



**North
Northamptonshire
Council**

North Northamptonshire Council Hackney Carriage and Private Hire Licensing Policy

(1 April 2025 – 31 March 2028)

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1. Introduction

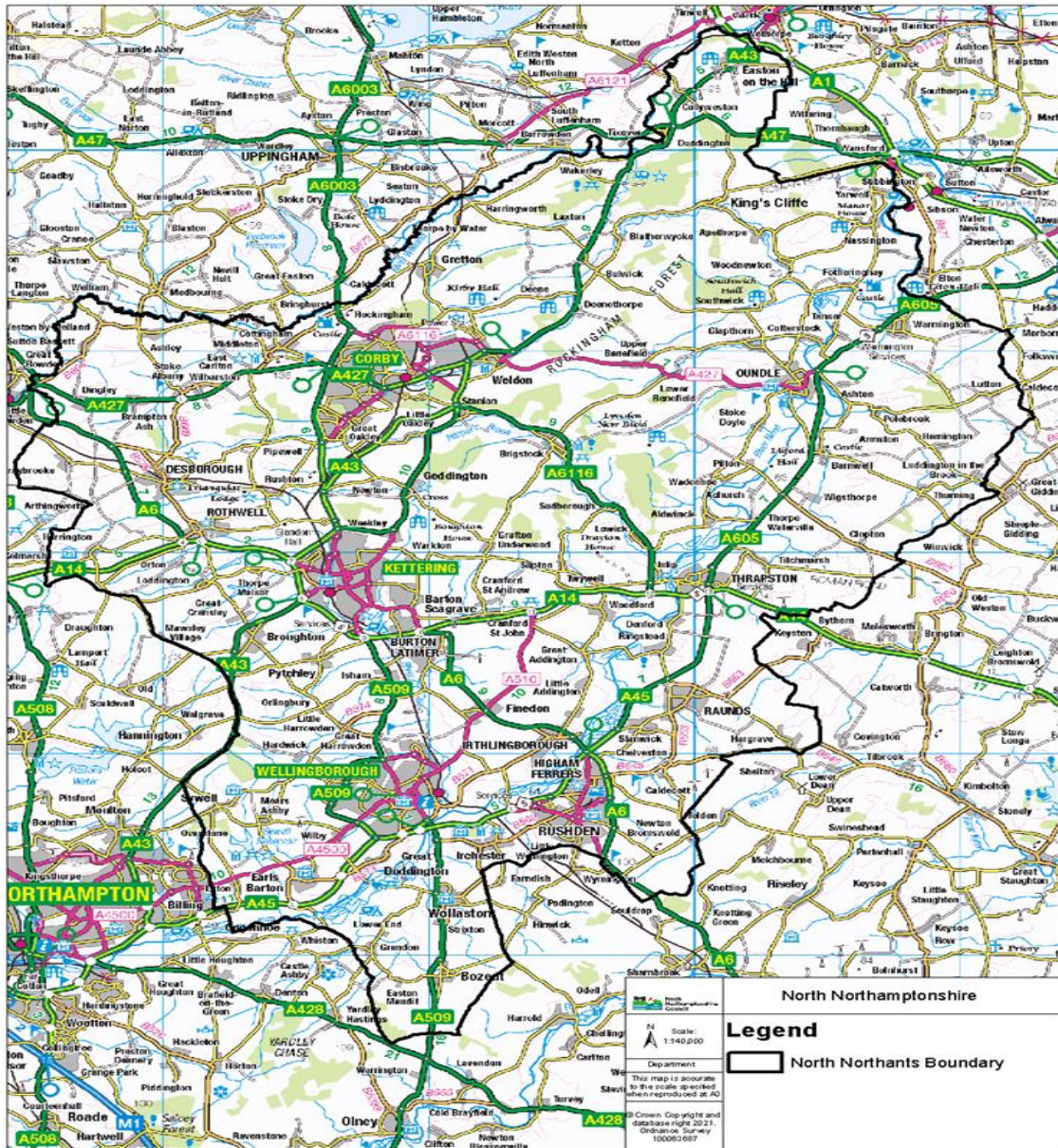
- 1.1 This Policy has been produced under powers set out in the Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976, as amended. ~~These, which place~~[Acts place](#) a duty on North Northamptonshire Council (the ‘Council’) to carry out its statutory licensing functions in respect of hackney carriage and private hire vehicles, drivers, and private hire vehicle operators. In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this Policy document. Where it is necessary for the Council to depart from its Policy, reasons will be given for ~~doing so, so doing~~.
- 1.2 The first North Northamptonshire Council Policy for the regulation of hackney carriage and private hire licensing regimes was adopted on 10 November 2022. The Council was deemed to have adopted the separate previous sovereign authorities’ arrangements in place for the purposes of regulating hackney carriage and private hire licensing activities in North Northamptonshire. ~~It and it was resolved that~~ in pursuance of Section 45 of the Local Government (Miscellaneous Provisions) Act 1976, that Sections 46-80 inclusive of the said Act shall apply throughout the area of the North Northamptonshire Council’ District.
- 1.3 This Policy has effect from 1 April 2025.
- 1.4 This Policy does not purport to give a definitive statement of the law, this being a matter for the courts.
- 1.5 If you have any questions about this document, you may contact us at taxilicensing.kbc@northnorthants.gov.uk.

2. Hackney Carriage and Private Hire Licensing in North Northamptonshire

- 2.1 North Northamptonshire Council (referred to herein variously as the “Council” or the “Licensing Authority”) is responsible for licensing and regulating hackney carriages and private hire vehicles (licensed vehicles), drivers and private hire operators within the District of North Northamptonshire – the “District”. [A map of the District](#) is

shown in the map below and is enclosed in black.

- 2.2 The Council covers an area of 381 square miles with a total population of approximately 348,000 (2011 mid-year population estimate).
- 2.3 The area is a mixture of both rural and urban communities and combines a varied range of attractions, festivals, events and shopping experiences for both residents and tourists.



- 2.4 Hackney carriage and private hire vehicles, proprietors, drivers, and operators play a major role in maintaining an integrated transport system designed to provide an efficient and safe public service. They play a vital part in local transport, connecting residents to the local economy and in enabling businesses and residents to reach wider transport networks. All social groups use taxis and private hire vehicles. Groups that use them the most are low-income young women, amongst whom car ownership is low, and those with mobility difficulties. They also have a particularly important role in the night-time economy getting people home safely late at night. The Council understands that it must use its licensing powers to protect children and vulnerable adults.

~~2.54~~ The taxi and private hire vehicle sector is entirely demand-led. Though taxis are most often associated with journeys for leisure, social and business purposes, they are an important part of the transport network. Taxis and private hire vehicle services provide door-to-door transport for those that are not able to travel via other modes of transport and help meet the needs for home-to-school transport provision.

~~2.5~~ ~~reduce the need for private car ownership, enable key workers to commute when other modes are unavailable, provide door-to-door transport for those that are not able to travel via other modes and assist on meeting the needs for home-to-school transport provision.~~

2.6 All social groups use taxis and private hire vehicles. The Council is aware that the groups that use them the most are low-income young women, amongst whom car ownership is low, and those with mobility difficulties. This information is set out in the Department for Transport's Taxi and private hire vehicle licensing best practice guidance, 2023. Taxi and private hire vehicles also have a particularly important role in the night-time economy getting people home safely late at night.

~~2.6~~ 2.7 The Council's primary and overriding objective when licensing hackney carriage and private hire vehicles, drivers and operators is to protect the public, and in particular ~~and children and vulnerable adults.~~

~~2.8~~ 2.8 Ensuring high safeguarding requirements and processes is only one way in which the licensing authority can help to ensure the personal safety of passengers. Ensuring residents and visitors to the area understand the distinction between the taxi and private hire vehicle trades and how each service can be legally engaged is very important.

~~2.9~~ 2.9 ~~The key message the Council wishes to impart is this: If you are hailing a locally licensed taxi in the street or at a stand (taxi rank), you should not get in any other vehicle unless you have pre-booked it and have received information from the operator which allows you to identify the vehicle. The Council, through this Policy, the Council seeks to make clear to the travelling public to ensure that the distinction between the two vehicle licence types (hackney carriage and private hire). The Council recognises that it is very important that is clear to the public and the licensed trade that driver and operators are similarly aware of their responsibilities under each licensing regime.~~

2.910 In developing this Policy, the Council has had regard to the following:

- Local Government (Miscellaneous Provisions Act) 1976 (as amended)
- Town Police Clauses Act 1847
- The Road Vehicles (Construction and Use) Regulations 1986 (as amended)
- The Disability Discrimination Act 1995
- The Equality Act 2010
- Taxis and Private Hire Vehicles (Disabled Persons) Act 2022
- Public Sector Equality Duty: guidance for public authorities, December 2023
- Public Health Act 1875
- Guidance on the Rehabilitation of Offenders Act 1974 – March 2014
- Disclosure Barring Service Information Note on Rehabilitation of Offenders Act 1974 and Police Act 1997 Orders – 2103
- Taxi and PHV Licensing Criminal Convictions; Policy, Local Government Regulation, Sept 2010

- Regulators Code 2014
- Road Traffic Acts
- Crime & Disorder Act 1998
- Health Act 2006
- The Department for Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' 2023
- The Department for Transport Guidance 'Access to taxis and private hire vehicles for disabled users', June 2022.
- The Department for Transport "Private Hire Vehicle Licensing Guidance Note", November 2023.
- The Department for Transport "Model Byelaws for Taxis", November 2023.
- The Department for Transport "Taxi byelaws: guidance and the byelaw making process", November 2023.
- Jay Report into Child Sexual Exploitation (CSE) in Rotherham 2014
- Department for Transport Statutory Taxi & Private Hire Vehicle Standards (Issued under the Policing & Crime Act 2017) 2022
- Institute of Licensing Guidance on determining the suitability of applicants and ~~licensees Licence Holders~~ in the hackney and private hire ~~industry trades~~ (October 2024) ~~April 2018~~)
- Competition & Markets Authority Guidance: "Regulation of taxis and private hire vehicles: understanding the impact on competition.", July 2017
- Other relevant legislation.

2.110 This Policy was widely consulted upon prior to being formally adopted. Consultees included amongst others:

- Current licence holders
- Elected members of the Council
- Northamptonshire Constabulary
- Multi-agency safeguarding representatives
- Local businesses and their representatives
- Residents and representative bodies
- Night-time economy groups
- Local transport providers
- Local transport user groups
- Groups representing disabled people
- Service users.

2.12 Consultation will be undertaken before any significant changes are made to the Policy and its supporting appendices. Minor and non-material changes and amendments required by law to the Policy or its supporting appendices ~~Amendments to the attached Appendices may be permitted following consultation made by the Assistant Director for Regulatory Services and authorised authorisation~~ by the Executive Member and the Chair of Licensing and Appeals Committee. The extent of any consultation will be determined by the scope of proposed amendment(s).

2.13 The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 (as amended) provide the legislative framework for the licensing of hackney carriages and private hire vehicles, hackney carriage and private hire drivers and private hire operators. Naturally, because of the age of this legislation, it has been augmented by case law from various court cases over the years.

3 Scope

3.1 This Policy applies to the following:

1. **Hackney Carriages:** A vehicle available to transport members of the public that has no more than eight seats for hirers, which is licensed to stand or ply for hire. A hackney carriage may stand at designated taxi ranks, on the street, and/or be hailed in the street by members of the public within their designated zones. They may also undertake pre-booked journeys.
2. **Private Hire Vehicles:** These are licensed to carry no more than 8 hirers and must be booked in advance through a licensed private hire operator. They cannot stand or ply for hire nor use any designated taxi ranks. They include a range of vehicles such as minicabs, executive cars, chauffeur services, limousines and some school and day centre transport services.
3. **Private Hire Operators:** licensed individuals that are required to take and record the bookings for private hire vehicles. Bookings must be recorded, and records be made available for inspection. The private hire operator is also responsible for the actions of the drivers that they use and the condition of the vehicles that they use.
4. **Hackney Carriage, Private Hire and Dual Licence holder Drivers:** Licensed individuals who have undertaken required tests and checks. Only a licensed driver can drive a licensed vehicle.

3.2 This Policy sets out a framework for the Council to discharge its regulatory functions for private hire or hackney carriage related licences. It includes provisions about in relation to obtaining and holding a licence, the conditions attached to licences, and how enforcement action will be addressed. However, the Council retains discretion in exercising its regulatory functions, therefore each application or enforcement action will be considered on its own merits, having regard to this Policy.

3.3 The Council may also have regard to other policies, strategies, guidance, and case law in its decision making. The Council may, and can take account of wider considerations affecting visitors, employers, and residents, such as pollution, crime, availability of private hire and hackney carriage vehicles late at night and its public sector equality duty.

3.4 Upon adoption, unless an alternative date has been specified for commencement, this Policy will come into effect and supersede any earlier policy. Any changes to the Policy will similarly take immediate effect unless otherwise specified.

3.5 Any changes in licensing requirements will be followed by a review of the licences already issued. If a need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not, however, to suggest that licences will be automatically revoked overnight. The implementation schedule of any changes that affect current licence holders will be transparent and communicated promptly and clearly.

3.6 The Council's Licensing Authority will consider each case on its own merits. Where there are exceptional, clear, and compelling reasons to deviate from this Policy,

then it will consider doing so and will place these reasons on record.

4. Policy Objectives and Purposes

4.1 This Policy's primary and overriding aim is to protect the public and has three supporting purposes which are themselves underpinned by the licensing objectives set out in Paragraph 4.2.

- 1) To inform applicants and licence holders of the Council's application and licensing requirements to enable individuals and businesses to decide whether they may wish to operate in the North Northamptonshire area.
- 2) To inform applicants and licence holders of the parameters within which the Licensing Authority will make decisions concerning applications and non-compliance with this Policy or applicable licensing conditions.
- 3) To inform residents, visitors to the area, and the wider public of the standards the Council expects of the licensed hackney carriage and private hire trade and the parameters within which the Licensing Authority will make application and enforcement decisions.

4.2 In exercising its regulatory responsibilities, the Council seeks to promote the following licensing objectives:

- The personal safety of children and vulnerable adults as passengers, the wider public, licensed drivers and other road users.
- That reliable, comfortable, and accessible vehicles are available to all who require them.
- The maintenance of a professional and respected Hackney Carriage and Private Hire trade.
- To take all such reasonable action to prevent crime and disorder.
- To encourage and promote environmental sustainability.

4.3 The Council will promote these objectives by:

- Setting robust and professional standards for the licensing of drivers, vehicles, and operators.
- Regularly inspecting licensed vehicles at the initial application, renewal, and interim stages to ensure they are safe, comfortable and of a good standard, and commencing compliance or enforcement action where appropriate.
- Routinely inspecting relevant insurance policies, with appropriate follow up action.
- Maintaining a body of evidence on the impact of the taxi licensing service on people with different protected characteristics and use it to make policy decisions consistent with the Public Sector Equality Duty.
- Keeping under regular review the vehicles which are licensed in the area to ensure a mixed fleet is available for passengers with different needs and preferences.
- To consult regularly with service users (including the licensed trade) to inform strategic planning for the service, to ensure it meets service users' needs and to prioritise actions which seek to eliminate discrimination of

barriers to equal access.

- Assessing applicants to ensure they are 'fit and proper' persons and so entitled to hold a licence. This will include consideration of their medical suitability, criminal record (if any), driving standards, responsibilities under the Equality Act 2010 ~~to eliminate conduct prohibited under that Act~~, road safety awareness and knowledge of the North Northamptonshire area.
- Investigating complaints with appropriate follow up action.
- Liaison with the Police, other local authorities, and other relevant agencies regarding issues of mutual concern in relation to offences or the conduct of licence holders / applicants.
- If operators and drivers fail in their responsibilities under licensing regulations, licensing conditions or in connection with reports or incidents of poor conduct, appropriate enforcement action will be taken to prevent its recurrence. ~~Action and~~ may take the form of verbal and written warnings, award of penalty points, written cautions, notices, suspension, revocation of licences, or via prosecution proceedings.
- Applying the provisions of the North Northamptonshire Enforcement Policy, available to view here: [Enforcement policy | North Northamptonshire Council \(northnorthants.gov.uk\)](https://www.northnorthants.gov.uk/north-northamptonshire-councils-enforcement-policy) ~~North Northamptonshire Council's Enforcement Policy~~.

5. Implementation and Transitional Arrangements

- 5.1 This Policy has effect from 1 April 2025 and replaces the first North Northamptonshire-wide Policy implemented on 1 April 2023. This Policy is applicable to all existing and new licences from 1 April 2025.
- 5.2 This Policy will be subject to formal, detailed, review at least every five years. ~~The~~ ~~However, the~~ Council may consider interim reviews should there be any legislative changes or other external factors which require this, or where local factors indicate review is required. Material amendments to this Policy require consultation (commensurate to the potential impact of the proposed changes) and will require review and approval by the relevant committee. Where policy amendments are required due to changes to statutory obligations, or where changes are minor and not material in nature, consultation may be omitted.
- 5.3 The Council recognises that vehicle owners and operators have made significant investments in their vehicles. The transition arrangement provided by the Policy implemented 1 April 2023, which conferred grandfather rights relating to the **age and type of vehicle only** to the holders of existing vehicle licences as of 1 April 2023 is maintained, aside from ~~in one respect~~. ~~The~~ previously conferred rights pertaining to advertising/signage on private hire vehicles ~~is not maintained~~. ~~This means that~~
- 5.4 Holders of vehicle licences which were in effect as of 1 April 2023, can continue to operate the vehicles connected to the vehicle licence under the age and vehicle type terms and conditions until 31 March 2028, but only where the vehicle is continuously licensed and meets the predecessor terms and conditions, as applicable as of 1 April 2023. **All other Policy requirements and terms and conditions relating to vehicles apply from the date this Policy comes into**

effect.

- 5.5 This transitional arrangement for vehicles **will not apply where an application for renewal is not properly made before the previous licence expires and does not apply in respect of replacement vehicles.**
- 5.6 Where licensed vehicles exceed the Council's predecessor vehicle age limit/s and have not passed the Council's exceptional age condition checktesting, licences will expire on 31 March 2028.
- 5.7 After the transition period ends on 31 March 2028, all new and renewal applications for vehicle licences will be required to comply with all the vehicle standards set out in the relevant sections of this Policy.
- 5.8 The Policy requirements and terms and conditions set out herein apply to all hackney carriage and private hire licences issued by the Council from 1 April 2025, aside from the transitional arrangements explained at Paragraphs 5.3, ~~and~~ 5.4 and 5.5.
- 5.9 The geographical area of North Northamptonshire is the 'District' for the purposes of private hire licensing. All private hire vehicle, driver and operator licences will relate to that area.
- 5.10 As of 1 April 2025, North Northamptonshire Council regulates a single hackney carriage zone and therefore the byelaws which were applicable in each of the previous four zones no longer have effect. A new single set of byelaws, which is cognisant of the agreed transitional arrangement until 31 March 2028 has effect, and can be viewed at Appendix D.

5.11 Applicants wishing to drive hackney carriage and private hire vehicles must:

- complete and pass an assessment day which tests their written and spoken English,
- Complete and pass safeguarding training,
- Demonstrate knowledge of safeguarding, knowledge of the applicable law, general Highway Code signs and road markings and key elements of this Policy.

More information about the knowledge test can be found on the Council's website. The content of this training may be subject to change where it is necessary to meet new policy or legal requirements. Changes may also be made to reflect ~~or in reference to~~ updated guidance issued by the Department for Transport.

5.145.12 Applicants wishing to drive hackney carriage vehicles or who wish to apply for a combined hackney carriage and private hire driver licence currently a joint badge is offered in East Northants – joint badges to be made available across North Northamptonshire from Spring 2025 must, in addition to the assessment day, complete and pass a locality test, which tests their knowledge of the North Northamptonshire area. Currently, a joint badge is offered in East Northants – joint badges to be made available across North Northamptonshire Council from Spring 2025. In acknowledging the geographical size of the new single hackney carriage zone, drivers will be expected to demonstrate knowledge of key points of interest and landmarks. These may include; vehicle testing centres, transport hubs, cultural and night-time economy hubs, and hospitals across North Northamptonshire. Applicants will be expected to demonstrate more and more detailed knowledge of

the area in which they intend to operate (pertaining to one of the four legacy zones). This may involve, to include identifying the shortest route including street names. More information about the locality test can be found on the Council's website.

5.425.13 Holders of an existing hackney carriage driver licence or who hold a combined hackney carriage and private hire driver licence will, as of 1 April 2025, need to complete and pass the knowledge and new locality test as a requirement of their next driver renewal application.

6. General Applications Processing and Licence Periods (Grant and Renewal)

- 6.1 Applications must be made on the Council's prescribed form which is available on the Council's website.
- 6.2 If an application does not include the required documentation, or where it is incomplete, or the correct fee/s have not been received by the Council, the application will be deemed to be invalid and returned to the Applicant.
- 6.3 A properly made application will be considered on its own merits and will be assessed and determined in accordance with this Policy.
- 6.4 Applications will usually be granted under delegated authority in accordance with the Council's Scheme of Delegation. In such cases, the Council will endeavour to issue the licence within the period of 10-working days.
- 6.5 Where an application does not meet the relevant requirements set out in this Policy and any related or updated application advice issued by the Council, the Applicant will be offered the opportunity for their application to be determined by a Licensing Panel. This Panel is comprised of Members drawn from the Council's Licensing and Appeals Committee. ~~(referred to hereafter as the Licensing Sub-Committee).~~ If the Applicant wishes to avail themselves of this option, the Licensing Team will write to the Applicant and give details about the meeting date and time, how the meeting will be conducted and about their rights and responsibilities, giving the date and time of the Sub-Committee meeting and will provide information about their rights and responsibilities, as well as information about how the meeting will be conducted.
- 6.6 There is a statutory right of appeal in respect of many licensing decisions – more information is provided at Section 18 of this Policy.
- 6.7 Hackney carriage and private hire vehicle driver licences will **be granted for three years** or for such lesser period, specified in the licence, as the Council considers appropriate in the circumstances of the case.
- 6.8 Hackney carriage and private hire vehicle licences will be granted for such period not being longer than **one year**, as the Council may specify in the licence.
- 6.9 Private hire operator licences shall remain in force for **five years** or for such lesser period, specified in the licence, as the district council considers appropriate in the circumstances of the case.

- 6.10 It is the Licence Holder's responsibility to make a correct application to renew their licence before it expires. The Council will endeavour to remind all licence holders to renew their licences but where a reminder is not issued or received, this will not be accepted as a reason why an application to renew the licence has not been made in time, before it expires. Any licence that is not renewed prior to expiry will be deemed to have expired, and any subsequent application will then be treated as a totally new application.
- 6.11 Applications will usually be granted under delegated authority in accordance with the Council's Scheme of Delegation. Where an application does not meet the relevant requirements set out in this Policy and any related application advice issued by the Council, the matter will be referred to the Licensing Panel Sub-Committee.

7. Hackney Carriage and Private Hire Drivers

- 7.1 Hackney carriage and private hire driver licences permit a person to drive a licensed vehicle. **The holder of a driver licence issued by North Northamptonshire Council is considered to be a professional driver and is expected to demonstrate high professional standards at all times.**
- 7.2 Applicants can apply for one of the following:
- Hackney Carriage Driver Licence
 - Private Hire Driver Licence
 - Dual (Combined) Hackney Carriage and Private Hire Driver Licence
- 7.3 Where applications are successful, a Licence will be granted for a period of not less than three years. A licence will only be issued for a shorter period where the Licensing Authority considers it appropriate in the specific circumstances of the case. Relevant considerations may include the following:
- At the applicant's request
 - where the applicant's right to remain in the UK is for less than the three-year period. The licence application if otherwise acceptable shall only be issued for no longer than the same period as the leave to remain.
 - where the medical has identified a requirement for review within the three-year period.
- 7.4 Applicants are asked to please note that there will be no reduction in fee for a licence granted for a shorter term.
- 7.5 All drivers must satisfy the Council that they are a fit and proper person to hold a Hackney Carriage, Private Hire Driver, or dual licence. Once the licence has been granted, they must remain a fit and proper person throughout the duration of the licence. The fitness and propriety of the licensed driver will be monitored and assessed throughout the licence period. Where a Licence Holder's fitness and/or propriety is brought into question, licence holders have contravened any licence conditions, or any other complaints; criminal behaviour; medical fitness; or other concerns are brought to the attention of the Council, or where their continued fitness and propriety is called into question the matter may be referred to the Licensing Panel Sub-Committee for consideration.

- 7.6 Examples of matters which that might trigger a referral to the Licensing Panel Sub-Committee include:
- New convictions or cautions
 - Arrest or being placed on bail pending investigation by the police
 - Contravening the North Northamptonshire Council NNC Licensing Penalty Points scheme or an appeal against points being issued by an officer
 - A one-off complaint which might be considered serious or involve concerns over public safety or misconduct
 - A number of complaints which in themselves may not be considered sufficient, but when taken as a whole, indicate a potential pattern of undesirable behaviour
 - Change in medical fitness
 - Any other matter determined appropriate for referral by the Assistant Director.
- 7.7 Where an assessment is made that there is considered to be an immediate risk to public safety, a driver's licence can be suspended or revoked with immediate effect. This action will be taken by an authorised officer (in accordance with the Council's constitution).
- 7.8 Examples of matters that might warrant immediate suspension or revocation of a driver licence include (but are not limited to):
- A driver appearing to be under the influence of alcohol or drugs, or whose judgement appears impaired by a medical or other condition.
 - Concerns supported by a reasonable belief of an authorised officer that a driver may pose a public safety risk (based on information, evidence or circumstances that has come to the attention of that officer).
 - Loss of a DVLA driver's licence.
- 7.9 All applicants for a driver's licence must act with honesty and integrity and ensure all information provided is accurate and up to date. Throughout the application process the applicant must provide and disclose all necessary information in a timely manner. This includes information relating to previous convictions, warnings, cautions and any current or pending criminal investigations being undertaken. Failure to do so is likely to have a negative impact on the assessment of the application and may result in the licence (if already granted) being recalled to the Licensing Panel Sub-Committee for determination. Other formal action may also be considered in cases of suspected fraud or deception.
- 7.10 The Council reserves the right to require further additional checks or information to ensure the applicant is a fit and proper person.
- 7.11 The Council expects all drivers to behave in a civil, and orderly and non-aggressive manner. Drivers are expected to, be polite, helpful, and respectful to members of the public, the Police, Council employees and other public officials. Failure to do so may result in a referral to the Council's Licensing Panel. Sub-Committee.
- 7.12 Whilst using any licensed vehicle, drivers must not engage in any sexual activity with or without the hirers consent, nor make inappropriate physical contact or make comments of a sexual or otherwise inappropriate nature.
- 7.13 It is not the Council's role to review the facts of a case which resulted in a conviction

or to question the decision of a medical practitioner. It is for the Council to consider these matters at their face value and to decide what weight to give to them in the decision-making process of whether an individual is fit and proper to hold a licence with the Council.

8. Application Requirements for a Driver Licence

- 8.1 The process for applying for a new or renewal hackney carriage, private hire, or dual driver' licence can be found on the Council's website. It is essential that all applicants review this process prior to application to ensure that they provide all information requested, and within the required timescales. Failure to do so will result in the application being returned as invalid or potentially refused.
- 8.2 Applicants wishing to renew their driver licence must commence their application no later than 12 weeks before the expiry date of the licence. **This is** to ensure all relevant documentation is received by the Licensing Authority and may be processed in good time. Applicants must ensure when submitting their application, that the DVLA check code has not expired. Applicants may, therefore, wish to undertake other elements of the application requirements first. Where renewal applications (to include all supporting documentation and information) are made prior to the expiry of the licence but outside of the 12-week renewal lead-in period, this may result in the issue of the licence being delayed.
- 8.3 Where applications for the renewal of a driver licence are not made within the 12-week lead-in period and the relevant 'fit and proper' person checks are not completed prior to the expiry of the licence, the licence will be suspended until such checks are completed.
- 8.4 All drivers are required to subscribe to the Disclosure and Barring Service' Update Service. This enables the Council to routinely check for new information every six months. Failure to sign up to the DBS Update Service may result in suspension of the licence, and/or incur penalty points under the NNC Licensing Penalty Points Scheme.
- 8.5 Where an Applicant previously held a driver licence issued by another Authority which was then revoked, or is currently suspended, an application will not normally be considered by the Council for at least 3 years and/or until the time limits (completion of sentence to licence granted) set out in Appendix A to this Policy have elapsed. Each case will, however, be considered on its own merits.

Right to work in the UK

- 8.6 Applicants must provide proof of entitlement to work in the United Kingdom at the initial application stage and thereafter for each renewal time of application where the check is time limited. This will include providing a code for the Council to check online records with the Home Office.
- 8.7 Applicants should refer to <https://www.gov.uk/check-job-applicant-right-to-work>Link to Gov.UK website to check right to work for the full list of applicable documents. Please note, Applicants may need to provide us with a 9-digit share code from the Home Office online right to work checking service to demonstrate their entitlement to work in the UK. This must be provided if requested to do so in support of your application for a new licence or for renewal of an existing licence. More information

can be found here: [Online immigration status \(eVisa\) – GOV.UK \(www.gov.uk\)](https://www.gov.uk/online-immigration-status) [Link to Gov.UK website to check online immigration status](#)

- 8.8 Where an applicant is subject to immigration controls the application will only be granted if all requirements have been met. The term of the licence will be determined based on the length of time permission to work has been granted. This may be for a period less than the three-year licensing term. In this instance there will be no reduction in the licence fee.

Fit and Proper Person and Suitability

- 8.9 Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 require that all applicants and licence holders are and remain fit and proper persons to hold a licence. It is important to recognise that the Council is not imposing any additional punishment in relation to previous convictions or behaviour. The Council uses all the information that is available to it to make an informed decision about ~~whether or not~~ [whether](#) the applicant or licence holder is, or remains, a safe and suitable person.
- 8.10 The Council has a duty to ensure that any person to whom they grant a hackney carriage or private hire vehicle driver licence is a 'fit and proper' person to be a Licence Holder. When considering whether an applicant or licence holder is a fit and proper person, the Council (whether as officers or members of the Licensing [Panel Sub-Committee](#)) [will](#) consider the following question:

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

If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence."*

*Source: Department for Transport Statutory Taxi & Private Hire Vehicle Standards (Issued under the Policing & Crime Act 2017) 2022

- 8.11 If however, the answer to the question is an unqualified 'yes', then the person may be considered to be fit and proper.
- ~~8.12 In addition to physical and mental wellbeing, this test can also be applied to an applicant's handling of a person's sensitive information such as personal data, holiday plans, medical conditions, travel arrangements etc, in respect of all licences the Council issues. The public and the trade are entitled to expect that those licensed by the Council will operate in accordance with the standards set out by the Council and not take advantage of their position of trust for criminal or unacceptable purposes.~~
- 8.13 If an officer has concerns as to whether an individual is a fit and proper person for reasons other than those stated within the Policy, then the application shall be referred to the Licensing [Panel Sub-Committee](#) for consideration.
- 8.14 It is important to note that any issues with current licence holders are dealt with on a case-by-case basis. Each application or renewal is considered on its merits. Officers will take account of cautions and convictions, but only in so far as they are relevant to an application for a licence.

8.15 The Council will take into consideration the following when determining if an individual is a fit and proper person:

- Criminality – details provided from the Disclosure and Barring Service Certificate or intelligence from the Police or any other legitimate source.
- Number of endorsed DVLA driving licence penalty points – as detailed in the DVLA licence check.
- Standard of driving/driving ability.
- Right to work – Evidence that the applicant is eligible to work in the UK must be provided within the application. If the leave to work is less than the driver's licence (three years) the licence will only be issued for that reduced period. The fee however remains the same.
- Medical fitness – An applicant must attend a medical appointment with a Registered Medical Practitioner who has full access to the applicant's medical records and history. The assessment is to check compliance with the DVLA Group 2 Medical Standards for Driver Licensing. The required medical form, once completed and signed, must be submitted with the application. In the event of any doubt or concerns, further assessments may be required (at the cost to the applicant).
- The conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process) – For example, where an applicant has not disclosed all criminal convictions on the application form as requested but and the DBS Certificate details convictions. Further examples are where ~~or~~ the applicant makes a false declaration or withholds any other relevant information that would reasonably be expected to be disclosed; this will be considered to be dishonest and the application may not be looked on favourably. The public are entitled to expect that those licensed by the Council will operate in accordance with the standards set out by the Council and not take advantage of their position of trust for criminal or unacceptable purposes.
- The previous licensing history of existing / previous licence holders. The National Register for Revocations, Refusals and Suspensions (NR3S) will be checked, and Information may be sought from other licensing authorities, where the applicant may have previously, or still does, hold a licence, or where an application was refused.
- The applicant's knowledge and understanding of the licensing requirements and responsibilities of a licensed driver.
- The applicant's safeguarding knowledge.
- The applicant's knowledge and ability to communicate in both spoken and written English.
- Any other information or relevant matters

8.16 In addition, the Council will consider any further information provided by any internal departments or external agencies that may have a bearing on the fit and proper status of the individual.

8.17 The Council will not normally determine a new driver application where there are any outstanding legal proceedings until such proceedings are disposed of. This includes ongoing investigations, pending cases and appeals. The Council will endeavour to refer any application where there are any outstanding legal proceedings to the next available Licensing Panel. Sub-Committee.

8.18 The Council may, at any time throughout the duration of the licence require access

to the DVLA records of the applicants to ensure their driving standards meets the requirements of this policy. The North Northamptonshire Council Criminal Convictions and Suitability Records Policy (Appendix A) and conditions on the licence require all licensed drivers to notify the Council within seven days of notification of any DVLA penalty points issued. Failure to do so will result in the licence holder receiving North Northamptonshire Council NNG Licensing Penalty Points, under the North Northamptonshire Council NNG Licensing Penalty Points Scheme (See Appendix G).

- 8.19 In submitting an application to the Council for a driver licence, the applicant will be required to sign certain disclosures relating to the application form and their information. Details contained within the application may be shared with other agencies including but not limited to the Police, Immigration and HM Revenue & Customs. In addition, declarations must be signed that agree for the applicants DVLA record to be reviewed throughout the duration of the licence and their DBS record through the online update service.
- 8.20 An individual will not be considered to be a fit and proper person to hold a licence if there is any evidence that they were dishonest in making their application. Additionally, where ~~or that~~ an applicant or an existing licence holder has misled or attempted to mislead the Council (officers or elected members of the licensing committee) intentionally or otherwise, during any part of the application process or with the administration of the licence, or throughout its duration.
- 8.21 In this Policy the word 'applicant' refers to new applicants, existing licence holders who are seeking renewal, and existing licence holders who are the subject of periodic auditing or having their licence reviewed by the Council as part of the policy implementation process. It also includes existing licence holders who are being considered by the Council by virtue of offending or other unacceptable activity having recently come to light.
- 8.22 Where an application meets all policy requirements, officers will grant the licence. In the event there are any matters disclosed in an application, renewal, or at any other time during the life of a licence, which are not in compliance with this Policy, officers will refer the matter for consideration by the Licensing Panel. ~~Sub-Committee~~.
- 8.23 When determining whether an applicant is a fit and proper person to hold a hackney carriage, private hire or dual driver licence, a Licensing Panel. ~~Sub-Committee~~ will work on the principle of 'balance of probabilities'. This is a lower evidential test than the 'beyond all reasonable doubt' requirement for criminal convictions. The Licensing Panel. ~~Sub-Committee~~ will consider all evidence and decide which version on balance is most probably true.
- 8.24 This Policy applies to all current licences from the date published and to all new and renewal applications after the publication date.
- 8.25 In any situation which is not addressed under this Policy, the matter will be considered from first principles. Whatever the situation, an Applicant/Licence Holder must always satisfy the Council that they are or remain a fit and proper person to hold the licence.
- 8.26 For clarity, in this Policy the term 'conviction' is defined as any convictions, cautions, formal warnings or reprimands. Also, where the Policy states 'from date sentence has ended' this will be taken to mean the date by which the whole length of time

sentenced by the court would have elapsed and not necessarily the length of time the individual actually served. For example, if a sentence of five years imprisonment was given then the end date will be five years from the date sentenced. If the applicant has only served 2 and was released, a further three years is still required. The term 'since completion of the sentence' is to be taken in the same way.

8.27 The Council reserves the right to review a decision that has previously been made, or refuse a renewal of a licence, where clear errors or omissions are identified, or new information or evidence comes to light.

8.28 An applicant who has had a previous conviction for a serious offence may not necessarily be automatically barred from obtaining a licence, however it would normally be expected that the applicant be required to:

- Remain free from convictions for an appropriate period as specified below; and
- Provide evidence to support their case that that they are a fit and proper person to hold a licence. It is the Applicant's responsibility to produce any evidence they think relevant to assist in the determination of whether they are considered to be 'fit and proper'. Simply remaining free from convictions is not necessarily enough to prove this. Where there is evidence and/or the Council has received complaints about the applicant's driving or behaviour this will also be taken into consideration.

8.29 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975: allows the Council to take into account **all** convictions recorded against an applicant or the holder of a Hackney Carriage, Private Hire or Dual driver's licence, whether spent or not. The Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Applicants need to be aware that, in accordance with this Act, **all** convictions, cautions, warnings, fixed penalty notices and reprimands must be declared.

8.30 It is an offence for any person to knowingly or recklessly make a false statement or to omit any material particulars in giving information required by the application for a licence (S57 Local Government (Miscellaneous Provisions) Act 1976). Where an applicant has made a false statement or an omission on their application for the grant or renewal of a licence, the licence will normally be refused.

8.31 If an applicant has any ongoing investigations convictions, warnings, cautions, or charges awaiting trial, the Council will look into:

- How relevant the offence(s) are to the licence being applied for
- How serious the offence(s) are/were
- When the offence(s) were committed
- The date of the conviction, warning, caution etc.
- Circumstances of the individual concerned
- Any sentence imposed by the court or any potential sentence that may be imposed
- The applicant's age at the time of offence / incident leading to the conviction, warning, caution etc.
- Whether they form part of a pattern of offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant, for example:
 - The previous conduct of an existing or former licence holder,
 - Whether the applicant has intentionally misled the Council or lied as part of the

application process,

- Information provided by other agencies / Council departments.

- 8.32 Any offences or behaviour not expressly covered by this Policy will not prevent the Council from taking into account those offences or behaviours.
- 8.33 Section 61 of the Local Government Miscellaneous Provisions Act 1976: ~~Allows~~ the Council to suspend, revoke or refuse to renew a licence if the application/licence holder has, since the grant of the licence, been convicted of an offence under or has failed to comply with the provisions of the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 8.34 The Council may during the period when a driver licence is in effect, request further information in relation to the Licence Holder's convictions history.
- 8.35 In assessing the action to take, the safety of the travelling public must be the paramount concern. Case law makes it clear that the impact of losing (or not being granted) a driver's licence on the applicant and their family is not a consideration to be taken into account.

(Leeds City Council v Hussain [2002] EWHC 1145 (Admin), [2003] RTR 199 and Cherwell District Council v Anwar[2011] EWHC 2943 (Admin))

- 8.36 Any applicant refused a driver's licence, or who has their licence suspended or revoked on the grounds that the Council is not satisfied they are a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal, revocation, or suspension.

[Local Government (Miscellaneous Provisions) Act 1976, S 77 (1)].

DVLA Licence Checks

- 8.37 All Applicants must have held a full UK DVLA, Northern Ireland, European Economic Area ("EEA") or Exchangeable driving licence for a period of at 12 months prior to the date of application. ~~Applicants and~~ are required to produce such a licence with the initial application and each subsequent application for renewal. The driving licence must specify the Applicant's current home address. The processing of the application will be delayed where an address listed on the DVLA licence is not up to date until such time as the DVLA licence specifies the Applicant's current home address.
- 8.38 Checks will be undertaken with the DVLA during each application and renewal. This check confirms whether the individual is licensed to drive and provides details regarding the number of DVLA penalty points and endorsements present on their DVLA driving licence.
- 8.39 Any EU Nationals who are already licensed with North Northamptonshire Council with a European Driving Licence (and who have leave to remain in the UK) can continue to drive, however, a full UK DVLA driving licence must be applied for within 12 months from the date this policy is published. Please note that you can only drive in Great Britain for 12 months if you obtained your EU licence by exchanging a non-EU licence.*

* This information is subject to change depending on Government Guidance; therefore, drivers are advised to apply for a UK driving licence as soon as possible. Please refer to GOV.UK: <https://www.gov.uk/exchange-nongb-driving-licence/y/yes/car-or-motorcycle/european-union-or-european-economic-area>
[Link to Gov.UK website for information about applying for a UK Driving Licence](#)

- 8.40 The Council requires licensed drivers to assist them in undertaking these checks with the DVLA at application and for routine monitoring during the term of the licence, or where there is any doubt that the driver remains a fit and proper person to hold a private hire and hackney carriage drivers' licence.
- 8.41 Failure to undertake a check when required to do so without good cause will result in suspension of licence(s) until such time as the results of a check are received and accepted as satisfactory.
- 8.42 In summary, in respect of applications for a new Driver Licence (to drive a Private Hire or Hackney Carriage Vehicle, or both) – applications will not be considered where the applicant has 7 or more points on their DVLA licence. Applications made by the same individual will not normally be considered for a period of not less than 5 years. Where an applicant has a maximum of 6 points on their DVLA licence and these points were acquired in respect of SP30 offences only, their application will not normally proceed to a Licensing [Panel Sub-Committee](#) hearing unless there are other matters which call into question the suitability of the Applicant.
- 8.43 In summary, in respect of licensed drivers - where a driver acquires 7 or more points on their DVLA licence (irrespective of the nature of the points awarded), they must notify the Council within the period of [7 days from notification of the points](#)~~5-working days~~, whereupon their continued suitability to hold the licence will be considered by the Licensing [Panel Sub-Committee](#). Licence Holders are asked to note that the Council ~~will also undertake~~ regular checks of a driver's DVLA status and where points have been added to a DVLA licence and not notified to the Council within the required period, this may result in enforcement action, including a review of the suitability of the driver to continue to hold a driver licence issued by the Council.

Criminal Record Checks

- 8.44 Applicants and drivers licensed by the Council should refer to Annex A to this Policy to familiarise themselves with the Council's position regarding Criminal Convictions and Suitability [Policy](#).
- 8.45 A criminal record check for any new and existing driver is essential and is an important safety measure in ensuring they are a fit and proper person to protect public safety. All prospective drivers are required to undergo an Enhanced Disclosure undertaken by the Disclosure and Barring Service. Each driver will also be checked against the Adult and Child Barred Lists. This List provides information on all live and spent convictions, police cautions, and other information that may be relevant. Details of the DBS application process can be found on the Council's website.
- 8.46 All Hackney Carriage, Private Hire and Dual licence Drivers are included as "exceptions" within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. As such all drivers will be asked to accurately disclose on their application form any conviction or cautions no matter how old. The DBS certificate will highlight

all relevant convictions and cautions and where these have not been disclosed on the application form by the applicant the integrity and honesty of the applicant will be questioned. All licence holders must notify the Council of any arrest, convictions or cautions received during their licence period as stated in the licence conditions. Failure to do so may result in suspension or revocation of the licence.

- 8.47 All information must be disclosed and the information from DBS and DVLA must not be relied on to answer these questions. Failure to properly complete the application form may result in the application being considered by the Licensing Sub-Committee especially if the checks reveal further matters for consideration.
- 8.48 All applicants for the grant or renewal of a driver's licence will be responsible for the costs of obtaining a DBS certificate. Licensed drivers must also be signed up to the DBS Online Update Service, as a condition of the licence. The subscription costs are the responsibility of the applicant or licence holder, and permission must be given to the Council to undertake routine checks of their DBS status.
- 8.49 This update service will be used to monitor the criminal record of licensed drivers and will be checked at least every 6 months in accordance with the DfT Statutory Taxi & Private Hire Standards guidance. Checks will also be made at the time of licence renewal. If where changes are recorded, an updated enhanced DBS check may be required. The cost of this is to be paid by the driver. If no changes have been recorded on the DBS certificate, a further enhanced DBS check will not be required.
- 8.50 In order to sign up to the Update Service the applicant on receipt of their completed Enhanced DBS Certificate or DBS application number, must register for the service within 30 days of the original DBS certificate date of issue. Upon licence renewal the driver must provide the Council with their original certificate in order for the update service to be checked.
- 8.51 Only DBS Certificates which have been applied for through North Northamptonshire Council (and which can be printed off from the Update Service, so long as the certificate is no older than 4 weeks) or printed off from the Update Service within the last 4 weeks will be accepted when submitting an application. Once submitted, the any DBS certificate will only be considered valid for 3 months in the event that an application is delayed for any other reason, including referral to the Licensing Panel Sub-Committee. Where licensed drivers have let their DBS subscription lapse and are unable to present to the Licensing Department the original DBS certificate (valid for a period of 3 months), a licence will not be issued.
- 8.52 A licence will not be issued without a current Enhanced DBS Disclosure Certificate being checked by the Council.
- 8.53 Upon receipt of a disclosure from the Disclosure and Barring Service, officers acting under delegated powers will refer to the North Northamptonshire Criminal Records Policy and determine whether the application can proceed continue through the application process with a view to being granted, or whether it requires referral to the Licensing Panel Sub-Committee if it does not meet the policy requirements.
- 8.54 Applications will be referred to the Licensing Panel Sub-Committee where the application does not meet the policy requirements or where the applicant's fitness and propriety is in question for any other reason.

Convictions and Cautions

- 8.55 Where convictions and cautions have been declared by the applicant or disclosed on the DBS Certificate, or otherwise come to the attention of the Council either upon application or renewal, or at any other time during the life of a licence, the Council must ensure that they are or remain satisfied that the applicant is a fit and proper person to hold a licence.
- 8.56 Therefore, any convictions and cautions specified within the application process or at any other time may require the application to be determined by the Licensing ~~Panel. Sub-Committee.~~
- 8.57 The Council has adopted the Institute of Licensing Guidance on determining the suitability of applicants and licensees in the hackney and private hire industry (October 2024) ~~Institute of Licensing (IOL) Guidance on determining the suitability of applicants and Licence Holders in the hackney and private hire trades~~ for assessing applications, renewals and convictions that come to light during the course of any licence.

This can be found in Appendix A ~~(Criminal~~ Convictions and Suitability Policy) ~~Records)~~ or can be downloaded at:

[Link to the Institute of Licensing website](#)

[https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_\(16_May_2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf)

- 8.58 Where convictions and cautions have been imposed on a current licensed driver, or they are under a live investigation by the Police, the licence holder may be referred to the Licensing ~~Panel. Sub-Committee~~ for review, in order to determine whether they remain a fit and proper person to continue to hold the licence.

Applicants with Residency Periods Outside of the UK

- 8.59 Where an applicant has spent six months or more continuously outside the UK in the last five years, evidence of a criminal record check from the country/countries visited covering the duration overseas will be required. Where such checks are not available, a certificate of good character (previously named certificate of good conduct) is required to be authenticated by the relevant embassy. The certificate of good character must be in English.

Police Notifications

- 8.60 When a driver comes to the attention of the police, they must disclose that they hold a hackney carriage or private hire driver licence issued by the Council. The police will, where appropriate, notify the relevant Council of arrest, charging, convictions and any other relevant information relating to a potential risk to public safety.
- 8.61 Any circumstances affecting the suitability of a holder of a driver's licence or private hire operator's licence, to continue to hold that licence will be considered and may be referred to the Licensing ~~Panel. Sub-Committee.~~

The National Register for Revocations, Refusals and Suspensions (NR3S)

- 8.62 The Council provides information to the National Register for Revocations, Refusals and Suspensions (NR3S). This register holds details of individuals who have had a driver's licence revoked or suspended, or an application for one refused.
- 8.63 Where a Hackney Carriage, Private Hire or Dual driver licence is suspended, revoked, or an application for one refused, the Council will automatically record this decision on NR3S.
- 8.64 All applications for a new licence or licence renewal will automatically be checked on NR3S. If a search of NR3S indicates a match with an applicant, the Council will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3S search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.
- 8.65 The Council has a published policy on the approach it will take to requests by other authorities for further information and entries on NR3S, and about the use it will make of any further information provided to it. This can be found at Appendix H.

Medical Fitness Assessments

- 8.66 The Licensing Authority considers it appropriate for private hire and hackney carriage drivers to adhere to more stringent medical standards ~~than~~ those applicable to normal car drivers. This is because licensed drivers ~~they~~ carry members of the public who have expectations of a safe journey, they are on the road for longer hours than most car drivers, and finally, because they may have to assist disabled passengers and handle luggage. The Licensing Authority requires applicants and licensed drivers to meet the DVLA' Group 2 Standards of Medical Fitness.
- 8.67 Applicants shall submit the Council's prescribed medical form, completed, and signed by their own Registered General Practitioner, or a GP who has full access to, and reviews, the applicant's full medical records, at the time of their application. Pre-existing medical conditions must be disclosed and confirmed to be under control to the satisfaction of a General Practitioner and the Council.
- 8.68 A medical examination form will be required upon first application, then on every renewal application until the applicant reaches 65 when an annual medical fitness assessment is required. Where an applicant has applied for their licence at the age of 64 and turns 65 within the first year, they will not be required to complete another medical assessment on the date of their birthday but on the anniversary of the previous medical.
- 8.69 All licence holders must notify the Council in writing, if any of their pre-existing medical conditions deteriorate or their health has changed in any way that may affect their fitness to drive at any point during a licence period and at renewal.
- 8.70 The Council may during the period when a driver licence is in effect, request further information in relation to the Licence Holder's previous and current medical history.
- 8.71 The following medical condition(s) must be notified to the Council, in writing, as soon as reasonably practicable, and in any instance within 7seven days of that condition becoming known to the driver:

- Heart condition
- Deterioration of eyesight or hearing
- Abnormal blood pressure
- Alcohol or drug dependency
- Diabetes (Type 1). Drivers who develop Type 2 Diabetes, and where the condition is managed by medication carrying hypoglycaemic risks, must also notify the Council in accordance with this section.
- Mental or psychological disorders
- Epilepsy
- Serious physical injury or disability
- Sudden attacks of giddiness or fainting
- Any other condition affecting the ability to drive

8.72 No medical fitness assessment form will be accepted where the person completing the form does not have access to the applicant's patient records.

8.73 Should any doubt remain as to the medical fitness of the Applicant; the Council may write to the applicant's/licence holder's GP or consultant if further medical information is required, and the Council may also request further medical assessments be undertaken by a registered medical practitioner nominated by them. In the event of doubts as to the medical fitness of the applicant, the application may be referred to the Licensing ~~Panel Sub-Committee~~ for consideration. The ~~Licensing Panel Sub-Committee~~ will review all the medical evidence and make the final decision.

8.74 Once submitted, any medical assessment will only be considered valid for four months – if an application is delayed for any other reason, including referral to the Licensing ~~Panel Sub-Committee~~.

8.75 All licensed drivers are under a legal duty to carry assistance dogs in their vehicles without any additional charge to the hirer – more information about this requirement is provided in Section [159](#) to this Policy. Drivers may only refuse to carry assistance dogs where they have a medical exemption certificate issued by the Council. A medical exemption may be granted by the Council where the driver has provided detailed medical evidence that shows a medical condition will be aggravated by exposure to dogs. If the application for medical exemption is successful, the driver will be issued with an exemption certificate and a notice of exemption. The notice must be displayed in the vehicle by fixing it in a prominent position facing outwards on the dashboard.

Driver Training

Knowledge Test

8.76 The Council has developed two Driver Knowledge Tests, one or both of which are a compulsory pre-requisite for drivers applying for a new licence. Additionally, any driver renewing a licence for the first time under this Policy will also be required to sit and pass the relevant knowledge test(s). Part 1 must be completed and passed by all applicants for a driver licence. Part 2 must be completed by all Hackney Carriage and Dual applicants for a driver licence. The Licensing ~~Panel Sub-Committee~~ may also require anyone appearing before them to re-sit and pass one or both tests.

8.77 The tests are:

Part 1 (All Drivers)

- English language proficiency – both oral and written
- General knowledge of key locations across North Northamptonshire (medical centres, hospitals, transport hubs, cultural sites and night-time economy and shopping hubs)
- Driver and vehicle conditions / Highway code / Basic arithmetic

Part 2 (Additional Test for Hackney Carriage and Dual Licence Drivers only)

- Knowledge of North Northamptonshire Council area
- Route planning
- Byelaws

8.78 Details of the administration of the knowledge tests can be found on the Council's website.

8.79 The Licensing [Panel Sub-Committee](#) may also require anyone appearing before them to undertake and pass any aspect of the Knowledge Test again outside of the initial and renewal application stages.

Safeguarding Training

8.80 Applicants for a driver licence must attend and pass a Council approved training session on Safeguarding before a licence may be issued.

8.81 Existing driver licence holders are required to attend and pass a refresher safeguarding session as part of their renewal application every three years. The refresher training attracts a fee – for the current fee level, please refer to the Council's website.

8.82 The Licensing [Panel Sub-Committee](#) may also require anyone appearing before them to undertake this training again and pass the test.

8.83 Details of the administration of the Safeguarding training will be set out on the Council's website. All costs associated with this training are to be paid for by the Applicant.

Driving Assessment – Practical Test

8.84 The Licensing Authority requires [hackney carriage taxi](#) and private hire drivers, as professional drivers, to display a higher degree of driving aptitude and diligence than a private motorist. Prospective applicants wishing to become a private hire driver or hackney carriage driver, or wishing to hold a dual licence, must therefore attend and pass the Taxi Drivers Standard Assessment, or Enhanced Assessment for wheelchair accessible vehicles test, prior to making an application for a licence. From 1 April 2025, all Hackney Carriage Drivers and joint Hackney Carriage and Private Hire Drivers must undertake the wheelchair assessment prior to driving a hackney carriage vehicle, [where the licensed vehicle they propose to drive is wheelchair accessible](#).

- 8.85 The Council determines which providers can administer the test, which is taken at the applicant's own expense. Applicants and Licence Holders (who because of compliance action are required to undertake the test) must contact the test provider direct to arrange an examination date and/or to raise any queries regarding the test.
- 8.86 Applicants and Licence Holders may wish to consider undertaking additional training before taking the advanced driving test.
- 8.87 Existing licence holders' renewing their private hire or hackney carriage (or dual licence) for the first time after this policy takes effect must pass the test prior to submitting the first renewal application unless they have already completed the test and can produce their certificate.

Equality & Diversity Training

- 8.88 All applicants for a driver's licence must attend and pass a Council approved training session on Equality & Diversity. All costs associated with this training are to be paid for by the Applicant.
- 8.89 This training must be completed and passed by all new applicants before a licence can be granted. All existing licensed drivers at the time this policy comes into force, will be required to complete this training, and pass the test at time of first licence renewal under this policy. The Licensing [Panel Sub-Committee](#) may also require anyone appearing before them to undertake this training again and pass the test.
- 8.90 Details of the administration of the Equality & Diversity training can be found on the Council's website.

Licence Conditions on Grant of Licence

- 8.91 Conditions are attached to all Private Hire and Dual driver licences at the time the licence is issued (Hackney Carriage driver licences cannot have conditions imposed on them). These conditions can be found in Appendix B of this Policy. Licence holders must always be familiar with these conditions and always adhere to them throughout the duration of their licence. Failure to do so may result in [North Northamptonshire Council NNC](#) Licensing penalty points being issued and/or referral to the Licensing [Panel Sub-Committee](#).
- 8.92 All licensed drivers are additionally expected to have read, understood, and adhere to all conditions attached to the licences of the vehicle(s) they drive.

Return of Driver Licence and Badge following suspension, revocation of refusal to renew

- 8.93 Council-issued licences and driver badges must be returned to the Council within 7 days of notification by the Council of a refusal to renew the licence or where a suspension is issued, or the licence is revoked. Failure to return the licence and badge is a criminal offence and upon conviction may incur a fine not exceeding Level 1 (up to £200).

9. Hackney Carriage and Private Hire Vehicles

- 9.1 Although both hackney and private hire vehicles undertake a similar role in the carriage of paying hirers, the method of engagement is different, and their roles are separate and distinct, covered by separate legislation. The Council's policy is to ensure that the conditions, markings, and signage on the vehicles clearly distinguish hackney carriages from private hire vehicles.
- 9.2 All vehicle licence holders must satisfy the Council that they are a fit and proper person to hold a hackney carriage or private hire vehicle licence. Once the licence has been granted, they must remain a fit and proper person throughout the duration of the licence. The fitness and propriety of the licence holder will be monitored and assessed throughout the licence period. Where licence holders have contravened any licence conditions, or any other complaints, criminal behaviour or other concerns are brought to the attention of the authority, or where their continued fitness and propriety is called into question the matter may be referred to the Licensing Panel ~~Sub-Committee~~ for consideration.
- 9.3 Where it is an immediate risk to public safety, a vehicle licence can be suspended with immediate effect by an authorised officer (in accordance with the Council's constitution). Examples of matters that might warrant immediate suspension of a vehicle licence include (but are not limited to):
- A serious vehicle defect putting safety at risk. Including but not limited to:
 - A tyre worn below the legal limit or with another defect
 - Defective external lights
 - Damage to a windscreen which in the view of the officer has potential to shatter or affect visibility etc of the driver
 - Defective or damaged seatbelts
 - Any damage to the vehicle, that potentially puts hirers, pedestrians or other road users at risk
 - Loose fixtures or fittings inside the vehicle that pose potential risk of injury
 - Seatbelt(s) or their fastenings that do not operate as intended or which are damaged
 - Non-display of licence plates.
- 9.4 On revocation or expiry of the notice of suspension of a licensed vehicle, the Council may issue further notices, requiring the proprietor of that vehicle licensed by them, to return the council-issued plate within seven days of service of the notice. Failure to comply with the requirement to return the licence plate within the specified time period is a criminal offence which on conviction could render a proprietor liable to a Level 3 fine (up to £1,000) + £10 per day.
- 9.5 Hackney carriage or private hire vehicles presented for licensing must meet the Council's vehicle specifications set out at Section 10 below. Hackney Carriage Vehicles must, in addition, meet the specifications set out at Appendix D to this Policy.

10. Vehicle Age and Environmental Considerations, Vehicle Specifications and Vehicle Testing Requirements

Vehicle Age and Environmental Considerations

- 10.1 The Council through this Policy is taking steps to improve the air quality in its area and help to tackle climate change. The Council recognises road transport is an important source of both greenhouse gases and air pollutants, “being responsible for significant contributions to emissions of carbon dioxide, nitrogen oxides, particulate matter (PM)10 and PM2.5. The extent to which the population and environment are exposed to harmful levels of air pollution is dependent upon various factors. However, as road transport emissions tend to occur in areas frequented by people, they are, relatively, more harmful than those from other sources.”¹
- 10.2 There is no minimum age requirement in respect of purpose-built wheelchair accessible hackney carriage vehicles. These same vehicles may remain licensed until they reach 15 years of age from the date of registration, or until the environmental requirements at Paragraphs 10.7 or 10.8 applies.
- 10.3 Private Hire vehicles must be no older than four years of age from the date of registration when presented for licensing for the first time, unless they are Zero Emissions Vehicles or Ultra Low Emissions Vehicles, in which case there is no minimum age for first licensing. These same vehicles may remain licensed until they reach ten years of age from the date of registration, or until the environmental requirements at Paragraphs 10.7 or 10.8 applies.
- 10.4 Special dispensation is made in respect of fully wheelchair accessible private hire vehicles, which may be presented for first licensing at any age, but will need to comply with the Council’s vehicle standards in all other respects. These same vehicles may remain licensed until they reach 15 years of age from the date of registration, or until the environmental requirements at Paragraphs 10.7 or 10.8 applies.
- 10.5 This Policy is subject to regular review and applicants are asked to note that where higher/improved European emissions standards are introduced which conflict with the four-year rule, revisions to the Policy will be made which are in line with these newer, cleaner, standards. This Policy is also influenced by the Council’s wider ambitions to tackle climate change through its Climate Change Strategy and the Transportation Plan, particularly concerning reducing energy and emissions from transport, and revisions will be made to meet these ambitions – more information can be found on the Council’s website [here](#):
- [Climate change | North Northamptonshire Council \(northnorthants.gov.uk\) Link to North Northamptonshire Council's Climate Change Strategy](#)
- [Link to North Northamptonshire Council' Highways Plans and Strategies](#)
- 10.6 The requirement outlined in the previous Policy implemented on 1 April 2023, that no new applications for vehicles fuelled by diesel only or petrol only will be processed after 31 March 2025 is superseded by the requirement at 10.7. Applicants are asked to note that this Policy is subject to regular review, and where national standards are introduced regarding the fuel type of vehicles, the Policy will be reviewed to ensure that licensed vehicles meet these new standards in good

¹ Office for National Statistics: [Road transport and air emissions - Office for National Statistics](#)

time. Any legislative changes in respect of this aspect of the Policy will supersede this Policy and override these requirements at the date the impacting legislation takes effect.

10.7 All vehicles presented for **first licensing** from **1 January 2030 must be zero emission vehicles.**

10.8 **Non-zero emissions vehicles (of any type) will not be renewed after 31 December 2034 and must come off the road by the same date. Licences issued in the 12-months leading up to this date will expire on 31 December 2034.**

10.9 For clarity, the age restrictions above apply equally to all vehicles, including Executive, Novelty and Special Occasion vehicles.

Private Hire Vehicle Specifications

10.10 All vehicles shall have an appropriate 'type approval' in place (prior to being licensed) which is either a:

- European Whole Vehicle Type Approval.
- British National Type Approval; or
- Individual Vehicle Approval.

More information can be found on the Vehicle Certification Agency website: What is Vehicle Type Approval? - Vehicle Certification Agency (vehicle-certification-agency.gov.uk)

10.11 Any model of vehicle being considered for licensing which has been subject to Euro NCAP rating must meet at least a 4-star rating. [Details about Euro NCAP Ratings can be found here: Euro NCAP | How To Read The Stars](#)

10.12 It is the policy of the Licensing Authority not to license any vehicle which has been the subject of any category of write off by an insurance company.

For information there are 4 categories of write off:

- Category A - Scrap only. For cars so badly damaged they should be crushed and never re-appear on the road. Even salvageable parts must be destroyed.
- Category B - Body shell should be crushed. Signifies extensive damage, although some parts are salvageable. Should never re-appear on road, although reclaimed parts can be used in other road-going vehicles.
- Category S (formerly Category C) - The new Category S means the vehicle has suffered structural damage. This could include a bent or twisted chassis, or a crumple zone that has collapsed in a crash. Category S damage is more than just cosmetic, therefore, and the vehicle will need to be professionally repaired.
- Category N (formerly Category D) - Vehicles graded accordingly haven't sustained structural damage, so the issue may be cosmetic, or a problem with the electrics that isn't economical to repair. However non-structural faults may include brakes, steering or other safety-related parts.

10.13 All vehicles which are the subject of a licence application must be manufactured or adapted to carry up to eight hirers not including the driver; this number includes any hirers who may be seated in wheelchairs if the vehicle is capable of transporting such hirers. Where a vehicle has been altered, adapted, or modified ONLY Type Approval Certificates granted after alteration, adaptation or modification will be accepted.

10.14 Vehicles adapted to take disabled persons in wheelchairs will be considered and are to be welcomed where they meet the prescribed safety and other required standards.

10.15 Vehicles which have been modified in any way from the manufacturer's standard construction will not be considered suitable for licensing purposes.

10.16 Licensed private hire vehicles shall be either:

- a 4-door saloon car designed and manufactured to seat up to four adults in addition to the driver: or
- a 5-door estate or hatchback designed and manufactured to seat up to four adults in addition to the driver. Estate vehicles must be fitted with a luggage screen or guard to prevent luggage encroaching into the hirer compartment in the event of an accident.
- Stretched Limousines carrying 8 passengers MAXIMUM in their original configuration plus the driver and, if imported into the UK, must have an IVA.
- Multi-Purpose Vehicle (MPV), including those manufactured or suitably adapted to carry wheelchair users, with adequate seating accommodation for between 4 and 8 adult hirers inclusive of any hirers who may be seated in wheelchairs, in addition to the driver. Such vehicles must be provided with a means of securing any luggage carried. In the case of a vehicle which has been adapted for carrying wheelchair users after the vehicle has been manufactured it must have been granted the relevant M1 Type Approval Certificate.
- A mini-bus type vehicle, including those manufactured or suitably adapted to carry wheelchair users, with adequate seating accommodation for, between 4 and 8 adult hirers inclusive of any hirers who may be seated in wheelchairs, in addition to the driver. Such vehicles must be provided with a means of securing any luggage carried. In the case of a vehicle which has been adapted for carrying wheelchair users after the vehicle has been manufactured it must have been granted the relevant M1 or M2 Type Approval Certificate.
- Some vehicles may be permitted to have less than 4 adult hirer seats if it is purposely designed and constructed or adapted after manufacture, to carry wheelchair users. The vehicle must however have the relevant M1 or M2 Type Approval.
- Any vehicle that has been adapted or modified to accommodate disabled hirers must be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1 or M2) Type Approval standard, the British National Low Volume Type (M1 or M2) Approval standard or the British National Single Vehicle (M1 or M2) Type Approval in respect of all such adaptations or

modifications. The relevant certificate will be required before such a vehicle can be licensed.

- Any minibus or other vehicle in which the seating is intended to be fixed in one place, and which has potential for capacity for over 9 seats, which has had excess seating removed to allow not more than 8 hirer seats, must have any excess seating fixings permanently removed and holes or other fixings permanently capped (i.e. welded over or similar) before a licence can be issued.

10.17 The TX series, Metro Cab, and other similar makes / models that are manufactured to operate as, or look similar to, London style Hackney Carriage, or any large vehicle having the appearance of a hackney carriage will not be considered for licensing as a private hire vehicle.

10.18 Seating in private hire vehicles must be permanently available, not capable of being folded away and accessible by either dedicated doors for the seats or via a clear route within the vehicle without the need for seats needing to be folded forward to provide access.

10.19 All private hire vehicles must be of any standard manufacturer's colour but must not be black (this is to differentiate this vehicle type from licensed hackney carriage vehicles which must be black). The colour of the vehicle must be one solid colour and not altered during the period that the vehicle is licensed.

10.20 The engine power output as quoted by the manufacturer for any vehicle shall be not less than 90BHP or equivalent.

10.21 Each hirer must have available 400mm of seating width or multiple thereof measured at the narrowest point with the doors closed. For example, any fixtures or fittings significantly protruding into the passenger space such as armrests must be deducted from the width measurement.

10.22 The vehicle must be capable of carrying a reasonable amount of luggage per hirer (at least one medium sized suitcase per person) in the luggage compartment. Drivers and Operators of hybrid and electric vehicles (only) which do not have capacity for several medium suitcases should be make this clear to the passenger at the time of booking or otherwise prior to the journey taking place.

10.23 A vehicle converted to run on LPG shall be fitted with a multi-valve tank contained within a sealed tank box made from aluminium and vented to the atmosphere. On a vehicle fitted with a 'doughnut' style tank in the spare wheel well the spare wheel (where supplied by the manufacturer) shall be securely fixed in a suitable position where it does not obstruct the whole of the luggage space. Where retrospective conversions are undertaken a conversion certificate must be provided upon application.

10.24 The standard conditions attached to all private hire vehicle licences can be found in Appendix C. The only variation to these will be following any individual decision by the Licensing Panel. Sub-Committee.

Hackney Carriage Vehicle Specifications

10.25 All vehicles shall have an appropriate 'type approval' in place (prior to being

licensed), which is either a:

- European Whole Vehicle Type Approval,
- British National Type Approval; or
- Individual Vehicle Approval.

More information can be found on the Vehicle Certification Agency website: What is Vehicle Type Approval? - Vehicle Certification Agency (vehicle-certification-agency.gov.uk)

10.26 Any model of vehicle being considered for licensing which has been subject to Euro NCAP rating must meet at least a 4-star rating.

10.27 It is the policy of the Licensing Authority not to licence any vehicle which has been the subject of any category of write off by an insurance company.

For information there are 4 categories of write off:

- Category A - Scrap only. For cars so badly damaged they should be crushed and never re-appear on the road. Even salvageable parts must be destroyed.
- Category B - Body shell should be crushed. Signifies extensive damage, although some parts are salvageable. Should never re-appear on road, although reclaimed parts can be used in other road-going vehicles.
- Category S (formerly Category C) - The new Category S means the vehicle has suffered structural damage. This could include a bent or twisted chassis, or a crumple zone that has collapsed in a crash. Category S damage is more than just cosmetic, therefore, and the vehicle will need to be professionally repaired.
- Category N (formerly Category D) - Vehicles graded accordingly haven't sustained structural damage, so the issue may be cosmetic, or a problem with the electrics that isn't economical to repair. However non-structural faults may include brakes, steering or other safety-related parts.

10.28 All vehicles which are the subject of a licence application must be manufactured or adapted to carry up to eight hirers not including the driver; this number includes any hirers who may be seated in wheelchairs if the vehicle is capable of transporting such hirers. Where a vehicle has been altered, adapted or modified ONLY Type Approval Certificates granted after alteration, adaptation or modification will be accepted.

10.29 Vehicles which have been modified in any way from the manufacturer's standard construction will not be considered suitable for licensing purposes.

10.30 All new hackney carriage vehicles must be black in colour; must be wheelchair accessible and be either:

- A purpose constructed Hackney Carriage (i.e. of the London Taxis International TX series, Metro Cab or similar London cab style vehicles)
- A multi-Purpose Vehicle (MPV), including those manufactured or suitably adapted to carry wheelchair users, with adequate seating accommodation for

up to 8 adult hirers inclusive of any hirers who may be seated in wheelchairs, in addition to the driver. Such vehicles must be provided with a means of securing any luggage carried. In the case of a vehicle which has been adapted for carrying wheelchair users after the vehicle has been manufactured it must have been granted the relevant M1 Type Approval Certificate,

- A mini-bus type vehicle, including those manufactured or suitably adapted to carry wheelchair users, with adequate seating accommodation for up to 8 adult hirers inclusive of any hirers who may be seated in wheelchairs, in addition to the driver. Such vehicles must be provided with a means of securing any luggage carried. In the case of a vehicle which has been adapted for carrying wheelchair users after the vehicle has been manufactured it must have been granted the relevant M1 or M2 Type Approval Certificate.
- Some vehicles may be permitted to have less than 4 adult hirer seats if it is purposely designed and constructed or adapted after manufacture, to carry wheelchair users. The vehicle must however have the relevant M1 or M2 Type Approval.
- Any vehicle that has been adapted or modified to accommodate disabled hirers must be re-certified, after adaptation or modification, to meet the European Whole Vehicle (M1 or M2) Type Approval standard, the British National Low Volume Type (M1 or M2) Approval standard or the British National Single Vehicle (M1 or M2) Type Approval in respect of all such adaptations or modifications. The relevant certificate will be required before such a vehicle can be licensed.
- Any minibus or other vehicle in which the seating is intended to be fixed in one place, and which has potential for capacity for over nine seats, which has had excess seating removed to allow not more than eight hirer seats, must have any excess seating fixings permanently removed and holes or other fixings permanently capped (i.e. welded over or similar) before a licence can be issued.

10.31 The engine power output as quoted by the manufacturer for any vehicle shall be not less than 90BHP or equivalent.

10.32 Seating width of not less than 400mm of seating accommodation per hirer (with the doors closed and with no other obstructions) must be provided.

10.33 The vehicle must be capable of carrying a reasonable amount of luggage per hirer.

10.34 A vehicle converted to run on LPG shall be fitted with a multi-valve tank contained within a sealed tank box made from aluminium and vented to the atmosphere. On a vehicle fitted with a 'doughnut' style tank in the spare wheel well the spare wheel (where supplied by the manufacturer) shall be securely fixed in a suitable position where it does not obstruct the whole of the luggage space. Where retrospective conversions are undertaken a conversion certificate must be provided upon application.

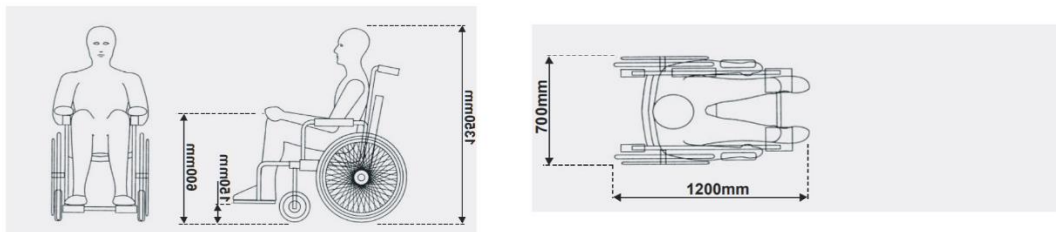
10.35 The standard conditions attached to all hackney carriage vehicle licences can be found in Appendix E. The only variation to these will be following any individual

Wheelchair Accessible Vehicles

10.36 All hackney carriages and wheelchair accessible private hire vehicles must be capable of carrying wheelchair users either in their wheelchair or in a passenger seat (depending on which the wheelchair user prefers), including allowing passengers to:

- Get in and out of the vehicle in safety
- Travel in the vehicle in safety and reasonable comfort.

10.37 All hackney carriages and wheelchair accessible private hire vehicles must comply with the following specifications (aside from Paragraph 10.43). Recognising that some passengers need to use wheelchairs which are larger and heavier than the reference size ² and shown below, exceptions exceptions to the size and weight specifications below is permitted on that basis alone:



- (i) Approved anchorages must be provided for wheelchair tie downs and the wheelchair passenger restraint. 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. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- (ii) 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.
- (iii) The clear height of the doorway must be not less than 1.2 metres.
- (iv) Grab handles must be placed at door entrances to assist the elderly and those with disabilities. All grab handles must be in a contrasting colour.
- (v) The top of the tread for any entrance should normally be at floor level of the passenger compartment and comply with the following requirements:

² <https://www.gov.uk/government/publications/bus-coach-accessibility-faq/guidance-for-manufacturers-and-operators>

- a) be not more than 380mm from the ground, (measured at the centre of the tread width);
- b) the surface shall be covered in a slip-resistant material;
- c) have a band of colour across the entire width of the edge which shall contrast with the remainder of the tread and floor covering.

10.38 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:

- (i) not be more than 380mm in height from the ground, (measured at the centre of the step width);
- (ii) not be less than 250mm deep;
- (iii) the surface shall be covered in a slip-resistant material;
- (iv) have a band of colour across its leading edge which shall contrast with the remainder of the step and floor covering;
- (v) not be capable of operation whilst the vehicle is in motion; The clear height of the doorway must be not less than 1.2 metres.
- (vi) 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.
- (vii) 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 so folded or retracted.

10.39 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.

10.40 Where seats are placed facing each other, there must be a minimum space of 42.5cm between any part of the front of a seat and any part of any other seat which faces it, provided adequate foot room is maintained at floor level.

10.41 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.

~~10.41~~10.42 Where an Applicant wishes to license a vehicle which does not conform to the specifications above in this Section, contact should be made to the Licensing Department and information about the type and dimensions of the vehicle provided in writing to ascertain if the vehicle may be suitable. The vehicle will still be subject to all other checks, inspections, and requirements under this Policy.

~~10.42~~10.43 A ramp for the loading of a wheelchair and occupant must be always available for use, as a minimum, at the nearside passenger door on all new vehicles which are side-loading and presented for licensing. The ramp must have a safety lip, be 70cm wide, as a minimum, and comprise a single non-slip surface. It is desirable

for this facility to be available at the offside passenger door also. 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.

~~10.43~~10.44 The Council may consider Private Hire Vehicles presented for licensing which are rear loading but each case will be considered on its own merits.

~~10.44~~10.45 All vehicles which are built or adapted for the carriage of wheelchair users and are the subject of a licence application, must be designed to ensure that any wheelchair is loaded and unloaded from the nearside of the vehicle for hackney carriages or either the side or rear for private hire vehicles. Rear loading is permitted for private hire vehicles where it is safe and comfortable for the passenger to do so.

~~10.45~~10.46 Any vehicle that is adapted or modified in any way, including vehicles that have been adapted or modified to carry one or more wheelchair users, must meet an acceptable/approved standard. Such vehicles may require additional testing or certification from the manufacturers, VOSA or an accredited qualified vehicle engineer. The cost of obtaining this will be payable by the applicant.

~~10.46~~10.47 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S/I 1998/2307). Any such equipment must be maintained in efficient working order so as to be available for use at all times.

~~10.47~~10.48 Drivers of wheelchair accessible vehicles must be trained to load/unload and convey wheelchair users in safety and comfort. Evidence of this training must be provided upon request by an authorised officer.

CCTV

10.48 The Council recognises that some proprietors may wish to install CCTV security cameras in their vehicle for the benefit and protection of both drivers and hirers.

10.49 The Council considers acceptable use of CCTV / Dash Cams or similar recording systems in licensed vehicles would include:

- Forward or rear facing cameras for external monitoring of the vehicle (whether temporarily or permanently) with the intention of the recording being used in the event of an accident or incident.

10.50 Where CCTV is fitted to a licensed vehicle, and in use, it must comply with the Information Commissioner's data protection requirements and Codes of Practice which is as follows:

- Be capable of recording date, time and vehicle identification, such features to be always activated when in use.
- Be event activated (e.g., door or ignition) and must continue to record for at least 30 seconds after the ignition is switched off.
- Be capable of storing recorded material for at least 30 days.
- Incorporate a panic button which stores at least the previous ten minutes of recording in a separate part of the recording media be capable of having recorded material downloaded to another storage device for reviewing.

- Have storage media which is not accessible to the driver or any other person travelling in the vehicle.
- Have a data storage unit, securely fixed to the vehicle, and stored separately from the recording unit, out of view of any passenger in the vehicle.
- Be capable of recording images of all passengers travelling in the vehicle and the driver.
- Be always kept in good working order.
- Enable recordings to be made available to Licensing Officers or the Police on request.

10.51 Due to the potential sensitivities of making audio or visual recordings in licensed vehicles, any breach of the requirements of the Data Protection Act or Information Commissioner Guidance on audio or visual recordings, will be considered a breach of the conditions of licensing and will be taken extremely seriously.

10.52 Where any audio or visual recording device is fitted or used in a licensed vehicle, clear signage must be displayed in all hirer compartments of the vehicle notifying hirers that audio and/or visual recording device(s) are being used.

Exceptions to the Vehicle Age Policy

10.53 An exemption to the vehicle ages set out in Section 6.1 may be allowed at the discretion of the Licensing Manager, for Executive Cars or Special Occasion vehicles used on an infrequent basis. See Executive and Special Occasion Vehicles information at Appendix K.

10.54 The Council's policy is that a vehicle will cease to be licensed once it reaches either 10 or 15 years of age (please refer above for the precise age requirements relevant to hackney carriage and private hire vehicles), subject to the restrictions in relation to zero emissions vehicles which apply to vehicles presented for first licensing from 1 January 2030 and to vehicles presented for renewal from after 31 December 2032~~4~~.

10.55 The term "exceptional condition" is used to describe vehicles which are over any age limit set by the Council, but that may continue to be licensed because they have been maintained to a very high standard mechanically and where the condition of the vehicle both internally and externally is exceptional. More information about the exceptional vehicle standards can be found below.

10.56 Any Council which imposes an age limit on its vehicles must be prepared to consider applications from vehicles that are in "exceptional condition". The Council will therefore only licence a vehicle after it is ten years old, if it meets policy requirements to be considered to be in an "exceptional condition".

10.57 A vehicle of "exceptional condition" is one where the components i.e. mechanical, body panels, paint, trim and fittings etc are maintained in an exceptional condition with regard to the age of the vehicle. It is essential that the image of an exceptional older vehicle upholds the standards normally set by a much younger vehicle.

10.58 General conditions applicable to this exceptional condition policy are:

- The owner of a hackney carriage or private hire vehicle whose vehicle is approaching its age limit will be required to notify the Council in writing at the

time of making an application for the grant of a licence that they wish to extend the operating life of their existing vehicle by twelve months. They must continue to do so, on each subsequent renewal application.

- Should the vehicle fail a Council Officer inspection or the garage test for any reason it will not be licensed and will not be considered for relicensing. It is, therefore, so it is extremely important that licence holders ensure a vehicle subject to the exceptional age policy is ~~maintained in exceptional mechanical and cosmetic condition at all times~~ always maintained in exceptional mechanical and cosmetic condition.

10.59 The criteria detailed below are in addition to all current vehicle test criteria requirements provided at Section 11.

10.60 The Applicant must submit a prescribed application, which can be found on the Council's website and arrange for a Council Officer to inspect the vehicle. The application and the inspection appointment both attract a fee. The Council Officer will assess the vehicle's general external and internal condition and appearance, for which a separate fee (to the application fee) is payable. Where the Council Officer considers the vehicle presented meets the Council's exceptional age requirements (see details below), the Applicant is then required to present the vehicle for testing at a Council nominated garage.

Exceptional Age Requirements

- I. In order for a vehicle to be considered suitable for an operating extension under this Policy it must have successfully passed two of its last four standard fitness tests on first submission.
- II. The Applicant must present as part of their application evidence of the full-service history of the vehicle.
- III. Chassis and bodywork should be in near perfect condition, with all trims present and complete, no signs of panel age deterioration, dents or any other abrasions and rust that may detract from the overall appearance of the vehicle. No tape or other covering may be used to cover such defects.
- IV. Mechanical condition is such that there should be no item that may show age, deterioration or cause or contribute to a less than safe, comfortable hirer ride.
- V. There shall be no sign of water or oil leaks from the vehicle.
- VI. The underside condition of the vehicle does not show any signs of rusting or age, or deterioration.
- VII. Road wheels must be clean and free from significant marks or damage and be rust-free.
- VIII. All tyres, including the spare wheel tyre (where fitted) must be roadworthy.
- IX. All wheel trims to be present and fitted according to the manufacturer's specification and all should match.
- X. All panels should match the original trim.

- XI. Front and rear registration plates to be clean, clear, not obstructed by a tow bar etc, they should also be unbroken and conform to relevant legislation.
- XII. Front and rear bumpers to be fixed securely and have no significant or noticeable rust, dents, cracks, scrapes, or other abrasions and must be properly painted where required.
- XIII. Windscreen to be clean and free of chips, scratches, or other abrasions.
- XIV. Wiper blades should be in proper working order and be capable of clearing the relevant screen properly.
- XV. Wing mirrors and rear-view mirrors must be in excellent condition with no deterioration in the reflecting surface. Both wing mirrors must match.
- XVI. Radiator grills should be secured and to the manufacturer's specification.
- XVII. General paint condition should not show signs of fading, discolouration or mismatching that detract from the overall appearance of the vehicle and the finish of the paint should compare favourably to that found on much younger vehicles.
- XVIII. All lights shall be secure and in full working order.
- XIX. In the case of a hackney carriage vehicle, the roof sign shall be securely fastened to the vehicle and be in full working order.
- XX. All doors should be easily opened, in good condition with the correct functioning of door stay catches and devices (including sliding doors) and all door handles should be properly fitted, free of damage and sharp edges, and be capable of easy operation and in accordance with the manufacturer's specification.
- XXI. All windows must operate easily and correctly.
- XXII. Heating, demisting and air ventilation systems (including passenger compartment controls where fitted) must be fully operational.
- XXIII. The interior of the vehicle should be free of any trailing or loose wires.
- XXIV. Interior trims, panels, and carpets etc. must be present and should be clean and odour-free and of a condition that is free from frayed, discoloured, faded or torn components.
- XXV. Headlining should be clean, odour-free, stain-free with no holes, tears, or other significant abrasions.
- XXVI. All seatbelts should be clean, undamaged and in good working order. All anchorage point covers should be properly fitted and match the vehicle's original trim.
- XXVII. All seats must be secure, clean, and not unduly worn. Where seat covers are used on passenger seats, these should all match. All seat covers must be

clean and odour-free, they must also be stain-free and be without sagging, wrinkling holes or tears.

- XXVIII. Airbags, grab rails and other safety devices are in good condition and repair and fully operational.
- XXIX. All instruments and accessories must be fitted securely, matching the vehicles trim and be clean and clear of debris.
- XXX. The boot and luggage compartment must be clean, undamaged, uncluttered and watertight, with no sign of water ingress.
- XXXI. If a hatchback, the boot cover must be original with both lifting straps fitted.
- XXXII. There shall be no evidence of leakage of fuel from the vehicle's fuel filler cap.

For wheelchair accessible vehicles only:

- XXXIII. Restraining straps will be complete and serviceable and maintained in good repair.
- XXXIV. If designed to use with ramps, they must be securely stored and free from damage, deformity, and sharp edges. The anti-slip covering must be in good condition and not worn or missing.
- XXXV. Vehicles fitted with a vehicle lift must have a LOLER³ certificate that is valid for a period of not less than 6-months from the date of issue.

10.61 Ultimately, the decision on whether a vehicle can continue to be licensed under the proviso that it is in "exceptional condition" would have to be judged on the merits of each vehicle. Consideration would also have to be given to the type of vehicle, engine size, mileage, and the fact that it is going to be used as a licensed vehicle rather than a family saloon.

10.62 A vehicle that passes an 'exceptional vehicle check' will be licensed for one year. Reference should be made to the Vehicle MOT and Inspection Frequency table at Section 11 for an explanation of the testing requirements which apply for the duration of the licence. All checks will be repeated should an Applicant wish to license the vehicle again.

Vehicle Signage & Licence Plates

10.63 Appropriate signage is necessary to identify key information about licensed vehicle to assist identify reassure hirers that vehicles are properly licensed and regulated within North Northamptonshire. Clear signage also assists enforcement officers and others to identify vehicles and help protect the trade from unlicensed or non-compliant vehicles.

10.64 Hackney carriage and private hire vehicles are required to display a licence plate on the front and rear of the vehicle. Plates must be mounted securely on brackets issued by the Council only to the outside front and outside rear of vehicles. All

³ [Lifting Operations and Lifting Equipment Regulations \(LOLER\) \(hse.gov.uk\)](https://www.hse.gov.uk/lifting-operations-and-lifting-equipment-regulations/) Link to Gov.UK website for Lifting Operations and Lifting Equipment Regulations

licensed vehicles are also required to display a small licence plate inside the front windscreen of the vehicle. The licence plates remain the property of the Council at all times and must be removed and surrendered within seven days of a request by an authorised officer of the Council, in the event that the licence has expired or has been suspended or revoked.

10.65 Conditions relating to signage, including signage for display on the inside of the vehicle (such as “no smoking” and “no vaping”), shall be attached to individual vehicle licences and details of those conditions can be found in Appendix C for private hire vehicles and Appendix E for hackney carriage vehicles.

10.66 For Executive and Special Occasion vehicles and discreet plated vehicles (e.g. that the Council issued plate may be stored in the boot of the vehicle), please see Appendix K.

Advertising and Additional Signage

10.67 No commercial advertising is permitted on Private Hire Vehicles. Proprietors of licensed Private Hire Vehicles must ensure all commercial advertising is removed from the vehicle within 28-days of the date of this Policy having effect. ~~Limited commercial advertising is permitted on licensed hackney carriage vehicles. The size and position and content of such information is specified by the Council and can be found at Appendix E.~~

10.68 Limited commercial advertising is permitted on licensed hackney carriage vehicles. The size and position and content of such information is specified by the Council and can be found at Appendix E.

10.69 Advertising and additional signage on hackney carriage vehicles must not be prejudicial or discriminatory against any group or individual – including, but not limited to; age, race, religion, disability, gender, sexual orientation, or nationality, is likely to mislead, is inflammatory, offends or creates barriers between the driver of the vehicle and hirers, the public or other road users. The interpretation of the content of any advert shall be at the sole discretion of the Council.

10.70 All advertisements on hackney carriage vehicles must meet current advertising standards requirements.

~~10.7 One advertising panel is permitted on each rear hirer door of a licensed hackney carriage vehicle. Each panel must not exceed 45cm in height and 60 cm in width.~~

10.72 Roof lights and roof signs are not permitted on vehicles presented for licensing, or on licensed vehicles, which are used for private hire work.

11. Applications Requirements for a Vehicle Licence

11.1 The process for applying for a new or renewal vehicle licence can be found on the Council's website. It is essential that all applicants review this process prior to application to ensure that they provide all information requested, and within the required timescales. Failure to do so will result in the application being returned as invalid or potentially refused.

- 11.2 Applications for the renewal of a vehicle licence must be made at least six weeks prior to the expiry of the current licence.
- 11.3 Prior to grant or renewal of any vehicle licence that vehicle must be presented for inspection at the Council offices. A Council Officer will first inspect the vehicle to ensure it complies with this Policy. There is a fee for this inspection. More information about how to book the inspection and the fee can be found on the Council's website. Where the vehicle is deemed to meet the requirements of this Policy in terms of age, type and condition, then it will then need to be presented for the Council's mechanical vehicle test at one of the Councils appointed testing stations for a combined Council test and MOT test.
- 11.4 Details of the Council's test can be found on the Council's website. All vehicles must be and remain safe and roadworthy for hirers and drivers. Vehicles are to be presented to the garage in such a condition that they pass.
- 11.5 The Council test is a checklist that allows for a simple pass or fail. Any failure will result in a licence not being granted or renewed until the matter is rectified and a retest is passed.
- 11.6 Vehicle licences are granted for a period of one year and will be subject to testing throughout that period. This is non-negotiable. Any vehicle that fails the Council test will be required to re-submit the vehicle for retesting at the appointed garage at the applicant's own expense.
- 11.7 Where the ownership of a vehicle is transferred, applicants are asked to note that any grandfather rights concerning the age of the vehicle will not apply. Applicants are advised to check the inspection frequency and the vehicle specification and age requirements in this Policy.
- 11.8 In summary, in order for an application to be considered the applicant must submit the following to the Council:
- The completed vehicle licence application form, which includes the requirement for any person to be named on the licence as proprietor or part proprietor to disclose any unspent or spent convictions (but not protected convictions or cautions)
 - Application Fee
 - The original of the Vehicle Registration Document (Log Book/V5) certificate of registration for the vehicle (the new keeper's supplement section of the V5 document will be accepted in the case of vehicles that are not licensed at the time that the application is made, and the vehicle has recently been purchased by the applicant (documentary evidence of purchase / ownership will be required i.e. a receipt of purchase or similar). Licences will not be renewed unless the full V5 document is made available to the Council at the time of renewal application)
 - Receipt for the purchase of the vehicle, or documentary evidence of any leasing arrangement with a vehicle leasing company must also be provided where the Applicant does not own the vehicle. Any lease must be from a commercial leasing company, and leasing arrangements from individuals will not be accepted.
 - The original insurance certificate or insurance cover note for the vehicle and/or fleet insurance with vehicle schedule.

- The insurance document must state that the vehicle is insured for private hire (hire and reward) or hackney (public hire) as appropriate and must provide cover for a period of not less than ~~28~~³¹ days.
- Confirmation from the Council appointed testing stations that the vehicle has passed the Council test and vehicle examination requirements.
- Current MOT Certificate, which must have been undertaken at the same garage [mention difference for speciality vehicles] which carried out the Council's vehicle test. Vehicles under 12-months of age do not require an MOT but will do so once the vehicle reaches 12-months of age from the date of first registration.
- A basic DBS disclosure for any person to be named on the licence as proprietor or part proprietor ~~vehicle owner~~ (not required for proprietors who are already licensed drivers and are registered with the DBS Update Service), ~~who is not a licensed driver~~. The Council is unable to accept DBS certificates from a third party nor can we accept an enhanced DBS certificate for a non-driver.
- Applicants are asked to note that photocopies of documents will not be accepted (aside from an insurance policy document, but this should contain a watermark when printed).

Specific Requirements for Renewal Applications

- 11.9 Vehicles which have passed the Council's annual testing regime may continue to be presented in accordance with the vehicle age requirements set out in Section 10 of this Policy.
- 11.10 The requirement outlined in the previous Policy implemented on 1 April 2023, that all Private Hire Vehicle Licences for diesel only and petrol only fuelled vehicles will expire on 31 December 2030 is superseded and instead, the relevant requirement at Section 10 applies. Applicants are asked to note that this Policy is subject to regular review, and where national standards are introduced regarding the fuel type of vehicles, the Policy will be reviewed to ensure that licensed vehicles meet these new standards in good time.
- 11.11 For clarity, the age restrictions above apply equally to all vehicles, including Executive, Novelty and Special Occasion vehicles.

Vehicle Testing and Inspection

- 11.12 All vehicles put forward for licensing (at first licensing) must first be presented for inspection by a Council Officer, who will assess the vehicle against the Council's vehicle age and condition requirements detailed at Section 11 of this Policy. The Applicant must contact the Licensing Department to secure an appointment and pay the required fee. Where appointments are missed or are ~~not~~ cancelled less than within 24 hours prior to the pre-arranged appointment date and time, the inspection fee is payable. Where additional Officer inspections are required, these will attract a separate fee.
- 11.13 Following approval from the Council's Licensing Officer that the vehicle may be presented for licensing, the Applicant must then ensure the vehicle passes the Council's licensed vehicle test before it can be licensed. The test must be conducted at a Council approved garage and must be the same garage which carried out a MOT of the same vehicle (where an MOT is required). The test is in the form of a checklist that allows for a simple pass or fail. It is therefore important that vehicles are presented in a condition to meet the requirements for a pass.

Where vehicles fail the council inspection test, the re-test must be undertaken at the same garage which carried out the earlier test.

11.14 Vehicles may be tested (MOT and the Council’s licensed vehicle test) at any testing station approved by the Council, provided the testing station is familiar with the relevant grandfather rights for all vehicles and the zone requirements in the case of Hackney Carriages. Notwithstanding the above, the Council retains the right to direct a licence holder to take their vehicle to a specific nominated testing station for testing at any time. The Council expects vehicles to always remain compliant with the test standard between tests.

11.15 Two combined MOT and Council tests are required annually for all vehicles up to ten years of age. Different testing requirements apply to vehicles aged over 10 years which are presented for licensing as “exceptional”. For licensing purposes, the age of a vehicle is determined by the date of registration in the country of origin, if this is not recorded on the V5 document (Log Book), it is the responsibility of the registered keeper to supply suitable documentary evidence to prove the date of first registration.

MOT and Council Test Inspection Frequency

Age of Vehicle	Is an MOT Required	Council Inspection Test Frequency
Less and 12 months from date of registration	Not required	Required at initial licensing
Older than 12 months from date of registration and up 10 years (except Hackney Carriage Vehicles and fully wheelchair accessible Private Hire Vehicles which can be up to 15 years).	Every 6 months	Every 6 months
Older than normal specified age limit e.g. those vehicles which are compliant with the “Exceptional Age Policy” set out in Section 10 to this Policy.	Every 6 months	Every 3 months

11.16 The operator of any vehicle requiring a MOT test other than a Class 4 must arrange the test at an appropriate DVSA MOT testing station for the class of vehicle. Because of the different MOT class the testing station may not be included in the testing stations contracted to North Northamptonshire for the purpose of testing licensed vehicles. This will relate to vehicles such as stretched limousines which may require a Class 6 MOT.

11.17 Any vehicle that fails to pass the Council compliance test is not considered to be fit for use as a licensed vehicle and must be withdrawn from service until the vehicle has been re-tested and passed as fit. The person licensing a vehicle must ensure that it is submitted for compliance testing on or before the relevant renewal dates and that vehicles always remain fit for service. Any vehicle which fails the compliance test must be re-tested at the garage which undertook the original test.

11.18 Any vehicle found during testing to have faults which may render it unsafe or

unsuitable for licensed work may have its vehicle licence suspended with immediate effect.

11.19 Vehicles shall be liable to being inspected and tested at any time (in accordance with the requirements of the 1976 Act). If, upon inspection, it is discovered that a vehicle is not being properly maintained or kept in good order, a notice may be served on the owner to this effect setting out the defects to be remedied. If public safety is compromised by the defects, further use of the vehicle may be prohibited (by suspension of the licence) until the defects have been addressed and the vehicle has successfully undergone a further inspection / Council test to demonstrate that the vehicle is roadworthy. The cost of such a test is to be paid for by the proprietor. If the licensed vehicle is not brought up to standard within two months without good reason, the Council will deem the licence revoked.

Vehicle Insurance

11.20 A licence will not be granted until a valid vehicle insurance certificate is submitted to the Council. Where possible, this should be provided at the time of submitting an application and must provide cover for a period of not less than 31 days.

11.21 In order to satisfy the Council that appropriate insurance is in place for the vehicle the following is required:

- A valid certificate of insurance or cover note. This must confirm that insurance is in place for each driver of the vehicle and specify that it is covered for its use as a hackney carriage or private hire vehicle
- A hackney carriage vehicle requires insurance to cover public hire
- A private hire vehicle requires insurance to cover private hire and hire and reward
- A cover note will be accepted, and the licence issued on the understanding that a certificate of insurance will be presented as soon as possible.
- Proprietors must ensure that all vehicles presented for licensing which can carry wheelchairs, have insurance cover which includes carrying wheelchairs which are battery/electric operated.

12. Transfer of Ownership

12.1 If the owner / proprietor of a licensed hackney carriage or private hire licensed vehicle wishes to transfer his/her interest in the vehicle to another, he/she is required to complete a notification of transfer of ownership form and submit this to the Council within fourteen days of the transfer taking place. There is a charge for this application.

12.2 New owners / proprietors are required to submit a transfer of ownership application to the Council prior to any transfer taking place. There is a charge for this application. Applicants and licence holders are pleased asked to note that the Council cannot transfer a vehicle unless the new owner can prove the vehicle is legally in their possession.

12.3 Please note that transitional arrangements will not apply to any vehicle subject to transfer of ownership during the transitional period. Those and those wishing to

transfer vehicles are strongly advised to contact the Licensing Department to obtain information about the age and condition standards, testing requirements and other requirements which apply to vehicles presented for licensing. The transitional arrangements which will have applied to the original vehicle licence holder do not apply to the new vehicle proprietor/s.

13. Executive & Special Occasion Vehicles and Discreet Plate Policy

Limousines and other Special Occasion Vehicles

- 13.1 The Council will consider licensing limousines, stretch vehicles, and other types of novelty and special occasion vehicle where these meet all current safety standards for use on UK roads.
- 13.2 The age restrictions at Section 10 above apply equally to all types of special occasion vehicles.
- 13.3 Applicants wishing to licence an imported vehicle must produce documentary evidence to the Council that any imported or novelty vehicle has been legally imported into the UK and that the vehicle has an IVA certificate.
- 13.4 Owners of vehicles converted from a standard production model must retain the original documentation to confirm that the conversion was approved by the original manufacturer and that the conversion was undertaken by a converter/modifier under an approved Scheme. This must be submitted with the licence application.
- 13.5 Any proprietor who wishes to licence an American stretched limousine as a private hire stretched limousine vehicle, will need to prove the vehicle has been converted by an approved converter under a professional modification certification scheme such as the Ford, Quality Vehicle Modifier (QVM) programme or the Cadillac Master Coachbuilders (CMC) programme. It is the responsibility of the proprietor to prove the stretch conversion has been carried out by an approved converter. The vehicle must display a QVM or CMC plate (or equivalent) which specifies the plated weights of the vehicle, if no plated weight is visible then a weight certificate from a registered Vehicle & Operator services Agency (VOSA) weigh bridge must be produced.
- 13.6 The Applicant must present as part of their application evidence of the full-service history of the vehicle.
- 13.7 Vehicles may be required to undergo a metal fatigue test or other additional tests at the discretion of this Council. The cost of such tests must be paid for by the operator/proprietor
- 13.8 The V5 logbook must list the vehicle body type as 'Limousine' and a seating capacity of up to eight hirers (plus the driver). If this information is not recorded on the V5 registration document the proprietor will be required to apply for an Individual Vehicle Approval (IVA) inspection at a suitable Vehicle & Operator Services Agency (VOSA) testing station, the vehicle should be entered as a left-hand drive limousine to carry eight hirers. The certificate must then be produced to the Driver & Vehicle Licensing Agency (DVLA) for registration. A copy of the IVA certificate must be retained and produced with all other documents at the point of application for a private hire stretched limousine licence

- 13.9 Because every limousine is bespoke, before a licence can be issued to a limousine, the vehicle will be required to undergo an inspection by an Authorised Officer of the Council. This is to ensure compliance with the requirements listed above and conditions attached to the grant of the private vehicle licence. This inspection is in addition to passing the Council test.
- 13.10 Due to the added weight and length of such vehicles, critical components wear at a greater rate than that of conventional vehicles. The proprietor of a vehicle licensed as a private hire stretched limousine will be required to maintain a detailed maintenance plan.
- 13.11 All Executive & Special Occasion Vehicles will be expected to comply with all standard private hire vehicle licensing requirements and conditions.
- 13.12 The vehicle will be licensed to carry no more than eight hirers with a minimum space of 400mm seating available for each hirer with doors closed and no other obstructions. Where the vehicle is fitted with an L shaped seating arrangement, space for one passenger will be discounted in the corner of the seats to allow sufficient legroom for occupants. All forward facing seats must be fitted with three point all age inertia reel, lap and diagonal seat belts. All other seatbelts fitted to any other seat by the converting company must be present and working correctly.
- 13.13 Vehicles with a partition between the driver and hirer compartment must only be fitted with a clear glass partition to enable full visibility into the rear of the vehicle. The glass should meet the relevant British/ European Standard or its American equivalent. Solid partitions will not be permitted.
- 13.14 Due to the design and use of such vehicles, they will be required to provide enhanced safety features, including additional fire extinguishers and 'Life' safety / break glass hammers.

Exemption from Display of Licence Plates (Discreet Plates)

- 13.15 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display a licence plate, and drivers wear a driver's badge. The same legislation also allows a Council to exempt the display of vehicle licence plates and, where that exemption applies, the requirement to wear a private hire driver's badge.
- 13.16 There has been a change in the market relating to private hire vehicles in recent years with limousines, executive cars and other special occasion vehicles becoming a more popular means of travel. This coupled with changes in the legislation has led to the trade wanting a more discreet plate for these types of vehicles, particularly if they are chauffeuring people where security issues exist, or aesthetics is important.
- 13.17 This however must be balanced against public safety when using licensed vehicles, so this policy has been developed to allow private hire vehicles that meet strict criteria to display discreet plates.
- 13.18 Applicants for exemptions from displaying licence plates would be expected to demonstrate the corporate/business nature of work being undertaken, for example requests from clients wishing to enter into contracts for private hire vehicles without markings. Consideration will also be given to the nature and length of contracts and

billing arrangements. Cash payment direct to the driver would not be acceptable as the norm, account or prepayment is expected. Applicants would also be required to demonstrate how they intend to advertise their private hire services. A clear distinction must be made between executive hire utilising 'discreet plated' vehicles and 'normal' private hire utilising vehicles exhibiting plates and signage in order to minimise confusion and protect public safety.

13.19 It is not intended that all private hire vehicles should be able to obtain exemptions from displaying licence plates. Only those meeting the criteria below will be considered.

13.20 An exemption from the display of licence plates will be considered where the following requirements are met:

- Vehicles accepted include luxury brands such as Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley and Lexus. The highest specification executive type cars from other manufacturers may also be considered. American style stretched vehicles and limousines will not normally qualify for discreet plates, as may other special occasion or novelty type vehicles.
- The maximum length of the 'stretch' shall not exceed 120"/3048mm.
- The vehicle must be in immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.
- The type of work undertaken is 'executive' in nature. This would mean that the vehicle is used specifically for clients that for security, commercial, aesthetic or similar reasons would not want the vehicle to be identifiable.
- Any vehicle with an exemption from displaying licence plates is not used for more routine private hire work at any time.

13.21 Owners of vehicles converted from a standard production model must retain the original documentation to confirm that the conversion was approved by the original manufacturer and that the conversion was undertaken by a converter/modifier under an approved Scheme. A copy of this must be submitted with the licence application and discreet plate application.

13.22 Licensed drivers of any licensed vehicle which has been granted an exemption from displaying the licence plates (note, the plate must be stored securely in the boot) will automatically be exempt from wearing their driver' licence badge. However, they always carry their badge on their person whilst driving the vehicle and must produce it on request by an authorised officer of the Council or a police officer.

Applications for Exemption from Displaying Licence Plates

13.23 Application for exemption from display of licence plates must be made in writing to the Council by a person holding a Private Hire Operator Licence issued by the authority. The application must set out:

- the grounds for applying for an exemption
- details of the business model

- the vehicle make, model, age and registration number
- a description of the current condition of the vehicle, with supporting photographs
- confirmation that the applicant will comply with the terms of this policy and the conditions set out in in Appendix IF.

13.24 Each case will be considered on its own merit by the Licensing Manager. The applicant may be asked to bring the vehicle to the Council offices for inspection prior to a decision being made.

13.25 The decision will be communicated in writing (where possible within fourteen days of an application being submitted). There is no automatic right of appeal against this decision. However, anyone aggrieved by a decision is at liberty to use the Council's complaints procedure.

13.26 Where a written exemption is confirmed, the applicant will be issued with a discreet plate which is required to be ~~displayed in the nearside front windscreen at all times~~always displayed in the nearside front windscreen.

14. Private Hire Operators and Vehicle Proprietors

14.1 The objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe.

14.2 It is important therefore that the Council is assured that those that are granted a private hire vehicle operator licence pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with hirers, they are still entrusted to ensure that the vehicles and drivers used to carry hirers are appropriately licensed and they are likely to be privy to significant amounts of personal information.

14.3 To enable consistent and informed decisions to be made, it is important to have a working test of fitness and propriety for Private Hire Operators and a suitable variation on the test for drivers can be used:

“Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?” *

* Button on Taxis – Licensing Law and Practice 4th Ed Bloomsbury Professional at para 12.35

14.4 Applications for private hire operator's licences must be made on the Council's official application form and in accordance with the stated timescales. A basic disclosure from the Disclosure and Barring Service (DBS) will be required. The application procedure for an Operator's Licence can be found on the Council's website.

14.5 A Private Hire Operator Licence may be applied for by a company or partnership. In this instance a basic disclosure from the DBS will be required for each director / partner.

- 14.6 Conditions which will be attached to all Operators licences are contained in Appendix F.
- 14.7 Applications and fees for these licences are for a five-year period only. The decision to issue an operator licence for less than five years shall only be determined by the Licensing ~~Panel Sub-Committee~~. The only exemption to this is those applicants whose right to remain in the UK is for less than the three-year period. The licence application if otherwise acceptable shall only be issued for no longer than the same period as the leave to remain. There will be no reduction in fee for a licence granted for a shorter term.
- 14.8 All operator applicants must satisfy the Council that they are a fit and proper person to hold a Private Hire Operator Licence. To grant the licence there must be no doubts as to the applicant's fitness or propriety. Any application that raises any relevant concern will be referred to the Licensing ~~Panel Sub-Committee~~ for determination.
- 14.9 Once the licence has been granted, the Operator must remain a fit and proper person throughout the duration of the licence. The fitness and propriety of the licensed Operator will be monitored and assessed throughout the licence period. Where licence holders have contravened any licence conditions, or any other complaints, criminal behaviour or other concerns are brought to the attention of the authority, or where their continued fitness and propriety is called into question the matter may be referred to the Licensing ~~Panel Sub-Committee~~ for consideration.
- Examples of matters that might warrant immediate suspension of a private hire operator licence include (but are not limited to):
- Concerns supported by a reasonable belief of an authorised officer, that an operators ongoing activity may pose a public safety risk (based on information, evidence or circumstances that has come to the attention of that officer) and where no other reasonable control measures are likely to mitigate that potential risk.
- 14.10 Any vehicle proprietors or person(s) applying for a private hire operator licence are required to provide a basic disclosure from the DBS to ensure they meet the 'fit and proper' threshold.
- 14.11 An operator licence may be applied for by a company or partnership. In this instance a basic disclosure from the DBS will be required for each director and secretary in respect of a limited company and each partner in a partnership. Further DBS disclosures will be required prior to any additional director or secretary being appointed.
- 14.12 If granted a licence, a basic disclosure from the DBS, as above, must be provided to the Council on an annual basis for each individual / director / secretary.
- 14.13 Any private hire operator or vehicle proprietor who is also licensed as a driver will not be required to provide a DBS basic disclosure as the required enhanced disclosure for drivers is sufficient.

15. Accessibility

- 15.1 The Licensing Authority recognises that disabled people are particularly reliant on taxi and private hire vehicle services. ~~This may be, either~~ because they may not have access to a private car, are unable to use public transport, or because the built environment is insufficiently accessible to meet their needs.
- 15.2 The Licensing Authority also recognises that disabled people may face barriers accessing taxi and private hire services. The Council is mindful of ~~and~~ the importance of ensuring that accessible, affordable, services are available to allow journeys to be taken easily and with confidence, and without additional cost. ~~The Government wants disabled people to be able to travel easily, confidently and without additional cost, and it is important that all transport services play their part in making this a reality.~~
- 15.3 The way in which people are disabled and the specific barriers they face may not always be obvious. The Licensing Authority and the providers of taxi and private hire vehicle services that it licences must therefore anticipate the needs of people whose access needs may be more apparent, such as wheelchair users and assistance dog owners, as well as those with less visible impairments, including people with autism or mental illness.
- 15.4 The Licensing Authority is uniquely placed to ensure that taxi and private hire vehicle services within its jurisdiction actively promote equality and independence for disabled people. By ensuring drivers and operators understand how to provide every customer with the assistance they need, the authority can ensure disabled people can travel with confidence that their needs will be met.
- 15.5 By acting to ensure there are sufficient wheelchair accessible vehicles to satisfy passenger demand, the Licensing Authority can ensure that wheelchair users need no longer structure their lives around the times and locations when vehicles accessible to them are likely to be available. And, by taking prompt and robust action to investigate and prosecute licence holders in response to evidenced cases of discrimination, the Licensing Authority can ensure that every operator and driver treats seriously their role in providing an inclusive service.
- 15.6 Supporting an accessible service is an integral aspect of the Licensing Authority's role, therefore, it is important that the Authority makes the provision of an inclusive service a core strategic aim, and that it considers the factors which can influence the extent to which such services meet the needs of all passengers.

Assistance for all passengers

- 15.7 Driver and operators have specific duties not to discriminate against disabled passengers, passengers in wheelchairs or passengers who are accompanied by assistance dogs - this is explained in more detail below. However, drivers and operators should be aware that they also have general duties not to discriminate against anybody on account of their protected characteristics and to provide proactively reasonable adjustments that permit disabled passengers specifically to access their services and to refrain from charging them extra for doing so. Although such duties are enforced by disabled people through the Civil Courts, the Licensing Authority has a role to play in creating an expectation that every potential passenger should be valued, regardless of any protected characteristic, and that any passenger requiring reasonable assistance is provided with it.

- 15.8 As a matter of course, drivers should help passengers to stow mobility aids, pushchairs, and luggage, to ensure that older, younger or disabled passengers leave the vehicle safely away from traffic, and support customers to use card readers or count their change.
- 15.9 Recognising that disabled people may experience communication barriers when booking private hire vehicles or pre-booking hackney carriage vehicles or completing journeys, the Council encourages Operators and Drivers to take time to understand the communication needs of individual passengers and ensure the following:
- That a range of booking methods are provided e.g. not exclusively by telephone or exclusively via a booking app, which may be inaccessible to visually impaired people and those with limited or no access to technology.
 - That operators identify a passenger's accessibility needs prior to taking a booking, to ensure an appropriate vehicle is provided.
- 15.10 Operators and Drivers should be aware that some passengers may have difficulty communicating with drivers, particularly when conducted through a screen separating the driver and passenger compartments, and that some passengers may not be able to read the taximeter in hackney carriage vehicles and therefore the fare should be explained to them.
- 15.11 Where alleged instances of discriminatory behaviour are notified to the Council, the Licensing Authority will take proactive steps to investigate allegations, interview passengers, and seek relevant evidence from operators and partner agencies.
- 15.12 Cases will be prosecuted where there is sufficient evidence to identify the driver and substantiate the claims made. Where a licence holder is convicted of such an offence, the licence will be dealt with in accordance with the convictions policy set out at Appendix A.
- 15.13 Where a complaint about discrimination is received that will not result in a conviction, the Licensing Authority will consider a range of outcomes and take appropriate action based on the balance of probabilities. Licensing sanctions will be considered, such as suspension or revocation. The Licensing Authority will consider the available evidence before any decision is made and the licence holder will be given the opportunity to state their case. This may mean no action is taken and the complaint recorded, a suspension until disability and equality awareness training/assessment is completed, or revocation of a licence and a refusal to issue another for an appropriate period.

Duty to carry assistance dogs

- 15.14 All licensed drivers are under a legal duty under Section 168 and Section 170 of the Equalities Act 2010 to carry assistance dogs in their vehicles without any additional charge to the hirer. Drivers may only refuse to carry assistance dogs where they have been granted a medical exemption certificate issued by the Council.
- 15.15 Drivers of non-designated and designated hackney carriage vehicles are asked to note that they are under a legal duty under Section 168 of the 2010 Act to:

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

15.16 For example, a driver must not add a surcharge to the vehicle's taximeter for carrying an assistance dog nor should the taximeter "be activated until both the passenger and the assistance dog are properly settled, and the vehicle is ready to depart."⁴

15.17 Drivers of non-designated and designated private hire vehicles are asked to note they are under a legal duty under Section 170 of the 2010 Act not to:

- Fail or refuse to carry out a booking accepted by the operator
 - If the booking is made by, or on behalf of, a disabled person
 - The reason for the failure or refusal is that the disabled person is accompanied by an assistance dog
- Make, or proposing to make, any additional charge for carrying an assistance dog.

15.18 When hackney carriage or private hire drivers are hired to carry an assistance dog, the owner of the dog should be asked where they would prefer their dog to be in the vehicle, and their request should be accommodated by the driver, where it is safe to do so.

15.19 Drivers may only refuse to carry assistance dogs where they have been granted a medical exemption certificate issued by the Council. Where an exemption is not in place, the legal duties under Section 168 and Section 170 must be complied with, and drivers should be aware that there is no legal defence not to do so.

15.20 A medical exemption will only be granted by the Council where the driver has provided detailed medical evidence at their own expense that shows a medical condition will be aggravated by exposure to dogs. If the application is successful, the driver will be issued with an exemption certificate and a notice of exemption. The notice must be displayed in the vehicle by fixing it in a prominent position facing outwards on the dashboard.

15.21 The Licensing Authority expects journeys to be undertaken in compliance with the duties set out in Sections 168 and 170 of the 2010 Act. The Licensing Authority will not hesitate to take such steps which may be appropriate to enforce non-compliance.

Duties on drivers of "non-designated" private hire and hackney carriage wheelchair accessible vehicles

15.22 All drivers of non-designated wheelchair accessible vehicles are under a legal duty under Section 164A of the Equalities Act 2010 to carry any disabled passenger, including wheelchair users.

Drivers must:

- carry the passenger
- carry their wheelchair (e.g. in the boot of the vehicle)

⁴ <https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2#duties-on-drivers--non-statutory-guidance>, section 14 (14.2)

- carry their mobility aids
- take reasonable steps to carry the passenger in safety and reasonable comfort
- provide reasonable mobility assistance; and
- not make, or propose to make, any charge for carrying out the above duties.

15.23 Drivers of non-designated private hire vehicles and drivers of pre-booked hackney carriage vehicles are under a legal duty under Section 165A of the 2010 Act to carry any disabled person, including wheelchair users and to do the following:

- To take such steps as are reasonable to assist the passenger to identify and find the vehicle which has been hired
- Not to make, or propose to make, any additional charge for complying with the above duty.

Duties on drivers of “designated” private hire and hackney carriage wheelchair accessible vehicles

15.24 All drivers of designated wheelchair accessible vehicles are under a legal duty under Section 164A of the Equalities Act 2010 to carry any disabled passenger, (apart from wheelchair users).

Drivers must:

- carry the passenger
- carry their mobility aids
- take reasonable steps to carry the passenger in safety and reasonable comfort
- provide reasonable mobility assistance; and
- not make, or propose to make, any charge for carrying out the above duties.

15.25 All drivers of designated wheelchair accessible vehicles are under a legal duty under Section 165 of the 2010 Act to do the following in respect of wheelchair users:

- To carry the passenger while in the wheelchair
- If the passenger chooses to sit in a passenger seat, to carry the wheelchair (e.g. in the boot of the vehicle)
- To carry their mobility aids
- To take reasonable steps to carry the passenger in safety and reasonable comfort
- To provide reasonable mobility assistance
- Not to make, or propose to make, any charge for carrying out the above duties.

15.26 Drivers of designated private hire vehicles and drivers of pre-booked hackney carriage vehicles are under a legal duty under Section 165A of the 2010 Act to carry any disabled person, including wheelchair users and to do the following:

- To take such steps as are reasonable to assist the passenger to identify

and find the vehicle which has been hired

- Not to make, or propose to make, any additional charge for complying with the above duty.

15.27 The Licensing Authority expects journeys to be undertaken in compliance with the duties set out in Sections 164A, 165 and 165A of the 2010 Act. If there are grounds as to why a journey could not be made, the Licensing Authority requires the driver to evidence why one or more of the defence tests set out in Section 164A, 165 or 165A of the 2010 Act applies. All refusals should therefore be recorded by the driver. The Licensing Authority will not hesitate to take such steps which may be appropriate to enforce non-compliance.

15.28 Mobility assistance may differ in each individual situation, and drivers are expected to communicate with passengers when providing assistance to help understand and then act on their individual needs. Drivers are expected to, as a minimum, provide assistance which could include, but may not be limited to:

- Opening the passenger door
- Folding manual wheelchairs and placing them in the luggage compartment
- Installing the boarding ramp
- Securing a mobility aid within the passenger compartment.
- Load and unload the passenger's luggage.

Depending on the weight of the wheelchair or mobility aid and the capability of the driver, reasonable mobility assistance would also include (but may not be limited to):

- pushing a wheelchair or light electric wheelchair up a ramp or stowing a light electric wheelchair in the luggage compartment.

15.29 Drivers should note however, that they should only touch a wheelchair or mobility aid or seek to provide physical assistance if the user gives permission for them to do so.

Duties on Private Hire Operators

15.30 Private Hire Operators should be aware that they commit an offence under Section 167A and Section 170 of the 2010 Act if they:

- Fail or refuse to accept a booking for the vehicle if:
 - the booking is made by, on or behalf of a disabled person (including wheelchair users)
- The reasons for the failure or refusal is:
 - that the person is disabled, or the person will be accompanied by an assistance dog
 - to prevent the driver from being made subject to a duty under sections 164A, 165, 165A or 170 of the 2010 Act.
 - Make, or propose to make, an additional charge for carrying out any duty on the driver under are under a legal duty under Section 164A, 165, 165A or 170 of the 2010 Act.

15.31 The Licensing Authority expects journeys to be undertaken in compliance with the duties set out in Sections 167A and 170 of the 2010 Act. If there are grounds as to why a journey could not be made, the Licensing Authority requires the operator to evidence why the defence test set out in Section 167A of the 2010 Act applies. All refusals should therefore be recorded by the operator. The Licensing Authority will not hesitate to take such steps which may be appropriate to enforce non-compliance. Operators should be aware there is no defence for offences under Section 170.

16. Fees & Charges

16.1 The Council reviews all fees and charges on an annual basis although it may review these at any time it feels necessary. All fees are calculated to ensure that the Council's costs are recovered and that the service is not being subsidised by the public. Licence fees include the cost of administering applications, and monitoring compliance of licences granted.

16.2 Applications for new or renewal of driver, vehicle, or operator licences, and in respect of replacement vehicles (and some other application types) incur a fee. Reference should be made to the Council's website which provides detail of all fees and charges relating to taxi and private hire licensing.

16.3 Driver, Vehicle and Operator fees are levied at the application stage and include costs in respect of activity required to process the application. ~~In and, in~~ some cases, the fee also includes costs for the maintenance of the licence for its natural duration (e.g. 1 year, 3 years or 5 years depending on the type of licence issued).

16.4 Should an Applicant withdraw their application once application processing work has been undertaken, or in cases where applications are not successful, a refund will not normally be offered because the Council must ensure it recovers its reasonable costs. A proportion of the fee may be refunded upon request in respect of the maintenance element. The cost to the Council for processing the refund will be deducted from the maintenance element of the fee and the remainder refunded to the Applicant.

16.5 All fees are published on the Council's website ~~at: www.northnorthants.gov.uk~~ [Link to North Northamptonshire Council's website](http://www.northnorthants.gov.uk)

17. Enforcement and Compliance

General

17.1 The Licensing Authority is aware that well-directed compliance and enforcement activity benefits not only the public but also responsible licence holders. The Council will utilise all legislative powers available to them to ensure the public are protected. North Northamptonshire Council has an Enforcement Policy in place that sets out our approach to enforcement. to ensure that any action is efficient, targeted, proportionate and transparent. The Enforcement Policy is available on the Council's website.

- 17.2 The Council liaises and work in partnership with other Council departments, the Police, officers of other local authorities and partner agencies to carry out its enforcement duties effectively. Where appropriate, the UK Border Agency, Department of Work and Pensions, HM Revenue and Customs, Driver and Vehicle Standards Agency and other Government Departments may assist with targeted enforcement campaigns.
- 17.3 The Council may use spot checks and “mystery shopping” to identify drivers and operators that are not complying with the requirements and standards the authority expects of its Licence Holders. It is recognised as being particularly useful in identifying those who discriminate against disabled passengers, particularly when evidencing ad hoc incidents can be difficult for the passengers concerned.
- 17.4 The Council will suspend the vehicle licence or refuse to issue a licence to any vehicle where the vehicle excise duty has not been paid, or any other prerequisite legal requirement has not been complied with.
- 17.5 The Council will not routinely suspend vehicle licences at the request of insurers, when vehicles are temporarily taken off the road for accident repairs, as suspension of any licence should only be used where there are public safety or other licensing concerns. In this situation, a temporary licence transfer can be applied for to transfer the licence to another vehicle temporarily. Temporary transfers will usually only be granted for one period of up to three months.

Delegated Authority

- 17.6 The Council’s Constitution sets out delegated responsibility and authority within the Council for the purposes of decision making and enforcement action. The Council’s constitution can be viewed on the Council’s website at:

<https://www.northnorthants.gov.uk/councillors-and-democracy/constitution> Link to North Northamptonshire Council' constitution web page

A copy of the Regulatory Services Scheme of Delegation can be provided on request. This document sets out delegations to individual officer level.

For the purposes of this policy, the Licensing Panel Sub-Committee has authority to make decisions relating to taxi licensing matters at the application stage and at review following complaints or enforcement action undertaken. An application or licence may be brought in front of the Licensing Panel Sub-Committee for determination should it be necessary, for example where previous criminal convictions have been disclosed. The Licensing Panel Sub-Committee is made up of three members from the Licensing and Appeals Committee.

- 17.7 The Licensing Panel Sub-Committee will treat each case on its own merits and will have due regard to this policy and its appendices when considering hackney carriage and private hire licensing matters. Information on appeals against a decision of the Licensing Panel Sub-Committee will be provided to the applicant/licence holder with the decision notice, within the prescribed period following a hearing.

North Northamptonshire Council NC Licensing Penalty Points Scheme

- 17.8 The Council operates a Penalty Points Scheme to help improve the standards,

safety, and protection of the travelling public. The Scheme focuses on improving levels of compliance and works in conjunction with other enforcement options available to the Council through the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, Council Byelaws (in respect of hackney carriages) and this Policy and Conditions made by the Council.

- 17.9 The Scheme provides a formalised stepped enforcement plan which is transparent about the range of breaches covered and the number of penalty points which are attributable to each breach. While all breaches of licence Conditions, Byelaws and licensing legislation are serious, there is a sliding scale of points with a larger number of points attached to those which are considered the most serious, or which put public safety at potential risk, over those which might be seen as an administrative breach.
- 17.10 Where breaches of the terms and conditions of any licence (drivers, vehicle, or operator) are determined by an Authorised Officer of the Council or the Licensing [Panel Sub-Committee of the Council](#), penalty points may be issued. Details of the Penalty Points Scheme can be found at Appendix G.
- 17.11 Penalty points are issued per incident and are cumulative. If one incident has resulted in several breaches of the licence conditions, the points issued may reach a trigger level that would require the licence to be referred to the Licensing [Panel Sub-Committee](#) for review. For clarity, an incident is considered as one point in time. It therefore stands that potentially a driver may be involved in more than one incident in any day, which could each result in points being issued.
- 17.12 Points incurred will remain on the licence holder's record for a fixed period. The usual duration of a driver and private hire vehicle operator licence is three and five years respectively. To ensure that all past behaviour is taken into account when considering whether to grant a new licence, the Council will require that points remain on the record from the date of the incident for 3 years for drivers and 5 years for private hire vehicle operators. The Licensing Authority will however consider whether a review is undertaken in situations where points are incurred within a shorter period; for example, a year as this may indicate rapidly deteriorating standards or unsatisfactory conduct.
- 17.13 Twelve points being issued within any rolling two-year period is the trigger level for a licence to be referred for review by the Licensing [Panel Sub-Committee](#). The [Licensing Panel Sub-Committee](#) will carry out a review of the conduct of the Licence Holder and consider whether further action is necessary to address any concerns. Such action might be undertaking additional training or a further driving test, not just a suspension or revocation
- 17.14 All authorised officers undertaking licensing work are permitted to issue penalty points under the Penalty Points Scheme.
- 17.15 The Council will periodically undertake interventions to assess the conditions of the hackney carriage and private hire vehicle fleets. These interventions will include the occasional inspection of stationary vehicles or moving vehicles during joint operations with the Police or DVSA. Any breaches of conditions found at these times will be awarded the appropriate number of penalty points, and if they exceed twelve points at any time, this will trigger the matter being referred to the Licensing [Panel Sub-Committee](#) for their consideration. Failure to allow such checks to be carried out will be considered as obstruction and acted upon accordingly.

Appeals Against North Northamptonshire Council NNC Licensing Penalty Points

17.16 Where North Northamptonshire Council NC Licensing penalty points have been issued an appeal can be submitted. Any appeal must be set out in writing to the Licensing Manager and submitted for consideration within twenty-one days of the penalty points being issued. The appeal will be considered by the Licensing Panel Sub-Committee, and their decision will be final.

17.17 It should be noted that where an appeal is submitted to the Licensing Panel Sub-Committee, the points may be reduced or removed, but they can also be increased. The Licensing Panel Sub-Committee may also consider further action might be appropriate in respect of the licence during an appeal.

18. Appeals

18.1 There is a statutory right of appeal to the Magistrates' Court in relation to the following matters:

- Refusal to grant a hackney carriage driver, private hire driver or joint driver licence.
- Any conditions attached to a private hire driver licence.
- Suspension, revocation, or refusal to renew a hackney carriage driver or private hire driver licence.
- Refusal to grant a private hire vehicle licence or against any conditions specified on the licence.
- Refusal to grant a private hire operator licence or against any conditions specified on the licence.
- Suspension, revocation, or refusal to renew a private hire operator licence.

18.2 Where an application to grant a hackney carriage vehicle licence is refused, an appeal may instead be made to the Crown Court.

18.3 An appeal (to the Magistrates' Court and the Crown Court) must be made within 21 days of the notification of the decision in writing.

19. Service Requests and Complaints

19.1 The Council has a discretion to investigate complaints made to them by members of the public or partner agencies. Any complaint received will be recorded and a decision will be made by the officer who is allocated the complaint, as to what level of investigation may be undertaken. This will take account of the seriousness of the complaint, the level of evidence available, witness credibility, driver compliance history, and other relevant information.

19.2 In determining the most appropriate course of action the Council will have regard to the evidence collated, the credibility of both the licence holder and the complainant, along with the driver's compliance history and any other relevant information.

19.3 If you wish Should a person wish to complain about the service provided by the Council, they have received from the Council they you can either submit an informal complaint to the officer dealing with the matter, or their line manager; or alternatively

you ~~they~~ may submit a formal complaint using the Council's complaints procedure.

20. Disclosure of Information

20.1 All information provided by Applicants or relating to Licence Holders will be treated in accordance with the Council's disclosure and retention policies under the Data Protection Act 2018, the General Data Protection Regulations and any other relevant legislation.

20.2 More information about how personal data is managed by the Council can be found on the Council's website, here: [Data protection and privacy | North Northamptonshire Council \(northnorthants.gov.uk\)Link to North Northamptonshire Council's Data Protection and Privacy Policies.](#)

Glossary of Terms

In these conditions:

'the 1976 Act'	means the Local Government (Miscellaneous Provisions) Act 1976 (as amended)
'the 1847 Act'	means the Town Police Clauses Act 1847
'the Council'	means North Northamptonshire Council.
'applicant'	means new applicants and applicants for renewal of existing licences.
'authorised Officer'	means a Licensing Officer authorised in writing by North Northamptonshire Council.
'conviction'	means any conviction, caution, formal warning, or reprimand
'North Northamptonshire'	The geographical area of North Northamptonshire is the 'district' for the purposes of private hire licensing. All private hire vehicle, driver and operator licences will relate to that area.
'hirer'	means any person who, from time to time, hires or books the vehicle.
'licence holder'	means the person(s) named in the licence.
'driver'	means the person(s) named in the licence
'operator'	means any person or company, or partnership licensed by the Council to operate private hire vehicles.
'vehicle'	means the vehicle named in the licence.

Acronyms

CCTV	Closed Circuit Television
DBS	Disclosure & Barring Service
DFT	Department for Transport
DPA	Data Protection Act 2018
DVLA	Driver and Vehicle Licensing Agency
DVSA	Driver and Vehicle Standards Agency
GDPR	UK General Data Protection Regulations 2018
GP	General Practitioner (Medical)
IOL	Institute of Licensing
MOT	Ministry of Transport annual motor vehicle inspection
NR3S	National Register of Refusals, Revocations and Suspensions

Appendices

Appendix A – Criminal Convictions and Suitability Policy Records and Suitability

Appendix B – Private Hire Driver and Dual Hackney Carriage/Private Hire Driver Licence Conditions

Appendix C – Private Hire Vehicle Conditions

Appendix D – Hackney Carriage Byelaws

Appendix E – Hackney Carriage Vehicle Conditions

Appendix F – Private Hire Operator Licence Conditions

Appendix G – NNC Licensing Penalty Points System scheme

Appendix H – National Register for Revocations, Refusals and Suspensions (NR3S) Taxi Database Policy

Appendix I – Exemptions from Displaying Licence Plates

Appendix J - CCTV in Hackney Carriage and Private Hire Vehicles

Appendix K - Executive & Special Occasion Vehicles and Discreet Plate Conditions