

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

**LICENSING POLICY
HACKNEY CARRIAGE AND PRIVATE HIRE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present a revised draft of the Hackney Carriage and Private Hire Licensing Policy and the Hackney Carriage and Private Hire Testing and Inspection Manual following a period of consultation with interested parties. A copy of the Policy is attached as Appendix A and the Testing and Inspection Manual is attached as Appendix B to this report.
- 1.2 That the Policy and the Testing and Inspection Manual be agreed and referred to Council for approval.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council has a duty to protect the public and is authorised to carry out the statutory function of issuing licences in relation to hackney carriage and private hire vehicles, drivers and operators.
- 2.2 The licences are issued in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- 2.3 There is no legal requirement for a policy, however it is considered good practice to have one. A policy has been in place since 2011 and was last reviewed in September 2012.
- 2.4 The review of the policy was deemed necessary due to changes to the Criminal Records Bureau, which is now known as the Disclosure and Baring Service. Through the consultation a number of changes have been made to the policy.

2.5 The consultation has been carried out over a number of months. Working groups have been held with representatives from the hackney carriage and private hire trade and two letters have been sent to every licensed driver. Copies of the notes from the working groups and consultation meetings are available at the meeting.

2.6 A copy of the Policy is attached to the report as Appendix A.

2.7 Table 1 shows the proposed changes to the policy following the consultation.

Page Number	Paragraph Number	Proposed Changes	Impact on the Policy
6	5(2)	Contacts	Change to contact number
9	8(1)	The Licensing Process and Delegation of Functions	Refers to the Points system and issue of section
12	15(1)	Application Process	New Private Hire Knowledge Test included to the policy
14	18	Disclosure and Barring (DBS) Check	Reflects the changes to the CRB/DBS process in the policy
15	18(3)	Criminal History	Clarifies that on the balance of probability complaints will be determined as though a person has been convicted of an offence
15	20	Knowledge Test	Adds the requirement for private hire drivers to sit a knowledge test
16	23	Identity	Person endorsing the photograph to have known the applicant for three years
18	27A	Complaints and non-conviction information	Determines how such information will be dealt with by the Council
19	32	Testing and Inspection of Vehicles	Test and Inspection standard has been updated
20	33A	Period of a Licence	Clarifies the length a licence will be issued for
20	34	European Emission Standards	Updates the standard to improve vehicle emissions
21	36A	Table of Fares in Rear or the Vehicle	Requires a Hackney Carriage to display a table of fares in the rear of a vehicle
22	37	Roof Signs	Requires a standard roof sign on Hackney Carriage Vehicles
22	38	Advertising and Displaying the Company Name	Allows for more advertising of the company on Hackney Carriage Vehicles
23	39B	Livery	Removed from the policy following consultation

24	43	External Plates	Allow plates to be adjacent to the number plate or on the bumper
25	46	Tinted Windows	Change to allow factory fitted tinted windows
26	52	Testing and Inspection of Vehicles	Test and Inspection standard has been updated
27	53A	Period of a Licence	Clarifies the length a licence will be issued for
27	54	Small Vehicles	Provides no restriction on the size of vehicle allowed as Private Hire
27	55	European Emission Standards	Updates the standard to improve vehicle emissions
29	61A	Executive Vehicles	Clarifies when an exemption from displaying a plate will be authorised
29	61B	Displaying Notices	Requires private hire vehicles to display notices in the rear of the vehicle
30	64	External Plates	Allow plates to be adjacent to the number plate or on the bumper
34	79	Penalty Points Scheme	Introduces a penalty point scheme
35	80	Complaints	Updates and clarifies how complaints will be dealt with
38	Appendix A	Guidance to Members of the Licensing (Miscellaneous) Sub-Committee	Page 40 refers to the points scheme; Page 43 clarifies minor traffic offences; Page 44/45 clarifies major road traffic offence; Page 46/47/48 identifies changes to the length of time applicants would be expected to be free of conviction; Page 48 clarifies situation where a person is barred from working with children etc; and changes the options available to the committee
56	Appendix D	Hackney Carriage Vehicle Licence Conditions	Page 61 refers to the revised Test and Inspection standard and changes to the tinted windows; Page 63 removes the old standard
71	Appendix E	Private Hire Vehicle Licence Conditions	Page 73 modifies the specification of vehicles that will be licensed; Page 75 refers to the revised Test and Inspection standard; Page 76 refers to tinted windows; Page 78 removes the old test and inspection standard

96	Appendix I	Penalty Point Scheme	Introduces the scheme and explains how it will be administered and taken into account
----	------------	----------------------	---------------------------------------------------------------------------------------

- 2.8 All of these changes have been discussed at length with representatives of the Hackney Carriage and Private Hire trade. All have been agreed with the exception of the Penalty Points Scheme. Agreement on this scheme has been agreed with the majority of the licensed trade albeit that one association have objected. A copy of the letter is attached as Appendix C.
- 2.9 The association who have objected to the penalty point scheme was created during the consultation process and has 110 licensed drivers. This is just 18% of the licensed trade. The other two associations who represent 24% of the trade have agreed to the scheme, as have Amvale who represent 29% of the drivers. It would appear that the objecting association have misunderstood the purpose of the penalty point scheme.
- 2.10 The points scheme has been introduced to provide a middle ground when dealing with drivers, proprietors and operators. In determining if a person is fit and proper or when reviewing a licence members would still determine the application as they do now, with the points providing a history of offending/breeches of legislation. The introduction of such a scheme would not fetter the Councils discretion and awarding of points would only be done so following an investigation or a hearing.
- 2.11 In addition to the Policy, the Hackney Carriage and Private Hire Testing and Inspection Manual has been developed and agreed. A copy of this document is attached as Appendix B to the report.

3. **OPTIONS FOR CONSIDERATION**

- 3.1 Option 1 – To reject the revised policy and testing standard.
- 3.2 Option 2 – To modify the revised policy and testing standard.
- 3.3 Option 3 – To approve the revised policy and testing standard.

4. **ANALYSIS OF OPTIONS**

- 4.1 Option 1 – Rejecting the policy and the testing standard would mean that the changes needed would not be implemented.
- 4.2 Option 2 – Members could determine to amend the policy and or the testing standard before approval. Such changes would not be subject to further consultation.

4.3 Option 3 – The policy and testing standard has been consulted on and the majority of the changes have been agreed.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 There are no financial, staffing, property or IT implications from this report.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory – There is no statutory requirement to have a Hackney Carriage and Private Hire Policy.

6.2 There are no environmental, diversity, Section 17 or Risk implications.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT

7.1 There are no issues raised from the integrated impact assessment.

8. OUTCOMES OF CONSULTATION

8.1 Consultation has been carried out throughout the process. Meetings have been held with trade organisations and notes of the meetings are attached to this report. In addition, letters have been sent to every licensed driver and operator. The comments from the trade have been incorporated in to the policy with the exception of the points scheme where all but one of the associations have agreed to the proposal.

9. RECOMMENDATIONS

9.1 That the draft policy be approved following the consultation.

9.2 That the policy be referred to a meeting of the Council to approve the delegation contained within the policy.

DIRECTOR OF PLACES

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6XQ
Author: Nick Bramhill
Date: 20 August 2014

Background Papers used in the preparation of this report: Consultation File



Licensing Policy

Hackney Carriage and Private Hire

DRAFT Revised: July 2014

Contents

Part	Subject		Page
	Introduction	-	4
1	Licensing Principles, Process and Delegation	-	7
2	Licensable Activities	-	11
3	Enforcement	-	33

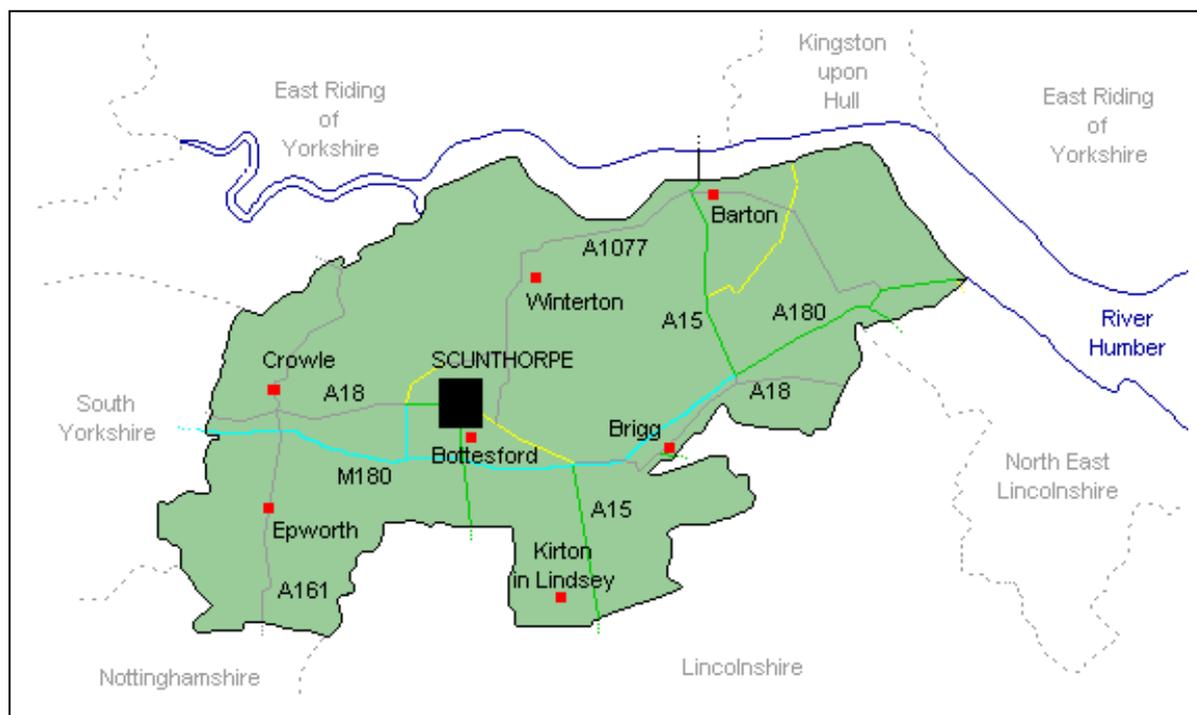
Appendix

A	Contacts
B	Guidance for Members of the Licensing (Miscellaneous) Sub-Committee
C	Private Hire Vehicle Drivers Licence Conditions
D	Hackney Carriage Vehicle Licence Conditions
D1	Hackney Carriage Vehicle Testing Standard
D2	Hackney Carriage Vehicle Testing arrangements
D3	Hackney Carriage Vehicle Mechanical Standard
E	Private Hire Vehicle Licence Conditions
E1	Private Hire Vehicle Testing Standard
E2	Private Hire Vehicle Testing Arrangements
E3	Private Hire Vehicle Mechanical Standard
F	Private Hire Operators Licence Conditions
G	Byelaws for Hackney Carriage Vehicles
H	Drivers Dress Code
I	Penalty Points Scheme

Introduction

1 The Area of North Lincolnshire

- (1) North Lincolnshire covers a mix of urban and rural areas. It includes the towns of Scunthorpe, Barton upon Humber and Brigg. There are also several other market towns, villages and rural areas. Its total area is 328 square miles.
- (2) The 2011 Census gave the population of North Lincolnshire as 167,400. Of these, 72,106 live in Scunthorpe and Bottesford. The other 80,743 people live in the rural areas, which include the towns of Barton upon Humber and Brigg.
- (3) Large concentrations of licensable activities are located in Scunthorpe town centre, in the areas of Doncaster Road, the High Street and Frodingham Road.
- (4) Below is a map of the area.



2 General Information

- (1) The primary legislation relating to Hackney Carriage and Private Hire Licensing is contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

- (2) The aim of this policy is to ensure the safety and welfare of the population who live and work in North Lincolnshire, while recognising the importance of the businesses to the local economy.
- (3) This policy will provide guidance to the licensing authority when considering licence applications for
 - Hackney Carriage and Private Hire Vehicle Drivers
 - Hackney Carriage Vehicles
 - Private Hire Vehicles
 - Private Hire Operators
 - Small Bus Permits

3 Consultation

- (1) In determining this Licensing Policy, North Lincolnshire Council has consulted the following persons/bodies:
 - Federation of Small Businesses
 - Disabled Access Groups
 - Training Providers (North Lindsey College & Hull College)
 - Scunthorpe Charter Trustees
 - Town & Parish Councils
 - Trade Associations
 - Licence Holders
 - Taxi Users
- (2) In addition, various other professional persons within North Lincolnshire Council have been consulted. These include:
 - Legal Services, including Democratic Services
 - Community Safety Partnership
 - Town Centre Manager
 - Highways
 - The Mayor's Office
 - Leader of Conservative Group
 - Leader of Labour Group
 - Chair of Licensing Committee
 - Cabinet Member for Environment
- (3) The views of all the appropriate bodies and organisations have been taken into consideration and weighted appropriately.

4 Review of the Licensing Policy

- (1) The Council will review this policy every three years. At the time of the review all interested parties will again be consulted. In addition to the

three yearly reviews, this policy will be subject to continuous evaluation and may be updated at anytime.

5 Contacts

- (1) The Licensing Division is currently part of Neighbourhood and Environmental Services. Our address is:

Licensing Division
Church Square House,
PO Box 42,
Scunthorpe,
North Lincolnshire,
DN15 6XQ.

Email: licensing@northlincs.gov.uk

- (2) To ask about any licensing issue, first contact the Licensing Division on (01724) ~~297592~~-297750. We have attached a list of useful contacts in Appendix A.

Part 1 – Licensing Principles, Process and Delegation

Introduction

The council has adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 as amended. Together with the provisions contained in the Town Police Clauses Act 1847, the Council carries out the licensing of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators.

This part of the policy will focus on the principles the Council will follow when dealing with licence applications, reviewing conditions, setting fees and setting the table of fares. It explains the roles and duties of the Licensing Committee and officers.

Licensing Principles, Process and Delegation

6 Licensing Principles

- (1) The Licensing Authority aims to provide a clear consistent service to the service user. We will look to balance the needs of the applicant against the need to protect the safety of the public.
- (2) All licence applications will be considered and determined on their own merits.

7 Licensing Committee & Sub Committee

- (1) North Lincolnshire's Licensing Committee is made up of 15 members of the council. The Licensing Committee will deal with policy issues, conditions, fees and fares. The Licensing (Miscellaneous) Sub-Committee is made up of 5 members who will determine applications for and review licences.
- (2) The public must be able to see that the Licensing Committee and Licensing Sub-Committee act in a fair and reasonable manner at all times. Therefore, all members of the Licensing Committee must attend in-house training before they can sit on the Licensing Committee or Sub-Committee. Significant contact with members of the Licensing Committee prior to a hearing by an applicant may result in the said member being unable to determine an application.
- (3) Members of the Licensing Committee should not hear an application or make a decision on an application where an applicant is known to them. This measure is in the interests of reducing a conflict of interest.
- (4) Members will determine applications for a licence in accordance with the Guidance to members of the Licensing (Miscellaneous) Sub-Committee in respect of previous convictions relating to applications for hackney carriage & private hire vehicle drivers' licences. This guidance is based on the Department of Transport Circular 2/92 and the Home Office Circular 13/92. A copy of the guidance is attached to this policy as Appendix B.

8 The Licensing Process & Delegation of Functions

- (1) The Council will delegate its licensing function to either the Licensing Committee, Licensing Sub-Committee or to an authorised officer of the council. Delegation will be as follows:

Matter to be dealt with	Full Committee	Sub-Committee	Officers
Determine Licence Fees	All cases		
Determine Table of Fares	All cases		
Determine objections to fees or table of fares			Licensing Manager in consultation with the Chair of the Licensing Committee
Determination of application for a Hackney Carriage/Private Hire Vehicle Drivers Licence		All cases where there is doubt that the applicant is a fit & proper person	If no offences are revealed on the CRB check or endorsements on the licence
Revoke a Hackney Carriage/Private Hire Vehicle Drivers Licence following a complaint, conviction, endorsement, etc		All Cases	
Suspend a Hackney Carriage/Private Hire Vehicle Drivers Licence		All other cases	Licensing Manager/ Licensing and Mediation Officer in consultation with Chair of the Licensing Committee if there is an urgent need in order to protect the public
Suspend a Hackney Carriage or Private Hire Vehicle			All cases
Revoke a Hackney Carriage or Private Hire Vehicle licence		All cases	
Refuse a Hackney Carriage or Private Hire Vehicle licence		All other cases	Licensing Manager/Principal Licensing and Mediation Officer where the vehicle fails to meet the councils standard for licensing
Suspend/Refuse or Revoke an operator's licence		All cases	
Setting Local Knowledge Test and Study Guide			Licensing Manager
Determination of Advertising		Appeal against Licensing Managers decision	Licensing Manager to determine
Attach Points to Hackney Carriage and Private Hire Drivers, Operators and Vehicle Licences		In accordance with Schedule 1 of Appendix I	In accordance with Schedule 1 of Appendix I
Appeal Points attached to a licence by the Licensing Manager/Licensing and Mediation Officer		All cases	
Issue a section 58 notice			All cases
Amending the Hackney Carriage and Private Hire Test and Inspection Manual			Licensing Manager in consultation with the Councils MoT Testing Station Manager

- (2) Where an application is referred to the Licensing Sub-Committee, it will be determined on its own merits. Members of the Committee will take into consideration the information contained in the report, and hear the representations of the Applicant.

9 Decisions

- (1) Following the determination of an application by the Licensing Sub-Committee the applicant will receive a copy of the decision in writing. This written decision will be delivered as soon as possible after the decision has been made, or in any case within 7 days of the hearing. This will include information on the right of appeal where appropriate.

10 Appeals

- (1) Parties aggrieved by a decision of the Licensing Authority have a right of appeal. This should be lodged with the Magistrates Court within 21 days of the notification of a decision.

11 Working in Partnership

- (1) The Council aim to work in partnership when dealing with Hackney Carriage and Private Hire Licensing issues. Such partnerships will include Humberside Police, Safer Neighbourhoods, Training Providers and the licence holders.

12 Licensing Forum

- (1) A Licensing Forum will be held with representatives from the Hackney Carriage and Private Hire Trade every three months. This meeting will normally be chaired by the chairperson of the Council's Licensing Committee. Representatives will be invited from other organisations to assist in the consultation process.

Part 2 – Licensable Activities

Introduction

This part of the Policy will focus on the licensable activities and the necessary steps required to obtain and hold such a licence. These steps will include the standards required and the conditions that applicants and licence holders will be required to attain. The scope of this policy covers Hackney Carriage and Private Hire Drivers, Vehicles and Operators.

Hackney Carriage and Private Hire Vehicle Drivers

13 Summary

- (1) Any person who drives a Hackney Carriage Vehicle must hold the appropriate vehicle drivers licence. Hackney Carriage Vehicle drivers licences are issued in accordance with section 46 of the Town Police Clauses Act 1847.
- (2) Any person who drives a Private Hire Vehicle must hold the appropriate vehicle drivers licence. Private Hire Vehicle drivers licences are issued in accordance with section 51 of the Local Government (Miscellaneous Provisions) Act 1976.
- (3) A person can apply for a licence to drive either a Hackney Carriage or Private Hire Vehicle or they can apply for both types of licence.

14 Fit and Proper Person

- (1) Licensed drivers will be required to convey vulnerable adults and/or children in their vehicles. The Council will not licence anyone to drive a Hackney Carriage or Private Hire vehicle unless it is satisfied that they are a “fit and proper” person. In considering the fit and proper test, applicants will be required to satisfy the application process outlined below.

15 Application Process

- (1) Licences are issued on an annual basis (subject to the provisions contained in paragraph 16) and all applicants are required to undertake and produce the following:
 - Application form
 - Enhanced ~~Criminal Records Bureau~~ Disclosure and Barring Service (CRB DBS) Check
 - ISA Registration (subject to statutory requirements)
 - Local Knowledge Test ~~(Hackney Carriage Drivers only)~~
 - Driver Standards Agency (DSA) Taxi Driver Test in certain circumstances
 - One passport size colour photograph required on renewal at the same time as the CRB check.
 - Medical Certificate obtained from the applicants own GP or in consultation with their medical history.
 - DVLA Licence or other appropriate licence (if paper and photo card bring both) and must have held a full licence for not less than 12 months
 - Licence Fee

- (2) An application for a Hackney Carriage or Private Hire Vehicle Driver's Licence can be made online. Where such an application is made, the applicant will still need to meet the criteria detailed in **paragraph 15(1)**.
- (3) Where a person holds a hackney carriage or private hire vehicle drivers licence, they can apply to renew the licence prior to the expiry date. Such applications are subject to the provisions contained within **paragraphs 18 and 25** of this policy. Should the licence expire, then the applicant will be required fulfil the criteria set out in **paragraph 15** of this policy unless an application is made within ten working days of the said expiry date of the licence. Applicants where the licence has expired must not drive a licensed vehicle until such time that they hold a valid licence.
- (4) Further to the provisions detailed in **paragraph 15(3)**, the Licensing Manager may remit some or all of the criteria set out in paragraph 15(1) where exceptional circumstances have resulted in the application being received after the ten working days, albeit that he must be satisfied that the applicant is a "fit and proper" person.

16 Period of Licence

- (1) Hackney Carriage and Private Hire Vehicle Drivers Licences are issued for a period up to three years.
- (2) Subject to an appearance before the Licensing (Miscellaneous) Sub-Committee, a licence may be issued for a period lesser than the three years where the committee consider it reasonable.

17 Application Form

- (1) The application form must be completed. If any part of the application form is not complete, the applicant will be required to provide all the required information before the application can proceed.
- (2) The application form, medical certificate and photographs should be submitted at the same time, along with the applicant's original DVLA or other appropriate driving licence. If any of these items are missing, the application may be delayed. A DBS check will be requested on receipt of the application form.
- (3) Guidance on the application process is provided for applicants. Although this guidance is available in languages other than English, it is essential that applicants are able to converse in English.
- (4) Where an applicant is found to have provided false information or knowingly omitted to declare information, the application shall be referred to the Licensing (Miscellaneous) Sub-committee, who will determine the application.

18 Disclosure and Barring (DBS) Check

- (1) All persons applying to drive a Hackney Carriage or Private Hire Vehicle will be required to have a DBS check on initial application and every three years thereafter. Further checks may be carried out if we have reason to think that a person has been convicted of an offence since they were last licensed.
- (2) On return of the DBS check where convictions have been disclosed, an assessment panel will be held. This panel will consider the conviction(s) and should it be deemed relevant, then the application will be referred to the Licensing (Miscellaneous) Sub-Committee for consideration.
- (3) All new applicants for a licence will be required to have an interview when the DBS form is completed. During the interview, documentation will be checked to prove the identity of the applicant and checks will be made at this time to ensure that the documents provided are authentic.
- (4) Persons who have been resident outside the United Kingdom will be required to produce a certificate of good conduct or equivalent document issued by the relevant Embassy or High Commission. The Council may contact the relevant Embassy or appropriate body to verify any documents provided.
- (5) Where an applicant is barred from working with either vulnerable adults or children, then they will be referred to the Licensing (Miscellaneous) Sub-Committee. The Committee will determine if the person is “fit and proper” in the case of new applicants’ or will consider matters under “any other reasonable cause” for renewals. Such determinations shall be made in accordance with the Guidance for Members at Appendix B of this policy.

19 Criminal History

- (1) Due to the nature of the occupation, Hackney Carriage and Private Hire Vehicle Drivers are an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974. As a result, convictions are deemed never to be spent. When considering convictions and endorsements, the council will only take into consideration such convictions that are deemed to be relevant.
- (2) A criminal record does not automatically bar an applicant from holding a Hackney Carriage or Private Hire Vehicle Drivers Licence. The Council has adopted guidance for members relating to a person’s criminal history. This guidance is based on the guidance issued by the Department for Transport Circular 2/92 and the Home Office Circular 13/92, and has been adapted to address local issues. This guidance is at Appendix B to this policy.

- (3) Where non-conviction information is provided on a DBS certificate, it will be considered to determine if it is relevant for the purpose of determining if a person is “fit and proper”. Should the information provided be deemed relevant, then it will be considered in accordance with Schedule 1 to Appendix I as if the date of complaint were the date of conviction. Each case shall be determined on its own merits.

20 Knowledge Test

- (1) Applicants for a licence to drive a Hackney Carriage and Private Hire Vehicle will be required to sit a knowledge test. The test will ~~be in three parts~~ covering local routes, legislation and road craft. Each applicant will be provided with a study guide. The questions in the knowledge test will be derived from the guide. ~~There are four parts to the Knowledge Test, which are:~~
 - Part A (Local Routes);
 - Part B (Hackney Carriage Legislation);
 - Part C (Road Craft); and
 - Part D (Private Hire Legislation).
- (2) Applicants for a Hackney Carriage Vehicle Drivers Licence will be required to sit and pass Parts A, B and C, and attain an 80% pass in Part A; ~~100~~ 90% in part B; and 80% in part C. Where an applicant passes either part A, B or C, they will not be expected to re-take that part again should they fail another part of the test.
- (3) Applicants for a Private Hire Vehicle Drivers Licence will be required to sit and pass Parts C and D, and attain an 80% pass in Part C; and 90% in part D. Where an applicant passes either part C or D, they will not be expected to re-take that part again should they fail the other part of the test.
- (4) Parts A and C shall consist of 20 questions while parts B and D shall consist of 10 questions. Applicants wishing to apply for both types of licence shall be required to complete all parts of the knowledge test.
- (5) Private Hire Operators may be authorised by the Licensing Authority to conduct Parts C and D of the knowledge test on behalf of the Licensing Authority. Where an operator is so approved, they shall conduct the knowledge test on set days at pre-arranged times. Officers from the Licensing Authority shall audit the tests to ensure that they are conducted appropriately.
- (6) Normal examination conditions will apply during the knowledge test. Any person found to be using unfair means during the test will be excluded from the said test and will be required to take a fresh test and pay the appropriate fee.

21 Qualifications

- (1) The Council recognises and supports training and qualifications for licensed Hackney Carriage and Private Hire Vehicle Drivers. It is considered important for licensed drivers to hold the BTEC in Transporting Passengers by Taxi or Private Hire Vehicle and the NVQ in Road Passenger Vehicle Driving, however the Council will not insist that drivers hold qualifications in order to obtain a licence.

22 Driver Standards Agency (DSA) Taxi Driver Test

- (1) Statistically young and new drivers are more likely to be involved in accidents than experienced drivers. The minimum requirement for a person to hold a Hackney Carriage or a Private Hire Vehicle Drivers Licence is that they must have held a DVLA, or other appropriate driving licence for at least 12 months.
- (2) Where a new applicant for a Hackney Carriage or Private Hire Vehicle Drivers Licence has six or more points on their DVLA driving licence, or has been banned from driving in the last three years for totting up, or five years for serious road traffic offences (as defined in this policy), that applicant will be required to undertake the DSA Taxi Driver Test before a licence will be issued.
- (3) Where a licensed Hackney Carriage or Private Hire Vehicle Driver is convicted of a driving offence, has been issued with a fixed penalty or, in the opinion of a police constable or authorised officer, has driven or parked in a dangerous manner, the persons licence may be reviewed by the Licensing (Miscellaneous) Sub-Committee, who may require the said person to undertake and pass a DSA driving test within a set time, as specified by the Committee. The Licensing (Miscellaneous) Sub-Committee may determine that the licence is suspended until such a test has been taken and passed.

23 Identity

- (1) An applicant for a Hackney Carriage or Private Hire Vehicle Drivers licence must provide one passport photograph. One of these photographs shall be endorsed by a person of professional standing to the effect that the photograph is a true likeness to the applicant. This should be dated and signed. **The person of professional standing must have known the applicant for at least three years.**
- (2) The person of professional standing shall not include a relative of the applicant or a prospective employer.
- (3) Photographs other than standard passport photographs will not be accepted.

- (4) The applicant should not wear headwear (other than for religious purposes), dark glasses or other items, which cover the head or face.

24 Medical Requirements

- (1) All applicants for a Hackney Carriage or Private Hire Vehicle Drivers Licence are required to undertake a medical examination. This medical examination should be carried out by the applicant's registered General Practitioner (GP) or in consultation with the applicant's medical history.
- (2) Medical certificates shall be produced on application and then every five years up to the age of 65, and yearly for persons over 65 years of age. Where a person suffers from a medical disorder, then the period between medicals may differ.
- (3) Should an authorised officer have reason to believe that a licensed Hackney Carriage or Private Hire Vehicle Driver has a medical condition which renders them unfit to drive, a further medical examination will be requested. This medical examination should again be carried out by the driver's GP. If it is deemed necessary to do so, the licence may be suspended in the interests of protecting the public until the further medical examination has been carried out.

25 DVLA and Other Relevant Driving Licences

- (1) A person applying for a Hackney Carriage or Private Hire Vehicle Drivers licence must have held a DVLA or other relevant driving licence for at least 12 months. In addition to this requirement, a DSA test will be required for certain drivers in accordance with **paragraph 23**.
- (2) Applicants will be required to produce the original of their DVLA driving licence. Copies will not be accepted. Where a Licence has an ID card and counter-part paper licence, applicants will be required to produce both parts.

26 English Speaking

- (1) Applicants for Hackney Carriage and Private Hire Vehicle Drivers licenses must be able to converse in English. Drivers may potentially be carrying vulnerable adults and children and it is important that language should not be a barrier to communication.

27 Dress Code

- (1) Drivers of Hackney Carriage and Private Hire Vehicles should dress in an appropriate manner. Clothing and footwear should be appropriate for a professional driver and shall be clean and free from damage. North Lincolnshire Council's Dress Code for Licensed Hackney Carriage and Private Hire Drivers is attached as **Appendix H**.

27A Complaints and Non-conviction Information

- (1) Where information is received that a licensed driver has been convicted of a relevant offence or where information is received either by way of complaint or non-conviction information is disclosed by another party, then the information will be considered to determine if it is relevant.
- (2) If the information has been determined as relevant then the appropriate action will be taken. Such action could result in a referral to the Licensing (Miscellaneous) Sub-Committee for a review of the licence or a suspension with immediate effect if it is in the public's interest to do so. Such action shall be in accordance with the table at paragraph 8 of this policy.
- (3) When considering complaints and non-conviction information under any other reasonable cause, each case shall be considered in accordance with Schedule 1 to Appendix I as if the date of complaint were the date of conviction. Each case shall be determined on its own merits.

28 Licence Conditions

- (1) Private Hire Vehicle Drivers licenses can have conditions attached to them in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
- (2) A copy of the Private Hire Vehicle Drivers Licence conditions is appended to this policy as **Appendix C**.
- (4) The Private Hire Vehicle Drivers licence conditions will be reviewed with this policy on a three yearly basis, thus ensuring that they are reasonable and fit for purpose.
- (4) Conditions cannot be attached to Hackney Carriage Vehicle Drivers Licences.

Hackney Carriage Vehicles

29 Summary

- (1) Hackney Carriage or Public Hire Vehicles are licensed in accordance with the provisions contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.
- (2) Commonly known as Taxis, Hackney Carriages can be hailed in the street and may ply for hire on an appointed stand.

30 Use of Vehicles

- (1) A person applying for a licence for a Hackney Carriage Vehicle should do so with the intention of using the vehicle in the controlled district of North Lincolnshire. Where the intention is to use a licensed vehicle in another district for private hire, then the applicant should apply to the said district for an appropriate licence.

31 Application Process

- (1) In addition to completing an application form, a person wishing to license a hackney carriage vehicle will need to submit a valid certificate of insurance for public hire, a bill of sale to prove that they are the owner of the vehicle, the registration certificate (V5) and the licence fee. All documents shall be provided before the vehicle is tested and inspected.

32 Testing and Inspection of Vehicles

- (1) Vehicles will be tested at the council's MoT test station. On satisfactory completion of the test, a Certificate of Compliance will be issued. The test includes a number of items in addition to the normal MoT test, ~~which can be found in the Hackney Carriage and Private Hire Vehicle Testing and Inspection Manual. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. A copy of the testing criteria is appended to this policy at~~ **Appendices D1 to D3**. The fee for the test will be paid directly to the garage and will not form part of the licence fee.
- (2) The Certificate of Compliance once issued is only valid in conjunction with a valid Hackney Carriage Vehicle Licence.
- (3) Once the vehicle has passed the test, it will be inspected by a Licensing Officer to ensure compliance with the licence conditions and visual standards. ~~The inspection will be conducted in accordance with the Hackney Carriage and Private Hire Testing Manual (Part III).~~

- (4) Where a vehicle is presented and fails the inspection, a fee may be charged for a re-inspection, save where the defect is minor.
- (5) Vehicles will be tested and inspected in accordance with **paragraph 34 of this policy**.

33 Standard of Vehicles to be Licensed

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. To ensure that vehicles within the controlled district of North Lincolnshire meet these criteria, the Council has specified that vehicles will be tested and inspected in accordance with the following Table.

Age of Vehicle	Test and Inspection Requirements
Under 5 years of Age	Annually
Between 5 years and under 8 years of age	Tested twice per annum (6 monthly intervals)
Over 8 years of age	Tested three time per annum (4 monthly intervals)

33A Period of Licence

- (1) A Hackney Carriage Vehicle Licences will be issued for a period less than 12 months depending on the individual circumstances relating to the vehicle. Such circumstances will be dependent on the age of the vehicle.

34 European Emission Standards

- (1) In addition to the age requirements detailed in paragraph 33, it is considered reasonable for licensed hackney carriage vehicles to meet European Emission Standards.
- (2) All new applicants for a Hackney Carriage Vehicle Licence will need to ensure that the vehicle they wish to licence complies with the **Euro IV 5a (Petrol) or 5a (Diesel)** standard. For proprietors wishing to change their Hackney Carriage Vehicle, the replacement vehicle should comply with **Euro 4** standards and all currently licensed vehicles must meet **Euro IV 4** standard at the time the next test/inspection after 31 December 2015. From 31 December 2018 all vehicles will be required to meet the **Euro 5** standard at the next test/inspection.
- (3) Technical details of the Euro emissions standards are available on request or are available at www.carfueldata.direct.gov.uk.

35 Licensing of Vehicles Over Eight Years of Age

- (1) The Council would not normally licence new vehicles that are over eight years of age as a Hackney Carriage. However, where a vehicle over eight years of age is presented for licensing, it will be considered if it is deemed to be in an exceptional condition.
- (2) In defining the exceptional standard for vehicles over eight years of age, the following criteria will be applied:
 - a) the vehicle shall pass North Lincolnshire Council's test and inspection for the certificate of compliance at the first attempt and not on re-test, and;
 - b) the vehicle must be free from body work blemishes; and
 - c) all interior and exterior accessories must be in full working order.
- (4) Where a vehicle has failed North Lincolnshire Council's test and inspection for the Certificate of Compliance at the first attempt for a non-mechanical reason, it may still be considered for licensing providing the vehicle meets criteria b) and c).
- (5) As Hackney Carriage Vehicles are carrying members of the public for hire and reward, we have a duty to ensure that they are fit, safe, comfortable and suitable for use.

36 Meters & Table of Fares

- (1) Hackney Carriage vehicles shall be fitted with a meter and display a table of fares. Such meters shall be used at all times when the vehicle is hired by a passenger.
- (2) In order to reduce the risk of overcharging, all licensed Hackney Carriage Vehicles shall be fitted and operated with a calendar-controlled meter. ~~New vehicles shall comply with this requirement and existing licensed vehicles shall comply by 1 January 2012.~~

369A Table of Fares in the Rear of the Vehicle

- (1) ~~All hackney carriage vehicles shall advertising showing to the rear of both the drivers and front passengers seat headrest. The headrest to the rear of the driver shall show the table of fares and the headrest of the front passengers seat shall show any~~ display a copy of the table of fares on the rear near side passenger window which shall include any notice required by the licensing authority.

37 Roof Signs

- (1) All Hackney Carriage Vehicles shall be fitted with a roof sign. The roof sign shall display the wording "TAXI" or "For Hire" on the front of the sign, the company name or both. The rear of the sign can be used to display the company name or landline telephone number of the business, or the wording "TAXI" or "For Hire". Roof signs shall not be blank. Where a roof sign does not display the wording "TAXI" or "For Hire", then a screen sign shall be displayed on the near side of the front windscreen.
- (2) Roof signs shall show either white or yellow from the front and either Red or Yellow to the rear when illuminated and the sign shall be displayed with the front of the sign facing the front of the vehicle
- (3) Roof signs shall be a maximum of 20 inches in length and 5 inches in height. **From 1 April 2015 all roof signs shall be a standard size of 457mm wide, by 152mm deep and 112mm in height.**
- (4) The roof sign shall display the licence number of the vehicle on each end in **typed** figures no smaller than one inch in height.
- (5) **Proprietors must ensure that all information on the Roof Sign is correct and complete, including all wording and telephone numbers.**

38 Advertising **and Displaying the Company Name**

- (1) Proprietors may advertise on Hackney Carriage Vehicles subject to approval from the Licensing Authority. Approval should be sought in writing. The Council will not normally reject an application unless it is deemed to be indecent, offensive or illegal.
- (2) Proprietors will be able to advertise on both saloon type vehicles and purpose built vehicles. It will be permissible to advertise on all panels of a saloon type vehicle, save the two front doors of the vehicle. Purpose-built vehicles will be permitted to have all over advertising. Proprietors will be able to advertise a maximum of two businesses on their vehicles.
- (3) Advertising inside the vehicle is permitted providing it does not distract or obscure the view of the driver.
- (4) **Proprietors shall be permitted to advertise their business on the vehicle providing that such advertising has been approved by the Council.**

39 Vehicle Identification

- (1) All Hackney Carriage Vehicles will be required to display a rear licence plate, door panel, internal signs and roof sign. The rear licence plate shall be displayed in accordance with **paragraph 44** of this policy, the

door panel in accordance with **paragraph 45** and the internal signs in accordance with **paragraph 46**.

~~39B Livery~~

~~(1) All hackney carriage vehicles shall be black and shall display a fluorescent strip down each side at the bottom of each side of the vehicle which shall include the word "TAXI", so as to be clearly visible.~~

40 Closed Circuit Television (CCTV)

- (1) Hackney Carriage Vehicles may be fitted with Closed Circuit Television (CCTV) systems. Where such a system is fitted, the vehicle must display a sign/signs ensuring passengers are aware that CCTV is installed and in use and the proprietor shall notify the council that CCTV is in operation.
- (2) The CCTV system shall be installed by a registered installer and shall be maintained to the manufacturer's standards.
- (3) Where CCTV is installed, there is an expectation that it will be in working order when passengers are being carried. Recordings from such a system must be encrypted and not accessible to the proprietor or driver.
- (4) The CCTV recordings must be available for inspection by a Police Officer or an Authorised Officer of the Council for a period of up to 28 days.
- (5) It is the proprietor's responsibility to ensure that images from the system are held in a secure manner.
- (6) Any misuse of CCTV or recorded images may result in immediate suspension and referral to the Licensing (Miscellaneous) Sub-Committee for the appropriate action.

41 Ranks

- (1) Hackney Carriage Ranks/Stands are provided in accordance with the Local Government (Miscellaneous Provisions) Act 1976. The Council will work with the Taxi trade, Highways and Humberside Police to determine where ranks/stands should be situated.
- (2) Drivers should use the ranks available to them. Where a driver is standing plying for hire and is illegally parked if, in the opinion of an authorised officer of the council or police constable, the driver is plying for hire in a dangerous location the said driver's licence may be reviewed and such conduct may be deemed reasonable cause to revoke or suspend the licence under section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

42 Disabled Access

- (1) In order to afford public transport for all and in accordance with the requirements of the Equalities Act 2010 and other relevant legislation, all newly licensed Hackney Carriage Vehicles shall be adapted to carry a passenger in a wheelchair. Proprietors wishing to licence such vehicles will be required to produce a certificate stating that the vehicle complies with all current legislation relating to carrying of disabled passengers.
- (2) Vehicles already licensed as Hackney Carriage shall be allowed to continue being used as Hackney Carriage Vehicles for as long as a valid licence is in place. If a Hackney Carriage Vehicle Licence is allowed to lapse for a period of 28 days, then it will need to be replaced in accordance with the requirements of **paragraph 42(1)**. If there are exceptional circumstances as to why a licence has not been renewed within this period, then the Licensing Manager may extend the said 28 day period.
- (3) Proprietors replacing a saloon type vehicle will be able to replace it with a similar type of vehicle subject to the provisions in **paragraph 43(2)**. Vehicles licensed as wheelchair accessible vehicles can only be replaced like for like.
- (4) Drivers of vehicles adapted to carry disabled passengers should be trained in the use of equipment necessary to convey the passenger safely.
- (5) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements.

43 External Plates

- (1) The external licence plate shall be fixed securely, but not tied to the vehicle adjacent to the vehicle's registration plate; to the centre of the rear bumper; ~~or to offside of the rear bumper~~. Plates shall be kept clean and legible at all times.

44 Door Panels

- (1) A door panel as stipulated by North Lincolnshire Council shall be displayed on both the drivers and front passenger side doors. Such signs shall be secured directly onto the vehicle and shall not be mounted on magnets. No other signs may be displayed on the said doors other than the company name and telephone number. The telephone number shall be a landline number and not a mobile telephone number.

45 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle: just above the tax disc in saloon type vehicles, and on the partition for purpose built vehicles where a partition is fitted.

46 Tinted Windows

- (1) No Hackney Carriage vehicle shall be fitted with dark or tinted windows ~~(other than factory fitted windows when the vehicle was manufactured) of such a degree that~~ The drivers ~~or~~ and front passengers ~~windows are not visible from outside the vehicle.~~ Any tint applied shall allow at least 70% of light through or 75% in the case of the windscreen. ~~Film used to tint windows shall not be permitted.~~

47 Mobile Telephones

- (1) It is an offence to use a hand held mobile telephone whilst driving. Drivers wishing to take a call on their mobile phone shall ensure that they are parked safely and that the engine is switched off.

48 Smoking

- (1) It is an offence for the driver to smoke or to allow persons to smoke in a licensed Hackney Carriage Vehicle irrespective of the vehicles use. Smoking is not permitted even if the doors or windows are open. Drivers wishing to smoke shall only do so away from the vehicle.

49 Licence Conditions

- (1) Conditions attached to Hackney Carriage and Private Hire Vehicle licences will be reviewed every three years to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to Hackney Carriage Vehicle Licences is attached as **Appendix D**.

Private Hire Vehicles

50 Summary

Private Hire Vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Private Hire Vehicles must not have the appearance of a Hackney Carriage Vehicle.

51 Application Process

In addition to completing an application form, a person wishing to license a private hire vehicle will need to submit valid insurance certificate for private hire, a bill of sale to prove that they are the owner of the vehicle, the registration document (V5) and the licence fee. All documents shall be provided before the vehicle is tested and inspected.

52 Testing and Inspection of Vehicles

- (1) Vehicles will be tested at the council's test station. On satisfactory completion of the test, a certificate of compliance will be issued. The test includes a number of items in addition to the normal MoT test, ~~which can be found in the Hackney Carriage and Private Hire Vehicle Testing and Inspection Manual. These elements have been deemed reasonable and necessary in order to protect the public using licensed vehicles. A copy of the testing criteria is appended to this report at Appendices E1 to E3.~~ The fee for the test will be paid directly to the garage and will not form part of the licence fee.
- (2) The Certificate of Compliance once issued is only valid in conjunction with a valid Private Hire Vehicle Licence.
- (3) Once the vehicle has passed the test, it will be inspected by a Licensing Officer to ensure compliance with the licence conditions and visual standards.
- (4) Vehicles will be tested and inspected in accordance with **paragraph 54 of this policy**.
- (6) Vehicles will be tested and inspected in accordance with **paragraph 53 of this policy**.

53 Standard of Vehicles to be Licensed

- (1) Vehicles licensed to carry persons for hire and reward must be fit, safe, comfortable and suitable for the purpose for which they are licensed. To ensure that vehicles within the controlled district of North

Lincolnshire meet these criteria, the Council has specified that vehicles will be tested and inspected in accordance with the following Table.

Age of Vehicle	Test and Inspection Requirements
Under 5 years of age	Annually
Between 5 years and under 8 years of age	Tested twice per annum (6 monthly intervals)
Over 8 years of age	Tested three time per annum (4 monthly intervals)

53A Period of Licence

- (1) A Private Hire Vehicle Licence will be issued for a period less than 12 months depending on the individual circumstances relating to the vehicle. Such circumstances will be dependent on the age of the vehicle.

54 Small Vehicles

- (1) There shall be no restriction in relation to the size of vehicles that will be licensed as private hire vehicles. Vehicles will be licensed for the number of passenger seats available.

55 European Emission Standards

- (1) In addition to the age requirements detailed in **paragraph 54**, it is considered reasonable for licensed private hire vehicles to meet European Emission Standards.
- (2) All new applicants for a Private Hire Vehicle Licence will need to ensure that the vehicle they wish to licence complies with the **Euro III 5a (Petrol) or 5a (Diesel)** standard. For proprietors wishing to change their Private Hire Vehicle, the replacement vehicle should also comply with **Euro III 5/5a 4** standards and any currently licensed vehicle must be at least **Euro III 4** standard at the time the next test/inspection after 1 December 2015 ~~April 2014~~. From 31 December 2018 all vehicles will be required to meet the **Euro 5** standard at the next test/inspection. This provision does not apply to vehicles specified in **paragraph 57**.
- (3) Proprietors wishing to provide a vehicle adapted to carry a wheelchair as a private hire vehicle may apply to licence a vehicle meeting the Euro II standard.
- (4) Technical details of the Euro emissions standards are available on request.

56 Licensing of Vehicles Over Eight Years of Age

- (1) The Council would not normally licence vehicles that are over eight years of age as Private Hire. However, where a vehicle over eight years of age is presented for licensing, it will be considered if it is deemed to be in an exceptional condition.
- (2) In defining the exceptional standard for vehicles over eight years of age, the following criteria will be applied:
 - a) the vehicle shall pass North Lincolnshire Council's test and inspection for the certificate of compliance at the first attempt and not on re-test; and
 - b) the vehicle must be free from body work blemishes; and
 - c) all interior and exterior accessories must be in full working order.

Where a vehicle has failed North Lincolnshire Council's test and inspection for the Certificate of Compliance at the first attempt for a non-mechanical reason, it may still be considered for licensing providing the vehicle meets criteria b) and c).

- (3) As Private Vehicles are carrying members of the public for hire and reward, we have a duty to ensure that they are fit, safe, comfortable and suitable for use.

57 Novelty Vehicles, Stretched Limousines and Vintage Vehicles

- (1) Vehicles such as stretched limousines and fire engines will be licensed by the council, however such types of vehicle would only be licensed as Private Hire.
- (2) In addition to the vehicles mentioned in **paragraph 57(1)**, vehicles such as vintage vehicles will also be considered for licensing. Such vehicles will not be required to meet the requirements for Euro emissions as detailed in **paragraph 55**.

58 Adapted Vehicles

- (1) Proprietors wishing to licence a vehicle adapted to carry a passenger in a wheelchair will be required to produce a certificate stating that the vehicle complies with all current legislation relating to the carrying of disabled passengers.

59 Meters & Table of Fares

- (1) Where a Private Hire Vehicle is fitted with a meter, then the proprietor shall ensure that a table of fares is displayed in the vehicle.

60 Advertising and Displaying the Company Name

- (1) Proprietors may advertise their business on a Private Hire Vehicle subject to approval from the Licensing Authority. Approval should be sought in writing. Such adverts shall not contain the word "TAXI" or "FOR HIRE" or "CAB".
- (2) Where an operator wishes to display the same advertisement on more than one vehicle, then approval should be sought from the Licensing Authority.

61 Vehicle Identification

- (1) Private Hire Vehicles will be required to display a rear licence plate, door panel, and internal sign. The rear licence plate shall be displayed in accordance with **paragraph 64** of this policy, the door panel in accordance with **paragraph 65** and the internal signs in accordance with **paragraph 66**.

61A Executive Vehicles etc

- (1) Exemptions from displaying identification plates shall only be granted for executive vehicles and novelty vehicles which are not fitted with a taximeter. Such vehicles will be required to display the internal identification disc in the front window and shall keep the licence plate and letter of exemption in the vehicle.

61B ~~Displaying Notices Advertising on the Rear of Head Rests~~

- (1) ~~All private hire vehicles shall include advertising showing to the rear of both the drivers and front passengers seat headrest. The headrest to the rear of the driver shall show the table of fares and the headrest of the front passengers seat shall show any display a notice on the rear near side passenger window as required by the licensing authority.~~

62 Closed Circuit Television (CCTV)

- (1) Private Hire Vehicles may be fitted with Closed Circuit Television (CCTV) systems. Where such a system is fitted, the vehicle must display a sign/signs ensuring passengers are aware that CCTV is installed and in use and the proprietor shall notify the council that CCTV is in operation.
- (2) The CCTV system shall be installed by a registered installer and shall be maintained to the manufacturer's standards.
- (3) Where CCTV is installed, there is an expectation that it will be in working order when passengers are being carried. Recordings from

such a system must be encrypted and not accessible to the proprietor or driver.

- (4) The CCTV recordings must be available for inspection by a Police Officer or an Authorised Officer of the Council for a period of up to 28 days.
- (5) It is the proprietor's responsibility to ensure that images from the system are held in a secure manner.
- (6) Any misuse of CCTV or recorded images may result in immediate suspension and referral to the Licensing Committee for the appropriate action.
- (7) Recordings from such a system should be available for inspection by a Police Officer or an Authorised Officer of the Council for a period of up to 28 days.
- (8) It is the proprietor's responsibility to ensure that images from the system are held in a secure manner.

63 Disabled Access and Assistance Dogs

- (1) Where a vehicle is adapted to carry a passenger in a wheelchair or other disabled user, then the driver of the said vehicle should have appropriate training to ensure that the passengers are conveyed safely.
- (2) Assistance dogs shall be conveyed in the vehicle with the passenger in accordance with statutory requirements.

64 External Plates

- (1) The external licence plate shall be fixed securely, but not tied to the vehicle adjacent to the vehicle's registration plate; to the centre of the rear bumper; or to offside of the rear bumper. Plates shall be kept clean and legible at all times

65 Door Panels

- (1) A door panel as stipulated by North Lincolnshire Council, shall be displayed on both the drivers and front passenger side doors. Such signs shall be secured directly onto the vehicle and shall not be mounted on magnets. No other signs may be displayed on the said doors other than the company name and telephone number. The telephone number shall be a land line number and not a mobile telephone number.
- (2) The company name must not use the wording "TAXI" or "FOR HIRE" on the side of the vehicle, even when it forms part of the company name.

66 Internal Plates

- (1) Internal plates shall be securely fixed in the front windscreen on the passenger side of the vehicle: just above the tax disc in saloon type vehicles, and on the partition for purpose built vehicles where a partition is fitted.

67 Exemption from Displaying Licensed Plate

- (1) A proprietor may apply for an exemption from displaying the private hire licence plate and door panels on the vehicle. Such an application shall be made in writing to the Licensing Authority.

68 Mobile Telephones

- (1) It is an offence to use a hand held mobile telephone whilst driving. Drivers wishing to take a call on their mobile phone shall ensure that they are parked safely and that the engine is switched off.

69 Smoking

- (1) It is an offence for the driver to smoke or to allow persons to smoke in a licensed Private Hire Vehicle irrespective of the vehicles use. Smoking is not permitted even if the doors or windows are open. Drivers wishing to smoke shall only do so away from the vehicle.

70 Licence Conditions

- (1) Conditions attached to Private Hire Vehicle licences will be reviewed every three years to ensure that they are reasonable and fit for purpose. A copy of the conditions attached to a Private Hire Vehicle Licence is attached to this policy as **Appendix E**.

Private Hire Operators

71 Summary

- (1) Private Hire Operators are licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Any person who takes a booking for a Private Hire Vehicle must hold a licence.

72 Record Keeping

- (1) Operators shall keep records in accordance with the conditions attached to their licence. Such records should be available upon request from a Police Constable or Authorised Officer.

73 Parking of Vehicles

- (1) Operators shall ensure that vehicles that are booked through their office/radio circuit are parked in a legal manner and do not cause an obstruction to other road users.

74 Fit and Proper Person

- (1) Where an applicant applies for an Operator's Licence but does not intend to hold a Hackney Carriage or Private Hire Vehicle Drivers Licence, then the said person will be required to obtain a basic CRB disclosure or police check.

75 Planning Consent

- (1) Operators shall ensure that they have the appropriate planning consent to operate their business.

76 Telephones

- (1) Operators should have a landline telephone on which bookings are taken.
- (2) It is an offence to use a mobile telephone whilst driving. Operators shall ensure that drivers wishing to take a call on their mobile phone are parked safely and that the vehicles engine is switched off.

77 Advertising

- (1) Where an operator wishes to display the same advertisement on more than one vehicle, then approval should be sought from the Licensing Authority.

78 None Statutory Public Register

- (2) The details of all private hire operators will be entered onto a public register. The information contained will include; the operators name; business name; business address; licence number; issue date; expiry date and status of the licence.

Penalty Points Scheme

79 Summary

- (1) The penalty points scheme covers all holders of Hackney Carriage and Private Hire Vehicle Drivers and Proprietors and Private Hire Operators.
- (2) The scheme has been developed to provide the Licensing (Miscellaneous) Sub-Committee and Licensing Officers with more options when dealing with breaches to licence conditions or when an offence has been committed. Under the legislation, the only options available to the Committee are to issue a warning, suspend or revoke a licence, while officers can either prosecute or refer the licence holder to the Committee.
- (3) The points scheme will allow Licensing Officers and Members of the Committee attach points, thus bridging the gap between a warning and suspension or revocation.
- (4) Officers will be able to attach point for minor breaches of conditions or offences which on their own would not merit a review of the licence or a prosecution. Licence holders who attain more than 12 points in the relevant period would be referred to the Licensing (Miscellaneous) Sub-Committee, who would determine the licence under “Any other reasonable cause”, in accordance with sections 60, 61 or 62 of the Local Government (Miscellaneous Provisions) Act 1976.
- (5) A copy of the penalty points scheme is attached as Appendix I to this policy and a list of the points is attached as Schedule 1 to Appendix I.
- (6) Nothing within this section of the policy shall prejudice the Councils or Officers ability to refer an applicant or licence holder to the Licensing Committee where there is a doubt as to whether they are a “fit and proper” person or for any other reasonable cause.
- (7) The Council will not fetter its discretion when dealing with such matters. Points will only be attached to a licence following an investigation by an Officer or a Hearing by the Licensing (Miscellaneous) Sub-Committee. Each case will be determined on its own merits and both the Members of the Committee and Officers will have discretion to take into account all the circumstances in each case. The points are for administration purposes only and will be taken into account when determining if a person is fit and proper or for any other reasonable cause.
- (8) Where a licensed driver has been referred to the Licensing (Miscellaneous) Sub-Committee following a complaint or when information has been received which raises the question if the person

is “fit and proper” or for any other reasonable cause; then the members of the committee may award points or suspend or revoke the licence.

Enforcement

79 Summary

- (1) The Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 contain a number of offences. Many of these offences relate to the protection of the public.
- (2) The Council's Licensing Officers will work closely with Humberside Police and the Council's Vehicle Maintenance Department in addressing such issues.
- (3) The Licensing Division will also look to work closely with other enforcement authorities when dealing with licensed and or unlicensed vehicles and drivers, especially concerning cross boundary related issues.
- (4) The Local Government (Miscellaneous Provisions) Act 1976 also gives the authority powers to serve notice on proprietors of Hackney Carriage and Private Hire Vehicles to produce their vehicle for inspection to ascertain its fitness. Where a vehicle is deemed unfit for its intended purpose the proprietor will be issued with a suspension notice in accordance with Section 68. If the vehicle is not brought up to a suitable standard within two months from the date of the notice, the licence will automatically be deemed to be revoked.
- (5) It is an offence to drive a licensed vehicle unless the driver is licensed to do so. Once a vehicle is licensed it remains so licensed until expiry, suspension or revocation of the licence.
- (6) An offence is also committed if there is a breach of the Byelaws or Conditions attached to a licence.
- (7) Such offences may result either in prosecution or the licence being reviewed by the Licensing (Miscellaneous) Sub-Committee, who may attach additional conditions to the licence.
- (8) In dealing with enforcement issues the Council will act in a fair consistent manner and will treat all cases and people with consideration and empathy.

80 Complaints

- (1) The Council will investigate all complaints. Complainants will be encouraged to raise the complaint with the licence holder or business concerned in the first instance. Failing this, ~~the Council will arrange a meeting to try and resolve the issues of concern~~ or where the complaint is serious in nature, then following an investigation the Licensing Authority will take any appropriate action. Such action may include prosecution, review of the licence or both. In any case, the

Licensing Authority does not need a conviction in order to take the appropriate action.

- (2) When dealing with complaints or non-conviction information, for the purpose of dealing with the fitness of an applicant or for any other reasonable cause, such information may be considered in line with Appendix B and I and non-conviction information may be considered in the same way as convictions.

81 Enforcement Options

- (1) Where a Hackney Carriage or Private Hire Driver, Operator or Proprietor has committed an offence or breached the licence conditions, there are a number of enforcement options available.
- (2) The enforcement options available are both civil and criminal in nature.

Appendix A

The attached table includes a list of useful contacts regarding licensing. The contacts are generally available during office hours, Monday to Thursday 09.00 a.m. to 17.00 p.m. and Friday 09.00 a.m. to 16.30 p.m.

Department/Contact	Name	Contact Details
Application Forms; Guidance; Operating Plans	Licensing Division	Licensing Division Church Square House PO Box 42 SCUNTHORPE North Lincolnshire DN15 6XQ Telephone: 01724 297750 e-mail: Licensing@northlincs.gov.uk
Licensing Division		Licensing@northlincs.gov.uk
Licensing Manager	(01724) 297607	
Taxi Licensing Officer	(01724) 297608	
Licensing Assistant	(01724) 297750	
Humberside Fire Brigade	(01724) 295915	
Humberside Police Licensing	(01724) 274255	
Scunthorpe Magistrates Court	(01724) 271100	



**GUIDANCE TO MEMBERS OF THE
LICENSING (MISCELLANEOUS) SUB-COMMITTEE
IN RESPECT OF PREVIOUS CONVICTIONS
RELATING TO**

**Applications for Hackney Carriage & Private Hire
Vehicle Drivers' Licences**

1.0 Introduction

- 1.1 This guidance was originally based on the Department of Transport Circular 2/92 and the Home Office Circular 13/92. In developing the guidance consideration has been given to the amendment to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 in March 2002 to include drivers of Hackney Carriages and Private Hire Vehicles and the Bichard Enquiry regarding the disclosure of non-conviction information on Criminal Record Disclosures. **The guidance was reviewed in 2014 to include a points scheme, which is used to determine if a person is “fit and proper” or “for any other reasonable cause” and to provide further clarification as to how motoring convictions and fixed penalties are dealt with.**
- 1.2 The purpose of the guidance is to assist members and officers to determine the fitness of an applicant to hold a Hackney Carriage/Private Hire Vehicle Drivers Licence in accordance with The Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

2.0 Background

- 2.1 North Lincolnshire Council is a registered body with the Disclosure and Barring Service, formally the Criminal Records Bureau.
- 2.2 It uses the **Disclosure and Barring Service, formally the Criminal Records Bureau** (DBS) to assess an individual's suitability to drive a Hackney Carriage / Private Hire Vehicle.
- 2.3 The main objective is to obtain information to assist in establishing whether a person is a 'fit and proper person' under the Local Government (Miscellaneous Provisions) Act 1976.
- 2.4 It also enables the local authority to attach any conditions to the granting of the licence, which it feels are necessary to protect members of the public.

3.0 Scope of Legislation

- 3.1 The Rehabilitation of Offenders Act was introduced in 1974 to help restore the reputation of persons who have been convicted of an offence but have since stayed on the right side of the law. In normal circumstances, if someone is sentenced to 30 months or less in prison, the conviction will become 'spent' after 10 years, beginning with the date of sentence, and would no longer need to be disclosed when applying for employment. However, applicants for certain occupations, including Hackney Carriage and Private Hire Drivers, will always be required to disclose all their previous convictions, regardless of whether or not they would normally be regarded as 'spent', and all relevant convictions can therefore be considered.
- 3.2 The Bichard Enquiry came following the Home Secretary's announcement that an independent inquiry would be held. This would consider the way in

which the police handled intelligence and the vetting processes prior to Huntley being employed in a school.

- 3.3 Sir Michael Bichard, Rector of the London Institute and a former Permanent Secretary at the Department for Education and Employment, was appointed as Chairman of the inquiry.
- 3.4 Sir Michael Bichard looked into the events surrounding the Soham Murders of 2002 and in particular what was previously known about Huntley. The concern existed that professionals in Humberside were aware that Huntley had a history of sexual relationships with girls under the age of sixteen. However, this information did not appear to have been readily available and as a consequence when the school where Huntley was subsequently employed carried out its statutory checks on him nothing untoward came to light. Bichard made a number of recommendations, some of which affects the information, which is now disclosed on the Criminal Records Disclosure, that may not have appeared before.
- 3.5 On initial application for a licence, and upon application to renew a licence every 3 years, a request is made to the DBS for a disclosure of any criminal record held in the name of the applicant prior to the grant of a licence
- 3.6 An Enhanced Disclosure is requested, which contains the same details as a Standard Disclosure but may also contain non-conviction information from local police records, which a chief police officer thinks may be relevant in connection with the matter in question.
- 3.7 It is also a requirement that the applicant must submit their DVLA driving licence for both new and renewal applications failure to do so will result in the application being incomplete.
- 3.8 A further DBS check can be requested by the Licensing Division at any time during a licence where there is reason to believe that the licence holder has been convicted of a further offence. Information may be received from many different sources such as, the public, trade, police or even in the local press regarding current Hackney Carriage/Private Hire Vehicle Driver's who have been convicted of an offence.

4.0 Determination of Relevant Information / Convictions, by Board of Officers

- 4.1 As previously stated, applicants for Hackney Carriage & Private Hire Vehicle Drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974, and therefore all relevant convictions can be considered.
- 4.2 The legislation also allows the Licensing Authority to consider comments received by the police relating to Hackney Carriage/Private Hire Vehicle Drivers, in situations where a conviction may or may not have been obtained. As all applicants or licensed Hackney Carriage/Private Hire Vehicle Driver's have the right to a fair and proper hearing, the members, in these

circumstances, will have the opportunity to put questions to the applicant and the police and clarify any issues raised in the DBS disclosure made by the police, at the Sub-Committee.

4.3 Where a DBS Disclosure, for the application or review of a driver's licence shows a Trace or is accompanied by any relevant police comments, an Assessment Board of Officers of the Licensing Division considers the nature of any offences or information provided by the Chief Police Officer. The date of the event, the age of the applicant and any other relevant factors will be considered to determine if it is relevant. In the event that the Assessment Board is not satisfied that the applicant is a "fit and proper" person, a recommendation is made to this Sub-Committee to determine the application.

4.4 On receipt of the application, disclosure and DVLA driving licence, the Licensing officer will check the details. If convictions are disclosed and/or offences displayed on the driving licence, an Assessment Board, comprising a further three licensing officers, will be convened.

4.5 **The Assessment Board will consider: -**

- Whether the conviction or other matters revealed are relevant to the application in question,
- The seriousness of any offence or other matter revealed,
- The length of time since the offence or other matter occurred,
- Whether the disclosure reveals a pattern of behaviour,
- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters, and
- The circumstances surrounding the offence and the explanation(s) offered by the applicant.

5.0 Determination of Application where Convictions/Endorsements are disclosed

5.1 If the matters revealed are deemed relevant, the Assessment Board will refer the matter to the Licensing (Miscellaneous) Sub Committee for determination. Certain types of offences will always be referred.

5.2 The following examples afford a general guide on the action to be taken where convictions are admitted.

a) Minor traffic offences

Convictions or fixed penalties for minor traffic offences, should not prevent a person from proceeding with an application. The following offences, in Table 1 are deemed to be minor motoring convictions for the purpose of this guidance:

Table 1	
Code	Offence Detail
AC10	Failing to stop after an accident.
AC20	Failing to give particulars or report an accident within 24 hours.
AC30	Undefined accident offence.
CU10	Using a vehicle with defective brakes.
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition.
CU30	Using a vehicle with defective tyres.
CU40	Using a vehicle with defective steering.
CU50	Causing or likely to cause danger by reason of load or passengers.
CU60	Undefined failure to comply with Construction and Use Regulations.
CU80	Breach or requirements as to control of the vehicle, mobile telephone etc.
LC10	Driving without a licence.
LC20	Driving otherwise than in accordance with a licence.
LC30	Driving after making a false declaration about fitness when applying for a licence.
LC40	Driving a vehicle having failed to notify a disability.
LC50	Driving after a licence has been revoked or refused on medical grounds.
MS10	Leaving a vehicle in a dangerous position.
MS20	Unlawful pillion riding.
MS30	Playstreet Offences
MS60	Offences not covered by other codes (including offences relating to breach of requirements as to control of vehicle).
MS70	Driving with uncorrected defective eyesight.
MS80	Refusing to submit to an eye test.
MS90	Failure to give information as to identity of driver etc.
MW10	Contravention of special roads regulations (excluding speed limits).
PC10	Undefined contravention of pedestrian crossing regulations.
PC20	Contravention of pedestrian crossing regulations with moving vehicle.
PC30	Contravention of pedestrian crossing regulations with stationary vehicle.
SP10	Exceeding goods vehicle speed limit.
SP20	Exceeding speed limit for type of vehicle (Excluding goods or passenger vehicles)
SP30	Exceeding statutory speed limit on a public road.
SP40	Exceeding passenger vehicle speed limit.
SP50	Exceeding speed limit on a motorway.
TS10	Failing to comply with traffic light signals.
TS20	Failing to comply with double white lines.
TS30	Failing to comply with 'STOP' sign.
TS40	Failing to comply with direction of a constable/warden.
TS50	Failing to comply with traffic sign (excluding 'STOP' signs, traffic lights or double white lines).
TS60	Failing to comply with school crossing patrol.
TS70	Undefined failure to comply with traffic direction sign.

Where an endorsement is made for aiding, abetting, counselling or procuring offences (0 is replaced with 2, code LC20 becomes LC22); or causing or permitting offences (0 is replaced with 4, code LC20 becomes LC24); or inciting (0 is replaced with 6, code LC20 becomes LC26), these will also be deemed to be minor traffic offences.

Where an applicant or driver has accrued 12 or more points on their licence, that would be sufficient to require a period of disqualification of the applicant's driving licence, then members will normally consider

either suspension or revocation of the licence, especially if there is a pattern of offending, for example of excessive speed. In such cases, it would be for the applicant/driver to state their mitigation to the Licensing (Miscellaneous) Sub-Committee as to why they are a fit and proper person or why they should be allowed to keep their licence.

b) Major traffic offences

An isolated conviction one of the offences listed in Table 2, for example for reckless driving or driving without due care and attention etc, should not normally merit either the refusal of an application or the suspension or revocation of a Hackney Carriage and/or Private Hire Vehicle Drivers Licence. Clarification should be sought as to the reason for the conviction and circumstances at the time of the offence should be taken into account.

Table 2	
Code	Offence Detail
BA10	Driving while disqualified by order of court.
BA30	Attempting to drive while disqualified by order of court.
CD10	Driving without due care and attention.
CD20	Driving without reasonable consideration for other road users.
CD30	Driving without due care and attention or without reasonable consideration for other road users.
DR70	Failing to provide specimen for breath test.
IN10	Using a vehicle uninsured against third party risks.
MS50	Motor racing on the highway.
TT99	Disqualification under totting-up.

More than one conviction or endorsement for this type of offence within the last three years would normally merit refusal of an application or the revocation of a Hackney Carriage or Private Hire Vehicle Drivers licence and no further application should be considered until a period of 3-5 years free from convictions has elapsed.

Convictions or endorsements for the offences listed in Table 3 would normally merit the revocation or immediate suspension of a hackney carriage or private hire vehicle drivers licence or the refusal of an application for a licence where the date of conviction/endorsement was within the last five years.

Table 3	
Code	Offence Detail
CD40	Causing death through careless driving when unfit through drink.
CD50	Causing death by careless driving when unfit through drugs.
CD60	Causing death by careless driving with alcohol level above the limit.
CD70	Causing death by careless driving then failing to supply a specimen for alcohol analysis.
CD80	Causing death by careless, or inconsiderate, driving.
CD90	Causing death by driving: unlicensed, disqualified or uninsured drivers.
DD10	Causing serious injury by dangerous driving.

DD40	Dangerous driving.
DD60	Manslaughter or culpable homicide while driving a vehicle.
DD80	Causing death by dangerous driving.
DD90	Furious driving.
DR10	Driving or attempting to drive with alcohol level above limit.
DR20	Driving or attempting to drive while unfit through drink.
DR30	Driving or attempting to drive then failing to supply a specimen for analysis.
DR31	Driving or attempting to drive then refusing to give permission for analysis of blood sample that was taken without consent due to incapacity.
DR40	In charge of a vehicle while alcohol level above limit.
DR50	In charge of a vehicle while unfit through drink.
DR61	Refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity in circumstances other than driving or attempting to drive.
DR80	Driving or attempting to drive when unfit through drugs.
DR90	In charge of a vehicle when unfit through drugs.
MR09	Reckless or dangerous driving (whether or not resulting in death, injury or serious risk).
MR19	Wilful failure to carry out the obligation placed on driver after being involved in a road accident (hit or run)
MR29	Driving a vehicle while under the influence of alcohol or other substance affecting or diminishing the mental and physical abilities of a driver.
MR39	Driving a vehicle faster than the permitted speed
MR49	Driving a vehicle whilst disqualified.
MR59	Other conduct constituting an offence for which a driving disqualification has been imposed by the State of Offence.
UT50	Aggravated taking of a vehicle.

Where an applicant has such a conviction/endorsement, then no further application would be considered until a period of five years free of conviction has elapsed.

c) *Drunkenness*

1. *With motor vehicle.* A serious view ~~should~~ will be taken of convictions of driving or being in charge of a vehicle while under the influence of alcohol. An isolated incident should not necessarily debar an applicant but there is an expectation that applicants have had a period free of conviction of five years. ~~strict warnings should be given as to future behaviour.~~

More than one conviction for these offences ~~should~~ gives the Council ~~raise grave serious~~ doubts as to the applicant's fitness to hold a licence. At least ~~3~~ five years should elapse (after the restoration of the driving licence) before an applicant is ~~is~~ may be considered for a licence. If there is any suggestion that the applicant is an alcoholic, a special medical examination ~~should~~ shall be arranged before the applicant is entertained. If the applicant is found to be an alcoholic a period of five years should elapse after treatment is complete before a further licence application is considered.

2. *Not in motor vehicle.* An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of

convictions **or a pattern** for drunkenness could indicate a medical problem necessitating critical examination (see (1) above). In some cases, a warning may be sufficient, however.

Table 4 of Schedule 1 to Appendix I determines points that may be attached to a licence.

d) Drugs

An applicant with a conviction for a drug related offence should be required to show a period of at least three years free of convictions before an application is entertained, or five years after detoxification treatment if he/she was an addict.

Where an applicant has been convicted of an offence relating to dealing drugs, then a substantial period free of convictions would normally be expected.

Table 6 of Schedule 1 to Appendix I determines points that may be attached to a licence.

e) Indecency/Sexual Offences

As Hackney Carriage and Private Hire Vehicle Drivers often carry unaccompanied passengers, applicants with convictions for a sexual offence, indecent exposure, indecent assault, or importuning, should be refused until they can show a substantial period free of such offences.

If more than one conviction of this kind or under circumstances where a serious crime of indecency or of a sexual nature has been committed, or where the applicant is on the Sex Offenders Register, the Sub-Committee should give serious consideration as to whether or not a licence should be granted.

Table 7 of Schedule 1 to Appendix I determines points that may be attached to a licence.

f) Violence

As Hackney Carriage and Private Hire Vehicle Drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding or assault. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be administered.

If someone has re-offended or has committed a serious offence of violence consideration should be given as to whether or not a licence should be granted.

Table 4 of Schedule 1 to Appendix I determines points that may be attached to a licence.

g) *Dishonesty*

Hackney Carriage and Private Hire Vehicle Drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become “fair game” for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty and note whether there is a pattern. In general, a period of 3 to 5 years free of conviction should be required before entertaining an application.

Table 5 of Schedule 1 to Appendix I determines points that may be attached to a licence.

6.0 Determination of an Application where Non-Conviction Information has been disclosed by the Police

6.1 There is no judicially approved test of fitness and propriety and, accordingly, a number of local tests have been developed. These tend to be based on a test similar to the following:

‘Would you (as a member of the licensing committee or other person charged with the ability to grant a hackney carriage and/or private hire driver’s licence) allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person from whom you care, to get into a vehicle with this person alone?’

6.2 If the answer to this question (or a similar test) is an unqualified ‘Yes’, then the test is probably satisfied. If there are any doubts in the minds of those who make the decision, then further consideration should be given as to whether this person is a fit and proper person to hold a hackney carriage/private hire driver’s licence.

6.3 Mr Justice Silber made an obiter observation in the case of *Leeds City Council v Hussain*. In the context of suspension of a drivers licence “for any other reasonable cause” he said:

‘...the purpose of the power of suspension is to protect users of licensed vehicles and those who are driven by them and members of the public. Its purpose, therefore, is to prevent licenses being given to or used by those who are not suitable people taking into account their driving record, their driving experience, their sobriety, mental and physical fitness, honesty, and that they

are people who would not take advantage of their employment to abuse or assault passengers.'

6.4 This test would support the test for fitness and propriety.

6.5 Where a person is barred from working with children or vulnerable adults, serious questions need to be asked as to a person's fitness and propriety. Where such a bar is applied then the Council would normally refuse an application for a licence or revoke a vehicle drivers licence, subject to hearing an mitigating factors.

7.0 General

7.1 It is important to stress that the above examples constitute guidance only and that each case must be decided on its own merits.

7.2 A person with a relevant conviction for serious crime need not be permanently barred from obtaining a licence but, generally speaking, the applicant will be expected to remain free of conviction for a period of 3 to 5 years, depending on the type of offence and the circumstances, before a licence is determined. Consideration should be given as to whether or not the offence is isolated and whether there are mitigating circumstances.

7.3 The overriding consideration should be the protection of the public.

8.0 Action available to the Sub-Committee

8. The options available to the Licensing (Miscellaneous) Sub-Committee are as follows:

- a) Take No Action
- b) Issue the Driver/Proprietor with a warning
- c) Endorse the Hackney Carriage/Private Hire Vehicle, Drivers and/or Operators Licence with penalty points
- d) Require a medical or CRB check at shorter intervals than specified in the Hackney Carriage and Private Hire Licensing Policy
- e) Suspend the licence
- f) Suspend the licence subject to meeting a set criteria, e.g. passing a DSA test or knowledge test
- g) Add additional conditions to the licence
- h) Revoke the licence
- i) Take other action as deemed appropriate

8.1 The penalty points scheme as attached as Appendix I will be used to fill a gap between issuing a warning to drivers, proprietors and operators. Where a person has amassed 12 valid points then the Council will determine if an applicant is a fit and proper person or review a licence for any other reasonable cause, with a view to refusing an application or revocation/suspension of a licence.

Schedule 1 to Appendix I specifies the points to be added for each offence, for both applicants and licence holders.



**PRIVATE HIRE VEHICLE DRIVERS LICENCE
CONDITIONS**

Conditions attached to

Licence No:

Expiry Date:

1.0 LICENCE CONDITIONS

- 1.1 Any requirement of legislation, which affect the operations being carried out under the terms of this licence, shall be regarded as if they are conditions of this licence.
- 1.2 Wherever there appears in the Licence Conditions a summary of any statutory provision you are advised that such summary is not exhaustive.

2.0 CONDUCT OF DRIVER

The driver shall:

- 2.1 Ensure that any private hire vehicle to be driven by him/her is in a roadworthy condition and thoroughly cleansed before the commencement of his/her journey;
- 2.2 The driver shall ensure before commencing any journey that the vehicle is appropriately licensed, plated and insured as a private hire vehicle;
- 2.3 Afford all reasonable assistance with passenger's luggage;
- 2.4 At all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner; and
- 2.5 The driver must notify the proprietor of the vehicle, of any defects or damage however minor at the end of their shift.

3.0 PASSENGERS

The driver shall not:

- 3.1 Convey or permit to be conveyed in a private hire vehicle a greater number of persons than prescribed in the licence for the vehicle;
- 3.2 Allow there to be conveyed in the front of a private hire vehicle any child below the age of twelve years, unless with suitable restraint;
- 3.3 Allow passengers to be conveyed within the vehicle without suitable restraint.
- 3.4 All drivers should comply with the laws and regulations relating to child restraints and booster seats (for further information visit www.thinkroadsafety.gov.uk)

- 3.5 Allow wheelchair passengers to be conveyed without appropriate restraints, and drivers must be adequately trained to secure such passengers.
- 3.6 Without the consent of the hirer of a vehicle, permit to be conveyed any other person in that vehicle.

4.0 LOST PROPERTY

- 4.1 The driver shall immediately after the termination of any hiring of a private hire vehicle, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- 4.2 If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found by or handed to the driver, he shall take it as soon as possible and in any event, within 24 hours if not sooner claimed by or on behalf of its owner, to his/her operating centre or police station and inform the North Lincolnshire Council Licensing Division of such action.

5.0 ANIMALS

- 5.1 The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself/herself or the proprietor or operator of the vehicle.
- 5.2 Any animal belonging to or in the custody of any passengers, which at the driver's discretion may be conveyed in a private hire vehicle, shall only be conveyed in the rear of the vehicle.
- 5.3 A driver of a licensed Private Hire Vehicle, which has been hired:
 - (a) by or for a disabled person with their guide, hearing or prescribed assistance dog; or
 - (b) by a person who wishes such a disabled person to accompany him in the vehiclewill have a duty to :
 - (a) carry the disabled passenger's dog and allow it to remain with the passenger; and
 - (b) not make any additional charge for doing so.
- 5.4 An assistance dog is defined by regulations as a dog which is trained by a specified charity i.e. "Dogs for the Disabled", "Support Dogs" or "Canine Partners for Independence", to assist a disabled person with a physical impairment, and which at the time that its owner hires a taxi is

wearing a yellow jacket inscribed with the name of one of those charities.

5.5 The driver shall only be exempt from this condition on medical grounds and the driver has obtained an exemption notice from North Lincolnshire Council. The notice of exemption shall be exhibited by either;

(a) laying it in a prominent position on the dashboard facing upwards, or

(b) affixing it to the windscreen of the vehicle, facing outwards.

6.0 PROMPT ATTENDANCE

6.1 The driver of a private hire vehicle shall, if he/she is aware that the vehicle has been hired to be in attendance at an appointed time and place or has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.

7.0 DEPOSIT OF LICENCE

7.1 If the driver is permitted or employed to drive a private hire vehicle by an operator he shall, before commencing to drive that vehicle, deposit his/her private hire driver's licence with that operator for retention by him/her until such time as the driver ceases to be permitted or employed to drive for that operator where it should then be returned.

8.0 TAXIMETER

8.1 If a private hire vehicle is fitted with a taximeter then the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.

8.2 Private hire vehicles fitted with a taximeter may not operate unless the meter is in working condition and has been checked by an authorised Officer of the Council.

9.0 FARE TO BE DEMANDED

9.1 The driver shall not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed to the hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

10.0 CHANGE OF ADDRESS/TELEPHONE NUMBER

10.1 The driver shall notify the Council in writing of any change of his/her address and /or telephone number within 7 days of such change.

11.0 CONVICTIONS / OFFENCES

11.1 The driver shall, immediately, disclose to the Council in writing, details of any conviction imposed on him/her during the period of the licence, motoring or criminal. (Includes any fixed penalties and cautions, endorsable or not)

12.0 DRIVERS BADGES

12.1 The Driver's badge must be worn on the driver's person in a position where it may be seen at all times. The driver shall, upon the expiry (without immediate renewal), revocation or suspension of this licence, forthwith return to the Council the Driver's badge issued to him/her by the Council. The badge remains the property of the Council at all times.

13.0 ILLNESS OR INJURY

13.1 The driver shall notify the Council in writing, as soon as possible and in any event within 21 days of any illness or injury affecting his/her fitness to drive in any way, unless the said period of illness is for a period of less than 21 days and the driver does not intend to drive during this period.

14.0 GENERAL LICENCE CONDITIONS

14.1 If you are aggrieved by any of the conditions attached to the licence you may appeal to a Magistrates Court within 21 days of the service of the licence and attached conditions on you. (See Section 52 and 77 of the 1976 Act and Section 300 of the Public Health Act 1936).

14.2 All drivers shall operate strictly within the terms of any licence issued under the incorporating terms and conditions of The Local Government (Miscellaneous Provisions) Act 1976.



HACKNEY CARRIAGE VEHICLE LICENCE
CONDITIONS

Licence No:

Expiry Date:

1.0 LICENCE CONDITIONS

- 1.1 Any requirement of legislation which affects the operations being carried out under the terms of this licence shall be regarded as if it was a condition of this licence.
- 1.2 Wherever a summary of any statutory provision appears in these licence conditions you are advised that such summary is not exhaustive.
- 1.3 In these conditions, references to “the Council” means North Lincolnshire Council.

2.0 MAINTENANCE OF VEHICLE AND SAFETY EQUIPMENT

- 2.1 The proprietor of the vehicle shall:
 - 2.1.1 Provide sufficient means by which any person in the vehicle may communicate with the driver;
 - 2.1.2 Cause the vehicle to be kept watertight;
 - 2.1.3 Provide adequate windows and the means of opening and closing them;
 - 2.1.4 Cause the seats to be properly cushioned, covered and in good repair;
 - 2.1.5 Cause the floor in a carpeted vehicle to be provided with a proper carpet and correctly fitted rubber or carpet mats all in good condition, so not to cause a trip hazard in accordance with 2.2 below;
 - 2.1.6 Cause the fittings and furniture generally to be kept in a clean condition and well maintained;
 - 2.1.7 Provide a fire extinguisher which meets the requirements laid down in the Hackney Carriage Byelaws and European Standard EN3, being either a 0.9kg dry powder or up to a 1kg powder with gauge or a 1lt AFFF with gauge, in accordance with the requirements of 2.3 below;
 - 2.1.8 Ensure that the vehicle, its fittings and equipment are maintained in an efficient, safe, tidy and clean condition at all times when it is in use or available for hire and that all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and use) Regulations) are fully complied with; and
 - 2.1.9 Ensure that no material alterations or changes are made to the specification, design, condition or appearance of the vehicle whilst the licence is in force without the prior approval of the Council.
- 2.2 Not more than one carpet or rubber mat shall be fitted per foot well. The floor in a minibus style vehicle should be in good condition, clean and free from holes (except for wheelchair fixtures).

- 2.3 Vehicles authorised to carry more than 4 passengers may carry up to a 2kg powder or a 2ltr AFFF with gauge, as per guidance from the Humberside Fire and Rescue Service. The fire extinguisher shall either be secured to the vehicle or located within the vehicle glove compartment or boot with a label affixed to the outside of the glove compartment/ boot indicating that the fire extinguisher is contained within. The fire extinguisher shall be clearly marked with the plate number of the vehicle by an authorised officer of the Council.
- 2.4 All vehicles must be fitted with rear seat belts.
- 2.5 Radio scanners must not be carried or used in a Hackney Carriage by any person.
- 2.6 The vehicle shall be fitted with a standard roof sign bearing either the word "TAXI", "CAB", "FOR HIRE" or the name and/or landline telephone number of the business concerned when within the area of North Lincolnshire.

3.0 IDENTIFICATION PLATE

- 3.1 The external identification plate issued by the Council shall be securely fixed to the rear of the vehicle to the satisfaction of the Council (the licence plate shall not be tied to the rear of the vehicle). The plate shall be permanently fixed to the external offside rear lower part of the vehicle in such a position as to be clearly visible from the rear of the vehicle, or adjacent to the vehicle's rear registration plate, where a bracket behind the registration number plate is used.
- 3.2 The external identification plate shall be maintained in a clean condition and shall not be wilfully or negligently concealed from public view.
- 3.3 The external and internal identification plates are the property of the Council and must be returned to the Council Offices on expiry of the licence, or if the vehicle is sold out of the trade, or for any other reason that prevents the vehicle from being used as a Hackney Carriage.
- 3.4 If the external identification plate is STOLEN or LOST the fact must be reported to the Humberside Police and the Licensing Division of North Lincolnshire Council as soon as the loss is discovered or shortly thereafter.
- 3.5 If either the internal identification plate is STOLEN or LOST the fact must be reported to the Licensing Division of North Lincolnshire Council as soon as the loss is discovered or shortly thereafter.

4.0 VEHICLE / WHEELCHAIR ACCESS

- 4.1 The Hackney Carriage shall be a saloon, hatchback or estate car. London type cabs or people carrier type vehicles (i.e. those vehicles which are capable of carrying more than 4 passengers) shall be fitted and adapted to enable passengers in wheelchairs to travel inside the vehicle. All vehicles shall be of a suitable type and design for use as a Hackney Carriage and shall at all times be maintained in a safe, clean and comfortable condition.
- 4.2 The vehicle shall have an engine capacity of not less than 1250cc, and a minimum passenger seating capacity of four seats but not more than eight seats. The minimum width of the rear seat must not be less than 122cm (48 inches).
- 4.3 No Hackney Carriage licensed by the Council shall be left unattended on any public road, street or at any place of public resort or entertainment.
- 4.4 Wheelchair anchorage and restraints must be approved, adapted for various sized wheelchairs and have separate restraints (seat belts) for the passenger and must be securely stowed away when not in use.
- 4.5 No part of the webbing/straps should be frayed.
- 4.6 Ramp(s) for the loading/unloading of a wheelchair and occupant must be available at all times. The ramp must be capable of being stowed safely when not in use and must not obstruct exiting the vehicle.
- 4.7 The passenger windows on the vehicle shall allow at least 70% light through.
- 4.8 Any equipment, must be stowed away in a safe and secure position, unless it is being used during the journey.
- 4.9 All lifts and strapping are required to have the manufacturers guidance available.

5.0 INTERIOR PLATE AND TARIFFS

- 5.1 The proprietor and driver of any Hackney Carriage Vehicle shall display or cause to be displayed within the vehicle any internal plate and Tariff of Fares provided and issued by the Council in such a position that it is visible at all times to persons conveyed therein.
- 5.2 A copy of the Council byelaws relating to Hackney Carriages shall be carried on the vehicle and be made available for inspection by any passenger or authorised officer of the Council.

6.0 SIGNS AND NOTICES, ETC.

- 6.1 No sign, notice, advertisement, plate, mark, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from any Hackney Carriage licensed by the Council except as may be required by any law or provision of these conditions or as otherwise authorised by the Council.
- 6.2 Condition 6.1 shall not prevent the display of the trading name of the operator, together with his/her landline telephone number, on the front side doors of the vehicle if it is a saloon, hatchback, estate car or London type cab, or any approved advertising. If the vehicle is a people carrier, mini-bus or other non-saloon type vehicle, the name and telephone number may be displayed on the rear doors, bonnet and the front side doors of the vehicle.
- 6.3 The proprietor shall affix the door signs as supplied by the council on the front doors of the vehicle. Such signs shall be securely fixed directly to the vehicle so as not to be easily removed from the vehicle.
- 6.4 The proprietor shall affix and maintain in a conspicuous position in the vehicle any sign or notice relating to Hackney Carriages which the Council may in its discretion require from time to time.
- 6.5 The following signs and/or membership badges may be displayed in or from any Hackney Carriage licensed by North Lincolnshire Council:
- 6.5.1 Any badge or sign which indicates membership of any motoring or vehicle rescue organisation
 - 6.5.2 No smoking signs
 - 6.5.3 Signs which indicate the location of the Fire Extinguisher
 - 6.5.4 A sign notifying the use of CCTV where it is in operation.
 - 6.5.5 A "GB" sign displayed on the rear near side of the vehicle.

7.0 CHANGE OF ADDRESS

- 7.1 The proprietor of any Hackney Carriage licensed by the Council shall notify the Council in writing of any change of his/her address and/or telephone number during the period of the licence. The notice of change of address or telephone number should be within 7 days of such change.

8.0 CONVICTIONS

- 8.1 The proprietor (or Director of a company, or a Partner) of any Hackney Carriage licensed by the Council shall immediately disclose to the Council, in writing, details of any conviction imposed on him or her during the period of the licence.

9.0 TAXIMETER

- 9.1 Any Hackney Carriage being licensed as such for the first time must be fitted with a taximeter approved by the Public Carriage Office or complying with the EEC directive 77/95/EEC in that they bear the EEC patent approval sign or the EEC partial initial verification mark And shall be calendar controlled so as to be tamper proof.
- 9.2 The taximeter must not be operated unless it is in working condition and has been checked by an authorised Officer of the Council.

10.0 MECHANICAL FITNESS

- 10.1 Prior to issue of a licence all vehicles must be mechanically inspected at the Council's appointed garage to the required Testing Standard, ~~which can be found in the Hackney Carriage and Private hire Testing and Inspection Manual. (A copy of the Testing Standards are attached at Appendix D1).~~ The vehicle shall be submitted for inspection and test on initial application for a vehicle licence and presented annually for renewal of that licence thereafter whilst the vehicle is being operated as a Hackney Carriage.
- 10.2 If a vehicle is less than 5 years old on the date of testing, a licence shall be granted for no more than one year.
- 10.3 In the case of any vehicle more than 5 years old, the licence will be granted for a period of not more than 6 months. If a vehicle is more than 8 years old, the licence will be granted for a period of not more than 4 months.

11.0 VEHICLE APPEARANCE

- 11.1 In addition to a mechanical inspection, all vehicles must meet the standard laid down in the Testing Standards for appearance, comfort and cleanliness.
- 11.2 The boot must be kept clear for the carrying of passengers' luggage with certain exceptions (spare wheel and jack).
- 11.3 The external and internal glazing to the front driver, passenger windows and windscreen shall not hinder or restrict vision through the glazing in any way. The windscreen must allow at least 75% visibility and the remainder of the glazing must allow at least 70% visibility, ~~save where any tinted glass has been fitted at the time of manufacture.~~

12.0 VEHICLE DAMAGE

- 12.1 Any vehicle involved in an accident causing damage which materially affects the safety, performance or appearance of the vehicle, or the

comfort or convenience of persons carried therein, must be presented for inspection to the appointed officer of the Council. An accident report form must be submitted as soon as possible after such accident, and in any case within 72 hours. The vehicle may not continue to operate without the prior approval of the Council's appointed officer.

13.0 STOWAGE OF LUGGAGE

- 13.1 Luggage must be stowed safely and in such a manner so that it cannot move around inside the vehicle. Gangways must not be blocked or in any way impede an emergency evacuation of the vehicle.

14.0 GENERAL LICENCE CONDITIONS

- 14.1 An authorised officer of the Council or any Police Officer shall have power at all reasonable times to inspect and test any Hackney Carriage licensed by the Council for the purpose of ascertaining its fitness. A vehicle licence may be suspended if the officer is not satisfied with the fitness of the licensed vehicle.
- 14.2 The driver of a licensed Hackney Carriage shall stop the vehicle at the request of a Police officer, whether or not passengers are being carried. The driver shall then permit the Police officer or authorised officer of the Council to check the vehicle to ensure that all the requirements of the Council and relevant legislation have been complied with. The driver shall not proceed until the authorised officer or police officer has given his approval.
- 14.3 Any person aggrieved by a decision made during the inspection made by the Licensing Officer may appeal in writing to the Licensing Manager or Licensing and Mediation Officer. This does not affect the statutory rights regarding appeals.
- 14.4 Any person aggrieved by any of the conditions attached to this licence may appeal to a Magistrates Court within 21 days of receipt of the licence and attached conditions (see Section 77 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 300 of the Public Health Act 1936).

~~**HACKNEY CARRIAGES
TESTING STANDARD – APPEARANCE/SAFETY/COMFORT/
COMPLIANCE WITH LICENCE CONDITIONS**~~

~~Items considered in test:-~~

~~**1.0 — External Bodywork**~~

~~The body work shall have no damage which materially affects the safety or appearance of the vehicle, shall not have signs of corrosion or have any sharp edges which may cause injury to passengers. The paintwork shall be clean, consistent and uniform over the whole vehicle. The paintwork shall be of a professional standard. All fitments shall be intact and free from any damage, stains or corrosion of any kind.~~

~~**2.0 — Seats and Upholstery**~~

~~All seats, upholstery, trim and carpets must be clean and free from stains, holes, tears and damage of any form. There must be no sharp edges, which would be likely to cause injury or damage. Seat coverings must be sound, intact, fitted snugly to seats and be clean. The interior seat springs shall be sound and not penetrating the fabric of the seat. There shall be no loose rugs, blankets, cushions or other articles on the passenger seats.~~

~~**3.0 — Floor**~~

~~The floor must be sound and covered by fitted vehicle carpets or other suitable covering. If furnished with rubber mats they must be in a clean and undamaged condition. Carpet off cuts are not acceptable as mats in the vehicle. Only one mat per seat is acceptable. The floor coverings must not be so worn as to cause danger to passengers. The floor in a minibus style vehicle, should be in good condition, clean and free from holes except for wheelchair fixtures.~~

~~**4.0 — Doors**~~

~~All fittings shall be secure, undamaged and capable of being operated at all times by the passenger. The door linings shall be intact, clean and free from holes, tears, stains or any other damage.~~

~~**5.0 — Head Lining**~~

~~The head lining shall be intact, clean and free from holes, tears, stains or any other damage.~~

6.0 — Boot

~~The boot shall be kept clean and free of any stains, spills etc. Matting if fitted must be in one piece and be capable of being cleaned. The boot must be kept clear for the use of passengers luggage apart from the spare wheel and jack (and excepting specialised fitments for first aid or other equipment etc). This does not exclude the housing of LPG conversions.~~

7.0 — Fire Extinguishers

~~A fire extinguisher (of the specified type) must be located in a labelled glove compartment or in the boot if not secured. The fire extinguisher must be so secured and unobstructed that it will not create any danger or hazard for the driver or passengers. The extinguisher shall be clearly marked with the number of the licence when granted, in a manner by Officers of the Licensing Division.~~

8.0 — Taximeter

~~The taximeter shall be checked and tested to ensure that the current tariffs set by North Lincolnshire Council are not exceeded. The taximeter will be sealed by the Inspecting Officer.~~

9.0 — Fare Card

~~The fare card must be clearly displayed in such a position as to be easily seen by passengers.~~

10.0 — Internal Plate Sticker

~~The internal plate sticker shall be displayed in such a position as to be easily seen by passengers, outside the vehicle and inside the vehicle, above the tax disc so that it is just outside the swept area of the windscreen.~~

11.0 — Exterior Plate

~~The external identification plate issued by the Council shall be securely fixed to the satisfaction of the Council. Externally on the offside rear lower outside of the vehicle in such a position as to be clearly visible from the rear of the vehicle, or, centrally on the rear of the vehicle, where a bracket behind the registration number plate is used.~~

12.0 — Top Light

~~The top light must be capable of being illuminated. The light must be securely mounted and installed so as not to cause any danger or hazard to the driver, passengers, the public or other road users. Ensuring cables do not cause harm/obstruction to passengers.~~

13.0 ~~Where in the opinion of the Inspecting Officer the vehicle fails to reach the standard required by the Council for the issue of a hackney carriage licence,~~

~~the applicant(s) or nominee will be informed of the defects or grounds on which the vehicle has failed to reach that standard. The applicant(s) or nominee will then be given the choice of: -~~

- ~~(a) Removing the vehicle from the test garage for the defects to be rectified and returning the vehicle within 7 days and/or under 200 miles (where the vehicle is normally kept within 10 miles of the testing station), or within 7 days and/or 300 miles (where the vehicle is normally kept more than 10 miles from the testing station). The applicant or nominee shall also pay the appropriate re-test fee if required at the time of test.~~
- ~~(b) If the vehicle is not returned for re-test within 7 days and under the permitted mileage, the applicant or his/her nominee shall inform the Licensing Division of the reasons why and any proposed further actions to be taken in respect of the vehicle. Re-tests after 7 days and over the permitted mileage, may incur full application fee.~~

~~14.0 Wheelchair Accessibility~~

~~The Proprietor will be required to demonstrate how to use the ramps and restraints for the wheelchair passengers and how to store away safely and securely when not in use. No part of the webbing/straps should be frayed, if so this will result in an inspection failure.~~

~~Ramp(s) for the loading/unloading of a wheelchair and occupant must be available at all times.~~

~~All lifts and strapping are required to have their manufacturers guidance available at time of test.~~

~~**Please Note:-** This list is not exhaustive and additional items may be included as deemed appropriate by Officers of the Licensing Division, subject to appropriate consultation.~~

APPENDIX D2

NORTH LINCOLNSHIRE COUNCIL

HACKNEY CARRIAGE TESTING ARRANGEMENTS

~~1 All vehicles, no matter what their age, must pass the Council's test covering mechanics, safety and passenger comfort before a licence can be issued.~~

~~Annual tests are only to be booked through the Licensing Division on 01724 297592 or 297608.~~

~~2 Under no circumstances may the proprietor of a vehicle make any arrangement for a vehicle to be tested direct with the garage, unless for a re-test. All appointments, other than re-tests, must be made through the Council's Licensing Division.~~

~~Re-tests are to be booked directly with Vehicle Maintenance, Cottage Beck Road, Scunthorpe on 01724 297867.~~

~~3 Hackney Carriage tests should not be equated with the Department of Transport MOT vehicle test. MOT certificates will not be issued as the result of a Hackney Carriage Test. Should an MOT certificate be required at any time, independent arrangements must be made by the applicant or his/her nominee with any approved garage. MOT certificates will not be accepted as proof that a Hackney Carriage Vehicle is suitable for that purpose.~~

~~4 The applicant or his/her nominee will attend the test garage at the time and date stated with the vehicle which shall be as follows:~~

~~➤ In a thoroughly CLEAN condition inside and out.~~

~~➤ In the case of first applications:~~

~~● If fitted with an operational Taximeter it shall be correctly calibrated at or below the tariff set by North Lincolnshire Council~~

~~● Fitted with a fire extinguisher (of the specified type), securely fixed not to cause danger to the driver or passengers, or located within the glove compartment or boot.~~

~~➤ In the case of licence RENEWALS:~~

~~● If fitted with an operational Taximeter it shall be correctly calibrated at or below the tariff set by North Lincolnshire Council.~~

- ~~• Fitted with a fire extinguisher (of the specified type), securely fixed within easy reach of the driver or located within the glove compartment.~~
 - ~~• Fitted with the Council's identification plate in the designated place.~~
 - ~~• The Council's fare card displayed in the passenger compartments.~~
 - ~~• Displaying any advertising or signs as permitted by the conditions attached to Hackney Carriage Licences.~~
- ~~5 — Top lights must be operational and securely fixed to the roof of the vehicle. The light must conform to Section 64 of the Transport Act 1980.~~
- ~~6 — In the case of taximeter, tests will be carried out on a public road over a measured mile. The taximeter test will normally be conducted by the Inspecting Officer whilst the vehicle is undergoing a road test being conducted by the mechanical tester. At the discretion of Licensing Division Officers only, a taximeter test may be conducted by an Officer of the Licensing Division whilst the vehicle is being driven by the proprietor or nominee.~~
- ~~7 — Where the applicant is unable for any reasons to attend the test at the date and time arranged, at least 48 hours notice (excluding weekends and public holidays) must be given to the Licensing Division, whereupon a new appointment can be arranged without incurring further costs.~~
- ~~8 — Failure to give the required notice of the intention not to attend for a test, or failure to attend at the time, date and location arranged, will result in a cancellation charge being made.~~
- ~~9 — Where in the opinion of the Inspecting Officer the vehicle fails to reach the standard required by the Council for the issue of a licence, the applicant or nominee will be informed of the defects or grounds upon which the vehicle has failed to reach that standard. The applicants or nominee will then be given the choice of:-~~
- ~~◆ Removing the vehicle from the test garage for the defects to be rectified and returned for retest within 7 days and/or 200 miles (where the vehicle is normally kept within 10 miles of the testing station), or within 7 days and/or 300 miles (where the vehicle is normally kept more than 10 miles from the testing station). The applicant or nominee shall also pay any appropriate re-test fee if required.~~
 - ~~◆ If the vehicle is not returned for re-test within 7 days and/or 200 miles (where the vehicle is normally kept within 10 miles of the testing station), or within 7 days and/or 300 miles (where the vehicle is normally kept more than 10 miles from the testing station) of the initial test the applicant or his/her nominee shall inform the Licensing Unit of the reasons why and any proposed further actions to be taken in respect of the vehicle. Re-tests after 7 days may incur full application fees.~~

~~10 MOT TEST CERTIFICATE EXEMPTION~~

~~The Council is in possession of a Certificate of Exemption issued by the Secretary of State for Transport in respect of the annual testing of vehicles under the Motor Vehicles (Tests) Regulations 1972.~~

~~11 The Mechanical items to be tested in respect of Hackney Carriage Vehicles, include those items required for an MOT. Additional items are set out in the attached Appendix D (the list is not exhaustive and additional items may be included as deemed necessary by Officers of the Licensing Division). Please note that MOT and additional items will be stringently tested to the highest standard.~~

NORTH LINCOLNSHIRE COUNCIL
HACKNEY CARRIAGE VEHICLE
TESTING STANDARD
MECHANICAL AND STRUCTURAL

Items for test in addition to MOT test.

The item numbers refer to the item codes on the test sheet.

29	Spare Wheel and Tyre	Correct size for vehicle and conforms to legal requirements. Space Savers are permitted providing that they are not fitted when the vehicle is used for hire and reward.
33	Wiring	Ensure that correct load fuses are being used. Ensure that visible wiring is not so corroded or chuffed that in the opinion of the tester a short circuit is likely to occur. That all junctions and installations are electrically sound. (Applies to none manufactures fittings)
34	Battery	Ensure that the battery mounting are not so corroded that the battery may break loose. Ensure that the battery is anchored securely. Ensure that the casing of the battery is sound and is not likely to allow acid to escape.
35	Starter Motor	Ensure starter motor is mounted securely.
36	Engine Mountings	Mountings must be secure and not so corroded that they may be likely to fail.
37	Oil Leaks	Oil leaks must not create any type of hazard for the vehicle, pedestrians or other road users.
39	Drive Shaft	All universal joints must be serviceable and mountings secure. There must not be any undue 'play'.
40	Gearbox	Mountings must be secure and not so corroded as to be likely to fail. Gear selection must not be noisy.
41	Rear Axle	No oil leaks.
43	Clutch Operation	Must operate satisfactorily and not 'judder', 'grab' or 'slip' outside normal limits.
44	Clutch Linkage	No signs of undue wear and are not likely to fail.
45	Clutch Hydraulics	System if fitted must not be leaking or the pipes and fittings so corroded that they may fail.
46	Fuel System	Inspected for security, corrosion and leaks.
50	Windscreen	Screen must be clear and there are no scratches, damage or obstructions which will impede the view of the driver.
51	Windows	All windows must be clear of any obstructions or damage which will in any way impede the view of the driver. No curtains must be placed over the windows

		and any blinds if installed must not be of a type which will restrict all round vision. All windows must be capable of being operated in a satisfactory manner. All windows must be fitted with glass which complies with the British Standard.
54	Vehicle Structure	The structure must be in a sound condition with no signs of excessive corrosion or damage.
55	Speedometer	The speedometer shall work in a normal manner and shall be correctly illuminated.
56	Odometer	The odometer shall work in a normal manner.
57	Mirrors	All mirrors must be securely mounted and not cracked, broken or corroded so as to distort any view to the rear. Where a mirror is intended to be adjustable it must be capable of being adjusted.
5859	Doors / Handles / Locks	All doors, including boots, must open and close easily from both inside and outside. Any door locking mechanism shall be easily operated by passengers. All doors and boots shall be secure when shut. All lock fittings shall be secure and complete. Grab handles where fitted must be secure and fit for the purpose.
60	Fascia / Interior Lights	All interior and passenger lights where fitted shall be secure and operate. All switches and fittings shall be secure and operate correctly. There shall be no exposed wires or large holes in the fascia.
61	Bumper	Front and rear bumpers must be fitted and securely mounted. They must not be so badly damaged or corroded as to make them unfit for their purpose.
62	Road Test	The vehicle must be capable of manoeuvring safely and 'handles' correctly without any undue drift or pull etc.
63	Registration Plates	Checked for condition, correct location and that they conform to legal requirements.

Appendix E



**PRIVATE HIRE VEHICLE LICENCE
CONDITIONS**

Conditions attached to

Licence number:

Expiry date:

1.0 LICENCE CONDITIONS

- 1.1 Any requirement of legislation which affects the operations being carried out under the terms of this licence shall be regarded as if it was a condition of this licence.
- 1.2 Whenever a summary of a statutory provision appears in these licence conditions you are advised that such summary is not exhaustive.
- 1.3 In these conditions, references to “the Council” means North Lincolnshire Council

2.0 MAINTENANCE OF VEHICLE AND SAFETY EQUIPMENT

- 2.1 The proprietor of the vehicle shall:
 - 2.1.1 Provide sufficient means by which any person in the vehicle may communicate with the driver;
 - 2.1.2 Provide adequate windows and the means of opening and closing them;
 - 2.1.3 Cause the roof or covering to be kept watertight;
 - 2.1.4 Cause the seats to be properly cushioned and covered;
 - 2.1.5 Cause the floor to be provided with a proper carpet and the correct size rubber mats;
 - 2.1.6 Cause the fittings and furniture generally to be kept in a clean condition and well maintained;
 - 2.1.7 Provide a fire extinguisher which meets the requirements of the new European Standard EN3, being a minimum of 0.9 /1kg powder with gauge or a 0.9 / 1lt AFFF with gauge, in accordance with the requirements of paragraph 2.2;
 - 2.1.8 Ensure that the vehicle, its fittings and equipment are maintained in an efficient, safe, tidy and clean condition at all times when the vehicle is in use or available for hire and that all relevant statutory requirements (including those contained in the Motor Vehicle (Construction and Use) Regulations) are fully complied with;
 - 2.1.9 Ensure that no material alterations or changes are made to the specification, design, condition or appearance of the vehicle whilst the licence is in force without the prior approval of the Council; and
- 2.2 The fire extinguisher shall either be secured to the vehicle or located within the vehicle glove compartment or boot with a label affixed to the outside of the glove compartment/boot indicating that the fire

extinguisher is contained within. The fire extinguisher shall be clearly marked with the plate number of the vehicle by an authorised officer of the Council.

- 2.3 All vehicles with rear seat anchorage points must be fitted with rear seat belts.
- 2.4 Radio scanners must not be carried or used in a Private Hire Vehicle by any person.
- 2.5 The proprietor of the vehicle shall produce, the Vehicle Registration Document, Private Hire Vehicle Licence and Vehicle Exemption Certificate when required to do so by the Police, an authorised officer of the Council or any other person authorised to demand such documents.

3.0 IDENTIFICATION PLATE

- 3.1 The external identification plate issued by the Council shall be securely fixed to the vehicle to the satisfaction of the Council (the licence plate shall not be tied to the rear of the vehicle). The plate shall be fixed to the external offside rear lower part of the vehicle in such a position as to be clearly visible from the rear of the vehicle, or, adjacent to the vehicle's rear registration plate where a bracket behind the registration number plate is used.
- 3.2 The external identification plate shall be maintained in a clean condition and shall not be wilfully or negligently concealed from public view.
- 3.3 The external and internal identification plates are the property of the Council and must be returned to the Council on expiry of the licence, or if the vehicle is sold out of the trade, or for any other reason that prevents the vehicle from being used as a private hire vehicle.
- 3.4 If the external and or the internal identification plate is STOLEN or LOST the fact must be reported to the Humberside Police and the Council's Licensing Division as soon as the loss is discovered.

4.0 VEHICLE

- 4.1 **The vehicle shall be of suitable size, type and design for use as a private hire vehicle (not a London type cab), and shall be maintained in a safe and comfortable condition.**
- 4.2 If the vehicle is either a mini-bus type or a people carrier and capable of carrying between five and eight passengers there shall be at least two exit points from the vehicle, one of which must be available for both access and egress.

~~4.3 The vehicle shall have an engine capacity of not less than 1250cc, and a passenger seating capacity of not more than eight seats.~~

~~4.4 Application may be made to the Council to dispense with Condition 4.1 for vehicles being used for certain specified occasions. A copy of the dispensation shall be kept in the vehicle at all times.~~

5.0 INTERIOR MARKINGS

5.1 The proprietor of the private hire vehicle shall display or cause to be displayed within the vehicle any internal plate or other device provided and issued by the Council in such a position that it is visible at all times to persons conveyed therein.

6.0 SIGNS AND NOTICES, ETC.

6.1 No sign, notice, advertisement, plate, mark, numbers, letter, figure, symbol, emblem or device whatsoever shall be displayed on, in or from private hire vehicle licensed by the Council except as may be required by any law or provision of these conditions or as otherwise authorised by the Council.

6.2 Condition 6.1 shall not prevent the display of the trading name and telephone number of the operator if the vehicle is a people carrier, minibus or non-saloon type vehicle. In such a case the name and telephone number may be displayed on the rear end doors and the front side doors of the vehicle provided that the trading name shall not contain the words "CAB", "TAXI" or "FOR HIRE".

6.3 All private hire vehicles shall display door signs, as supplied by the council on the front doors of the vehicle. Such signs shall be securely fixed (not on magnets) directly to the vehicle so as not to be easily removed from the vehicle. These signs shall clearly state that the vehicle is to be used for pre-booked journeys only. On the grant of a private hire vehicle licence, the vehicle shall properly display such door signs on the front doors of the vehicle. Any vehicle in respect of which a private hire vehicle licence is renewed shall, on the renewal of the licence, display door signs as supplied by the Council on the front of the vehicle, unless company information is already displayed on the sides of the vehicle as close to the front doors as is practicable and with the agreement of the Council's Licensing Division.

6.3 If a notice of exemption has been issued by the Council, the vehicle in question shall be exempt from the requirement to display all door signs and licence plates. Such plates must, however, be kept with the vehicle at all times, together with the certificate of exemption. An authorised officer of the Council may inspect at any time to ensure compliance with this condition.

- 6.5 The following signs and/or membership badges may be displayed in or from any private hire vehicle licensed by the Council:

6.6.1 Any badge or sign which indicates membership of any motoring or vehicle rescue organisation

6.6.2 No smoking signs (Symbol 70mm)

6.6.3 Signs which indicate the location of the Fire Extinguisher.

6.6.4 A sign notifying the use of CCTV where it is in operation.

6.5.5 A "GB" sign displayed on the rear near side of the vehicle.

7.0 CHANGE OF ADDRESS

- 7.1 The proprietor of any private hire vehicle licensed by the Council shall notify the Council in writing of any change of his/her address and / or telephone number within 7 days of such change.

8.0 CONVICTIONS

- 8.1 The proprietor of any private hire vehicle licensed by the Council shall **immediately** disclose, to the Council in writing, details of any convictions, motoring, or criminal imposed on him/her (or, if the proprietor is a company or partnership, on any of the directors or partners).

9.0 VEHICLE FITTED WITH TAXIMETER

- 9.1 Private hire vehicles fitted with a taximeter may not operate unless the meter is in working condition and a certificate stating that the meter has been checked by the independent qualified engineer who supplied or fixed the meter has been delivered to the Council. Any Private Hire Vehicle licensed as such for the first time shall only be fitted with a taximeter approved by the Public Carriage Office, or complying with the EEC directive 77/95/EEC in that it bears the EEC patent approval sign or the EEC partial initial verification mark.

- 9.2 The relevant scale of charges or fare tables operating shall be displayed in the vehicle.

MECHANICAL FITNESS

- 10.1 Prior to issue of a licence all vehicles must be mechanically inspected at the Council's appointed garage to the required Testing Standard, **which can be found in the Hackney Carriage and Private Hire Testing and Inspection Manual.** ~~(A copy of the Testing Standards is attached as Appendix E2)~~ The vehicle shall be submitted for inspection and test on initial application for a vehicle licence and thereafter presented annually for renewal of that licence so long as the vehicle is being operated as a private hire vehicle.

- 10.2 Any vehicle which will be between five and eight years old on the date of the expiry of a licence shall be subject to an additional mechanical compliance and condition test six months after the date of issue of the licence.
- 10.3 Any failure to submit a vehicle for a test in accordance with 10.2 above shall result in the suspension of the licence on the first day after the due test date, unless there are exceptional mitigating circumstances. Any such mitigating circumstances must be put in writing to the Council's Licensing Manager prior to failure to submit vehicle for test.
- 10.4 Any vehicle more than 8 years old on the date of the expiry of the licence, shall be subject to an annual test and 2 further supplementary mechanical compliance and condition checks at 4 months and 8 months respectively after the day of the issue of the licence.
- 10.5 Any failure to submit a vehicle for a test in accordance with 10.4 above shall result in the suspension of the licence on the first day after the due test date, unless there are exceptional mitigating circumstances. Any such mitigating circumstances must be put in writing to the Council's Licensing Manager prior to failure to submit vehicle for test.

11.0 VEHICLE APPEARANCE

- 11.1 In addition to a mechanical inspection, all vehicles must meet the Testing Standards laid down for appearance, comfort and cleanliness.
- 11.2 The boot of the vehicle must be kept clear for the carrying of passengers' luggage with certain exceptions (spare wheel and jack).
- 11.3 No external or internal glazing to the front near and offside windows of the vehicle shall be obscured, disfigured, treated or coated in any way (other than at the time of manufacture) so as to hinder or restrict vision through the glazing. The windscreen must allow at least 75% visibility and the remainder of the glazing must allow at least 70% visibility.

12. STOWAGE OF LUGGAGE

- 12.1 Luggage must be stowed safely and in such a manner so that it cannot move around inside the vehicle. Gangways must not be blocked or in any way impede an emergency evacuation of the vehicle.

13. SALE OF VEHICLE

- 13.1 The Council's Licensing Officer shall be notified in writing within 14 days of any change of ownership of the vehicle. Unless a notice of transfer has been carried out in accordance with Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 the vehicle will remain the responsibility of the existing PHV Licence proprietor.

14. APPEAL

- 14.1 Any person aggrieved by a decision made during the inspection carried by the Licensing Officer may appeal in writing to the Licensing Manager or Principal Licensing and Mediation Officer. This does not affect the statutory rights regarding appeals.
- 14.2 Any person aggrieved by any of the conditions attached to this licence may appeal to a Magistrates Court within 21 days of service of the licence with the conditions attached (see section 48 (7) and 77 of the Local Government (Miscellaneous Provisions) Act 1976 and sections 300 to 302 of the Public Health Act 1936).

APPENDIX E1

NORTH LINCOLNSHIRE COUNCIL

**~~PRIVATE HIRE VEHICLES
TESTING STANDARD – APPEARANCE / SAFETY / COMFORT / COMPLIANCE
WITH LICENCE CONDITIONS~~**

~~Items considered in test:-~~

~~1. External Bodywork~~

~~The body work shall have no damage which materially affects the safety or appearance of the vehicle, shall not have signs of corrosion or have any sharp edges which may cause injury to passengers. The paintwork shall be clean, consistent and uniform over the whole vehicle. The paintwork shall be of a professional standard. All fitments shall be intact and free from any damage, stains or corrosion of any kind.~~

~~2. Seats and Upholstery~~

~~All seats, upholstery, trim and carpets must be clean and free from stains, holes, tears and damage of any form. There must be no sharp edges which would be likely to cause injury or damage. Seat coverings must be sound, intact, fitted snugly to seats and be clean. The interior seat springs shall be sound and not penetrating the fabric of the seat. There shall be no loose rugs, blankets, cushions or other articles on the passenger seats.~~

~~3 Floor~~

~~The floor must be sound and covered by fitted vehicle carpets or other suitable covering. If furnished with rubber mats they must be in a clean and undamaged condition. Carpet off cuts are not acceptable as mats in the vehicle. Only one mat per seat is acceptable. The floor coverings must not be so worn as to cause danger to passengers.~~

~~4 Doors~~

~~All fittings shall be secure, undamaged and capable of being operated at all times by the passenger. The door linings shall be intact, clean and free from holes, tears, stains or any other damage.~~

~~5 Head Lining~~

~~The head lining shall be intact, clean and free from holes, tears, stains or any other damage.~~

~~6 — Boot~~

~~The boot shall be kept clean and free of any stains, spills etc. Matting if fitted must be in one piece and be capable of being cleaned. The boot must be kept clear for the use of passengers luggage apart from the spare wheel and jack (and excepting specialised fitments for first aid or other equipment etc).~~

~~7 — Fire Extinguishers~~

~~A fire extinguisher (of the specified type) must be located in a position readily accessible to the driver when seated or located in a labelled glove compartment. The fire extinguisher must be so secured and unobstructed that it will not create any danger or hazard for the driver or passengers. The extinguisher shall be clearly marked with the number of the licence when granted, by Officers of the Licensing Division.~~

~~8 — Fare Card~~

~~Where a meter has been fitted, the fare card must be clearly displayed in such a position as to be easily seen by passengers.~~

~~9 — Internal Plate Sticker~~

~~The internal licence plate shall be displayed in such a position as to be easily seen by the passengers and the public from inside and outside of the vehicle.~~

~~10 — Exterior Plate~~

~~The external identification plate issued by the Council shall be securely fixed to the satisfaction of the Council. Externally on the offside rear lower outside of the vehicle in such a position as to be clearly visible from the rear of the vehicle, or, adjacent to the vehicle's rear registration plate where a bracket behind the registration number plate is used.~~

~~**Please Note:** This list is not exhaustive and additional items may be included as deemed appropriate by Officers of the Licensing Division, subject to appropriate consultation.~~

APPENDIX E2

NORTH LINCOLNSHIRE COUNCIL

PRIVATE HIRE VEHICLE TESTING ARRANGEMENTS

- ~~1. All vehicles, no matter what their age, must pass the Council's test covering mechanics, safety and passenger comfort before a licence can be issued.~~

~~Annual tests are only to be booked through the Licensing Division on 01724 297592 or 297608.~~

- ~~2. Under no circumstances may the proprietor of a vehicle make any arrangement for a vehicle to be tested direct with the garage, unless for a re-test or a supplementary test. All appointments must be made through the Council's Licensing Division.~~

~~Re-tests and supplementary tests are to be booked directly with Vehicle Maintenance, Cottage Beck Road, Scunthorpe on 01724 297867.~~

- ~~3. Private Hire Vehicle tests should not be equated with the Department of Transport MOT vehicle test. MOT certificates will not be issued as the result of a private hire vehicle test. Should an MOT certificate be required at any time independent arrangements must be made by the applicant or his/her nominee with any approved garage. MOT certificates will not be accepted as proof that a private hire vehicle is suitable for that purpose.~~

- ~~4. The applicant or his/her nominee will attend the test garage at the time and date stated with the vehicle which shall be as follows:~~

- ~~◆ In a thoroughly CLEAN condition inside and out.~~

- ~~◆ In the case of first applications:~~

- ~~1. If fitted with an operational Taximeter it shall be correctly calibrated at or below the declared tariff.~~

- ~~2. Fitted with a fire extinguisher (of the specified type), securely fixed within easy reach of the driver or located within the glove compartment.~~

- ~~◆ In the case of licence RENEWALS:~~

- ~~1. If fitted with an operational Taximeter it shall be correctly calibrated at or below the declared tariff.~~

- ~~2. Fitted with a fire extinguisher (of the specified type), securely fixed within easy reach of the driver or located within the glove compartment.~~

- ~~3. Fitted with the Council's identification plate in the designated place.~~

- ~~4. A fare card displayed in the passenger compartments.~~

~~5. Displaying any advertising or signs as permitted by the conditions attached to Private Hire Vehicle Licences.~~

~~5. Where the applicant is unable for any reasons to attend the test at the date and time arranged, at least 48 hours notice (excluding weekends and public holidays) must be given to the Licensing Division, whereupon a new appointment can be arranged without incurring further costs.~~

~~6. Failure to give the required notice of the intention not to attend for a test, or failure to attend at the time, date and location arranged, will result in a cancellation charge being made.~~

~~7. Where in the opinion of the Inspecting Officer the vehicle fails to reach the standard required by the Council for the issue of a licence, the applicant or nominee will be informed of the defects or grounds upon which the vehicle has failed to reach that standard. The applicants or nominee will then be given the choice of:-~~

~~◆ Removing the vehicle from the test garage for the defects to be rectified and returned for retest within 7 days and/or 200 miles (where the vehicle is normally kept within 10 miles of the testing station), or within 7 days and/or 300 miles (where the vehicle is normally kept more than 10 miles from the testing station). The applicant or nominee shall also pay any appropriate re-test fee if required.~~

~~◆ If the vehicle is not returned for re-test within 7 days and/or 200 miles (where the vehicle is normally kept within 10 miles of the testing station), or within 7 days and/or 300 miles (where the vehicle is normally kept more than 10 miles from the testing station) of the initial test the applicant or his/her nominee shall inform the Licensing Division of the reasons why and any proposed further actions to be taken in respect of the vehicle. Re-tests after 7 days they will incur the full 1 hour mechanical inspection fee.~~

~~**8. MOT TEST CERTIFICATE EXEMPTION**~~

~~The Council is in possession of a Certificate of Exemption issued by the Secretary of State for Transport in respect of the annual testing of vehicles under the Motor Vehicles (Tests) Regulations 1972.~~

~~9. The Mechanical items to be tested in respect of private hire vehicles includes those items required for an MOT. Additional items are set out in the attached Appendix (the list is not exhaustive and additional items may be included as deemed necessary by Officers of the Licensing Division).~~

APPENDIX E4

NORTH LINCOLNSHIRE COUNCIL
PRIVATE HIRE VEHICLE
TESTING STANDARD –
MECHANICAL AND STRUCTURAL

Items for test in addition to MOT test.

The item numbers refer to the item codes on the test sheet.

29	Spare Wheel and Tyre	Correct size for vehicle and conforms to legal requirements. Space Savers are permitted providing that they are not fitted when the vehicle is used for hire and reward.
33	Wiring	Ensure that correct load fuses are being used. Ensure that visible wiring is not so corroded or chuffed that in the opinion of the tester a short circuit is likely to occur. That all junctions and installations are electrically sound. (Applies to none manufactures fittings)
34	Battery	Ensure that the battery mounting are not so corroded that the battery may break loose. Ensure that the battery is anchored securely. Ensure that the casing of the battery is sound and is not likely to allow acid to escape.
35	Starter Motor	Ensure starter motor is mounted securely.
36	Engine Mountings	Mountings must be secure and not so corroded that they may be likely to fail.
37	Oil Leaks	Oil leaks must not create any type of hazard for the vehicle, pedestrians or other road users.
39	Drive Shaft	All universal joints must be serviceable and mountings secure. There must not be any undue 'play'.
40	Gearbox	Mountings must be secure and not so corroded as to be likely to fail. Gear selection must not be noisy.
41	Rear Axle	No oil leaks.
43	Clutch Operation	Must operate satisfactorily and not 'judder', 'grab' or 'slip' outside normal limits.
44	Clutch Linkage	No signs of undue wear and are not likely to fail.
45	Clutch Hydraulics	System if fitted must not be leaking or the pipes and fittings so corroded that they may fail.
46	Fuel System	Inspected for security, corrosion and leaks.

50	Windscreen	Screen must be clear and there are no scratches, damage or obstructions which will impede the view of the driver.
51	Windows	All windows must be clear of any obstructions or damage which will in any way impede the view of the driver. No curtains must be placed over the windows and any blinds if installed must not be of a type which will restrict all round vision. All windows must be capable of being operated in a satisfactory manner. All windows must be fitted with glass which complies with the British Standard.
54	Vehicle Structure	The structure must be in a sound condition with no signs of excessive corrosion or damage.
55	Speedometer	The speedometer shall work in a normal manner and shall be correctly illuminated.
56	Odometer	The odometer shall work in a normal manner.
57	Mirrors	All mirrors must be securely mounted and not cracked, broken or corroded so as to distort any view to the rear. Where a mirror is intended to be adjustable it must be capable of being adjusted.
58 59	Doors / Handles / Locks	All doors, including boots, must open and close easily from both inside and outside. Any door locking mechanism shall be easily operated by passengers. All doors and boots shall be secure when shut. All lock fittings shall be secure and complete. Grab handles where fitted must be secure and fit for the purpose.
60	Fascia / Interior Lights	All interior and passenger lights where fitted shall be secure and operate. All switches and fittings shall be secure and operate correctly. There shall be no exposed wires or large holes in the fascia.
61	Bumper	Front and rear bumpers must be fitted and securely mounted. They must not be so badly damaged or corroded as to make them unfit for their purpose.
62	Road Test	The vehicle must be capable of manoeuvring safely and 'handles' correctly without any undue drift or pull etc.
63	Registration Plates	Checked for condition, correct location and that they conform to legal requirements.



**PRIVATE HIRE OPERATORS LICENCE
CONDITIONS**

Conditions attached to

Licence Number

Expiry Date :

1.0 LICENCE CONDITIONS

- 1.1 Any requirement of legislation, which affects the operations being carried out, under the terms of this licence, shall be regarded as if they are conditions of this licence.
- 1.2 Wherever there appears in the Licence Conditions any statutory provision, you are advised that such summary is not exhaustive.

2.0 RECORDS

2.1 The operator is required to maintain a record of all bookings in accordance with Section 56 (2) of the Local Government (Miscellaneous Provisions) Act 1976. Such a record shall be kept on a computer or in a suitable book or ledger, the pages of which are numbered consecutively. The operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle, invited or accepted by him/her.

- The time and date the booking was received
- How the booking was made i.e. telephone, personal call.
- Identification of the hirer
- The day and date of each journey
- The time of pick up / collection
- The point of pick up / collection
- The call sign of the driver
- The destination
- The registration number, plate number or Ref. No. (call sign) of the vehicle allocated for the booking.
- Remarks (including details of any sub-contract)

2.2 All records kept by the operator shall be preserved for a period of not less than three years following the date of the last entry.

2.3 Computer Records – if a computer system is used, the operator must be able to provide a print out of these details for inspection by an Authorised Officer of the Council or a Police Constable.

3.0 STANDARD OF SERVICE

3.1 The operator shall provide a prompt, efficient and reliable service to members of the public and for this purpose shall in particular:

- Ensure that when a private hire vehicle has been hired, to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.

3.2 Keep clean, adequately heated, ventilated and lit, any premises, which the operator provides and to which the public have access, whether for the purpose of booking or waiting.

3.3 Ensure that any waiting area provided by the operator has adequate seating facilities which are in a clean and tidy condition.

3.4 Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

4.0 COMPLAINTS

4.1 The operator shall keep a record of complaints and indicate action (if any) which the operator has taken or proposes to take in respect thereof.

5.0 CHANGE OF ADDRESS/BUSINESS PREMISES

5.1 The operator shall notify the Council in writing of any change of his/her address and or telephone number (including any address from which he/she operates or otherwise conducts his/her business as an operator) within seven days of such change taking place.

6.0 CONVICTIONS

6.1 The operator shall, within seven days, disclose to the council, in writing, details of any conviction imposed on him/her (or if the operator is a company or partnership, on any of the directors or partners).

7.0 STAFF

7.1 The operator shall notify North Lincolnshire Council in writing within seven days of the employment of any Private Hire Driver or of the termination of employment of any Private Hire Driver employed by him.

8.0 INSURANCE

8.1 The operator shall ensure that every Private Hire Vehicle operated by him/her in accordance with this licence is covered by a Certificate of Insurance or covering note indemnifying the proprietor of the said vehicle within the provision of the Road Traffic Act 1988 (Part IV) for the carriage of passengers for hire or reward. The operator shall ensure that he/she carries the appropriate Employers and/or Public Liability insurance.

9.0 DISPLAY OF TERMS AND CONDITIONS

9.1 The operator shall at all times keep a copy of these conditions on any premises used by him/her for the purpose of a private hire business, and shall make the same available for inspection by either actual or potential fare paying passengers.

10.0 DEPOSIT OF PRIVATE HIRE DRIVER'S LICENCE

10.1 The operator shall cause to be delivered to him/her the licence of any driver engaged by him or her and shall retain such licence in his/her possession until such time as the driver ceases to be engaged by him/her. The operator shall ensure that such driver is in possession of the appropriate driver's badge issued by the Council.

10.2 The operator shall keep a ledger containing the following details as regards each private hire vehicle operated by him/her:

- Year first registered
- Maker's name and model together with engine size
- Registration number
- Colour
- Number of seats for passengers
- Year of manufacture
- Chassis number
- Engine number
- Name, address and telephone number of owner of vehicle
- Radio call sign allocated to the driver
- Private Hire Licence number
- Private Hire Licence issue and expiry date

10.3 The said ledger shall be produced for inspection when required by an Authorised Officer of the Council or a Police Officer.

11.0 GENERAL LICENCE CONDITIONS

11.1 If you are aggrieved by any of the Conditions attached to this licence you may appeal to a Magistrates Court within 21 days of the service of the licence and attached conditions on you (see Section 55 and 77 of the 1976 Act and Section 300 of the Public Health Act 1976).

12.0 LANDLINE TELEPHONE NUMBER

12.1 The operator shall have a landline telephone number at the licensed premises, which shall be used for the taking of bookings.

BYELAWS FOR HACKNEY CARRIAGES

BYELAWS

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the Council of North Lincolnshire with respect to hackney carriages in North Lincolnshire.

Interpretation.

1. Throughout these byelaws “the Council” means the Council of North Lincolnshire and “the district” means North Lincolnshire.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed.

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.
- (b) A proprietor or driver of a hackney carriage shall:-
 - i. not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - ii. not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;

- (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher, being either a 0.9 kilo dry powder extinguisher with gauge or a 1 kilo Aqueous Film forming foam extinguisher with gauge, which shall be carried in such a position as to be readily available for use by the driver;
and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the carriage to be provided with a taximeter which shall be constructed, attached, and maintained so as to comply with the following requirements, that is to say:-
- (a) the taximeter shall be fitted with a device the operation of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such device shall be capable of de-activating the machinery of the taximeter so that no fare is recorded on the face of the taximeter,
 - (c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by time as well as for distance in pursuance of the tariff fixed by the Council;
 - (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

5. The driver of a hackney carriage shall:-
 - (a) when standing or plying for hire, keep the device fitted in pursuance of the byelaw in that behalf deactivated so that no fare is recorded on the face of the taximeter;
 - (b) before beginning a journey for which a fare is charged for distance and time bring the machinery of the taximeter into action by moving the said device, so that the word "HIRED" appears on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring; and
 - (c) cause the face of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
 - (a) proceed with reasonable speed to one of the stands appointed by the Council;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.

9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:-
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares.

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer expresses at the commencement of the hiring his desire to engage by time alone.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
15.
 - (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
 - (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed

or rendered illegible at any time while the carriage is plying or being used for hire.

Penalties.

16. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the standard scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

Repeal of Byelaws.

17. The byelaws relating to hackney carriages detailed in the schedule are hereby repealed.

Schedule.

1. The byelaws made by the Mayor Aldermen and Burgesses of the Borough of Scunthorpe on the twenty fifth day of September 1972, and which were confirmed by the Secretary of State on the first day of April 1973.
2. The byelaws made by the Glanford Borough Council on the twenty third day of December 1986, and which were confirmed by the Secretary of State on the first day of July 1987.
3. The byelaws made by the Boothferry Borough Council on the first day of October 1987, and which were confirmed by the Secretary of State on the first day of January 1988, insofar as they relate to the area of North Lincolnshire.

The Common Seal of
North Lincolnshire Council
was hereunto affixed this
twenty sixth day of February 1999
in the presence of:-

G K Masterson
Authorised Officer

The foregoing Byelaw is hereby
confirmed by the Secretary of State
and shall come into operation on the
first day of June 1999

E. C. Neve

A grade 5 office in the D.E.T.R on behalf of the Secretary of State for the
Environment, Transport and the Regions

APPENDIX H

Drivers Dress Code

The purpose of a driver's dress code, is to seek a standard of dress that provides a positive image of the hackney carriage and private hire trade in North Lincolnshire, to enhance a professional image of licensed drivers and ensure that public and driver safety is not compromised.

- Footwear (shoes/trainers/sandals) for all drivers shall fit around the heel of the foot – no flip flops
- Clothing shall be kept in a clean condition, free from holes and rips
- Words or graphics on any clothing shall not be of an offensive or suggestive nature which might offend
- Tops must cover the midriff and shoulders
- Trousers shall be full length, while shorts shall be knee length
- No headwear, other than for religious purposes, or other items which cover the head or face shall be worn, other than when a uniform is worn for a special occasion.
- Offensive tattoo's must be covered, either by clothing or band aid
- Sportswear, e.g. football/rugby kits, track suits and beach wear shall not be worn, other than sports tops, which can be worn during significant sporting occasions, e.g. World Cup/Six Nations Rugby
- Skirts shall be no shorter than knee length

PENALTY POINTS SCHEME

1.0 The details of how the scheme will be operated are as follows:

- 1.1 The Licensing Enforcement Policy will be fully considered by an authorised officer when determining the manner on which any breach of legislation or the requirements of this Policy are dealt with.
- 1.2 The Penalty Points Scheme will operate without prejudice to Licensing Authority's ability to take other action under appropriate legislation or as provided for by this policy.
- 1.3 The Penalty Points Scheme outlined in Schedule 1 identifies a number of breaches of conditions, byelaws and/or statutory provisions. It then indicates the number of points to be invoked should the breach be proven and by whom.

2.0 Imposition of Points

- 2.1 Where it is decided that the use of the Penalty Points Scheme is appropriate, the points will be issued in accordance with Schedule 1 to this appendix.
- 2.2 The imposition of penalty points against a driver who is an employee will not necessarily result in the additional imposition of points to his/her employer or operator. However the Licensing Authority will issue penalty points to drivers, proprietors, driver/proprietors and operators for a single contravention if the circumstances warrant it, i.e. the breach is one against all these licences and it is considered joint responsibility is held.
- 2.3 Points issued to a proprietor, operator or driver will be confirmed in writing within three weeks of the completion of enquiries into the contravention or upon discovery of breach.
- 2.4 Points will be imposed on licences by either Licensing Officers or by the Licensing (Miscellaneous) Sub-Committee. The imposition shall be in accordance with Schedule 1 to this Appendix.
- 2.5 There is no financial penalty associated with the Penalty Point Scheme, and the licensee may continue to work. However, the licensee may be asked to attend a hearing before the Licensing (Miscellaneous) Sub-Committee if 12 or more penalty points are imposed on an individual licence and are still valid, where appropriate action will be taken in accordance with this policy.

3.0 Duration of Points

3.1 When issued, the penalty points will remain “live” for the period specified in Schedule 1 to this Appendix. They will remain on the licence for consideration from the date they are imposed for the specified period indicated in Schedule 1.

4.0 The Hearing

4.1 Where a driver, proprietor or operator attains 12 penalty points, disciplinary options available to the Licensing Authority will include suspension or revocation of the driver’s licence.

4.2 If it is felt that the matter does not warrant suspension or revocation of the licence, a written warning may be issued to the driver as to his future conduct.

4.3 Periods of suspension of a licence will be dependent on the nature of the breach of legislation or the requirements of this Policy and the compliance history of the licence holder.

4.4 A driver will always have the right to be represented at any meeting, either legally or otherwise, and to state any mitigating circumstances he deems necessary.

5. Appeals

5.1 Should a driver, operator or proprietor wish to dispute the imposition of points made by an officer, then they have the right to appeal. Appeals will be made to the Licensing (Miscellaneous) Sub-Committee, who may quash the points, uphold the points or increase the where they deem it appropriate, subject to the maximum points identified in Schedule 1.

5.2 Any driver or vehicle proprietor or operator subject to suspension or revocation has the right of appeal to the Magistrates Court against the suspension or revocation. In most cases a suspension will be subject to a 21 day appeal period starting on the date of the suspension notice to allow for the formal appeal process. There might be occasions where immediate suspension is required e.g. danger to the public.

Schedule 1 to Appendix I - Penalty Points Tariff

1.1 Legislative offences and penalties:

Two statutes principally create offences relating to hackney carriages and private hire vehicles are; i) The Town Police Clauses Act 1847; and ii) The Local Government (Miscellaneous Provisions) Act 1976. Offences may also be committed under other legislation, byelaws or conditions.

1.2 The offences are set out below under the relevant statute state the number of points and the length of time that the points will remain on the licence. Where there is an option to attach more points, Licensing Officers will only be permitted to attach the minimum number of points. Where the Licensing Officer determines that the offence is of a more serious nature, the awarding of any points or action will be determined by the Licensing (Miscellaneous) Sub-Committee, who on hearing the case may attach points between the minimum and maximum, should the case be found.

1.3 When an application or licence is determined by the Licensing (Miscellaneous) Sub-Committee the points attached to a licence will be taken into consideration. In such cases the hearing will consider all relevant information and will determine the review in accordance with the relevant legislative framework. Points attached to a licence will not be the reason for refusal, suspension or revocation.

1.4 The Licensing Authority reserves the right to take all appropriate action as is deemed necessary. The attachment of points to a licence in no way prejudices the Licensing Authorities right to prosecute an offender should it be deemed in the public interest to do so.

1.5 Tables 4-7 set the number of points that will be deemed attached to a licence or application when determining the said application, renewing a licence or reviewing the licence of a current driver, proprietor or operator. The term conviction will be deemed to mean any conviction or fixed penalty or any material disclosed by the police on a DBS certificate which they consider to be relevant to a person acting as a Hackney Carriage or Private Hire Driver.

1.6 A list of the offences, penalty points and the relevant period that points remain on the licence are in accordance with the following tables:

Table 1

TOWN AND POLICE CLAUSES ACT 1847

List No.	Imposition of points by LO or Ctte	Section and Offence	Penalty Points or Action	Period Points Remain on the Licence	Operator	Proprietor	Driver
1	LO LCtte	S40 - Giving false information on a hackney carriage licence application.	6-12*	3 Years		✓	✓
2	LO	S44 - Failure to notify change of address on a hackney carriage licence.	2	1 Year		✓	✓
3	LCtte	S45 - Plying for hire without a hackney carriage licence.	12	5 Years			✓
4	LCtte	S47 - Driving a hackney carriage without a hackney carriage driver's licence.	12	5 Years			✓
5	LCtte	S47 - Lending or parting with a hackney carriage driver's licence.	12	3 Years			✓
6	LCtte	S47 - Hackney carriage proprietor permitting or employing an unlicensed driver to drive a hackney carriage vehicle.	12	5 Years		✓	✓
7	LO	S48 - Failure of a proprietor to retain in his/her possession copies of any hackney carriage driver's licence that permits them to drive their vehicle.	3	1 Year		✓	
8	LO	S48 - Failure of a proprietor to produce on request by an authorised officer any hackney carriage driver's licence for whom he has permitted to drive his/her vehicle.	3	1 Year		✓	
9	LO	S52 - Failure to display a hackney carriage plate.	4	3 Years			✓
10	LO LCtte	S53 - Refusal to take a fare without a reasonable excuse.	8-12*	5 Years			✓
11	LO LCtte	S54 - Charging more than the agreed fare.	8	5 Years			✓
12	LO LCtte	S55 - Obtaining more than the legal fare (including failure to refund).	8	5 Years			✓
13	LO LCtte	S56 - Travelling less than the lawful distance for an agreed fare.	6	5 Years			✓
14	LCtte	S57 - Failure to wait after a deposit to wait has been paid.	12	3 Years			✓
15	LO LCtte	S58 - Charging more than the legal fare.	8-12*	5 Years			✓
16	LO	S59 - Carrying persons other than with the consent of the hirer.	6	3 Years			✓
17	LCtte	S60 - Driving a hackney carriage without the proprietor's consent.	12	5 Years			✓
18	LCtte	S60 - Allowing a person to drive a hackney carriage without the proprietor's consent.	12	5 Years			✓
19	LO	S62 - Driver leaving a hackney carriage unattended.	2	1 Year			✓
20	LO	S64 - Hackney carriage driver obstructing other hackney carriages.	2	1 Year			✓

Table 2
Local Government (Miscellaneous Provisions) Act 1976

List No.	Imposition of points by LO or LCtte	Section and Offence	Penalty Points or Action	Period Points Remain on the Licence	Operator	Proprietor	Driver
21	LCtte	S46(1)(a) - A licensed driver using an unlicensed vehicle for private hire purposes.	12	5 Years			✓
22	LCtte	S46(1)(b) - Driving a private hire vehicle without a private hire driver's licence.	12	5 Years			✓
23	LCtte	S46(1)(c) - Proprietor of a private hire vehicle permitting or employing an unlicensed driver to drive a private hire vehicle.	8-12*	5 Years		✓	
24	LO LCtte	S46(1)(d) - Operating a private hire vehicle without a private hire operators' licence.	8-12*	5 Years	✓		
25	LCtte	S46(1)(e) - Operating an unlicensed vehicle as a private hire vehicle.	12	5 Years	✓	✓	✓
26	LCtte	S46(1)(e) - Operating a private hire vehicle when the driver is not licensed as a private hire driver.	12	5 Years	✓	✓	✓
27	LO	S48(6) - Failure to display a private hire vehicle plate.	4	1 Year		✓	✓
28	LO	S49 - Failure to notify the transfer of a vehicle licence.	3	1 Year		✓	
29	LO	S50(1) - Failure to present a hackney carriage or private hire vehicle for inspection upon request.	6	3 Years		✓	
30	LO	S50(2) - Failure to inform the Licensing Authority where a hackney carriage or private hire vehicle is stored, if requested.	3	1 Year		✓	
31	LO	S50(3) - Failure to report an accident to the Licensing Authority within seventy two hours.	6	3 Years		✓	✓
32	LO	S50(4) - Failure to produce the vehicle and/or insurance upon request.	6	3 Years		✓	✓
33	LO	S53(3) - Failure to produce a driver's licence upon request.	6	3 Years			✓
34	LO	S54(2) - Failure to wear a private hire driver's badge.	3-6*	3 Years			✓
35	LO LCtte	S56(2) - Failure of a private hire operator to keep proper records of all bookings, or failure to produce them upon request of an authorised officer of the Licensing Authority or a police officer within reasonable time / or time specified.	3-8*	3 Years	✓		
36	LO LCtte	S56(3) - Failure of a private hire operator to keep proper records of all private hire vehicle licenses and driver licenses, or failure to produce them on request of an authorised officer of the Licensing Authority or a police officer within reasonable time / or time specified.	3-8*	3 Years	✓		

37	LO	S56(4) - Failure of a private hire operator to produce his licence upon request.	4	1 Year	✓		
38	LCtte	S57 - Making a false statement or withholding information to obtain a hackney carriage/private hire driver's licence.	12	5 Years			✓
39	LCtte	S58(2) - Failure to return a plate after notice has been given following expiry, revocation, or suspension of a hackney carriage or private hire vehicle licence.	6-12*	5 Years		✓	
40	LCtte	S61(2) - Failure to surrender a driver's licence or badge on or after suspension, revocation, or refusal to renew.	6-12*	5 Years			✓
41	LO LCtte	S64 - Permitting a private hire vehicle to wait on a hackney carriage rank.	6-12*	5 Years			✓
42	LO LCtte	S66 - Hackney Carriage charging more than the meter fare for a journey ending outside the District, without prior agreement.	8	3 Years			✓
43	LO LCtte	S67 - Hackney Carriage charging more than the meter fare when a hackney carriage is used as a private hire vehicle.	8	3 Years			✓
44	LO LCtte	S69 - Unnecessarily prolonging a journey.	8	3 Years			✓
45	LCtte	S71 - Interfering with a private hire taxi-meter with intent to mislead.	12	5 Years		✓	✓
46	LCtte	S73(1)(a) - Obstruction of an authorised officer of the Licensing Authority or a police officer.	6-12*	5 Years	✓	✓	✓
47	LO LCtte	S73(1)(b) - Failure to comply with a requirement of an authorised officer of the Licensing Authority or a police officer.	3-12*	5 Years	✓	✓	✓
48	LO LCtte	S73(1)(c) - Failure to give information or assistance to an authorised officer of the Licensing Authority or police officer.	3-12*	5 Years	✓	✓	✓

Table 3
LICENSING AUTHORITY POLICY

List No.	Imposition of points by LO or LCtte	Section and Offence	Penalty Points or Action	Period Points Remain on the Licence	Operator	Proprietor	Driver
49	LO LCtte	Failure to adhere to the Code of Good Conduct for Licensed Drivers where not mentioned below.	6	3 Years			✓
50	LCtte	Failure to ensure the safety of passengers.	12	5 Years	✓	✓	✓
51	LO LCtte	Concealing or defacing a vehicle licence plate.	6	3 Years	✓	✓	✓
52	LO	Failure to attend on time for a pre-arranged appointment at the request of the Licensing Authority for interview without reasonable cause.	2	1 Year	✓	✓	✓
53	LO LCtte	Conveying a greater number of passengers than permitted.	6-12*	5 Years			✓
54	LO	Failure to give reasonable assistance with	2	1 Year			✓

		passenger's luggage.					
55	LO LCtte	Private hire soliciting for hire or accepting a fare that is not pre-booked.	6	3 Years			✓
56	LO	Operating/using a vehicle that is not clean and tidy internally or externally.	2	1 Year		✓	✓
58	LO LCtte	Operating/using a vehicle that is not in a safe condition internally or externally.	6-12*	5 Years		✓	✓
59	LCtte	Driving without the consent of the proprietor.	12	5 Years			✓
60	LO	Drinking or eating in the vehicle whilst carrying passengers.	2	1 Year			✓
61	LO	Smoking in the vehicle at any time.	4-8*	3 Years			✓
62	LO	Causing excessive noise from any radio or sound-reproducing equipment.	2	1 Year			✓
63	LO	Sounding the horn to signal that the vehicle has arrived. disturbing residents	2	1 Year			✓
64	LO	Allowing a private hire vehicle to stand in such a position as to suggest that it is plying for hire or using a hackney carriage stand.	6	3 Years			✓
65	LO	Allowing a hackney carriage vehicle to stand in a position, not being a hackney carriage stand, to suggest that is plying for hire.	6	3 Years			✓
66	LO LCtte	Using a non-hands free mobile telephone whilst driving/engine running.	3-12*	5 Years			✓
67	LCtte	Failure to advise of a relevant medical condition.	12	5 Years			✓
68	LO	Failure to provide a receipt for a fare when requested.	2	1 Year			✓
69	LO LCtte	Failure to operate the meter from the commencement of the journey and /or charging more that the fixed charge for hire of a hackney carriage.	8-12*	5 Years			✓
70	LO	Failure to notify the Licensing Authority of relevant change to licence details within the time specified in the associated licence conditions.	2	1 Year	✓	✓	✓
71	LO	Failure to produce a hackney carriage or private hire licence upon request.	3	1 Year	✓	✓	✓
72	LO	Failure to show a private hire driver's licence to the private hire operator at the commencement of employment.	2	1 Year			✓
73	LO	Failure of a private hire operator to request and keep a copy all driver's licence in his employ at the beginning of employment.	2	1 Year	✓		
74	LCtte	Failure of a licence holder to disclose convictions within seven days of conviction.	12	5 Years	✓	✓	✓
75	LO	Carrying any animal other than a guide, hearing or other prescribed assistance dog or those owned by bone-fide fare paying passengers.	6	3 Years			✓
76	LO	Failure to search a vehicle after a journey or failure to take found property to the police within forty eight hours of finding.	3	3 Years			✓
77	LO	Failure to report an accident within seventy two hours.	6	3 Years			✓

78	LO	Failure to comply with requirements for the safe carrying of a wheelchair	6	3 Years		✓	✓
79	LO LCtte	Operating a vehicle that does not comply with the Licensing Authority's licensing policy or relevant legislation where such a breach of policy/legislation is not otherwise specified herein.	3-12*	5 Years		✓	✓
80	LCtte	A Private Hire driver using a Hackney Carriage vehicle without a Hackney Carriage driver licence.	12	5 Years			✓
81	LO	Failure to carry an approved fire extinguisher.	2	1 Year		✓	✓
82	LO	Failure to carry a first aid kit for personal use that has been approved by the Licensing Authority.	2	1 Year		✓	✓
83	LO LCtte	Modifying a licensed vehicle without the consent of the Licensing Authority.	6-12*	5 Years		✓	✓
84	LO	Failure to display or maintain external plates as issued by the Licensing Authority or displaying them incorrectly e.g. in the window of a vehicle.	4	3 Years		✓	✓
85	LO	Affixing or displaying a roof sign on a private hire vehicle.	4	3 Years		✓	✓
86	LO	Displaying a sign or advertisement on a licensed vehicle that does not satisfy the policy requirements or has not been approved by the Licensing Authority.	4	3 Years		✓	✓
87	LO	Using a taxi-meter that does not conform to Licensing Authority requirements.	6	3 Years	✓	✓	✓
88	LCtte	Driving with no insurance or inadequate insurance for the vehicle.	12	5 Years		✓	✓
89	LCtte	Permitting the vehicle to be used for any illegal or immoral purposes.	12	5 Years	✓	✓	✓
90	LO	Failure of a private hire operator to ensure that office staff act in a civil and courteous manner at all times.	2	1 Year	✓		
91	LO	Failure of a private hire operator to keep the operating premises in accordance with Licensing Authority requirements.	3	1 Year	✓		
92	LCtte	Failure of a private hire operator to ensure that all vehicles operated by him are adequately insured.	12	5 Years	✓		
93	LO LCtte	Failure of a private hire operator to obtain public liability insurance for the operating premises if the public are allowed access.	6	3 Years	✓		
94	LO	Driving or allowing a hackney carriage vehicles to be driven with tinted windows which do not conform to licence conditions.	2	1 Year		✓	✓
95	LO	Driving or allowing a hackney carriage or private hire vehicle to be driven without displaying the door signs or attaching the signs other than in accordance with the Councils Policy.	2	1 Year		✓	✓
96	LO	Failing to display the licence number on the vehicles top sign.	2	1 Year		✓	
97	LO	Allowing a hackney carriage vehicle to be driven with a top sign that is in breach of the licence conditions.	2	1 Year		✓	

Table 4

Convictions - Violence											
		Number of Points									
Date Since Conviction Received (Years or Part Thereof)		1	2	3	4	5	6	7	8	9	10
List No.	Type of Offence	Points are doubled for a term of imprisonment served									
94	Common Assault	12	12	12	5	4	3	2	1	0	0
95	Assault, s47	12	12	12	5	4	3	2	1	0	0
96	Grievous Bodily Harm, s20	12	12	12	12	12	12	8	6	4	2
97	Grievous Bodily Harm, s18	12	12	12	12	12	12	12	12	8	6
98	Assault Police	12	12	12	8	6	5	4	3	2	1
99	Affray	12	12	12	6	5	4	3	2	1	0
100	Riot	12	12	12	12	8	6	4	2	0	0
101	Murder	12	12	12	12	12	12	12	12	12	12
102	Manslaughter	12	12	12	12	12	12	12	12	12	12
103	Manslaughter or Culpable Homicide while Driving	12	12	12	12	12	12	12	12	12	12
104	Using Threatening, Abusive Words or Behaviour	5	4	3	2	1	0	0	0	0	0
105	Breach of the Peace	3	2	1	0	0	0	0	0	0	0
106	Drunk and Disorderly	3	2	1	0	0	0	0	0	0	0
107	Common Assault - Aggravated	12	12	12	8	6	4	3	2	1	0
108	Obstruction	12	12	12	6	4	2	0	0	0	0
109	Robbery	12	12	12	12	12	12	12	12	8	6
110	Possess Offensive Weapon	12	12	12	8	6	4	2	0	0	0
111	Possess Firearm	12	12	12	8	6	4	2	0	0	0
112	Possess Firearm with intent	12	12	12	12	12	8	6	4	2	0
113	Criminal Damage	12	12	12	8	6	4	2	0	0	0
114	Violent Disorder	12	12	12	8	6	4	2	0	0	0
115	Resist Arrest	12	12	12	8	6	4	2	0	0	0
116	Arson	12	12	12	12	12	12	12	12	12	12

Table 5

Convictions - Dishonesty											
		Number of Points									
Date Since Conviction Received (Years or Part Thereof)		1	2	3	4	5	6	7	8	9	10
List No.	Type of Offence	Points are doubled for a term of imprisonment served									
117	Theft	12	12	12	6	4	2	1	0	0	0
118	Theft – Shoplifting	12	12	12	6	4	2	1	0	0	0
119	Theft – Employee	12	12	12	6	4	2	1	0	0	0
120	Theft – From Vehicle	12	12	12	6	4	3	2	1	0	0
121	Burglary & Theft - Dwelling	12	12	12	12	8	6	4	2	1	0
122	Burglary & Theft – Non Dwelling	12	12	12	6	4	3	2	1	0	0
123	Burglary & Theft – Aggravated	12	12	12	12	12	12	8	6	4	2
124	Fraudulent Use	12	12	12	6	4	3	2	1	0	0
125	Handling	12	12	12	6	4	3	2	1	0	0
126	Receiving	12	12	12	6	4	3	2	1	0	0
127	Forgery	12	12	12	6	4	3	2	1	0	0

128	Conspiracy to Defraud	12	12	12	6	4	3	2	1	0	0
129	Obtain Money by Deception	12	12	12	6	4	3	2	1	0	0
130	Obtain Money by Forged Instrument	12	12	12	6	4	3	2	1	0	0
131	Deception	12	12	12	6	4	3	2	1	0	0
132	False Accounting	12	12	12	6	4	3	2	1	0	0
133	False Statement to Obtain Benefit	12	12	12	6	4	3	2	1	0	0
134	Going Equipped	12	12	12	6	4	3	2	1	0	0
135	Taking/Driving or Attempt to Steal Vehicle	12	12	12	6	4	3	2	1	0	0
136	Allow to be Carried in a Stolen Vehicle	12	12	12	6	4	3	2	1	0	0
137	Perverting the Course of Justice	12	12	12	12	8	6	4	2	0	0

Table 6

Convictions - Drugs

		Number of Points									
Date Since Conviction Received (Years or Part Thereof)		1	2	3	4	5	6	7	8	9	10
List No.	Type of Offence	Points are doubled for a term of imprisonment served									
138	Possessing Controlled Drugs	12	12	12	12	8	6	4	2	1	0
139	Possessing Controlled Drugs with Intent to Supply	12	12	12	12	12	12	10	8	6	4
140	Producing Controlled Drugs	12	12	12	12	12	10	8	6	4	2
141	Import Drugs	12	12	12	12	12	12	10	8	6	4

Table 7

Convictions - Indecency

		Number of Points									
Date Since Conviction Received (Years or Part Thereof)		1	2	3	4	5	6	7	8	9	10
List No.	Type of Offence	Points are doubled for a term of imprisonment served									
142	Indecent Exposure	12	12	12	12	12	12	12	10	8	6
143	Indecent Exposure to the Annoyance of Residents	12	12	12	12	12	12	12	10	8	6
144	Indecent Exposure with intent to insult a female	12	12	12	12	12	12	12	12	10	8
145	Unlawful Sexual Intercourse	12	12	12	12	12	12	10	8	6	4
146	Importuning	12	12	12	12	12	12	12	10	8	6
147	Gross Indecency with a Female	12	12	12	12	12	12	12	12	12	12
148	Gross Indecency with a Male	12	12	12	12	12	12	12	12	12	12
149	Indecent Assault on a Female	12	12	12	12	12	12	12	12	12	12
150	Indecent Assault on a Child under 16 years of age	12	12	12	12	12	12	12	12	12	12
151	Living Off Immoral Earnings	12	12	12	12	12	12	12	10	8	6
152	Prostitution	12	12	12	12	12	12	10	8	6	4
153	Possessing or Distributing Obscene Material	12	12	12	12	12	12	12	12	10	8
154	Buggery	12	12	12	12	12	12	12	12	12	12
155	Rape	12	12	12	12	12	12	12	12	12	12
156	Indecent or Nuisance Telephone Calls	12	12	12	12	12	8	6	4	2	1

Any subsequent amendments to the legislation will supersede the tables below and this appendix may be amended to reflect the revised legislation by way of an addendum to this policy.

Where a breach is proven that is a combination of any of the above offences, the option to allocate points for each of the offences can be utilised by any authorised licensing officer or the Officer Review Board.

No English?

For information please call:

08000 193530 (Arabic) للحصول على المزيد من المعلومات اتصل بـ:

08000 193531 (Bengali) তথ্যগুলি বাংলায় জানতে হলে এই নম্বরে ফোন করুন:

08000 193532 (Cantonese) 欲知粵語版的信息，請致電:

08000 193533 (Hindi) हिन्दी में जानकारी के लिये 08000 193533 पर फोन करें

08000 193537 (Kurdish Sorani) بۆ زانیاری بە کوردی سۆرانی تەلەفۆن بۆ ژمارە 08000 193537 بکە.

08000 193538 (Portuguese) Para mais informação em português contacte-nos através do telefone

08000 193539 (Punjabi) ਪੰਜਾਬੀ ਵਿਚ ਜਾਣਕਾਰੀ ਲਈ 08000 193539 'ਤੇ ਫੋਨ ਕਰੋ

08000 193540 (Somali) "Warbixinta oo af Soomaali ah wac 08000 193540"

08000 193541 (Urdu) اردو میں انفارمیشن کے لیے اس نمبر پر رابطہ فرمائیں۔

08000 195587 (Polish) Nie mówisz po angielsku? Po informacji zadzwoń pod numer

08000 195586 (Russian) Не знаете английский? Для информации звоните

For information in large print, audio, Braille or to request a signer to speak to us please contact 01724 296296

Hackney Carriage & Private Hire Vehicle Compliance Testing Standards



PART 1	General Compliance Requirements	Page Number
	 Development <u>of the Testing Standards</u>	8
	 Development of the Testing Standards	9
	 Grandfather Rights	9
	 Specification of Vehicle Types that may be Licensed	9
	 Vehicle Modifications	10
	 Imported Vehicles	10
	 Notification of Changes to Vehicles	10
	 Access and Changes to the Testing and Inspection Standards	10
	 Presenting a Vehicle for Test or Inspection	11
	 Buying a Vehicle or Installing Equipment/Fittings	11
	 Documents to be Produced at Test and Inspection	11
	 Grandfather Rights Policy	11

***Section numbering matches VOSA's MoT Testing Standards Guide**

PART 2	Section	Test Compliance Requirements	Page Number	
	1*	<u>Lighting, Electrical Equipment and Signalling Equipment:</u>		
		1.1 Mandatory Rear Lights (Wheelchair Accessible Vehicles)		13
		1.9 Electrical Wiring and Equipment		13
		1.10 Additional Lamps		14
		1.11 Additional Lamps (Wheelchair Accessible Vehicles)		14
	2*	<u>Steering:</u>		
2.1 Steering Control – Steering Wheel			15	
2.1 Steering Control – Steering Column			15	
	2.4 Suspension Spring Units and Linkages		16	
3*	<u>Brakes:</u>			
	No Additional Requirements to MOT Inspection Manual		16	
4*	<u>Tyres and Road Wheels:</u>			
	4.1 Tyres		17	
	4.1 Tyres (Stretch Limousines)		18	
5*	<u>Seat Belts & Supplementary Restraint Systems:</u>			
	5.1 Seat Belts and Supplementary Restraint Systems		19	

*Section numbering matches VOSA’s MoT Testing Standards Guide

	Section	Test Compliance Requirements	Page Number	
PART 2	6*	<u>Body Work & Structure:</u>		
		6.1 Vehicle Body and Condition - Exterior	20	
		6.1 Vehicle Body and Condition – Bumper Bars	21	
		6.1 Vehicle Body, Security and Condition – Interior	21	
		6.2 Doors	23	
		6.2 Rear Doors	24	
			6.10 Stretch Limousines & Novelty Vehicles	25
	7*	<u>Fuel and Emissions:</u>		
		7.1 Exhaust System	25	
		7.2 Fuel System – Pipes and Tanks	26	
			7.2 Alternative Fuel Tanks (LPG)	27
	8*	<u>Driver’s View of the Road:</u>		
		8.1 Mirrors – View to Rear	27	
		8.2 Wipers	28	
		8.3 Windscreen – View to the Front	28	
			8.5 Window Glass or other Transparent Material	29
9*	<u>Tricycles and Quadricycles:</u>			
		Currently Under Review	31	

	Section	Test Compliance Requirements	Page Number
PART 2	10	<u>Additional Test Requirements:</u>	
		10.1 Customised Vehicles	31
		10.2 Engine and Transmission (Road Test)	31
		10.3 Transmission	32
		10.4 Oil and Water Leaks	32
		10.5 Bulkhead/Driver Safety Screen	33
		10.6 Entry and Exit Requirements (Hackney Carriage)	34
		10.6 Entry and Exit Requirements (Private Hire)	34
	10.7 Floors, Passageways, Steps and Handrails	35	
	10.8 Seating	36	
	11	<u>Safety Features</u>	
		11.1 Wheelchair Restraints/ Passenger Safety Equipment and Seat Belts	37
		11.2 Vehicle Safety Devices	38
12	<u>Ancillary Equipment:</u>		
	12.1 Hands Free Mobile Phone Kit	39	
	12.2 Communication Equipment	39	
	12.3 Wheel Jack & Wheel Locking Nut	39	
	12.4 Tow Bar	40	

	Section	Inspection Compliance Requirements	Page Number
PART 3	13	<u>Vehicle Condition External and Internal:</u>	
		13.1 Vehicle Body and Condition - External	42
		13.2 Vehicle Body, Security and Condition – Interior	43
		13.3 Doors	44
	14	<u>Window Glass</u>	
		14.1 Window Glass	44
	15	<u>Signage and Markings:</u>	
		15.1 Licence Plates and Door Signs	45
		15.2 No Smoking Signs	46
		15.3 CCTV	46
		15.4 Unauthorised Items	46
		15.5 Vehicle Tax Disc	47
		15.6 Fare Cards	47
		15.7 Hackney Carriage Roof Sign	48
		15.8 Displaying of Company Name and Telephone Number	49
	16	<u>Passenger Comfort and Luggage:</u>	
16.1 Seats		51	
16.2 Luggage/Load Space		52	

PART 3	Section	Inspection Compliance Requirements	Page Number	
	17	<u>Ancillary Equipment:</u>		53
		17.1 Fire Extinguisher		
		17.2 Wheels and Wheel Trims		55
		17.3 Fare Meter		
18	<u>Ancillary Equipment:</u>		56	
	18.1 IVA Compliance			56
	18.2 Seating		57	
	18.3 Wheelchair Space		57	
	18.4 Wheelchair Access Equipment – Lifts		59	
	18.5 Wheelchair Access Equipment – Ramps		61	
	18.6 Winches		61	
19	<u>Stretch Limousines and Novelty Vehicles:</u>		62	
	19.1 Seating Capacity			62
	19.2 Passenger Notices		63	
	19.3 Vehicle Body, Security and Condition			
20	<u>European Union (EU) Emissions:</u>		64	
	20.1 EU Emissions			

PART 1

General Compliance Requirements

Introduction

In order for a vehicle to be licensed as either a Hackney Carriage or Private Hire Vehicle with North Lincolnshire Council, it must undergo a compliance test and inspection. The test is carried out at the Council's MOT station and the inspection at the Licensing Office. All vehicles will be tested and inspected in accordance with:

- The current Vehicle and Operator Services Agency MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing issued by VOSA (as a basic inspection standard) and
- North Lincolnshire Council's Testing Standards and procedures as set out in this manual.

A vehicle must meet the Compliance Standards set out in the two aforementioned manuals in order that a licence is granted.

This manual provides a working guide for proprietors, persons involved in maintaining vehicles and persons involved in testing and inspecting vehicles.

This manual only sets out North Lincolnshire Council's Compliance test and inspection. This is additional to the testing procedures covered by the VOSA MOT inspection manual. It is recommended that this manual is read in conjunction with the VOSA MOT inspection manual. The numbering contained in this manual has been written to match the numbering in the VOSA MOT manual. If a numbered section is missing from this manual, then this indicates that there are no additional testing requirements beyond the requirements set out in the VOSA inspection manual.

The passing of an MOT test indicates that a vehicle has passed the minimum requirement for road safety. As hackney carriage and private hire vehicles carry fare paying passengers and are subject to much higher mileage, the Certificate of Compliance requires a higher standard of road safety than normal vehicles. The more stringent test should result in higher standards.

In the interests of road and passenger safety, a vehicle must be kept in roadworthy condition at all times.

Development of the Testing Standards

This testing standard has been developed having regard to the National Best Practice Guide for the Inspection of Hackney Carriage and Private Hire Vehicles 2012 and reflect the conditions attached to hackney carriage and private hire vehicles and byelaws. This manual replaces all previous documents relating to vehicle specification and testing criteria.

Grandfather Rights

Vehicles licensed before the date of implementation of this manual may be eligible to certain grandfather rights. The grandfather rights are attached as Appendix A to this manual.

Specification of Vehicles Types that May be Licensed

The specification for vehicles to be licensed differs depending if the vehicle is to be licensed as Hackney Carriage or Private Hire. The criteria detailing vehicles that will be licensed are contained within North Lincolnshire Council's Hackney Carriage and Private Hire Licensing Policy. There are significantly different requirements for the licensing of hackney carriage vehicles compared to private hire vehicles. This is due to the nature of the hiring and how the vehicles are used.

Hackney carriage vehicles must have:

- A minimum engine capacity of 1250 cc
- A minimum of four wheels
- A capacity of at least four, but no more than eight passengers, in addition to the driver (forward & rear facing seats only)
- Four doors (excluding rear doors/tailgate unless accessible without the need to move seats)
- Right hand drive
- Adequate space for luggage

Private Hire Vehicles must have:

- A minimum of four wheels
- A capacity of no more than eight passengers, in addition to the driver

Further information on vehicle requirements can be found in North Lincolnshire Council's Hackney Carriage and Private Hire Licensing Policy.

Vehicle Modifications – Including Wheelchair Accessible and/or Multi-Seat Vehicles

Vehicles that have had certain modifications since original registration must be approved, or re-approved after further modification, to ensure that they meet the European Community Directives and Construction and Use Regulations. This will confirm the seat and seat belt installations comply with the strength requirements. Therefore vehicles that have certain modifications must undergo a basic Individual Vehicle Approval (IVA) test at a Vehicle and Operator Services Agency (VOSA) test station.

If the vehicle is found to meet the requirements, a letter of compliance with technical standards will be issued (not a certificate). On successfully passing the basic IVA test, the “IVA letter of compliance” must be presented at the time when the vehicle is inspected. Further information about the IVA requirements can be found at: www.businesslink.gov.uk

Imported Vehicles

Vehicles that have been imported independently (i.e. by a person other than a manufacturer) must meet the ‘type approval’ rules. This means that passenger vehicles up to 10 years old from the time of first registration in the United Kingdom must meet the technical standard of either:

- European Community Whole Vehicle Type Approval (ECWVTA)
- National Small Series Type Approval (NSSTA)
- Individual Vehicle Approval (IVA)

Notification of Changes to Vehicles

Once a vehicle has been tested by North Lincolnshire Council’s testing station and inspected, it must remain in that form and no change in the specification, design, condition or appearance can be made without prior written approval from the Licensing Authority.

Access and Changes to the Testing and Inspection Standards

The Testing and Inspection Standards are available on the Council’s website at www.northlincs.gov.uk, or can be viewed at the Council’s MoT and Test Centre on Grange Lane North and at the Licensing Office at Church Square House, Scunthorpe.

Any changes to the Testing and Inspection Standards will be communicated in the following ways:

- On the Council’s website; and
- Letters or email to all Hackney Carriage and Private Hire Proprietors and Operators; and
- Via consultation with the various trade organisations.

Presenting a Vehicle for Test or Inspection

When a vehicle is presented for either a Test or Inspection, the vehicle should be presented in a clean condition, with the licence plate displayed in the correct location (unless it is a new vehicle or the licence plate has been removed by an Authorised Officer or Police Constable) and all meters, roof signs etc should be displayed. In short, the vehicle should be presented in the condition it would be used for hire and reward, in compliance with the legislation and conditions attached to the licence.

The proprietor or authorised responsible person presenting the vehicle for test should arrive for the test or inspection at the Council's Test Centre (Test) or at the Licensing Office (Inspection) at least 10 minutes before the test or inspection. The test and inspection take a considerable time, thus where a vehicle is presented after the appointed time, the vehicle may not be tested or inspected and the proprietor will be required to book a further appointment.

North Lincolnshire Council reserve the right to take any photographs and/or video recordings of any vehicle presented for test or inspection in order to be able to ascertain if any physical changes or modifications have been made to the vehicle.

Buying a Vehicle or Installing Equipment/Fittings

Before buying a vehicle or making any modification (irrespective of whether or not a similar vehicle is currently licensed by North Lincolnshire Council) proprietors are advised to read the Council's Hackney Carriage and Private Hire Licensing Policy and this manual to ensure that the vehicle will be compliant with the regulations and conditions.

Documents to be Produced at Test and Inspection

When a vehicle is presented for Test, the proprietor should ensure that they present the original copy of the Certificate of Compliance at the time of the test, if they have one. At the time of the inspection, the proprietor shall ensure that they present all documentation required, including the Certificate of Compliance part completed by the Test Centre; an original copy of the Certificate of Insurance for either Public or Private Hire; as appropriate; a Bill of Sale; and any documentation required where a modification has been made to the vehicle.

Part 2

Procedures and Standards of Test Compliance Requirements

Section 1 – Lighting, Electrical Equipment and Signalling Equipment

1.1 Front and Rear Position Lamps and Registration Plate Lamps

Method of Inspection	Reason for Rejection
Examine Wheelchair accessible vehicles and check that/for: a. The rear door(s) when open do not obscure a mandatory rear light	a. Any mandatory rear lights are obscured when a rear door is open

1.9 Electrical Wiring and Equipment

Method of Inspection	Reason for Rejection
This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle Check all electrical wiring for: a. Condition b. Security c. Position d. Signs of overheating e. Heavy oil contamination Check all switches controlling all obligatory lights	Wiring: a. Positioned so that it is chafing/rubbing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective b. With clear evidence of overheating c. Heavily contaminated with oil Switches: Insecure or malfunction of a switch controlling an obligatory light

1.10 Additional Lamps

Method of Inspection	Reason for Rejection
<p>With the ignition switched on</p> <p>i. Reversing Lamps:</p> <ul style="list-style-type: none"> a. The reversing lamps emit/show a diffused white light when reverse rear is selected b. The lamps extinguish/switch off when neutral gear is selected c. The lamps are in good working order and are secure d. The lamps do not flicker when lightly tapped by hand <p>ii. Front Fog/Driving Lamps:</p> <p>Check that:</p> <ul style="list-style-type: none"> a. A single front fog lamp emitting/showing a white or yellow diffused light illuminates only when dipped beam is selected b. A pair of matched fog lamps both emitting a white or yellow diffused light should illuminate together c. A pair of matched, long-range driving lamps, both emitting a white diffused light should illuminate together 	<p>i. Reversing Lamps:</p> <ul style="list-style-type: none"> a. That fails to operate or does not emit/show a white diffused light b. Fails to extinguish/switch off when neutral or forward gear is selected c. That is not in good working order or insecure d. That flickers when tapped lightly by hand <p>ii. Front Fog/Driving Lamps</p> <ul style="list-style-type: none"> a. Inoperative or operates other than in dipped beam mode b. Operates incorrectly c. Operates incorrectly

1.11 Additional Lamps (Wheelchair Accessible Vehicles)

Method of Inspection	Reason for Rejection
<p>Entrance and Exit Lighting (WAV Only)</p> <ul style="list-style-type: none"> a. A means of illuminating the entrance steps at all access doors into the passenger compartment shall be fitted and switched such that they operate automatically when a door is opened 	<ul style="list-style-type: none"> a. Lights do not work and/or switch on automatically on opening the door

Section 2 – Steering

2.1 Steering Control – Steering Wheel

Method of Inspection	Reason for Rejection
<p>With both hands rock the steering wheel from side to side at right angles to steering column and apply slight downward and upward pressure to the steering wheel rim (in line with column). Note the following:</p> <ul style="list-style-type: none"> a. Fractures in steering wheel hub b. Fractures in steering wheel rim c. Steering wheel spokes loose or fractured d. Jagged edges on steering wheel rim e. If possible, check that the retaining device on steering wheel is fitted 	<ul style="list-style-type: none"> a. Steering wheel hub fractured b. Steering wheel rim fractured c. A steering wheel spoke loose or fractured d. Jagged edges on steering wheel rim likely to injure the driver e. A steering wheel hub-retaining device not fitted

2.1 Steering Control – Steering Column

Method of Inspection	Reason for Rejection
<ul style="list-style-type: none"> a. Try to lift the steering wheel in line with the steering column and note the movement at centre of steering wheel b. While steering wheel is rotated, check for deterioration in any flexible coupling or universal joint of steering c. Where practical, check any clamp bolts for presence and security of locking devices. (These may be located in the engine compartment or under chassis) 	<ul style="list-style-type: none"> a. Excessive movement of centre of steering wheel in line with steering column (end float) <p>Note: Certain types of steering columns might show some movement which is not due to excessive wear, eg. Those fitted with universal joints or flexible couplings</p> <ul style="list-style-type: none"> b. A flexible coupling or universal joint deteriorated, worn or insecure c. A coupling clamp bolt or locking device loose or missing

2.4 Suspension Spring Units and Linkages

Method of Inspection	Reason for Rejection
Coil Springs a. Welding repairs	a. Repaired by welding

Section 3 – Brakes

No Additional requirements to the MoT Inspection Manual

Section 4 – Tyres and Road Wheels

4.1 Tyres

Method of Inspection	Reason for Rejection
<p>Examine all the tyres (including spare wheel if fitted) to ensure each tyre meets all the requirements laid down in the ‘MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing’, ISBN 978-0-9549352-5-2</p> <ul style="list-style-type: none"> a. The spare wheel must be accessible and must be carried if specified by the manufacturer b. Where a tyre inflation kit is provided by the manufacturer, this must be present and in working order at the time of the test c. If a space saver tyre is used a method statement must be supplied which highlights the driver’s responsibilities with regard to the maximum permitted speed <p>Note: A space saver tyre is a temporary ‘get-you-home’ tyre</p> <ul style="list-style-type: none"> d. Where a doughnut tank is fitted in the boot for liquid Petroleum Gas (LPG), the spare wheel, if still carried in the boot, must be properly secured. Alternatively, a spare wheel cage installed to manufacturer’s standards and British Standards may be fitted to the underside of the vehicle e. The spare wheel should be securely located away from any contact with passenger(s) travelling in the vehicle or entering/exiting from it 	<p>Not in accordance with the ‘MOT Inspection Manual – Private Passenger and Light Commercial Vehicle Testing’, ISBN 978-0-9549352-5-2</p> <p>Note: Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed and that space savers are a temporary ‘get-you-home tyre’</p> <ul style="list-style-type: none"> a. Spare wheel missing or not accessible b. Tyre inflation kit not present or working c. Method statement not supplied on presentation for test d. Spare wheel insecure or spare wheel cage not installed to manufacturer’s standard and British Standards e. The standards set out across are not met

4.1 Tyres (Stretch Limousines)

Method of Inspection	Reason for Rejection
Examine all the tyres (including spare wheel if fitted) attached to a “stretch” limousine conversions to ensure each tyre is suitable to carry the weight of the vehicle, which can exceed 7,100lbs (3.2 tonnes) and tyres should be a suitable rating	Tyres not suitable rating, i.e. Ford Lincoln or Cadillac would require a tyre rating index of at least 107T (gives a load of 2149lbs (975kgs) with a maximum speed of 118mph. Note: More information and guidance can be obtained from the National Limousine & Chauffeur Association at: www.nlca.co.uk

Section 5 – Seat Belts and Supplementary Restraint Systems

5.1 Seat Belts and Supplementary Restraint Systems

Method of Inspection	Reason for Rejection
<p>All seat belt installations must comply with the Construction and Use Regulations 1st October 2001 and the amended and further interim requirements from the guidance documents available from the Vehicle and Operator Services Agency (VOSA), entitled “Guide o the Changes to seat belt installations”. The latest version is available from the VOSA website at:</p> <p>http://www.vosa.gov.uk/vosa/publications/manualsandguides/vehicletestingmanualsandguides.htm</p> <p>Examine the vehicle and check the following:</p> <ul style="list-style-type: none"> a. All seatbelt casings must be in good condition b. Where 3 point seatbelts are fitted the top mounting must be suitable for all ages and located at shoulder height 	<ul style="list-style-type: none"> a. Seatbelt casings damaged or inadequately repaired, i.e. covered in tape b. The standards set out across are not met
<p>Wheelchair Accessible Vehicle – Additional criteria is set out in Part 3 of this manual</p>	

Section 6 – Body Work and Structure

6.1 Vehicle Body and Condition – Exterior

Method of Inspection	Reason for Rejection
<p>Structural Damage/Repairs</p> <p>Check for clear physical evidence that the vehicle has not had significant structural repairs and/or deformation/distortion/twisting of the suspension, steering, bodywork or load bearing components</p> <p>North Lincolnshire Council reserves the right to reject a vehicle on presentation at the test</p>	<p>If on examination of the vehicle (by at least two inspectors/officers from North Lincolnshire Council) a joint professional opinion is reached that the vehicle's performance would be reduced in its ability to protect the occupants (including the driver) were it to be involved in a further road traffic accident, the vehicle will be rejected</p>
<p>Body Condition (Exterior)</p> <p>Examine the body and fittings thoroughly for security, corrosion, damage, appearance, poor repair/paint match and sharp edges that are likely to cause injury</p>	<ul style="list-style-type: none"> a. An insecure, missing or damaged body panel, trim, step or accessory/fitting b. Any sharp edge whatsoever which may cause injury c. Rust/corrosion of any size including any that is covered by signage d. Badly aligned body panels e. Parts improperly secured, e.g. by wire/cable tie/tape

6.1 Vehicle Body and Condition – Bumper Bars

Method of Inspection	Reason for Rejection
Examine the bumper bars and check: <ol style="list-style-type: none"> a. They are secure to their mountings b. The mountings are secure to the vehicle c. There is no evidence of damage 	<ol style="list-style-type: none"> a. A loose bumper bar or mounting. A weakened bumper bar and/or mounting is secure because of poor repairs b. A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected c. Bumper bars which have jagged edges, cracks, splits, projections, dents or scratches

6.1 Vehicle Body, Security and Condition – Internal

Method of Inspection	Reason for Rejection
Examine the bumper bars and check: <ol style="list-style-type: none"> a. Examine thoroughly the interior for missing, damaged, insecure or loose fixtures, fittings, accessories (including communication and satellite navigation equipment) or poor quality repairs b. Examine all interior lights: <ul style="list-style-type: none"> • The vehicle must have interior lighting fitted in the passenger compartment sufficient to illuminate the whole of the compartment • It must be possible to turn the lights on and off from both the driver and passenger compartments • The interior lighting must come on automatically when a door is opened 	<ol style="list-style-type: none"> a. Missing, damaged, insecure or loose fixtures, fittings, accessories or poor quality repairs b. <ul style="list-style-type: none"> • Missing or inoperative – all lights must illuminate if they are part of the manufacturer's standard equipment. Interior light does not illuminate the whole of the passenger compartment • Cannot be turned on and off from both the driver and passenger compartments • Does not come on automatically when a door is opened

<ul style="list-style-type: none"> • The light casing must not be missing or damaged <p>c. The luggage compartment shall have a permanently fitted light for illumination, which operates automatically on opening the door/boot lid</p> <p>d. Examine motion door locks and warning lights</p> <p>e. Examine interior door locks, child locks, protective covers, grab handles/rails and safety covers</p> <p>f. Examine the heating, demisting and air conditioning systems for correct operation, including passenger compartment controls where fitted – includes electric from and rear screen demisters</p> <p>g. Examine all windows ensuring they lower and rise easily</p> <p>h. Examine electrical wiring for condition, security, including intercom systems</p> <p>i. Examine the boot for access, contents and water</p> <p>j. Check that the vehicle has been presented in a clean and tidy condition and free from unpleasant odours</p> <p>k. Remove any seat covers and check that the seats are secure and not unduly worn</p>	<ul style="list-style-type: none"> • Light case is missing or damaged <p>c. Light does not work and/or switch/lock or warning light not illuminated</p> <p>d. Missing or defective motion switch/lock or warning light not illuminated</p> <p>e. Missing, defective or loose door locks, child locks, protective covers, grab handles/rails or safety covers. Grab handles/rails that aid the blind and partially sighted are worn to excess</p> <p>f. A system(s), which does not function correctly, or any part is missing including vents, controls or switches</p> <p>g. An opening window that is inoperative or difficult to open and or close mechanism broken/missing</p> <p>h. Frayed, chafing wiring, non-shielded terminals and cables that are a trip hazard. Cables that can be easily disconnected. Intercom system defective, warning light, warning light inoperative or signs illegible/missing</p> <p>i. Unable to open, close and/or lock boot lid. Failure of boot lid support mechanism. Defective seals/evidence of water. Loose items stored in the boot (i.e. spare wheel, tools or equipment)</p> <p>j. Vehicle presented in a dirty, untidy condition. Unpleasant odours in vehicle</p> <p>k. Seats insecure or a seat that does not provide adequate support at the base or backrest</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

6.2 Doors

Method of Inspection	Reason for Rejection
a. Examine the condition of all doors and emergency exits. Check door locks, striker plates, handles and hinges for security, wear and missing and damaged trim/cover plates (excluding speaker mesh providing this would not cause injury/damage to the public)	a. Missing, damaged, loose or worn handle, lock, sticker plate or hinge. Missing, loose or damaged trim/ cover plate
b. Check the presence, condition and correct functioning of all door stay and devices (including sliding doors)	b. A door or emergency exit does not latch securely in the closed or open position
c. Check that signs describing the method of opening emergency exit(s) are readily visible on/or adjacent to the exit and are legible	c. Signs describing the presence and method of opening an emergency exit are missing, illegible or incorrect

6.2 Rear Doors

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <ul style="list-style-type: none"> a. The rear door(s) when in the open position are not a hazard to other road users b. When open, the door opening is a minimum width of 740mm at and below window height so as to allow for easy access c. A mechanism is fitted that positively holds the access door in the open position whilst in use and takes a deliberate effort to close d. Rear door/s – Must open to a minimum of 90 degrees or alternatively fold back against the vehicle body to avoid endangering other road users e. A mechanism must be fitted that positively holds any side/rear passenger access door in the open position whilst in use and that requires a deliberate effort to close 	<ul style="list-style-type: none"> a. When open, doors are a hazard to other road users b. Door opening less than 740mm at and below window height c. Door mechanism does not: <ul style="list-style-type: none"> i. Hold the access door in the open position ii. Require a deliberate effort to close d. A rear door does not open to a full 90 degrees or fully to the body of the vehicle e. A side/rear door mechanism does not: <ul style="list-style-type: none"> i. Hold the door in the open position ii. Require a deliberate effort to close f. A door stay catch or device missing, excessively worn or not fulfilling its function g. A door or emergency exit cannot be opened from both the inside and outside of the vehicle by relevant control

6.10 Stretch Limousines & Novelty Vehicles

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. Vehicle Inspectors should be aware of undue stress caused to the steering, brakes and tyres due to the additional weight imposed on the vehicle at the modification process</p>	<p>a. Tolerances and wear should be defined in the MoT Inspection Manual – Private Passenger & Light Commercial Vehicle Testing, issued by VOSA as follows:</p> <ul style="list-style-type: none"> • Steering – Section 2 • Brakes – Section 3 • Tyres – Section 4

Section 7 – Fuel and Emissions

7.1 Exhaust System

Method of Inspection	Reason for Rejection
<p>a. Where applicable, check for presence, security and adequacy of grease shields to hot exhausts</p> <p>b. Non-standard exhaust systems. If there is a large bore or straight through exhaust fitted, there is a likelihood of increased noise being transmitted into the passenger compartment. Rev the engine and make a 'value judgement' in such cases and reject the vehicle if necessary</p>	<p>a. A heat shield missing, insecure or inadequate</p> <p>b. Excessive noise from non-standard exhaust system transmitting into the passenger compartment</p>

7.2 Fuel System – Pipes and Tanks

Method of Inspection	Reason for Rejection
<p>a. Check that fuel tank filler cap is:</p> <ul style="list-style-type: none"> • Present • The correct type • Secure and seated properly to ensure correct function of sealing <p>b. Examine pipes to see they are securely clipped to prevent damage by chafing and cracking and are not in a position where they will be fouled by moving parts</p> <p>c. Check that no fuel pipe runs immediately next to, or in direct contact with electrical wiring or the exhaust system</p>	<p>a. A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spoiling</p> <p>b. Damaged, chafed, insecure pipes or pipes so positioned that there is a danger of them fouling moving parts</p> <p>c. A fuel pipe immediately adjacent to or in direct contact with electrical wiring or exhaust system</p> <p>d. Temporary/emergency fuel cap fitted</p>

7.2 Fuel System – Alternative Fuel Tanks (LPG)

Method of Inspection	Reason for Rejection
<p>a. Check the installation meets the required standard, i.e. storage vessel must be in a suitable location, e.g. in the boot (in spare wheel well) or under the body</p> <p>b. The installation and location must be approved by the Council. Each vehicle will be assessed on its own merits. Such installations will be checked as part of the normal vehicle test</p> <p>c. A safety certificate by the installer (approved by the UKLPG Association) carrying out the installation or a safety certificate from an installer (approved by the UKLPG Association) that the installation has been tested and meets the required safety standards must be produced at the time of the test</p> <p>UKLPG Association website – www.uklpg.org</p>	<p>a. Fuel tank is located in an inappropriate position, i.e. in the passenger compartment and/or the conversion is not done to the required standard</p> <p>b. Safety certificate from an installer (approved by the UKLPG Association) not produced</p> <p>c.</p> <p>d.</p>

Section 8 – Driver’s View of the Road

8.1 Mirrors – View to Rear

Method of Inspection	Reason for Rejection
<p>a. Check the condition of each mirror reflecting surface</p>	<p>a. Mirror condition</p> <ul style="list-style-type: none"> • A mirror reflecting surface deteriorated or broken • Mirror crudely repaired or insecure on mounting • Casing missing, damaged or incorrect colour • Mirror missing

8.2 Wipers

Method of Inspection	Reason for Rejection
<p>Sit in the driver's seat and check that there is reasonable view of the road ahead, bearing in mind the original design of the vehicle</p> <p>a. For all operated wipers, examine:</p> <ul style="list-style-type: none"> • The condition of any visible piping • The function of the operating mechanism • The function of necessary valves to protect the braking system 	<p>The position or size of any object restricts the driver's view of the road ahead, bearing in mind the original design of the vehicle</p> <p>a. Air operated wipers</p> <ul style="list-style-type: none"> • Pipes inadequately clipped or supported • Incorrect function of the wipers or leaking components • Incorrect operation of protection valves

8.3 Windscreen – View to the Front

Method of Inspection	Reason for Rejection
<p>Sit in the driver's seat and check that there is reasonable view of the road ahead, bearing in mind the original design of the vehicle</p> <p>a. Driver's view: equipment or objects not originally fitted to the vehicles part of the original design must not obstruct the driver's view. In particular, objects such as (but not limited to) pennants, cab decorations and external stone guards/visors should not interrupt the view through the swept area by the windscreen wipers</p>	<p>The position or size of any object restricts the driver's view of the road ahead, bearing in mind the original design of the vehicle</p> <p>a. Equipment or objects not originally fitted to the vehicle as part of the original design which obstructs the driver's view</p>

8.5 Window Glass or Other Transparent Material

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that/for:</p> <p>a. The vehicle has windows fitted on both sides of the vehicle and to the rear of the passenger compartment. A minimum of one window on each side of the vehicle shall be capable of being opened for the purpose of ventilation and passenger comfort</p> <p>b. All windows comply with the Council Directive 92/22/EEC of 31 March 1992 on safety glazing and glazing materials on motor vehicles (as amended)</p> <p>c. Only original manufacturer’s approved glazing is fitted. Aftermarket additions, e.g. film or spray coatings are not permitted</p> <p>d. All windows and glazing (even if fitted by the manufacturer) must achieve a minimum of 70% light transmission, except where otherwise required by the Road Vehicle (Construction and Use) Regulations 1986</p> <p>Note: Additional requirements require all windows on hackney carriage vehicles to achieve a minimum of 70% light transmission under Part 3 of this manual</p> <p>e. The condition of all windscreens, internal screens, partitions, side, rear, roof and door windows for crack, surface damage and discolouration</p> <p>f. Presence and security of all windscreen, side, roof or rear windows, or internal screens or partitions</p> <p>g. Evidence of obvious leaks from the windscreen, side, roof or rear or door windows</p>	<p>a. The standards set out across are not met</p> <p>b. The standards set out across are not met</p> <p>c. The standards set out across are not met</p> <p>d. The standards set out across are not met</p> <p>e. A crack, surface damage or discolouration in glass that:</p> <ul style="list-style-type: none"> • Impairs the driver’s front, side or rear view of the road, or • Presents a danger to any person in the vehicle <p>f. A missing or insecure windscreen or window</p> <p>g. A windscreen or any other outside window missing, or any windscreen or other, window, internal screen or partition insecure. Any external window or windscreen is obviously leaking</p>

8.5 Window Glass or Other Transparent Material (continued)

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that/for:</p> <p>h. Security and condition of guard rails, barriers at windows, internal screens or partitions</p> <p>i. As far as is practicable, check that:</p> <ul style="list-style-type: none"> • Windscreens and other windows wholly or partly on either side of the driver's seat are made from safety glass • All other windows are made from safety glass or safety glazing • Any windows forming all or part of a screen, partition or door in the interior of the vehicle are safety glass or safety glazing <p>'Safety Glass' means glass which, if fractured, does not fly into fragments likely to cause severe cuts. Safety glass can be identified by evidence of one of the following markings:</p> <ul style="list-style-type: none"> • BS 857 • BS 5282 (not acceptable on vehicles first used on or after 1 April 1985) • TP GS or TP GSE (glass made in France, not acceptable on vehicles first used on or after 1 October 1986) • BS AU 178 • An 'E' mark (including the number 43R) • An 'e' mark followed by a number, e.g. e11 in a square <p>Note: Marking is not required for safety glass on vehicles first used before 1 June 1978</p> <p>'Safety Glazing' means material other than glass which is so constructed or treated that if fractured does not fly into fragments likely to cause severe cuts. There is no marking requirement for safety glazing</p>	<p>h. A guard rail, barrier at a window, internal screen or partition that is insecure or damaged to the extent that injury to passengers is likely</p> <p>i. Internal windscreen and/or other windscreen wholly or partly on either side of the driver's seat are not made from safety glass</p> <p>j. All other windows not made from safety glass or safety glazing</p> <p>k. A window forming part or all of a screen, partition or door in the interior of the vehicle not made from safety glass or safety glazing</p>

Section 9 – Tricycles and Quadricycles

Currently under review – Tricycles and quadricycles are not licensed by North Lincolnshire Council

Section 10 – Additional Test Requirements

10.1 Customised Vehicles

Method of Inspection	Reason for Rejection
a. Examine the vehicle for any sign of customisation from the manufacturer's standard, i.e. body kits/spoilers, low profile tyres, wheels	a. Any customisation of the vehicle not approved in writing by the Licensing Authority

10.2 Engine and Transmission (Road Test)

Method of Inspection	Reason for Rejection
a. Road Testing <ul style="list-style-type: none"> • Determine functionality, reliability and road worthiness of the vehicle 	a. Excessive noise or vibration from the engine, gear box or clutch b. Engine misfire c. Difficulty in selection of gears d. Clutch slipping

10.3 Transmission

Method of Inspection	Reason for Rejection
Examine the transmission, checking for: <ol style="list-style-type: none"> a. Cracked flanges b. Security of bearing housings c. Crack or fractures in bearing housing d. Deterioration of flexible couplings e. Deterioration of bearing housing flexible mountings f. Clearance between transmission shafts and adjacent components 	<ol style="list-style-type: none"> a. A flange cracked b. A bearing housing insecure to its fixing c. A cracked or fractured bearing housing d. Deterioration of a transmission shaft flexible coupling e. Deterioration of a flexible mounting of a bearing housing f. Evidence of fouling between any transmission shaft and an adjacent component

10.4 Oil and Water Leaks

Method of Inspection	Reason for Rejection
<ol style="list-style-type: none"> a. Check vehicle for oil and water leaks from any assembly or component to the ground and/or which could be deposited on surrounding body work, onto the exhaust system, or onto the brake system <p>Note: If necessary, the engine can be run at <u>idle speed</u> to confirm the existence of an oil leak</p>	<ol style="list-style-type: none"> a. An oil or water leak from any assembly or component, which deposits fluids underneath the vehicle whilst stationary b. Leaks which, when the vehicle is moving, could be deposited on the surrounding bodywork, exhaust or brake system so that it would: <ul style="list-style-type: none"> • Contaminate areas • Potentially cause a health, safety or fire risk

10.5 Bulkhead – Driver’s Safety Screen/Spit Guards

Method of Inspection	Reason for Rejection
<p>Where a bulkhead/driver’s safety screen is fitted, examine the vehicle and check for/that:</p> <ul style="list-style-type: none"> a. Is fitted to the full height and width of the vehicle b. Fitted directly behind the driver’s seat c. The upper section of the bulkhead/safety screen must consist of a clear vision panel sufficient for the driver to be able to see all the access doors and a substantial amount of the passenger compartment d. A means of payment must be incorporated into the screen to enable payment to be made to the driver from within the vehicle e. The bulkhead/safety screen must have no gaps so that a passenger could reach into the driver’s compartment from the passenger compartment f. The vision panel section of the bulkhead/safety screen must be constructed of either safety glass (without tint) to the standard required for windscreens laid down in Regulations 30, 31 & 32 of the Road Vehicles (Construction and Use) Regulations 1986 or any clear material with at least the same impact resistance and safety qualities as that of safety glass, e.g. polycarbonate g. Any bulkhead/safety screen system must allow verbal communication between the driver and passenger h. Spit guards where fitted must be securely fitted and not obscure the drivers view 	<p>Bulkhead/driver’s safety screen is not, or does not:</p> <ul style="list-style-type: none"> a. Full height or width b. Fitted directly behind the driver’s seat c. Include a clear vision panel sufficient for the driver to be able to see all the access doors and a substantial amount of the passenger compartment d. Allow a means of payment to be made to the driver from within the vehicle e. Prevent a passenger reaching into the driver’s compartment f. The vision panel does not meet the requirements of the standards set out across g. No intercom system installed or installed but not functioning correctly or no other means of communication between the driver and passenger, i.e. a correctly manufactured communication grid/hole h. Spit Guard is not securely fitted or obscures the drivers view

10.6 Entry and Exit Requirements (Hackney Carriage)

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check for/that:</p> <p>a. Vehicles must have a minimum of two means of exit from the passenger compartment behind the driver</p> <p>b. The exits must be free of any obstruction and reachable from all parts of the rear passenger compartment</p> <p>c. Any entrance/exit gap between the seat and door pillar must accommodate an adult passenger and allow them to pass freely, therefore any gap must exceed 350 mm in width</p>	<p>a. The passenger compartment does not have:</p> <ul style="list-style-type: none"> • At least two means of exit • Exits that are free from obstruction <p>c. Gap through which a passenger can be expected to pass is 350 mm in width or less</p>

10.6 Entry and Exit Requirements (Private Hire)

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check for/that:</p> <p>a. Where a seat requires to be folded to enter or exit the vehicle, the mechanism must be in full working order and free from damage</p>	<p>a. The seat/mechanism does not:</p> <ul style="list-style-type: none"> • Easily fold to allow entry and/or exit • Allow easy operation for the passenger • Mechanism is damaged or broken, or has been repaired • Handle or catch has been broken or is defective

10.7 Floors, Passageways, Steps and Handrails

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check:</p> <p>a. For the presence and operation of step(s), hand holds, grab handles and hand rails at the main access doors</p> <p>b. That all steps, floor areas and passageways, between seats, are free from obstructions, trip hazards and have a slip resistant finish</p> <p>c. Steps must be capable of supporting a minimum weight of 150 kg</p> <p>d. All additional steps or handrails fitted, both internally and externally are highlighted in a contrasting high-visibility colour</p> <p>e. The internal floor height of the unloaded vehicle. If the floor height exceeds 300mm an additional step(s) will be required. The step height above ground level must be a maximum of 250mm</p> <p>f. The tread area of any additional step fitted (i.e. not the original vehicle manufacturers) must have a minimum tread depth of 280mm)</p> <p>g. Any gap which passengers can be expected to pass without undue difficulty in Hackney Carriage Vehicles shall be a minimum width or 350mm</p>	<p>a. Any step, hand holds, grab handles and hand rails:</p> <ul style="list-style-type: none"> • Missing • Insecure • Damaged or deteriorated to the extent that it is likely to cause injury <p>Any step, floor area or passageway:</p> <ul style="list-style-type: none"> • Obstructed by design • Presenting a trip hazard or slippery under foot • Damaged or deteriorated to the extent that it is likely to be a trip hazard or cause injury <p>c. Step not capable of supporting a minimum weight of 150 kg</p> <p>d. Any additional step or handrail is not highlighted in a contrasting high-visibility colour</p> <p>e. Additional step is missing or step is too small</p> <p>f. Tread depth is under 280mm</p> <p>g. A passage way less than 350mm</p>

10.8 Seating

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. Only forward and/or rearward facing passenger seats are fitted</p> <p>b. All passenger seats and the devices used to secure them to the vehicle shall be certificated and comply with the relevant standards i.e. M1, European Directive 74/408 EC (as amended) and Construction and Use Regulations</p> <p>c. Removable and fold-away, tip-up type seats are only allowed in Hackney Carriage and Private Hire Vehicles if they comply with the entry and exit requirements at 10.6</p>	<p>a. Side wards facing seats are fitted save on stretch limousines</p> <p>b. Evidence cannot be provided at test to confirm the seat and seat belt installation complies with the strength requirements of the Construction and Use and EC Directives. Accepted method of evidence:</p> <p><u>Standard Manufacturers Build Vehicle</u></p> <ul style="list-style-type: none"> • The V5 Registration Document specifying M1 <p><u>Converted Vehicle including Van Conversions</u></p> <ul style="list-style-type: none"> • The original M1 Certificate covering the whole of the vehicle <p><u>Modified Vehicles – From Original Manufacturers or Converter Build</u>, i.e. by modifying, moving/remounting or fitting additional seats that contain seat belt anchorages, etc.</p> <ul style="list-style-type: none"> • The current M1 Certification for all of the additional seats and seat belt anchorages • The VOSA IVA “Letter of Compliance” <p>c. Removable and fold-away or tip-up seats impede access when folded away</p>

Section 11 – Safety Features

11.1 Wheelchair Restraints/Passenger Safety Equipment and Seat Belts

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. All seatbelts and wheelchair securing installations and the devices used to secure them to the vehicle shall be certificated and comply with the relevant standards, i.e. M1, European Directive 74/408 and Construction and Use Regulations or Item 19 of Directive 2007/46/EC, Annex XI, Appendix 3 as amended</p>	<p>a. Evidence cannot be provided at the time of the inspection to confirm that the seat and seatbelt installation complies with the strength requirements of the Construction and Use and EU directives</p> <p><u>Standard Manufacturers Build Vehicle</u></p> <ul style="list-style-type: none"> • The V5 Registration document specifying M1 <p>Converted Vehicle including Van Conversions</p> <ul style="list-style-type: none"> • The original M1 certificate covering the whole of the vehicle <p><u>Modified Vehicles – From Original Manufacturers or Converter Build</u></p> <p>i.e. by modifying, moving/remounting or fitting additional seats that contain seat belt anchorage etc.</p> <ul style="list-style-type: none"> • The current M1 certification for all of the additional seats and seat belt anchorages • The VOSA IVA “Letter of Compliance”
<p>b. The number of systems and devices used to secure the wheelchair the vehicle</p> <p>c. Wheelchair clamps – the vehicle and accessories presented are capable of providing four points of anchorage for each designated wheelchair space</p>	<p>b. Insufficient seatbelts or wheelchair securing equipment for the number of designated wheelchair spaces</p> <p>c. Less than four wheelchair anchorage points for each authorised wheelchair space</p>

<p>Examine the condition and operation of each wheelchair restraint, check the following:</p> <ul style="list-style-type: none"> d. The wheelchair restraint has been presented for inspection e. The wheelchair restraint is not defective, worn or missing f. Wheelchair(s) must only face forward or rearward when the vehicle is in motion g. All wheelchair tracking must be fit for purpose and structurally sound 	<ul style="list-style-type: none"> d. Equipment or restraints not presented for inspection e. A wheelchair restraint is defective, worn or missing f. Designated wheelchair space installed so that the passenger would be facing side wards to the direction of travel g. Damaged or insecure tracking or debris deposits within the tracking rails
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

11.2 Vehicle Safety Devices

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check:</p> <ul style="list-style-type: none"> a. Check that all safety features are fully activated, e.g. <ul style="list-style-type: none"> i. Air Bags ii. Seatbelt Restraint Systems <p>Note: This is not an exhaustive list as safety features vary between vehicle manufacturers</p>	<ul style="list-style-type: none"> a. Warning light(s) are illuminated b. Evidence that safety systems have been tampered with in any way c. Any safety feature that has been de-activated

Section 12 – Ancillary Equipment

12.1 Hands Free Mobile Phone Kit

Method of Inspection	Reason for Rejection
Examine the vehicle and check: a. Check that the hands free mobile phone kit is safe and secure	a. The hands free mobile phone kit is not fitted safely and securely

12.2 Communication Equipment

Method of Inspection	Reason for Rejection
Examine the vehicle and check: a. Data Dispatch Systems and Communication Radios (2-way radios) where fitted, are securely and safely fitted	a. Data Dispatch Systems or Communication Radios (2-way radios) are not securely or safely fitted

12.3 Wheel Jack & Wheel Locking Nut

Method of Inspection	Reason for Rejection
Examine the vehicle and check: a. The wheel jack is in the vehicle and works correctly b. The wheel locking nut, where such nuts are fitted to the vehicle is in the vehicle and must be presented by the driver at the time of the test	a. Wheel jack is missing, damaged or not working correctly b. Wheel locking nut is: <ul style="list-style-type: none"> • Missing or not presented by the driver • Incorrect nut for all wheel locks on the vehicle

12.4 Tow Bar

Method of Inspection	Reason for Rejection
Examine the vehicle and the Tow Bar where fitted, checking: <ul style="list-style-type: none"> a. The Tow Bar is securely and correctly fitted and free from damage b. Where a detachable Tow Bar is fitted that the towing arm is in the vehicle and fits securely to the vehicle c. The electrical connection is securely fitted and operates the appropriate lights 	<ul style="list-style-type: none"> a. Tow Bar is fitted incorrectly or damaged b. Towing arm is not in the vehicle or does not fit securely c. The electrical connection is insecure or incorrectly fitted or fails to operate the correct lights

Part 3

Procedures and Standards of Inspection Compliance Requirements

Section 13 – Vehicle Condition External and Internal

13.1 Vehicle Body Condition – External

Method of Inspection	Reason for Rejection
Inspect the body and fittings of the vehicle thoroughly for corrosion, damage, appearance, poor repair/paint match and sharp edges that are likely to cause injury	<ul style="list-style-type: none"> a. Heavy scuffing, abrasions or deformation/distortion to front and/or rear bumper. Bumper bars which have jagged edges, cracks, splits, projections, dents or scratches b. Colour mismatch or fading which is significantly different to that of the rest of the paintwork, including on the bumpers c. More than 8 stone chips visible on a bonnet/grill that have not penetrated to the metal or more than four stone chips that have penetrated to the metal d. More than 8 stone chips on any panel including door edges, provided the base coat has not been penetrated e. More than 4 stone chips on any panel where the base coat has been penetrated to the metal and is untreated f. A single dent of more than 80 mm, or more than three dents of not more than 20 mm in any one panel g. More than 4 scratches and/or abrasions of more than 50 mm in length in any one panel provided that the base coat has not been penetrated h. Dull or faded paintwork which has lost its gloss finish or paint mismatch to a panel(s) or fittings to such an extent that it detracts from the overall appearance of the vehicle i. Evidence of poor repairs and/or paint finish to a panel(s) or fittings including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle j. Poor appearance of the vehicle which will detract from the positive image of North Lincolnshire

13.2 Vehicle Body, Security and Condition – Internal

Method of Inspection	Reason for Rejection
<p>Vehicle Body, Security and Condition - Interior</p> <p>a. Examine the vehicle thoroughly for dirty, missing, soiled, stained, worn, torn, split or insecure trim, carpets, seat belts, mats, headlining. Remove mats and inspect carpets underneath for cleanliness and wear</p> <p>b. Remove seat covers and check that the seats are clean and not stained or worn</p> <p>NOTE – If seats are slightly stained and seat covers have been fitted, the vehicle will not fail the test provided the seats provide adequate support and the inner fibres are not exposed</p> <p>c. Check that the seat covers are not dirty, soiled, stained, worn, torn, split or poorly fitted</p> <p>d. Check all head rests are present, secure, not damages and in a clean and tidy condition</p> <p>e. Examine the boot for contents and cleanliness</p> <p>f. Examine parcel shelf</p> <p>g. Check the vehicle has been presented in a clean and tidy condition and free from unpleasant odours</p>	<p>a. Dirty, missing, soiled, stained, worn, torn, split or insecure trim, carpets, seatbelts, mats or headlining in such a condition that they are likely to soil or damage passengers’ clothing or luggage</p> <p>b. Seat cushion(s) are stained, dirty, torn, holed, worn or poorly repaired or inner fibres exposed</p> <p>c. Seat covers are dirty, soiled, stained, worn, torn, split or poorly fitted</p> <p>d. Missing, damaged or dirty head rests</p> <p>e. Boot and/or carpet are dirty. Loose items stored in the boot (i.e. spare wheel, tools, equipment, etc.)</p> <p>f. Parcel shelf missing, damaged or dirty</p> <p>g. Vehicle presented in a dirty, untidy condition. Unpleasant odours in the vehicle</p>

13.3 Doors – Internal

Method of Inspection	Reason for Rejection
Examine the vehicle, checking that: <ul style="list-style-type: none"> a. Doors are free from damage b. Doors are clean and free from stains c. All switches and handles are in working order 	<ul style="list-style-type: none"> a. The door lining, covers and fittings, or speaker covers are damaged, or cracked b. Doors are stained or dirty c. The switches or handles fail to operate in the correct manner

Section 14 – Windows Glass**14.1 Window Glass**

Method of Inspection	Reason for Rejection
Examine the vehicle and check that: <ul style="list-style-type: none"> a. The front drivers and passenger windows and glazing on Hackney Carriage and Private Hire Vehicle must achieve a minimum of 70% light transmission and the windscreen must allow 75% light transmission b. Tinted windows where fitted must be factory fitted 	<ul style="list-style-type: none"> a. Either the front driver's or passenger window fail to achieve a minimum of 70% light transmission or a windscreen which fails to allow 75% light transmission b. Tinted windows have been fitted post manufacture or windows have been fitted with a tinted film

Section 15 – Signage and Makings

15.1 Licence Plate and Door Signs

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. The vehicle internal licence plate is displayed in the nearside of the front windscreen</p> <p>b. The vehicle licence plate must be securely fitted on the rear of the vehicle, in the correct location and all of the licence plate must be fully visible</p> <p>NOTE: The correct location is either adjacent to the number plate or to the centre of the rear bumper or the off-side of the rear bumper</p> <p>c. The door signs must be securely fitted to each of the front near and off side doors of the vehicle</p> <p>d. There is an exemption from displaying the licence plates, internal licence plates and door signs, which are kept in the vehicle</p> <p>Note: The internal and external licence plates do not have to be displayed if it is a new application or the licence plates have been removed by an Authorised Officer of the Council or a Police Constable</p>	<p>a. Internal Licence Plate is:</p> <ul style="list-style-type: none"> • Missing • Incorrectly positioned <p>b. Licence plate is:</p> <ul style="list-style-type: none"> • Not securely fitted, so as to be easily removed by an Authorised Officer of the Council or Police Constable • Not fully visible • Incorrectly positioned, i.e. in the rear window or in breach of the licence conditions • Missing <p>c. Door signs are:</p> <ul style="list-style-type: none"> • Not securely fitted or are fitted to magnets • Incorrectly positioned • Damaged or peeling off • Not visible <p>d. The licence internal and external licence plate and the door signs are not kept in the vehicle</p> <p>The exemption letter under s75 of the Local Government (Miscellaneous Provisions) Act 1976 is not kept in the vehicle</p>

15.2 No Smoking Signs

Method of Inspection		Reason for Rejection	
a.	Examine the vehicle for 'No Smoking' Signs	a.	'No Smoking' signs are missing or not clearly displayed

15.3 CCTV

Method of Inspection		Reason for Rejection	
Examine the vehicle and check the following:			
a.	If CCTV is installed in the vehicle, check for signage relating to data protection and that CCTV is installed	a.	Signage missing or incorrect
b.	Any vehicle fitted with CCTV must be registered with the Information Commissioner	b.	No evidence of registration with the Information Commissioner presented at the time of the inspection

15.4 Unauthorised Items

Method of Inspection		Reason for Rejection	
a.	Check the vehicle for any unauthorised signage or item attached to the vehicle which detracts from the overall appearance or image of the vehicle	a.	Any unauthorised sign or item attached to the vehicle which detracts from the overall appearance or image of the vehicle

15.5 Vehicle Tax Disc

Method of Inspection	Reason for Rejection
a. Check that a valid vehicle tax disc is displayed	a. Valid vehicle tax disc not displayed or incorrect details

15.6 Fare Cards

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. Hackney Carriage: Fare card issued by the Council is clearly displayed</p> <p>b. Where the vehicle is a purpose built vehicle, an additional table of fares must be displayed in the rear compartment in addition to being displayed on the dashboard or where a bulkhead is fitted, an additional fare card must be displayed in the rear passenger compartment so as to be clearly read by any passenger</p> <p>c. Private Hire Vehicle: Where a meter is fitted, the fare card is clearly displayed</p> <p>Note: Not applicable if first application</p>	<p>a. Fare Card is:</p> <ul style="list-style-type: none"> • Not issued by North Lincolnshire Council • Is missing • Not clearly displayed <p>b. Additional fare card is not displayed</p> <p>c. Fare Card is:</p> <ul style="list-style-type: none"> • Not displayed where a meter is fitted • Not clearly displayed <p>Hand written</p>

15.7 Hackney Carriage Roof Signs

Method of Inspection	Reason for Rejection
<p>Check:</p> <ul style="list-style-type: none"> a. The vehicle is a Hackney Carriage Vehicle b. Ensure the roof sign is securely fastened to the vehicle c. Functional test of the sign d. Correct style and type of roof sign is fitted to vehicles other than vehicles with a built in roof sign. Standard type of sign (457mm wide x 152mm deep x 112mm high) has a white face to the front with either TAXI or FOR HIRE on the front in black letters and displays a red or yellow face to the rear e. Roof sign must display the licence plate number in black numbers at each side of the roof sign f. Business information or telephone numbers displayed on roof signs must be complete 	<ul style="list-style-type: none"> a. The vehicle is not a Hackney Carriage b. Insecure sign c. <ul style="list-style-type: none"> i. Illumination not consistent across the sign, i.e. all light bulb(s) or LED(s) illuminated when switched on ii. Light remains on when the meter is started d. Incorrect type, size, colour, wording or details shown on the roof sign e. Numbers are missing or are hand written on the roof sign f. The business information or telephone number is incomplete

15.8 Displaying the Company Name and Telephone Number

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that all signage- i.e. the company name and the telephone numbers on the vehicle for:</p> <p>Hackney Carriage Vehicles</p> <p>a. Signage is permitted on the front drivers and passenger doors and on the rear doors of the vehicle, other than salon type vehicles so long as there is sufficient room to display the door signs issued by the Council</p> <p>b. Signage has been authorised by the Council</p> <p>Private Hire Vehicles</p> <p>c. Signage advertising of the company business is permitted so long as it has been authorised by the Council</p> <p>d. Signs may not include the words “TAXI”, “FOR HIRE” or “CAB”</p> <p>e. Signs advertising the company name must display a “land line” telephone number, where a telephone number is included</p> <p>f. Signage displaying the company name must be securely fixed to the vehicle</p>	<p>a. Signage is too large, so that it inhibits the display of the Councils issued door signs</p> <p>b. Has not been approved by the Council</p> <p>c. Signs displaying the company name has not been authorised</p> <p>d. The word “TAXI”, “FOR HIRE”, or “CAB” are included in the signs</p> <p>e. The number included is a mobile telephone number</p> <p>f. Signage is attached to the vehicle using magnets or other methods which may result in the signs coming off the vehicle</p>

15.9 Advertising (Hackney Carriage Vehicles)

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that all advertising on the vehicle for:</p> <p>Hackney Carriage Vehicles</p> <ul style="list-style-type: none"> a. Advertising is permitted on the vehicle providing it has been authorised by the Council. b. Advertising may be placed on all but the two front doors of a saloon type vehicle and all of a purpose built vehicle c. Advertising must not cover any part of the vehicles windows d. Advertising must not be attached in such a way as to be liable to come from the vehicle e. Advertising wraps, where fitted must not cover the drivers or front passenger windows and the North Lincolnshire Council Door Plates must be displayed and not obscured 	<ul style="list-style-type: none"> a. Advertising has not been authorised b. Advertising covers the front doors (drivers and front passenger) c. The view through the windows is obscured due to advertising d. Advertising is not securely fixed to the vehicle or is attached using magnetic signs e. The advertising wrap covers the front windows or obscures the North Lincolnshire Council Door Plates

Section 16– Passenger Comfort and Luggage

16.1 Seats

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the passenger seats to determine that the seats are a minimum size. Seats are measured from the centre line on the seat cushion top:</p> <ul style="list-style-type: none"> a. Have a minimum leg room of 650mm from the face of the back rest to any component directly in front b. Seats that face each other (conference seating) <ul style="list-style-type: none"> i. Opposing backrests shall not have less than 1300mm between their faces ii. Opposing seat cushion front edges shall not have less than 425mm between them iii. The clear headroom above each seat must be at least 900mm (measured in the vertical plane against the face of the back rest) c. The minimum size of the seat cushion for each passenger in a Hackney Carriage Vehicles is 400mm wide (measured at the leading edge) and 350mm deep d. The top most centre part of all seat cushions (measured at the leading edge) must be at least 300mm above the floor immediately in front of the seat; or if the nearside front passenger seat is the manufacturer's original passenger seat, then the cushion height will be used as a minimum height for all other passenger seats fitted 	<ul style="list-style-type: none"> a. b. Conference seat: <ul style="list-style-type: none"> i. Backrests less than 1300mm apart ii. Cushion front edges less than 425mm apart <ul style="list-style-type: none"> i. Any seat headroom less than 900mm c. Any seat cushion size less than 400mm wide or 350mm deep d. Any seat cushion height less than 300mm or if the vehicle is fitted with the manufacturer's original passenger seat, then any passenger seat cushion height that measures less than the near-side front passenger seat

16.2 Luggage/Load Space

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. The luggage compartment of all hackney carriage vehicles shall have sufficient capacity to accommodate a reasonable amount of luggage for each of the maximum number of passengers that can be carried given the loading characteristics and limits of the vehicles e.g. Gross Vehicle Weights etc.</p> <p>b. Luggage should be either secured in the vehicle and be prevented from becoming dislodged in an accident in such a manner as may cause an injury. The luggage may be either secured via a physical separation or by a suitable restraint system. The restraint system shall be provided so as to minimise any movement of luggage in transit. Such security can be by means of an anchored sheet or net, which could be anchored to the floor of the luggage area</p> <p>c. If the luggage compartment is not physically separated from the passenger compartment then care will need to be taken so as not to carry any hazardous items such as fuel cans, detergents or other loose items that could leak if they become damaged</p> <p>d. Luggage compartment must not be compromised by a gas conversion</p> <p>e. Luggage compartment should be kept clean and should have no loose items</p>	<p>a. Insufficient luggage space for the number of authorised passengers</p> <p>b. No means of securing the luggage and prevented it from becoming dislodged in an accident. Passenger area is not separated from luggage compartment to required standard</p> <p>A load restraint system:</p> <ul style="list-style-type: none"> • Not present at the time of test • Load restraint system faulty or unserviceable <p>c. Hazardous items, fluid present in passenger area. Fuel must only be carried in approved containers</p> <p>d. Luggage space host been lost due to a gas conversion</p> <p>e. Luggage area is not clean or has loose items in it</p>

Section 17 – Ancillary Equipment

17.1 Fire Extinguisher

Method of Inspection	Reason for Rejection
<p>Check the Fire extinguisher for:</p> <ul style="list-style-type: none"> a. The expiry date b. Seal c. Type – water or foam d. Approved mark – BS5423 or EN3 e. The fire extinguisher must be kept in an accessible position inside the vehicle. The extinguisher may be carried out of view, i.e. in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location 	<p>A fire extinguisher is missing or:</p> <ul style="list-style-type: none"> a. Out of date b. Broken or missing seal c. No approved marking visible or other non-approved marking shown d. Incorrect type e. Not fitted in an accessible position or its position is not clearly marked

17.2 Wheels and Wheel Trims

Method of Inspection	Reason for Rejection
<p>Examine all the wheels and check that:</p> <p>a. All the wheels on the vehicle match</p> <p>b. Where the vehicle is fitted with steel wheels, wheel trims or hub caps are on the vehicle and that they are not damaged</p> <p>c. Where alloy wheels are fitted, the wheel must be in good condition</p>	<p>a. Wheels do not match</p> <p>b. Wheel trims are:</p> <ul style="list-style-type: none"> • Not fitted • Missing • Damaged • Do not match <p>c. Alloy wheels are:</p> <ul style="list-style-type: none"> • Damaged • Corroded

17.3 Fare Meter

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>Hackney Carriage Vehicles</p> <p>a. Hackney Carriage Vehicles must be fitted with a calendar-controlled fare meter that is fully activated and calibrated to the current fare card and which is capable of charging no more than the permitted rate of fare at any time and the date and time set on the fare meter must be correct</p> <p>b. The fare meter must be securely fitted in a position so that the fare can be easily and clearly read by any passenger inside the vehicle.</p> <p>Private Hire Vehicles</p> <p>c. Private Hire Vehicles can be fitted with a fare meter. Where a private hire vehicle is fitted with a fare meter then, the standards stated at a and b must be met</p>	<p>a. A meter is:</p> <ul style="list-style-type: none"> • Not fitted • Not calibrated • Not sealed <p>b. The meter is:</p> <ul style="list-style-type: none"> • Insecure • Obscured <p>c. As above</p>

Section 18 – Wheelchair Accessible Vehicles

18.1 IVA Compliance

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that/for:</p> <p>a. Where seats are mounted onto the bulkhead or a wheelchair is secured against it, the vehicle must be certified to the basic Individual Vehicle Approval (IVA) standard. The IVA Letter for Compliance to this standard must be produced to the Licensing Officer at the time on inspection</p>	<p>a. IVA Letter of Compliance to the basic Individual Vehicle Approval (IVA) must be produced to the Licensing Officer before the inspection. Reject in no notification can be produced</p>

18.2 Seating

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check the following:</p> <p>a. Is the vehicle a Wheelchair Accessible Vehicle (WAV) and should be fitted with removable, fold-away, or tip-up seats. WAVs must be permanently converted for this use</p> <p>b. Wheelchair accessible vehicles must be capable of accommodating at least on wheelchair. A vehicle where a wheelchair occupant reduces the overall capacity is allowed, subject to meeting other requirements</p> <p>c. Every passenger seat shall have the forward edge highlighted in a contrasting colour so as to assist passengers with visual impairment</p>	<p>a. The standards set out across are not met</p> <p>b. The standards set out across are not met</p> <p>c. The standards set out across are not met</p>

18.3 Wheelchair Space

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that:</p> <p>a. The vehicle has a designated space capable of accepting a “Reference Wheelchair” of at least 1300mm long and 750mm wide with a minimum headroom of 1400mm measured from the floor of the vehicle for each passenger confined to a wheelchair</p>	<p>a. The standards set out across are not met</p>

18.4 Wheelchair Access Equipment – Lifts

Method of Inspection	Reason for Rejection
<p>Examine the lift attached to the vehicle and ensure it meets the following standards:</p> <p>A purpose designed wheelchair lift that conforms to the Lifting Operations and Lifting Equipment Regulations (LOLER), Regulations 1998.</p> <p>a. A report confirming that the lifting equipment is safe to use shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheelchair lift will require a LOLER certificate that is valid for a period of six months from the date of issue</p> <p>A new LOLER certificate will need to be obtained if the vehicle mountings or lift have been damaged in an accident, or have undergone a major repair and/or modification</p> <p>b. The lift must be fitted so that it terminates at the interior floor level so as to allow for smooth access without the need to negotiate any step</p> <p>c. The lift shall be fitted either into the rear or side access door, this shall be the door situated on the nearside of the vehicle, i.e. kerb side when stopped in a normal road</p>	<p>a. Vehicle not presented with a valid or current LOLER record of “Thorough Examination” by a competent person</p> <p>b. The standards set out across are not met</p> <p>c. The lift is fitted to the offside access door of the vehicle</p>

<p>d. The lift must have a load-bearing capacity of at least 300kg</p> <p>e. The lift must have a platform size of at least 750mm wide and 1200mm long when deployed</p> <p>f. It must have colour contrasted handrails on both sides</p> <p>g. Deployment of a passenger lift must be indicated by an audible signal</p> <p>Note: Passenger lifting equipment should be thoroughly examined by a competent person at least once every six months</p>	<p>d. The lift does not have any visible reference to a maximum safe working load of 300kg or more, is not CE marked or provided with manufacturers literature to evidence this</p> <p>e. The size of the platform is less than 750mm wide and 1200mm long</p> <p>f. The lift handrails fitted are not of a contrasting colour</p> <p>g. Powered ramp warning buzzer not fitted or inoperative</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

18.5 Wheelchair Access Equipment – Ramps

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that the vehicle is fitted with the following form of wheelchair access equipment and to the required specification below:</p> <p>a. A purpose-designed wheelchair single-plate access ramp which must be permanently carried in the vehicle and is light weight and easy to deploy. An add-on removable section would be deemed to meet this requirement.</p> <p>b. Ensure that the ramp does not have channels to guide the wheels.</p> <p>Note:</p> <p>Some mobility aides are three-wheeled and it is unsafe for an attendant to reverse a wheelchair using such ramps</p> <p>c. The ramp shall be fitted either into the rear or side access door of the vehicle. Where it is fitted to a side door, this shall be the door situated on the nearside of the vehicle, i.e. kerb side when stopped in a normal road</p> <p>d. The transition from the ramp to the vehicle must avoid severe changes of gradient and every effort must be made to eliminate any vertical projections at the point where the ramp links to the doorway</p> <p>e. Check that the ramp is securely stored in the designated storage area. Examine for damage, deformity, sharp edges etc. and provision of anti-slip covering</p> <p>If a portable ramp is used it must be carried on the vehicle at all times and must always be available for intending users. It must be securely located when deployed, and be securely stowed when not in use</p>	<p>a. The ramp is not of a single plate design or two interlocking sections</p> <p>b. Channel ramps are presented</p> <p>c. Ramp is designed to be fitted to the offside access door of the vehicle</p> <p>d. Severe changes of gradient or steps present on the ramp or where it mounts the vehicle</p> <p>e. Ramp missing, insecurely stored, sharp edges, damaged/deformed, anti-slip covering in poor condition or missing</p>

<ul style="list-style-type: none"> f. The installed ramp must have a minimum safe working load of 300kg and shall be tested to 10% overload and a certificate obtained from the manufacturer/installer. Ramps and fittings must be CE marked or provided with manufacturers literature to evidence this g. The ramp must provide a continuous slip resistant surface along its full length h. The ramp must not be less than 800mm in width when fully deployed and must not contain channels or gaps in the ramp i. Access ramps must be capable of extending to ground level j. Side access ramps should have a maximum angle of 20 degrees (to the floor) k. Rear access ramps should have a maximum angle of 15 degrees (to the floor) l. The ramp attached to the rear of the vehicle shall not exceed 2.7 metres in length 	<ul style="list-style-type: none"> f. The installed ramp does not have a visible reference to a maximum safe working load of 300kg or more, is not CE marked and certified to BS6109 or provided with manufacturers literature to evidence this g. The non-slip surface does not cover the full length of the ramp h. The ramp is less than 800mm wide when fully deployed, or there are gaps in the ramp or channels to guide wheels i. Ramp is not capable of extending to ground level j. The angle to the floor at the side access exceeds 20 degrees k. The angle to the floor at the rear access exceeds 15 degrees l. The ramp attached to the rear of the vehicle exceeds 2.7 metres
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

18.6 Winches

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check if the vehicle is fitted with a winch to aid access and egress of wheelchairs. Where fitted the equipment shall meet the required specification below:</p> <ul style="list-style-type: none"> a. Where fitted, a winch must be in full working order b. A winch shall be capable of pulling, lowering or holding a minimum working load of 300kg <p>Note: Where the ramp angle exceeds 13 degrees it is recommended that a winch is fitted to the vehicle</p>	<ul style="list-style-type: none"> a. Winch not working b. Winch is not capable of pulling, lowering or holding a minimum working load of 300kg

18.7 Signage (WAV Only)

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that/for:</p> <ul style="list-style-type: none"> a. Clear warning notices should be displayed to advertise passengers not to board a moving ramp or passenger lift as appropriate b. Where a tailgate/rear door(s) are included as an exit they shall be clearly marked “Emergency Exit” together with clear instructions relating to the means of opening. All markings shall be on the inside of the vehicle in a minimum lettering size of 25mm 	<ul style="list-style-type: none"> a. Powered ramp warning notice defaced or none present b. Where a tailgate/rear door(s) are included as an exit the standards set out across are not met

Section 19 – Stretch Limousines and Novelty Vehicles

19.1 Seating Capacity

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check:</p> <p>a. Prior to the Inspection the authorised officer must check the seating capacity on the V5C to ensure that it does not exceed 8 passengers</p>	<p>a. If the number of seats differs to what is indicated on the V5C, then contact VOSA and the local area DVLA Office. Failure to produce a valid V5C for the vehicle to be tested will result in a refusal to inspect the vehicle</p>

19.2 Passenger Notices

Method of Inspection	Reason for Rejection
<p>Examine the vehicle and check that:</p> <p>a. Notices should be displayed in the vehicle forbidding children (under 16s) to be carried in side facing seats</p> <p>b. Notices should be displayed inside the vehicle stating the maximum carrying capacity of the vehicle</p>	<p>a. Notices are not displayed in a prominent position so as to be seen by passengers entering the vehicle from either passenger door</p> <p>b. Notices not displayed inside the vehicle stating the maximum capacity and warning that the vehicle will not be insured if the capacity is exceeded</p>

19.3 Vehicle Body, Security and Condition

Method of Inspection	Reason for Rejection
<p>Inspect the vehicle and check that:</p> <ul style="list-style-type: none"> a. All fixtures and fittings, i.e. mirror balls, drinks cabinets, televisions etc. Are secured so as not to hinder ingress or egress from the passenger compartment b. A notice shall be displayed in the vehicles passenger compartment identifying the maximum seating capacity, which shall be clearly visible to all passengers 	<ul style="list-style-type: none"> a. Any fixtures or fittings that are loose or insecure, or where walkways are blocked that prevents ease of ingress or egress from the passenger compartment b. Maximum seating capacity sign is not displayed or not clearly visible to all passengers

Section 20 – European Union (EU) Emissions

20.1 EU Emissions

Method of Inspection	Reason for Rejection
<p>Before the inspection, check to determine if the vehicle complies with the following:</p> <ul style="list-style-type: none"> a. All new and replacement Hackney Carriage Vehicles shall be of a Euro 5 standard b. All Hackney Carriage renewals shall meet the Euro IV standard when inspected on or after 31/12/2015 and Euro 5 standard when inspected on or after 31/12/2018 c. All new and replacement Private Hire Vehicles, save stretch limousines and novelty vehicles shall be of a Euro 5 standard d. All Private Hire Vehicles, save stretch limousines and novelty vehicles renewals shall meet the Euro IV standard when inspected on or after 31/12/2015 and Euro 5 standard when inspected on or after 31/12/2018 e. Where a vehicle has been converted to meet the Euro 5 standard, the proprietor shall produce a certificate from the convertor stating it complies with the said standard 	<ul style="list-style-type: none"> a. The standard set out across not met b. The standard set out across not met c. The standard set out across not met d. The standard set out across not met e. Certificate not produced

Grandfather Rights Policy for Hackney Carriage and Private Hire Vehicles

Introduction

North Lincolnshire Council's Hackney Carriage and Private Hire Compliance Testing Standards has been approved by the Licensing Committee on [date]. The standards are based on legislative requirements, the Council's Conditions and industry guidance. The standard stipulates how licensed vehicles will be tested and inspected to ensure that they are fit safe and comfortable for the travelling public and other road users.

The new standards require all modified vehicles to undergo an Individual Vehicle Assessment (IVA), before it can be licensed. A number of vehicles are currently licensed with the Council that do not hold an IVA compliance letter, thus would fail the test. Therefore, the Council intends to provide 'grandfather rights' for a period of up to 5 years where vehicles are impacted by such changes. The 'grandfather rights' should allow the proprietors sufficient time to either change their vehicle or ensure they comply with the required IVA standard.

Grandfather Rights Criteria/Application

The 'grandfather rights' may be awarded in accordance with the following criteria:

Section 10.6 – Entry and Exit Requirements (Hackney Carriage): All new and replacement vehicles will be required to comply with this requirement. Vehicles currently licensed that do not comply will be permitted to continue until such time that the vehicle is replaced.

Section 10.6 – Entry and Exit Requirements (Private Hire): All new and replacement vehicles will be required to comply with this requirement. Vehicles currently licensed that do not comply will be permitted to continue until such time that the vehicle is replaced.

Section 10.7 – Floors, Passageways, Steps and Handrails: All new and replacement vehicles will be required to comply with this requirement. Vehicles currently licensed that do not comply with items a, d, and g will be permitted to continue until such time that the vehicle is replaced. Vehicles currently licensed that do not comply with items c and e will be required to comply with the requirements by 1 July 2015.

Section 11.1 – Wheelchair Restraints/Passenger Safety Equipment and Seat Belts: All new and replacement vehicles will be required to comply with this requirement, Vehicles currently licensed that do not comply will be permitted to continue until such time that the vehicle is replaced.

Section 16.1 – Seats: All new and replacement vehicles will be required to comply with this requirement. Vehicles currently licensed that do not comply will be permitted to continue until such time that the vehicle is replaced.

Section 20.1 – EU Emissions: Grandfather rights included within the testing criteria.

Scunthorpe District Taxi Association

14 Charles Lovell WAY

Scunthorpe

North Lincolnshire

DN171YL

14TH August 2014.

Dear, Nick Bramhill, Licensing Manager.

To all members of the appropriate committee,

The association has been requested by members to oppose the proposed points system.

Our opposition to the points system is for numerous reasons, we do not believe going through each individual misdemeanour and giving a view on each point attributed will serve any useful purpose in this opening letter.

As you will be more aware than ourselves, a local authority must determine the fitness and propriety of each applicant and licensed driver.

The association believe each licensee is either fit or proper, or not (as the case may be).

The current system permits the driver a route of appeal via proven and established process. The process can vary from a verbal warning (determined by the licensing department) to a committee appearance with numerous options given to the committee.

We believe the point's system will "fetter the discussion" of the local authority and we believe the local authority should judge each individual case on its own merits.

We believe a driver will more readily accept points as opposed to appearing in front of a licensing committee hearing. Such hearings can be stressful and whilst we would not necessarily blame drivers for choosing this particular route, we believe this result in points being accepted to merely avoid hearings as opposed to true natural justice being served.

Such a system will delegate power away from the committee into the hands of officers- we do not see this as beneficial to the council or its licensees.

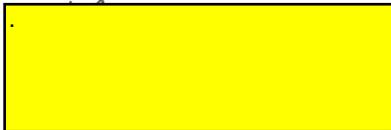
The local government (miscellaneous Provisions) act 1976 allows each licensee a specific route of appeal. The points system allows for an appeal system that is solely within the local authority – in effect, a driver would be appealing to the people

who imposed the points in the first place. It is not clear if a driver, if unhappy about the internal appeal could then continue to magistrates as per act.

The association believe the points system is designed to save the man hours involved in the licensing department in respect of driver appearances – to this end it is a policy designed around costs as opposed to justice.

In the light of the above we ask that the committee reject the point system and that we get back round the table to negotiate an alternative, one of which has a proper consultation element with the drivers, as we previously requested when the points system was introduced.

Yours sincerely

A rectangular area that has been redacted with a solid yellow color, obscuring the signature of the sender.

Mr J Fleming

Chairman Scunthorpe/District Taxi Association.