carriage and Private Hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no spent convictions for applicants for drivers' licences and that any and all criminal convictions can be considered by the Local Authority in assessing safety and suitability. In relation to Private Hire operators and Hackney Carriage and Private Hire vehicle proprietors, the High Court has determined that spent convictions can be considered. In all cases this will be in accordance with the Councils previous Convictions Policy, but only relevant spent convictions should be considered by the decision maker.

6. Information Sharing

- a. The Council works in partnership with many other enforcement agencies such as the Police, HM Revenue and Customs, Home Office, DVSA, Department of Work and Pensions, Benefit Fraud etc.
- b. The Council will share information with other departments or regulatory bodies where appropriate.

- c. The Council is legally required to provide information if requested, pursuant to a criminal offence, or to detect fraud, or immigration offences.
- d. The legislation also requires Local Authorities to maintain a Public Register.
- e. The Council will work with neighbouring authorities and report to them any relevant matters that relate to their licence holders.

7. National Register of Refusals and Revocations (NR3)

- a. The Local Government Association (LGA) has launched a national register of Hackney Carriage and Private Hire licence refusals and revocations called NR3, which is being introduced within the National Anti-Fraud Network. It is a shared service that allows Council's to share information about revocations and refusals.
- b. The process of assessing whether an applicant or licensee is 'fit and proper' may vary between authorities but there is widespread consensus on the need to increase consistency and set national minimum standards for the 'fit and proper' test at a suitably high level. This would help prevent individuals who have had a licence revoked by one authority from applying to another area and securing a licence - assuming the second authority was aware of the earlier revocation.
- c. It is essential for this Local Authority to maintain control and knowledge of all its applicants to ensure that the public have confidence in the safety of our licensed Hackney Carriages and Private Hire drivers.
- d. This Local Authority has subscribed to the national register of Hackney Carriage and Private Hire driver licence refusals and revocations, the 'national register of refusals and revocations' or NR3.
- e. The register will allow licensing authorities to record details of where a Hackney Carriage or Private Hire drivers' licence has been refused or revoked and allow licensing authorities to check new applicants against the register.
- f. For the avoidance of doubt, NR3 does not extend to vehicle or operator licensing decisions.
- g. For this database to serve its purpose of protecting the public and the trade from unacceptable drivers obtaining licences in other districts, unscrupulous drivers will not be allowed to circumvent the provisions by surrendering their licence ahead of any revocation or non-renewal decision being made.

- h. All applications for a new licence or licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific license application and will not be retained beyond the determination of that application.
- i. The information recorded on NR3 itself will be limited to:
- name
 - date of birth
 - address and contact details
 - national insurance number
 - driving licence number
 - decision taken
 - date of decision
 - date decision effective
- j. Information will be retained on NR3 for a period of 25 years.
- k. Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision or receipt of information of or under NR3 are necessary to the authority's statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence.
- l. It is not intended that any NR3 data will be transferred out of the United Kingdom.
- m. If you wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, you can do so to the authority's Data Protection Officer at infogov@3csharedservices.org This includes submitting a subject access request.
- n. You always have the right to make a complaint to the Information Commissioner's Office (ICO). Advice on how to raise a concern about handling of data can be found on the ICO's website: <https://ico.org.uk/make-a-complaint/>

8. Frequently asked questions about the NR3

a. Why has the register been set up?

NR3 has been developed to improve public safety and confidence in Hackney Carriage and Private Hire licensing. There have been numerous high-profile cases where drivers who have been refused licences or had a licence revoked in one area have gone to another area and received a licence in that

area by failing to disclose their previous history. This undermines public safety if there are legitimate reasons why a licence was refused or revoked, and damages confidence in the Hackney Carriage / Private Hire licensing regime and trade. Therefore, the initiative has been widely supported by reputable drivers and firms, as it will provide a mechanism for ensuring information about refusals and revocations can be shared between all licensing authorities in a safe and secure way, removing this potential loophole.

b. How will the register work – what information will be recorded?

When an authority revokes a licence, or refuses an application for one, it will record this information on NR3. The information recorded will be limited to:

- name
- date of birth
- address and contact details
- national insurance number
- driving licence number
- decision taken
- date of decision
- date decision effective

c. Licensing Authorities will then search the register when they are processing new applications or renewals. Where an authority finds a match for their applicant on NR3, it will contact the Licensing Authority that recorded the entry to seek more information, which, if shared, will then be used to help reach a decision on the application.

d. Will I automatically be refused a licence if I am on the register?

No. Licensing Authorities are legally required to consider each licence application on its own merits and cannot refuse an application simply because an applicant may be recorded on NR3. The purpose of NR3 is to ensure that authorities have the full information necessary to help them reach a decision on whether an individual is 'fit and proper'. If circumstances have materially changed since the decision that has been recorded on NR3, it may be appropriate for another authority to issue a licence.

e. What if my licence is suspended?

Suspensions of licences will not be recorded on NR3. This is because suspension should be used as either a short-term punishment or to overcome a short-term situation (e.g. driving or medical issues). Where a driver is no longer considered to be a 'fit and proper person' to hold a licence, the licence should be revoked.

f. Can I find out if my details are on the NR3?

Individuals whose details are added to NR3 will be notified of this at the point at which they are advised of the decision to refuse or revoke a licence.

- g. Outside of these times, an individual can make a subject access request (SAR) for any of their personal data held on NR3. The 'data controller' in respect of this data is this Licensing Authority, to whom a SAR should be submitted in the first instance. As the 'data processor', that is the organisation storing the data, the National Anti-Fraud Network will fulfil this request. Similarly, the exercise of any other rights provided under data protection legislation should be made to this authority in the first instance.

h. How long will details be held on NR3 for?

Data will be retained on the register to help licensing authorities fulfil their statutory duty to be satisfied that a person is a 'fit and proper' person to hold a taxi or PHV licence. These duties are set out under sections 51, 59 and 61 of the Local Government (Miscellaneous Provisions) Act 1976; sections 13, 16 and 17 of the Private Hire Vehicles (London) Act 1998; section 3 of the Private Hire Vehicles (London PHV Driver's Licences) Regulations 2003; sections 25 and 30 of the London Cab Order 1934; sections 9 and 19 of the Plymouth City Council Act 1975 and section 46 of the Town Police Clauses Act 1847. In accordance with this purpose, data will remain on NR3 for 25 years.

9. Decision Making

- a. Each application and enforcement action will be determined on its own merits.
- b. Determination of applications will be made in accordance with this policy and this Local Authority's constitution. Officers have delegated powers to make decisions but may also refer certain matters to the Licensing Committee if appropriate. Members, when determining applications for a licence, renewals or reviews of a licence, will have regard to Hackney Carriage and Private Hire legislation, this Policy and any other relevant legislation, case law and other relevant South Cambridgeshire District Council policies.
- c. Enforcement actions will be in accordance with this policy, this Local Authority's enforcement and inspection policy and the Regulators' Code 2014.
- d. The Licensing Authority has the power to refuse to grant or renew licences and to suspend or revoke existing licences in accordance with relevant legislative provisions.

- e. Any decision to refuse, refer, suspend or revoke a licence will be accompanied by notification in the form of a letter to the licence holder/ applicant.
- f. Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that a condition has been attached to a licence which is not reasonably necessary may appeal to the Licensing Sub-Committee or the Magistrates Court within 21 days of being given the decision.
- g. The Licensing Sub-Committee is made up of a selection of Members from the Licensing Committee. Three Members will make up the panel for hearings to deal with new applications, renewals and reviews of licences that are referred directly by officers.
- h. Other than the members of the Sub Committee, the applicant/ licence holder and/or their representatives are expected to attend. Also present will be a Licensing Officer to present the report, Democratic Services Officer to take minutes, and the Legal Adviser to the Sub Committee. The Hearings are held in private due to the confidential nature of the subject matter being heard.
- i. The Sub-Committee has several steps available to them including:
 - Granting or refusing an application
 - Adding additional conditions to a licence
 - Issue a Councillor Warning
 - Suspend a licence
 - Revoke a licence
 - Issue Penalty Points
- j. The Sub-Committee must, when making any decision, do so with a view to upholding the Section 6, Relevance of Convictions/ Cautions in Relation to Taxi Licensing, of the policy.
- k. Following the determination of an application by the Licensing Authority, the applicant will receive a copy of the decision in writing. The written decision will be delivered as soon as is practicable after the decision has been made. This will include information on the right of appeal where appropriate.

10. Fit and Proper Test

- a. This Local Authority will only license drivers that it considers are 'fit and proper' to hold a licence, and that are not disqualified by reason of their immigration status. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.

- b. Applicants should be aware that this Local Authority does not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- c. In any of these circumstances staff members have the right to refuse to process the application. Any person exhibiting any of the above behaviours will be subject to enforcement and may have their application refused or licence revoked.
- d. The council will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed.
- e. Applicants and existing licence holders are required to share information held about them by various bodies e.g. DVLA, police, home office etc.
- f. The council can request any information on an applicant it deems to be relevant to determine their 'fit and proper' status. This may include checking a driver's prior history with this or any other council, using intelligence from the police or any other regulatory authority as appears relevant.
- g. Consideration of suitability includes character and patterns of behaviour and is not limited to incidents which occur whilst the driver is on duty. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk will also be considered when assessing their 'fit and proper' status. Any matters that occur whilst the person is using their licence (driving, operating or in connection with their vehicle) will be considered as aggravating factors, and the fact that they did not occur in this way will not be regarded as mitigating factors
- h. The onus is on the applicant or licensed driver to satisfy the Council that they are and remain 'fit and proper'.
- i. Applicants will be required to undertake and provide an enhanced DBS, (including a check of both the Adults and Children's Barred Lists) statutory declarations listing all criminal convictions and other matters details on the application form, medical health check to the DVLA group 2 standard as a minimum, and share information held by DVLA, upon new and renewal applications.
- j. Additional information may be sought as part of the process if considered appropriate in individual circumstances.
- k. Applicants for both new licences and renewals, who fail to report or declare an offence, or other relevant matters, will bring in to question their suitability to hold a licence. Failure to report or declare an offence prevents this authority from considering that information in protecting public safety. It is also a

breach of this Licensing Authority's Code of Conduct and will be considered as part of the consideration of the applicant's suitability and their 'fit and proper' status.

11. Immigration Act

- a. The Council has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.
- b. The Council takes this responsibility seriously and has checks in place to ensure compliance with the Act and will liaise where required with relevant Home Office departments. If, however, a licence has been issued incorrectly for whatever reason, the licence ceases to have effect if the person does not have the right to work in the UK.
- c. Any licence which has expired due to the person's immigration status must be returned to the Council within 7 days.
- d. A licence may be suspended or revoked, or its renewal refused if, since the grant of the licence there has been a conviction of an immigration offence or a requirement to pay an immigration penalty.
- e. Proprietors and Operators also have an obligation to ensure that they only use, as their staff, persons who have the right to work in the UK. Failure to observe this obligation, or to provide due diligence checks, will be subject to enforcement action by the appropriate Home Office department, which may result in a civil penalty or imprisonment. In these circumstances action may also be taken by the Council against the licence.
- f. If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the period of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provisions) Act 1976.

12. Disclosure and Barring Service (DBS, Convictions, Cautions and other Related Matters).

- a. An enhanced DBS certificate is a mandatory requirement as part of the application for a Hackney or Private Hire drivers licence and is an important element used by this Licensing Authority to ascertain whether the person is 'fit and proper' to hold a licence.
- b. In considering 'fit and proper', this Licensing Authority will take into consideration any prior convictions and cautions. Therefore, all applicants for

new and renewal licences are required to undertake and submit an enhanced DBS check. This check will detail all criminal convictions and cautions including those that are spent, and any other relevant matters held by the police.

- c. All licensed drivers will be required to subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence.
- d. This Licensing Authority will undertake an annual online check of the DBS Update Service for the applicant's current status.
- e. It is this Council's prerogative to require the licensee to obtain an additional enhanced DBS check if a new certificate is required at any time.
- f. Where an individual fails to maintain their subscription before expiry, they will be required to reapply for a new enhanced DBS check and register for the Update Service. Failure to do so will result in suspension of the licence until they have complied.
- g. Due to the role of a Hackney Carriage or Private Hire driver, the Rehabilitation of Offenders Act 1974 does not apply and there are no spent convictions. All convictions will be taken into consideration when determining the application.
- h. In instances where convictions, cautions, reprimands or warnings appear on a DBS, the cause/motive/mitigating circumstances may not be taken into consideration, however as each application is determined on its own merits, the applicant will be afforded the opportunity to state their case as part of the application.
- i. Further information can be found in the Relevance of Convictions/Cautions in relation to taxi licensing section this policy.
- j. Where there is a public protection risk, the police will pass information under Common Law Police Disclosure (CLPD) to the Licensing Authority to allow immediate action to be taken to protect public safety regardless of whether there has been a conviction.
- k. South Cambridgeshire District Council drivers' licence holders must notify this Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving

convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding.

- I. If it comes to the attention of the Council that a licensed driver has failed to notify the Council of relevant matters which occur during or after the licence has been issued, enforcement action will be taken.

13. Equal Opportunities

- a. As a major provider of services, South Cambridgeshire District Council is committed to promoting equality and diversity, and working to ensure that no applicant receives more or less favourable treatment on the grounds of age, disability, gender reassignment, pregnancy, maternity and paternity, race, religion/belief, sex, sexual orientation or marriage and civil partnerships.
- b. South Cambridgeshire District Council believes in the dignity of all people and their right to respect and equality of opportunity. We value the strength that comes with difference and the positive contribution that diversity brings to our district.
- c. Drivers of licensed vehicles must be able to communicate with their passengers, be able to understand instructions and requests and be able to respond appropriately. It is therefore essential that drivers have a good understanding and command of the English language. This will be tested by way of communication at the appointment and through the Competency test and Taxi Proficiency and Safeguarding Workshop.
- d. Drivers of licensed vehicles also have a responsibility to comply with the relevant equality and diversity legislation and must be aware of their obligations under the Equality Act, to provide a service and assistance to passengers with mobility problems, disabilities and to take assistance dogs, without extra charge.

14. Policing and Crime Act 2017

- a. The Council will give full regard to any guidance issued by the Secretary of State regarding the protection of children, and vulnerable individuals who are 18 or over, from harm. The Council will also consider any future guidance issued by the Department of Transport.
- b. If any changes to any parts of this policy or any related appendixes are required when the guidance is released, they will be amended at the earliest opportunity.

15. Warnings

- a. In respect of minor breaches of licence conditions this Licensing Authority may issue warnings as appropriate to the circumstances.

- b. A Warning may be used for minor, technical or first-time transgressions where it may not be in the public interest to prosecute, and for breach of conditions or Code of Conduct which are not offences.
- c. A Warning may be issued verbally or in writing to secure compliance with legislation and/or policy. In all cases a note will be made on file.

16. Conditions

- a. This Licensing Authority considers that the conditions as set in the Hackney Carriage and Private Hire Policy are reasonable, necessary and appropriate for all licensed Private Hire Drivers.
- b. This Licensing Authority has the power to attach conditions to Private Hire Driver, Vehicle and Operator licences as deemed suitable by an officer of The Council or Licensing Committee which is determined on an individual basis.
- c. To achieve the aim of the legislation and to meet the obligations of the Acts, this Licensing Authority has conditions and processes in place which promote well run, safe and responsible businesses.
- d. Licence holders must be aware of and comply with the conditions applied by this Local Authority and other appropriate legislation. Licence holders who fail to observe these requirements will be subject to enforcement action.

17. Safeguarding

- a. This Licensing Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b. Safety, security and welfare apply to the public, passengers and licensed drivers. It is expected that proprietors and operators must consider these factors when determining what safeguarding measures should be in place in respect to this.
- c. All new applicants for Hackney Carriage and Private Hire driver, proprietors of Hackney Carriage and Private Hire vehicle and Operator licences will be required to attend and successfully pass a Taxi Proficiency and Safeguarding workshop and assessment of understanding, as delivered by this Licensing Authority, in order to obtain a pass certificate. There is no limit for the number of attempts to complete the test, to be borne at the applicant's own expense, however no licence will be issued until the applicant provides a certificate showing they have passed the Taxi Proficiency and Safeguarding course as part of the application process.

- d. All existing licensed drivers, proprietors and operators will be required to participate and undertake a Taxi Proficiency and Safeguarding course and assessment of understanding, as delivered by this Licensing Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so will result in suspension of the licence until successful completion of the test.
- e. As part of the Hackney Carriage and Private Hire driver application process, all renewal applicants will be required to submit a current Safeguarding certificate issued by this Licensing Authority no more than 3 months old. It is the duty of the applicant to ensure that they have completed the course and passed the assessment of understanding in enough time before applying for a renewal licence. There is no limit for the number of attempts to complete the test, to be borne at the applicants' own expense, however no licence will be issued until a certificate is produced as part of the application process.

f. What is safeguarding?

Safeguarding relates to the protection of an individual (child or adult) who are considered vulnerable.

g. Child safeguarding

Every child can be hurt, put at risk of harm, or abused, regardless of their age, gender, religion or ethnicity.

Safeguarding means:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children and young people to have the best outcomes.

h. Who is responsible?

The action we take to promote the welfare of children and protect them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.

i. Why are drivers involved?

You are the eyes and ears for our district. This matter cannot be dealt with solely by policing. Working in partnership with the police and other agencies you can help to make a difference.

j. Child protection

Abuse can be – physical, emotional (including domestic abuse), sexual, neglect, harm, or acts to prevent harm.

Abuse can be – in a family, institutional or community setting – by those known (more common) or unknown to the child, or by a stranger, i.e. via the internet.

Abuser(s) can be – an adult, adults or another child or children.

k. Signs of abuse

- Extreme anger or sadness
- Aggressive and attention-seeking behaviour
- Suspicious bruises with unsatisfactory explanations
- Lack of self-esteem
- Self-injury
- Depression
- Significant change in behaviour
- Age-inappropriate sexual behaviour.

l. Child sexual exploitation (CSE)

CSE is a form of sexual abuse and it is against the law.

CSE affects boys and girls under the age of 18 – the young victim is given something (e.g. food, money or drugs) in return for sexual activity with the abuser or others.

Violence, physical coercion and intimidation can exist but are not always present. Often, the child or young person has been manipulated and does not recognise the danger of the relationship so does not realise they are a victim.

You may overhear or see something in your car you are not happy with or hear conversations at work between other drivers. Always listen to your instinct and report any concerns to the police if you think someone is in immediate danger.

m. Human trafficking

Human trafficking is a serious crime. A person is trafficked if they are brought (or moved around) a country by others who threaten, frighten or hurt them, or force them to do work or other things they don't want to do, including sexual exploitation.

n. Domestic violence and abuse

Domestic abuse can be any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between family members, or people who are or have been intimate partners, regardless of

gender. This includes forced marriage and abuse within same-sex relationships.

Domestic abuse is very common and affects one in four women in their lifetime. Although most victims of domestic abuse are women and most abusers are men, domestic abuse can affect anyone. Domestic abuse is a pattern of controlling and aggressive behaviour that is used to maintain power and exert control over victims. It occurs across society, regardless of age, gender, race, sexuality, wealth, and geography, and has strong links with child abuse.

o. Hate Crime

A hate crime is any crime targeted at a person because of hostility or prejudice towards that person's:

- Disability
- Race or ethnicity
- Religion or belief
- Sexual orientation
- Transgender identity
- Alternative subculture.

This can be committed against a person or property.

A victim does not have to be a member of the group at which the hostility is targeted. In fact, anyone could be a victim of a hate crime.

Hate incidents can feel like crimes to those who suffer them and often escalate to crimes or tension in a community. For this reason, the police are concerned about these incidents. The police can only prosecute when the law is broken but can work with partners to try and prevent any escalation in seriousness.

p. Safeguarding Course and Assessment

The Taxi Proficiency and Safeguarding Course is delivered by one of the Licensing Officers and will cover a variety of topics aimed at helping you in your role.

These topics include:

- Disability Awareness
- Child and Adult Safeguarding
- Sexual Exploitation
- Equality Awareness
- Dementia and Loneliness
- Legislation, Conditions of Licence and Byelaws
- Code of Conduct

- Drivers safety
- Good customer service

The Safeguarding assessment consists of 15 questions. Each question is multiple choice, there will be one correct answer and three wrong answers. You are required to select the answer which you think is correct. Assessment results will be available before the end of the workshop.

Existing drivers, proprietors and operators will receive an appointment letter with instruction of how to make payment

The cost of the Course and Assessment is £60 and will be held at:

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
CB23 6EA

18. Fees and Charges

- a. The licence fees applied by this Licensing Authority are set on a cost recovery basis. They are regularly reviewed, and any increased or reduction will be published and consulted upon as required by the legislation

19. Customer Complaints, Compliments and Comments

- a. We are committed to providing the district with a top-quality Hackney Carriage and Private Hire service for its residents and visitors alike. We welcome feedback in any form, be it a compliment, a complaint or a comment and we encourage you to contact us if you have any queries or concerns.
- b. We take all complaints made about the level of service provided by drivers, condition of licensed vehicles, and the customer service provided by Operators very seriously.
- c. As a customer, if the service that you have received did not meet your expectations, we suggest you take up your complaint with the Operator directly.
- d. When making a complaint about a driver, vehicle or operator to this Local Authority you will need to include the following:
 - The driver's badge number, the vehicle licence plate number or the vehicle registration number

- The time and date of the incident
 - The location of the incident
 - Remember as much detail as you can about the vehicle type, colour and any distinguishing features
 - You will also need to provide your name and your telephone number or email address.
- e. In order to ensure that a complaint can be fully investigated, and the appropriate enforcement action taken, please submit, with any photographic evidence, online at

<https://www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/>

- f. We can offer advice to both the public and the licensees in order to rectify issues that arise. However, there are further powers available to this Licensing Authority in relation to the licensee such as prosecution, penalty points, suspension of licences, revocation of licences, and warnings.
- g. A record of all complaints will be retained on file and the matter will be considered if similar complaints are received in the future that suggest that there is a pattern to the licence holder's behaviour.
- h. Several minor complaints in a short space of time or a similar incident occurring may lead to enforcement action being taken.
- i. If it is alleged that criminal offences under taxi or private hire legislation have been committed, this Licensing Authority will investigate the offence. If the Licensing Authority cannot enforce the offence, the complainant will be advised to refer the matter to the police or the relevant enforcement agency.

j. Parking Infringements

(e.g. parking on double yellow lines or double parking or other highway parking issues). For parking infringements please contact Cambridgeshire County Council at info@cambridgeshire.gov.uk

Running a vehicle engine and sounding a vehicle horn when stationary can be offences. These offences are infringements under Regulations 98 & 99 of the Road Vehicles (Construction and Use) Regulations 1986. For infringements of these regulations please contact Cambridgeshire Constabulary in the first instance on 101, the non-emergency number. (If the matter is an emergency then call 999).

k. Obstruction

(e.g. causing obstruction on the public highway including parking too near road junctions). For obstruction infringements please contact Cambridgeshire Constabulary in the first instance on 101, the non-emergency number. (If the matter is an emergency then call 999).

l. Traffic offences

(e.g. using hand-held mobile phone while driving, road rage, careless or dangerous driving). For traffic offences please contact Cambridgeshire Constabulary in the first instance on 101, the non-emergency number. (If the matter is an emergency then call 999).

m. Criminal offences

(e.g. assault, threats, harassment, theft of mobile phone, indecency). For criminal offences please contact Cambridgeshire Constabulary in the first instance on 101, the non-emergency number. (If the matter is an emergency then call 999)

n. Vehicles licensed by another local authority

Contact the relevant local authority which has licensed these vehicles.

Cambridge City Council taxi@cambridge.gov.uk	01223 457 888
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East Cambridgeshire District Council customerservices@eastcambs.gov.uk	01353 665555
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Huntingdonshire District Council licensing@huntingdonshire.gov.uk	01480 388388
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Wolverhampton District Council	01902 551155
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20. Environmental Considerations

- a. Hackney Carriage and Private Hire vehicles are an essential form of transport in South Cambridgeshire. Many people depend on such vehicles for trips that buses and trains are unable to make. It is important that emissions from Hackney Carriage and Private Hire vehicles are reduced as far as possible.
- b. In support of this Local Authority’s priorities and strategies, it is essential that the most polluting vehicles are phased out of service whilst recognising that there is an impact on the use of natural resources to manufacture new ones.
- c. Maintaining the vehicle to a good standard may reduce emissions which will be enforced through twice yearly vehicle testing as part of the Certificate of Compliance.
- d. This Licensing Authority will perform test emissions as part of its enforcement activities.
- e. **The promotion of environmental sustainability:**
 - To encourage the uptake of zero and ultra-low emission vehicles

- To only permit licenses for vehicles that comply with the age requirements and Euro Standards set out in the policy
- To work with stakeholders and the trade to support the Air Quality Action Plan

In March 2018 there were 361,500 licensed Hackney Carriage and Private Hire vehicles in England

While this a relatively small proportion of the 38.2 million licensed cars in Great Britain at the end of 2018, an increase of 1.2% compared to 2017, Hackney Carriage and Private Hire vehicles have a disproportionate impact on air quality impacting human health. This is due to the relatively high mileage they cover. Emissions produced by these vehicles not only have an impact on the health of the local population (almost all Hackney Carriage and Private Hire vehicles are currently fuelled by diesel) but also on Hackney Carriage and Private Hire drivers who may be exposed to poor air quality for 8-12 hours a day.

- f. The Government aspirations are that by 2040 every new car in the UK will be an Ultra-Low Emission Vehicle (ULEV) and is facilitating this through a range of measures including financial support to help consumers meet the upfront purchase costs of ULEVs, through the Plug-in Car Grant, and investment in the creation of a national charge point network.
- g. Ultra-low emission vehicles are currently defined as having less than 75 grams of CO₂ per kilometre (g/km) from the tail pipe. The Vehicle Certification Agency recognise advancements in technology expect that from 2021 an Ultra-low vehicle will be defined as a car or van that emit less than 50g/km CO₂. Please visit the Vehicle certification Agency website for further details:

<https://www.gov.uk/government/organisations/vehicle-certification-agency>
- h. South Cambridgeshire District Council has committed to reduce the environmental impacts of vehicles licensed to operate in the district by reducing the emissions of pollutants such as Nitrous Oxides (NO_x), Particulate Matter (PM) and Carbon Dioxide (CO₂).
- i. This Local Authority is developing an action plan to deliver a zero-carbon future for South Cambridgeshire by assessing the current levels of carbon and committing to an action plan to meet our 2050 zero-carbon pledge.
- j. This plan includes installing electric vehicle charging points across the district and incentives for Private Hire Operators and Hackney Carriage and Private Hire drivers to make the move to electric vehicles.
- k. Air Quality Management Areas (AQMA) are areas where levels of air pollution are higher than they should be (as defined by central government). Cambridge City was declared an Air Quality Management Area due to its predicted levels of nitrogen dioxide breaching the statutory UK air quality

objectives. These levels of nitrogen dioxide remain above the National Objectives and the City Council's low emission strategy for Buses and Taxis within Cambridge over a period of 10 years aims to address this.

- l. It is the intention of the South Cambridgeshire District Councils policy to align with Cambridge City Council in respect to environmental considerations.
- m. See below for the rationale and implementation dates for new and renewal Hackney Carriage and Private Hire vehicle licence applications.

Policy	Rationale	Implementation
A set date for all Hackney Carriage and Private Hire vehicles licensed for the first time by the Licensing Authority to be Zero or Ultra-Low Emission	This allows proprietors/ potential proprietors to focus on planning to move to Zero or Ultra Low emission vehicles by a set date.	With effect from 1 st December 2021
A set date for all Hackney Carriage and Private Hire vehicles licensed by this Licensing Authority to be Zero or Ultra-Low Emission	This allows proprietors/ potential proprietors to focus on planning to move to Zero or Ultra Low emission vehicles by a set date and allows adequate business planning.	With effect from December 2028

- n. This Licensing Authority recognises that low emission vehicles can have a positive impact on the environment and any application received for other low and ultra-low emission vehicles will be considered on its own merits.
- o. Vehicle purchase subsidies are available for electric vehicles, dependent on the emissions. Office for Low Emission Vehicles (OLEV) have different levels of Plug In Car grants for different vehicles.
- p. Ultra-low emission vehicles range from pure electric vehicles and fuel cell electric vehicles, to plug-in hybrids and extended range electric vehicles.
- q. Most ULEVs on the road today use alternative fuels such as electricity to drive an electric motor, with batteries commonly used as an energy storage device. In most instances these batteries are charged by being plugged into a dedicated charge point or directly into the mains.
- r. There are three types of electric vehicles:
 - i. **Pure electric vehicles (EVs)** – powered wholly by a battery which is charged from the mains. Almost all manufacturers offer pure electric cars, many of which can now travel upwards of 200 miles on a single charge.
 - ii. **Plug-in hybrid electric vehicles (PHEVs)** – Offers the best of both worlds, combining an electric motor with an internal combustion

engine. Typically, the battery range is in excess of 20 – 30 miles, good for short urban journeys. For longer trips, or if the battery charge is depleted, an efficient petrol or diesel engine kicks in to power the vehicle.

- iii. **Extended-Range electric vehicles (E-REVs)** – similar to pure electric vehicles, can typically travel up to 150 miles on a single charge however contains an on-board generator that can charge the battery when the level of charge drops below a certain level. Unlike a PHEV, the generator does not directly provide power to the vehicle.

Motor vehicle emissions contribute to air pollution and are a major ingredient in the creation of smog in some large cities.

21. Private Hire and Hackney Carriage Drivers

- a. This Licensing Authority will not licence anyone to drive a Hackney Carriage or a Private Hire vehicle unless it is satisfied that they are a 'fit and proper' person.
- b. Licensed drivers provide a public service as they are used by almost everyone in our society, but most frequently by vulnerable people e.g. children, elderly, disabled people and the intoxicated. A licensed driver is in a position of trust to protect a passenger who has placed themselves and their personal safety in their hands
- c. Being a licensed driver involves allowing a person you may not have met before into your vehicle. You must make every effort to ensure that customers travel in safety but also that they feel safe, secure and well treated at all times.
- d. It is important that as drivers and ambassadors for our area, your service and your vehicles are of the highest quality. The standards outlined in this handbook are about ensuring the safety of passengers as they are taken from A to B, that both the vehicle and the driver are fit to be on the road, and about protecting the integrity of your trade.

23 New Applicants

- a. All applicants are strongly advised to read this handbook alongside the South Cambridgeshire District Council Hackney Carriage and Private Hire Policy thoroughly before starting the application procedure.
- b. There are several elements to the process which have different requirements and timescales. Ensure you read the information carefully to help support your application process.

24. General

- a. Licensed drivers provide a public service. This Licensing Authority will not licence anyone to drive a Hackney Carriage or a Private Hire vehicle unless it is satisfied that they are a 'fit and proper' person.
- b. Taxis are used by almost everyone in our society, but most frequently by vulnerable groups e.g. children, elderly, disabled people and the intoxicated. A taxi driver is in a position of trust and responsibility to protect a passenger who places themselves, and their personal safety in their hands. They also have responsibilities to other road users and the general public.
- c. The statutory and practical criteria and qualifications for a Hackney Carriage driver are like those of a Private Hire driver. The sections below apply equally to Hackney Carriage and Private Hire unless indicated otherwise.

- d. This Licensing Authority issues two types of licences for drivers, a Hackney Carriage Driver licence and a Private Hire Driver licence. These are two separate licences and therefore if any person wishes to hold both a Hackney Carriage and Private Hire driver licence they are required to submit two separate applications.
- e. New Private Hire and Hackney Carriage driver licences will be issued for one year with a renewal application for a further two years subject to checks. Thereafter licences will be renewed every three years (subject to exceptions as determined by this Licensing Authority).
- f. It is the right of this Licensing Authority to issue a licence for a lesser period e.g. the applicant's right to work is of a shorter or limited duration as deemed necessary.
- g. If a licensed driver fails to renew before the expiry of the licence, they will be required to apply as a new driver and meet all the requirements as set out in the Hackney Carriage and Private Hire Policy and the Hackney Carriage and Private Hire Handbook.
- h. It is the responsibility of the driver to ensure they apply for their renewal with all relevant supporting original documentation in good time, with a recommendation that the submission is not less than eight weeks before expiry. A driver will not be able to drive until all checks have been returned and it is therefore at their own risk if they leave the application too late.
- i. Whilst it is not a requirement for this Licensing Authority to send renewal reminders, it is worth noting that reminders will only be sent by email from the 1 April 2020. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, as we will not be held accountable for non-receipt of this reminder.
- j. Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. In the circumstance that a licence holder has multiple licences with other authorities it is their duty to inform this Licensing Authority, and to additionally advise each authority, of any changes in this respect.
- k. If an applicant cannot demonstrate the right to remain and work, the licence cannot be granted. If that status is lost during the period of the licence, the licence lapses see s53A(6) Local Government (Miscellaneous Provision) Act 1976.
- l. South Cambridgeshire District Council will share and obtain any relevant information with other authorities regarding conduct of licence holders and will consider this information as appropriate.

25. Fit and Proper

- a. This Licensing Authority will only license drivers that it considers are 'fit and proper' to hold a licence and are not disqualified by reason of their immigration status. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- b. Applicants must be aware that this Local Authority will not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- c. In any of these circumstances staff members have the right to refuse to process the application.
- d. Any person exhibiting any of the above behaviours will be subject to enforcement and may have their application refused or licence revoked.
- e. This Licensing Authority will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed.
- f. Applicants and existing licence holders are required to share information held about them by various bodies e.g. DVLA, police, home office etc.
- g. This Licensing authority can request any information on an application that it deems to be relevant to determine their 'fit and proper' status. This may include checking a driver's prior history with this or any other Local Authority, using intelligence from the police or any other regulatory authority as appears relevant.
- h. Consideration of suitability includes character and patterns of behaviour and is not limited to incidents which occur whilst the driver is on duty. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk will also be considered when assessing their 'fit and proper' status. Any matters that occur whilst the person is using their licence (driving, operating or in connection with their vehicle) will be considered as aggravating factors, and the fact that they did not occur in this way will not be regarded as mitigating factors.
- i. The onus is on the applicant or licensed driver to satisfy this Licensing Authority that they are and remain 'fit and proper'.
- j. Applicants will be required to undertake and provide an enhanced DBS, (including a check of both the Adults and Children's Barred lists), statutory declaration listing all criminal convictions and other matters detailed on the application form, medical health check to the DVLA group 2 standard as a minimum, and share information held by DVLA, upon new and renewal applications.
- k. Additional information may be sought as part of the application process if considered appropriate in individual circumstances.

- I. Applicants for both new licences and renewal licences, who fail to report or declare an offence, or other relevant matters, will bring in to question their suitability to hold a licence. Failure to report or declare an offence prevents this Licensing Authority from considering that information in protecting public safety. It is also a breach of this Licensing Authority's Code of Conduct and will be considered as part of the consideration of the applicant's suitability and their 'fit and proper' status.

26. Drivers Licences

- a. All licensed drivers are required to prominently display their driver's badge whilst working as a licensed driver. Failure to comply is an offence under the 1976 Act and local Byelaws.
- b. Drivers are reminded that the driver's badge remains the property of this Licensing Authority; all expired and surrendered badges must be returned to South Cambridgeshire District Council.
- c. It is important that Private Hire drivers notify this Licensing Authority of any significant changes which occur after their licence has been granted. This includes but is not limited to changes in name, address, email address or telephone number, change of immigration status etc. This also includes any health changes which may affect their driving ability, all convictions, cautions, reprimands, warnings and DVLA penalty points currently shown on the licence or any other matter which may bring in to question their 'fit and proper' status.
- d. In order to be eligible to apply to be a licensed driver with this Licensing Authority an applicant must have held a valid full driving licence for a minimum of 12 months. Therefore, the minimum age a person could be eligible to apply is 18 years old. There is no maximum age, so long as the applicant still meets the full criteria.

27. Application Process

- a. Some elements of the process require services to be accessed and/or provided by other, external agencies for which there are set fees and charges. Please note that South Cambridgeshire District Council is not liable for any costs incurred by you as an applicant for these.
- b. There are several things that you need to do/to have in order to make an application for a Hackney Carriage or Private Hire driver licence.

28. New Hackney Carriage and Private Hire Driver Application

Part 1

29. Driving Skills Assessment

- a. All new applicants must have successfully completed a driving skills assessment with an assessor approved by the Council.
- b. You are responsible for arranging a test directly with the approved provider. Please see our website for an up to date list of approved assessors.
- c. Note – all charges for these tests are set by the relevant bodies and are subject to change without any prior notification and are out of the control of South Cambridgeshire District Council.
- d. If the test is passed, the applicant will be issued with a certificate. This will only remain valid for 12 Months and must be presented as part of your application.

30. Medical

- a. Due to the length of time a professional (Hackney Carriage and Private Hire) driver spends at the wheel, it is appropriate to have more stringent medical checks and standards than those applicable to non-professional drivers.
- b. The DVLA, The Royal Society of Medicine and the DfT recommend and consider it best practice for licensed drivers (Hackney Carriage and Private Hire) be subject to the DVLA group 2 medical requirements.
- c. To ensure that public safety is protected, this Licensing Authority requires all applicants to obtain and submit a group 2 medical report with their application for new licences and renewals.
- d. The group 2 medical assessment must be completed by a registered medical practitioner who has access to the applicant's full medical records (i.e. own GP) and licensed to practice in the UK
- e. The medical assessment must be no older than three months at the time of submission with the relevant application.
- f. If the medical assessment is not completed by the applicants own GP, and this Licensing Authority is not satisfied with the medical assessment provided (i.e. the applicants medical records have not been accessed) a second medical opinion will be required, to be obtained at the applicants expense but with a registered medical practitioner nominated by this Licensing Authority.

- g. This Licensing Authority can request an interim medical report from the nominated registered medical practitioner, at the cost of the driver, at any time.
- h. A group 2 medical report must be submitted with all new applications and every three years upon renewal. Upon reaching the age of 65 years a medical will be required annually.
- i. This Licensing Authority can require an interim medical report from the Councils nominated Registered Medical Practitioner at any time.
- j. Licensed drivers must notify this Licensing Authority and their medical practitioner of any deterioration in their health which may affect their ability to drive or complete their tasks as a licensed driver. This Licensing Authority expects licensed drivers to be responsible and not continue driving following any deterioration in their health, or any health problems which could endanger the lives of the general public.
- k. If a licensed driver is involved in an accident in which they are injured, they must ensure that they are fit prior to returning to hire and reward work; this is for the safety of the driver and the general public. All accidents, however minor, must be reported to this Licensing Authority using the accident report form.
- l. We may ask you for regular medical examinations if you suffer from certain conditions such as diabetes or heart disease.
- m. You must inform DVLA Swansea and this Licensing Authority if you have any of the following medical conditions:
 - Epileptic seizures or fits
 - Sudden attacks of disabling giddiness, fainting or blackouts
 - Severe mental handicap or serious memory problems
 - A pacemaker, defibrillator or anti-ventricular tachycardia device fitted
 - Diabetes controlled by insulin or tablets
 - Angina (heart pain)
 - Parkinson's disease
 - A serious problem with confusion
 - A major or minor stroke
 - Any type of brain surgery, brain tumour or serious head injury involving hospital in-patient treatment
 - Any severe psychiatric illness or mental disorder
 - Continuing permanent difficulty in the use of arms or legs which affects your ability to control your vehicle safely
 - Dependence on the use or misuse of alcohol, illicit drugs or chemical substances in the past three years

- Any visual disability which affects both eyes (not including short/long sight or colour blindness).
- n. Where the DVLA has not revoked a licence because of these medical conditions, this Licensing Authority will require a medical report from your Doctor or Consultant as to your continued fitness to drive. This Licensing Authority may require regular medical examinations in the light of this information.
- o. Please see our website for the current medical form.

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

31. Competency Test

- a. In order to be a licensed driver a new applicant must first complete and pass the Private Hire or Hackney Carriage Competency Test which must have been completed no more than 12 months prior to application.
- b. Please see our website to make a payment and to book an appointment for the Competency Test

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

- c. The Competency test is a one-hour test, under exam conditions. All candidates wishing to sit the test must bring their DVLA driving licence with them. Failure to do so will result in the test date being rearranged to a later date, no refund will be granted for the missed test and the applicant will have to pay for any subsequent tests.
- d. Candidates are monitored during the test and will also be asked to hand over any non-permitted items before they start the test, these include electronic devices, maps, notes and textbooks.
- e. Each question is multiple choice, there will be one correct answer and three wrong answers. You are required to select the answer which you think is correct.
- f. In order to pass, you must achieve minimum pass rates in each of the following categories:

- g. **General (7 correct answers out of 10 questions)**

This section tests the candidates understanding of written English. Questions are tailored to common scenarios a taxi driver may come across. Applicants with competent reading skills should not need to revise for this section.

h. Points of Interest (3 correct answers out of 5 questions)

Candidates will be tested on points of interest in the South Cambridgeshire District and the surrounding area. The link below shows a map of the South Cambridgeshire District boundary. [South Cambridgeshire District Boundary](#)
A point of interest is a broad term that can range from a pub or restaurant to a hospital or police station. Revision for this category should contain study of names of roads and villages where points of interest lie. Driving around the area and inspecting maps is the best way to gain the required knowledge.

i. Numeracy (7 correct answers out of 11 questions)

The questions in this section consist of numeracy questions applied to situations that taxi drivers encounter daily. Basic addition, subtraction, multiplication and division skills are vital in this category.

j. Conditions (6 correct answers out of 8 questions)

The licence conditions below are rules that all taxi drivers must follow or will face penalties. We strongly recommend that every applicant read through these conditions before applying for the Competency test. This category will have questions based directly from our policy and conditions.

k. Highway Code (7 correct answers out of 10 questions)

The Highway Code was founded to promote road safety for vehicles, cyclists and pedestrians. Consequently, as a council we feel it is necessary for all of our licenced drivers to have good knowledge of the Highway Code. The link below shows the most up to date version of the Highway Code and is recommended for revision on this section. <https://www.gov.uk/guidance/the-highway-code>

l. Road signs (6 correct answers out of 8 questions)

Road signs give drivers an opportunity to respond to potential dangers before they arise, direct drivers to their intended destination and inform drivers of where they can park. Images of road signs will be presented in this section with candidates having to select the corresponding meanings. <https://www.gov.uk/guidance/the-highway-code/traffic-signs>

m. Shortest routes (2 correct answers out of 3 questions) - Hackney Carriage Test only

In the shortest route section of the test, each question will detail two locations/streets. You must select the route that you would take to complete each journey using the shortest route

n. If the applicant successfully passes the Competency test, time will be given to see a licensing officer.

o. Any applicant found to be cheating on the test will be refused to re-take the test within 1 year of that date. This will also influence the outcome of the

Licensing Authority's decision in determining any future applications, as this action will go towards a consideration of suitability and their 'fit and proper' status. Any further application is likely to be refused.

32. Safeguarding Course

(Known as The Taxi Proficiency and Safeguarding Workshop)

- a. This Licensing Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b. The Taxi Proficiency and Safeguarding Workshop is delivered by one of the Licensing Officers and will cover a variety of topics aimed at helping you in your new role.
- c. These topics include:
 - Disability Awareness
 - Child and Adult Safeguarding
 - Sexual Exploitation
 - Equality Awareness
 - Dementia and Loneliness
 - Legislation, Conditions of Licence and Byelaws
 - Code of Conduct
 - Drivers safety
 - Good customer service
- d. The Safeguarding assessment consists of 15 questions. Each question is multiple choice, there will be one correct answer and three wrong answers. You are required to select the answer which you think is correct. You will be allowed a maximum of 30 minutes to complete the test and will be given the result of your test, there and then after you have completed it. (Further time may be requested if necessary)
- e. All existing licensed drivers, proprietors and operators will be required to participate and undertake a safeguarding course and test, as delivered by this Licensing Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.
- f. Existing drivers will be sent an appointment with a date to attend the course and test. If they cannot attend they must contact this Licensing Authority immediately by email at taxis@scambs.gov.uk and another date will be offered.

- g. Failure to attend either date, without good reason will result in enforcement action which may result in suspension of the driver licence until the Taxi Proficiency and Safeguarding Workshop is completed.
- h. New applicants can take the Workshop and assessment as many times as they wish but a licence will not be granted until successful pass is obtained.

33. Overseas Criminal Record Check – (known as Certificate of Good Conduct)

- a. Applicants who have resided outside of the UK since the age of 18 years of age or for the last five continuous years will be required to submit an overseas record check which has been authenticated by each embassy of the country of residence.
- b. This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission
- c. The application process for criminal record checks or 'Certificates of Good Character' for someone from overseas varies from country to country. You'll have to apply in the country of residence or to the relevant embassy in the UK.
- d. Please see the link below to the Government website for full details of how to apply and who to contact.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

34. References

- a. Applicants are required to provide two referees:
- b. **One** from a professional person who has known the applicant for at least three years from the following list:
 - Accountant
 - Bank or Building Society official
 - Barrister
 - Commissioner for oaths
 - Magistrate
 - Member of Parliament
 - Minister of Religion - a person authorised to conduct religious worship
 - Police officer
 - Social worker
 - Solicitor

- Teacher or Lecturer
 - Warrant Officers and Chief Petty Officers
- c. **One** from someone who must be able to identify you, for example a friend, neighbour or colleague.
- d. You cannot ask someone to provide a reference if you are:
- related to them by birth or marriage
 - in a relationship with or live at the same address as them
- e. Your referee must have a current British Passport.
- f. It is the responsibility of the applicant to provide the name and contact information of the referee in the application form so that this Licensing Authority can contact the referee.
- g. It is the responsibility of the applicant to pay any costs to the referee (if applicable).

35. New Hackney Carriage and Private Hire Driver Application

Part 2

36. Appointment

- a. You will need to make an appointment with the Licensing Team to complete your application.
- b. At this appointment the Licensing Officer will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- c. Applicants should be aware that this Local Authority does not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- d. In any of these circumstances staff members have the right to refuse to process the application.
- e. Any person exhibiting any of the above behaviours will be subject to enforcement and may have their application refused or licence revoked.

Please call 03450 450 063 or email taxis@scambs.gov.uk to book an appointment.

37. Application Form

- a. The application form can be downloaded from our website.
<https://www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/>
- b. Please ensure you have completed the application form in full before attending your appointment. Failure to do so will result in termination of the appointment.
- c. Please use the checklist at the end of the application form as a guide to whether you have all the correct documentation.

38. Documents to bring to your Appointment

- a. The full application (including all documents) must be submitted at the time of the appointment.
- b. Please note - all documents must be the originals. This Licensing Authority will not accept photocopies, copies will be taken of your documents during your appointment.
- c. The documents required are:
 - Completed Application Form
 - Driving Skills Assessment Certificate (new applications only)
 - Competency Test pass certificate
 - Safeguarding Test pass certificate
 - Medical Form
 - DVLA Check Code
 - Proof of Right to Work in UK
 - DVLA approved Driving Licence
 - National Insurance number
 - Your full address history for the last 5 years
 - Overseas Criminal Record Check (Known as Certificate of Good Conduct) - if required
 - Details of two referees – completed pro-forma
 - One passport size photograph
 - DBS Enhanced Certificate or Documents for DBS check (see below)
- d. An enhanced Disclosure & Barring Service (DBS) check can be done at this appointment.

39. Disclosure & Barring Service (DBS)

- a. Applicants are required to produce an original Enhanced Criminal record check (DBS) certificate with a check if both the children and adult barred lists for the application to be considered. The certificate should be dated within one month from issue at the time of submission. Checks should be other workforce – Private Hire Driver or Hackney Carriage Driver and the Barred checks should be adults and children.
- b. The fee is payable online by card at the time of appointment. Please see our website for the current fee.
- c. For this Licensing Authority to process the DBS online, the applicant will need to provide the following original documentation:
 - Current Valid Passport, British Birth Certificate, British Marriage Certificate or a Biometric Residence Card
 - Current DVLA Driving licence
 - Proof of National Insurance number

- d. Two different proofs of name and addresses from the following list:
- Mortgage Statement (issued in the last 12 months)
 - Bank or Building Society Statement (issued in the last 3 months)
 - Bank or Building Society Account Opening Confirmation Letter (must still be valid)
 - Credit Card Statement (issued in the last 3 months)
 - Financial Statement e.g. pension or endowment (issued in the last 12 months)
 - P45 or P60 Statement (issued in the last 12 months)
 - Council Tax Statement (issued in the last 12 months)
 - Work Permit or Visa (valid up to expiry date)
 - Letter of sponsorship from future employment provider (must still be valid)
 - Utility Bill (issued in the last 3 months)
 - Benefit Statement e.g. child benefit, pension (issued in the last 3 months)
 - Central or Local Government, Government Agency or Local Council Document giving entitlement e.g. from DWP, HMRC (issued in the last 3 months)
 - EU National ID Card (must still be valid)
- e. All the documents must be originals and the information must be accurate i.e. in the same surname (last name), first names, address, date of birth, etc.
- f. Please note - If you have an Enhanced DBS certificate issued to you from another authority, we can only accept it if checks are other workforce – Private Hire Driver or Hackney Carriage Driver and the Barred checks should be adults and children. The applicant must have signed up to the Update Service.
- g. The DBS certificate will be sent directly to your home address. Once you have received the certificate you must subscribe to the DBS Update Service - see details below.
- h. You must bring the DBS certificate and the completed DBS permission carry out an on-line check form to this Licensing Authority as soon as possible.

40. Right to Work Check

- a. The Council has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.

- b. Your right to work in the UK will be checked as part of your licence application, this could include the licensing Authority checking your immigration status with the Home Office. We may also share information with the Home Office.
- c. You must provide a document or document combination that is stipulated as being suitable for this check. Please see the link below to the Home Office Right to Work Checklist:

<https://www.gov.uk/government/publications/right-to-work-checklist>
- d. You must provide the original document(s), which will be copied and returned to you at your appointment. The original document will be returned to you.
- e. If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse, and you must return it to this Licensing Authority. Failure to do so is a criminal offence.

Further information can be found on the Government website:

www.gov.uk/government/organisations/uk-visas-and-immigration

41. DVLA Check

- a. As part of the 'fit and proper' test this Licensing Authority requires applicants to provide access to records held by the DVLA. This check will include the eligibility to drive and any endorsements for road traffic offences. This Licensing Authority will check that the information which has been submitted by the applicant matches up with information held by the DVLA. You will need to obtain a check code from the Government website at <https://www.gov.uk/view-driving-licence>
- b. To obtain the check code you will need the following information:
 - your driving licence
 - your national insurance number
 - the post code on your driving licence
- c. Follow the instructions on the GOV.UK website to get your code - please note that this code is case sensitive and is only valid for 21 days. Bring the check to your appointment.

42. Data Request/ NR3

- a. When an application is made to this Licensing Authority for the grant of a new, or renewal of, a Hackney Carriage or Private Hire driver's licence, this Licensing Authority will check the National Register of Refusals and Revocations (NR3).
- b. NR3 was commissioned by the Local Government Agency (LGA) as a voluntary register. Licensing Authorities will be responsible for adding basic details of drivers who have had applications for a licence either refused, revoked or suspended.
- c. Details contained on the register will be limited to information that will help to identify an individual to a certain degree of accuracy but will not give a reason why actions were taken. It will be up to individual authorities to follow up on any searches they make which come back with a match.
- d. This Licensing Authority will make and then retain a clear written record of every search that is made of the register. This will detail
 - the date of the search;
 - the name or names searched;
 - the reason for the search (new application or renewal);
 - the results of the search; and
 - the use made of the results of the search (this information will be entered to the register at a later date)
- e. If any match is discovered (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the authority that entered those details (the first authority) for further information about that entry. That request will also include details of this authority's data protection policy in relation to the use of any data that is obtained as a result of this process.
- f. When this Licensing Authority receives a request for further information from another authority, a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.
- g. This Licensing Authority will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request and therefore we will conduct a Data Protection Impact Assessment. This will consider how the other authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the end of that period. It is expected that if the second authority has adopted a policy similar to this, that it should be a reasonably straightforward process.

43. DVLA Approved Licence

- a. All applicants for Hackney Carriage and Private Hire Driver licences must be authorised to drive a car in the UK (e.g. hold a full driving licence issued by a state in the European Economic Area) for a minimum of one year.
- b. Please note any driver obtaining a Private Hire or Hackney Carriage Driver 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.
- c. You must tell DVLA if you have a driving licence and:
 - you develop a 'notifiable' medical condition or disability
 - a condition or disability has got worse since you got your licence
- d. Notifiable conditions are anything that could affect your ability to drive safely. They can include:
 - epilepsy
 - strokes
 - other neurological and mental health conditions
 - physical disabilities
 - visual impairments
- e. Please note: You could be fined up to £1,000 if you don't tell DVLA about a condition that might affect your ability to drive safely. You could also be prosecuted if you have an accident. When notifying the DVLA, you are advised to make them aware that you hold a Taxi Driver Licence for which Group 2 Medical Standards must be met.

44. Request for Disclosure of Personal Information under the Data Protection Act 2018

- a. This Licensing Authority may process the information provided to prevent and detect fraud in any of our systems and may supply information to other departments within this Local Authority and externally to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the Governments National Fraud Initiative.
- b. We may share personal data with Local Partner Authorities, Police, Legal, Courts, Internal/External audit, Disclosure and Barring Service, HM Revenue & Customs, Driver & Vehicle Standards Agency, Customs and Border Agency as required.
- c. We will make a request for Disclosure of Personal Information under the Data Protection Act 2018 to other Licensing Authorities to consider any licensing history they may have prior to us deciding regarding an application for a licence.

45. New Hackney Carriage and Private Hire Driver Application

Part 3

46. DBS Update Service

- a. All new and renewal licensed Private Hire Drivers must subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence.
- b. Failure to do so will result in either refusal, suspension or revocation of the licence.
- c. The Disclosure and Barring Service (DBS) update service lets applicants keep their DBS certificates up to date online and allows employers to check a certificate online.
- d. You must register online within 28 days of getting your certificate via the DBS website at the following link:

<https://secure.crbonline.gov.uk/crsc/subscriber>

- e. Registration lasts for one year and a yearly subscription fee is payable by debit or credit card only.
- f. This Licensing Authority will undertake an annual online check of the DBS Update Service for the applicant's current status.
- g. Where an individual fails to maintain their subscription before expiry they must reapply for a new enhanced DBS check and register for the Update Service. Failure to do so will result in suspension of the licence until they have complied.
- h. If you have subscribed to the DBS update service, you must bring in the original DBS certificate. We will not be able to complete the check without this certificate.
- i. You will be required to complete a form to give South Cambridgeshire District Council permission to carry out an online DBS check, which will be given to you at the appointment.

A copy of this form can be download from our website;

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

47. Licence and Badge Issue

- a. If the information provided meets all requirements necessary to prove a person is 'fit and proper' a licence will be issued together with an identification badge. You will receive notification that your licence is ready to collect by email. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, failure to do so may result in a delay in you collecting your licence.
- b. The relevant fee will be payable at collection of the licence. Please note - the Council does not accept cash payments.
- c. The licence will be valid for one a probation period of 1 year. Checks will be made at the end of that year and, if satisfactory, the licence will be issued for a further 2 years

48. Refusal

- a. Where there is any doubt as to whether the applicant is a 'fit and proper' person this Licensing Authority has the right to refuse the application under the Local Government (Miscellaneous Provisions) Act 1976.
- b. Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that a condition has been attached to a licence which is not reasonably necessary may appeal to the Licensing Sub-committee or the Magistrates Court within 21 days of being given the decision.
- c. Please see the section on Decision Making for further information.

49. Fees

- a. All correct fees can be found on our website.

50. Renewal Hackney Carriage & Private Hire Driver Application

Part 1

51. Renewal Applications

- a. Holders of existing Private Hire or Hackney Carriage driver's licences must apply to renew their licence as early as possible prior to the expiry of the previous licence. This Licensing Authority recommends allowing at least 8 weeks before expiry to enable all checks to be carried out.
- b. This Licensing Authority has no duty to notify drivers that their licence is due for renewal as it is the licence holder's responsibility to renew their licence.
- c. Whilst it is not a requirement for this Licensing Authority to send renewal reminders, it is worth noting that from 1 April 2020 reminders will only be sent by email. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, as we will not be held accountable for non-receipt of this reminder.
- d. A Hackney Carriage or Private Hire driver licence will be issued to a first-time applicant for a probationary period of 1 year.
- e. After all checks are found to be satisfactory after the first year the licence will be renewed for a period of 2 years.
- f. Subsequent renewals will be for 3 years.
- g. If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period
- h. Licences will not be renewed until all checks are back.

52. Medical

- a. Due to the length of time a driver occupational (Hackney Carriage and Private Hire) spends at the wheel, it is appropriate to have more stringent medical checks and standards than those applicable to non-professional drivers.
- b. The DVLA, The Royal Society of Medicine and the DfT recommend and consider it best practice for licensed drivers (Hackney Carriage and Private Hire) be subject to the DVLA group 2 medical requirements.
- c. To ensure that public safety is protected, this Licensing Authority requires all applicants to obtain and submit a group 2 medical report with their application for new licences and renewals.

- d. The group 2 medical assessment must be completed by a registered medical practitioner who has access to the applicant's full medical records (i.e. own GP) and licensed to practice in the UK
- e. The medical assessment must be no older than three months at the time of submission with the relevant application.
- f. If the medical assessment is not completed by the applicants own GP, and this Licensing Authority is not satisfied with the medical assessment provided (i.e. the applicants medical records have not been accessed) a second medical opinion will be required, to be obtained at the applicants cost but with a registered medical practitioner nominated by this Licensing Authority.
- g. This Licensing Authority can request an interim medical report from the nominated registered medical practitioner at any time.
- h. A group 2 medical report must be submitted with all new applications and every three years upon renewal. Upon reaching the age of 65 years a medical will be required annually.
- i. Applicants must pay any fees to the registered medical practitioner for completing the medical and report.
- j. This Licensing Authority can require a second medical opinion, as deemed necessary, to be obtained at the applicants cost but the with registered medical practitioner nominated by the Council.
- k. This Licensing Authority can require an interim medical report from the Councils nominated Registered Medical Practitioner at any time.
- l. Licensed drivers must notify this Licensing Authority and their medical practitioner of any deterioration in their health which may affect their ability to drive or complete their tasks as a licensed driver. This Licensing Authority expects licensed drivers to be responsible and not continue driving following any deterioration in their health, or any health problems which could endanger the lives of the general public.
- m. If a licensed driver is involved in an accident in which they are injured, they must ensure that they are fit prior to returning to hire and reward work; this is for the safety of the driver and the general public. All accidents, however minor, must be reported to this Licensing Authority using the accident report form.
- n. We may ask you for regular medical examinations if you suffer from certain conditions such as diabetes or heart disease.
- o. You must inform DVLA Swansea and this Licensing Authority if you have any of the following medical conditions:

- Epileptic seizures or fits
 - Sudden attacks of disabling giddiness, fainting or blackouts
 - Severe mental handicap or serious memory problems
 - A pacemaker, defibrillator or anti-ventricular tachycardia device fitted
 - Diabetes controlled by insulin or tablets
 - Angina (heart pain)
 - Parkinson's disease
 - A serious problem with confusion
 - A major or minor stroke
 - Any type of brain surgery, brain tumour or serious head injury involving hospital in-patient treatment
 - Any severe psychiatric illness or mental disorder
 - Continuing permanent difficulty in the use of arms or legs which affects your ability to control your vehicle safely
 - Dependence on the use or misuse of alcohol, illicit drugs or chemical substances in the past three years
 - Any visual disability which affects both eyes (not including short/long sight or colour blindness).
- p. Where the DVLA has not revoked a licence because of these medical conditions, this Licensing Authority will require a medical report from your Doctor or Consultant as to your continued fitness to drive. This Licensing Authority may require regular medical examinations in the light of this information.

Please see our website for the current medical form.

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

53. Safeguarding Course and Assessment

(Known as The Taxi Proficiency and Safeguarding Workshop)

- a. This Licensing Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b. As part of the renewal application this Licensing Authority requires a refresher Safeguarding course and assessment to be completed.
- c. The Taxi Proficiency and Safeguarding Workshop is delivered by one of the Licensing Officers and will cover a variety of topics aimed at helping you in your new role.

d. These topics include:

- Disability Awareness
- Child and Adult Safeguarding
- Sexual Exploitation
- Equality Awareness
- Dementia and Loneliness
- Legislation, Conditions of Licence and Byelaws
- Code of Conduct
- Drivers safety

Refresher tests will be carried out 3 years from the adoption of the Hackney Carriage and Private Hire policy 2020.

54. Overseas Criminal Record Check – (known as Certificate of Good Conduct)

- a. Applicants who have resided outside of the UK for 3 months or longer since the age of 18 years, in the last five continuous years will be required to submit an overseas record check authenticated by the embassy of each country of residence involved.
- b. This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission
- c. The application process for criminal record checks or 'Certificates of Good Character' for someone from overseas varies from country to country. You'll have to apply in the country of residence or to the relevant embassy in the UK.
- d. Please see the link below to the Government website for full details of how to apply and who to contact.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

55. Renew Hackney Carriage & Private Hire Driver Application

Part 2

56. Appointment

- a. You will need to make an appointment with the Licensing Team to complete your application.
- b. At this appointment the Licensing Officer will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- c. Applicants should be aware that this Local Authority does not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- d. In any of these circumstances staff members have the right to refuse to process the application.
- e. Any person exhibiting any of the above behaviours will be subject to enforcement and may have their application refused or licence revoked.

Please call 03450 450 063 or email taxis@scambs.gov.uk to book an appointment.

57. Application Form

- a. The application form can be downloaded from our website.

<https://www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/>
- b. Please ensure you have completed the application form in full before attending your appointment. Failure to do so will result in termination of the appointment.
- c. Please use the checklist at the end of the application form as a guide to whether you have all the correct documentation.

58. Documents to bring to your Appointment

- a. The full application (including all documents) must be submitted at the time of the appointment.
- b. Please note - all documents must be the originals. This Licensing Authority will not accept photocopies, copies will be taken of your documents during your appointment.
- c. The documents required are:
 - Completed Application Form
 - Driving Skills Assessment Certificate (new applications only)
 - Competency Test pass certificate
 - Safeguarding Test pass certificate
 - Medical Form
 - DVLA Check Code
 - Proof of Right to Work in UK
 - DVLA approved Driving Licence
 - National Insurance number
 - Your full address history for the last 5 years
 - Overseas Criminal Record Check (Known as Certificate of Good Conduct)
- if required
 - Details of two referees – completed pro-forma
 - One passport size photograph
 - DBS Enhanced Certificate or Documents for DBS check (see below)
- d. An enhanced Disclosure & Barring Service (DBS) check can be done at this appointment.

59. Disclosure & Barring Service (DBS)

- a. Applicants are required to produce an original Enhanced Criminal record check (DBS) certificate for the application to be considered. The certificate should be dated within one month from issue at the time of submission. Checks should be other workforce – Private Hire Driver and the Barred checks should be adults and children.
- b. The fee is payable online by card at the time of appointment. Please see our website for the current fee.
- c. For this Licensing Authority to process the DBS online, the applicant will need to provide the following original documentation:
 - Current Valid Passport, British Birth Certificate, British Marriage Certificate or a Biometric Residence Card
 - Current DVLA Driving licence
 - Proof of National Insurance number

- d. Two different proofs of name and addresses from the following list:
- Mortgage Statement (issued in the last 12 months)
 - Bank or Building Society Statement (issued in the last 3 months)
 - Bank or Building Society Account Opening Confirmation Letter (must still be valid)
 - Credit Card Statement (issued in the last 3 months)
 - Financial Statement e.g. pension or endowment (issued in the last 12 months)
 - P45 or P60 Statement (issued in the last 12 months)
 - Council Tax Statement (issued in the last 12 months)
 - Work Permit or Visa (valid up to expiry date)
 - Letter of sponsorship from future employment provider (must still be valid)
 - Utility Bill (issued in the last 3 months)
 - Benefit Statement e.g. child benefit, pension (issued in the last 3 months)
 - Central or Local Government, Government Agency or Local Council Document giving entitlement e.g. from DWP, HMRC (issued in the last 3 months)
 - EU National ID Card (must still be valid)
- e. All the documents must be originals and the information must be accurate i.e. in the same surname (last name), first names, address, date of birth, etc.
- f. Please note - If you have an Enhanced DBS certificate issued to you from another authority, we can only accept it if its date of issue is within the last calendar month and checks should be other workforce – Private Hire Driver and the Barred checks should be adults and children.
- g. The DBS certificate will be sent directly to your home address. Once you have received the certificate you must subscribe to the DBS Update Service - see details below.
- h. You must bring the DBS certificate and the completed DBS permission carry out an on-line check form to this Licensing Authority as soon as possible.

60. Right to Work Check

- a. This Local Authority has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.
- b. Your right to work in the UK will be checked as part of your licence application, this could include the licensing Authority checking your immigration status with the Home Office. We may also share information with the Home Office.

- c. You must provide a document or document combination that is stipulated as being suitable for this check. Please see the link below to the Home Office Right to Work Checklist:

<https://www.gov.uk/government/publications/right-to-work-checklist>

- d. You must provide the original document(s), which will be copied and returned to you at your appointment. The original document will be returned to you.
- e. If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse, and you must return it to this Licensing Authority. Failure to do so is a criminal offence.

Further information can be found on the Government website:

www.gov.uk/government/organisations/uk-visas-and-immigration

61. DVLA Check

- a. As part of the 'fit and proper' test this Licensing Authority requires applicants to provide access to records held by the DVLA. This check will include the eligibility to drive and any endorsements for road traffic offences. This Licensing Authority will check that the information which has been submitted by the applicant matches up with information held by the DVLA. You will need to obtain a check code from the Government website at <https://www.gov.uk/view-driving-licence>
- b. To obtain the check code you will need the following information:
 - your driving licence
 - your national insurance number
 - the post code on your driving licence
- c. Follow the instructions on the GOV.UK website to get your code - please note that this code is case sensitive and is only valid for 21 days. Bring the check to your appointment.

62. Data Request/ NR3

- a. When an application is made to this Licensing Authority for the grant of a new, or renewal of, a Hackney Carriage or Private Hire driver's licence, this Licensing Authority will check the National Register of Refusals and Revocations (NR3).

- b. NR3 was commissioned by the Local Government Agency (LGA) as a voluntary register. Licensing authorities will be responsible for adding basic details of drivers who have had applications for a licence either refused, revoked or suspended.
- c. Details contained on the register will be limited to information that will help to identify an individual to a certain degree of accuracy but will not give a reason why actions were taken. It will be up to individual authorities to follow up on any searches they make which come back with a match
- d. This Licensing Authority will make and then retain a clear written record of every search that is made of the register. This will detail
 - the date of the search;
 - the name or names searched;
 - the reason for the search (new application or renewal);
 - the results of the search; and
 - the use made of the results of the search (this information will be entered to the register at a later date)
- e. If any match is discovered (i.e. there is an entry in the register for the same name and identifying details) a request will be made to the authority that entered those details (the first authority) for further information about that entry. That request will also include details of this authority's data protection policy in relation to the use of any data that is obtained as a result of this process.
- f. When this Licensing Authority receives a request for further information from another authority, a clear written record will be made of the request having been received. This record will not be combined with any other records (i.e. combined with a register of licences granted) and will be retained for the retention period of 25 years.
- g. This Licensing Authority will then determine how to respond to the request. It is not lawful to simply provide information as a blanket response to every request and therefore we will conduct a Data Protection Impact Assessment. This will consider how the other authority (the second authority) will use the data, how it will store that data to prevent unauthorised disclosure, the retention period for that data, and the mechanism for erasure or destruction of the data at the end of that period. It is expected that if the second authority has adopted a policy similar to this, that it should be a reasonably straightforward process.

63. DVLA Approved Licence

- a. All applicants for Hackney Carriage and Private Hire Driver licences must be authorised to drive a car in the UK (e.g. held a full driving licence issued by a state in the European Economic Area) for a minimum of one year.

- b. Please note any driver obtaining a Private Hire or Hackney Carriage Driver 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.
- c. You must tell DVLA if you have a driving licence and:
 - you develop a 'notifiable' medical condition or disability
 - a condition or disability has got worse since you got your licence
- d. Notifiable conditions are anything that could affect your ability to drive safely. They can include:
 - Epilepsy
 - strokes
 - other neurological and mental health conditions
 - physical disabilities
 - visual impairments
- e. Please note: You could be fined up to £1,000 if you don't tell DVLA about a condition that might affect your ability to drive safely. You could also be prosecuted if you have an accident. When notifying the DVLA, you are advised to make them aware that you hold a Taxi Driver Licence for which Group 2 Medical Standards must be met.

64. Request for Disclosure of Personal Information under the Data Protection Act 2018

- a. This Licensing Authority may process the information provided to prevent and detect fraud in any of our systems and may supply information to other departments within this Local Authority and externally to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the Governments National Fraud Initiative.
- b. We may share personal data with Local Partner Authorities, Police, Legal, Courts, Internal/External audit, Disclosure and Barring Service, HM Revenue & Customs, Driver & Vehicle Standards Agency, Customs and Border Agency as required.
- c. We will make a request for Disclosure of Personal Information under the Data Protection Act 2018 to other Licensing Authorities to consider any licensing history they may have prior to us deciding regarding an application for a licence.

65. Renew Hackney Carriage and Private Hire Driver Application Part 3

66. DBS Update Service

- a. All new and renewal licensed drivers must subscribe to the DBS Update Service and renew on an annual basis to continue to hold a South Cambridgeshire District Council driver's licence.
- b. Failure to do so will result in either refusal, suspension or revocation of the licence.
- c. The Disclosure and Barring Service (DBS) update service lets applicants keep their DBS certificates up to date online and allows employers to check a certificate online.
- d. You must register online within 28 days of getting your certificate via the DBS website at the following link:

<https://secure.crbonline.gov.uk/crsc/subscriber>
- e. Registration lasts for one year and a yearly subscription fee is payable by debit or credit card only.
- f. This Licensing Authority will undertake an annual online check of the DBS Update Service for the applicant's current status.
- g. Where an individual fails to maintain their subscription before expiry they must reapply for a new enhanced DBS check and register for the Update Service. Failure to do so will result in suspension of the licence until they have complied.
- h. If you have subscribed to the DBS update service, you must bring in the original DBS certificate. We will not be able to complete the check without this certificate.
- i. You will be required to complete a form to give South Cambridgeshire District Council permission to carry out an online DBS check, which will be given to you at the appointment.

A copy of this form can be download from our website;

<https://www.scamb.gov.uk/licensing/types-of-licence/taxi-licences/>

67. Licence and Badge Issue

- a. If the information provided meets all requirements necessary to prove a person is 'fit and proper' a licence will be issued together with an identification badge. You will receive notification that your licence is ready to collect by email. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, failure to do so may result in a delay in you collecting your licence.
- b. The relevant fee will be payable at collection of the licence. Please note - the council does not accept cash payments.

68. Refusal

- a. Where there is any doubt as to whether the applicant is a 'fit and proper' person this Licensing Authority has the right to refuse the application under the Local Government (Miscellaneous Provisions) Act 1976.
- b. Any person who has been refused a licence, or has had their licence revoked or suspended, or who believes that a condition has been attached to a licence which is not reasonably necessary may appeal to the Licensing Subcommittee or to the Magistrates Court within 21 days of being given the decision.
- c. Please see the section on Decision Making for further information.

69. Fees

- a. All correct fees can be found on our website.

70. Private Hire and Hackney Carriage Vehicles

71. Private Hire and Hackney Vehicle Licence Differences

- a. The main difference between Hackney Carriage and Private Hire vehicles is that a Hackney Carriage can be hailed in a public street (plying for hire) or hired from a taxi rank or when it is stationary on the street ('standing for hire'), in both cases within South Cambridgeshire.
- b. Only Hackney Carriage Vehicles licensed by South Cambridgeshire District Council can use Taxi Ranks within South Cambridgeshire.
- c. Only Hackney Carriage Vehicles licensed by South Cambridgeshire District Councils can ply for hire only in the district of South Cambridgeshire.
- d. Hackney Carriages can accept pre-booked journeys from a Licensed Private Hire Operator and directly from the public for a journey commencing anywhere.
- e. Private Hire vehicles must be pre-booked in advance through a licensed Private Hire Operator; they cannot stand or ply for hire.
- f. Private Hire Vehicles cannot use Taxi Ranks.
- g. Private Hire vehicles cannot ply or stand for hire.
- h. Private Hire vehicles can only accept pre-booked journeys from a licensed Private Hire Operator for a journey commencing anywhere.

72. General

- a. Once a vehicle is licensed as either a Private Hire vehicle or a Hackney Carriage vehicle it always remains a licensed vehicle until that licence is suspended, revoked or expires. This means that these vehicles must not be driven by anyone other than a South Cambridgeshire District Council Private Hire or Hackney Carriage Driver even when the vehicle is considered 'off duty'. Any insurance policy which provides insurance for a licensed vehicle may become void if the vehicle is driven by an unlicensed driver, who also commits a criminal offence.
- b. This Licensing Authority will not grant a Hackney Carriage or Private Hire Vehicle Licence for any vehicle that is already licensed by another authority.
- c. Vehicles which accommodate more than 8 passengers cannot be licensed as a Hackney Carriage or Private Hire vehicle.

- d. Local Licensing Authorities have a wide range of discretion over the types of vehicle they licence as Hackney Carriage and Private Hire vehicles.
- e. A vehicle will only be licensed as a Private Hire vehicle if it is not of an appearance or design that resembles a hackney carriage licenced by this Council and is therefore considered likely to lead the public to think it is a South Cambridgeshire District Council licensed Hackney Carriage vehicle.
- f. This Licensing Authority has set conditions applicable to the vehicle requirements, internal and external specifications, of the vehicles it will license. These can be found in the Hackney Carriage and Private Hire Handbook.
- g. There is a separate set of conditions applicable for Limousine and speciality vehicles, licensed as private hire vehicles.
- h. This Licensing Authority has set these conditions as the minimum standards to ensure that the public travel in safe, comfortable and roadworthy vehicles. All vehicles must also conform to the type approval and construction and use regulations.
- i. Whilst each application will be determined on its own merits, it is unlikely that this Licensing Authority would license a vehicle which did not meet the licensing standards and specifications. Where an application is refused, a right of appeal exists. This is to the Magistrates Court if the application was for a private hire proprietors' licence, and to the Crown Court if the application was for a hackney carriage proprietors' licence.

73. Dual Licence

- a. South Cambridgeshire District Council will not grant a Hackney Carriage or Private Hire Vehicle Licence for any vehicle that is already licensed by another authority.

74 Limitation of Vehicle Numbers

- a. The legal provision on quantity restrictions for Hackney Carriages is set out in the Transport Act 1985, Section 16. Any limit imposed needs to comply with Part 12 of the Equality Act 2010 and any associated regulations in respect of the proportion of the taxi fleet accessible to disabled persons.
- b. South Cambridgeshire District Council has not set a limit for the number of Hackney Carriage vehicles it will licence. There is no provision for this Licensing Authority to limit the number of Private Hire vehicles it licenses.

76. Smoking

- a. All licensed vehicles must comply with the requirements of the Health Act 2006 and display 'No Smoking' signs. Drivers are reminded that it is against the law to smoke or allow someone to smoke in a licensed vehicle at any time.
- b. For the avoidance of doubt, this Licensing Authority also forbids the smoking of electronic cigarettes and vaping, whether by the driver or passengers.

77. Vehicle Inspections

- a. Licensed vehicles must always be kept in a safe, tidy and clean condition.
- b. Compliance with the vehicle specifications and conditions of licence are essential and will be enforced by periodic and/or random vehicle inspections by authorised officers of the Licensing Authority.

78. Accidents

- a. Proprietors and drivers of licensed vehicles must inform this Authority as soon as possible and in any event within 72 hours, of any accident that causes damage which materially affects the safety, performance or appearance of the vehicle or the comfort or convenience of passengers. Failure to report an accident may result in suspension or revocation of both vehicle and driver licences.
- b. The driver involved in the accident must provide details to this Licensing Department of how, where and when the accident occurred. The damage to the vehicle may be required to be assessed by an officer, the vehicle and/or evidence of the damage and/or repair work must be presented to this Licensing Department on request. If it is felt necessary, a vehicle suspension notice will be issued.
- c. Drivers, proprietors and operators are advised that the Council may be contacted by insurance companies to verify an accident damage report and details provided.

79. Exemptions

- a. The DfT issue guidance regarding the types of activities that may require licensing. In general, the following are not currently considered to require licensing.
 - Child minder vehicles
 - Care transport workers
 - Volunteers
 - Ambulances

- Courtesy Cars
 - Funeral Vehicles - There is no requirement for a vehicle to be licensed as a private hire vehicle if it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a funeral director for the purpose of funerals.
 - Wedding Vehicles - There is no requirement for a vehicle to be licensed as a Private Hire Vehicle while it is being used in connection with a wedding.
- b. Should DfT guidance change, this authority will reserve the right to amend the information and guidance within the policy.

80. Contract Vehicles

- a. The Road Safety Act 2006 requires vehicles used for a contract with an organisation or company, for carrying passengers for hire or reward under a contract, to be licensed as private hire vehicles. As a general guide this will include executive hire, chauffeur services, park and ride for private car parks, airport travel, stretch limousines and novelty vehicles.
- b. The Local Government (Miscellaneous Provisions) Act 1976 requires all vehicles provided for hire, with a driver for the purpose of carrying passengers, to be licensed as private hire vehicles. As a general guide this will include executive hire, chauffeur services, park and ride for private car parks, airport travel, stretch limousines and novelty vehicles.
- c. All vehicles with less than 8 passenger seats that carry passengers for hire and reward must be licensed by this Licensing Authority. Vehicles which are used as 'courtesy cars', i.e. for transporting customers to and from hotel, nightclubs, etc. are being provided for hire and reward in the course of business, irrespective of whether or not a charge is made for such service. They must, accordingly, be licensed.
- d. Those operating 'courtesy cars', e.g. for transporting customers to and from hotels, nightclubs, etc. should have an operator's licence and the vehicles and driver must be appropriately licensed.
- e. All ambulances registered with the British Ambulance Association will be exempt from private hire licensing.
- f. Other patient transport services provided by either NHS or Voluntary Services that are registered with the British Ambulance Association will be exempt from private hire licensing.

- g. All other ambulance or patient transport services that are not registered with the British Ambulance Association may be required to conform to private hire licensing requirements. This Licensing Authority strongly recommends that anyone wishing to provide this type of service contact the Council for each case to be considered on its merits.
- h. In relation to Voluntary Sector Transport, this Licensing Authority will assess each individual organisation on its own merits to determine whether or not it will require licensing as a private hire business. Whilst it is clear that the organisation is providing a service, it is less clear that such provision can be defined as operating a private hire business.
- i. When determining whether a vehicle is operating as a Private Hire Vehicle, this Licensing Authority will have reference to the Department for Transport's guidance note "Private Hire Vehicle Licensing" and any relevant case law.
- j. This Licensing Authority will, however, seek to enforce against unlicensed businesses where it can be proven that the business obtains a benefit and the Authority considers that private hire vehicle licensing is necessary.

81. Speciality Vehicles and Limousines

- a. Limousine and speciality vehicles are generally used for special occasions such as anniversaries, stag and hen parties, prom nights, etc. and may be specialist, or stretched vehicles.
- b. Limousine and speciality vehicles used for the purpose of hire and reward are required to be licensed as Private Hire vehicles, with a seating capacity for 8 passengers or fewer, and all bookings must be made via a licensed operator.
- c. These are specialist types of vehicles with their own set of conditions in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these specialist conditions, then these specialist conditions will prevail.
- d. This Licensing authority strongly recommends that anyone wishing to purchase and license a speciality vehicle or limousine, contacts the licensing team prior to purchase, to ensure that the vehicle will meet the conditions applied. Each application will be determined on its own merits.

- e. Proprietors of prestige type vehicles licensed as Private Hire vehicles or Private Hire vehicles used in special circumstances may seek the permission of this Licensing Authority to waive the conditions of their licence relating to the display of licence plates and door signage.

82. Private Hire Vehicle Notice of Exemption

- a. This Licensing authority recognises that there is a specialist market for the use of unmarked hire and reward vehicles in the following circumstances:
 - Chauffeur / prestige-type services
 - Fulfilling a pre-existing, written contract (pre-existing meaning signed at least 10 working days in advance of the hire)
 - Providing a regular service (whether to an individual or to a business)
- b. This definition will not cover every business circumstance and officer discretion will be used to determine individual applications based on the merits of the case, as required by legislation.
- c. Customers for this type of service will expect these vehicles to be prestige high specification vehicles and will also expect the driver to be smartly dressed either as a chauffeur or in a business suit with collared shirt and tie.
- d. The ability to exempt a vehicle from displaying the licence plate only applies to Private Hire vehicles, it does not extend to Hackney Carriages which must always display their plates.
- e. Prestige high specification Private Hire vehicles which carry out contract work such as executive bookings etc. may apply for an exemption licence, which exempts that vehicle from the requirement to display the standard licence plate and door signage.
- f. The driver must carry their Private Hire Driver badge with them so that it is immediately available upon request.
- g. The vehicle will be issued with a licence plate, which must always be kept within the vehicle.
- h. A certificate of exemption and internal vehicle notice will also be issued by this Authority and must displayed in a prominent place, visible to all passengers.
- i. Vehicles which have been issued with an exemption certificate will solely undertake executive chauffeur work.

- j. Exempted vehicles found to be carrying out standard private hire work will be subject to enforcement action and the exemption certificate may be revoked.
- k. Exempted vehicles must not display any advertisements, signage, logos, or insignias advertising the operating company inside or outside the vehicle.
- l. Operators and proprietors who wish to apply for an exemption certificate must complete the application form, pay the required fee and provide enough supporting documentation to establish that the vehicle will be solely used for executive bookings.
- m. There are extra conditions applicable to exempted vehicles, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these extra conditions, then these extra conditions must prevail.
- n. If an exemption certificate has been issued but the vehicle will no longer be utilised solely for executive type bookings, the exemption plate and certificate must be surrendered and returned to this Licensing Authority. If the vehicle is still licensed, it must then display the plate and door stickers as required by the conditions for private hire vehicles. There will be a fee for the replacement plate and door stickers.
- o. The types of work that will not be considered for the grant of an exemption include but is not limited to: -
- p. Council 'school contract' work;
 - Journeys to airports, seaports or railway stations, unless part of a journey covered by an exemption
 - Theatre journeys or sporting events unless stipulated on the exemption
 - 'Hen' and 'Stag' nights.
- q. Each application for exempt status will be considered on its own merits and there is no right of appeal against a decision by the Local Authority to refuse to grant under s75(3) Local Government (Miscellaneous provisions Act) and the only direct means of challenge would be judicial review.

Please see the website for an application form:

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

83. Specification for Private Hire and Hackney Carriage Vehicles which are not Zero or Ultra-Low Emission Vehicles

- a. A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.
- b. A vehicle licence will not be renewed for a petrol or diesel vehicle unless the vehicle is less than 9 years old and complies with at least the Euro 5 emission standards limiting CO, NOX and particle matter emissions introduced in September 2011. There will be a grace period until December 2021 to support the trade through any financial obligations and compliant
- c. All Hackney Carriage vehicles must be wheelchair accessible vehicles to ensure that disabled people are able to hire the vehicle on the spot with the minimum delay or inconvenience. New vehicles will need to comply with this immediately, and those vehicles currently licensed as a Hackney Carriage will have to comply by 31 March 2021. Failure to do so will result in the vehicle licence being revoked, or not renewed.
- d. Any new vehicle licensed by this Licensing e Council as a Hackney Carriage must only be white in colour. All existing Hackney Carriage vehicles must be compliant by 31 March 2021
- e. No vehicle will be considered acceptable for licensing as a Wheelchair Accessible Hackney Carriage (or Private Hire Vehicle) unless it is a category M1 type vehicle. Category M1 is defined as a vehicle designed and constructed for the carriage of passengers and comprises no more than eight seats in addition to the driver's seat
- f. No vehicle will be considered acceptable for licensing as a Wheelchair Hackney Carriage Vehicle or Wheelchair Accessible Private Hire Vehicle unless it has been through one of the following type approval schemes and unaltered since that time:
 - European Community Whole Vehicle (M1) Type Approval,
 - M1 Low Volume Type Approval
 - National Small Series Type Approval
 - Individual Vehicle Approval

Before purchasing a vehicle for use as a wheelchair accessible vehicle you must ensure that the final vehicle build meets one of the above.

84. Vehicle Specification for Private Hire and Hackney Carriage Vehicles that are Zero and Ultra-Low Emission

- a. The Government aspirations are that by 2040 every new car in the UK will be an Ultra-Low Emission Vehicle (ULEV) and is facilitating this through a range of measures including financial support to help consumers meet the upfront

purchase costs of ULEVs, through the Plug-in Car Grant, and investment in the creation of a national charge point network.

- b. South Cambridgeshire District Council has committed to reduce the environmental impacts of vehicles licensed to operate in the district by reducing the emissions of pollutants such as Nitrous Oxides (NO_x), Particulate Matter (PM), Carbon Dioxide (CO₂) and Carbon Monoxide (CO).
- c. This Local Authority is developing an action plan to deliver a zero-carbon future for South Cambridgeshire by assessing the current levels of carbon and committing to an action plan to meet our 2050 zero-carbon pledge.
- d. This plan includes installing electric vehicle charging points across the district and incentives for Private Hire Operators and Hackney Carriage and Private Hire drivers to make the move to electric vehicles.
- e. This means that there is a change in the Hackney Carriage and Private Hire Licensing Policy to fit with the Governments' long-term vision for all new cars and vans to be Zero emission by 2040.

www.gov.uk/government/organisations/office-for-low-emission-vehicles

- f. A new vehicle licence will not be granted in respect of a vehicle unless it is less than 4 years old.
- g. A vehicle licence will not be renewed for a Zero Emission vehicle, unless the vehicle is less than 15 years old.
- h. A vehicle licence will not be renewed for an Ultra-Low Emission vehicle, unless the vehicle is less than 12 years old.

i. Ultra-low Emission Vehicle (ULEV)

To ensure that the vehicle meets the Ultra-Low Emission criteria, the V5 document should detail the following:

- Taxation Class: ALTERNATIVE FUEL
 - CO₂ (g/km): 75g/km (or less)
- j. Please note that ultra-low emission vehicles are currently defined as having less than 75 grams of CO₂ per kilometre (g/km) from the tail pipe. The Vehicle Certification Agency recognise advancements in technology and expect that from 2021 an ultra-low vehicle will be defined as a car or van that emit less than 50g/km CO₂. Please visit the Vehicle Certification Agency website for further details

- k. Ultra-Low Emission Vehicles (ULEV) range from pure electric vehicles and fuel cell electric vehicles, to plug-in hybrids and extended range electric vehicles
- l. Most ULEVs on the road today use alternative fuels such as electricity to drive an electric motor, with batteries commonly used as an energy storage device. In most instances these batteries are charged by being plugged into a dedicated charge point or directly into the mains.
- m. There are three types of electric vehicles:
- **Pure electric vehicles (EVs)** – powered wholly by a battery which is charged from the mains. Almost all manufacturers offer pure electric cars, many of which can now travel upwards of 200 miles on a single charge.
 - **Plug-in hybrid electric vehicles (PHEVs)** – Offers the best of both worlds, combining an electric motor with an internal combustion engine. Typically, the battery range is in excess of 20 – 30 miles, good for short urban journeys. For longer trips, or if the battery charge is depleted, an efficient petrol or diesel engine kicks in to power the vehicle.
 - **Extended-Range electric vehicles (E-REVs)** – similar to pure electric vehicles, can typically travel up to 150 miles on a single charge however contains an on-board generator that can charge the battery when the level of charge drops below a certain level. Unlike a PHEV, the generator does not directly provide power to the vehicle.
 - **Zero Emission Vehicles -**
Zero emission vehicles are those which emit no emissions during their operation.

To ensure that the vehicle meets the Zero Emission criteria, the V5 document should detail the following:

- Taxation Class: Alternative Fuel or Electric
- CO2 (g/km):
- **Battery Electric Vehicle (BEV or Pure EV)** - Powered only by electricity, a pure-Electric Vehicle (EV) has a larger battery than an E-REV or a PHEV and does not have an internal combustion engine (ICE).
- **Emit zero emissions in their life cycle.** - The range of electric only vehicles is typically around 100 miles but this can be higher depending on the vehicle model and manufacturer.

Electric vehicles require less maintenance than hybrid or conventional vehicles as:

they require little or no regular maintenance of their battery, motor or associated electronics.

there are fewer fluids to change and less moving parts.

the regenerative braking system also means there is less wear and tear on the brakes.

85. Vehicle Specification for Hackney Carriages only

- a. All Hackney Carriages must be wheelchair accessible. New vehicles will need to comply with this immediately and all existing Hackney Carriage vehicles must be compliant by 31 March 2021
- b. Any new vehicle licensed by this Licensing Authority as a Hackney Carriage can only be white in colour. All existing Hackney Carriage vehicles must be compliant by 31st March 2021.
- c. Wheelchair accessible means the vehicle must be able to transport a passenger who remains in a wheelchair in safety and secured by the appropriate harnesses.
- d. Vehicles which accommodate more than 8 passengers cannot be licensed as a Hackney Carriage or Private Hire vehicle.
- e. Approved anchorages must be provided for wheelchair tie downs and the wheelchair passenger restraints. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Please contact taxis@scambs.gov.uk for more information about approved anchorages.
- f. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried in the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- g. The door and doorway must be so constructed as to permit an unrestricted opening across the doorway of at least 75cm. the minimum angle of a hinged door when opened must be 90 degrees
- h. The clear height of the doorway must be not less than 1.2 metres.
- i. Grab handles must be placed at door entrances to assist the elderly and disabled and must be contrasting in colour.
- j. The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements:

- k. Be not more than 380mm from the ground, (measured at the centre of the tread width)
- l. The surface shall be covered in a slip-resistant material
- m. Have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering
- n. Should any entrance be more than 380mm from the ground, an external interim step must be made available when the associated passenger door is opened and comply with the following requirements: -
 - Not be more than 380mm in height from the ground, (measured at the centre of the step width;
 - Not be less than 250mm deep;
 - The surface shall be covered in a slip-resistant material;
 - Have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
 - Not be capable of operation whilst the vehicle is in motion;
 - If automatic or powered, be fitted with a safety device which stops the motion of the step if the step is subject to a reactive force not exceeding 150N in any direction and if that motion could cause injury to the passenger;
 - Can fold or retract so that it does not project beyond the side face of the vehicle and the vehicle is not capable of being driven away unless the step is folded or retracted.
- o. The vertical distance between the highest part of the floor and the roof in the passenger compartment must not be less than 1.3 metres.
- p. Where seats are placed facing each other, there must be a minimum space of 350mm between any part of the front seat and any part of any other seat that faces it, provided adequate foot room is maintained at floor level.
- q. Where all seats are placed facing to the front of the vehicle, there must be clear space of at least 66cm in front of every part of each seat squab, measured along a horizontal plane at the centre of the cushion.
- r. A ramp for the loading of a wheelchair and occupant must always be available for use, as a minimum, at the nearside passenger door on all new vehicles presented for licensing. The ramp must be 70cm wide, as a minimum, and comprise a single non-slip surface. An adequate locking

device must be fitted to ensure that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed safely when not in use.

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

86. External Signage and Livery

- a. This Licensing Authority must ensure that the travelling public are aware of the type of vehicle they are using. Some members of the public do not distinguish between Hackney Carriage and Private Hire vehicles and do not realise that Private Hire vehicles are not available for immediate hire and must not be hailed in the street.
- b. It is essential that the public are able to easily identify between a Hackney Carriage and a Private Hire vehicle and the identification features are as follows:

Hackney Carriage Vehicles

- c. Any new vehicle licensed by this Licensing Authority as a Hackney Carriage must only be white in colour. All existing Hackney Carriage vehicles must be compliant by 31st March 2021.
- d. All Hackney Carriage vehicles must display the South Cambridgeshire District Council white identification plate on the rear of the vehicle.
- e. The licence plate must be securely fixed to the bracket which must be bolted or screwed to the outside rear of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised Council officer or police officer. Magnetic fittings are not allowed.
- f. Hackney Carriage vehicles must have affixed permanently on the front and rear external passenger and driver doors in a prominent location, South Cambridgeshire District Council issued door signage. See Hackney Carriage and Private Hire Handbook for details.

- g. The vehicle must be fitted with a roof sign not exceeding 500mm in length and 120mm in height and bearing the word "TAXI" in black lettering illuminated in yellow and no other lettering to the front. The word "TAXI" and the wording "SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL" in black lettering, illuminated in red or yellow and no other lettering to the rear.
- h. Any alternative signage will not be permitted.
- i. A vehicle remains a Hackney Carriage vehicle until the licence is suspended, revoked or expires and it is the responsibility of the driver and/or proprietor to ensure door signage and licence plate is in place at all times and in all parts of England and Wales. Failure to do so will result in enforcement action being taken.

Private Hire Vehicles

- j. All licensed Private Hire Vehicles must display permanently the yellow Council issued licence plate on the rear of the vehicle, except where a plate exemption certificate has been issued.
- k. The licence plate must be securely fixed to the bracket which must be bolted or screwed to the outside rear of the vehicle, in such a manner that the plate is not obscured from view by fixtures or fittings, and the plate does not obscure the vehicle registration plate. The plate must also be able to be easily removed by an authorised Council officer or police officer: magnetic fittings are not allowed.
- l. The vehicle must display permanently on the driver and front passenger door in a prominent position the name and telephone number of the Operator fulfilling the booking, except where a plate exemption certificate has been issued. Please see the Hackney Carriage and Private Hire Handbook for specified signage format.
- m. If a Private Hire driver is working for more than one Operator, they can only display one Operator door sign at any one time.
- n. Private Hire vehicles must have affixed on the rear external passenger doors in a prominent location, Council issued door signage, except where a plate exemption certificate has been issued.
- o. Private Hire vehicles are not permitted to display roof mounted signs or any signage that include the words "taxi" or "cab" or "for hire" or any similar sounding word such as "acne", "kab", "taksi" or "higher".

- p. All expired Vehicle licence plates must be returned to this Licensing Authority.
- q. A vehicle remains a Private Hire vehicle until the licence is suspended, revoked or expires and it is the responsibility of the driver and/or proprietor to ensure door signage and licence plate is in place at all times and in all parts of England and Wales. Failure to do so will result in enforcement action being taken.

87. Internal Vehicle Notice

- a. Members of the public who have cause for concern, or who wish to complain about a journey in a licensed vehicle, will need some information about the driver or vehicle they used in order to progress their complaint or report their concern.
- b. Exempt vehicles do not display a licence plate and therefore members of the public may have no information about the driver or operator prior to getting into a licensed vehicle. If they have a problematic journey, they may ask the driver for information.
- c. Whilst licensed drivers are required to wear their licence badge, which contains their information, a passenger may feel it too confrontational to request to see the driver's badge, especially if they have had a difficult journey.
- d. In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, the Council has determined that certain information must be displayed inside all licensed vehicles, in the form of a Council issued Internal Vehicle Notice.
- e. This must be displayed in a prominent position so that it can be seen by all passengers.
- f. This notice must that include the following information:
 - The business name of the operator, or proprietor if it is a Hackney Carriage
 - The telephone number of the operator, or proprietor where it is a Hackney Carriage, where a customer can make a complaint or report a concern
 - The vehicle registration number
 - The vehicle licence plate number

- g. Licensed drivers who work for more than one operator must have an internal vehicle notice for each operator that they work for.
- h. Requests for Internal Vehicle Notices can be made visiting our website. Current fees for all required signage can also be found there

www.scambs.gov.uk/licensing/types-of-licence/taxi-licences

88. Safety Equipment

- a. **First Aid Kit** - All licensed vehicles must have a suitable first aid kit containing appropriate first aid dressings and appliances. This equipment must be in date and carried in such a position in the vehicle as to be readily available and visible for immediate use in an emergency. This item must be clearly marked with the licence plate number.
- b. **Fire Extinguisher** - All licensed vehicles must have a fire extinguisher which must be carried in such a position as to be readily available for use.
- c. The fire extinguisher must be:
 - Approved Mark: BS EN3 - This is the new EU standard, it covers portable fire extinguishers
 - CE Marked - CE marking is a certification mark that indicates conformity with health, safety, and environmental protection standards for products sold within the European Economic Area (EEA)
 - Type: CO2 or foam or dry powder
 - Not less than 1Kg capacity
- d. **Warning Triangle** – All licensed vehicles must have a warning triangle carried in the vehicle to ensure the safety of the driver and passengers in the event of an accident, and drivers must understand the guidelines for the use of such devices and use the warning triangle in those circumstances.

89. CCTV

- a. The installation of CCTV in licensed vehicles can be both a deterrent to would-be troublemakers and a source of evidence in the case of disputes between drivers and passengers, other incidents and accidents. If fitted correctly, it can assist the police and insurance companies with their investigations and must be recording at all times when working as a licensed vehicle.

- b. The key objects are:
- The protection of licensed drivers.
 - The protection of the travelling public.
 - To ensure that licensed drivers continue to be 'fit and proper' in line with licence conditions.
 - To enable investigations to be fully supported with evidence in a secure and retrievable form.
- c. All Hackney Carriage and Private Hire vehicles must be fitted with a Council approved CCTV system at application no later than 31st March 2021
- d. Drivers, proprietors and operators must notify the Council prior to installation. They must be registered with the ICO (Information Commissioners Office) if required and comply with all aspects of data protection and CCTV codes of practice, including clear signage that the vehicle uses CCTV. Further information can be found on the following link <https://ico.org.uk/>.
- e. CCTV must be professionally installed to ensure no interference with other equipment, in such a manner that it does not increase the risk of injury or discomfort to the driver and passengers, or affect any other safety system or in any way breach the motor vehicle construction and use regulations. It must be regularly checked and maintained, be clearly visible and the vehicle must display the required signage.
- f. The Licensing Authority reserves the right to amend the CCTV specification from time to time as the need arises, having regard to changes in technical standards, case law, national policy or any other circumstances that make it reasonable to amend the current specification.
- g. Operational**
- The system will be 100% solid state design or a proven vibration and shock resistant system.
- The taxi camera equipment must be e-marked or CE-marked with confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles.
- A service log must be kept and maintained by the approved installer and the local authority.
- Images must be preserved in the event of loss of power. Battery back-up will not be permitted.

The system must have the ability to operate for at least 2 hours without power from the ignition. The device must be hard wired to both constant and ignition supply.

Image and audio data shall be recorded and stored in a unit separate from the camera head. Self-contained storage cards within the camera head will not be acceptable.

System must have GPS capability.

The system must be capable of recording audio time synchronized to the recorded images. If activated, the audio must record within the video file.

The images must be encrypted.

- They can not be viewed by the driver, operator or proprietor.
- They can not be viewed by any customer or other third party.
- They can only be viewed in controlled circumstances by the police and/ or a local authority officer following a complaint, criminal activity or some other requirement for an investigation.

h. Automotive Electromagnetic Compatibility requirements (EMC)

CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle.

Any electrical equipment such as an in-vehicle CCTV system fitted after the vehicle has been manufactured and registered, is deemed to be an Electronic Sub Assembly (ESA) under the European Community Automotive Electromagnetic Compatibility Directive and therefore must meet with requirements specified in that directive.

i. Camera Download Requirements

To safeguard the data, all downloads will be conducted in the presence of at least two relevant people.

Relevant people are a member of the South Cambridgeshire District Council licensing team or a serving police employee. This will generally be at the Council offices with two Licensing staff where possible.

All requests must be in an appropriate format detailing the powers that allow the release of the data and providing all the information required. The request form for download must state the approximate time of the event/occurrence and only the timescale relevant to the specific incident will be downloaded, decrypted and thereafter stored.

On receipt of a download request to be conducted by South Cambridgeshire District Council staff a member of the Licensing Team will confirm it is a legitimate request. Arrangements will be made with the owner of the licensed vehicle for the vehicle to attend the Licensing Office.

If it is not practical, then a member of the Licensing Team will attend the location of the vehicle or data box to facilitate the download.

A dedicated computer will be used to facilitate the download from the data box. This computer will copy the downloaded footage onto its files. A master copy will be created from this computer and placed on the external hard drive dedicated for such use and retained by this Local Authority. This hard drive will be kept secure to prevent loss of data. A working copy will be produced and either given to the requesting authority or subject or retained by the investigating officer. Data retained by this Local Authority will only be retained for the following periods:

- Cases leading to prosecution 10 years from date of trial
- Formal caution 3 years from date of caution
- Written warning or no formal action 3 years from date of decision
- Subject Access request 6 years from date of request

The file on the dedicated computer will be deleted once the master and working copies are produced.

This Local Authority will conduct a review of material held on the hard drive each year and erase any such material outside of these time limits. Any working copies should be placed on the appropriate files and they will be weeded and safely destroyed with the files whose time limits mirror those set out above.

Data will only be viewed by the person performing the download to the extent necessary to facilitate the download process. Data being used in any investigations will only be viewed by persons involved in that investigation but will be released to be used in court if necessary.

After a period of 31 days' time any data held by the system installed in any vehicle is automatically overwritten.

Only systems approved by this Local Authority can be installed by an approved installer – thereby ensuring that any equipment may not be tampered with, encryption is of a sufficient standard and data may not be interfered with or released to any third party / published.

j. Camera design requirements

The camera(s) must be fitted safely and securely, should not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

The cameras must record both forward and rear facing images.

The lens or the position of the camera must be of a type that captures the driver and all passengers of the vehicle on the recorded image.

The lens must be of a style not to create a “fishbowl” effect.

k. Installation

All equipment must be installed as prescribed by the equipment’s manufacturer installation instructions and must be by a trained approved installer.

The installed CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.

All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers, for example, temporary fixing methods such as suction cups will not be permitted.

All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

It is contrary to the Motor Vehicle (Construction and Use) Regulations, 1986, for equipment to obscure the view of the road through the windscreen.

Equipment must not obscure or interfere with the operation of any of the vehicle’s standard and/or mandatory equipment, eg not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

All wiring must be fused as set out in the manufacture’s technical specification and be appropriately routed.

All equipment must be checked regularly and maintained to operational standards, including any repairs after damage.

l. Camera activation methods

The system must always be operational when the vehicle is being used as a licensed vehicle.

Activation of the system must be made via the ignition to ensure that the equipment is always working.

There must be a manual override switch, located within the luggage area of the vehicle, to protect the right to privacy when the vehicle is for personal use. This will have a de-activation delay period of 30 minutes.

m. Audio recording

CCTV systems must not normally be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances.

Audio recording must be active in any of the following circumstances:

An unaccompanied child (i.e. under 18) or vulnerable adult is being carried in the vehicle

Where the driver and/ or the passenger are involved in a dispute or the driver or the passenger feels threatened by the behaviour of a passenger.

Activation of audio recording must be triggered by the driver and/or the passenger by pressing a switch / panic button.

There will be separate switches/ panic buttons for the driver and passenger to use independently.

Audio recording must continue until such time as the original switch (panic button) used to activate the audio recording is pressed again.

Audio recording must continue until such time as the original switch/panic button used to activate the audio recording is pressed again.

Once activated (by either passenger or driver), the audio recording must continue for an uninterrupted period until it is deactivated.

There must be an indicator located within the vehicle that is clearly visible to the passenger and clearly shows that audio recording is taking place.

At the end of journey when the passenger leaves the vehicle, audio must be deactivated before another passenger enters the vehicle.

n. Image security

Images captured must always remain secure. The captured images must be protected using approved encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner's Office (ICO) that the encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent.

System protection access codes for "data controllers" will also be required to ensure permanent security.

o. Retention of CCTV images

The CCTV equipment selected for installation will only have the capability of retaining images within its own hard drive.

Images must not be downloaded onto any kind of portable media device (eg CDs or memory sticks) for any purpose other than retention of data in the event of investigations.

CCTV equipment selected for installation will include an automatic overwriting function, so that images are only retained within the installed system storage device for a period of 28 days from the date of capture.

p. Use of information recorded using CCTV

The data controller (being the Council) is responsible for complying with all relevant data protection legislation. The data controller is legally responsible for the use of all images including breaches of legislation.

Data will only ever be downloaded on occasions: -

- where a crime report has been made involving the specific vehicle and the Police have formally requested that data
- when a substantive complaint has been made to the licensing authority regarding a specific vehicle / driver and that complaint is evidenced in writing (and cannot be resolved in any other way)
- where a Data request is received from an applicant e.g. police or social services that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.

q. Requests for Data

Requests may be made by the police or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or exceptionally other appropriate bodies, to the “data controller” to view captured images. The data controller is responsible for responding to these requests. Police or other law enforcement agencies should produce a standard template request form, setting out the reasons why the disclosure is required. Alternatively, a signed statement may be accepted. A fee may be made for any information provided.

Requests for data will only be accepted in writing and must specify the reasons why disclosure is required. Please see the handbook for details.

Under the Data Protection Act, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a ‘subject access request’. Such requests will only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm they are in fact the person in the recording). A fee may be made for any information provided.

r. Notification to the Information Commissioner's Office

The Information Commissioner’s Office (ICO) is the official regulator for all matters relating to the use of personal data.

If an individual cannot access the data, then they are not the data controller. The data controller has the final decision on how the images are stored and used and determines in what circumstances the images should be disclosed.

Notification is the process by which a data controller informs the ICO of certain details about their processing of personal information. These details are used to make an entry in the public register of data controllers.

This means that any specified company, organisation or individual who has a CCTV system installed in a vehicle licensed by this Local Authority must register with the ICO (Notification) and obtain documented evidence of that registration. This documentary evidence will be required to be presented to one of our Licensing department at any time during the term of the vehicle licence.

Please follow the link to the ICO register: <https://ico.org.uk/registration/new>

s. Signage

All Hackney Carriage and Private Hire vehicles fitted CCTV must display clear signage to inform passengers that both audio and visual recordings take place in the vehicle. This signage must use wording and images of a

camera and a microphone. Please contact taxis@scambs.gov.uk for further advice

The driver should also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle.

Signage must be displayed as to be able to be observed from every passenger entrance to a vehicle and also whilst being seated within the vehicle.

Signage must not compromise view through any side window and must not be impinging on the area of the vehicles front window screen, which is required to be kept clear as per MOT regulations.

t. Inspection

CCTV systems will be inspected by the Council's approved testing stations as part of the twice-yearly vehicle inspection to ensure they do not pose a risk to the safety of the passengers or the driver and are fitted safely and securely.

u. System Specifications

Please see our website for the full CCTV technical specification and system requirements.

90. Dashcams

- a. Any dashcams installed in the licensed vehicle must be outward facing only.
- b. Internal facing dashcams will not be permitted in the licensed vehicles.
- c. It is the sole responsibility of the proprietor of the licensed vehicle, with dashcams installed, to be registered with the Information Commissioners Office (ICO). Further information can be found on the following link;

<https://ico.org.uk/for-organisations/register/>

91. Vehicle Testing

- a. The vehicle must have a MOT certificate and a Certificate of Compliance that is no older than 1 month at the date of application for both new and renewal.
- b. The Certificate of Compliance will be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.
- c. Failure to produce the certificate will result in enforcement action which may include suspending of the licence.

- d. The Hackney Carriage and Private Hire Handbook sets out the specification and standards for vehicle testing and compliance. In addition to this, the Authority will adhere to National Vehicle Standards along with any localised Byelaws.

92. Taximeters

- a. All Hackney Carriages licensed by this Licensing Authority are required to have a working taximeter fitted in the vehicle; some Private Hire vehicles are also fitted with a taximeter. Where a taximeter is fitted, it must be calendar controlled, must not be set at a higher fare than the current maximum fare as agreed by this Licensing Authority. The taximeter must be sealed by an authorised person.
- b. Where a journey starts and finishes within the South Cambridgeshire district, if a vehicle is fitted with a taximeter, it must be used when conveying passengers.
- c. The fare demanded cannot be more than that shown on the taximeter. If a fare has been quoted and agreed and is less than the fare shown on the taximeter, the quoted lesser fare must be charged.

93. Fares

- a. Hackney Carriage Fares, set by this Licensing Authority, are the maximum fare that may be charged by a Hackney Carriage driver for a journey within the Council's district.
- b. This Licensing Authority considers it good practice to review the fare scales at annual intervals and will consult in accordance with the statutory procedures set out in the Local Government (Miscellaneous Provisions) Act 1976.
- c. A table of authorised fares will be provided to each Hackney Carriage licence holder, which must then be displayed in each vehicle so that it is easily visible to all hirers.
- d. A Hackney Carriage hired for a journey commencing in the district but finishing outside must be charged at the metered fare unless an agreement for a different charge has been made between the hirer and the driver before the hiring commences.
- e. Private Hire Operators may set their own fares but if a meter is used the fare chart must be displayed in each vehicle so that it is easily visible to all hirers.

94. Vehicle Inspections

- a. Licensed vehicles must always be kept in a safe, tidy and clean condition.

- b. Compliance with the vehicle specifications and conditions of licence are essential and will be enforced by periodic and/or random vehicle inspections by authorised officers of this Licensing Authority

95. Vehicle Testing – Certificate of Compliance

- a. The vehicle must have a Certificate of Compliance that is no older than 1 month at the date of application for both new and renewal. Please see website for current list of garages.
- b. The Certificate of Compliance will be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.
- c. Failure to produce the certificate will result in enforcement action which will include suspension of the licence.
- d. For a vehicle to pass a test, it must comply with both:
 - Vehicle mechanical standard and;
 - Vehicle visual standard
- e. If the vehicle fails, the test you must rectify the points and make an appointment for a retest. The vehicle cannot be used without a current and valid Certificate of Compliance being in force.
- f. Where a renewal vehicle licence application is being made, the vehicle will be suspended until such time as the vehicle has passed the test. This Licensing Authority may attach a 'Licence Suspended' sticker to the licence plate or may remove the plate from the vehicle.

96. MOT

- a. The vehicle must have a MOT certificate from when the vehicle is older than one year from date of registration.
- b. A MOT test certificate confirms that at the time of test, the vehicle has met the minimum acceptable environmental and road safety standards. It does not mean that the vehicle is roadworthy for the life of the certificate.
- c. Defects found during the MOT are categorised differently as either:
 - dangerous
 - major
 - minor

The category the MOT tester gives each item will depend on the type of problem and how serious it is.

- d. MOT testers will still give advice about items you need to monitor. This is known as an Advisory.
- e. An advisory could become more serious in the future and must be repaired if necessary.
- f. This Licensing Authority will consider all Hackney Carriage and Private Hire vehicle licence applications on their own merits once the appropriate criteria have been met and the application form and supporting documents are complete. Only then, and if this Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.

97. Vehicle Registration Document – V5

- a. The V5 or vehicle registration document registers your vehicle with the Driver and Vehicle Licensing Agency (DVLA). It contains all the essential information about your car, such as the date it was first registered, its manufacturer, and the colour and engine size. It also shows who the vehicle's registered keeper is.
- b. The original V5 for the vehicle to be licensed must be provided with a new or renewal application.
- c. If the vehicle has recently been purchased and the V5 is not available, the new keepers slip, **and** a bill of sale must be provided.

98. Insurance

- a. It is the responsibility of proprietors, operators and drivers to ensure that they are always properly insured. Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid criminal offence.
- b. Applications for a new or renewal of a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver hackney carriage or private hire reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is always maintained. It is considered best practice for proprietors and or drivers to keep copies of expired insurance policies for a reasonable period of time in case of any retrospective claims i.e. 3 years minimum. An original insurance certificate must be provided with an application, or if an electronic version, it must be supplied by the insurance company to taxis@scamb.gov.uk

- c. It is the responsibility of the driver to inform and supply this Licensing Authority with proof of valid insurance for each operator that they work for.
- d. Applications for a new or renewal of a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver for hire and reward purposes. This shall include third party insurance for personal injuries suffered by passengers.
- e. Failure to produce a valid proof of insurance will lead to the immediate suspension of the vehicle licence until such proof is provided.

99. Accessibility

- a. The aim of this Local Authority is to provide an accessible public transport system where people with disabilities have the same opportunities to travel as other members of society. This Licensing Authority expects that proprietors, drivers and operators consider ensure they provide a service to all members of society without discrimination. The Council will keep a register of all wheelchair accessible vehicles (WAV).
- b. This Local Authority is committed to social inclusion and ensuring a wide variety of opportunity is available to all residents to enjoy a high quality of life. It is recognised that making door to door journeys easily and on-demand is crucial to social inclusion for all members of society.
- c. All Hackney Carriage vehicles must be wheelchair accessible vehicles to ensure that disabled people are able to hire the vehicle on the spot with the minimum delay or inconvenience.
- d. New vehicles will need to comply with this immediately, and those vehicles currently licensed as a Hackney Carriage will have to comply by 31st March 2021. Failure to do so will result in the vehicle licence being revoked, or not renewed.
- e. The Equality Act 2010 places certain duties on licensed drivers to provide assistance to people in wheelchairs and to carry them safely. There are similar requirements on drivers in relation to the treatment of passengers with an assistance dog. Neither drivers nor operators of licensed vehicles can make any extra charge or refuse to carry such passengers. It is a criminal offence to breach any of these requirements.
- f. Licensed drivers who are unable to carry out the duties imposed upon them under the Equality Act 2010 may apply to the Licensing Authority for an exemption certificate from those duties. The Council must issue an exemption certificate to that licensed driver if they are satisfied that it is

appropriate to do so on medical or physical grounds. Even if a medical ground or other physical condition exists, a driver has no defence against the offence of failing to provide assistance to people in wheelchairs contrary to s165 Equality Act, if he has not been issued an exemption certificate.

- g. The Council encourages all Private Hire operators to include wheelchair accessible vehicles amongst their fleet.
- h. No additional costs can be levied by Operators them or their drivers, for conveying disabled passengers or assistance dogs.
- i. Private Hire vehicles fitted with a tail lift for wheelchairs must provide a valid Lifting Operations Lifting Equipment Regulations (LOLER) certificate of compliance to prove that the tail lift has been tested and checked to the required standards. It must be retested every six months as per Health and Safety Executive (HSE) requirements. Please contact taxis@scambs.gov.uk for further details.
- j. When a vehicle has been modified post manufacture to provide access or special facilities for disabled passengers, the vehicle must meet the relevant standards as defined in the Hackney Carriage and Private Hire Handbook. Prior to the first licensing of the vehicle, the proprietor and/or driver must produce certification that the vehicle meets the required standards.
- k. It is important that vehicle drivers, proprietors and operators ensure that licensed drivers carry all passengers in safety and comfort, and that they do not allow wheelchair passengers to travel sideways in their wheelchair. Therefore, drivers must be appropriately trained in the use of relevant belts and other restraint locking mechanisms to ensure the safety of their passengers. It is the driver's responsibility to ensure that they understand fully how to use the equipment and then do so.
- l. The Licensing Authority takes all complaints of discrimination seriously and will have due regard to its duty to eliminate discrimination, along with the provisions of the Equality Act 2010, when considering the fitness of an individual to hold a Hackney Carriage or Private Hire licence (driver, vehicle or operator).

100.Exemptions

- a. The DfT issue guidance regarding the types of activities that may require licensing. In general, the following are not currently considered to require licensing.

- Child minder vehicles
 - Care transport workers
 - Volunteers
 - Ambulances
 - Courtesy Cars
 - Funeral Vehicles - There is no requirement for a vehicle to be licensed as a private hire vehicle if it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a funeral director for the purpose of funerals.
 - Wedding Vehicles - There is no requirement for a vehicle to be licensed as a Private Hire Vehicle while it is being used in connection with a wedding.
- b. Should DfT guidance change, this authority will reserve the right to amend the information and guidance within the policy

101. Speciality Vehicles and Limousines

- a. Limousine and speciality vehicles are generally used for special occasions such as anniversaries, stag and hen parties, prom nights, etc. and may be specialist, or stretched vehicles.
- b. Limousine and speciality vehicles provided for hire, with a driver for the purpose of carrying passengers are required to be licensed as Private Hire vehicles, with a seating capacity for 8 passengers or fewer, and all bookings must be made via a licensed operator.
- c. This Licensing Authority strongly recommends that anyone wishing to purchase and license a speciality vehicle or limousine, contacts the licensing team prior to purchase, to ensure that the vehicle will meet the conditions applied. Each application will be determined on its own merits.
- d. Proprietors of prestige type vehicles licensed as Private Hire vehicles or Private Hire vehicles used in special circumstances may seek the permission of this Licensing Authority to waive the conditions of their licence relating to the display of licence plates and door signage.

102. Private Hire Vehicle Notice of Exemption

- a. This Licensing Authority recognises that there is a specialist market for the use of unmarked hire and reward vehicles in the following circumstances:
- Chauffeur / prestige-type services

- Fulfilling a pre-existing, written contract (pre-existing meaning signed at least 10 working days in advance of the hire)
 - Providing a regular service (whether to an individual or to a business)
- b. This definition will not cover every business circumstance and officer discretion will be used to determine individual applications based on the merits of the case, as required by legislation.
 - c. Customers for this type of service will expect these vehicles to be prestige high specification vehicles and will also expect the driver to be smartly dressed either as a chauffeur or in a business suit with collared shirt and tie.
 - d. The ability to exempt a vehicle from displaying the licence plate only applies to Private Hire vehicles, it does not extend to Hackney Carriages which must always display their plates.
 - e. Prestige high specification Private Hire vehicles which carry out contract work such as executive bookings etc. may apply for an exemption licence, which exempts that vehicle from the requirement to display the standard licence plate and door signage.
 - f. The driver must carry their Private Hire Driver badge with them so that it is immediately available upon request.
 - g. The vehicle will be issued with a licence plate, which must always be kept within the vehicle.
 - h. A certificate of exemption and internal vehicle notice will also be issued by this Authority and must be displayed in a prominent place, visible to all passengers.
 - i. Vehicles which have been issued with an exemption certificate will solely undertake executive chauffeur work.
 - j. Exempted vehicles found to be carrying out standard private hire work will be subject to enforcement action and the exemption certificate may be revoked.
 - k. Exempted vehicles must not display any advertisements, signage, logos, or insignias advertising the operating company inside or outside the vehicle.
 - l. Operators and proprietors who wish to apply for an exemption certificate must complete the application form, pay the required fee and provide

enough supporting documentation to establish that the vehicle will be solely used for executive bookings.

- m. There are extra conditions applicable to exempted vehicles, in addition to the standard conditions. Where there is any inconsistency between the standard conditions and these extra conditions, then these extra conditions must prevail.
- n. If an exemption certificate has been issued but the vehicle will no longer be utilised solely for executive type bookings, the exemption plate and certificate must be surrendered and returned to this Licensing Authority. If the vehicle is still licensed, it must then display the plate and door stickers as required by the conditions for private hire vehicles. There will be a fee for the replacement plate and door stickers.
- o. The types of work that will not be considered for the grant of an exemption include but is not limited to: -
 - Council 'school contract' work;
 - Journeys to airports, seaports or railway stations, unless part of a journey covered by an exemption
 - Theatre journeys or sporting events unless stipulated on the exemption
 - 'Hen' and 'Stag' nights.
- p. Each application for exempt status will be considered on its own merits and there is no right of appeal against a decision by the Local Authority to refuse to grant under s75(3) Local Government (Miscellaneous provisions Act) and the only direct means of challenge would be judicial review.
- q. The Exemption application form can be downloaded from our website. This needs to be completed and submitted with confirmation from the operator.
- r. The private hire identification disc issued by the Council shall always be displayed within the front nearside of the windscreen and legible from outside the vehicle.

103. Transfer of Licence

- a. It is possible to transfer a South Cambridgeshire District Council vehicle licence to another driver/proprietor. The required notice must be given, providing full details of the new owner of the vehicle within 14 days. An application form is provided for this purpose, please see the Hackney Carriage and Private Hire Handbook for details.

- b. Compliance with all requirements of the vehicle licence remain the responsibility of the current licence holder and any requirement for enforcement action will be taken against him/her until the new licence has been issued in the new proprietor's name. It is therefore advisable to action this as soon as possible. Failure to do so with 14 days is a criminal offence.
- c. A driver/proprietor who fails to give such notice, without reasonable excuse will be subject to enforcement action. There is an administration charge for this process to cover the cost of issuing an amended licence. Please see the website for this cost
- d. Where the vehicle is changed, this will be treated as a new application.
- e. The 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).
- f. The new owner/ proprietor/ co-owner of the vehicle must also provide a current insurance certificate
- g. Checks will be carried out if the vehicles are to be licensed in the name of a non-driver proprietors. These checks will include a basic DBS certificate.
- h. An application form can be downloaded from the website and must be completed by both the new and old owner of the vehicle.
- i. <https://www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/>
- j. The completed application form and original valid insurance certificate must be submitted to our offices to be processed.

104. Non-driver Proprietors

- a. Vehicle proprietors (both Hackney Carriage and Private Hire) must ensure that the vehicle is always maintained to an acceptable standard.
- b. Vehicle proprietors (both Hackney Carriage and Private Hire) must ensure that the vehicle is not used for illegal or illicit purposes.
- c. As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.
- d. All new applicants for proprietors of Hackney Carriage and Private Hire vehicles will be required to participate in and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate. There is no limit for the number of attempts to complete

the test, to be borne at the applicant's own expense, however no licence will be issued until a certificate is produced.

- e. All existing licensed vehicle proprietors will be required to participate in and undertake a safeguarding course and test, as required by this Local Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is earlier. Failure to do so may result in suspension of the vehicle licence until successful completion of the test.
- f. A basic DBS certificate is a mandatory requirement as part of the application for a non-driver proprietor vehicle licence and is an important element used by this Authority to ascertain whether the person is 'fit and proper' to hold a licence. This certificate for all new and renewal applications must be dated within 1 month.
- g. The DBS check will last for 1 year.
- h. South Cambridgeshire District Council licence holders must notify the Licensing Authority in writing within 72 hours of any cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties.

105. New Hackney Carriage & Private Hire Vehicle Application

Part 1

106. Vehicle Testing – Certificate of Compliance

- a. The vehicle must have a Certificate of Compliance that is no older than 1 month at the date of application for new vehicle applications.
- b. The Certificate of Compliance must be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.
- c. This Licensing Authority will adhere to National Vehicle Standards along with any localised byelaws.
- d. In addition to this, this Licensing Authority will adhere to National Vehicle Standards along with any localised Byelaws.
- e. For a vehicle to pass a test, it must comply with both:
 - Vehicle mechanical standard and;
 - Vehicle visual standard
- f. If the vehicle fails, the test you must rectify the points and make an appointment for a retest. The vehicle cannot be used without a current and valid Certificate of Compliance being in force.
- g. A list of current approved garages for inspection can be found on our website www.scams.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/
- h. Please telephone the garage directly to book your appointment.
- i. The cost for the vehicle inspection varies and is payable directly to the garage.
- j. For a vehicle to pass a test, it must comply with both:
 - Vehicle mechanical standard and;
 - Vehicle visual standard
- k. Before the test you must ensure that your vehicle is clean inside and out. You must be aware that dirty vehicles may not be examined, and the test fee may still be due.
- l. When the vehicle passes the test, a Certificate of Compliance (COC) will be issued.

- m. At this stage while at the garage you must book the second test, which must be less than 6 months minus one day. The council will require proof that the second test has been booked and no licence will be issued without this proof.

107. MOT Certificate

- a. The vehicle must have a MOT certificate from when the vehicle is older than one year from date of registration.
- b. A MOT test certificate confirms that at the time of test, the vehicle has met the minimum acceptable environmental and road safety standards. It does not mean that the vehicle is roadworthy for the life of the certificate.
- c. The way that the MOT test works in England, Scotland and Wales changed on 20 May 2018.
- d. Defects found during the MOT are categorised differently as either:
- dangerous
 - major
 - minor
- e. The category the MOT tester gives each item will depend on the type of problem and how serious it is.
- f. MOT testers will still give advice about items you need to monitor. This is known as an Advisory.
- g. An advisory could become more serious in the future and must be repaired if necessary.
- h. This Licensing Authority will consider all Hackney Carriage and Private Hire vehicle licence applications on their own merits once the appropriate criteria have been met and the application form and supporting documents are complete. Only then, and if this Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.

108. Disclosure & Barring Service (DBS) Certificate

- a. Please note that if you are not currently a licensed driver with South Cambridgeshire District Council, you will be required to present a Basic Disclosure Certificate for your role as Proprietor.
- b. This must be dated no more than 1 month prior to your application appointment. You can obtain a Basic Disclosure with the DBS direct online. The DBS check will last for 1 year, and a new basic disclosure will be required as part of the vehicle licence renewal process.

109. New Hackney Carriage and Private Hire Vehicle Application

Part 2

110. Application Form

- a. An application form can be downloaded from our website.
- b. Private Hire vehicle applicants will need to get their operator to sign this form before submitting.
- c. Please ensure that both the proprietor and driver complete and sign the application form.
- d. Incomplete application forms will not be processed.

111. Insurance Certificate

- a. Applications for a new vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver hackney carriage or private hire reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is always maintained. An original insurance certificate must be provided with an application, or if an electronic version, it must be supplied by the insurance company to taxis@scambs.gov.uk
- b. It is the responsibility of the driver to inform and supply this Licensing Authority with proof of valid insurance for each operator that they work for.
- c. It is the responsibility of proprietors, operators and drivers to ensure that they are properly insured at all times. Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid an inadvertent criminal offence.
- d. Applications for a new a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver for hire and reward purposes. This shall include third party insurance for personal injuries suffered by passengers.

112. Vehicle Registration Document – V5

- a. The V5 or vehicle registration document registers your vehicle with the Driver and Vehicle Licensing Agency (DVLA). It contains all the essential information about your car, such as the date it was first registered, its manufacturer, and the colour and engine size. It also shows who the vehicle's registered keeper is.

- b. The original V5 for the vehicle to be licensed must be provided with a new or renewal application.
- c. If the vehicle has recently been purchased and the V5 is not available, the new keepers slip **and** a bill of sale must be provided

113. Submitting the Application

- a. Please return the following documents along with the fully completed application form.
 - Original Basic DBS Certificate (Non-Driver applicants only)
 - MOT Certificate
 - Certificate of Compliance
 - Insurance Certificate
 - V5
- b. All documents are mandatory and any missing paperwork will cause a delay in processing your application.
- c. The application must be handed into our Reception at:

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
- d. Copies of your documents will be made, and originals handed back to you. The application will then be passed to the Licensing Department.
- e. Please note the staff at reception are not licensing officers and are not responsible for checking your application.
- f. Once the application has been accepted and processed, you will be notified by email that the licence and plate is available for collection from the Cambourne office. On collection payment will be taken.
- g. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, failure to do so may result in a delay in you collecting your licence and plate.

114. Internal Vehicle Notice

- a. In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, this Licensing Authority has determined that certain information must be displayed inside all licensed vehicles, in the form of a Council issued Internal Vehicle Notice.

- b. This must be displayed in a prominent position so that it can be seen by all passengers.
- c. This notice must that include the following information:
 - The business name of the operator, or proprietor if it is a Hackney Carriage
 - The telephone number of the operator, or proprietor where it is a Hackney Carriage, where a customer can make a complaint or report a concern
 - The vehicle registration number
 - The vehicle licence plate number
- d. Licensed drivers who work for more than one operator must have an internal vehicle notice for each operator that they work for.
- e. Requests for Internal Vehicle Notices can be made visiting our website. Current fees for all required signage can also be found there.

www.scams.gov.uk/licensing/types-of-licence/taxi-licences

115. Fees

- a. Please see our website for current fees.

www.scams.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/

116. Renew Hackney Carriage & Private Hire Vehicle Application

Part 1

Vehicles presented for renewal after the licence expiry date will be treated as a new application

117. Vehicle Testing – Certificate of Compliance

- a. The vehicle must have a Certificate of Compliance that is no older than 1 month at the date of application for new vehicle applications.
- b. The Certificate of Compliance must be issued for six months and a second test must be carried out 6 months minus 1 day from the last test.
- c. This Licensing Authority will adhere to National Vehicle Standards along with any localised byelaws.
- d. In addition to this, this Licensing Authority will adhere to National Vehicle Standards along with any localised Byelaws.
- e. For a vehicle to pass a test, it must comply with both:
 - Vehicle mechanical standard and;
 - Vehicle visual standard
- f. If the vehicle fails, the test you must rectify the points and make an appointment for a retest. The vehicle cannot be used without a current and valid Certificate of Compliance being in force.
- g. A list of current approved garages for inspection can be found on our website
www.scams.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/
- h. Please telephone the garage directly to book your appointment.
- i. The cost for the vehicle inspection varies and is payable directly to the garage.
- j. Before the test you must ensure that your vehicle is clean inside and out. You must be aware that dirty vehicles may not be examined, and the test fee may still be due.
- k. When the vehicle passes the test, a Certificate of Compliance (COC) will be issued.

- I. At this stage while at the garage you must book the second test, which must be less than 6 months minus one day. The council will require proof that the second test has been booked and no licence will be issued without this proof.

118. MOT Certificate

- a. The vehicle must have a MOT certificate from when the vehicle is older than one year from date of registration.
- b. A MOT test certificate confirms that at the time of test, the vehicle has met the minimum acceptable environmental and road safety standards. It does not mean that the vehicle is roadworthy for the life of the certificate.
- c. The way that the MOT test works in England, Scotland and Wales changed on 20 May 2018.
- d. Defects found during the MOT are categorised differently as either:
 - dangerous
 - major
 - minor
- e. The category the MOT tester gives each item will depend on the type of problem and how serious it is.
- f. MOT testers will still give advice about items you need to monitor. This is known as an Advisory.
- g. An advisory could become more serious in the future and must be repaired if necessary.
- h. This Licensing Authority will consider all Hackney Carriage and Private Hire vehicle licence applications on their own merits once the appropriate criteria have been met and the application form and supporting documents are complete. Only then, and if this Licensing Authority is satisfied that the vehicle is suitable, will a licence be granted.

119. Internal Vehicle Notice

- a. In order to protect the public and to allow customers to correctly identify and report either a driver or a vehicle which caused concern, this Licensing Authority has determined that certain information must be displayed inside all licensed vehicles, in the form of a Council issued Internal Vehicle Notice.
- b. This must be displayed in a prominent position so that it can be seen by all passengers.

- c. This notice must that include the following information:
- The business name of the operator, or proprietor if it is a Hackney Carriage
 - The telephone number of the operator, or proprietor where it is a Hackney Carriage, where a customer can make a complaint or report a concern
 - The vehicle registration number
 - The vehicle licence plate number
- d. Licensed drivers who work for more than one operator must have an internal vehicle notice for each operator that they work for.
- e. Requests for Internal Vehicle Notices can be made visiting our website. Current fees for all required signage can also be found there.

www.scambs.gov.uk/licensing/types-of-licence/taxi-licences

120. Door Signage

- a. Hackney Carriage vehicles must affix permanently on the front and rear external passenger and driver doors in a prominent location, South Cambridgeshire District Council issued door signage
- b. Private Hire vehicles must display permanently on the driver and front passenger door in a prominent position the name and telephone number of the Operator fulfilling the booking, except where a plate exemption certificate has been issued.
- c. Private Hire vehicles must affix on the rear external passenger doors in a prominent location, Council issued door signage, except where a plate exemption certificate has been issued.
- d. You must have the correct door signage in place before your vehicle inspection. A certificate of Compliance will not be issued to a vehicle without the correct door signage.

Please see our website for examples of vehicles with the correct door signage.

www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/

121. Disclosure & Barring Service (DBS) Certificate

- a. Please note that if you are not currently a licensed driver with South Cambridgeshire District Council, you will be required to present a Basic Disclosure Certificate for your role as Proprietor.

- b. This must be dated no more than 1 month prior to your application appointment. You can obtain a Basic Disclosure with the DBS direct online. The DBS check will last for 1 year.

122. Renew Hackney Carriage & Private Hire Vehicle Application Part 2

123. Application Form

- a. An application form can be downloaded from our website.
- b. Private Hire vehicle applicants will need to get their operator to sign this form before submitting.
- c. Please ensure that both the proprietor and driver complete and sign the application form.
- d. Incomplete application forms will not be processed.

124. Insurance Certificate

- a. Applications for a new vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver hackney carriage or private hire reward purposes. The vehicle proprietor and the driver must ensure that valid insurance is always maintained. An original insurance certificate must be provided with an application, or if an electronic version, it must be supplied by the insurance company to taxis@scambs.gov.uk
- b. It is the responsibility of the driver to inform and supply this Licensing Authority with proof of valid insurance for each operator that they work for.
- c. It is the responsibility of proprietors, operators and drivers to ensure that they are always properly insured . Insurance provided by operators to cover their fleet and drivers is usually only valid when drivers are driving for that company. If drivers work for multiple operators, all parties must ensure that appropriate and valid insurance is in place to avoid an inadvertent criminal offence.
- d. Applications for a new a vehicle licence will require submission of proof of valid insurance which covers the vehicle and driver for hire and reward purposes. This shall include third party insurance for personal injuries suffered by passengers.

125. Vehicle Registration Document – V5

- a. The V5 or vehicle registration document registers your vehicle with the Driver and Vehicle Licensing Agency (DVLA). It contains all the essential information about your car, such as the date it was first registered, its manufacturer, and the colour and engine size. It also shows who the vehicle's registered keeper is.

- b. The original V5 for the vehicle to be licensed must be provided with a renewal application.

126. Submitting the Application

- a. Please return the following documents along with the fully completed application form.
 - Original Basic DBS Certificate (Non-Driver applicants only)
 - MOT Certificate
 - Certificate of Compliance
 - Insurance Certificate
 - V5
- b. All documents are mandatory and any missing paperwork will cause a delay in processing your application.
- c. The application must be handed into our Reception at:

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
- d. Copies of your documents will be made, and originals handed back to you. The application will then be passed to the Licensing Department.
- e. Please note the staff at reception are not licensing officers and are not responsible for checking your application.
- f. Once the application has been accepted and processed, you will be notified by email that the licence and plate is available for collection from the Cambourne office. On collection payment will be taken.
- g. It is the licence holder's responsibility to ensure that this Licensing Authority has a current email address, failure to do so may result in a delay in you collecting your licence and plate.
- h. You must surrender (hand in) your existing plates before the new plates will be issued.

127. Fees

- a. Please see our website for current fees.
www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/

128. Surrender of Licence

- a. 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 or she shall surrender the licence and return the plate, which remains the property of South Cambridgeshire District Council, to the Licensing Officer.

129. Operators

130. General

- a. The legislation requires that any person, who in the course of business makes provision for the invitation or acceptance of bookings for a Private Hire vehicle, must be licensed as a Private Hire operator.
- b. Any individual, partnership, company or other body that advertises the services of a private hire vehicle, provided with a driver, for hire and reward, is required to be licensed as an operator.
- c. The acceptance of bookings may be provided for by a variety of methods, such as; in person, by telephone, text, email, internet, smart phone app, in writing, or by any other communication means.
- d. The legislation requires the authority to only license operators who are 'fit and proper' to hold an operator's licence and who are not disqualified by reason of their immigration status.
- e. All work undertaken by Private Hire vehicles and drivers must be pre-booked via a licensed operator. All three licences (Private Hire vehicle, Private Hire driver and operator) must be issued by the same local authority.
- f. Operators, who fail to ensure that the drivers and vehicles they utilise have valid licences may be subject to enforcement action as deemed appropriate by this Authority.
- g. New operators licences will be issued for one year with a renewal application for up to a further five years subject to checks.
- h. This Licensing Authority will not grant a licence to an operator whose premises are located outside South Cambridgeshire. For those with Operator licences issued before 1 October 2017 the premises are permitted to be up to 10 miles outside the district boundary. This is to ensure that proper regulation and enforcement measures may be taken by this Licensing Authority and is in no way intended to be a restraint of trade.
- i. There is no provision within the legislation to transfer an operator's licence. If an existing operator sells or otherwise transfers their business (whether including any assets) to another person, partnership or limited company, the new person must make a new application for a private hire operator's licence. They will be subject to the 'fit and proper' test and be assessed by

this Authority for suitability, must demonstrate their right to remain and work in the UK and any new premises must be within this district.

- j. Licensed operators may accept bookings and may subcontract these bookings, but only to another licensed operator. However, the operator who accepted the initial booking remains responsible for that booking.
- k. Operators are required by law to keep a record of bookings and records relating to each vehicle operated by the operator, the contents of recording these records are detailed in the conditions attached to the operator's licence. Breach of this condition is a criminal offence which will result in prosecution and a criminal conviction, as well as action against the operator's licence. Records of bookings must be made before the commencement of the journey. All such records must be made available to an authorised officer for inspection.
- l. The Licensing Authority has power to impose such conditions on an operator's licence, as it considers reasonably necessary.

131. Fit and Proper

- a. This Licensing Authority will only license operators that it considers are 'fit and proper' to hold a licence, and that the applicant is not disqualified by reason of their immigration status. 'Fit and proper' is given its widest interpretation and includes physical fitness, character, behaviour etc.
- b. Applicants should be aware that this Local Authority will not allow any member of staff to be subjected to rude, threatening, abusive, intimidating or violent behaviour either directly, by telephone or other methods of communication.
- c. In any of these circumstances staff members have the right to refuse to process the application.
- d. Any person exhibiting any of the above behaviours will be subject to enforcement and may have the application refused or licence revoked.
- e. This Licensing Authority will require applicants and licence holders to undertake several checks and tests to establish their suitability to be considered 'fit and proper' to either be or remain licensed.
- f. Applicants and existing licence holders are required to share information held about them by various bodies e.g. DVLA, police, home office etc.

- g. This Licensing Authority can request any information it deems may be relevant to determine their fit and proper status. This may include checking an applicant's prior history with this or any other Licensing Authority, using intelligence from the police or any other regulatory authority as appears relevant.
- h. Consideration of suitability includes character and patterns of behaviour and is not limited to incidents which occur whilst the operator is 'on duty'. Conduct or behaviour which may indicate that the safety and welfare of the public may be at risk will also be taken into account when assessing their fit and proper status. Any matters that occur whilst the person is using their licence (driving, operating or in connection with their vehicle) will be considered as aggravating factors, and the fact that they did not occur in this way will not be regarded as mitigating factors.
- i. The onus is on the applicant or licensed operator to satisfy this Licensing Authority that they are and remain 'fit and proper'.
- j. Applicants will be required to undertake and provide a Basic DBS, together with a statutory declaration listing all criminal convictions and other matters detailed on the application form.
- k. Additional information may be sought as part of the process if considered appropriate in individual circumstances.
- l. Applicants for both new licences and renewals, who fail to report or declare an offence, or other relevant matters, will bring in to question their suitability to hold a licence. This deliberately prevents the authority from considering that information in protecting public safety. It also shows a blatant breach of conditions and will go toward consideration of suitability and their fit and proper status.

132. Operator's Responsibilities and Obligations

- a. Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator. Further information is contained within the Hackney Carriage and Private Hire Handbook.
- b. If an operator subcontracts a booking to another licensed operator, both operators must keep a record of the booking. The operator who accepted the initial booking remains fully responsible for that journey even though it

has been subcontracted to another licensed operator. The initial operator must record what checks they made to ensure that the operator they passed the booking onto is correctly licensed.

- c. Regardless of which operator fulfils the booking, the operator can only dispatch a vehicle licensed by the same authority that licenses the operator and driven by a driver also licensed by that same authority.
- d. Operators need to be aware of their obligations when it comes to data protection. Where databases containing personal information, such as records of bookings and CCTV, they are required to be registered with the Information Commissioners Office (ICO). Further information can be found on the following link;

<https://ico.org.uk/for-organisations/register/>

- e. Operators must make customers fully aware of any the fare and any additional charges which may be applied, e.g. for waiting time and for cleaning a soiled vehicle. These additional charges must be clearly displayed in the operator's office and on their website, if they have one.
- f. Operators are responsible for ensuring that the vehicles utilised are clean, fit for the purpose of the booking and comply with the conditions applied by this. It is expected that operators have a planned maintenance programme in place for all vehicles it utilises. The testing requirements applied by this Local Authority are to confirm a level of safety and quality, rather than to highlight what maintenance needs to be carried out.
- g. This Local Authority encourages all Private Hire operators to include wheelchair accessible vehicles amongst their fleet. They must ensure that no additional costs or charges are levied by them or their drivers for conveying disabled passengers or assistance dogs.
- h. Operators and/or proprietors, who provide Wheelchair Accessible Vehicles must ensure that the driver is appropriately trained to load, unload and convey passengers in a safe and secure manner. This training, if not part of the original licensing requirements, must be documented and refreshed at suitable intervals. These training records must be available for inspection by an authorised officer.
- i. Operators must ensure that the drivers they utilise are 'fit and proper' to carry out the bookings and are appropriately trained for their role. Operators should be able to demonstrate how they will achieve this by way of a policy

to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness. A copy of this policy must be included with all applications.

- j. Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

133. Cross Border Hiring

- a. The customer has the choice of which operator they book through. This means that the customer may choose an operator licensed by a neighbouring authority, known as cross border hiring.
- b. The legislation permits cross border hiring for bookings across other authorities and the Council has no jurisdiction over these private hire contracts.

134. Sub-Contracting

- a. Section 55a of the Local Government (Miscellaneous Provisions) Act 1976, inserted by the Deregulation Act 2015, permits Operators licensed by the Council to sub-contract a private hire booking to another operator licensed by the Council or to any other licensed private hire operator holding a private hire licence granted by another local authority.
- b. Regardless of which operator fulfils a booking, the operator can only dispatch a vehicle licensed by the same Council that licenses the operator and driven by a driver licensed by that same Council.
- c. Operators that accept an initial booking remain legally responsible for that booking even if they sub-contract the booking to another Operator and should record the booking as usual and note the fact that it was sub-contracted

135. Vehicle Records

- a. The Operator must maintain an up to date legible list of all current Private Hire and Hackney Carriage vehicles used by them or operating under their Operator's licence.

- b. The records must show:
- The Private Hire or Hackney Carriage Vehicle Licence number.
 - The name, address and telephone number of the person to whom the vehicle licence was issued.
 - The make and registration of the vehicle.
 - The date the vehicle was accepted under the Operator's licence.
 - The date the vehicle ceased to accept work under that Operator's licence.
- c. The Operator must ensure that every vehicle working under their Operator's licence is covered by a valid certificate of insurance and a valid certificate of compliance. A legible manual or computerised record of the following must be maintained:
- d. Current insurance certificate/ cover note for all vehicles accepting work under their Operator's licence, including expiry dates.
- e. Certificates of compliance including expiry date.
- f. Should the insurance cover for any vehicle working under the Operator's licence be cancelled, suspended or lapse, or the certificate of compliance expire, without a new one being provided, then the vehicle must be immediately removed from activity. It can no longer be allocated any booking. The Council should be immediately notified of this action.

136. Driver Records

- a. The Operator must maintain a list of all drivers currently working under their Operator's licence. The list must include:
- The full name, address and telephone number of the driver.
 - Details of the vehicle that the driver uses including the licence number and registration.
 - The date the driver commenced working under the Operator's licence.
 - The date the driver ceased working under that Operator's licence.
 - The call sign of all drivers.
- b. An Operator can only make use of drivers and vehicles licensed by South Cambridgeshire District Council. The Operator has the responsibility to ensure that all drivers and vehicles working for them comply with all licence requirements laid down by the Council.
- c. The Operator must ensure that all Private Hire vehicles in the Operator's fleet are maintained in a sound mechanical and structural condition at all times and be capable of satisfying the Council's mechanical and structural inspection at any time during the continuance of the Council's licence in respect of the vehicle.

137 New Operators Licence

Part 1

138. Application

- a. All applicants, existing licence holders, part owners, directors and secretaries of limited companies or other persons with an interest in an Operator's Licence are required to show that they are 'fit and proper' persons to hold such a licence.
- b. A new licence will be issued for one year.
- c. There are several things that you need to do/to have in order to make a new application for an Operator's licence.

139. Right to Work Check

- a. The Council has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.
- b. Your right to work in the UK will be checked as part of your licence application, this could include the licensing Authority checking your immigration status with the Home Office. We may also share information with the Home Office.
- c. You must provide a document or document combination that is stipulated as being suitable for this check. Please see the link below to the Home Office Right to Work Checklist:
- d. <https://www.gov.uk/government/publications/right-to-work-checklist>
- e. You must provide the original document(s), which will be copied and returned to you at your appointment. The original document will be returned to you.
- f. If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse, and you must return it to this Licensing Authority. Failure to do so is a criminal offence.

Further information can be found on the Government website:

www.gov.uk/government/organisations/uk-visas-and-immigration

140. Safeguarding Course and Assessment

Known as The Taxi Proficiency & Safeguarding Workshop

- a. This Licensing Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b. The Taxi Proficiency and Safeguarding Workshop is delivered by one of the Licensing Officers and will cover a variety of topics aimed at helping you in your new role.
- c. These topics include:
 - Disability Awareness
 - Child and Adult Safeguarding
 - Sexual Exploitation
 - Equality Awareness
 - Dementia and Loneliness
 - Legislation, Conditions of Licence and Byelaws
 - Code of Conduct
 - Drivers safety
 - Good Customer service
- d. The Safeguarding assessment consists of 15 questions. Each question is multiple choice, there will be one correct answer and three wrong answers. You are required to select the answer which you think is correct. You will receive the result of your assessment at the end of the Workshop.
- e. All existing licensed drivers, proprietors and operators will be required to participate and undertake a safeguarding course and test, as delivered by this Licensing Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.
- f. Existing drivers will be sent an appointment with a date to attend the workshop. If they cannot attend they must contact this Licensing Authority immediately by email at taxis@scambs.gov.uk and another date will be offered.
- g. Failure to attend either date, without good reason will result in enforcement action which may result in suspension of the driver licence until the test is passed.
- h. New applicants can attend the Taxi Proficiency and Safeguarding Workshop and test as many times as they wish.

141. Overseas Criminal Record Check

(known as Certificate of Good Conduct)

- a. Applicants who have resided outside of the UK for 3 months or longer since the age of 18 years, in the last five continuous years will be required to submit an overseas record check authenticated by the embassy of each country of residence involved.
- b. This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission
- c. The application process for criminal record checks or 'Certificates of Good Character' for someone from overseas varies from country to country. You'll have to apply in the country of residence or to the relevant embassy in the UK.
- d. Please see the link below to the Government website for full details of how to apply and who to contact.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

142. References

- a. Applicants are required to provide two referees:
- b. **One** from a professional person who has known the applicant for at least three years from the following list:
 - Accountant
 - Bank or Building Society official
 - Barrister
 - Commissioner for oaths
 - Magistrate
 - Member of Parliament
 - Minister of Religion - a person authorised to conduct religious worship
 - Police officer
 - Social worker
 - Solicitor
 - Teacher or Lecturer
 - Warrant Officers and Chief Petty Officers
- c. **One** from someone who must be able to identify you, for example a friend, neighbour or colleague.

- d. You cannot ask someone to provide a reference if you are:
 - related to them by birth or marriage
 - in a relationship with or live at the same address as them
- e. Your referee must have a current British Passport.
- f. It is the responsibility of the applicant to provide the name and contact information of the referee in the application form so that this Licensing Authority can contact the referee.
- g. It is the responsibility of the applicant to pay any costs to the referee (if applicable).

143. Basic DBS

- a. A basic DBS certificate is a mandatory requirement as part of the application for a non-driver operator licence and is an important element used by this Authority to ascertain whether or not the person is 'fit and proper' to hold a licence. This certificate for all new and renewal applications must be dated within 1 month.
- b. The DBS certificate will be valid for 1 year.

144. Information Commissioners Office (ICO)

- a. Operators need to be aware of their obligations when it comes to data protection.
- b. Where databases containing personal information, such as records of bookings and CCTV, they are required to be registered with the Information Commissioners Office (ICO). Further information can be found on the following link;

<https://ico.org.uk/for-organisations/register/>

145. Suitability of Premises

- a. Applicants should ensure that they obtain any necessary planning consents relating to the use of the premises in connection with the operation of the business. Where planning permission is required, operators must comply with any condition attached to such permission. Whilst any breach of planning legislation will be enforced by the Licensing department, it may also be used in consideration of an operator's 'fit and proper' status.
- b. If the property is a Council or Housing Association property or rented privately, applicants should seek written permission from the landlord to operate a private hire business from the premises.

- c. The Council will not grant a licence to an operator whose premises are located outside South Cambridgeshire. For those with Operator licences issued before 1 October 2017 the premises are permitted to be up to 10 miles outside the district boundary. This is to ensure that proper regulation and enforcement measures may be taken by the Council and is in no way intended to be a restraint of trade.

146. Landlord's Permission

- a. If the property is a Council or Housing Association property or rented privately, any applicants should seek written permission from the landlord to operate a private hire business from the premises.

147. Operator's Complaint Policy

- a. Customers have a right to complain if the service provided by the operator fails to meet expectations. It is the responsibility of operators to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention by this Local Authority.
- b. Complainants must be dealt with in a respectful, timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and to maintain a record of complaints received.
- c. A copy of the operator's complaints policy and procedure must be produced as part of all new and renewal applications.
- d. The complaint records must detail specific information, be monitored, and be made available to authorised officers upon request. The specified information to be recorded must include the following information as a minimum:
 - The name of the complainant and how they can be contacted
 - The date the complaint was made and the time and date of the journey,
 - If the booking was subcontracted, the details of the licensed operator who fulfilled the booking and any action taken by the subcontractor regarding the complaint or concern
 - The name of the driver and vehicle being reported,
 - The nature of the complaint or concern,
 - The date by which the proprietor will respond to the complaint, which must not exceed 72 hours from time of receipt,
 - The action taken, if any, by the operator to resolve the complaint or concern.

- e. Operators must also inform the complainant that they can further their complaint to this Authority if they remain dissatisfied with the outcome of their complaint.
- f. If an operator is made aware of any information or complaint reflected in the relevant convictions section of this policy, they must notify this Licensing Department immediately and provide details of the actions taken by the operator.
- g. Operators must ensure that persons hiring a vehicle are aware of a complaints policy either by digital notification given before the commencement of the hiring or by way of a notice in the vehicle.

148. Radio Systems

- a. Applicants who intend to operate a radio system must provide proof of their licence from Ofcom as part of the application process.

149. Insurance

- a. Operators must ensure they have all the correct insurances in place for the vehicles and drivers they utilise.
- b. **Employer's liability insurance** is the only business insurance that is mandatory (under the Compulsory Insurance Act 1969). It only applies to those businesses with employees.
- c. **Public liability insurance** is an important cover for any business that interacts with the public. It can protect you financially should someone take legal action against you for property damage or injury. Operators who provide a waiting area for clients must provide evidence that they have valid public liability insurance.

150. Suitability checks or requirements undertaken on drivers

- a. Operators must ensure that the drivers they utilise are 'fit and proper' to carry out the bookings and are appropriately trained for their role.
- b. Operators should be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness. A copy of this policy must be included with all applications.
- c. Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

151. Proof of address

- a. Proof of the applicant's address must be provided at time of application.
- b. Acceptable address identification must be one of the following:
 - Mortgage Statement (issued in the last 12 months)
 - Bank or Building Society Statement (issued in the last 3 months)
 - Bank or Building Society Account Opening Confirmation Letter (must still be valid)
 - Credit Card Statement (issued in the last 3 months)
 - Financial Statement e.g. pension or endowment (issued in the last 12 months)
 - P45 or P60 Statement (issued in the last 12 months)
 - Council Tax Statement (issued in the last 12 months)
 - Utility Bill (issued in the last 3 months)
 - Benefit Statement e.g. child benefit, pension (issued in the last 3 months)
 - Central or Local Government, Government Agency or Local Council Document giving entitlement e.g. from DWP, HMRC (issued in the last 3 months)

152. Application Form

- a. The Private Hire Operator application form can be downloaded from our website.

<https://www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/>
- b. Please ensure you have completed the application form in full before submitting. Failure to do so will result in termination of the appointment.
- c. Please use the checklist at the end of the application form as a guide to whether you have all the correct documentation.

153. New Operators Licence Part 2

154. Submitting the application

- a. Please return the following documents along with the fully completed application form:-
 - Original Basic DBS Certificate (Non-Driver applicants only)
 - Safeguarding Pass Certificate
 - Training Procedure
 - Customer Service Policy
 - Disability Awareness Policy
 - Complaints Policy
 - Right To Work Documents
 - Proof of National Insurance Number
 - Landlord Permission
 - Information Commissioners Office registration certificate
 - Proof of address
 - Public Liability Insurance (if applicable)
 - Ofcom Licence (if applicable)
- b. All documents are mandatory and any missing paperwork will cause a delay in processing your application.
- c. The application must be handed into our Reception at:

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
- d. Copies of your documents will be made, and originals handed back to you. The application will then be passed to the Licensing Department.

- e. Please note the staff at reception are not licensing officers and are not responsible to checking your application.

155. Inspection

- a. Once the completed application and all documents have been received you will be contacted to arrange an inspection of the premises at a mutual agreed day and time.
- b. The inspection will include checking the suitability of the premises, checking of procedures in place for record keeping of bookings, drivers and vehicles and also will look at what data protection of personal information is in place.
- c. Should systems and procedures, found on inspection, show significant shortfalls against requirements, a licence will not be issued.

156. Suitability of Premises

- a. When considering an application for a new operator's licence, consideration will be given to the location, the vicinity, facilities, and parking arrangements.
- b. This Licensing Authority will not grant a licence to an operator whose premises are located outside South Cambridgeshire. This is to ensure that proper regulation and enforcement measures may be taken by this Licensing Authority and is in no way intended to be a restraint of trade.

157. Record Keeping

- a. Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator.
 - Date of booking.
 - Time of booking.
 - Whether direct from hirer or at request of another operator (in the latter instance give name of operator).
 - Name of hirer or some other reliable identifier e.g. hotel room number.
 - Place, date and time at which vehicle is to pick up.
 - Place, date and time of the vehicle destination.
 - Plate and registration number of vehicle and the name of proprietor if not the licensee himself.
 - Name of the vehicle driver.
 - Time the booking was allocated to the driver.

158. Licence Issue

- a. If the information provided meets all requirements necessary to prove a person is 'fit and proper' a licence will be issued. You will receive notification

that your licence is ready to collect either by telephone or by email. The relevant fee will be payable at this stage.

- b. The licence will be valid for one a probation period of 1 year.

159. Fees

Please see our website for current fess.

www.scams.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/

Please note - the council does not accept cash payments.

160. Refusal

- a. Where there is any doubt as to whether the applicant is a 'fit and proper' person this Licensing Authority must refuse the application under the Local Government (Miscellaneous Provisions) Act 1976.
- b. Any such refusal will carry a right of appeal by the applicant to the Licensing Sub-committee. Applicants are entitled to attend the Panel meeting speak in support of their application. They are entitled to be accompanied by their legal representative or a supporter.
- c. After considering the applicant's representations, the Panel will determine the matter. If not satisfied with the decision, applicants have the right of appeal to a Magistrates Court within 21 days of being notified of the decision.
- d. Please see the on decision making for further information.

161. Renewal Operators Licence

Part 1

162. Application

- a. All applicants, existing licence holders, part owners or other persons with an interest in an Operator's Licence are required to show that they are 'fit and proper' persons to hold such a licence.
- b. A renewal application can last for either
 - One year, or
 - Up to five years
- c. There are several things that you need to do/ to have in order to make a renewal application for an Operator's licence.

163. First Renewal

- a. Should the applicant wish to renew the licence at the expiry of the first year of holding the licence they will need to demonstrate that they have been operating a private hire operator business for the full duration of the licence (one year). You will be required to attend an interview with a Licensing Officer to produce the previous year bookings and any other requested documentation.
- b. An application for a renewal of a Private Hire Operator licence will be granted for either 1 or 5 years. This Licensing Authority reserves the right to limit the duration of the licence and request a further review of the licence before any future renewal is granted.
- c. Should the applicant be unable to provide evidence that they have operated for the full duration of the licence they will be unable to renew and must apply for a new operator licence.

164. Right to Work Check

- a. The Council has a statutory duty to ensure that applicants have the legal right to work in the UK prior to issuing a licence. The issuing or refusing of licences will be undertaken in accordance with the requirements of the Immigration Act 2016.
- b. Your right to work in the UK will be checked as part of your licence application, this could include the licensing Authority checking your immigration status with the Home Office. We may also share information with the Home Office.

- c. You must provide a document or document combination that is stipulated as being suitable for this check. Please see the link below to the Home Office Right to Work Checklist:
- d. <https://www.gov.uk/government/publications/right-to-work-checklist>
- e. You must provide the original document(s), which will be copied and returned to you at your appointment. The original document will be returned to you.
- f. If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse, and you must return it to this Licensing Authority. Failure to do so is a criminal offence.
- g. Further information can be found on the Government website:
www.gov.uk/government/organisations/uk-visas-and-immigration

165. Safeguarding Course

(Known as The Taxi Proficiency and Safeguarding Workshop)

- a. This Licensing Authority is committed to safeguarding and promoting the welfare of children, young people and adults at risk. We take our responsibilities seriously and expect all our licensed drivers, proprietors and operators to share this commitment.
- b. The Taxi Proficiency and Safeguarding Workshop is delivered by one of the Licensing Officers and will cover a variety of topics aimed at helping you in your new role.
- c. These topics include:
 - Disability Awareness
 - Child and Adult Safeguarding
 - Sexual Exploitation
 - Equality Awareness
 - Dementia and Loneliness
 - Legislation, Conditions of Licence and Byelaws
 - Code of Conduct
 - Drivers safety
 - Good customer service
- d. The Safeguarding assessment consists of 15 questions. Each question is multiple choice, there will be one correct answer and three wrong answers.

You are required to select the answer which you think is correct. You will be allowed a maximum of 30 minutes to complete the test and will be given the result of your test, there and then after you have completed it. (Further time may be requested if necessary)

- e. All existing licensed drivers, proprietors and operators will be required to participate and undertake a safeguarding course and test, as delivered by this Licensing Authority, in order to obtain a pass certificate which must be produced within 1 calendar year of adoption of this policy or on renewal whichever is sooner. Failure to do so may result in suspension of the licence until successful completion of the test.
- f. Existing Operators will be sent an appointment with a date to attend the course and test. If they cannot attend they must contact this Licensing Authority immediately by email at taxis@scambs.gov.uk and another date will be offered.
- g. Failure to attend either date, without good reason will result in enforcement action which may result in suspension of the driver licence until the Taxi Proficiency and Safeguarding Workshop is completed.
- h. New applicants can take the Workshop and assessment as many times as they wish but a licence will not be granted until successful pass is obtained.

166. Overseas Criminal Record Check (known as Certificate of Good Conduct)

- a. Applicants who have resided outside of the UK for 3 months or longer since the age of 18 years, in the last five continuous years will be required to submit an overseas record check authenticated by the embassy of each country of residence involved.
- b. This must be translated into English at the applicant's expense. The overseas criminal record check must be no more than 3 months old at the time of submission
- c. The application process for criminal record checks or 'Certificates of Good Character' for someone from overseas varies from country to country. You'll have to apply in the country of residence or to the relevant embassy in the UK.
- d. Please see the link below to the Government website for full details of how to apply and who to contact.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

167. Basic DBS

- a. A basic DBS certificate is a mandatory requirement as part of the application for a non-driver operator licence and is an important element used by this Authority to ascertain whether or not the person is 'fit and proper' to hold a licence. This certificate for all new and renewal applications must be dated within 1 month.
- b. The DBS certificate will be valid for 1 year.

168. Information Commissioners Office (ICO)

- a. Operators need to be aware of their obligations when it comes to data protection.
- b. Where databases containing personal information, such as records of bookings and CCTV, they are required to be registered with the Information Commissioners Office (ICO). Further information can be found on the following link;

<https://ico.org.uk/for-organisations/register/>

169. Operator's Complaint Policy

- a. Customers have a right to complain if the service provided by the operator fails to meet expectations. It is the responsibility of operators to attempt to find an amicable resolution to the complaint, without any unnecessary regulatory burden or intervention by this Local Authority.
- b. Complainants must be dealt with in a respectful, timely manner in an open and transparent way. To ensure this is achieved, operators are required to have a formal complaints policy and procedure which is made freely available to all customers, and to maintain a record of complaints received.
- c. A copy of the operator's complaints policy and procedure must be produced as part of all new and renewal applications.
- d. The complaint records must detail specific information, be monitored, and be made available to authorised officers upon request. The specified information to be recorded must include the following information as a minimum:
 - The name of the complainant and how they can be contacted
 - The date the complaint was made and the time and date of the journey,
 - If the booking was subcontracted, the details of the licensed operator who fulfilled the booking and any action taken by the subcontractor regarding the complaint or concern
 - The name of the driver and vehicle being reported,
 - The nature of the complaint or concern,

- The date by which the proprietor will respond to the complaint, which must not exceed 72 hours from time of receipt,
 - The action taken, if any, by the operator to resolve the complaint or concern.
- e. Operators must also inform the complainant that they can further their complaint to this Authority if they remain dissatisfied with the outcome of their complaint.
 - f. If an operator is made aware of any information or complaint reflected in the relevant convictions section of this policy, they must notify this Licensing Department immediately and provide details of the actions taken by the operator.
 - g. Operators must ensure that persons hiring a vehicle are aware of a complaints policy either by digital notification given before the commencement of the hiring or by way of a notice in the vehicle.

170. Radio Systems

- a. Applicants who intend to operate a radio system must provide proof of their licence from Ofcom as part of the application process.

171. Insurance

- a. Operators must ensure they have all the correct insurances in place for the vehicles and drivers they utilise.
- b. **Employer's liability insurance** is the only business insurance that is mandatory (under the Compulsory Insurance Act 1969). It only applies to those businesses with employees.
- c. **Public liability insurance** is an important cover for any business that interacts with the public. It can protect you financially should someone take legal action against you for property damage or injury. Operators who provide a waiting area for clients must provide evidence that they have valid public liability insurance.

172. Suitability checks or requirements undertaken on drivers

- a. Operators must ensure that the drivers they utilise are 'fit and proper' to carry out the bookings and are appropriately trained for their role.
- b. Operators should be able to demonstrate how they will achieve this by way of a policy to include any training (or checks) provided by the operator, customer service company policies and practices, including disability awareness. A copy of this policy must be included with all applications.

- c. Operators must be aware of their obligations under the Immigration Act and only utilise persons who have the right to work in the UK. Failure to observe this requirement or to provide due diligence checks may be subject to enforcement action by the relevant Home Office department.

173. Proof of Private Hire Operator Business

- a. An operator will need to demonstrate that they have been operating a private hire business for the full duration of the licence (one year).
- b. This can be by way of the last years bookings or any documentation requested by the Licensing Authority
- c. Should the applicant be unable to provide evidence that they have operated for the full duration of the licence they will be unable to renew and must submit an application for a new operator licence

174. Application Form

- a. The Private Hire Operator application form can be downloaded from our website.

<https://www.scams.gov.uk/licensing/types-of-licence/taxi-licences/>

- b. Please ensure you have completed the application form in full before submitting. Failure to do so will result in termination of the appointment.
- c. Please use the checklist at the end of the application form as a guide to whether you have all the correct documentation.

175. Renewal Operators Licence

Part 2

176. Submitting the application

a. Please return the following documents along with the fully completed application form:-

- Original Basic DBS Certificate (Non-Driver applicants only)
- Safeguarding Pass Certificate
- Training Procedure
- Customer Service Policy
- Disability Awareness Policy
- Complaints Policy
- Right To Work Documents
- Proof of National Insurance Number
- Landlord Permission
- Information Commissioners Office registration certificate
- Proof of address
- Public Liability Insurance (if applicable)
- Ofcom Licence (if applicable)

b. All documents are mandatory and any missing paperwork will cause a delay in processing your application.

c. The application must be handed into our Reception at:

South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

d. Copies of your documents will be made, and originals handed back to you. The application will then be passed to the Licensing Department.

- e. Please note the staff at reception are not licensing officers and are not responsible to checking your application.

177. Inspection

- a. Once the completed application and all documents have been received you will be contacted to arrange an inspection of the premises at a mutual agreed day and time.
- b. The inspection will include checking the suitability of the premises, checking of procedures in place for record keeping of bookings, drivers and vehicles and will look at what data protection of personal information is in place.
- c. Should systems and procedures, found on inspection, show significant shortfalls against requirements, a licence will not be issued.

178. Suitability of Premises

- a. When considering an application for a new operator's licence, consideration will be given to the location, the vicinity, facilities, and parking arrangements.
- b. This Licensing Authority will not grant a licence to an operator whose premises are located outside South Cambridgeshire. This is to ensure that proper regulation and enforcement measures may be taken by this Licensing Authority and is in no way intended to be a restraint of trade.

179. Record Keeping

- a. Operators are responsible for keeping accurate records of bookings and retaining them for a period of not less than six months. These records must detail required information about each booking taken and fulfilled by the operator.
 - Date of booking.
 - Time of booking.
 - Whether direct from hirer or at request of another operator (in the latter instance give name of operator).
 - Name of hirer or some other reliable identifier e.g. hotel room number.
 - Place, date and time at which vehicle is to pick up.
 - Place, date and time of the vehicle destination.
 - Plate and registration number of vehicle and the name of proprietor if not the licensee himself.
 - Name of the vehicle driver.
 - Time the booking was allocated to the driver

180. Licence Issue

- a. If the information provided meets all requirements necessary to prove a person is 'fit and proper' a licence will be issued. You will receive notification that your licence is ready to collect either by telephone or by email. The relevant fee will be payable at this stage.
- b. The licence will be issued for period of 1 – 5 years.

181. Fees

Please see our website for current fees.

www.scams.gov.uk/licensing/types-of-licence/taxi-licences/vehicle-licence/

Please note – this Local Authority does not accept cash payments.

182. Refusal

- a. Where there is any doubt as to whether the applicant is a 'fit and proper' person this Licensing Authority has the right to refuse the application under the Local Government (Miscellaneous Provisions) Act 1976.
- b. Any such refusal will carry a right of appeal by the applicant to the Council's Licensing review panel for determination. Applicants are entitled to attend the Panel meeting speak in support of their application. They are entitled to be accompanied by their legal representative or a supporter.
- c. After considering the applicant's representations, the Panel will determine the matter. If not satisfied with the decision, applicants have the right of appeal to a Magistrates Court within 21 days of being notified of the decision.

Please see the section on Decision Making for further information.

183. General Information for Drivers

Most complaints are the result of misunderstandings. Remember to keep calm and explain clearly what the situation is. If you have acted within the law, you will be supported by the council.

184. Accidents

You must stop if you have an accident, regardless of who is at fault. Do not argue and make any admissions, but concentrate on your safety, the safety of your passengers, and the safety of anyone else involved

You may need to call the emergency services, move vehicles (if possible) to a place of safety or give First Aid. Call the police if the crashed vehicles cause an obstruction or traffic hazard, and warn other motorists by using warning triangles or hazard warning lights

Never drive a vehicle after an accident if you think it is not roadworthy. If you are involved in

- an accident that involves:
- Injury to another person
- Injury to animals including dogs, sheep or horses
- Damage to another vehicle or
- Damage to roadside property such as lamp-posts, trees, signs or gates

The law says you must stop and give:

- your name and address
- the name and address of the vehicle owner
- the vehicle registration number
- your insurance certificate details if anyone is injured
- to any person with reasonable grounds to ask for it (such as an injured person or the owner of a damaged vehicle or property).

If you are unable to do this, you must report the accident to the police as soon as reasonably practicable and no later than within 24 hours, and produce the insurance certificate to a nominated police station within 7 days.

You must also report in writing to the licensing team within 72 hours of it happening.

You should not make any statement admitting liability or fault regarding your driving or the vehicle. No offers or promises should be made to third parties without the prior consent of your insurer, and without taking legal advice.

At the scene of an accident, you should make a note of:

- Names and addresses of drivers and owners, and registration numbers, of all other vehicles involved in the accident
- Details of the insurance companies of the owners of the other vehicles
- Names and addresses of any witnesses
- Names, numbers and the police station of any police officers attending the incident
- Road and weather conditions, position of vehicles involved and any other traffic, position of traffic signs, skid marks, traffic islands, turnings etc. Try to show these in a sketch and/or take photographs.

185. Animals

The driver must 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 or she 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.

186. Assistance dogs

You cannot refuse to carry a registered assistance or guide dog and you will be committing a criminal offence if you refuse to do so. The only time you may refuse is if you have a medical exemption certificate.

Assistance dogs are trained to sit on the floor of the vehicle and will not soil it. In many saloon cars there may be more room for the dog on the floor in the front of the vehicle. You should always ask the owner where the dog is trained to sit.

187. Attendance

The driver of a Private Hire Vehicle or a pre-booked Hackney Carriage must be in attendance at the appointed time and place, unless unavoidably delayed or prevented.

188. Badge

The driver must, 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 must upon the expiry (without immediate renewal), revocation or suspension of his or her licence forthwith return to the Council the driver's badge issued to him or her by the Council when granting the licence. The badge shall remain the property of the Council.

189. Breakdown

If you breakdown on a carriageway you should put a warning triangle on the road at least 45 metres (147 feet) behind your broken-down vehicle on the same side of the road or use other permitted warning devices if you have them. Always take great care when placing or retrieving them, but never use them on motorways.

190. Children and Vulnerable Adults

Particular care should be taken when carrying children and vulnerable adults, especially when they are not accompanied. Although there will usually be a perfectly ordinary reason for them travelling, we ask drivers to remain vigilant to any unusual circumstances or signs that things are not right.

From both safeguarding and general safety perspectives, children should always ride in the back of the vehicle

Any person under 18 is legally classified as a child. Drivers who have concerns about the safety of any child travelling in their vehicle are asked to report those concerns to the police by dialling 101, or in an emergency, 999.

Concerns may include:

- Picking up a child or young person late at night
- Picking up a child or young person who appears to be under the influence of drink or drugs
- Picking up or dropping off a young person at a location that seems inappropriate such as a hotel
- Remember, you may not think it is your business, but this person may need your help to escape a bad situation.

191. Changes

It is important that licence holders notify the Council of any significant changes which occur after their licence has been granted.

This includes but is not limited to changes in

Within 7 days

- Name
- Address
- Email address
- Telephone number
- Loss of badge
- Loss of paper licence

Immediately

- Change of immigration status
- Significant changes in their health
- Loss of Vehicle Plate
- Loss of door signage

Within 72 hours

- Accidents
- Cautions, convictions or warnings including but not limited to driving endorsements, driving convictions, police warnings and reprimands, cautions, community service orders, restraining orders, fixed penalties immigration offences, or other relevant matters, including road traffic offences such as speeding.

Failure to update the Licensing Authority on changes in circumstances will result in enforcement action.

You must not work as a driver or use the vehicle for work without a licence plate or badge before any replacement(s) are issued.

In order to update the Council on any change of circumstances please email taxis@scambs.gov.uk or go to our website

www.scambs.gov.uk/licensing/types-of-licence/taxi-licences/

Please note that the fees for replacement items or a change of information details can also be found on our website.

192. Documents to be always carried while driving

Insurance Certificate

The driver of the vehicle, whilst working must carry valid proof of insurance for that vehicle. Insurance cover must cover at least third-party risks and failure to produce a valid proof of insurance (a cover note or certificate) will lead to the enforcement action being taken which may include the immediate suspension of the vehicle licence until such proof is provided.

Hackney Carriage or Private Hire drivers badge

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

DVLA Licence

While it's not compulsory, we recommend you having these in your car should the situation arise. It can't hurt to be prepared for every situation when you are driving and, being asked to show documents is one of them. It will make things much easier should you find yourself in that situation.

193. Driver Licence Exemptions

Drivers must be aware of their obligations under the Equality Act to provide a service and assistance to passengers with mobility problems, disabilities and to take assistance dogs, without extra charge.

Drivers who refuse or fail to take assistance dogs without an exemption certificate may be prosecuted by the Council and may also be subject to enforcement action by the council including suspension or revocation of the licence.

Drivers may apply for an exemption certificate if, for health reasons, they are unable to take assistance dogs. Exemption certificates can only be issued on health grounds. Drivers who wish to apply for an exemption certificate must provide written documentation signed by a registered health practitioner giving the reasons why they should be exempted from transporting assistance dogs.

Drivers who have been issued with an exemption certificate must inform proprietors or operators that they have the exemption to avoid any unnecessary distress or delay to passengers. The certificate must also be on display in the vehicle

194. Fare to Be Demanded

The driver of a Private Hire vehicle must 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 must not demand from any hirer of a licensed vehicle any fare greater than that shown on the face of the taxi meter.

195. Hearing problems

When speaking to people, who are deaf or hard of hearing, look at them and speak clearly. Don't shout, and don't mumble - speak slowly and precisely. If you have difficulty in communicating, write down what you have to say instead

196. Highway Code

Driving when you are tired greatly increases your risk of collision. To minimise this risk you must take the necessary precautions.

You must not leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while that vehicle is stationary on a public road. Generally, if the vehicle is stationary and is likely to remain so for more than a couple of minutes, you should apply the parking brake and switch off the engine to reduce emissions and noise pollution.

You must not drive dangerously, without due care and attention or without reasonable consideration for other road users.

You must not drive on or over a pavement, footpath or bridleway except to gain lawful access to property or in the case of an emergency.

Be considerate to all types of road users.

Avoid distractions when driving.

You must always exercise proper control of your vehicle and must not use a hand-held mobile phone, or similar device, when driving.

You should drive slowly and carefully on streets where there are likely to be pedestrians, cyclists and parked cars.

When passing a cyclist or pedestrian (or another vulnerable road user) drivers should give at least as much space as would be required for a car.

Give way to people walking who have already started to cross the road

Assess your vehicle's length and do not obstruct traffic.

Do not unnecessarily encroach on the cycle waiting area.

Do not cut in on people cycling.

On a roundabout, watch out for and give plenty of room to, people walking or cycling.

Keep pedestrian and cycle crossings clear.

Give way to anyone still crossing after the signal for vehicles has changed to green.

The most vulnerable road users are pedestrians, cyclists, motorcyclists and horse riders. It is particularly important to be aware of children, older and disabled people, and learner and inexperienced drivers and riders.

Check before opening your door.

You must not stop or park on a pedestrian crossing, a cycle lane or a cycle track.

You should not park on the pavement.

197. Hours of Work

After 5½ hours of driving, you must take a break of at least 30 minutes for rest and refreshment. Alternatively, within any period of 8 hours 30 minutes, you must take at least 45 minutes in breaks. You must not work more than 16 hours between the times of starting and finishing work. You must also take a rest period of 10 hours before the first duty and immediately after the last duty in a working week.

All these times and dates must be entered in a log which must be retained for at least 1 year and made available for inspection by an authorised officer of the Council at any reasonable time.

198. Keeping Safe

Try not to carry more than a small amount of cash with you, and never openly display valuables such as expensive watches or other jewellery - better still, leave valuable items at home.

If you don't feel confident with a passenger who tries to get into your vehicle, refuse to take them.

Be aware of your client's behaviour throughout the journey and, if you feel uncomfortable, terminate the journey in a safe location for example a petrol station which is covered by CCTV.

Never stop your car in a position where you may become trapped. If necessary, turn the car around before you let your passengers out and do not turn off the engine. If there are problems report all incidents to the police, your controller and the council. What may have seemed to be a little problem to you could be a major problem to another driver, and your information may be useful. It may identify places, times or people involved in crimes against drivers.

In an Emergency, call the Police. Give your exact location and the details of your vehicle. Give as much detail of the offender(s) as possible and the direction in which they made off.

199. Looking after Customers with Disabilities

Your attitude and understanding towards all of your customers is very important, particularly passengers with disabilities. Treat your customers the way you would like to be treated.

Disability comes in many shapes and forms, so never make assumptions: always ask what help (if any) a passenger needs from you. Always make sure you understand the customer's instructions and that you are going to where they want

200. Looking after yourself

Sixty per cent of drivers covering over 10,000 miles per year have clinical back pain.

Poor, unstable driving positions can reduce comfort and safety. It increases muscular effort and tiredness, causes pain and discomfort and can interrupt your concentration. As your blood flow and nerve supply may be affected, your response to potentially dangerous situations may become slower.

Never drive for more than two hours at a time without taking a short break. If you drive for a long distance, exercise breaks will help your circulation and help keep you fresh and alert. You can improve your circulation by getting out of the car and walking a short distance or doing one or two neck exercises.

Fresh air is important. Overheating can make you drowsy so make sure the car is not too warm. The key to staying alert is adequate air flow, preferably with fresh cool air to your head. Cars with air conditioning are obviously the best to provide fresh, dehumidified air.

Poor diet, stress and not enough exercise all add up to making drivers less fit to drive. Twenty minutes of brisk exercise a day should make you better to drive, and fitter to enjoy life in general.

Your spine must have maximum support and you need clear visibility to the front and rear without unnecessary stretching. You must also be able to reach the pedals, steering wheel and controls comfortably. Consider the following

Seat reach: adjust the seat backwards or forwards until your left foot is resting comfortably on the footrest and your legs are comfortably supported by the seat.

Pedal operation: depress and release the clutch or accelerator, making sure your legs do not swivel on the seat edge or that you have to stretch to press it fully down.

Seat height adjustment: Adjust the seat up to the highest point possible without your head touching the ceiling. You may then need to adjust the reach of the seat backwards to compensate.

Seat-tilt (or cushion angle): at this point make sure that both your legs are supported whilst in the driving position. If not, adjust the front and rear of the seat slightly until you feel maximum support under the legs without affecting the optimum pedal operation.

Seat rake: tilt the seat back until your shoulders and upper back rest comfortably on the seat. Your arms should be slightly bent when you hold the steering wheel in the '10 to 2' position. All of your spine should be supported, and not your body simply being held upright. If this increases your headroom, re-adjust your seat

height to the maximum, remembering to also adjust the seat reach and tilt if needed.

Lumbar (lower back) support: the ideal position is to have comfortable, steady pressure down the whole length of your spine. Make the lower back support as slack as possible, and then only if you feel a lack of support should you slowly increase the level until you feel a very slight, even pressure in the back. You should not feel any hard thrust into your back.

Steering column tilt: at normal driving position your hands should rest comfortably at a level slightly lower than your shoulders. All the instruments should be clearly visible.

Head restraints: the base of the restraint should be level with the base of your skull where it meets the top of the neck to provide the best restraint in the event of an accident.

Seatbelt height adjuster: this should be moved up or down until the belt applies a firm but not excessive pressure over the top of the shoulder, with no gap between the belt and the front of your shoulder. The belt should not be placed any lower than the height of your shoulder.

Heated seats: these should be switched off once comfortable warmth is felt on the back - too much heat can stop blood circulating and can create stiffness.

Some of these new positions may seem strange at first, and may cause some aches and pains at first, especially if you have been using an incorrect method for a while.

These aches and pains should go away, but if not seek professional medical advice.

201. Lost Property

The driver of a licensed vehicle must immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been left within it.

If the driver finds any items left within vehicle, or if an item is handed in to them, the driver must do their best to identify customer and return item to original owner.

In the case of a Private Hire vehicle or where a Hackney Carriage is registered with an operator, the driver should contact the Operator with information of found item within 24 hours. The Operator must then follow their lost and found procedure.

If taxi is not registered with an operator, driver should contact the Licensing department Team at taxis@scambs.gov.uk within 24 hours with information of found item

202. Luggage

The driver of a licensed vehicle so constructed as to carry luggage must, when requested by the person hiring the vehicle:

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

203. Mobile Phone

It is illegal for you to use a hand-held mobile phone or any other hand held device whilst driving; irrespective of whether you are speaking, texting or using any other service on the phone. You can be fined and have your DLVA licence endorsed for using a mobile phone whilst driving unless it is “hands-free”.

204. Passengers

The driver of a licensed vehicle must not convey or permit to be conveyed in a licensed vehicle a greater number of persons than that prescribed in the licence for the vehicle.

The driver must always comply with the latest legislation regarding the use of seat belts and restraints by all passengers including children and young persons.

205. Safe Driver

Adjust your driving to the special hazards caused by changing conditions – you will need to change your driving pattern because of the weather, traffic conditions, road surface, or your physical or mental state.

Remember to ‘read the road’ as far ahead as possible. When driving, adopt a position in the road where you are able to see beyond the vehicle in front, and where you can stop quickly in an emergency. Driving by anticipating other road users is safer and can also save fuel by unnecessary acceleration and braking.

206. Receipts

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

207. Safe vehicle

Before using your vehicle each day, you should conduct some basic checks:

- Headlights, indicators and brake-lights should be working, and clean
- Windows, reflectors and mirrors are clean and wiper blades should be working without smearing the windscreens
- There are no obvious fuel or oil leaks

- Brakes and handbrake are working properly
- The speedometer is working correctly
- Litter is removed from the vehicle
- Engine oil, brake fluid and water are all at the correct levels without obvious leaks.
- The battery is secure in the engine compartment.
- Seats and seat-belts are working properly, without signs of wear and tear or fraying.
- The horn is working properly.
- You should ensure tyres (including the spare if one is carried) are inflated to the correct pressure and are in good condition. If your vehicle carries a canister instead of a spare, ensure that the canister is present and pressurised.
- Tyres must have a minimum tread depth of 1.6 mm over the central three-quarters of the tyre width, around the whole of the tyre.
- Washer bottles should be full
- That the vehicle does not emit excessive smoke
- That the vehicle licence plate on the rear of the vehicle is clearly displayed
- That the internal badge is clearly visible to front-seat passengers
- That the taximeter is working properly
- That the taxi fare tariff (for hackney carriages) is clearly on display

208. Smoking

Drivers must not smoke or allow someone to smoke in a licensed vehicle at any time.

For the avoidance of doubt, the Council also forbids the smoking of electronic cigarettes and vaping, whether by the driver or passengers.

209. Taxi Ranks

The purpose of Hackney Carriage stands (known as Taxi Ranks) is to provide the public with a set location where they can hire a licensed Hackney Carriage

- when standing for hire on a rank you must join the end of the queue and not park in contravention of any 'no waiting' restrictions
- when another vehicle immediately front is driven off or moved forward, you must drive forward to fill the space that has just been left empty
- you must not leave your vehicle unattended on the rank

Enforcement action may be taken for the misuse of hackney carriage ranks.

At present there is only one taxi rank in South Cambridgeshire. This is situated at Cambridge North Train Station.

Private hire drivers are not permitted to stop on taxi ranks for any purpose except in an emergency. If you have a passenger to pick up near to a rank you must let them know they should wait away from the rank

210. Use of Vehicle Horn

Licensed drivers must not use the horn to let customers know they have arrived.

The law says that you may only use your horn between the hours of 7am and 11pm to alert other road users of your presence on the road in the event of danger.

211. Vision impairment

Blind or partially sighted passengers have other needs. If you are collecting a passenger from a pre-booked location, go and personally let them know you are there - do not sit in the car and sound your horn. Tell the passenger what sort of car they are entering (especially if they are not getting into an ordinary saloon or estate car).

Tell them which way the doors open. Place their hand on the open door and where the roof is. Make sure they know which way the car is facing so they can get in easily and you may have to show them or help them with their seatbelt.

If you have to take a different route from the one they might expect, tell them why you have changed it.

At the end of the journey, tell them exactly how much the fare is and count out the change. Every customer must be set down in a safe place, but you should check blind customers know where they are going. If they want you to accompany them into a building, offer them your arm. Gripping you just above your elbow will help them to be guided more easily.

212. Wheelchair users

If you drive a saloon or estate car, you may take wheelchair users if they are able to transfer into the vehicle. Ask the passenger what help they need and be polite and ask before you touch or move your customer. Act as they suggest.

Take care when loading the wheelchair into the boot as they are expensive to repair or replace and the disabled person may not be able to move at all without it.

If you drive a vehicle that can carry passengers who can sit in their wheelchairs, make sure you regularly check all of the equipment (such as ramps and straps) that none is missing and it is in working order.

Make sure you know exactly how it works, and how to help passengers into the vehicle. Get expert advice if you do not know the best way to help.

213. Driver safety tips

Here are some tips on how to keep yourself safe and what to do if things go wrong:

Keep in contact with the operator/radio base

Use your radio or PDA to alert someone if you are in trouble.

Be alert and aware

Always stay alert, especially when you're parked on the street or at a rank.

Size up your passengers – assess risk

Read passengers' body language – assess them, then act accordingly. Do not underestimate people.

Greet and maintain eye contact with passengers

Make eye contact with your passengers when entering your vehicle. Greeting them is not only good customer service but it also sends a subtle message that you have seen and can identify them.

Know the area

A major cause of disputes and arguments is not knowing your way and taking your customers on the wrong route. Disputes can quickly escalate. As a Hackney Carriage/ Private Hire driver you should continue to study and remember routes and streets to minimise any negative action by the customer.

Know emergency procedures

Operators and radio bases should have in place a set of emergency procedures for use in different circumstances. Learn what the trouble call signals are. If you do not have this facility, flash your head lights to attract attention.

Always keep your windows up

Just open enough so that you can speak to people and get air.

Always keep your doors locked

This is extremely important if you are parked at a rank or on the street. This ensures your safety, and in the case of private hire that only pre-booked passengers are allowed in the vehicle.

Late at night

Be extra vigilant between 12 midnight and 4am, when there are few people on the street.

Be aware of passengers who give you vague instructions

Insist on customers giving you a fixed destination before you drive away. If they say 'just start driving – we will tell you the way', this should be a danger signal to you. Do not move and politely advise them that you need an exact address.

Should the passenger suddenly direct you to take a different route or tell you to 'turn here turn there', this is also a danger sign and you should immediately alert your dispatcher to the change of address.

Never drive into alleys or back lanes

Where possible do not driver down back alleys or lanes. If you must, back into the alley or lane. Do not get out of your taxi; use the push-button control to open the boot if need be. Keep your vehicle running in drive gear, so if things go bad you can simply accelerate out of harm's way.

Always know your location

Always know where you are in case you get into trouble. Nobody can help you if they do not know where you are. Do not be aggressive or argumentative This type of behaviour will always cause you a lot of problems and could escalate a minor disagreement into a violent confrontation. Stay calm and controlled.

Do not resist a robbery (co-operate)

Offer no resistance – comply with the offender. Resisting could escalate the situation drastically. Keep calm and observe everything you can. When you can call your dispatcher or 999, give your location.

Do not threaten

Always maintain control of yourself and the situation at hand. Never threaten any person with violence if they won't pay or can't pay.

If things go wrong

- Try to remember:
- What happened?
- What did the person look like?
- What were they wearing?
- What did they say to you?
- Try to write this down while your memory is fresh.

Contact numbers

South Cambridgeshire District Council

Phone 0345 450 063

Email: taxis@sacmabs.gov.uk

Website: www.scambs.gov.uk

Report a safeguarding concern:

Crimestoppers: 0800 555 111

Childline: 0800 1111

NSPCC: 0808 800 5000

www.nspcc.org.uk

Dementia Friends: 020 8254 3781

Call **999** in the event of an emergency or if you think a person may be in immediate danger.

For non-urgent concerns, call **101** or report it using our contact details.

Why are we asking for your personal information?

We require your personal data to enable us to comply with a legal obligation and review and reconsider your application for a license by way of an appeal conducted by the Licensing Committee.

There are laws in place, (Local Government (Miscellaneous Provisions) Act 1982), that tell us what information we have to collect and keep. We may automate decisions and will inform you if we have done this as soon as reasonably practicable and provide you with access to our Data Protection Policy.

You hold the following rights with regard to the personal data you provide us:

Right to Access – You have the right to access (receive a copy) of your personal data and supplementary information.

Right to Rectification – You have the right to have any inaccurate or incomplete personal data rectified.

Right to Restriction – You have the right to request a restriction of the processing of your personal data in situations where it is inaccurate, unlawful, and no longer needed for the purposes for which it was originally collected, or if a withdrawal of consent has been made.

Sharing your information

We may share your personal data with National Partner Authorities, Police, Legal, Courts, Internal/External audit, Disclosure and Barring Service, HM Revenue & Customs, Driver & Vehicle Standards Agency, Border Agency as required. This is not an exhaustive list.

We may process the information you provide to prevent and detect fraud in any of our systems and may supply information to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the Governments National Fraud Initiative. If any of the information we have about you is incorrect, please tell us, we are reliant on you assisting us to keep your information accurate and up to date.

Retention of your personal information

We only keep your information as long as necessary, for some items this will be dictated by law. You can find out more by looking at the Councils Retention Policy on the website. We do not routinely process any information about you outside the UK. We will not transfer your personal data outside of the EU. We are a registered Data Controller with the [Information Commissioners Office](#).

You can find out more about how we handle your data by visiting our Privacy Notice. If you have a query regarding your rights please contact the Data Protection Officer who can be contacted by emailing infogov@3csharedservices.org or you can write to the Council and mark your letter for the attention of the Data Protection Officer. Alternatively, you can call 01954 713318.