



**Notice of a public meeting of
Gambling, Licensing & Regulatory Committee**

- To:** Councillors Douglas (Chair), Boyce (Vice-Chair), Aspden, Flinders, Gillies, Hayes, Hunter, Looker, Mason, Mercer, D Myers, Orrell, Richardson, Shepherd and Taylor
- Date:** Monday, 25 April 2016
- Time:** 4.00 pm
- Venue:** The Snow Room - Ground Floor, West Offices (G035)

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Minutes

(Pages 1 - 6)

To approve and sign the minutes of the meeting held on 8 February 2016.

3. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is **5:00 pm on Friday 22 April 2016**.

Filming or Recording Meetings

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The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at https://www.york.gov.uk/downloads/file/6453/protocol_for_webcasting_filming_and_recording_council_meetingspdf

4. Review of the Saturation and Cumulative Impact Zone (Pages 7 - 34)

This report seeks Members' approval to formally consult on proposed changes to the Saturation and Cumulative Impact Zone (CIZ). This follows a request from North Yorkshire Police to amend the current Special Policy in relation to the CIZ to include the consideration of applications for material variations to premises licences or club premises certificates that seek to extend the licensed hours.

5. Taxi Licensing Policy (Pages 35 - 136)

This report seeks Members' support for approval of the Council's Taxi Licensing Policy. It advises of the consultation undertaken and the amendments made to the draft policy following the consultation.

6. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jayne Carr

Contact Details:

Telephone – (01904) 552030

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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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City of York Council

Committee Minutes

Meeting	Gambling, Licensing & Regulatory Committee
Date	8 February 2016
Present	Councillors Douglas (Chair), Aspden, Flinders, Gillies, Hayes, Hunter, Looker, Mason, Mercer, D Myers, Orrell, Richardson and Taylor
Apologies	Councillor Shepherd

19. Declarations of Interest

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda.

Councillor Taylor declared a personal interest in agenda item 4 as he knew Mr Whitney, the applicant, as a restaurateur.

20. Minutes

Resolved: That the minutes of the last meeting held on 16th November 2015 be approved and signed by the Chair as a correct record.

21. Public Participation

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

22. Renewal of Sex Establishment Licence for Upstairs (Mansion), 53-55 Micklegate, York, YO1 6LJ

Members considered a report which asked them to determine an application for the renewal of a Sex Establishment Licence for a Sexual Entertainment Venue which had been made under the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 Control of Sex Establishments in respect of Mansion (Upstairs), 53-55 Micklegate, York, YO1 6LJ.

In coming to their decision, Members took into consideration all the evidence and submissions that were presented to them including:

1. The application form.
2. The Licensing Managers report and her comments made at the meeting, including that the application was for the renewal of a sex establishment licence in line with Section 27 of the Policing and Crime Act 2009 which allowed local authorities to regulate lap dancing clubs and similar venues. Members were advised that the establishment had been operating for a number of years.
3. The observations received in writing from North Yorkshire Police in relation to the renewal. It was confirmed that the Police were not objecting to the renewal application.

In respect of the proposed licence, the Committee had to determine whether to take any of the steps mentioned under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended) that it considered necessary.

Members were presented with the following options:

- Option 1 Renew the Licence.
- Option 2 Renew the licence with modified/additional conditions imposed by the Licensing Gambling and Regulatory Committee.
- Option 3 Reject the renewal application.

Members noted the Police observations attached in a letter at annex 4 to the committee report, but felt that as there had been no complaints received by the Licensing Authority regarding the premises opening earlier on race days, and as the applicant had offered assurances to the Police regarding the CCTV, the Committee felt they should approve the renewal as applied for.

Resolved: That Members agreed Option 1 to renew the Licence.

Reason: The premises had operated as a sexual entertainment venue since 2006 without any incidents reported to the Licensing Authority.

23. Taxi Licensing Policies to be Implemented from April 2016

Members considered a report which sought approval on two matters:

- The introduction of child sexual exploitation (CSE) training for new driver applicants and existing drivers;
- Implementation date for the introduction of five year licences for private hire operators.

The Licensing Officer gave an update to the Committee to advise that a written representation had been received from a Hackney Carriage Vehicle Driver who objected to drivers being required to undertake the CSE training on the grounds that he did not feel it was necessary, there had been little consultation and he felt that drivers should be paid for loss of earnings for the time spent on any such training course.

Officers advised that the introduction of this training had been discussed with representatives of the Hackney Carriage and Private Hire Associations.

In response to questions from Members, Officers confirmed that most other local authorities in the region had already implemented or were intending to implement CSE training and it had been agreed at the West Yorkshire and York Combined Authority Taxi Licensing Group that each authority would implement their own approach to the training.

Officers also confirmed that the training would take no longer than one hour and a half and that the sessions would be offered on more than one occasion and at different times of the day to take into account the fact that taxi drivers begin their shifts at different times.

Members commented that they supported the implementation of the CSE training and could not understand why any licensed driver would not agree to undertake such an important training course.

In relation to the issuing of the 5 year Private Hire Operators Licences, Members noted that work had been ongoing on the draft Taxi Licensing Policy and agreed to defer the implementation of Section 10 of the Deregulation Act 2015 until the new policy is agreed by this committee.

Resolved: That Members agreed that:

- (i) CSE will be implemented from the 1 April 2016, and that the delivery of training for existing drivers will be in line with the timeframe detailed at paragraph 18, and that it will be a requirement that all new driver applicants complete the training as part of the application process or within six months of the licence being granted.
- (ii) That the full implementation of the Deregulation Act 2015 will take place following the approval by this committee of the Taxi Licensing Policy.

Reason: This will allow the Council to introduce CSE training for all licensed drivers and new applicants, and allow the Council to agree a Taxi Licensing Policy prior to the full implementation of the Deregulation Act 2015 in relation to private hire operator licences.

24. Taxi Licensing Policy

Consideration was given to a report which sought members approval to formally consult on a proposed Taxi Licensing Policy and an adequate timeframe for the duration of the consultation.

Members' noted that all holders of hackney and private hire licenses would be written to as part of the consultation process and noted that although it was not a legal requirement for the

council to have a taxi licensing policy, currently the Council's policies are not contained in one formal document.

A Member referred to page 108 of the agenda and suggested that Officers include the word 'email' to private hire condition 19.

Resolved: That Members approved Option 1 of the report and authorised officers to consult on the draft taxi licensing policy with a consultation period of 8 weeks.

Reason: To enable the Council to formally consult on the draft Taxi Licensing Policy.

Councillor H Douglas, Chair
[The meeting started at 4.30 pm and finished at 5.15 pm].

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Gambling, Licensing & Regulatory Committee

25 April 2016

Report from the Assistant Director – Housing and Community Safety

Statement of Licensing Policy**Review of the Saturation & Cumulative Impact Zone****Summary**

1. This report seeks Members' approval to formally consult on proposed changes to the Saturation and Cumulative Impact Zone (CIZ). This follows a request from North Yorkshire Police to amend the current Special Policy in relation to the CIZ to include the consideration of applications for material variations to premises licences or club premises certificates that seek to extend the licensed hours.

Background

2. It is a legal requirement of the Licensing Act 2003 that licensing authorities must publish a 'Statement of Licensing Policy'. The Council's first Policy was published in 2005 and subsequent Policies have been published in 2008, 2011 and 2014.
3. The Council's Statement of Licensing Policy includes a Special Policy on saturation and cumulative impact for parts of the city centre. Cumulative impact being defined as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area'. The effect of the special policy is to create a rebuttable presumption that applications for new premises or material variations will normally be refused if relevant representations to that effect are received. That is, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already experienced. Further information can be found in Section 7 of the Licensing Policy.
4. The boundaries for the first CIZ were approved by Council in April 2005 based on patterns of crime and disorder prior to that date.

5. In July 2010 the council approved changes to the boundaries for the second CIZ based on changing crime and disorder patterns.
6. In March 2014 the council approved changes to the boundaries for a third CIZ based on changing crime and disorder patterns.
7. North Yorkshire Police have now submitted a report to the Council requesting that the Special Policy be amended to include the consideration of applications for material variations to premises licences or club premises certificates that seek to extend licensed hours. In order to achieve this they request Clause 7 of the Special Policy be amended to reflect the wording of Clause 4. Their request and supporting documentation is attached at Annex 1.

8. Clause 4 of the Special Policy relating to 'Applications for the grant of a new premises licence or club premises certificate or provisional statement' states:

"Where relevant representations are received there will be a presumption against the grant of such a licence or certificate unless the applicant can rebut the presumption that granting of such a licence or certificate would undermine the licensing objectives."

9. Clause 7 relating to 'Applications to vary the hours of operation attached to a premises licence or club certificate' states:

"All applications that seek to extend the licensed hours will be considered on an individual basis. No different policy will apply in this area as opposed to the rest of the city."

10. The Police state that under the Licensing Act 2003 variations to extend licensing hours for the sale or supply of alcohol are classed as 'material variations' and can only be dealt with by way of the full variation process. This is confirmed by paragraph 8.58 of the Section 182 Guidance to the Licensing Act 2003, which states:

"Variations to the following are excluded from the minor variations process and must be treated as full variations in all cases:

- to extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 23:00 and 07:00; or
- to increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises."

11. The police feel that extending the permitted hours at a premises or club premises within the CIZ is the scenario most likely to have a detrimental effect on cumulative impact. For example, an applicant applies for the grant of a new premises licence to operate a public house within the CIZ to operate between the hours of 11:00 to 23:00. As a new application Clause 4 is relevant meaning the applicant would have to demonstrate that the operation of the premises would not add to the cumulative impact of the area. If granted, Clause 7 would enable the applicant to vary the licence, (the next day if so wished) to extend the operating hours without triggering the special policy and the need to demonstrate the business would not have a detrimental impact on the CIZ. With Clause 7 as it currently stands it would be difficult for a responsible authority to evidence the likely cumulative impact a premises may have during the extended hours due to there being no trading history evidence.
12. To assist members in determining their request the police have submitted an up to date study of crime and disorder within the CIZ as part of their report at Annex 1. Furthermore Deputy Chief Constable Tim Madgwick, North Yorkshire Police wishes to address the full committee in relation to the report.

Consultation

13. This report seeks authority to commence consultation.
14. Should members wish to pursue this matter there is a formal process of consultation and decision making to be undertaken. The licensing authority has a duty to consult with:
 - Chief Officer of Police;
 - Chief Fire Officer;
 - Responsible Authorities;
 - Representatives of local holders of premises licences and club premises certificates;
 - Representatives of local holders of personal licences;
 - Representatives of businesses and residents in the area;
15. Consultation will also take place with local ward councillors.

16. Any decision relating to changes to the Licensing Policy must be approved by Full Council.
17. If members determine that consultation on the proposal is undertaken then it is suggested that the following timetable be adopted:
 - Consultation period April 2016 – June 2016
 - Gambling, Licensing & Regulatory Committee – July 2016
 - Full Council – July 2016

Options

18. Option 1 - Authorise officers to consult on the proposals to amend the Cumulative Impact Zone as proposed by the Police.
19. Option 2 - Authorise officers to consult on alternative proposals to amend the Cumulative Impact Zone.
20. Option 3 - Take no further action.

Analysis

21. York has for many years been held in high regard nationally for the way it manages its night-time economy.
22. Statistics shown in the report compiled by the Police Analyst show the continued reduction of alcohol related occurrences and alcohol related anti social behaviour in the CIZ. These positive results could not be achieved without the excellent partnership working of the statutory agencies with the support of the trade. In considering the request from the Police members are requested to consider the role of the licensing authority in the partnership arena in maintaining continued improvement.
23. The decision to support, or not to support this request will need to be reasoned as it will affect licence applications in the future which are subject to judicial scrutiny.
24. The request from the police has the support of Safer York Partnership through its Alcohol Violence and Night Time Economy Group.

25. Crime Patterns in this area from 2014 to 2015 show that:
- Trends for violence against the person is increasing;
 - Trends for criminal damage is increasing;
 - Trends for public order offences are increasing;
 - Trends for drug offences are increasing;
 - Trends for anti-social behaviour is decreasing;
 - Trends for anti-social behaviour recorded as involving alcohol is decreasing;
 - Trends for sex offences are decreasing;
 - Trends of theft other and theft from person is decreasing.
26. As a result of the evidence and supporting information provided by the Police, Officers support the amendment of the current Special Policy in relation to the CIZ to include the consideration of applications for material variations to premises licences or club premises certificates that seek to extend the licensed hours within the CIZ.

Council Plan

27. The Licensing Act 2003 has 4 objectives: the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
28. The promotion of the licensing objectives will support the Council's Plan for a prosperous city for all and a council that listens to residents.

Implications

29. The implications arising from this report are:
- **Financial:** There are no direct financial implications associated with this report.
 - **Human Resources:** There are no Human Resources implications associated with this report.
 - **Equalities:** There are no equalities implications associated with this report.

- **Legal:** There are no legal implications arising directly from this report.
- **Crime and Disorder:** The CIZ promotes the licensing objective “the prevention of crime and disorder”.
- **Information Technology (IT):** There are no IT implications associated with this report.
- **Other:** There are no other implications associated with this report.

Risk Management

30. There are no known risks associated with this report.

Recommendations

31. The Committee is asked to:

- Approve option 1 and instruct officers to consult on the proposals to amend the Cumulative Impact Zone, based on evidence and supporting information provided.

Reason: To assist with the effective implementation of the Licensing Act 2003 in the city and contribute to the reduction of alcohol related crime and disorder in the city centre.

Contact Details

Author:

Lesley Cooke
Licensing Manager
Phone: 551515

Chief Officer Responsible for the report:

Steve Waddington
Assistant Director (Housing and
Community Safety)

**Report
Approved**



Date 23 March 2016

Specialist Officer Implications: None

Wards Affected:

All

Background Papers:

Statement of Licensing Policy 2014

Annexes

Annex 1: North Yorkshire Police Report

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Our Ref : AT/260216/01

Councillor Helen Douglas (Chair)
 Gambling, Licensing & Regulatory Committee
 Licensing Services
 Eco Depot
 Hazel Court
 York
 YO10 3DS

26 February 2016

Dear Councillor Douglas,

Amendment - Clause 7 (Variation) - Saturation & Cumulative Impact Policy within City of York Council's Statement of Licensing Policy 2014

I, on behalf of the Chief Officer of Police, seek your committee's support with amending clause 7 (Vary the hours of operation) in the 'Saturation & Cumulative Impact' section of City of York's Statement of Licensing Policy 2014 to reflect the wording of clause 4 (Applications for the grant of a new premises licence or club premises certificate or provisional statement).

The effect of adopting a special policy is to create a rebuttable presumption that applications for new premises licences or material variations will normally be refused, if relevant representations to that effect are received. That is, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already experienced.

Clause 4 of the policy, 'Applications for the grant of a new premises licence or club premises certificate or provisional statement' states:

"Where relevant representations are received there will be a presumption against the grant of such a licence or certificate unless the application can rebut the presumption that granting of such a licence or certificate would undermine the licensing objective."

The above statement aligns to that outlined in paragraph 13.30 of the 'Revised Guidance issued under section 182 of the Licensing Act 2003 (March 2015).'

However, clause 7 of the policy, 'Applications to vary the hours of operation attached to a premises licence or club premises certificate' states:

"All applications that seek to extend the licensed hours will be considered on an individual basis. No different policy will apply in this area as opposed to the rest of the city."

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Variations to extend licensing hours for the sale or supply of alcohol are classed as 'material variations' under the Licensing Act 2003 (LA03) and can only be dealt with by way of the full variation process. This stance is confirmed by paragraph 8.58 of the Section 182 Guidance.

Extending the permitted hours at a premises or club premises certificate within the Cumulative Impact Policy (CIP) area is the scenario most likely to present detrimental impact on cumulative impact. Therefore, it would appear perverse to specifically exclude this provision from the policy, and by doing so, reverse the burden of proof to that of a responsible authority.

Example - an applicant applies for a premises licence to operate a public house within the area covered by the Cumulative Impact Policy between 11.00 – 2300hrs. Being a new application clause 4 is triggered meaning that the applicant would have to demonstrate that the operation of the premises would not add to the cumulative impact already experienced. If granted, clause 7 currently enables the applicant to vary the licence, the next day if they so wished, to extend the operating hours well into the night-time economy without triggering the Cumulative Impact Policy, nor the need to demonstrate that the business would not have a detrimental impact on cumulative impact.

With clause 7 as it currently stands it would be extremely difficult for a responsible authority to evidence the likely cumulative impact a premises may have during the extended hours due to there being no trading history to evidence. Hence the reason why the rebuttable presumption is phrased the way it is.

Members raised this anomaly at a meeting of the Gambling, Licensing & Regulatory Committee on 19 November 2010. The minutes of the meeting state that officers would bring a report to a future meeting to address the issue. North Yorkshire Police has been unable to find such a report on any subsequent agenda. This may explain why the clause remains in its current format to this date.

For York's Saturation & Cumulative Impact policy to be effective, members need to be able to deal with both new applications and material variations on an equal footing.

To assist members in their decision making process I commissioned the Police Partnership Analyst to provide you with an up to date study of crime and disorder within York's Cumulative Impact Policy area (Appendix A).

Yours sincerely,

Superintendent Adam Thomson
Safer Neighbourhood Commander

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Crime Pattern Analysis

Alcohol related Crime, ASB and PSW Incidents within York CIZ area - Update 2016

Owner	PS905 Matt France
Authors	Sue Dandy - Intelligence Analyst (Partnership)
Reference Number	
Version	Two
Date last updated	9 February 2016
Weed Date	9 February 2022

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Content and Considerations

Authorising Officer: Helen Reed, Head of Intelligence Analysis

Author: Sue Dandy, Intelligence Analyst (Partnership)

Date: 9 February 2016

Introduction

This report has been commissioned by North Yorkshire Police (NYP) to provide an objective analysis of calls for police service to include alcohol related crime, Anti-Social Behaviour (ASB) and Public, Safety and Welfare (PSW) occurrences reported within the extended City of York Cumulative Impact Zone (CIZ) area.

Data within this review encompasses a two-year comparative period 01/01/2014 to 31/12/2014 and 01/01/2015 to 31/12/2015.

As with all reports, accuracy of data is dependant on the correct (and detailed) completion of occurrence and crime reports. Consequently some specialist data, for example that relating to alcohol is likely to be a conservative estimate.

Please refer to Appendix A for maps, Appendix B for statistical data and Appendix C for graphs.

Summary

1. The number of recorded occurrences within the City of York Cumulative Impact Zone (CIZ) decreased in 2015 compared with the previous year. This decrease is also reflected in alcohol related occurrences.
2. ASB Nuisance continues as the most prevalent occurrence type however a decrease is also evident and this includes alcohol related nuisance.
3. Violence related occurrences have increased in 2015. Correspondingly, alcohol related violence has also increased. This also includes alcohol related Violence Against the Person.
4. Recorded crime has remained stable across both years.
5. Theft related offences have recorded notable decreases during 2015. In contrast, Violence Against the Person, Arson & Criminal Damage and Public Order offences have experienced increases.
6. Assault Occasioning Actual Body Harm (AOABH), Malicious Wounding/GBH, Common Assault, Assault (without injury) on a Police Constable and Harassment have all recorded increases.
7. Sexual offences have decreased by over a third, correspondingly alcohol related offences have also decreased.
8. The highest concentration of occurrences continues to be within areas where footfall is high. These zones encompass a high concentration of nightclubs, public houses, off-license express supermarkets, late night eateries as well as hotel and retail premises. This is representative across both years.

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9. The highest levels of reported occurrences, across both years, are during the summer months of July and August together with December.
10. Calls for police service are at their highest on weekends; Saturday and Sunday. This is consistent across both 2014 and 2015.
11. Activity is highest between 1pm - 6pm and midnight - 4am. These periods incorporate the traditional Night Time Economy (NTE) period as well as representing the changing trend in pattern of visiting revellers coming to the city on a late Saturday morning into early evening.

Findings**Occurrences¹**

12. The number of recorded occurrences within the City of York CIZ have decreased by 2% (-121) in 2015 compared with 2014.
13. Alcohol related occurrences² have decreased by 3% (-50) in 2015 compared with the previous year.
14. ASB occurrences within the CIZ have also decreased in 2015 compared with 2014 (-11%, -191).
15. ASB Nuisance is the most prevalent occurrence type across both years albeit reports have decreased by 11% (-172) during the latter period. These reports encompass complaints of begging and vagrancy, buskers, urination in public places, public order behaviour such as fighting and drunkenness, verbal abuse and gathering of large groups of youths. ASB dispersal notices are also recorded within this heading. Alcohol related ASB Nuisance occurrences have also decreased -4.5% (-32).
16. The multi-agency Community Safety Hub - operating from the City's council offices - was introduced in spring 2014. Now fully developed and embedded, police officers monitor all ASB occurrences (including nuisance) within the city on a daily basis identifying repeat locations, people and ensuring potential for further investigation is progressed. This proactive work has possibly contributed to the decrease in overall ASB including ASB Nuisance.
17. Theft, Violence, PSW Concern for Safety and PSW Suspicious Circumstances also feature within the top five call types for police service. Again, this is reflected across both years. An increase in violence related reports is recorded in 2015 (+18), alcohol related violence has also increased (+18).
18. PSW Calls for Concern relate to people with vulnerabilities - adults and children - by way of mental health problems or people in drink or having taken substances such as legal highs. Activity around the river also features. PSW Suspicious Calls are similar in nature to Calls for Concern - a notable proportion is made with good intent (a potential indicator of confidence).

¹ These include crime and non-crime reports

² National Incident Category List (NICL Code) specified as 'Alcohol' within the occurrence/crime data

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Crime

19. Recorded crime has remained static across both years; 2261 offences in 2015 compared with 2262 in 2014.
20. Shoplifting, Violence Against the Person, All Other Theft, Theft from The Person, Arson & Criminal Damage and Cycle Theft feature within the top five crime groups across both years. Shop Theft, Theft from Person offences and All Other Theft have experienced notable reductions in 2015 (-55, -67 and -25 respectively). In contrast, Violence Against the Person and Arson & Criminal Damage have recorded increases (+75, +30). Public Order offences have also increased albeit minimally (+4).
21. Violence offences that have recorded increases include AOABH (+33), Malicious Wounding/GBH (+18) and Common Assault (+15). All of these offences are reported primarily across Saturday and Sunday - this is consistent across both time periods. Venues that record the highest levels of violence crimes as outlined above are; Kuda, Fibbers, Pop World, Vudu Lounge and McDonalds Restaurant. This latter year, Fibbers and Vudu Lounge have recorded increases in violence (+14 and +3).
22. Alcohol related increases during 2015 are evident in Violence Against the Person, Arson & Criminal Damage, All Other Theft, Theft from Person and Robbery offences. Aside from violence offences, increases are in singular figures. Alcohol related violence crimes have increased by 12% (+25).
23. Increases in drug offences (+7), fraud (+11), and burglary (+23) are also evident.
24. Drug Offences are primarily linked to possession of Class A and Class B substances - Possession of Cocaine (31) and Possession of Cannabis (45) predominate. Both have recorded increases in 2015 albeit levels are very low. Possession of MDMA has also increased (+3). Drug Offences are primarily reported over the weekend period Friday through to Sunday, peaking on Saturdays and this is similar across both time periods.
25. Previous analysis has identified Theft from Person offences as predominantly occurring within licensed premises, in particular nightclubs. Unattended personal items such as from handbags and clothing together with mobile phones (often left unattended) are most targeted.
26. Fraud offences have all been directed to the National Fraud Intelligence Bureau for recording and progression.
27. Sexual Offences within the CIZ have decreased by over a third 35% (-9) and this is reflected across all offence types. Alcohol related sexual offences have also decreased (from 11 to 4). Sexual Assault on a Female continues to sustain the highest level of offences within this crime group and also records the highest level of alcohol involvement - this is across both years. The level of recorded sexual offences across other categories continues to be within singular figures. Levels of exposure offences remain similar to 2014.

Locality

28. The top five tier streets that experience the highest level of occurrences are; Coney Street, Micklegate, Blake Street, Blossom Street and Clifford Street - this is generally representative across both years. Geographically, all are in close proximity to each other

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and encompass a high concentration of nightclubs, public houses, off-license express supermarkets, late night eateries as well as hotel and retail premises. Consequently footfall in this area is high.

29. McDonalds Restaurant records the highest level of occurrences across the two year period albeit levels have almost halved in 2015 (-46%, -98). Anecdotal information suggests several factors contributing to this decrease and these include increased security staff employed by the venue most nights, increased targeted patrolling by NYP officers and the reduction in complaints from some local residents who were, historically, prolific complainants with regard to ASB concentrated around the venue site. Venue staff are also calling for police assistance via the Storenet Radio system as opposed to telephoning 101 resulting in a prompt response from local officers however these occurrences are not always being recorded on NYP data systems.
30. Kuda nightclub records the second highest level of occurrences across 2014 and 2015. Similar to McDonalds, occurrences have also decreased notably in 2015 (-52%, -101). Since a change of management in late 2012, door staff security has improved and the Manager is the current Chairperson of the local Pubwatch scheme. Similar to McDonalds, calls for police assistance are also frequently requested via the Storenet radio system.

Temporal Information

1. Calls for police service are at their highest on weekends; Saturday and Sunday. This is consistent across both 2014 and 2015.
2. Occurrences are at their minimum between 5am and 9am. Commencing 9am, the number of reports increases hourly through the day peaking at between 4pm and 5pm after which there is a gradual depreciation through to 9pm. A second increasing trend emerges after 9pm which continues through to 3am. Occurrences then decrease until 5am. This pattern is similar to 2014. Isolated increases are noted however between 6pm and 2am and between 8am and 9am.
3. The highest levels of reported occurrences, across both years, are during the summer months of July and August together with December. Increases in July and August are possibly influenced by visitors to York Races attending the Saturday Music Showcase at the end of July and Saturday Ebor Fixture in August. Previous analysis of activity during both years suggests these fixtures record the highest levels of race related activity of each season.
4. Aside from three instances, calls for police service have been lower each month than the preceding year - in July, September and October levels of recorded occurrences were higher than 2014. The increase during September and October can be accounted for in the following paragraph.
5. Operation Erase, a multi-agency forum, launched a hard-hitting campaign on Saturday 5 September 2015 in response to the continuing behaviour of revellers - travelling from the North East and South Yorkshire - visiting the city centre on Saturday afternoons. This behaviour has affected both locals and tourists alike. A Code of Conduct was agreed by

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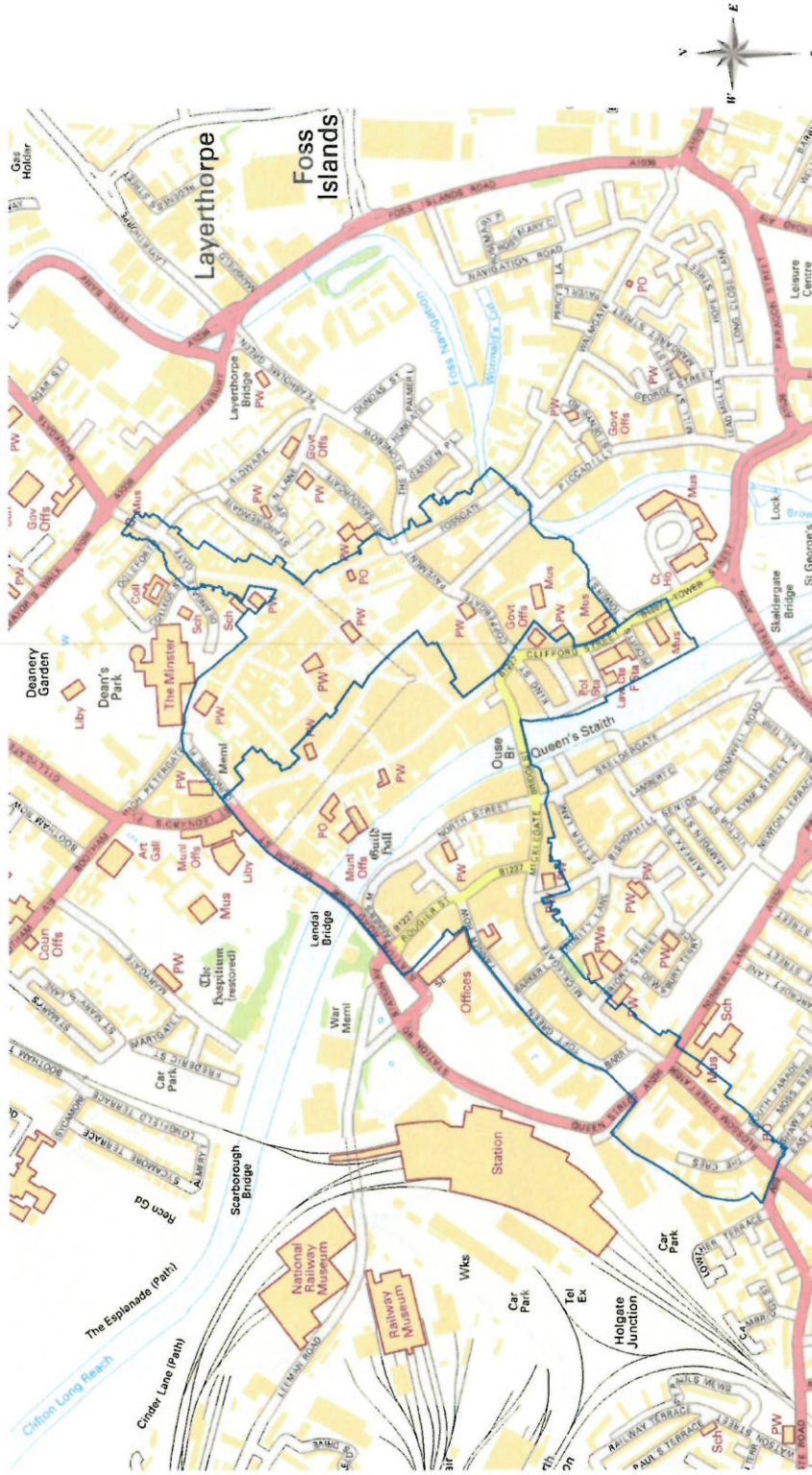
partners including Licensees, Licensing Officers, Train Companies, NYP and British Transport Police (BTP) and this was displayed in all city centre licensed venues. Refusal of large groups of revellers into venues and prohibition of blow-up phallic balloons, used by Hen parties, were incorporated within the new Code. An increase in police patrols together with more robust enforcement by all participating partners on Saturdays in September and October may account for the increase in reports during these months.

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Appendix A

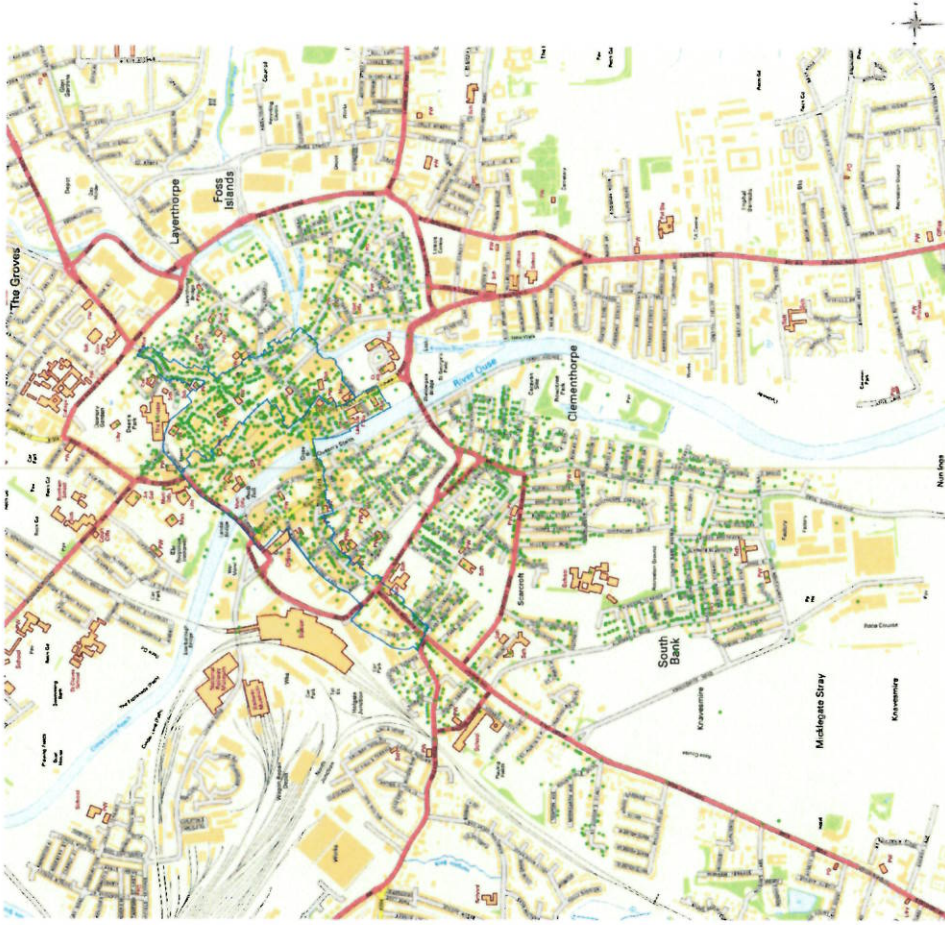
Map of York showing the Cumulative Impact Zone as indicated by the blue boundary lines



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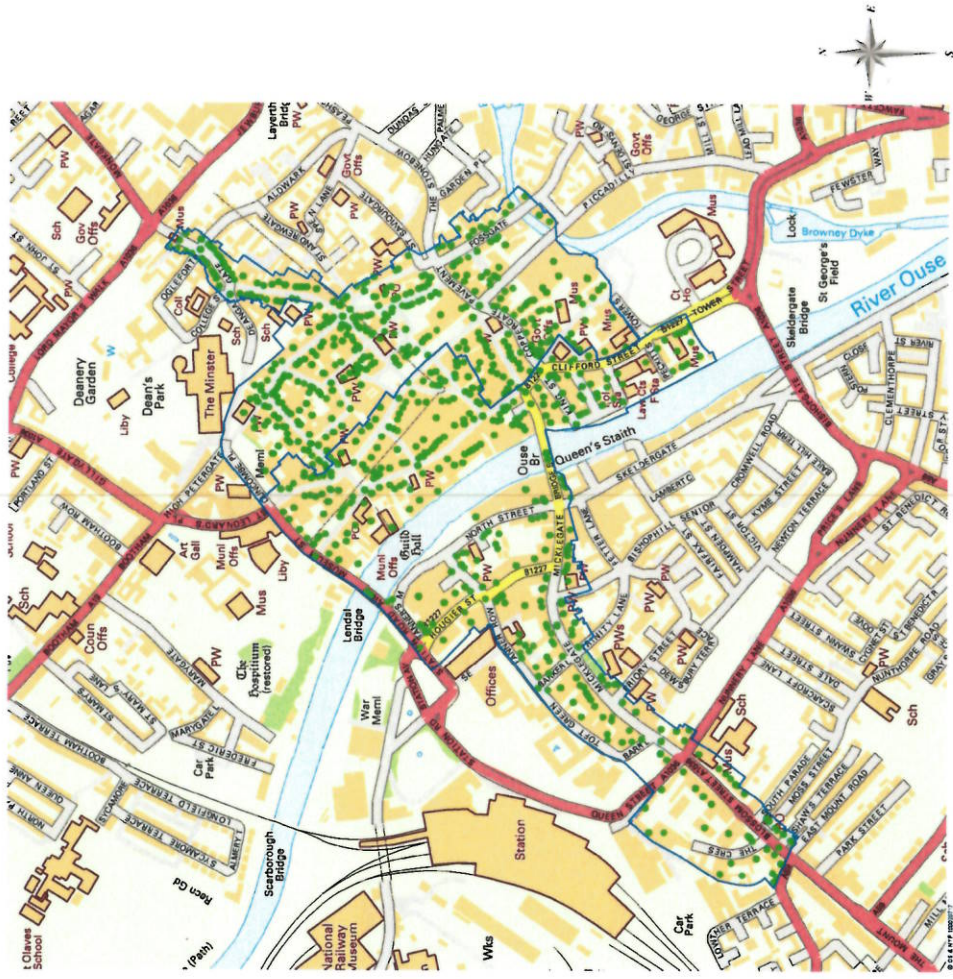
Map of York showing the Cumulative Impact Zone as indicated by the blue boundary lines, together with all occurrences and crimes (represented by green dots) reported within the city sectors FXD (Micklegate Inner), FXH (Micklegate Outer) and FXE (Guildhall Inner) between 01/01/2014 and 31/12/2015



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Map of York showing the Cumulative Impact Zone as indicated by the blue boundary lines together with all occurrences and crimes (represented by green dots) committed within the CIZ between 01/01/2014 and 31/12/2015.



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Hot Spot Map showing the concentration of occurrences in 2014 within York Cumulative Impact Zone. Red shading indicates highest density and white shading lowest density of occurrences.



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Hot Spot Map showing the concentration of occurrences in 2015 within York Cumulative Impact Zone. Red shading indicates highest density and white shading lowest density of occurrences.



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Appendix B

1. Table showing the number of recorded occurrences during the specified two year period.³

2014	2015	TOTAL
5886	5765	11650

2. Table showing the number of recorded alcohol related occurrences during the specified two year period.

2014	2015	TOTAL
1471	1421	2892

3. Table showing the number of recorded ASB occurrences during the specified two year period. Increases in 2015 are highlighted in red.

ASB OCCURRENCE TYPE	2014	2015	TOTAL
ASB Nuisance	1560	1388	2948
ASB Personal	86	119	205
ASB Environmental	96	44	140
Grand Total	1742	1551	3293

4. Table showing the number of recorded ASB Nuisance occurrences linked to alcohol during the specified two year period.

OCCURRENCE TYPE	2014	2015
ASB Nuisance	717	685

5. Table showing the number of recorded Theft, Violence, PSW Concern for Safety and PSW Suspicious Circumstances occurrences linked to alcohol during the specified two year period. Increases in 2015 are highlighted in red.

OCCURRENCE TYPE	2014	2015
Theft	43	34
Violence	239	257
PSW Concern for Safety	210	204
PSW Suspicious Circumstances	35	40

6. Table showing the number of recorded crimes during the specified two year period.⁴

2014	2015	TOTAL
2262	2261	4524

³01/01/2014 – 31/12/2014 and 01/01/2015 – 31/12/2015

⁴01/01/2014 – 31/12/2014 and 01/01/2015 – 31/12/2015

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7. Table showing recorded Crime Groups during the specified two year period. Increases in 2015 are highlighted in red.

CRIME GROUP	2014	2015	TOTAL
Shoplifting	658	603	1261
Violence Against the Person	451	526	978
All Other Theft	325	300	625
Theft from Person	187	120	307
Arson & Criminal Damage	130	160	290
Bicycle Theft	132	158	290
Public Order Offences	116	120	236
Drug Offences	107	114	221
Burglary	51	74	125
Fraud	22	33	55
Sexual Offences	26	17	43
Misc Crimes Society	28	10	38
Possession Weapons	13	10	23
Vehicle Offences	10	9	19
Robbery	9	9	18
Grand Total	2333	2275	4609

8. Table showing recorded crimes (during the specified two year period) where there have been increases in 2015.

CRIME GROUP	OFFENCE TYPE	2014	2015	TOTAL
Violence Against Person	AOABH	250	283	533
	Common Assault & Battery	136	151	287
	Malicious Wounding / GBH	18	36	54
	Assault Without injury on a PC	13	17	30
	Harassment	2	9	11
	Assault on a Traffic Officer	1	2	3
	Breach of Restraining Order	1	3	4
	Racial or Religious Aggravated Harassment without Violence	0	2	2
	Racial or Religious Aggravated Harassment with fear of Violence	0	1	1
	Threats to Kill	0	1	1
Arson & Criminal Damage	£5000 or under, building other	60	76	136
	£5000 or under, vehicle	31	41	72
	£5000 or under, dwelling	3	4	7
	Over £5000, building other	0	2	2
	Over £5000, other	0	1	1
Public Order Offences	Fear or provocation of violence	31	39	70
	Causing Intentional harassment	9	10	19
	Racially/religiously aggravated harassment/alarm/distress	5	12	17
	Act of Outrageous Decency	1	5	6
Drug Offences	Possession of Cannabis	39	45	84
	Possession of Cocaine	27	31	58
	Possession of MDMA	5	8	13

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	Possession Other Class A	2	5	7
	Possession of Heroin	3	4	7
	Possession Other Class C	2	3	5
	MDMA – Supply	0	2	2
	Possession of a Controlled Drug, supply	0	2	2
	Possession of Ketamine0	1	1	
Burglary	In a building other than a dwelling	25	63	88
	Attempt Burglary, other than dwelling	5	7	12
	Burglary in a Dwelling	2	4	6

9. Table showing the top tier streets (=> 350 occurrences across the two year period) affected by 'calls for police service'. Increases in 2015 are highlighted in red.

STREET / TOP VENUES	2014	2015	TOTAL
Coney Street	583	593	1176
Revolution	56	61	112
Pitcher & Piano	16	22	38
Micklegate	381	397	778
Travelodge Hotels Ltd	35	39	74
The Parish	22	27	49
The Micklegate	5	18	23
Blake Street	374	268	642
McDonalds Restaurants LTD	214	116	330
ASK	6	8	14
Blossom Street	266	299	565
REEL Cinema	38	19	57
Premier Inn	26	18	44
Punch Bowl	12	13	25
Clifford Street	319	209	528
KUDA	195	94	289
Goodramgate	208	221	429
Tesco Express	17	16	33
Cross Keys	10	10	20
Parliament Street	207	179	386
Low Ousegate	169	202	371
Tesco Express	23	29	52
Slug & Lettuce	22	27	49

10. Table showing the top tier licensed/eatery venues (=> 100 occurrences across the two year period) affected by 'calls for police service'. Increases in 2015 are highlighted in red.

VENUE	2014	2015	TOTAL
McDonalds Restaurants Ltd	214	113	330
Kuda	195	94	289
Sainsburys Supermarkets Ltd	86	84	170
Marks & Spencer PLC	87	83	170
Vudu Lounge	69	76	145
Popworld	65	68	133

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Revolution	56	61	117
Society Lounge Bar	53	55	108
Club Salvation	57	50	107
Fibbers	33	72	105

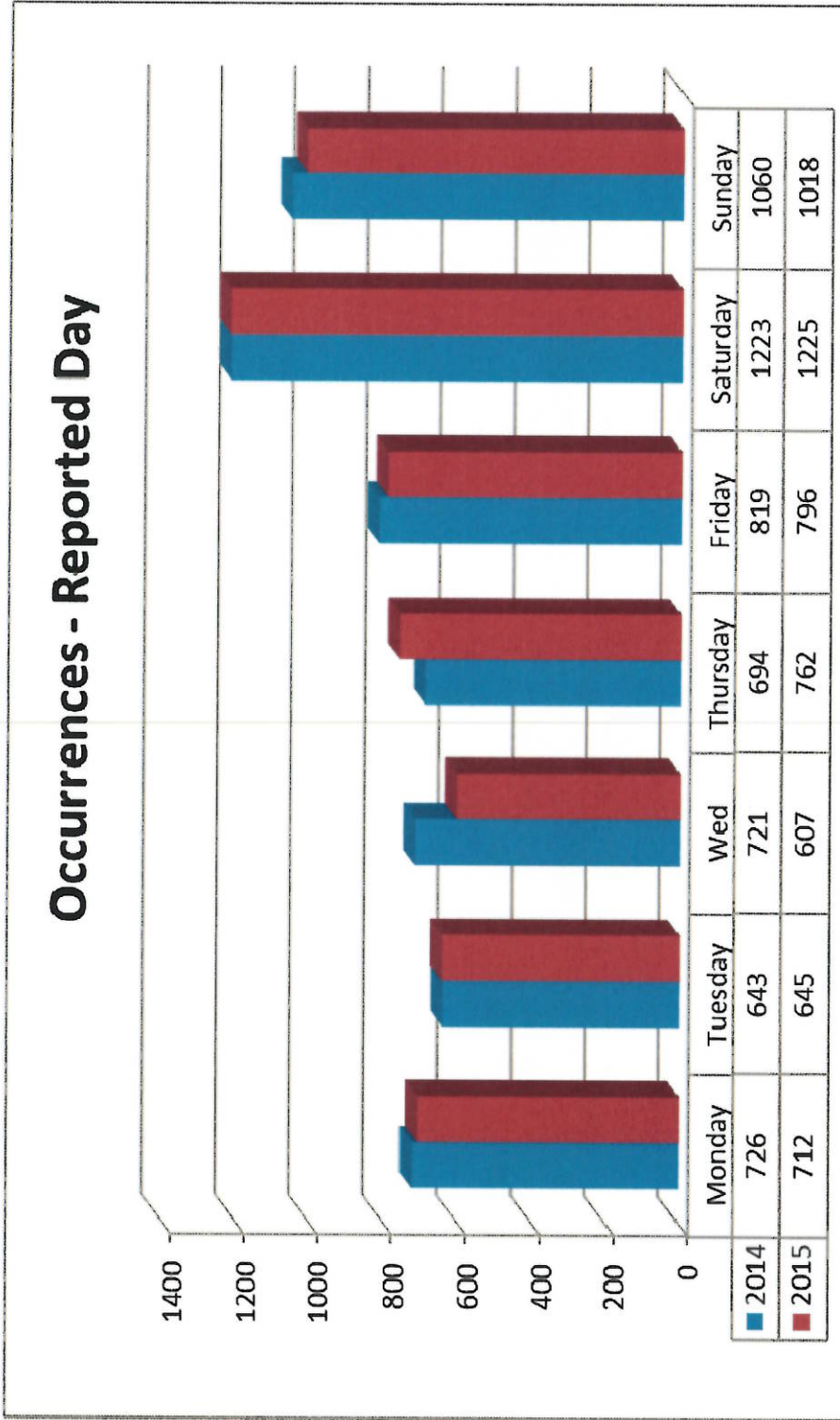
11. Table showing licensed/eatery venues recording the highest increases in 'calls for police service' in 2015 compared with 2014.

VENUE	2014	2015	TOTAL	INCREASE
Fibbers	33	72	105	+39
Blue Fly	36	51	87	+15
Kings Arms	21	36	57	+15
The Micklegate	5	18	23	+13
The Biltmore Bar & Grill	8	20	28	+12
Cosmo	5	16	21	+11
Lendal Cellars	3	13	16	+10

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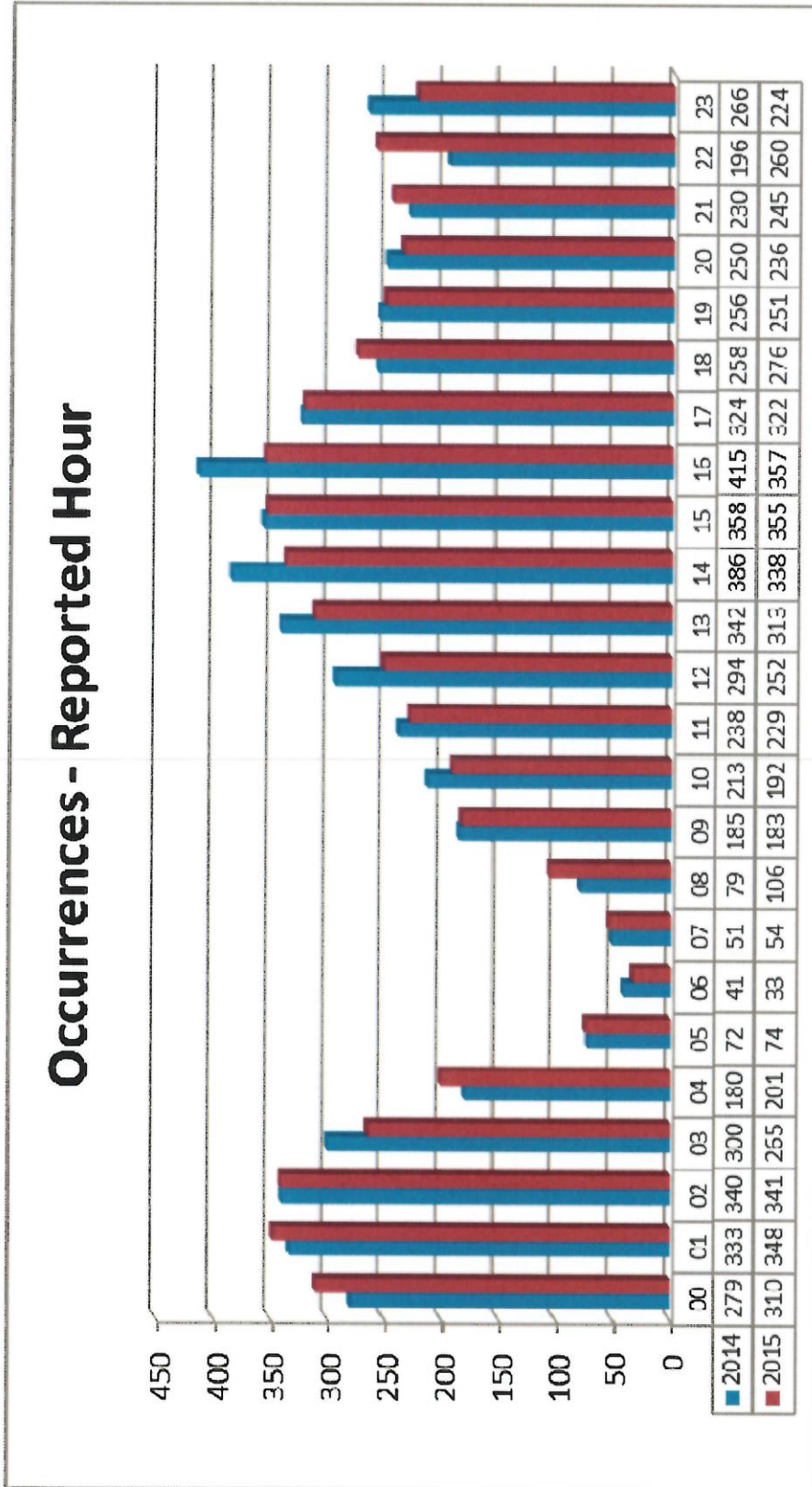
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Appendix C



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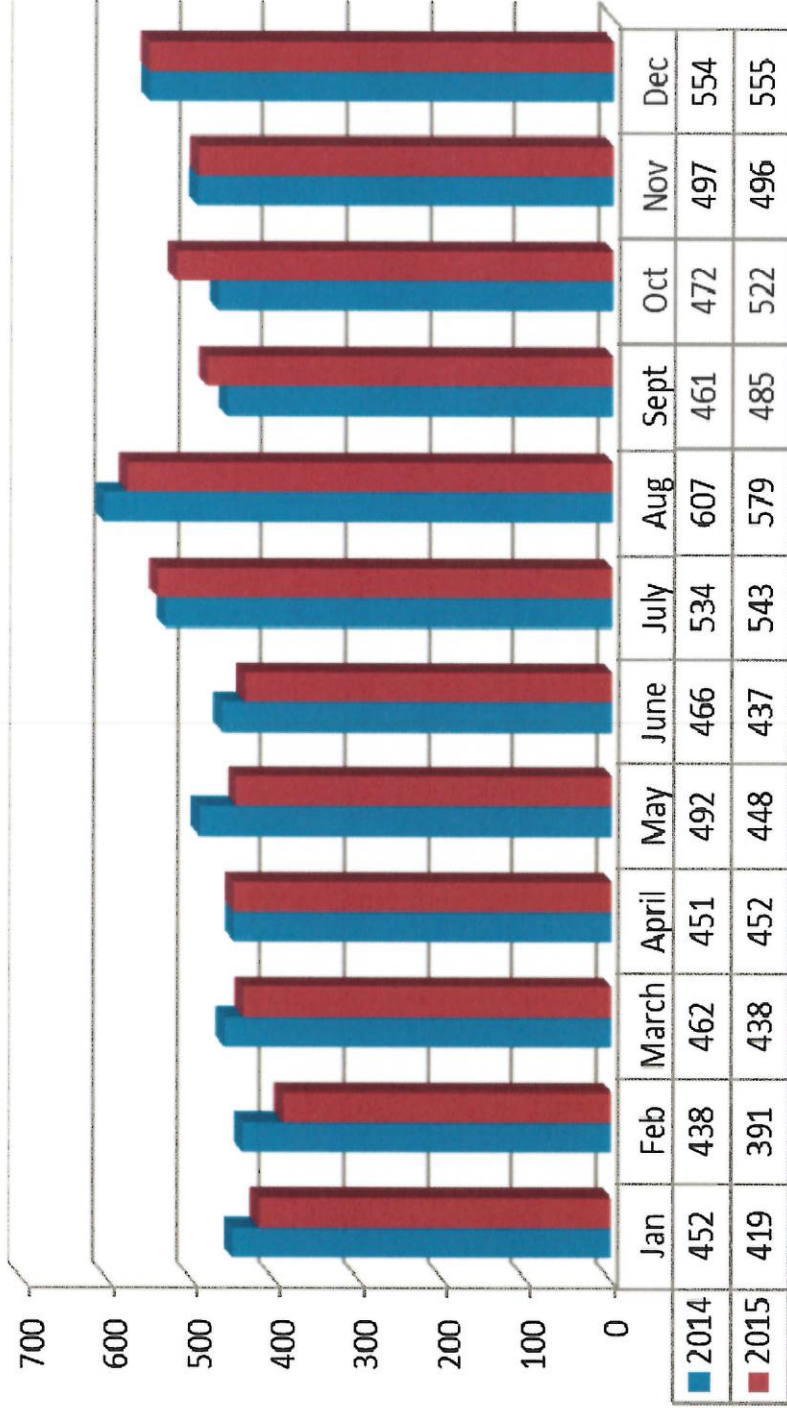
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Occurrences - Reported Month



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Gambling, Licensing & Regulatory Committee

25 April 2016

Report from the Assistant Director – Housing and Community Safety

Taxi Licensing Policy

Summary

1. This report seeks Members' support for approval of the council's Taxi Licensing Policy. It advises of the consultation undertaken and the amendments made to the draft policy following the consultation.

Recommendations

2. That Members **approve Option 1** of this report to adopt a Taxi Licensing Policy.

Reason: This will allow the Council to introduce a Taxi Licensing Policy.

Background

3. Unlike other licensing regimes, there is no statutory requirement for local authorities to set hackney carriage and private hire policies. Local authorities are however entitled to adopt such policies as they are an integral part of the decision-making process. A policy guides, but does not bind, a local authority.
4. A report was brought to this committee on 8 February 2016 asking for approval to formally consult on a proposed Taxi Licensing Policy. This proposed policy consolidated all of the council's existing policy documents along with proposed new policies into a single Taxi Licensing Policy. Members authorised officers to go out for formal consultation on the proposed policy.
5. The consultation asked respondents for their views/comments on the proposed policy.

Consultation

6. An 8 week consultation was carried out on the Taxi Licensing Policy, from the 12 February to the 8 April 2016.
7. The council consulted the holders of hackney carriage vehicle and driver licences, and private hire vehicle, driver and operator licences. This was done by direct mailing and use of the council's website.
8. The council also consulted:
 - Hackney Carriage and Private Hire Associations
 - North Yorkshire Police
 - City of York Council Network Management
 - City of York Council Children Services
 - City of York Council Adult Services
 - City of York Council Public Health
 - York District Hospital
 - Make it York
 - North Yorkshire County Council School Transport
 - Ward Councillors
 - Parish Councils
 - Groups that represent disabled people
 - Groups that represent elder people
 - CAB

This was done by email and use of the council's website.

9. In total 17 responses were received to the consultation, 13 from the taxi trade (including 2 Associations) and 4 for other agencies/bodies. These responses can be found at Annex 1.
10. A further 2 responses were received after the consultation period ended. Officers have not had the opportunity to include these within Annex 1. It will be for the committee to determine if they wish to take these responses into consideration, they can be found at Annex 2.

Options

11. Option 1 – Approve the proposed policy.
12. Option 2 – Amend the policy proposed.

Analysis

13. Of the responses to the policy from the taxi trade 3 relate to the issuing of three year driver licences from the 1st April 2016. It is a requirement of Section 10 of the Deregulation Act 2015, which took effect from the 1st October 2015, that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case. Following the consultation an amendment has been made to the policy in relation to the refund of fees to state:

‘No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determine on a case by case basis.’

14. A further 3 responses to the policy from the taxi trade objected to the wording of condition 1(b) of the Private Hire Vehicle Licence Conditions, within Appendix 1 of the Policy and condition 21 of the Private Hire Operators’ Conditions within Appendix 10, which states:

A sign on the rear passenger doors including the name and telephone number **and/or website address** of the firm and the words “PRIVATE HIRE VEHICLE – PRE BOOKED ONLY” in suitable lettering at least 50mm (2”) but not more that 100mm (4”) high. The approval of the Council should be sought before the display of the sign. The sign must not include the words “FOR HIRE”, “TAXI” OR “HACKNEY CARRIAGE”.

15. Following a request from a private hire operator applicant in September 2015, the wording of the above condition was amended to include ‘and/or website address’. The amendment was done in accordance with the council’s constitution, by way of an ‘officer decision’ in consultation with the Director of Communities and Neighbourhoods, and the Chair of this Committee.
16. When considering section 23 of the policy ‘Environmental Considerations’, and the introduction of European Standards for licensed vehicles, there were 11 responses from the taxi trade. The main concern regarding the introduction of European Standards relate to the increase cost of replacing a licensed vehicle. This section was included within the policy at the request of the council’s Public Protection Air Quality Officers to assist the council to meet its’ health-

based air quality objectives. An Air Quality Officer will address committee regarding this matter.

17. The Council licences 183 hackney carriage and 580 private hire vehicles, a combined fleet of 763 vehicles. 582 (76%) of these vehicles are 5 or more years old, and 181 (24%) being 10 or more years old.
18. The policy does not propose to make all diesel vehicles Euro 6 after the 1 June 2017. It proposes that at the point of change of vehicle, the vehicle to be licensed will meet either Euro 5 petrol or Euro 6 diesel, from the 1 June 2017 for taxis and 1 November 2017 Private hire vehicles.
19. A guide to the age of vehicles in relation to the Euro Standards:
 - New private hire vehicles from 1st November 2016
 - Euro 5 petrol – can purchase any petrol vehicle up to 7 years and 2 months old
 - Euro 6 diesel – can purchase any vehicle less than 2 years 2 month old
 - Can purchase any ultra low emission vehicle (CO₂ 75g/km)
 - Replacement vehicles after 1st June 2017
 - Euro 5 petrol – can purchase any petrol vehicle less than 7 years and 9 months old
 - Euro 6 diesel – can purchase any vehicle less than 2 year 9 months old
 - Can purchase any ultra low emission vehicle (CO₂ 75g/km)

(Note: Some vehicles slightly older than these guideline dates may meet the correct emission standards depending on when manufacturers released the new models for sale. For example some vehicles sold earlier in 2013 may have achieved Euro 6).
20. Following the consultation an amendment has been made to the policy in relation to Euro Standards and wheelchair accessible vehicles, paragraph 22.5 of the policy now also includes:
 - Diesel wheelchair accessible vehicles – Euro V diesel vehicles class*

*this only applies to replacement vehicles and if the following criteria is met:

- The vehicle licence was granted prior to the 1 May 2016 to a wheelchair accessible vehicle;
- The replacement vehicle is wheelchair accessible;
- The vehicle licence is renewed annually;
- Ownership of the vehicle remains in the name of the vehicle licence proprietor whose name was on the licence on the 1 May 2016;

If the above criteria is met a vehicle licence proprietor may replace the licensed wheelchair accessible vehicle as many times as necessary until this policy is amended.

21. A total of 4 responses to the policy were received from other agencies/bodies:

(a) City of York Council, Health Improvement Manager – support the health and safety and air quality elements of the policy. The wording of paragraph 2.3 has been strengthened to highlight a range of impairments. An additional section, 37 ‘Optional Training’ has been included within the Policy highlighting that the Council offers training in equalities and dementia friends.

(b) York Blind and Partially Sighted Society – would like to see more robust requirements with regards to eye sight tests. The Council policy is in line with the Department for Transport Best Practice Guidance, that drivers must complete a medical to DVLA Group 2 standard. If required the Councils can also request that a driver has additional Group 2 standard medicals or further medical assessments.

(c) York Green Party – would like the introduction of different air quality matters. An Air Quality Officer will address committee regarding this matter.

(d) York Teaching Hospitals NHS Foundation Trust – encourage and support the work of the Council is developing as part of its commitment to sustainability and clear air through its taxi policy.

22. The proposed policy is attached at Annex 2.

Council Priorities

23. The provision of hackney carriage and private hire licensing supports the council plan of a prosperous city for all, where local businesses can thrive.

Implications

24. The direct implications arising from this report are:
- (a) **Financial** – There are no direct financial implications for the council, however as a result of the adoption of Euro Standards for vehicles, this could result in an increased cost for the taxi trade.
 - (b) **Human Resources (HR)** - There are no HR implications.
 - (c) **Equalities** – An equalities impact assessment has been undertaken in relation to the new Taxi Licensing Policy.
 - (d) **Legal** - There is no statutory requirement to adopt a Taxi Policy however, it is best practice to do so. Whilst an adopted policy will be a consideration in determining applications it must not be applied in a prescriptive way which could fetter the discretion of the Licensing Authority in respect of individual applications.
 - (e) **Crime and Disorder** – There are no crime and disorder implications. The legislation and the policy address issues relating to public safety.
 - (f) **Information Technology (IT)** - There are no IT implications.
 - (g) **Property** - There are no property implications.
 - (h) **Other** - There are no other implications.

Risk Management

25. There are no known risks associated with this report.

Contact Details

Author:		Chief Officer Responsible for the report:	
Lesley Cooke Licensing Manager 01904 551515		Steve Waddington Assistant Director – Housing and Community Safety	
Report Approved	√	Date	13/04/16
Specialist Implications Officer(s) Alison Hartley Senior Solicitor Ext: 3487			
Wards Affected:		All	√
For further information please contact the author of the report			

Background papers

None

Annex 1 – Consultation Responses**Annex 2** – Late Responses**Annex 3** – Taxi Licensing Policy

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Consultation Responses

	Respondents Name	Respondents Comments	CYC Response
1.	Mr B Marshall – private hire vehicle licence proprietor and driver	<p>I notice that the council is committed to ensuring the equality in employment and service delivery. To achieve this the council is aware of its duty under the following legislations:</p> <ul style="list-style-type: none"> a) Sex Discrimination Act 1975 b) Race Relations Act 1976/2000 c) Equality Act 2010 d) Human Rights Act 1988 <p>I have a few issues with the statement:</p> <p>1. As part of the exemption for executive vehicles ‘the driver must follow a formal dress code, suit, collared shirt or tie. The suit jacket may be removed in warmer weather. Female drivers must follow the equivalent dress code but will not be required to wear a tie.</p> <p>Is this not positive discrimination on the grounds of sex?</p> <p>2. Hackney carriage vehicle licence waiting lists. In 2000 the Military covenant was brought into law, in it the Government states that:</p> <ul style="list-style-type: none"> • No disadvantage due to service in the provision and continuity of public service. • No disadvantage in dealings with wider society, e.g. in assessing commercial services, or in pursuing careers outside the Armed Forces (as spouses Reservists or Veterans). <p>As an ex member of the armed forces I believe that I and</p>	<p>The requirement to wear a tie has been removed.</p>

		<p>others like are being discriminated against by the City of York Council and in particular Taxi Licensing by ignoring this law.</p> <p>I have written to York council on this matter before and never received a reply. Is it not government policy that veterans should not be discriminated against? Yet if I leave the armed forces I must go to the bottom of a list that I am prohibited against being on by military service.</p> <p>As a member of the armed forces I could not be on the hackney drivers waiting list for example, so I am disadvantaged in my case by 22 years.</p> <p>I and the government (of which York council is part) believe that my service to this country should be recognised and not place me at a disadvantage by the system currently employed, and the new system will be worse.</p>	<p>Council officers are not aware of this letter.</p> <p>The council will accept anyone onto the waiting list.</p> <p>The current waiting list uses a complex points system, points are allocated using the following criteria:</p> <ul style="list-style-type: none"> • All applicants – on point for every full month on the list. • Holders of a hackney carriage or private hire driver’s licence – one extra point for every month on the list, except for licensed drivers who currently hold or have previously held a hackney carriage vehicle licence issued by one of the constituent local authority areas which make up the City of York Council area. • Holders of a hackney carriage or private driver’s licence – one point for every full year in which a driver’s licence has been held prior to joining the list or the list being established. <p>The proposed new waiting list will be simplified and not operated on a points</p>
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		<p>By Over limiting the amount of hackney cars problems are being created at taxi ranks all over York, every weekend there are massive queues at the taxi ranks, which are hotbeds for trouble, while the hackney drivers illegally rank outside clubs then to go to the ranks later.</p> <p>Try to find a hackney at the station on race days you can't because there is more money to be made at the races.</p> <p>This whole section needs to be re-assessed. As hackney plates not the property of the council, if so then why permit the sale of plates (turning a blind eye) if I sold a council house no doubt you would complain and say it is illegal to sell council property. This should be stopped so that when somebody retires his plate goes to the next person in line not the next person with £40,000. Some of whom I am lead to believe have never driven or will never drive a taxi.</p> <p>This list should be accessible online so you can monitor your progress.</p> <p>One final point Uber is coming to York (sooner or later), if the hackney situation is not sorted out it will be finished for all.</p>	<p>system and will be refreshed every 5 years.</p> <p>As the council restricts the number of hackney carriage vehicle licences issued an unmet demand survey is carried out once every three years.</p> <p>This would require a change in legislation. Current legislation permits the transfer of vehicle licences.</p> <p>The list cannot be published as it contains personal information.</p>
2.	Mr W Brolly – hackney carriage vehicle licence proprietor and driver	<p>In respect of the draft policy, I would suggest that, if it were possible, to make the licenses 3 years, and to be given the choice to do it annually, if not, it would mean a lot of expense to many drivers.</p> <p>As for Euro 5 and especially Euro 6, can wheelchair accessible</p>	<p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p> <p>The council understands the concerns,</p>

		vehicle be made exempt from this as the cost for one of these vehicles is, as at this time, £60,000 including finance, there is no way we can afford that capital outlay especially when a saloon costs in the region of £8,000.	the policy has been amended in relation to wheelchair accessible vehicles to permit Euro 5 diesel on change of vehicles.
3.	Mr D Thornton – hackney carriage vehicle licence proprietor and driver	<p>48.4 (now 50.4) For hackney carriages the fare cannot exceed the table of fares. It should then say, <u>but only for journeys within the controlled district.</u></p> <p>48.5 (now 50.5) When a journey ends..... It should say when a journey ends <u>or starts</u>, outside of the councils area. (a private hire booking undertaken by a hackney).</p> <p>19. Tinted windows. (rearward of the driver) this goes against the Best Practice Guidance from the Government. Why is this condition necessary? How does it improve public safety? most councils allow this, including London.</p> <p>24. 'his desire to engage by time'. What would we charge per hour? Is that up to the driver to decide? In fare charts a long time ago a table of hourly rates was shown. Either this option of a 'by time only' element in this byelaw wants removing, or a table of hourly rates should be included in the fare chart.</p>	<p>This is covered within paragraph 48.5 (now 50.5) of the policy.</p> <p>The legislation does not allow this.</p> <p>This requirement is in place for public safety reasons to enable clear view into all areas of the vehicle.</p> <p>The hackney carriage byelaws have not been changed. Fare rates are calculated on a combination of distance and time.</p>
4.	Mr M Heaney – hackney carriage and private hire vehicle licence proprietor and driver, and private hire operator	<p>I would like to pass my opinions and dislike of your new proposal to make nay diesel car after June 2017 euro 6 only, take my case for instance I started Executive Cars York about 14 months ago, at that time I put about £30,000 into the business buying the Mercedes S class, making a very nice website, promoting the website, advertising etc, in total about £32,000. I now find that if I wish to change my car after June next year a current Euro 6 Mercedes S class in the specifications I currently have will be about £74,000, how the hell you think I am going to afford to buy this is beyond me.</p> <p>Euro 6 only came out in September 2015 and most</p>	<p>The policy does not propose to make all diesel cars Euro 6 after June 2017. It proposes that at the point of change of vehicle, new vehicles should meet either Euro 5 petrol or Euro 6 diesel. The prices of Mercedes S class vehicles have not significantly changed from Euro 5 to Euro 6. Since Mr Heaney bought all his cars relatively recently, he is unlikely to wish to change these in the near future so will not be affected by the emissions policy</p>

		<p>manufacturers have struggled to meet this because of this there are no vehicles to buy. On top of this I have just bought a taxi plate for £40,000, at the same time I bought a London taxi and completely reconditioned this vehicle at a cost of £6,000 plus the purchase price of £4,000, if I had to change this vehicle to Euro 6 this would be £43,000.</p> <p>I have already made a significant investment in our taxi trade in York, I think I am quite an ambassador for the trade in York all my cars are absolutely immaculate but the job just doesn't justify the amount of money you are asking us to invest in vehicles, I am currently deciding whether to sell everything and move out of the trade in York and maybe move to another city where I could carry on the profession I love and still make a profit.</p> <p>I think you will drive the industry further into the hands of non taxi drivers looking for an outlet for dirty money, I think the future for the trade is bleak. In the future drivers will be forced to rent a drive at an unaffordable rent from the criminal fraternity. I hope you see sense and reverse this proposal before the last remaining few professional taxi drivers get out of the York taxi industry, I understand it is all about emissions and I agree with that, but taxis currently account for about 0.1 percent of all emissions in the city, can I just ask are York City Council changing their entire fleet over to Euro 6, I don't think so, are you as employees of York City Council changing all your cars for Euro 6, I don't think so, every day I sit in the traffic in the centre of York following year 2001 buses spewing crap out everywhere, and as for the tour buses oh my god how they pass a test is beyond me, anyway I hope you read this and not just confine it to the bin.</p>	<p>until this point.</p> <p>Euro 6 vehicles have been available since 2013. Vehicle type approval was necessary to all manufactures from Sept 2014. From Sept 2015 it became compulsory for any remaining manufacturers which had not already achieved Euro 6 emission standards to achieve this for all new vehicles sales.</p> <p>Unfortunately cars which are clean and well maintained can still create diesel exhaust emissions resulting in air pollution.</p> <p>Other taxi licensing areas such as Harrogate BC have far tighter restrictions that are being proposed in the York, with a 5 year age limit on change of vehicle.</p> <p>Taxis are a major source of emissions resulting in pollution in York, comprising 7-10% of roadside NOx ambient levels.</p> <p>Taxis also aggregate where exposure to human health is increased which amplifies the health impact.</p> <p>Regarding the Council's use of vehicles, the majority of council pool car journeys in York are hybrid or electric, so already far cleaner than Euro 6 diesel. As vehicles are changed, the cleanest standard is chosen.</p>
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			City of York Council is converting the City Sight Seeing buses to zero emission electric drive. The prototype vehicle is already on the road.
5.	Mr J Alexander – hackney carriage driver	<p>Deregulation, I would point out that this was done albeit a long time ago, it turned out that lots of people took up the option and it proved to be a big mistake, as most of the people who took the option of a plate had full time jobs already, and it proved to be a mistake, in the fact that there were a lot of accidents, owing to working their fulltime jobs then going cabbing they were just over tired, so the council took control of plates when they were given back they were limited to 100 which was just to few so increased to 110.</p> <p>As to 3 or 5 years licence this would be a problem to licence holders like me who will be retiring next year and would it be a question of would I be willing to pay for 3 years or enter into what I would only deem enforced retirement of which I cannot really afford. I think it would be advisable to give drivers the option of a yearly renewal, as I am sure other drivers must be in a similar position to be.</p>	<p>It is believed that Mr Alexander has miss understood the mention of ‘Deregulation’ within the policy. This relates to the changes in legislation following the Deregulation Act 2015. It does not relate to the deregulation of the number of hackney carriage vehicles licences issued by the council.</p> <p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p>
6.	Jim Kerr, representative for Unite, Member of the Independent Taxi Association and hackney carriage driver	<p>I have been in communication with our Branch Secretary of Unite in Leeds. We at Unite would also lend our weight so to speak to voice our objections to the following:</p> <p>1. We object most strongly to the alteration to the private hire operator’s licence condition, removing the need for a phone number and stating a website as an acceptable alternative. We are fully aware why this has been done to as it has occurred exactly the same in other authorities. We question whether anyone else coming along and asking for a licence but with alterations to current licence conditions would have even been considered. We do not see it as a ‘minor change’ as suggested at our last meeting. We also see it as a safety issue as there is quite a bit of evidence already about passengers</p>	<p>This was done in accordance with the council’s constitution, by way of an ‘officer decision’ in consultation with the Director of Communities and Neighbourhoods, and the Chair of Gambling, Licensing and Regulatory Committee.</p> <p>It was agreed that the condition needs to the requirements of changes in</p>

	<p>urgently requiring to contact a company which does not display a phone number and having great difficulty. It is all very well to say modern way to book by app but there is more to running a proper and safe operation than just booking. We would ask that you consider reversing this decision.</p> <p>2. We are greatly concerned about the 'emission's ruling. This is in effect an age rule for 'new' vehicles to be plated. In particular the ruling on diesels. This would mean a new or change of vehicle would require a car registered not earlier than 2014. This will put an added financial strain on a situation where drivers already struggle even more to make a decent living. Also this will particularly affect both the traditional 'London cab' style taxi, which is a great tool but new/nearly new ones are very expensive, and also the wheelchair minibuses utilised for school runs, as only diesel version are available.</p> <p>What we see in effect is drivers hanging on to older cars longer, especially those with minibuses carrying school kids. For the normal driver it looks like many will revert to older petrol cars. Not only are these less fuel efficient, making his costs rise, but also these engines are, as a rule, less resilient than diesels, meaning he may have to change cars more often, again adding to costs. Finally we somewhat object to the taxi trade, as the only one totally regulated by the City of York Council, being forced into complying with emissions targets when the average motorist will not.</p> <p>3. Whilst advised at another time, we would also like to take</p>	<p>technology.</p> <p>The proposed policy is not an age limit. Vehicles would only need to comply at change of vehicle which is dependent on when the driver/owner chooses to change the vehicle.</p> <p>We would suggest that the changes would improve fuel consumption and reduce running costs, not increase these. Please see point 2 above regarding wheelchair accessible vehicles.</p> <p>Taxis, in particular diesel taxis, create far more emissions leading to harmful air pollution than the average motorist does and do so without any contribution to the health damage costs that result. City of York Council is introducing a city wide emission standard 'Clean Air Zone' which will effect frequent buses.</p> <p>The taxi emissions policy (together with the recent taxi incentive scheme, which we would like to continue if there is funding), forms part of the holistic low emission strategy to reduce emissions from all types of vehicles.</p> <p>Fee levels did not form part of the</p>
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		<p>this opportunity to express our deep disappointment at the new rates for three year driver badge. This appears be to around the normal one year times three. On the other hand, surely issuing a three year badge means less costs to CYC and we would have thought that a lesser cost in general terms that that formula could have been reached. In addition we are dismayed by the insistence by yourselves that no refund will be made if a driver, for any reason, relinquishes his badge prior to the three years being up. We could understand this on one year badges but really think it needs revisiting on the possibility of a non refund policy on a three year one.</p>	<p>policy consultation. In relation to refunds, the policy has been amended to state:</p> <p>‘No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determined on a case by case basis.’</p>
7.	<p>Vicky Japes, City of York Council, Health Improvement Manager (Lifestyles and Sport)</p>	<p>We are supportive of the Health and Safety and air quality elements of the policy.</p> <p>We are strongly supportive of the principle of having one combined policy and welcome the references to the benefits of taxi access to those with disabilities in para 2.3.</p> <p>We would like to see this section strengthened to highlight the difficulties experienced by those with a range of impairments, including: mental health conditions, sensory impairments and dementia as well as physical disabilities, in accessing services, communicating and travelling independently. We would welcome reference to the value of a high quality experience and impact it could have on the confidence of passengers and their ability to carry out daily activities.</p> <p>In para 34 (now 35) there is reference to drivers having sexual exploitation training. We would like this to be broadened to include a range of training requirements. This could include Equalities training and disability awareness training (there are online CYC courses). There is also free ‘dementia friends’ training that the service could access etc.</p>	<p>We welcome the support of Public Health for the policy, especially as poor air quality is the cause of more premature deaths than any other public health factor except smoking.</p> <p>The wording in the policy has been amended as requested.</p> <p>The completion of disability awareness training is already a requirement of the application process, in addition all drivers of wheelchair accessible vehicles must complete further training, DVSA advance wheelchair exercise.</p>

			A section has been included within the policy relating to optional training, section 38.
8.	Mr David Jackson – hackney carriage driver	<p>My concern is the issuing of hackney carriage drivers licence for a period lasting three years.</p> <p>My main concern is what would the procedure be if someone wanted to retire within that three year period? I myself will be retiring at the end of 2016, would I be entitled to a rebate?</p> <p>I'm sure there will be others who may wish to finish before the end of a three year period for retirement, ill health, change of occupation, etc.</p>	<p>It is a requirement of the Deregulation Act 2015 that driver licences are issued for a period of three years, or for such a lesser period as the district council think appropriate in the circumstances of the case.</p> <p>The policy has been amended to state:</p> <p>'No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determined on a case by case basis.'</p>
9.	Mr Stephen Butt – hackney carriage and private hire vehicle licence proprietor and driver	<p>I would like to comment on the new taxi licensing proposals and I would hope that my comments will be taken into account because it is a very serious matter. specifically I would like to draw your attention to clause 22 (now 23) 'environmental considerations'.</p> <p>22.5 only the following Euro standards will be accepted for new private hire applicants form 1 Nov 2016 and all replacement vehicles for both taxi and private hire from 1 June 2017 for taxis and 1 Nov 2017 for private hire vehicles petrol – Euro 6 petrol diesel – Euro 6 diesel ultra low emissions defined as 75g/km co2 and under e.g. petrol/hybrid fully electric vehicles.</p> <p>This is all quite unacceptable see bullet points:</p> <p>1) There is not currently petrol/hybrid car with emissions this low even the latest available Toyota Auris brand new registered 2016 is currently 92g/km co2 emissions which is</p>	<p>1) There are dozens of makes/models of vehicles available which emit 75g/km or less.</p> <p>2) Eligible Euro 5 petrol cars will be up to 9 years old when the policy takes effect as these have been available since 2008.</p> <p>3) Euro 6 diesels have been compulsory for type approval since Sept 2014 and have been compulsory for new registrations since Sept 2015 thus are widely on sale and readily available. There is already a used car market for Euro 6 diesel vehicles. By 2017 there will</p>

	<p>above the current proposal. The earlier Toyota Prius which is just about affordable to a taxi driver is 104g/km co2 emissions and currently exempt from the congestion zone charge in London city centre.</p> <ol style="list-style-type: none"> 2) Petrol Euro 5 are only just becoming available now registered 2016 we cannot all afford to buy new cars. 3) Diesel Euro 6 these are not widely for sale yet even brand new so this will be impossible. <p>We as taxi drivers cannot afford to purchase the suggested vehicles based on these proposals it is utterly ridiculous that York council should force such 'unreasonable' demands on our trade.</p> <p>May I suggest 104g/km co2 and under emissions for petrol/hybrid vehicles at least this will allow us a chance to purchase one of these.</p> <p>May I suggest Euro 4 petrol.</p> <p>May I suggest Euro 5 diesel.</p> <p>This may give drivers a chance to source a suitable vehicle for the job in hand of being a taxi driver or private hire driver.</p> <p>Let us not forget vehicle manufacturers have been found guilty of manipulating emissions values to gain car sales in recent time which means taxi drivers will have grounds for a court case to overturn these ridiculous demands we simply do not charge enough and we do not have the customer base to afford these cars based on the job we do. If we charge more money for our services the customer base would surely shrink even further because the public does not take kindly to being ripped off and overpaying for simple services, some people rely on taxi as their main means of independence and getting about.</p>	<p>be a wide range of new and used Euro 6 diesel vehicles, as well as a wide range of Euro 5 and 6 petrol vehicles.</p> <p>Euro 4 and 5 standards for diesel are known to have failed to meet the emission targets. These emission levels worsen as the vehicle ages, as abatement equipment degrades and blocks up.</p>
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10.	Caroline Robertson York Blind and Partially Sighted Society	<p>Thank you for inviting York Blind and Partially Sighted Society to take part in this consultation. This is of particular interest for a couple of reasons:</p> <ul style="list-style-type: none"> • Our visually impaired members often use taxis as a preferred method of transport due to their accessibility. • We are currently involved in a project which looks at raising the awareness of eye health and encouraging regular eye examinations. <p>Having read your draft policy, I would like to highlight a particular concern around the monitoring and enforcement of objective 3.1.</p> <p>3.1 This authority shall seek to promote the following objectives:</p> <p>a) Protect the interests of the travelling public by:</p> <ol style="list-style-type: none"> i) The establishment of professional and respected hackney carriage and private hire trade. By ensuring that safe, clean, reliable and accessible vehicles are available for all who requires them. ii) Ensuring that drivers of such vehicles and private hire operators are 'fit and proper' persons. <p>The policy states that in order to ensure the driver is fit and proper person you will undertake checks and ask for medical certificates to ensure the driver is fit to drive.</p> <p>My concern is with whether the driver is medically fit. In particular relation to how well they can see. I am aware that a visual acuity test is required as part of the DVLA Group 2 medical standards. However your policy states that this will only be required on application and then at the following intervals,</p> <p>30.4 (now 31.4) Licensed hackney carriage and private hire drivers shall submit a medical certificate at the age of 45, 50,</p>	<p>The Council's policy with regards to the frequency of medicals, which include eye examinations, is in line with Department for Transport Best Practice Guidance, that drivers must complete a medical to DVLA Group 2 Standards.</p> <p>If required the council can also request that a driver has additional Group 2 standard medicals or further medical assessments.</p>
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55, 60 and 65. Annual medical certificates are required for all drivers over the age of 65. Drivers failing to have their medical within the required timeframe will have their licence suspended or revoked.

This raises some concern as ophthalmologist recommendations for the general public for eye sight tests as published on the NHS website are:

- Every 2 years for those under 70 years of age
- Annually for people age 70+
- Annually for anyone 40+ with a history of Glaucoma in their family or you have diabetes

After a test you are issued with an optical statement or prescription to say that:

- You don't need glasses
- Your current glasses don't need changing
- You have been given a new or changed prescription
- You are being referred to your GP or an eye clinic

To evidence the importance of regular eye examinations and as part of our Optimeyes project, we recently carried out some work with a taxi company in the Sheffield area where we offered to go along and carry out basic vision screening tests with their drivers using the Thomas Pocklington Eye Right Toolkit, which tests near and distance vision as well as contrast vision.

We provided information on eye health and spoke to them about the particular needs of customers with visual impairment. We carried out 8 vision screen test all male. 7 out of 8 tests carried out resulted in a referral to an optician as they did not meet the pass standard of the test. 4 of the drivers told us that they had never had a full eye sight test in their lives, 1 had not had a test for 11 years and only 2 had had a test in the last

		<p>year. Even then 2 that had had a test in the last year one still needs to be seen by an optician based on the results of our test.</p> <p>So in summary even though your policy states that medical examination certificates will be required every 5 years between the ages of 45 and 65, based on our findings and the national recommendations for regular eye examinations I do not feel this goes far enough.</p> <p>I would suggest that eye sight checks should be carried out at intervals reflecting the ophthalmologists national recommendations, otherwise how can you be sure that drivers have the required level of visual equity to meet DVLA driving standards as set out in the Group 2 medical standards during the 5 year gap between the requirements to provide a medical examination certificate.</p> <p>As an optical statement is issued after an eye examinations by an optician, could this be evidence required as part of the taxi licensing policy between full medical examinations?</p>	
11.	Mr A J Davies Chairman Independent Taxi Association – York	<p>The ITA represents over 60 hackney carriage owners and drivers in York.</p> <p>Our responses are as follows:</p> <p><u>Para 7.5 Vehicle Specifications, CYC will not licence ‘write offs’</u></p> <p>This is a new proposal and could cause problems for licence holders as there are several categories of ‘write off’, with categories C and D being nothing to do with safety, but where the vehicle is uneconomical for the insurance company to repair. This is not just repair cost as against vehicle value, as insurance companies also take account of storage and administration costs.</p>	<p>The policy has been amended to state:</p> <p>‘A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with</p>

	<p>A vehicle with a value of £1,500 could be written off for a minor accident, e.g. in a car park, costing £800 to repair. The consequence of this is a vehicle, e.g. a taxi, with a higher mileage thus being a lower 'value' could be written off for relatively minor damage which is not safety related and could be easily repaired. Then the council would refuse to licence a perfectly safe vehicle.</p> <p>We object to this proposal.</p> <p><u>Section 22 (now 23) 'Environmental Considerations'</u></p> <p>The council is proposing to introduce Euro Emission limits to taxis.</p> <p>22.3 The DfT states '.... bearing in mind the need to ensure that benefits outweigh costs (in whatever form)....'</p> <p>22.4 York has over 60 low emission taxis, which is voluntary and uses incentives. This scheme works, and we approve of this.</p> <p>22.5 From the dates given CYC are proposing only to licence replacement vehicles conforming to the limits below.</p> <p>From 01.06.17 (HC) and from 01.11.17 (PH)</p> <ul style="list-style-type: none"> • Euro V (petrol) – vehicles 2009 on • Euro VI (diesel) – vehicles 2014 on <p>This proposal will:</p> <ol style="list-style-type: none"> a) Discriminate against wheelchair vehicles and minibuses because they are all diesel and expensive (London cab c.£40K new). b) Increase costs for owners of diesel vehicles, or increase fuel costs for those switching to petrol vehicles. 	<p>regards to categories C and D, it will be dependent on the level of damage.</p> <p>We welcome the support for the council's taxi incentive scheme which has contributed to the adoption of over 70 low emission taxi in York. We are currently seeking funding to continue the incentives, but the cheaper running costs (eg 65mpg) for low emission vehicles are an incentive in themselves.</p> <p>We understand the concerns, the policy has been amended in relation to wheelchair accessible vehicles to permit Euro 5 diesel on change of</p>
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	<p>The normal replacement cycle of vehicles keeps up with tighter Euro limits anyway. As 'taxis' are less than 10% of total York traffic, this measure will have a negligible effect on air quality. Therefore the costs <u>do</u> outweigh the benefits.</p> <p>We object to this proposal.</p> <p><u>22.6 new licences under Environmental Considerations</u></p> <p>The council is proposing that any additional HC licences be granted to vehicle types as discussed by the Licensing Committee. For 20 years Council policy has been that any additional HC licences must be only for wheelchair accessible vehicles.</p> <p>We object to this proposal and the WA vehicle proviso should remain putting the needs of the disabled first.</p> <p><u>PHV licence conditions 1(b) also para 45.2 (now 47.2) Business Name and Vehicle Side Plates</u></p> <p>The condition referring to PH vehicle side plates was recently amended so that a PH operator no longer needed a landline telephone number. This has been a central requirement ever since PH was licensed in York in 1977. This was a major change, but was not put before or discussed by the licensing</p>	<p>vehicle, e.g. 5 year age limit at change of vehicle.</p> <p>The policy provides for an alternative to diesel vehicle ownership for those not willing to adopt the latest Euro standard. There are over 70 petrol hybrid/electrical taxis in York which offer drivers both low running costs plus low emission of gases resulting in air pollution. The policy does not force drivers to upgrade their vehicle as only new vehicles are affected.</p> <p>Taxis, in particular diesel taxis, have a significant contribution to pollution levels and have a responsibility to the health damage impacts which affects children, disabled people, the elderly and adults with respiratory illness.</p> <p>As stated in the policy para 22.7 (now 23.7) 'The types of vehicles that new hackney carriage vehicle licences will be issued to will be determined by the Gambling, Licensing and Regulatory Committee, if/when the Council determines to issue new licences.'</p> <p>This was done in accordance with the council's constitution, by way of an 'officer decision' in consultation with the</p>
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		<p>committee and there was no consultation with the HC or PH trade.</p> <p>We object to this change and it should be reversed. Furthermore we propose that in future all changes affecting the HC and PH trades are discussed by the licensing committee, so councillors and the trade can consider them properly and democratically.</p>	<p>Director of Communities and Neighbourhoods, and the Chair of Gambling, Licensing and Regulatory Committee.</p> <p>It was agreed that the condition needs to meet the requirements of changes in technology.</p>
12.	Mr Saf Din – hackney carriage vehicle licence proprietor and driver	<p>HC door crests must be available in both stick on and magnetic as-</p> <ul style="list-style-type: none"> a) the trade has a choice b) as the trade is improving and providing better newer and luxury vehicles for the public such as Mercedes, we do not want to cause damage to paint work upon change of vehicles c) vehicles are polished and the paint work is of different shade when the stick on crests are removed for change of use d) provides a revenue for the department upon replacement order e) there has been a recent increase in taxis having windows broken into, if we have magnetic crest we can remove whilst parked in street overnight or car parks as not to draw attention 	<p>The following is a condition of a hackney carriage vehicle licence:</p> <p>‘The licensed vehicle will be supplied with the official coat of arms decal which must be displayed at all times on each front door panel.’</p> <p>When this condition was first introduced vehicle licence proprietors were given the option of adhesive or magnetic crests, it was found that magnetic crests where not been displayed, therefore the council determined that only adhesive crests would be permitted. Magnetic crest can also be removed easily and therefore could be attached to an unlicensed vehicle.</p>
13.	York & Ebor Cars – licensed private hire operator	<p>We would wish the council to consider making the following proposals and amendments to the proposed taxi licensing policy.</p> <p>7.5 vehicles declared insurance write off will not be licensed.</p> <p>We would see to exclude cat D write offs. As this category tends in the main to be stolen and recovered with panel damage</p>	<p>The policy has been amended to state:</p> <p>‘A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion</p>

	<p>only. They should be licensed subject to an independent engineers report as to road worthiness.</p> <p>22.5 (now 23.5) Euro Standards</p> <p>We would seek an amendment seeking Euro 5 emissions for both petrol and diesel vehicles from 1 Nov 2016 we would also propose that all replacement vehicles are under 4 years old from 1 Nov 2017 and that all existing licensed vehicles be replaced once they become 8 years old excluding wheelchair and zero emission vehicles which should be replaced at 12 years allowing proprietors a greater length of time to recoup costs. We would further propose that the practises employed by Darlington and Hartlepool councils are used for proprietors wishing to extend a vehicles life beyond the age limit, i.e. that the vehicle is in show room condition and have been exceptionally well maintained throughout its life as a licensed vehicle.</p> <p>This would result in all new vehicles being Euro 6 from Sept 2018 with all other vehicles excluding wheelchair friendly Euro 5 or zero emissions. We believe that should the council not impose as age limit proprietors will extend the life of existing vehicles undermining their intensions or reducing emission levels.</p> <p>27.1 (now 28.1) knowledge test</p> <p>We would wish to propose that the knowledge test pass rate is reduced from the present 86% to a more realistic 60%. Questions should only be those that are applicable to a driver and not proprietors or private hire operators, i.e. what is the</p>	<p>beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with regards to categories C and D, it will be dependent on the level of damage.</p> <p>The proposed stringent age limit of 4 years for new vehicles by York & Ebor would accelerate the uptake of vehicles with higher Euro standards however would make adoption difficult of a significant proportion of the taxi trade. As well as improving emissions standards, we also need to consider the affordability for all.</p> <p>The policy proposes to permit Euro 5 petrol vehicles, which will be up to 9 years old at time of proposed policy implementation to make allowance for traders who are unwilling to purchase a car of under 4 years old.</p> <p>The knowledge test has 30 questions, the pass mark is 26. A high pass mark is required as it is imperative that driver applicants have an understanding of the legislation relating to taxi licensing, the Council's Byelaws and conditions,</p>
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	<p>minimum distance between the rear seat and the back of the front seat? We further propose that the licensing process is speeded up by allowing prospective drivers to obtain required tests and necessary checks in any order. Presently a DSA driving test must be obtained before an application can start and a DBS check started. Both presently have awaiting time of approx 6 weeks. It presently takes on average 6 months to obtain a licence and has a 50% drop out rate. The adoption of the above would speed up the application process without reducing public safety. Furthermore we would propose that all forms required for a driver application and vehicle licensing are made available in a downloadable format from the council's website.</p> <p>Private hire vehicle licence conditions</p> <p>iii) For estate-type vehicles the windows overlooking the luggage space can be of any manufacturer's tint providing it is not opaque.</p> <p>We would like the above amending to read. For estate and hatchback vehicles that any window to the rear of passengers and those over looking luggage space can be of any manufacturer's tint.</p>	<p>and the Highway code, and are aware of issues relating specifically to York, e.g. the pedestrianisation scheme and due to the historical nature of the city and the number of visitors the importance of knowing relevant locations and routes. Due to the high number of people who failed the knowledge test it was revised from the 1 January 2014, since this revision took place the number of people who pass the test on the 1st or 2nd attempt has increased.</p> <p>It is currently a requirement that the DVSA driving assessment is passed prior to submitting an application for a drivers licence. From the 1 May 2016 this assessment will be completed as part of the application process, but must be completed and passed before the licence is granted.</p> <p>Application form, guidance notes, etc are available on the Council's website.</p> <p>This condition is in place on public safety grounds. The tinting level requirement was amended within the draft policy that went out for consultation.</p>
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14.	York Green Party	<p>The York Green Party is responding to the Taxi Licensing consultation and the consolidated draft hackney carriage and private hire licensing policy of 2015. Our comments and suggested amendments are below-</p> <p><u>Section 22 (now 23) – Environmental Considerations</u></p> <p>Whilst the YGP recognises the achievements following the adoption of the Low Emission Strategy in Oct 2012, the roll-out of the LES measures in the Third Air Quality Action Plan (Dec 2015), we recommend the following amendments to the proposed taxi licensing policy:-</p> <ul style="list-style-type: none"> • Adopt a Taxi Emissions policy (22.1): e.g. council emissions policies elsewhere such as http://www.plymouth.gov.uk/vehicleemissionspolicy ; Salford – introduced new emissions standards for all vehicles, 2015- https://www.salford.gov.uk/taxis.htm; Rotherham- introducing vehicle emissions standards into licensing policy; Durham- has transitional arrangement policy for vehicles to meet Euro 4 and 5 emission standards. • Amend 22.7 by requiring taxis to cut idling when stationary. This could be achieved by signage requiring turn off of engines in congested areas e.g. Railway station, Rougier St, and Gillygate/theatre area. Best practice is exemplified by Brighton and Hove City Council where ‘drivers are observing no engine idling policies whilst stationary at taxi ranks.’ https://www.brighton-hove.gov.uk/content/parking-and-travel/travel-transport-and-road-safety/low-emission-zone • There are some 60 low emission taxis in York so far, out of approx 800 vehicles therefore we strongly support your bid for Ultra Low Emission Taxi incentive funding (22.9) to support the wider adoption in the York Fleet and recommend you continue to offer discounted licenses to 	<p>We do not support the policy of Plymouth City Council as it allows Euro 4 and even some Euro 3 vehicles which would increase emissions in York.</p> <p>Neither can we support Salford’s over complicated Euro 5 emissions standard (and less than 4 years old) from 2013, which allows grandfather rights, no emission standards for ‘exceptional vehicles’ and vehicles to be up to 10 years old.</p> <p>Rotherham has a 5 year age limit and a Euro 5 emission standard from 2015 for new taxis and all new taxi licensed to be Euro 6 by 2020 and a 10 year age limit for all vehicles except those that are wheelchair accessible.</p> <p>Durham has a Euro 4 based standard from 2014, but require Euro 3 or Euro 4 for renewals of Euro 2 vehicles (i.e. currently allowing 16 and 11 year old vehicles).</p> <p>Whilst there is some merit in Rotherham’s policy the other council’s policies would not improve air quality and could even make it worse.</p>
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		<p>those who take this on board, best practice.</p> <p><u>Complaints</u></p> <p>We do not feel that a complaint against operators has been adequately addressed and this may reflect on the city's future reputation with tourists/visitors. References made in the draft document at 4.1e and 4.2d only deal with record keeping and investigation of any complaints. We would recommend that a complaints procedure is established with operators and that a penalty points system adopted to enable monitoring and sanctions to be used within the licensing process see http://www.rother.gov.uk/article/10685/Penalty-Points-Scheme as an example of a system used.</p>	<p>The new policy introduces more stringent requirements for private hire operators with regards to recording, keeping and logging complaints. A penalty system is not required at this time.</p> <p>The Council has a complaints procedure in place.</p>
15.	Mr Bernie Flanagan – private hire vehicle licence proprietor and driver	<p>In general the policy is aimed at drivers/operators who are licensed by City of York. However there is clear evidence that operators from outside the City of York area can be actively plying for trade (race meetings are a prime example). The policy should consider how this practice can be brought under control.</p> <p>There are a number of changes happening in this sector through technical innovation and different ownership/proprietor models. The policy should consider these changes and how they can be safely utilised for the public benefit. For example:</p> <p>Do the technical innovations still ensure that the public when they travel will know who the driver is, that they are fit and proper people with safe, insured vehicles. Also who is the proprietor and how they can be contacted.</p> <p>Do the proprietor models ensure clear clarity of ownership and accountability for the travelling public and licensing authority, ensuring that ownership is by 'fit and proper persons' including</p>	<p>At this time the Council is working with the West Yorkshire and York Combined Authorities with regards to cross border enforcement. A report will be brought to committee with regards to this in the near future.</p> <p>The Deregulation Action 2015 allows the ability for a private hire operator to sub-contract bookings to another legitimate private hire operator who may be outside the boundary of the City of York Council authority area and therefore licensed by another authority. This is a concern for licensing authority in relation to increased and more complex enforcement.</p>

	<p>any history of litigation against the proprietors.</p> <p>S1.11 Suggests that the purpose ‘to protect the public’ is made very explicit and that includes explicit commitment to uphold ‘highest standards for drivers, operators and vehicles’. At a time when there is pressure for de-regulation. It is vital that the council set out its commitment to the ongoing safety of the public through the tried and trusted regulatory framework.</p> <p>S12.2 When are the government likely to publish guidelines on a wheelchair accessible vehicle quota. While welcoming such a move there must be consultation about implementation to ensure equity across all drivers/operators.</p> <p>S13.1 Insurance suggest strengthening ‘appropriate to the vehicle’ to include ‘and the task of operating that vehicles for private hire’. This is a vital area for passenger safety.</p> <p>S22 (new 23) Environmental Considerations</p> <p>While supporting any moves to benefit the city’s environment. The following points need to be taken into account.</p> <p>Are these same standards for taxis/private hire being applied across the fleets, particularly those in the council/public domain?</p> <p>At time of writing it is impossible to obtain a ultra-low emission vehicle that can provide wheelchair access or can carry up to 8 passengers. Realistically these activities are going to be dependent on diesel vehicles for some time to come.</p> <p>Environmental impact is not just about emissions per car- larger vehicles have a positive impact on the environment because:</p> <ul style="list-style-type: none"> • Emissions per passenger journey. A vehicle carrying 8 	<p>This is not knows.</p> <p>Regarding the Councils use of vehicles, the majority of council pool car journeys in York are hybrid or electric, so already far cleaner than Euro 6 diesel. As vehicles are changed, the cleanest standard is chosen.</p> <p>Taxis, in particular diesel taxis, create far more emissions leading to harmful air pollution that the average motorist does and do so without any contribution to the health damage costs that result. City of York Council is introducing a city</p>
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		<p>passengers can be better for the environment than 2 vehicles carrying 4 passengers each.</p> <ul style="list-style-type: none"> • Congestion – 8 seater cars can reduce the number of cars on the city’s roads. <p>The standards set out for diesel vehicles (Euro VI) came into force in 2014. The standards (Euro V) set out for petrol vehicles 2011. Clearly there are higher standards being imposed for diesels vehicles. Is this equitable?</p> <p>S22.5 states new standards will be implemented over 2016/17 – this will mean that diesel vehicles will need to be less than 3 years old, while a petrol vehicle could be 5 years old. This anomaly needs to be rectified.</p> <p>There is potential that these measures will mean an unintended reduction in the provision of WAV and choice for customers.</p>	<p>wide emission standard ‘Clean Air Zone’ which will effect frequent buses. The taxi emissions policy (together with the recent taxi incentive scheme, which we would like to continue if there is funding), forms part of the holistic low emission strategy to reduce emissions from all types of vehicles.</p> <p>The policy offers 3 means to meet the emissions criteria:</p> <ol style="list-style-type: none"> 1) Euro 5 petrol 2) Euro 6 diesel 3) Ultra low emission (75g and under CO2) <p>All vehicle types are able to achieve one of these standards.</p> <p>Regarding the comment on eight seater vehicles, in the scenario given, 2 petrol cars would have significantly lower emissions than 1 eight seater diesel vehicle not the other way round.</p> <p>Regarding the question of equitable diesel standards, diesel has failed to achieve the standards whereas petrol vehicles have performed much better. As such the policy has reflected that Euro 5 petrol has low emissions.</p> <p>Note – Euro 5 vehicles have been available to buy since 2008, not 2011 as Mr Flanagan comments.</p>
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	<p>27 (now 28) Locality Test</p> <p>The 'knowledge test' is paper based. Should there (under the equality act) be provision for an option for a more practical knowledge test.</p> <p>28 (now 29) DBS Check</p> <p>28.7 sets out the grounds for suspending or revoking a licence – should the grounds for initial refusal of licence also be clearly set out.</p> <p>Suspension of licence – can the process in regard to suspension and re-instatement be made clearer.</p> <p>Private Hire Operators:</p> <p>It should be clear to the public at the time of booking who is the operator of the vehicle hired. Traditionally this has been self-evident in the booking procedure. It is an important safety and accountability feature of the licensing system. However in the future the use of 'apps' (as intermediaries, sampling a number of operators) could potentially leave the public in doubt about the operator of their vehicle.</p> <p>Appendix 1 Private Hire Vehicle Conditions</p> <p>14 – only one two way radio – communication between operators and vehicles can now be achieved via phones/hand-held devices. Consideration of this and its implications should be included in this policy.</p> <p>Appendix 2</p> <p>This section is badly worded. As section 2 points out there are many reason way a person may wish to travel in a luxury</p>	<p>If required assistance is given with the knowledge test and different means of completing it are available.</p> <p>Appendix 8 relates to the 'Rehabilitation of Offenders Act 1974' this relates to driver applicants.</p> <p>This is not a requirement of the Deregulation Act 2015.</p> <p>This policy does not prevent the use of other devices.</p> <p>This exemption policy relates to vehicles undertaking executive work,</p>
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		vehicle with the attendant extra cost and administration involved. But to say that the service is limited to just one group of people as set out in point 9 is dubious and potentially at odds with the Equality Act.	not routine private hire work.
16.	Lucy Pearson York Teaching Hospitals NHS Foundation Trust	The Trust recognises the health impact that poor air quality has in urban areas and so writes to support and encourage the work that the City of York Council is developing as part of its commitment to sustainability and clear air through its taxi policy. I understand that the City of York Council will include low CO2 and low air pollution criteria by incentivising petrol/hybrid or electric vehicles, sub 100g CO2/km and taxi manufactured post Sept 2009 (Euro 5 or better) and this is something which we are hoping to also encourage through the Trust's own use of taxis in future contracts.	We welcome the comments by York Hospital and will work with them to reduce pollution and admissions to hospitals as a result of poor air quality.
17.	Mr Dave Holeksa Chairman York Private Hire Association	Below are our comments on the proposed policy and points we would like to make a presentation on. 7.5 – insurance write offs: Cat D write off, could be considered unusable. 22.5 (now 23.5) emissions Diesel new stringent standards 28.6 (now 29.6) – DBS checks	The policy has been amended to state: 'A vehicle will not normally be granted a licence if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with regards to categories C and D, it will be dependent on the level of damage. The new diesel standards require Euro 6 however only at change of vehicle after 2017. Euro 5 petrol vehicles or ultra low emission vehicles are also eligible.

		<p>Streamlining the process</p> <p>36.1 (now 37.1) – new 3 year drivers licence fee</p> <p>Is this the most cost effective way forward?</p> <p>42.2 (now 44.2), appendix 10 item 11 drivers/vehicle details</p> <p>Clarification on the length of time to keep records.</p> <p>45.2 (now 47.2) – side plate's</p> <p>Size of letters and wording</p> <p>53.2 (now 55.2) – notification's on proposals</p> <p>In the day of email's is this the way forward</p> <p>19.1 – tinted window</p>	<p>DBS checks cannot be share between council sections due to the 'workforce' requirement. A section can only view the information that they are entitled to.</p> <p>A cost breakdown was carried out when the fees were set.</p> <p>It is believed that these are appropriate lengths of time to keep relevant records, which may assist the operator, council and other agencies such as the police if relevant information is required.</p> <p>The condition states 'suitable lettering at least 50mm (2") but not more than 100mm (4") high'.</p> <p>It is a requirement of the legislation that notices must be placed in the local newspaper.</p>
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		<p>Proposed new requirements of tinted windows</p> <p>Drivers of wheelchair vehicles</p> <p>Clarification on the wording of training</p> <p>19 - booking conditions</p> <p>Examination of the wording to this document .</p>	<p>The light transmittance for windows has been reduced.</p> <p>It is a requirement that drivers of wheelchair accessible vehicles must complete and pass the DVSA advance wheelchair exercise</p> <p>The condition states</p> <p>‘the licensed operator is not permitted to accept bookings forwarded by their private hire drivers.’</p>
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Cooke, Lesley

Subject: FW: Proposed License Changes - response to proposed TL policy consultation**From:** John**Sent:** 13 April 2016 22:47**To:** taxi.licensing@york.gov.uk**Subject:** Proposed License Changes

Dear Sirs/Madams

My apologies for the lateness of this letter, your initial letter concerning the proposed licensing changes was never sent out and the replacement letter I had to request via phone was received late. I am aware this letter is been sent after the deadline, I would appreciate if this letter was included for consideration before or in the meeting, if the letters aren't able to be presented, please can you make me aware via a phone call so I can seek legal advice concerning the points below.

I have read the proposed changes to the license conditions online which unfortunately took a lot of finding and many attempts to download and open. My interest was on the environmental aspects of the changes and also section 7.5. I would like clarification on this section as to why an "insurance write off" vehicle would not be suitable to be a licensed Private Hire or Hackney Carriage. This section is important to me and my son as we both run a fleet of vehicles.

It is to myself and my sons understanding that if a vehicle is "written off", but deemed repairable, then the vehicle can be repaired and used again. If the vehicle is too badly damaged to be returned to the road then it is classified as a category 'A' or 'B' and is solely used for spares or total destruction. All of the other categories e.g 'C' 'D' are all repairable. The categorization does not realistically reflect the actual damage to the vehicle, it is reflected on vehicle age and residual value - i.e a 2007 Mondeo requiring two doors can be classified as a Cat 'C' but a 2014 Mondeo with more damage would be repaired by the insurance company. It is deemed viable even though the actual damage would be more severe. A vehicle maybe damaged - but not subject to a claim i.e Third Party. The vehicle would not be recorded as a "write off" but still could be easily repaired and put back on the road.

I currently have a 2009 vehicle with full service history and just over 50,000 miles which is a Cat 'C'. It only requires a replacement engine. Structurally the vehicle is as it left the factory. I've had licensed vehicles that have required an engine change which if taken to a main dealer could be classed as an equivalent insurance write off. Likewise, if an owner/driver damages his or her car and doesn't submit an insurance claim but still repairs it themselves, would you know if the vehicle had been repaired to the standards required or at all?

If an insurance write off is fully repaired, taken for an MOT, passes, is then inspected by the council testers (like many cars have been before), this surely meets the levels of safety for a vehicle to be legally used on the road and licensed?

As has become apparent, I have particular interest on these changes as I run a fleet of plated vehicles, most of which are insurance written off vehicles. This proposed change is of huge concern to my son David, who runs a smaller fleet of vehicles along side me and I fear that with this change we would not be able to afford to replace the cars as frequently as we would like to. This would ultimately affect the emission standards that are proposed, as the vehicles would now be kept on longer. These proposed changes would surely affect numerous drivers who may not be able to afford to change vehicles to meet the new standards.

My apologies again for the lateness of this reply, due to having difficulty in actually finding and downloading the proposed changes.

Yours faithfully

John Hay

Cooke, Lesley

Subject: FW: Proposed changes to PH and HC VL - response to proposed TL policy consultation

From: David Hay

Sent: 13 April 2016 23:02

To: taxi.licensing@york.gov.uk

Subject: Proposed changes to PH and HC VL.

To whom it may concern.

First of all, I wish to apologise for the late reply, my Father and I did not receive the initial letter dated back in February, I had to ring and request a replacement which was delivered late. If these points are able to be included in the consultation meeting, I would be very grateful, if not then please can I request a phone call along with a call to my Father to say they aren't going to be included so we can make enquirers with a solicitor.

I write regarding the recent amendment to the Hackney Carriage & Private Hire Licensing Policy, particularly Section 7.5, which excludes vehicles declared an "insurance write off" from becoming licensed vehicles.

I have built up my business, York Private Hire Rentals, over the past 10 years, offering mechanical services, including general repairs and sales of restored vehicles. However, the bread and butter of my business is the hiring of vehicles to be used as taxis. My fleet of 20 cars is almost exclusively made up of former Category C & D insurance write offs. The proposed changes to the policy would cripple my business.

The vehicles I provide are restored to a high standard in terms of appearance, roadworthiness and safety; my wife drives our 17 month old daughter in such a vehicle. My cars have all been put through MOT and taxi testing and are maintained with regular servicing every 2-3 months. I can assure you, based on my time in the mechanic profession and on my intimate knowledge of each of these vehicles, that they are safe, if not safer, than most cars currently on the road.

There exist many misconceptions about vehicles declared "insurance write offs". Often these vehicles are only very slightly damaged. Categorisation of such vehicles reflects relative costs and not necessarily the degree of damage. A new expensive car with dents to two doors may be assessed as being worthy of repair, whereas an older less expensive car with identical damage might be written off, purely because the residual value in the vehicle doesn't warrant the cost of repair. These categories are not a fair reflection of the final roadworthiness of a restored vehicle. Furthermore, if a driver chooses not to claim on his insurance following a collision, his car is left uncategorised and may be repaired and resold without declaring damage. Such vehicles would not be captured by your proposed changes.

If you have concerns relating to the environment, please consider the sustainable credentials of my business model. Viable cars are restored and reused rather than scrapped, saving on waste and the production of new vehicles. By using Category C and D vehicles I am able to offer newer, lower mileage, less polluting cars than I might otherwise be able to afford, reducing both emissions and uptake of parts, as newer vehicles require less input to maintain. All of this adds up to a greener, less polluted and more environmentally conscientious York.

Additionally, my business model benefits the city of York by keeping costs low. I purchase less expensive vehicles, restore them at cost, and pass on the savings to my customers, the taxi drivers. These reduced overheads make it possible for taxi drivers to subsist on low rates set by their companies. Lower taxi rates are better for their customers, especially tourists, and what helps to boost tourism helps boost our city.

York Private Hire Rentals is a small, family firm. We provide vital automotive services to the people of York and are proud to be part of the economy of this city. Without taxi rentals, the backbone of this business – and disallowing written off vehicles would make the future of that enterprise cost prohibitive – my business will most certainly fold.

I therefore write in hopes to persuade you to please reconsider the proposed changes to this policy.

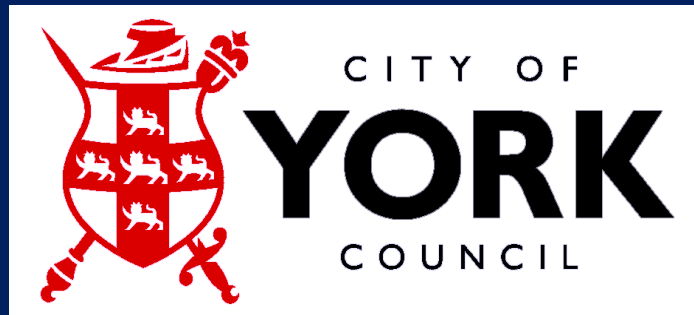
Thank you very much for your time.

Yours sincerely,

David Hay

Draft

Hackney Carriage & Private Hire



Licensing Policy

Further copies of this policy can be obtained from:

e-mail: taxi.licensing@york.gov.uk

tel: 01904 551438

web: www.york.gov.uk/licensing

Taxi Licensing Section

City of York Council

Eco Depot

Hazel Court

York

YO10 3DS

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Introduction

1. Powers, Duties, Implementation & Review

- 1.1 In March 1996 City of York Council (The Council) adopted Part 2 of the Local Government (Miscellaneous Provisions) Act 1976 (the 1976 Act). This legislation, together with the provisions of the Town Police Clauses Act 1847 (the 1847 Act), places on the Council the duty to carry out its licensing function in respect of hackney carriage and private hire licensing. As such the Council is responsible for the licensing of private hire drivers, vehicles and operators and hackney carriage drivers and vehicles. The Council is also responsible for the setting of Byelaws in relation to hackney carriage drivers and vehicles.
- 1.2 This document sets out the policy that the Council will apply when making decisions about new applications and licences currently in force.
- 1.3 In formulating this policy the Council has considered the advice contained in the 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' issued by the Department for Transport (DfT), first published in March 2010.
- 1.4 In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy and the objectives set out in point 3.1.
- 1.5 Notwithstanding the existence of this policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart from the policy, clear and compelling reasons will be given for doing so.
- 1.6 This policy consolidates previous policy decisions agreed by the Council since the legislation was adopted.
- 1.7 This policy will take effect from 1 May 2016. Certain provisions within the policy will not take effect until a date specified with the relevant provision.
- 1.8 The Council will keep this policy under review and will consult where appropriate on proposed revisions. Reviews will take place in line with the requirements to undertake unmet demand surveys, once every three years.
- 1.9 The Council expects licence holders to comply with the terms of this policy immediately or, where appropriate, from the renewal of a current licence. Where it is not possible to comply with part of the policy due to an outstanding action required by the Council information will be provided as to an implementation date for that part.
- 1.10 From the effective date, this consolidated policy will replace and supersede all existing policies in relation to hackney carriage and private hire licensing. There have been no changes to the Byelaws relating to hackney carriage drivers and vehicles.
- 1.11 The first purpose of the Local Authority when licensing hackney carriage and private hire, vehicles, drivers and operators is to protect the public. The Council is aware that the public should have reasonable access to safe and comfortable hackney carriage and private hire vehicles because of the role they play in the local transport system.

- 1.12 A hackney carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to 'ply for hire'. This means that it may stand at designated taxi ranks or be hailed in the street by members of the public. A private hire vehicle can only be licensed if it is constructed or adapted to seat up to 8 passengers, they must be booked in advance through an operator and may not ply for hire in the street.
- 1.13 The Council currently licences 183 hackney carriage vehicles, 570 private hire vehicles, 300 hackney carriage drivers, 590 private hire drivers and 61 operators.

2. Profile of York

- 2.1 City of York Council covers an area of 105 square miles and comprises the urban area of York which is surrounded by many small rural and semi-rural settlements. Approximately 198,000 people live in the council area (2011 est.)
- 2.2 York is a nationally and internationally prominent city for a range of reasons. Not only is it an historical centre for England, it is also one of the most visited tourist destinations in the UK, attracting over 7 million visitors a year, who spend £606 million in the city. York has excellent rail links across the country, is a centre of academic excellence and is an important location for the Church of England.
- 2.3 The Council recognises and welcomes the important contribution that the hackney carriage and private hire trade make to the local transport system within the authority area.
- a) They provide a flexible form of public transport, providing a service in situations where other forms of transport are not available (rural areas and late evenings).
 - b) They can play an increasingly important role in improving accessibility to those with a range of impairments such as mental health conditions, sensory impairments and dementia as well as physical disabilities in accessing services, communicating and travelling independently. The value of a high quality experience can have an impact on the confidence of passengers and their ability to carry out daily activities.
 - c) They are also used by all social groups.

3. Objectives

- 3.1 This authority shall seek to promote the following objectives:
- a) Protect the interests of the travelling public by:
 - i) the establishment of professional and respected hackney carriage and private hire trade. By ensuring that safe, clean, reliable and accessible vehicles are available for all who require them.
 - ii) ensuring that drivers of such vehicles and private hire operators are 'fit and proper' persons.
 - b) Provide clarity to licence holders and applicants with regard to the Council's expectations and the decision making process.
 - c) Provide the travelling public access to an efficient and effective public transport service.
 - d) The protection of the environment.
 - e) Encourage high standards of professionalism in the hackney carriage and private hire trade.

- 3.2 This policy shall apply in respect of applications, renewals, transfers and any other related matters connected to the following licences:
- a) Hackney carriage drivers
 - b) Hackney carriage vehicles
 - c) Private hire drivers
 - d) Private hire vehicles
 - e) Private hire operators

4. Licensing Methods

- 4.1 The methods the council shall use are as follows:
- a) Setting the standards for the licensing of drivers, vehicles and operators.
 - b) Annual licensing and inspections of vehicles, with appropriate follow up action.
 - c) Routine inspection of insurance policies and Certificates of Compliance / MOT certificate, with appropriate follow up action.
 - d) Checks on driver's medical health, drivers ability (DVSA certificates), criminal records and knowledge of the city/byelaws.
 - e) Investigate complaints with appropriate follow up action.
 - f) Liaison with the Police and other agencies regarding issues of mutual concern in relation to offences or the conduct of licence holders.
 - g) Liaison with the hackney carriage and private hire trade as and when required.
 - h) Taking enforcement and/or disciplinary action including the issue of prosecution proceedings, verbal and written warnings, simple cautions, suspension or revocation of licences for breaches of legislation or conditions.
 - i) Conditions added to licences.
 - j) The issue of guidance notes.
- 4.2 When considering applications and taking enforcement action the Council is subject to the Regulatory Compliance Code, the Council's Enforcement Policy and the Code for Crown Prosecutors.

5. Consultation & Partnership Working

- 5.1 In preparing this policy the Council has consulted with the following agencies:
- a) Licence holders
 - b) North Yorkshire Police
 - c) Equality Groups
 - d) Disability Groups
 - e) Highways Authority (both local and county)

- f) School Transport Division
- g) Safeguarding Children's Board
- h) Other Council Departments
- i) Service Users

5.2 To promote the policy objectives the Council will work in partnership with the agencies detailed above, along with the following agencies:

- a) Driver and Vehicle Standards Agency (DVSA)
- b) HM Revenue and Customs
- c) Department of Works and Pensions

6. Equalities

6.1 The Council is committed to ensuring equality in employment and service delivery. To achieve this the Council is aware of its duty under the following legislation:

- a) Sex Discrimination Act 1975
- b) Race Relations Act 1976/2000
- c) Equality Act 2010
- d) Human Rights Act 1998

Vehicles

A licensed vehicle is always a licensed vehicle and cannot be driven by anyone other than a licensed person. The vehicle registration document (V5) must be held in the name of the principal/lead vehicle licence proprietor.

7. Specifications

- 7.1 The DfT Best Practice Guidance suggests that local licensing authorities should adopt the principle of specifying as many different types of vehicle as possible. They are, however, encouraged to make use of the 'type approved' rules within any specifications they determine.
- 7.2 The Council accepts that there are a wide range of vehicles available that are suitable for use as a hackney carriage or private hire vehicle. In accordance with Best Practice Guidance, all vehicles therefore shall have an appropriate 'type approval' which is either:
- a) European Community Whole Vehicle Type Approval;
 - b) British National Type Approval; or
 - c) British Single Vehicle Approval (SVA) or subsequent and Individual Vehicle Approval (IVA)
- 7.3 As a guide, most large volume production vehicles produced in the UK and EU States after 1987 will satisfy British and/or European Whole Type Approval. Specialist vehicles or any vehicle that has been structurally modified, converted or imported from a non-EU State since its original manufacture will require separate ITA and /or Department of Transport Approval and such documentation must be submitted with an application.
- 7.4 Vehicles will be licensed for the carriage of not more than eight passengers. Vehicles may be licensed to carry fewer than four passengers subject to compliance with specifications relating to passenger comfort and vehicle conditions.
- 7.5 A vehicles will not normally be granted a licence if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or has been disposed of under insurance salvage agreement, categories A and B, with regards to categories C and D, it will be dependent on the level of damage.
- 7.6 Vehicles shall have a minimum engine capacity of 1250cc except for vehicles fitted with an engine rated with a Euro 4 emissions standard or better.
- 7.7 The suitability of a vehicle is determined by the mechanical and general condition of the vehicle under the following points, and additional matters subject to byelaws and vehicle conditions:
- a) Vehicle exterior
 - b) Inside the boot
 - c) Interior of the vehicle
 - d) Engine bay

- e) Wheels and tyres
- f) Underside
- g) Roller brake test

7.8 Vehicles must carry a spare wheel and the tools required to undertake a change of wheel. Exemption from this requirement will be granted under the following circumstances:

- a) The use, in emergency only, of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit for all vehicles that are manufactured and delivered with such tyres or kits as standard.
- b) That in the event of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit being used, it is only to complete a fare and must comply precisely with the manufacturers' recommendations. Any such defective wheel should be replaced before taking another fare to ensure passenger safety.
- c) In cases where a rear loading wheelchair accessible conversion or a LPG conversion where the tank occupies the usual site of the spare wheel, is considered suitable, the vehicle should be exempt from the requirement to carry a spare wheel matching those fitted to the vehicle. This would be subject to the vehicle meeting the luggage criteria and being approved by the specialist converters. In these instances an alternative space saver tyre or puncture repair kit must be carried on the vehicle for emergencies.
- d) All other licensed vehicles must carry a spare wheel matching those fitted to the vehicle and an appropriate means of changing the wheel.

8. Limitations on Numbers

- 8.1 No powers exist for the licensing authority to limit the number of private hire vehicles that they licence.
- 8.2 The current legal provision on quantity restrictions for hackney carriages is set out in section 16 of the Transport Act 1985. This provides 'that the grant of a licence may be refused for the purpose of limiting the number of hackney carriages in respect of which licences are granted, if, but only if, the person authorised to grant the licences is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.
- 8.3 Any local authority that does restrict the number of licences for hackney carriages is required to justify their policy every three years.
- 8.4 The Council does restrict the number of hackney carriage licences issued. Unmet demand surveys are carried out every three years with new licences released when required. New licences are not currently being released. The next unmet demand survey is due to take place in 2017.

9. Hackney Carriage Vehicle Licence Waiting List

- 9.1 As the Council restricts the number of hackney carriage licences issued a waiting list of people who have shown an interest in holding a vehicle licence is in place.

- 9.2 As of the 1st May 2016 the Council will no longer operate a points allocation waiting list system, the person named at number one on the list will be offered the next available hackney carriage vehicle licence. Their name will then be removed from the list whether they proceed to obtain a vehicle licence or not. If they wish to have their name re-entered onto the list the requirements of 9.3 below will apply.
- 9.3 People wishing to have their name entered onto the list must put their request in writing to the Taxi Licensing Section. Their name will be entered at the end of the list.
- 9.4 It is the responsibility of the person whose name is entered on the list to notify the Taxi Licensing Section if they change address. This must be done in writing.
- 9.5 The Council will write to everyone on the waiting list once every five years, to confirm their position on the list, and ask for written confirmation that they wish to remain on the list. If written confirmation is not received by the date specified their name will be removed from the list.

10. Private Hire Vehicles

- 10.1 A private hire vehicle is a motor vehicle constructed or adapted to seat no more than eight passengers which is provided for hire with the services of a driver for the purpose of carrying passengers. Every hiring of a private hire vehicle must be pre-booked through a licensed private hire operator. Any vehicle used as a private hire vehicle must be licensed under the provisions of the 1976 Act.
- 10.2 Before granting a private hire vehicle licence the Council must be satisfied that the vehicle meets the following criteria:
- a) Is suitable in type, size and design for use as a private hire vehicle.
 - b) Is not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage.
 - c) Is in a suitable mechanical condition.
 - d) Is safe.
 - e) Is comfortable.
- 10.3 Conditions may be attached to the grant of a licence as are considered reasonably necessary.
- 10.4 In addition to the legislative requirements the Council has approved conditions relating to the specifications of the vehicle and other matters. These are attached at Appendix 1.
- 10.5 General conditions are attached to private hire vehicles licences relating to the identifications of the vehicle and safety issues. These are attached at Appendix 1.

11. Hackney Carriage Vehicles (Taxis)

- 11.1 A taxi is a wheeled vehicle (motorised, horse drawn carriage and pedicabs) used in

standing or plying for hire that is required to have a numbered plate fixed upon it. The legal definition of a hackney carriage is contained in the Town Police Clauses Act 1847.

- 11.2 A taxi can ply for hire and also wait at a taxi stand (rank).
- 11.3 Conditions can be imposed upon the grant of a taxi proprietor's licence and the Council has Byelaws to control the conduct of both the proprietors and the drivers. These are attached at Appendix 2 and 3. Conditions relating to horse drawn carriages are attached at Appendix 4 and pedicabs at Appendix 5.
- 11.4 The Council's recommended colour for hackney carriage vehicles is black.

12. Accessibility

- 12.1 Taxis and private hire vehicles are an essential mode of transport for many disabled and older people. The combination of the personal service they offer, their wide availability and door to door operations enable them to respond particularly well to the travelling needs of people with disabilities.
- 12.2 The Council awaits the publication of Governments quota on wheelchair accessible vehicles.

13. Insurance

- 13.1 All vehicles must have a current valid policy of insurance at all times appropriate to the vehicle. This policy must be held by the vehicle licence proprietor and must be in place before a licence can be granted. For vehicles where there are multiple proprietors the insurance must be in the name of the principal/lead proprietor.
- 13.2 It is an offence to drive a vehicle without the appropriate insurance in place. Requests to produce insurance may be made during the term of the licence. These requests must be complied with in accordance with the time scales stipulated in the request.

14. Joint ownership of vehicles

- 14.1 For vehicles which have more than one owner documentation must be produced by the principal/lead owner, prior to the licence being granted, which clearly identifies names and address of each owner. This includes documentation such as a bill of sale (receipt), sales invoice or hire purchase agreement.

15. Advertising

- 15.1 Where vehicle licence conditions permit, vehicles licence holders may place advertising material in or on their vehicle in accordance with their licence conditions. Approval must first be sought from the Taxi Licensing Office. Conditions under which advertising on vehicles will be permitted are attached at Appendix 6.

16. Vehicle Testing

- 16.1 The Council needs to be satisfied that licensed vehicles operating within its area are safe to

do so. All vehicles are required to undergo an inspection conducted by an approved mechanic at the Council's workshop at the Eco Depot, Hazel Court, York, prior to being licensed and annually thereafter. If required the Council will approve an inspecting centre in relation to the inspection of stretched limousines.

- 16.2 Vehicles exceeding five years old on the day the vehicle licence is issued (calculated from the date of first registration with the DVLA), will be subject to two vehicle inspections in any 12 month period. One inspection shall be the initial grant or annual inspection conducted by the Council, the second inspection will take place approximately 6 months from the date of the initial grant of the vehicle licence or annual inspection at a date determined by the Council and can be completed by:
- a) presenting the vehicle for inspection by the Council's vehicle examiner within a time scale determined by the Council
 - or
 - b) successfully completing a MOT test within a time scale determined by the council.
- 16.3 The vehicle inspection carried out by the Council will consist of two parts which will comprise a mechanical examination and an inspection of the condition and fittings of the vehicle, to ensure that the vehicle conforms with the standard conditions attached to the taxi and private hire vehicle licences.
- 16.4 The purpose of the mechanical examination is to ensure that the vehicle is in a road worthy condition, this will be in the form of an MOT standard examination conducted in accordance with the requirements of DVSA. The remainder of the inspection carried out by the taxi licensing vehicle inspector will be to ensure that the vehicle is both safe and comfortable and suitable for transporting members of the public. Any vehicle failing the test will be required to have a retest. If appropriate the licence will be suspended.
- 16.5 It will be the proprietor's responsibility to ensure that their licensed vehicle is roadworthy, maintained to the Council's standards and fit for purposes of hire and reward at all times.

17. Taximeters

- 17.1 It is a legal requirement that taximeters must be fitted within hackney carriage vehicles, but optional for private hire vehicles.
- 17.2 Taximeters must be approved by the Council. Vehicles equipped with a taximeter must submit the meter for a test. Meters are tested over the measured distance located on Fulford Road by the taxi licensing vehicle inspector.

18. Application Procedure

- 18.1 The application procedure for a vehicle licence is not legally prescribed, but is a matter for each Council to determine. The Council require an application to be made on the specified application form available from the Taxi Licensing office or at www.york.gov.uk/licensing.
- 18.2 Applications will be processed within 10 working days, applications will not, however, be determined until the Council has received all relevant documentation and the vehicle has passed the inspection.

- 18.3 The Council shall consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are completed.

19. Executive Vehicles

- 19.1 The 1976 Act gives local authorities the discretion to grant a proprietor an exemption from the requirements to display licence plates on their licensed private hire vehicle. Each application for an exemption is considered by the Licensing Manager on its own merits. The overriding consideration will be public safety.
- 19.2 If granted an Exemption Notice will be issued to the proprietor. The Exemption Notice shall be granted for a period of no more than one year. A copy of the Exemption Notice shall be carried in the vehicle at all times and shall be produced to an Authorised Officer on request.
- 19.3 The Exemption Notice is granted subject to the licensed private hire vehicle being operated in accordance with standard conditions and any additional conditions. Failure to comply with these conditions may result in the withdrawal of the Exemption Notice. The Council has developed a licensing regime for such vehicles, which is set out in Appendix 7, along with additional conditions.

20. Stretch Limousines

- 20.1 The Council recognises the role of stretched limousines, their use generally includes all private hire work plus special occasions such as days at the races, stag and hen parties and school proms. The licensing regime for executive vehicles will apply.
- 20.2 Most stretched limousines are imported for commercial purposes and are required to have undertaken an Individual Vehicle Approval (IVA) test. The IVA Scheme is an inspection scheme for vehicles that are not approved to British and European Standards, and its purpose is to ensure that the vehicle meets modern safety standards and environmental standards before being used on public roads. When presented for IVA, the vehicle is produced with a declaration that it will never carry more than eight passengers. The importer must inform any person who may use it of this restriction. Any subsequent purchasers must also be informed of the restriction.
- 20.3 Any stretched limousines, which are offered for private hire, do of course require a licence. Applications for a licence will be treated on their merits.

21. Exempt Vehicles

- 21.1 Vehicles that are used solely in connection with a funeral, or are being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals, do not need to be licensed.
- 21.2 Vehicles that are used solely in connection with a wedding do not required a licence.

22. Security Measures

- 22.1 The Department of Transport Best Practice Guidance recommends that licensing authorities look sympathetically on or even actively encourage the installation of security measures such as a screen between the driver and passengers or CCTV systems as a means of providing some protection for the vehicle.
- 22.2 The installation of CCTV in licensed vehicles must first be approved by the Council. The installation is voluntary and all costs borne by the vehicle proprietor.

23. Environmental Considerations

- 23.1 Taxi and private hire vehicles are an essential form of transport in the York area. Many people depend on such vehicles for trips when other forms of transport are unsuitable or unavailable; these persons include the vulnerable and some schoolchildren who are likely to be more susceptible to poor air quality and respiratory illnesses. Unlike many other local authorities, York currently has no taxi emission policy. For the health and environmental reasons above and because York has a legal duty to improve air quality, it is vital that emissions from licensed vehicles are reduced as far as practicable. It is therefore important that increased efforts are made to reduce emissions of toxic particulates and nitrogen dioxide and also greenhouse gases that lead to climate change and contribute to flooding in York.
- 23.2 York has recently been designated as an ultra low emission city. The Council's Low Emission Strategy (adopted October 2012) and Third Air Quality Action Plan (adopted December 2015) aim to reduce emissions from all sources, especially transport, and assist York to meet its' health-based air quality objectives. These documents contain a series of measures to reduce emissions and to incentivise the transition from conventional fuels and especially diesel¹ to ultra low emission fuels.
1. In June 2012 the World Health Organization (WHO) classified diesel engine exhaust as carcinogenic to humans¹ and said everyone should reduce exposure to diesel exhaust emissions. *Press release 213 (IARC, June 2012)* <http://www.iarc.fr/en/media-centre/iarcnews/2012/mono105-info.php>
- 23.3 The DfT guidance asks licensing authorities to consider how their vehicle licensing policies can support any local environmental policies they may have adopted, bearing in mind the need to ensure that benefits outweigh costs (in whatever form). DfT suggest that local authorities may wish to consider setting vehicle emissions standards, perhaps by promoting cleaner fuels.
- 23.4 For the past two years the Council has incentivised the uptake of low emission taxis by offering a discount; this has resulted in over 60 low emission taxis in York. In addition these vehicles have much cheaper fuel, tax and insurance costs.
- 23.5 Only the following European Standards will be accepted for new private hire vehicle applicants from 1 November 2016, and all replacement vehicles for both taxi and private hire, as from 1 June 2017 for taxis and 1 November 2017 for private hire vehicles:
- Petrol vehicles – Euro V petrol vehicles class

¹ *Press release 213 (IARC, June 2012)*
<http://www.iarc.fr/en/media-centre/iarcnews/2012/mono105-info.php>

- Diesel vehicles – Euro VI diesel vehicles class
- Diesel wheelchair accessible vehicles – Euro V diesel vehicles class*
- Ultra low emission vehicles - defined as 75g CO₂/km and under e.g. petrol/hybrid, fully electric vehicles

*this only applies to replacement vehicles and if the following criteria is met:

- The vehicle licence was granted prior to the 1 May 2016 to a wheelchair accessible vehicle;
- The replacement vehicle is wheelchair accessible;
- The vehicle licence is renewed annually;
- Ownership of the vehicle remains in the name of the vehicle licence proprietor whose name was on the licence on the 1 May 2016;

If the above criteria is met a vehicle licence proprietor may replace the licensed wheelchair accessible vehicle as many times as necessary until this policy is amended.

- 23.6 It will be for the applicant or the vehicle licence proprietor to demonstrate that the vehicle they wish to be licensed meets the appropriate European Standards as stated in paragraph 23.5 above.
- 23.7 The types of vehicles that new hackney carriage vehicle licences will be issued to will be determined by the Gambling, Licensing and Regulatory Committee, if/when the Council determines to issue new licences.
- 23.7 Emissions from licensed vehicles could be reduced further by encouraging better maintenance of vehicles and by switching off engines when stationary or idling, particularly at ranks.
- 23.8 The emission standards for taxis and private hire vehicles will be subject to review, considering the latest air quality monitoring results, to determine whether they are making sufficient progress towards achieving the health based air quality objectives.
- 23.10 This policy is part of the Council's ambition to have an ultra low emission taxi fleet in York that benefits people's health and creates a more pleasant environment. The Council will be bidding for Ultra Low Emission Taxi incentive funding to support the wider adoption in the York fleet.

24. Renewal of Licences

- 24.1 Vehicle licence proprietors will be invited to renew their licence prior to the expiry date. *It is the licence holders responsibility to ensure that the licence is renewed prior to its expiry.*
- 24.2 The renewal application and all documentation required as part of the renewal process must be received prior to the expiry of the existing licence. With the prior approval of the Taxi Licensing Section documentation, other than the renewal application, maybe submitted up to five working days after the expiry of the existing licence. The vehicle licence will not be renewed until all relevant documentation is received. A late fee will be payable for any licences not renewed by the expiry of the existing licence.
- 24.3 Vehicle licence holders who fail to submit renewal applications and relevant documentation

in accordance with paragraph 23.2 will be required to reapply as a new applicant.

25. Term of Licence

- 25.1 Vehicle licences are valid for a maximum period of one year, or for such lesser period, specified in the licence as the Council thinks appropriate in the circumstances of the case.

Drivers

26. Licences

- 26.1 The Council issues driver's licences for private hire and hackney carriage drivers. The Council must be satisfied that driver applicants and licensed drivers are fit and proper persons to hold such licences.
- 26.2 Licences are issued subject to proof of eligibility:
- a) birth certificate;
 - b) certificate of naturalisation – if born abroad but now a British citizen;
 - c) immigration status and permission to work;
 - d) driving licence;
 - e) driving assessment (DVSA test);
 - f) knowledge/locality test;
 - g) criminal records check;
 - h) medical assessment;
 - i) disability equality;
 - j) sexual exploitation awareness.
- 26.3 Licensed drivers and driver applicants must have a reasonable level of conversational and written English, along with an understanding of basic maths.

27. Driving Experience

- 27.1 A driver's licence cannot be granted to anyone who has not held a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA) for at least 12 months. In addition, licensed drivers who hold an EC/EEA driving licence must register with the DVLA and provide proof of registration.
- 27.2 Applicants are required to have passed the DVSA driving assessment test and the City of York Council Taxi Drivers' Disability Equality Training Level 1 (Taxi), or equivalent and produce a pass certificates.

28. Drivers Knowledge / Locality Test

- 28.1 In order to determine the fitness of a person to hold a licence, all applicants are required to sit and pass a test on their knowledge of the local geography, driver conduct / conditions, Highway Code and licensing legislation. A driver licence will not be issued without the applicant first passing the knowledge test.
- 28.2 An applicant is allowed to take a maximum of six knowledge tests. If the knowledge test has not been passed after five attempts, the applicant must wait three months before being

able to take the sixth and final knowledge test. If the applicant fails the sixth knowledge test, the application will be refused on the grounds of insufficient topographical knowledge to properly carry out a service as a licensed driver.

29. Convictions and Disclosure and Barring Service Check (DBS)

- 29.1 A criminal record check on a driver is an important safety measure. Enhanced Disclosure through the DBS is required as this disclosure includes details of both spent convictions, police cautions and intelligence by virtue of the Rehabilitation of Offenders Act 1974 (Exception) Order 1977, further information can be found at Appendix 8.
- 29.2 The Rehabilitation of Offenders Act 1974 does not apply to applicants for hackney carriage or private hire driver licences. Applicants are required therefore to disclose all convictions, including those that would normally be regarded as spent.
- 29.3 Before an initial application for a drivers' licence will be considered, the applicant must apply for an Enhanced Disclosure of criminal convictions through the Taxi Licensing Section of the Council. The application will not be determined until the results are received. DBS checks are not transferable and only DBS checks applied for through the Council's Taxi Licensing Section will be accepted. In addition DBS Disclosures will only be acceptable up to one month from the date of issue.
- 29.4 The Council's Taxi Licensing Section is a Body registered with the DBS and can apply for the Disclosure at the applicant's request subject to the appropriate fee. Guidance notes (including proof of identity requirements) are also available from the Taxi Licensing Section. The Council is bound by rules of confidentiality, and documentation will be retained for no longer than is necessary. The applicant for a DBS will be sent the disclosure report to their home address, the Council does not receive a copy of the disclosure report, it is the responsibility of the applicant to produce the disclosure report to the Taxi Licensing Section, which will form part of the application.
- 29.5 All applicants for a new or renewed licence are required to provide details of all criminal, motoring and licensing convictions including fixed penalties, spent convictions and cautions. It is an offence to knowingly or recklessly make a false statement or to omit information required by the Council (Section 57, the 1976 Act).
- 29.6 Applicants for renewal of a driver's licence are required to have an enhanced disclosure criminal record check from the DBS every third year. Only DBS checks applied for through the Council's Taxi Licensing Section will be accepted. Additional DBS checks may be required for those drivers who undertake school contract work on behalf of the Council and North Yorkshire County Council.
- 29.7 Under Section 61(1) of the 1976 Act the Council has the power to suspend or revoke the licence of a hackney carriage or private hire driver who:
- a) since the grant of the licence has been convicted of an offence:
 - involving dishonesty, indecency or violence; or
 - under, or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or
 - b) for any other reasonable cause.

- 29.8 Licensed drivers shall inform the Council within three days of any conviction being recorded against him/her or any Company of which he/she is a Secretary or Director. On receipt of this information the Council may have reasonable cause to issue a written warning, require the driver to attend a driving assessment, suspend the licence for a specified period or revoke the licence.
- 29.9 Licensed hackney carriage and private hire drivers are regarded as a notifiable occupation. If a licensed driver comes to the notice of the police, the police may notify the appropriate local authority of a conviction and any other information that indicates that a person poses a risk to public safety. Most notifications are made once an individual is convicted, however, if there is a sufficient risk the police may notify the authority immediately. On receipt of this information the Licensing Manager may have reasonable cause to suspend or revoke the licence.
- 29.10 Failure to declare convictions received during the lifetime of the licence could lead to the renewal applications being refused.

30. Applicants who have resided outside the United Kingdom (UK)

- 30.1 In addition to a DBS Disclosure, where an applicant has resided outside of the UK, a criminal record check from the country/countries in which they have previously resided since the age of 18 years must be provided in English. This may usually be obtained from the relevant embassy. Should an applicant be unable to provide a criminal record check, they must provide a separate signed declaration detailing the attempts made to obtain a check. The declaration must also state whether they have been found guilty or have been convicted or charged with any offence against the law in any country. This declaration must be signed in the presence of a solicitor and be duly countersigned and the form stamped by the solicitor.

31. Medical Examination

- 31.1 Under Section 57 of the 1976 Act the Council requires an applicant for a hackney carriage and private hire drivers' licence to produce a certificate signed by a registered medical practitioner to the effect that s/he is physically fit to be a driver of such a vehicle. The Council requires the medical certificate upon an initial application for a licence. If the medical certificate produced is not satisfactory in any respect, the applicant may be required to provide additional medical evidence concerning their fitness and to submit to a further examination by a doctor selected by the Council.
- 31.2 In line with DfT recommendations, the Council applies the DVLA Group 2 (Group 2) driver standard for medical fitness for hackney carriage and private hire drivers. This is a higher medical standard than that required of drivers of other motor vehicles. This is required due to the length of time the driver may spend at the wheel and the responsibility they have for the safety of their passengers and the public.
- 31.3 The medical practitioner must confirm that:
- a) they have examined the applicant;
 - b) the applicant is registered with the practice; and /or

- c) they have had full access to the applicant's medical records;
- d) the medical examination was carried out to Group 2;
- e) s/he considers the applicant to be fit to act as the driver of a hackney carriage or private hire vehicle in accordance with this standard.

- 31.4 Licensed hackney carriage and private hire drivers shall submit a Group 2 standard medical certificate at the age of 45, 50, 55, 60 and 65. Annual medical certificates are required for all drivers over the age of 65. Drivers failing to have their medical within the required timeframe will have their licence suspended or revoked.
- 31.5 Licensed drivers shall submit details of any serious illness or prescription of any medication that may affect his/her ability to provide a public transport service to the Council within 14 days. At this time the Council may request that the driver undertakes a Group 2 standard medical.
- 31.6 Dependent on the medical history of the driver the Council may also request that the driver undertakes additional Group 2 standard medicals or further medical assessments.
- 31.7 If the Council is not satisfied as to the medical fitness of an applicant a hackney carriage or private hire drivers licence will not be granted. If the Council is not satisfied as to the medical fitness of a licensed driver there will be reasonable cause to suspend, revoke or refuse to renew the licence under Section 61 of the 1976 Act. This suspension may also be undertaken in accordance with Section 52 of the Road Safety Act 2006 on the grounds of public safety. This means that the suspension takes immediate effect and although the driver may appeal they are unable to drive pending the appeal.

32. New Applicants

- 32.1 At the time that a driver's licence is granted, the DBS Disclosure Certificate, criminal record check from abroad (if applicable) and medical form must be dated within six months preceding the issue of the licence. It will be necessary for an applicant to undertake an additional DBS Disclosure, criminal record check from abroad and medical if any of these documents are outside of this timescale.
- 32.2 New applicants who have previously held a drivers' licence must complete the full application process unless they meet the following criteria:
- a) It is three months or less since their previous drivers' licence expired – new applicants will not be required to take the knowledge test or the DVSA driving assessment.
 - b) It is three months or less since their previous drivers' licence expired – new applicants will not be required to provide DBS criminal records check and/or medical certificates if it is six months or less since the last DBS check and medical was undertaken.
 - c) It is one year or less since their previous drivers' licence was suspended or revoked on medical grounds – new applicants will not be required to take the knowledge test or the DVSA driving assessment.

33. Application Procedure

- 33.1 The application procedure for a drivers' licence is not legally prescribed, but is a matter for each Council to determine. The Council require an application to be made on the specified application form available from the Taxi Licensing office or at www.york.gov.uk/licensing.
- 33.2 Grant applications will be processed within 10 working days. Applications will not, however, be determined until the Council has received all relevant documentation which is required as part of the application process, and the applicant has passed the knowledge test.
- 33.3 The Council shall consider all applications on their own merits, once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are completed.

34. Private Hire Drivers

- 34.1 Conditions can be imposed upon the grant of a private hire drivers' licence. These are attached at Appendix 9.

35. Licensed Drivers

- 35.1 Licensed drivers will attend sexual exploitation awareness sessions prior to the renewal of licences.
- 35.2 Licensed drivers who accumulate nine or more fixed penalty points may be required to undertake the driving assessments (DVSA test), this will be at the Licensing Manager discretion.

36. Renewal of Licences

- 36.1 Licensed drivers will be invited to renew their licence prior to the expiry date. *It is the licence holders responsibility to ensure that the licence is renewed prior to its expiry.*
- 36.2 The renewal application and all documentation required as part of the renewal process must be received prior to the expiry of the existing licence. With the prior approval of the Taxi Licensing Section documentation, other than the renewal application, maybe submitted up to 20 working days after the expiry of the existing licence. The driver licence will not be renewed until all relevant documentation is received. A late fee will be payable for any licences not renewed by the expiry of the existing licence.
- 36.3 Drivers who fail to submit renewal applications and relevant documentation in accordance with paragraph 36.2 will be required to reapply as a new applicant.

37. Term of Licence

- 37.1 In accordance with Section 53 of the 1976 Act, as amended by Section 10 of the Deregulation Act 2015, all driver licences are valid for a maximum period of three years, or for such a lesser period, specified in the licence as the Council think appropriate in the circumstances of the case.

37.2 DVLA driving licence checks will be carried out annually.

37.3 Medicals will be carried out in accordance with paragraph 31.4.

38. Optional Training

38.1 If they wish, drivers can also undertake additional training which is provided by the Council, subjects such as equalities. Drivers can also become a 'dementia friends', further information regarding the training sessions is available on the Dementia Friends website: <https://www.dementiafriends.org.uk/>

Private Hire Operators

39. Requirements and Obligations

- 39.1 Applicants who are not already licensed as a private hire/hackney carriage driver will require a basic disclosure, criminal record check, from Disclosure Scotland for the grant and renewal of an operator licence. On submission this disclosure must be less than one calendar month old.
- 39.2 Any person who operates a private hire vehicle must apply to the Council for a private hire operator licence. The objective in licensing private hire operators is to ensure the protection of the public who will be using the operator's premises and the vehicles and drivers arranged through them.
- 39.3 A private hire vehicle may only be despatched to a customer by a private hire operator who holds an operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle.
- 39.4 A private hire operator must ensure that every private hire vehicle despatched by him is licensed and driven by a person who holds a private hire licence. It is a criminal offence to operate a private hire vehicle and/or driver without an operator's licence.
- 39.5 It is a condition of licence that the applicant operates from a premises within the controlled district of the Council.
- 39.6 Application for a private hire operator's licence must be made on the prescribed form, together with the appropriate fee. The Council will then decide whether the applicant is a fit and proper person to hold a licence.

40. Conditions

- 40.1 The Council has power to impose such conditions on a private hire operator's licence as it considers reasonably necessary and these are set out in Appendix 10.

41. Insurance

- 41.1 Applicants are required to produce appropriate public liability insurance and employer liability insurance, if they have employees, annually.

42. Planning Consent

- 42.1 Applicants are required to obtain planning consent, where necessary, for the premises from which they intend to operate. The Planning Authority will be consulted as part of the application process and their comments may be taken into consideration when determining whether the licence should be granted. Due to this requirement, applicants must provide details of where vehicles will be parked when waiting for bookings.

43. Application Procedure

- 43.1 The application procedure for an operator licence is not legally prescribed, but is a matter for each Council to determine. The Council require an application to be made on the specified application form available from the Taxi Licensing office or at www.york.gov.uk/licensing.
- 43.2 Applications will be processed within 10 working days, applications will not, however, be determined until the Council has received all relevant documentation.
- 43.3 The Council shall consider all applications on their own merits once it is satisfied that the appropriate criteria have been met and the application form and supporting documents are completed.

44. Record Keeping

- 44.1 Operators are required to keep records in the form of a log sheet or computer database detailing:
- a) bookings, for example times and dates, name and address of hirer, place of commencement of each hiring
 - b) all hackney carriage/private hire vehicles operating from his/her office
 - c) all hackney carriage/private hire driver's operating from his/her office
 - d) complaints received from the public

Full details can be found in the Private Hire Operators' Licence Conditions at Appendix 11.

- 44.2 Records shall be kept and maintained at all times for the following time periods, and be available for inspection at the request of an Officer of the Council or Police:
- a) bookings, not less than six months
 - b) vehicles and driver's, not less than 36 months
 - c) complaints, not less than 12 months

45. Change of Home Address, Partners, Directors, Secretary or Chairman

- 45.1 The licensed operator will inform the Council within 14 days of any change of their home address, change of partners or directors of the company, or any change on the secretaryship or chairmanship thereof.

46. Material Change

- 46.1 A private hire operator's licence is not transferable and operators must notify the Council immediately in writing of any proposed changes of the person(s) authorised to operate under the terms of the licence, or if they intend to change business address. In both cases new applications will be required.

47. Business Name and Vehicle Side Plates

- 47.1 Applicants for operator's licences cannot use the same (or similar) name as any private hire firm currently operating within the district or any name previously used within the district and registered by the operator at Companies House.
- 47.2 Vehicle side plates must bear the name of the private hire business and the telephone number and/or website address. They must also include the wording "PRIVATE HIRE VEHICLE – PRE BOOKED ONLY". The side plates must have suitable lettering at least 50mm (2") but not more than 100mm (4") high. The sign must not include the words "FOR HIRE", "TAXI", or "HACKNEY CARRIAGE".
- 47.3 Artwork for vehicle side plates must be submitted to the Council's Taxi Licensing Section for approval and must comply the following guidelines:-
- a) The design of the side plate must be uncluttered and must clearly show the information required by the private hire conditions.
 - b) All lettering must be in solid block print, not just an outline and contrast in colour from the background so as to be easily read from a distance.
 - c) Side Plates may include the private hire company logo.
 - d) Advertising of third party products or services is not permitted on side plates.
 - e) Side Plates must not contain any offensive or indecent information.

48. Renewal of Licences

- 48.1 Licensed operators will be invited to renew their licence prior to the expiry date. *It is the licence holders responsibility to ensure that the licence is renewed prior to its expiry.*
- 48.2 The renewal application and all documentation required as part of the renewal process must be received prior to the expiry of the existing licence. With the prior approval of the Taxi Licensing Section documentation, other than the renewal application, may be submitted up to five working days after the expiry of the existing licence. The operator licence will not be renewed until all relevant documentation is received. A late fee will be payable for any licences not renewed by the expiry of the existing licence.
- 48.3 Licensed operators who fail to submit renewal applications and relevant documentation in accordance with paragraph 48.2 will be required to reapply as a new applicant.

49. Term of Licence

- 49.1 In accordance with Section 55 of the 1976 Act, as amended by Section 10 of the Deregulations Act 2015, a licence shall remain in force for five years or for such a lesser period, specified in the licence, as the Council thinks appropriate in the circumstances of the case.

Fares

50. General

- 50.1 The Council has the power to set hackney carriage fares for the journeys within their area. Fares, set by the Council, are a maximum and can be negotiated downwards by the hirer.
- 50.2 The Council will review the table of fares when requested by the Trade. All Associations acting on behalf of the hackney carriage trade must be in agreement with any changes to fares before making the request to the Council. When determining the level of fares consideration will be given to what is reasonable to expect the travelling public to pay as well as the need to give the drivers an incentive to provide a service at all times it is needed.
- 50.3 A notice of any variations to the maximum fare will be advertised in a local newspaper circulated in York with a date set 14 days from the publication for the making of objections to the proposed variation. If no objections are received the fare variation will have effect on a day specified at the end of the 14 day consultation period. If any objections are received the matter may be referred to Committee for consideration and a further implementation date will be set.
- 50.4 The Council is not able to set fares for private hire vehicles. It is a matter of agreement between the hirer and operator at the time of booking and the operator should make this clear. When a hackney carriage vehicle is used for private hire services the fare charged cannot exceed that which would be charged under the table of fares applicable to hackney carriages.
- 50.5 When a journey ends outside of the Council's area a fare greater than that shown on the meter may be charged but only if an agreement has been made with the hirer in advance. In the absence of such an agreement, only the metered fare can be charged. Failure to comply is an offence.

51. Table of Fares

- 51.1 A table of fares will be provided to each hackney carriage licence holder, which must be displayed in each vehicle so that it is easily visible to all hirers.
- 51.2 Private hire operators that use licensed vehicles fitted with a fare meter will provide the Council with a current table of fares. This table must also be displayed in each private hire vehicle so that it is easily visible to all hirers.

52. Receipts

- 52.1 A driver must, if requested by the hirer, provide a written receipt for the fare paid.

53. Overcharging

- 53.1 All meters must be calibrated to the correct fare scale. It is an offence for the driver to demand more than the fare on the meter. If this should occur the driver will be prosecuted.

Fees

54. General

- 54.1 The legislation provides that the fees charged should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands and administering the control and supervision of hackney carriages and private hire vehicles.
- 54.2 The current fees payable for the grant and renewal of hackney carriage and private hire licences are available from the Taxi Licensing Section and the Council's website.

55. Variations to Fee Structures

- 55.1 The fee structure is reviewed annually as part of the budgetary process. Notice of the current scale of fees will be supplied to new applicants at the time of application.
- 55.2 A notice of any variation to the maximum fees in respect of vehicles and operators will be advertised by the Council in a local newspaper circulating in the district, with a date set 28 days from the publication for making objections to the variation of fees.
- 55.3 If no objections are received the fee variation will have immediate effect at the end of the 28 day consultation period, or at a later date as indicated by the Council. If objections are received the matter will be referred to Committee for consideration and a future implementation date set, which will not be later than two months after the initial date on which the new fee shall come into force, with or without modification after considering the objections.

56. Payments

- 56.1 Payments can be made by credit or debit card over the phone or on-line, by Bacs and by cheque made payable to City of York Council are also acceptable. If a payment is returned due to insufficient funds an administration charge shall be levied against the applicant.
- 56.2 Only credit or debit card payments will be accepted in relation to the fee that applies to a disclosure and barring service check.

57. Payment Refunds

- 57.1 No refund will be given in respect of an unused portion of a licence, unless the council believes there are appropriate circumstances, this will be determined on a case by case basis.

Appendix 1

Private Hire Vehicle Licence Conditions

1. The licensed vehicle shall display the following signs:-
 - a) The licence plates issued by the Council, which should be securely fixed to the front and rear of the vehicle so that they are clearly visible. The licence plates will remain the property of the Council and must be returned to the Council immediately upon change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence. Temporary plates shall be affixed to the inside of the front screen and rear window providing they do not obscure the visibility of the driver.
 - b) A sign on the rear passenger doors including the name and telephone number and/or website address of the firm and the words "PRIVATE HIRE VEHICLE – PRE BOOKED ONLY" in suitable lettering at least 50mm (2") but not more than 100mm (4") high. The approval of the Council should be sought before the display of the sign. The sign must not include the words "FOR HIRE", "TAXI" OR "HACKNEY CARRIAGE".
 - c) A statement of fares and the means by which these are calculated placed in a prominent position inside the vehicle.
2. The licensed vehicle shall not display any other signs or notices except those detailed above or approved by the Council.
3. Every licensed proprietor shall:-
 - a) provide means by which any passenger in the vehicle may communicate or talk with the driver;
 - b) keep the roof or covering watertight;
 - c) maintain the seats in a clean, secure and well maintained condition, properly cushioned and covered;
 - d) cover the floor with a proper carpet, mats or other suitable covering and maintain in a clean and sound condition;
 - e) keep the furniture and fittings in a clean and fit condition and maintain all interior door coverings and head linings in a clean and sound condition;
 - f) provide a fire extinguisher to comply with current standards;
 - g) maintain in an operable condition all doors, hinges, handles, locks and windows.
4. The licensed vehicle shall:-
 - a) be provided with at least two doors for the use of passengers conveyed in the vehicle together with a door for the driver (excluding tailgate);
 - b) be provided with any necessary windows and means of opening or closing not less than one window on either side;
 - c) be fitted with effective means of heating and ventilation;
 - d) be kept at all times in a good mechanical condition;
 - e) comply with the requirements of any statute or of any vehicle test which the Council shall

enforce;

- f) have a cubic capacity of not less than 1250 cc (engine) except for vehicles fitted with an engine rated with a Euro IV (or better) emission standard;
- g) not be fitted with bull bars or any other device on the front of the vehicle intended to supplement the resistance to impact offered by the vehicles standard bumper.

5. The seating capacity of a licensed vehicle shall be determined as follows:-

- a) where separate seats for each person are provided, one person shall be counted for each separate seat provided
- b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in a straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the forward most point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seat shall be measured as if it were not fitted with such arms
- c) All licensed vehicles shall comply with the following minimum standard of internal space:-
 - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm when the seat in front is in its rearmost position without modification
- d) In addition, licensed vehicles with a third row of seats must also comply with the following minimum standard of internal space:-
 - i) the distance from the seat-back of the third row of seats to the rearmost part of the seat in front shall be not less than 610mm when the seat in front is in its rearmost position without modification
 - ii) where there is no door adjacent to a row of seats, no passenger must have to pass through a gap of less than 280mm at the narrowest point in order to exit the vehicle via the rear side door
 - iii) the middle row of seats must have at least one seat capable of adequately tilting to provide a safe exit route for passengers and meet the necessary exit dimension of 280mm, at the narrowest point, at the exit door
- e) All licensed vehicles with a row of passenger seats without adjacent side doors must provide the following:-
 - i) means of operating signs which must provide clear instructions to operate the tilting mechanism with letters of no less than 25mm in height
 - ii) adequate lighting that illuminates the sign, catches and levers to operate the tilting mechanism
 - iii) the sign, catches and levers must be clearly visible.

6. The licensed vehicle must be of a suitable type and be in good condition. The vehicle must be maintained in such a condition as would satisfy the current MOT vehicle safety and

exhaust emission standards as prescribed by the Department of Transport.

7. The licensed vehicle shall not be a licensed hackney carriage or private hire vehicle of any other Council.
8. If the licensed vehicle is fitted with a taximeter, the Council's Byelaws will apply, in particular:-
 - a) 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 vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during the period of hiring.
 - b) The operator, owner or driver or a private hire vehicle shall not tamper or permit any person to tamper with the taximeter fitted to the vehicle, with the fittings thereof or with seals affixed thereto, provided this shall not prevent the taximeter being removed from the vehicle to a place of safety when the private hire vehicle is not in use.
 - c) Unless the hirer wishes to engage by time, the taximeter shall be activated at the commencement of hiring and shut down immediately on completion of the hiring but the amount of fare recorded shall remain displayed to allow the hirer a reasonable opportunity to examine it.
9. No taximeter shall be used unless it has first been tested and approved by the Council. Arrangements must be made with the Council to re-test the taximeter upon a change in the scale of fares.
10. The licensed proprietor shall immediately notify the Council of the name and address of any other proprietor or person concerned in the keeping, employing or letting for hire of the licensed vehicle.
11. Upon a change of proprietor, the Council shall be notified within 14 days of such change by the licensed proprietor (which expression includes both Companies and Partnerships).
12. The Council's Taxi Licensing Section shall be notified within 72 hours of the following:-
 - a) any accident or incident affecting the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers
 - b) any alteration in the design or construction of the vehicle
13. The licensed proprietor of a private hire vehicle shall permit the inspection of all documents relating to the licensed vehicle at all reasonable times and by prior arrangement by the Officers of the Council.
14. Only one two way radio may be operational at any one time and this shall be an approved radio used exclusively for the hackney carriage or private hire trade and properly licensed. The radio shall be securely fixed to the vehicle.
15. Licensed vehicles exceeding five years old on the day of licensing (calculated from the date of first registration), will be subject to two vehicle inspections in any 12 month period. One inspection shall be the initial grant or annual inspection conducted by the Council, the

second inspection will take place approximately six months from the date of the initial grant or annual inspection at a date determined by the Council and can be completed by:-

- a) presenting the vehicle for inspection by the Council's vehicle examiner within a time scale determined by the Council;
- or
- b) successfully completing a MOT test within a time scale determined by the Council

16. Seatbelts must be available for each passenger that the vehicle is licensed to carry. Exemption will be granted where the proprietor can prove to the satisfaction of the Taxi Licensing Officer that it is technically impossible to provide a seat belt to comply with type approval.
17. Licensed vehicles must display a sign or signs in a prominent position visible to all passengers (whether seated in the front or rear of the vehicle) reminding them of their legal requirement to wear a seatbelt.
18. Licensed vehicles must display a sign supplied by the Council inside the vehicle in a visible position to passengers, displaying the Council's details and the plate number of the vehicle. The sign will remain the property of the Council and must be returned to the Council when requested upon the suspension, revocation or expiry of a vehicle licence.
19.
 - i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75% and windows to either side of the drivers head shall have a light transmittance of not less than 70%.
 - ii) All other windows within licensed vehicles shall have a light transmittance of not less than 50%.
 - iii) For estate-type vehicles the windows overlooking the luggage space can be of any manufacturer's tint providing it is not opaque.
 - iv) Any self applied material shall satisfy the requirements of i) ii) and iii) above if it has been approved by the Council.
20. Every licensed proprietor shall provide means of carrying and securing luggage and in the case of any vehicle without a secure boot so as not to exceed the height of the rear seat.
21. The licensed vehicle shall have a luggage space, separate from the passenger compartment, which is capable of holding, at a minimum, two suitcases (a larger one measuring 720mm x 460mm x 280mm and a minimum one measuring 660mm x 430mm x 280mm) and a folded wheelchair (not at the same time). This condition shall not apply to vehicles already licensed by the Council.
22. The licensed vehicle shall not be equipped with any CCTV system unless approved by the Council.
23. Where the licensed vehicle is so constructed or adapted as to be a wheelchair accessible vehicle it shall only be driven by a licensed driver who has:
 - a) Completed and passed the Driving Standards Agency wheelchair exercise or equivalent,

and

- b) Completed and passed the City of York Council Disability Awareness Training Course (Taxi) or equivalent.

24. The licensed vehicle shall be right hand drive.

For the purpose of applying condition 19 (tinted windows), an estate car will be defined as:

- a) A vehicle with a long body and extended roofline which gives increased luggage capacity in the area behind the rear seats and is accessed from the rear, and
- b) Is described as an estate car on the vehicles registration document.

Appendix 2**Private Hire Vehicle Licence Plate and Signage Exemption Policy**

1. The issues around the operating of a business involving executive vehicles has the same business, legal and public safety principles as other areas of transport licensed by the City of York Council, with public safety being paramount.
2. The Council recognises the very distinct role of executive vehicles in the arena of public transport. The distinction between the operator of standard private hire vehicles and the operator of executive vehicles is significant in terms of the type of client catered for and the type of service offered.
3. This policy sets out the requirements of the council with regards to the operators of private hire vehicles who wish to apply for or already hold an exemption with regards to the displaying of licence plates and signage.
4. Operators who wish to use their vehicle for executive contract hire work ONLY, can apply to licence their vehicle as private hire and write to the Licensing Manager requesting an exemption from the requirements of having to display the front and rear licence plates and the door signage (operator side plates).
5. An exemption from displaying licence plates and signage is a privilege rather than a right and the benefit of the exemption will be granted at the Council's discretion. The Council has the power to withdraw the exemption if the related conditions are not adhered to.
6. The Licensing Manager will consider each application on its own merit.
7. The vehicle type is not specified, however due to the nature of the work it will undertake it is recommended that the vehicle will be:
 - (a) 4 door saloon or people carrier;
 - (b) be right hand drive; and
 - (c) an engine size above 2000cc:
 - (d) The following types of vehicles would be considered appropriate for executive use (this list is not exhaustive and other vehicles would be considered):
 - Rolls Royce
 - Mercedes S class and E class
 - Jaguar XJ SWB and LWB,
 - BMW 5 series upwards
 - Audi A5 or above
 - Lexus GS and LS

- Ford Galaxy or similar

8. The vehicle will be in immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.
9. The service provided must only be for executives and other VIPs, weddings, tours etc. An executive is a senior manager in an organisation travelling as part of his/her employment.
10. If the vehicle is approved it will be issued with a City of York Council Vehicle Exemption Certificate once the appropriate fee is received.
11. The following conditions will form part of the exemption and must be adhered to at all times:
 - (a) The vehicle will not be engaged at all in any specific passenger service contracts for the carriage of school children, young persons or vulnerable adults.
 - (b) The vehicle will operate only in accordance with contracts entered into for a chauffeur type executive level of service. This does not include normal airport journeys and private hire work.
 - (c) The driver must follow a formal dress code, suit and collared shirt. The suit jacket may be removed in warmer weather.
 - (d) The driver will be exempt from the requirement to wear the private hire driver's badge issued by City of York Council whilst acting as driver of the vehicle. The private hire driver's badge shall be carried on the driver's person at all times and be produced for inspection at the request of any authorised person.
 - (e) It is recommended that all bookings undertaken by the vehicle shall be by means of a written contract between the Private Hire Operator and the business user.
 - (f) No advertising or identification (including company logos) may be displayed on or in the vehicle at any time.
 - (g) The council's exemption certificate card will be displayed on the inside lower nearside of the front windscreen.
 - (h) The council's exemption certificate will be carried in the vehicle at all times and will be produced on request by an authorised officer.
 - (i) The front and rear licence plates will be carried in the boot at all times and must be produced on request to an authorised officer.
 - (j) The private hire operator's door signage (side plates) will be carried in the boot at all times and must be produced on request to an authorised officer.
 - (k) The internal plate issued by City of York Council shall be displayed within the glove box lid.

- (l) No taximeter or PDU type unit will be displayed within the vehicle.
- (m) All fares will be agreed in advance with the hirer and paid after the issue of an invoice from the operator.
- (n) The driver will not take money at the end of the hire.
- (o) A notice of fares shall be carried within the vehicle at all times and will be produced on request by the hirer or authorised officer on request.

Appendix 3

Hackney Carriage Vehicle Licence Conditions

1. The licensed vehicle may display an internal sign visible from outside the vehicle indicating the name and telephone number of any company to which the vehicle is affiliated, in a form approved by the Council.
2. The licensed vehicle shall not display any other signs or notices except those detailed above or approved by the Council.
3. The seating capacity of the vehicle shall be determined as follows:-
 - a) where separate seats for each person are provided, one person shall be counted for each separate seat provided
 - b) where the vehicle is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in straight line lengthwise over the centre of the seat. The centre of the seat shall be determined as half the distance from the furthest point of the front edge to the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seats shall be measured as if it were not fitted with such arms;
 - c) all vehicles licensed shall comply with the following minimum standards of internal space:-
 - i) the distance from the rear seat-back to the rearmost part of the seat in front of that seat or other partition shall not be less than 610mm when the seat in front is in its rearmost position without modification
 - d) in addition, licensed vehicles with a third row of seats must also comply with the following minimum standard of internal space:-
 - i) the distance from the seat-back of the third row of seats to the rearmost part of the seat in front shall be not less than 610mm when the seat in front is in its rearmost position without modification
 - ii) where there is no door adjacent to a row of seats, no passenger must have to pass through a gap of less than 280mm at the narrowest point in order to exit the vehicle via the rear side door
 - iii) the middle row of seats must have a least one seat capable of adequately tilting to provide a safe exit route for passengers and meet the necessary exit dimension of 280mm, at the narrowest point, at the exit door
 - e) all licensed vehicles with a row of passenger seats without adjacent side doors must provide the following:-
 - i) means of operating signs which must provide clear instructions to operate the tilting mechanism with letter of not less than 25mm in height

- ii) adequate lighting that illuminates the sign, catches and levers to operate the tilting mechanism
 - iii) the sign, catches and levers must be clearly visible.
4. The licensed vehicle must be of a suitable type and be in good condition. The vehicle must be maintained in such a condition as would satisfy the current MOT vehicle safety and exhaust emission standards as prescribed by the Department of Transport.
 5. The licensed vehicle shall not be a licensed hackney carriage or private hire vehicle or any other Council.
 6. No taximeter shall be used unless it has first been tested and approved by the Council.
 7. The licensed proprietor shall immediately notify the Council of the name and address of any other proprietor or person concerned in the keeping, employing or letting for hire of the licensed vehicle.
 8. Upon a change of proprietor, the Council shall be notified within 14 days of such change by the licensed proprietor (which expression includes both Companies and Partnerships).
 9. The Council's Taxi Licensing Section shall be notified within 72 hours of the following:-
 - a) any accident or incident affecting the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers
 - b) any alteration in the design or construction of the vehicle which may affect its general condition or suitability for use as a hackney carriage
 10. The licensed proprietor of a hackney carriage vehicle shall permit the inspection of all documents relating to the licensed vehicle at all reasonable times and by prior arrangement by the Officers of the Council.
 11. Only one two way radio may be operational at any one time and this shall be an approved radio used exclusively for the hackney carriage or private hire trade and properly licensed. The radio shall be securely fixed to the vehicle.
 12. Licensed vehicles exceeding five years old on the day of licensing (calculated from the date of first registration), will be subject to two vehicle inspections in any 12 month period. One inspection shall be the initial grant or annual inspection conducted by the Council, the second inspection will take place approximately six months from the date of the initial grant or annual inspection at a date determined by the Council and can be completed by:-
 - a) presenting the vehicle for inspection by the Council's vehicle examiner within a time scale determined by the Council;
 - or
 - b) successfully completing a MOT test within a time scale determined by the Council
 13. Licensed vehicles must display a sign or signs in a prominent position visible to all passengers reminding them of their legal requirements to wear a seatbelt.

14. All hackney carriage vehicle licences issued with an accessible taxi condition (No's. 121 to 140 inclusive and form number 159 onwards) are subject to the following condition:-

“This licence is only valid for vehicles which satisfy the City of York Council definition of wheelchair accessible vehicles.”

15. Every vehicle shall display a licence plate, supplied by the Council, externally on the rear of the vehicle. The licence plate issued by the Council should be securely fixed to the rear of the vehicle so that it is clearly visible. The licence plate will remain the property of the Council and must be returned to the Council immediately upon a change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence.

A temporary plate shall be affixed to the inside of the rear window so not to obscure the visibility of the driver.

16. Licensed vehicles must display a sign, supplied by the Council, inside the vehicle in a visible position to passengers, displaying the Council's details and the plate number of the vehicle. The sign will remain the property of the Council and must be returned to the Council when requested upon the suspension, revocation or expiry of a vehicle licence.

17. Seatbelts must be available for each passenger that the vehicle is licensed to carry. Exemption will be granted where the proprietor can prove to the satisfaction of the Taxi Licensing Officer that it is technically impossible to provide a seat belt to comply with type approval.

18. The roof sign of the licensed vehicle shall be connected to the taximeter so that:

- i) when the taximeter is recording a fare the roof sign shall not be illuminated, and
- ii) when the taximeter is switched on but is not recording a fare the roof sign shall be illuminated, and
- iii) when the taximeter is switched off (i.e. when the licensed vehicle is not plying for hire) the roof sign shall not be illuminated.

19. The licensed vehicle shall have a minimum engine capacity of 1250cc except for vehicles fitted with an engine rated with a Euro IV (or better) emission standard.

20. i) All licensed vehicles shall be fitted with windscreen glass that has a light transmittance of 75% and windows to either side of the drivers head shall have a light transmittance of not less than 70%.

ii) All other windows within licensed vehicles shall have a light transmittance of not less than 50%.

iii) For estate-type vehicles the rear window and side windows adjacent to the luggage space can be of any manufacturer's tint providing it is not opaque.

iv) Any self applied material shall satisfy the requirements of i), ii) and iii) above if it has been approved by the Council.

21. The licensed vehicle will be supplied with the official coat of arms decal which must be displayed at all times on each front door panel.
22. The licensed vehicle shall have a luggage space, separate from the passenger compartment, which is capable of holding, at a minimum, two suitcases (a larger one measuring 720mm x 460mm x 280mm and a minimum one measuring 660mm x 430mm x 280mm) and a folded wheelchair (not at the same time). This condition shall not apply to vehicles already licensed by the Council.
23. The licensed vehicle shall not be equipped with any CCTV system unless approved by the Council.
24. Where the licensed vehicle is so constructed or adapted as to be a wheelchair accessible vehicle it shall only be driven by a licensed driver who has:
 - a) Completed and passed the Driving Standards Agency wheelchair exercise or equivalent, and
 - b) Completed and passed the City of York Council Disability Awareness Training Course (Taxi) or equivalent.
25. The licensed vehicle will be right hand drive.

For the purpose of applying condition 20 (tinted windows), an estate car will be defined as:

- a) A vehicle with a long body and extended roofline which gives increased luggage capacity in the area behind the rear seats and is accessed from the rear, and
- b) Is described as an estate car on the vehicles registration documents.

Appendix 4

Hackney Carriage 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 the City of York with respect to Hackney Carriages in the City of York.

Interpretation

1. Throughout these byelaws "The Council" means the Council of the City of York and "The District" means the City of York.

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 the inside of the carriage and on the plate affixed to the rear thereof.
- 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 and 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 carrying and securing luggage within the vehicle
 - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
 - 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
 - j) provide a working electric light in the interior of such carriage for the use of any person hiring such carriage or being driven therein
4. The proprietor of a hackney carriage adapted to carry disabled persons shall ensure that any

necessary ramps are carried at all times when the carriage is hired or is available for hire and that any electric hoist fitted to the carriage is kept maintained and in working order.

5. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say:
 - a) the taximeter shall be fitted with a key, flag or other device, the turning 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 key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and 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 letter and figures shall be capable of being suitably illuminated during any period of hiring
6. Every proprietor of a hackney carriage provided with a taximeter which is not fitted with a flag or other device bearing the words "FOR HIRE", shall cause the carriage to be provided with a roof sign constructed so as to comply with the following requirements:
 - a) the sign shall be of a pattern or design to be approved by the Council, with the side facing the front of the carriage bearing the words "TAXI" or "FOR HIRE" and the side facing the rear of the carriage bearing the word "TAXI"
 - b) in each case the letters shall be plain black and be at least 2½ inches in height
 - c) the sign may indicate the name and telephone number of the proprietor or operator of the vehicle
 - d) the sign shall be clearly illuminated when the carriage is available for hire, such illumination ceasing when the carriage is not available for hire.

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

7. The driver of a hackney carriage provided with a taximeter shall:
 - a) when standing or plying for hire keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter
 - b) before beginning the journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the

taximeter in action until the termination of the hiring

- c) cause the dial 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
8. 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 fitting thereof, or with the seals affixed thereto provided that this shall not prevent the proprietor or driver from temporarily removing the taximeter from the hackney carriage to a place of safety when the hackney carriage is not in use.
 9. 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 (excepting between the hours of 7pm and 7am when the driver may ply for hire free from such requirement)
 - 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 carriages driven off or moved forward
 10. 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.
 11. 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.
 12. 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 as such appointed time and place.
 13. 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.
 14. 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 a position and manner as to be plainly visible.
 15. The driver of a hackney carriage 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 the driver may take up or set down such person
16. The driver of a hackney carriage shall not at any time smoke or burn tobacco when in their licensed vehicle.

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

17. 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 express at the commencement of the hiring his desire to engage by time.

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.

18. a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the council resolution to be exhibited inside the carriage in the form provided by the Council.
- 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 the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of property accidentally left in hackney carriages and fixing the charges to be made in respect thereof

19. Every proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the carriage for any property which may have been accidentally left therein.
20. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage, be found by or handed to him:
- a) carry it as soon as possible and in any event within 48 hours (if not sooner claimed by or on behalf of its owner) to either the office of the Council (provided that any day on which such office is closed shall be excluded from such calculation) or to a police station in the district and leave it in the custody of the officer in charge of the office or police station as the case may be on his giving a receipt for it, and
 - b) be entitled to receive from any person to whom the property shall be re-delivered, an amount equal to the fare for the distance from the place of finding to the office of the Council or the police station but not more than five pounds.

Penalties

21. 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

22. The byelaws relating to hackney carriages which were made by York City Council and which were confirmed by the Secretary of State on 13th December 1988 and came into operation on 1st January 1989 are hereby wholly repealed.
23. The byelaws relating to hackney carriages which were made by:
- a) Ryedale District Council on 5th March 1992 and which were confirmed by the Secretary of State and came into operation on 15th June 1992; and
 - b) Harrogate Borough Council on the 15th June 1979 and which were confirmed by the Secretary of State and came into operation on 1st October 1979,
- and any byelaw relating to hackney carriages which may have been made by Selby District Council prior to 1st April 1996 and which are still subsisting, are hereby repealed in so far as they relate to this district.

IN WITNESS WHEREOF the COMMON SEAL of the)
COUNCIL OF THE CITY OF YORK is hereto affixed)
this 5th day of November, one thousand nine hundred) LS
and ninety nine in the presence of:

R F Clark
Head of Legal Services to the Council of the City of York

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 14th day of February 2000

Signed by authority of the Secretary of State

E C NEVE
5th January 2000

Appendix 5

Horse Drawn Hackney Carriage Licence Conditions

1. This Licence is granted for a period of 12 months or less but subject to review in the event of any closure of streets on the approved route or the closure of Deangate during that period.
2. Adequate insurance cover must be obtained to the satisfaction of the Council, clearly stating that the vehicle is being used as a hackney carriage.
3. The route and journey times being approved by the Head of Public Protection and Licensing Manager.
4. The vehicle must proceed at walking pace whilst travelling through Blake Street, St Helen's Square, Davygate, St Sampson's Square, Church Street, King's Square and Colliergate between the hours of 10.30 am and 5.00 pm and Deangate at anytime.

(Any variation will be notified in writing to the licence holder with a minimum of seven day's notice. Any variations to the above route due to the need for temporary closures will require licence holders to observe this regulation on the alternative route).
5. The maximum fare charged being approved by the Head of Public Protection and Licensing Manager.
6. *The carriage will be inspected annually by an inspector approved by the Council.
7. The carriage will be fitted with four lights positioned at the front and rear covers of the carriage. These lights will be illuminated if the carriage operates from dusk.
8. The carriage will be fitted with a warning bell.
9. The seating capacity of the carriage shall be determined as follows:-
 - a) where separate seats for each person are provided, one person shall be counted for each separate seat provided;
 - b) where the carriage is fitted with continuous seats, one person shall be counted for each completed length of 400mm measured in straight line length wise over the centre of the seat. The centre of the seat shall be determined as half the distance from the furthestmost point of the front edge of the seat to the rear edge of the seat. Where the seat is fitted with arms for the purpose of separating the seating spaces and such arms are so constructed that they can be folded back or otherwise put out of use, such seats shall be measured as if it were not fitted with such arms
 - c) the maximum seating capacity of the carriage will be 6 persons
 - d) all passengers will be seated within the carriage and not in the top seat adjacent to the driver
10. *The submission of a veterinary certificate signed by a Veterinary Surgeon to the satisfaction

of the Council, stating that each horse is fit to carry out the work intended to be carried out, being neither infirm by reason of age or health or deficient by reason of size.

11. *The production of further veterinary certificates as may from time to time be requested by Officers of the Council.
12. *The horse and driver will be assessed to use the route by an inspector approved by the Council.
13. No horse shall be worked for more than eight hours during any one day, with a break of at least one hour between the commencement and termination of duties. The travelling time to and from where the horse is stabled is to be included within the eight hours working day.
14. No horse shall walk a distance of more than three miles to the taxi rank at the start and end of their working day. Horses stabled at location more than three mile from the rank must be transported for part of the journey.
14. The licence holder must notify the Councils Taxi Licensing Section of the location of the stables in which their horse(s) are normally housed and make them available for inspection by Council Officers and their advisers at anytime. In the event that the Council receive a report from the RSPCA veterinary surgeon or other qualified person that the conditions under which the horse(s) are being kept are not in the interests of the health of the animal and its capacity to pull a carriage, the Council will suspend the licence until satisfied that the horse(s) are being kept in a humane manner.
15. A horse passport must be provided for each horse authorised to be used for licensed horse drawn hackney carriage work. If a horse passport is not provided for an authorised horse, permission to use that horse will be withdrawn until such time as the appropriate horse passport is provided.
16. All proprietors of the horse drawn hackney carriages must keep the area in the vicinity of the rank they operate from, clean and clear of horse manure or obstruction of the highway associated with their use.
17. In the event of the horse defecating in the pedestrian area, proprietors will allow the horse to stop to restrict the spread of the dung.
18. Proprietors will manage the feeding arrangements for their horses to consolidate the consistency of the droppings (i.e. reduce grass).
19. Proprietors will advise the street cleaners, if they pass them, where the horse has defecated in the pedestrian area.
20. Proprietors will make every effort to ensure that any dung that is deposited in the pedestrian area is picked up by themselves if they operate after the final clean by the mechanical sweeper (usually 6.00pm).

* the cost of inspectors and veterinary certificates is payable by the licence holder.

Appendix 6

Pedicabs

Code of Conduct for Pedicab Riders

I (insert name) hereby certify that in the course of my activities as a pedicab rider will:

1. Ensure the safety of my passengers, other road users and myself at all times and take all measures to avoid accidents and incidents.
2. Abide by the rules as set out in the Highway Code at all times.
3. At no time be under the influence of alcohol or any drugs, including prescription drugs, that may affect my judgement.
4. Ensure that my passengers are offered the safety belt or lap belt before all journeys.
5. Charge a standard fare for all journeys which will be for the hire of the vehicle (not per passenger) and agree that fare with passengers prior to embarking on a journey and not to charge or demand more.
6. Ensure that all items belonging to passengers are stowed away and that scarves, coats or any other items are safely contained within the pedicab.
7. Not solicit or tout for business.
8. Not overload the pedicab. I will only take passengers if they can be seated in the pedicab. A maximum of 2 passengers can be carried at any one time.
9. Be courteous and considerate to other road users, pedestrians, taxi drivers, the police and passengers at all times.
10. Not cause an obstruction to other vehicles or pedestrians especially around fire exits from buildings, e.g. theatres and licensed premises.
11. Wear my hackney carriage driver's badge (ID badge) at all times whilst working.
12. Carry out safety checks of brakes, steering, tyres, pedals, lights and the pedicab in general before the commencement of work each day.
13. Assist any other pedicab rider if they are experiencing difficulties or are in danger of assault.
14. Not become involved in racing of any kind.
15. Hand in any lost property to the Taxi Licensing Section within the prescribed time limit.
16. Ensure that my passengers arrive at their destination safely and that I will take particular care of the vulnerable.
17. Not smoke or use a mobile phone whilst riding or allow passengers to smoke during any journey.
18. Not ride in pedestrian areas or on the pavement.
19. Not take any action that might damage the reputation of the industry or licensing authority.
20. Report and document any accidents or incidents within 72 hours to the Taxi Licensing Section.

Code of Conduct for Pedicab Proprietors

I/we, the pedicab proprietor(s) (insert name(s)) hereby certify that I/we will manage my/our operation according to the following Code of Practice for Pedicabs Proprietors and therefore will:

1. Have in place third part public liability insurance (minimum of one million for any one event) and insurance to cover the use of the pedicab and pedicab riders to carry passengers for public hire/hire and reward covering all pedicabs owned by us and ridden by pedicab riders registered with us and licensed with City of York Council.
2. Ensure that all pedicab riders registered with us have signed the Code of Conduct for Pedicab Riders.
3. Have zero tolerance to the use of drugs and alcohol.
4. Ensure that all pedicab riders meet the standards as laid down by the City of York Council.
5. Ensure that all pedicab riders receive training in all aspects of pedicab riding.
6. Ensure that all pedicab riders pass a practical on-road test whilst carrying passengers.
7. Ensure that all vehicles are safe, legal and roadworthy (including lights and safety belts) and are specifically designed for carrying passengers.
8. Monitor street behaviour and have in place a disciplinary procedure clearly setting out the criteria under which a pedicab rider will be penalised or dismissed.
9. In the event of the dismissal of a pedicab rider, to inform the Council and all other pedicab proprietors within the authority.
10. Ensure that all pedicabs are maintained regularly and kept in a safe condition and to keep records of all maintenance carried out on each vehicle.
11. Keep operational records to ensure that you can identify which pedicab rider was on which pedicab at any one time and to pass that information to the licensing authority if so requested.
12. Take steps to protect the reputation of the pedicab industry at all times.
13. Document all incidents and accidents and report them to the licensing authority within 72 hours.
14. Ensure that all vehicles and riders can be identified as being part of our business.

Hackney Carriage Pedicab Vehicle Licence Conditions

1. The pedicab must comply with the requirements of the Pedal Cycle (Construction and Use) Regulations 1983 and the Pedal Cycle (Safety) Regulations 2003.
2. The pedicab will be so constructed that it has a minimum of three wheels, one at the front and at least two at the rear.
3. The pedicab must be fitted with a minimum of one front position light and a minimum of two rear position lamps and two rear retro reflectors.
4. The steering wheel when turned to full lock will not affect the stability of the pedicab when turning.
5. Tyres must comply with the following requirements:
 - tread pattern clearly visible over the whole tread area
 - no exposed cords
 - the load ratings of all tyres must be suitable for a pedicab when fully loaded.
6. Any electrical installations to the pedicab must be adequately insulated, protected from passengers and any battery fitted must be of the type that does not leak.
7. A pedicab must not exceed 1250mm in width (excluding rear view mirror) or 2650mm in length.
8. There must be at least one mirror fitted to the offside of the pedicab in order to monitor other road users. A nearside mirror is also permitted.
9. The outer edge of the floor of the passenger compartment should not exceed 38cm above ground level when the vehicle is unladen and should be fitted with non-slip high visibility yellow markings. The floor covering of the passenger compartment must be of a non-slip material which can be easily cleaned. Any holds or handles to aid passenger access or egress should be clearly identified with high visibility yellow markings.
10. Any canopy or roof, when fitted, must remain fixed in position until required to be raised or lowered which will be achieved by means of a locking mechanism to secure the canopy or roof when raised or lowered.
11. The rear seat dimensions must be adequate to accommodate one or two adults passengers based on a width of 450mm per passenger and shall be forward facing.
12. Visibility from the passenger compartment must not be restricted by the design of the pedicab. If the canopy or roof restricts vision then clear panels should be fitted to aid vision.
13. Every pedicab licensed by the authority shall be fitted with seatbelts or lap belts which will be adequate to retain the passenger in the vehicle and must bear an EC or BSI mark.
14. The rider's controls and the surrounding area of the controls must be so designed that the rider has adequate room. The rider must be able to easily reach and quickly operate the controls and give hand signals when required. The position of the rider's seat must not be such that it restricts access or egress to the passenger compartment.
15. Fares will be subject to a minimum charge of £3 and will be agreed with any passenger at the commencement of the journey and drivers will not be allowed to charge or demand more monies at the end of that journey. A written receipt will be given to each paying passenger and a copy kept by the licensed rider/proprietor. A chart explaining the fares shall be displayed in full view of any passengers.

16. The Certificate of insurance and interior identification plate must be displayed within the view of any passengers and should remain so when roof or canopy is lowered.
17. All pedicabs shall be required to be fitted with any audible warning instrument (bell) complying with the Pedal Cycles (Safety) Regulations 2003.
18. Pedicabs and all their fittings must be maintained to standards that meet these conditions of licence throughout the validity of the licence. They must be kept clean and in good order at all times and will be subject to tests and inspections. Any pedicab found to be not properly maintained will have its licence suspended until such time as it is re-presented for inspection having had the defect(s) rectified. All testing will be carried out by the CYTECH qualified technicians.
19. Suitable advertisements may be allowed on the exterior or interior of pedicabs subject to the approval/guidelines of the licensing authority. In addition they may display signs or notices which indicates professional skills or qualifications of the driver which enhance the pedicab service to the public.
20. The materials used to form the passenger seats should be waterproof so that they will not absorb or retain water and should be constructed of a suitable fire resistant material to BS 5852 Part 1, 1979 or equivalent.
21. The pedicab shall be of a design which has the rider to the front and passengers seated to the rear.
22. Pedicabs licensed by this authority will only operate within the Unitary Authority boundary.
23. Pedicab riders must adhere to the pedestrian area entry times which also includes the access only times.
24. Pedicabs are only allowed to pick up (rank) at the ranks on Tower Street, Piccadilly and the rearmost part of Duncombe Place rank and any other as directed by the licensing authority.
25. Each pedicab shall be licensed to carry no more than 2 passengers at any one time.
26. The licensed vehicle shall not display any other signs or notices except those detailed above or approved by the Council.
27. The licensed vehicle shall be a licensed hackney carriage pedicab of any other Council.
28. The licensed proprietor shall immediately notify the Council of the name and address of any other proprietor or person concerned in the keeping, employing or letting for hire of the licensed vehicle.
29. Upon a change of proprietor, the Council shall be notified within 14 days of such change by the licensed proprietor (which expression includes both Companies and Partnerships).
30. The Council's Taxi Licensing Section shall be notified within 72 hours of the following:
 - a) any accident or incident affecting the safety, performance or appearance of the licensed vehicle or the comfort or convenience of passengers,
 - b) any alteration in the design or construction of the vehicle which may affect its general condition or suitability for use as a hackney carriage pedicab.
31. The licence proprietor of hackney carriage pedicab shall permit the inspection of all documents relating to the licensed vehicle at all reasonable times and by prior arrangement by the Officers of the Council.

32. Every vehicle shall display a licence plate, supplied by the Council, externally on the rear of the vehicle. The licence plate issued by the Council should be securely fixed to the rear of the vehicle so that it is clearly visible. The licence plate will remain the property of the Council and must be returned to the Council immediately upon a change of vehicle or when requested upon the suspension, revocation or expiry of a vehicle licence.
33. Licensed vehicles must display a sign, supplied by the Council, inside the vehicle in a visible position to passengers, displaying the Council's details and the plate number of the vehicle. The sign will remain the property of the Council and must be returned to the Council when requested upon the suspension, revocation or expiry of a vehicle licence.

Appendix 7

Conditions Under Which Advertising on Hackney Carriage and Private Hire Vehicles will be Permitted

Where vehicle licence conditions permit, vehicle licence holders may place advertising material in or on their vehicle in accordance with their licence conditions. Approval must first be sought and the advertising inspected by the taxi licensing office prior to the vehicle going into service.

1) **Type of Advertising Permitted**

- a) No advertising will be permitted which causes public offence.
- b) No vehicle shall display external advertising from more than one advertiser.
- c) Advertising material must comply with all aspects of Advertising Standards legislation and the published guidelines of the Advertising Standards Authority.
- d) No vehicle shall display advertising relating to:-
 - Alcohol
 - Cigarettes or other tobacco products
 - Any political or religious organisation or campaign
- e) No advertising material shall cause the vehicle to break Road Traffic Legislation or render the vehicle hazardous to its driver, passengers or other road users.
- f) All advertising artwork must be to a high standard.
- g) Artwork must be durable to the rigours of display on a vehicle in daily use.

2) **Advertising Displayed on Vehicle Bodywork**

Hackney carriage vehicles may display advertising material mounted or painted on the front and rear of the vehicle. The sides of the vehicle must remain free of advertising in order to give sufficient prominence to the coat of arms decal which aids identification of the vehicle as a City of York licensed hackney carriage.

Private hire vehicles may display advertising material mounted or painted on the front and rear of the vehicle. The doors must remain free of advertising in order to give sufficient prominence to the Operator's details.

3) **Advertising in the Form of Rear Window Stickers**

One rear window sticker is permitted. The sticker can be no more than 5cm (2") high and 38cm (15") wide or 13cm (5") high and 13cm (5") wide. It must be positioned at either the:

- i) bottom left hand corner of the window;
- ii) bottom right hand corner of the window; or
- iii) top of the window.

The sticker must not obscure the driver's visibility. No other advertising window stickers may be displayed. Vehicle dealer stickers will be considered as advertising stickers, therefore, no other sticker may be displayed.

4) **Advertising Internally within the Vehicle**

Hackney carriages and private hire vehicles may display advertising within their vehicle in the form of a panel displayed in a position visible to passengers but not interfering with the driver's vision or the passenger's ability to see out of the windows.

5) **Advertising Internally within the Vehicle Via TV Screens (Digital Media Technology)**

Hackney carriage and private hire vehicles may install in-vehicle digital media technology to be used for advertising purposes and/or live feed material. To use this form of technology for advertising purposes and/or live feed material it must comply with the following conditions:

- a) Digital media systems must be approved by the licensing authority before they are installed.
- b) All broadcast material must comply with the OFCOM Broadcasting Code.
- c) All films/video material must be classified by the BBFC as U or exempt from classification.
- d) The only live feed material that can be shown is national/local news and weather.
- e) All equipment must comply with any legislative requirements in respect of Construction and Use Regulations and other legislation.
- f) All equipment must be designed, constructed and installed in such a way and in such material as to present no danger to passengers or driver, including from impact with the equipment in the event of an accident or damage from the electrical integrity being breached through vandalism, misuse or wear and tear.
- g) The equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle.
- h) The intensity of any screen should not be such as to be visually intrusive or dazzling. The position of the screen must not obstruct the passenger's view of the meter and the visibility of the screen to following vehicles should be minimal.
- i) Any screen shall be no larger than 15".
- j) All equipment must be installed in the driver's compartment and should not be visible from the driver position. The screen may be installed in the driver and front passenger seat headrests, or other suitable location agreed by the licensing authority.
- k) The installation must not be such as to weaken the structure or any other component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.
- l) The design must be discreet and complement the interior furnishing of the vehicle.
- m) The system must include safeguards to maintain the integrity of the system and prevent the display of unapproved material.
- n) Passengers must be able to control the volume level, including turning the sound off. The driver must have overall control of the volume to make sure it does not distract them while driving. The sound should be automatically muted when the intercom is operated.
- o) Passengers must be able to turn the screen off.

- p) A notice should be displayed within prominent view and physical reach of all passenger seats giving instructions to passengers as to adjusting the volume and turning the screen off. The notice shall be in a suitable format and design for visually impaired people and visible in low light conditions.
- q) The mute/volume control must be accessible from the nearside and offside passenger seats.
- r) Once activated the mute should continue without further activation by the passenger until the passenger leaves the vehicle.
- s) All equipment must be protected from the elements, secure from tampering and located such as to have no impact on the seating and luggage carrying capacity of the vehicle.

6) **Compliance with these Conditions**

Vehicles displaying advertising without approval contravene the vehicle licence conditions and in the case of hackney carriages, the byelaws, and if prosecuted would be liable to a fine of up to £500. The vehicle licence could also be suspended until such time as the material has been removed from the vehicle (subject to the right of appeal to the Magistrates' Court). A vehicle licence will also be suspended if artwork is incomplete due to bodywork repairs.

The taxi licensing office will exercise this authority in the interests of the citizens and visitors to York.

Appendix 8

Guide to the Rehabilitation of Offenders Act 1974 (as Amended by Section 139 of the Legal Aid, Sentencing & Punishment of Offenders Act 2012)

Under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, Schedule 2 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendments) Order 2003, **taxi driver licences are listed under Excepted Licences and under Schedule 3, proceedings relating to a taxi driver licence are listed as Excepted Proceedings. This means that the Rehabilitation of Offenders Act 1974 does not apply to any person applying for a private hire or hackney carriage driver's licence on initial grant or on renewal.

** "taxi" driver is defined as both hackney carriage and private hire

When considering the effect a conviction or convictions may have on an application for a private hire or hackney carriage licence, each individual case will be decided on its own merits.

The offences listed below are examples of those considered particularly relevant but are not exhaustive and all convictions will be considered including those which are spent. Regard will be had both to the seriousness of an offence and to repeated offending. The overriding consideration will be the protection of the public.

*Offences of a sexual nature or involving indecency or involving obscene materials - These include consensual sex with others under the age of consent. It is recognised that drivers carry great numbers of underage persons who could be vulnerable to improper advances.

*Offences of Violence - a driver with violent tendencies, whether it is violence towards men or women or sexual aggression, may not be a suitable person to drive the public. The public may on occasions be difficult and unco-operative and on other occasions may be travelling on their own and be very vulnerable.

*Offences of Dishonesty - drivers are in a position to illegally obtain money or property whilst carrying out their work. This could range from over charging to burglary. For example, drivers often become aware of when properties are empty and when the occupants are expected to return.

*Offences involving Drugs - Drivers are in a position to be involved in the dealing and transportation of controlled drugs.

**Applicants with unspent convictions for the above offences will not normally be considered fit and proper.*

Offences of Driving Under the Influence of Alcohol or Drugs

Offences involving substance abuse may indicate an inability to control the use of such substances with a potential to affect the driver's safety on the roads.

Where an applicant is convicted of this offence they will normally not be considered fit and proper until the expiry of five years.

Traffic Offences

Motoring offences are important in relation to someone who intends to earn their living driving the public.

An applicant with an unspent conviction for a serious road traffic offence or repeated minor offences will not normally be considered a fit and proper person.

Offences involving Discrimination.

Offences concerning discrimination are a concern to all in society and drivers are in a position to discriminate against selected groups or individual passengers.

An applicant with an unspent conviction for discrimination against any sector of the community will not normally be considered a fit and proper person.

Convictions During the Currency of a Licence

A current licence holder who is convicted of any offence contained within these guidelines during the course of the currency of a licence will normally have his/her licence suspended or revoked.

Rehabilitation Periods

Sentence	Rehabilitation Period
Prison sentence of over 4 years or a public protection sentence regardless of the length of sentence	Never spent
Prison sentence of more than 30 months up to and including 48 months	7 years from the end of the sentence (including time on licence)
Prison sentence of more than 6 months up to and including 30 months	4 years from the end of the sentence (including time on licence)
Prison sentence of 6 months or less	2 years from the end of the sentence (including time on licence)
Probation Order	12 months from the end of the order
Community Order or Youth Rehabilitation Order	12 months from the end of the order (where the order does not specify the last date on which the order is to take effect, the rehabilitation period is 2 years from the date of conviction)
Fine	1 year from the date of conviction
Conditional Discharge Order	The last day on which the order has effect
Compensation Order	Once the compensation is paid in full (proof of payment from the court must be produced to prove the compensation order has been paid in full)
Absolute Discharge	No rehabilitation period
Conditional Caution or Youth Conditional Caution	3 months or when the caution ceases to have effect if earlier
Simple Caution or Youth Caution	Spent immediately
Binding Over Order	Period of the order
Attendance Centre Order	Period of the order
Hospital Order (with or without a restriction order)	Period of the order

Where 2 or more sentences have been imposed in respect of a single conviction, the longer period applies to both. Generally, where a person commits a further offence during a

rehabilitation period, neither can be regarded as spent until both periods have elapsed.

NOTE: It is the prison sentence imposed by the Court that counts (even if it is a suspended sentence) not the time actually spent in prison.

An endorsement for a road traffic offence listed in Schedule 2 of the Road Traffic Offenders Act 1988, imposed either by the court or by means of a fixed penalty notice (FPN) is a sentence for the purpose of the 1974 Act and will become spent after 5 years. Penalty points and a driving disqualification imposed by the court on conviction will become spent when they cease to have effect (penalty points have effect for three years as set out in road traffic legislation). Where the court imposes more than one sentence or penalty for the offence then the longest rehabilitation period determines when the conviction may become spent.

Example

An adult is convicted of a road traffic offence and the court imposes a fine (rehabilitation period 1 year), an endorsement (rehabilitation period 5 years), penalty points (rehabilitation period 3 years) and driving disqualification for 1 year (rehabilitation period 1 year); the rehabilitation period for this conviction will be 5 years because the endorsement carries the longest rehabilitation period.

Important note: This guide is intended for guidance only. It is not legal advice and must not be regarded as a definitive interpretation of the 1974 Act. Anyone in doubt should seek their own legal advice.

Appendix 9

Private Hire Driver's Licence Conditions

1. Private hire drivers shall act in a considerate manner ensuring the safety and comfort of passengers travelling in, entering or alighting from their vehicle. The driver must conduct him/herself in a civil and orderly manner in dealing with passengers, other drivers or proprietors or any other person they come into contact with when acting as a licensed driver. The driver shall be clean and tidy in appearance.
2. The driver of a private hire vehicle shall not smoke (cigarettes or E cigarettes) whilst in their vehicle.
3. Licensed drivers shall wear the badge provided at all times when operating their vehicles.
4. Licensed drivers shall submit a medical certificate at the age of 45, 50, 55, 60 and 65. Annual medical certificates are required for all drivers over the age of 65. Drivers failing to have their medical within the required timeframe will have their licence suspended or revoked.
5. Licensed drivers shall submit details of any serious illness or prescription of any medication that may affect his/her ability to provide a public transport service.
6. Licensed drivers will not drive when their ability to do so is impaired by having worked excessive hours or when under the influence of drink or drugs.
7. The licensed driver shall within three days supply to the Council:-
 - i) Details of any change of address and/or telephone number.
 - ii) Written details of any conviction being recorded against him/her or any Company of which he/she is a Secretary or Director.
 - iii) Details of any change of private hire operator or vehicle proprietor for whom he/she is driving and the date of commencement or termination of such employment.
8. Licensed drivers who find property that has been accidentally left in a private hire vehicle by any passenger shall deliver it to the Licensing Office of the City Council within 48 hours of its discovery.
9. On termination or surrender of a driver's licence, the badge must be returned to the Council or a financial penalty will be imposed.
10. The driver of a licensed private hire vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog; or by a person who will be accompanied in the licensed vehicle by such a disabled person, will carry the disabled passenger's dog and allow it to remain with the passenger and not make any additional charge for doing so.
Any person with a medical condition that would be aggravated by carrying dogs may apply to the Council for an exemption from this requirement.
11. The driver of a licensed vehicle shall, when requested by any person hiring the vehicle:-
 - 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 the driver may take up or set down such person.

Appendix 10

Private Hire Operators' Licence Conditions

1. All applicants are required to complete an application form and are reminded that it is an offence to knowingly or recklessly make any false statement or omit relevant information.
2. The Booking Office premises of a Private Hire Operator shall be approved by the Council and shall conform to all Planning Regulations and other legal requirements in respect of business premises. In the event that it is found that the Booking Office is operating without all necessary planning consents or in breach of planning conditions, the Private Hire Operator's licence will be deemed suspended until planning consent is obtained.
3. The current Private Hire Operators licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Council for amendment.
4. The licensed Operators shall have in force a Public Liability Insurance policy providing a minimum of £2,000,000 indemnity in respect of any one incident where there is public access to a booking office. This policy will be produced to the Council annually.
5. The licensed Operators, who have employees, shall have in force an Employers Liability Insurance policy complying with the Employers Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment. This policy will be produced to the Council annually.
6. During the currency of the licence, the Operator shall notify the Council in writing within 7 days of any temporary change of residence which is for a period in excess of 21 days.
7. The licensed Operator shall inform the Council within 14 days of any change of the partners or Directors of the company, or any change on the Secretaryship or Chairmanship thereof.
8. Each Operator, when disposing of any business interest, shall within 14 days give notice in writing to the Council that the business registered in his/her name has terminated.
9. The licensed Operator must notify the Council and nominate a responsible person to take responsibility on an interim basis if they are absent from the business for 15 days or more.
10. The licensed Operator will ensure that the Council has his/her most up to date contact details, including a mobile telephone number and email address. There should also be a generic email address for the company.
11. The licensed Operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire vehicle licence number, plate number, registration number and make and model of all hackney carriages/private hire vehicles operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
12. The licensed Operator shall keep a record for a period of not less than 36 months, of all the hackney carriage/private hire driver's licence number, badge number, personal identity code name or number and name and address of each driver operating from his/her office. Such records shall be sent to the Council annually and be available at all reasonable times for inspection by the Council.
13. The licensed Operator shall make sure that hackney carriage/private hire vehicles and driver's

operating from his/her office have had their licence renewed by the Council.

14. The licensed Operator shall display in a prominent position visible to customers visiting his premises at his place of business a list of fares and booking fees chargeable by the Operator. The Council shall be supplied with an up to date list of fares within 14 days of any changes made.
15. The licensed Operator will ensure that the licence issued by the Department of Trade and Industry for all radio equipment used is current and valid. All equipment must only be used on the frequencies stipulated in the D.T.I. licence and the licensed Operator must allow the Council access to inspect all equipment and D.T.I. licenses.
16. The licensed Operator shall keep and maintain at all times for a period of not less than six months, a record of hiring showing the particulars of every booking of a hackney carriage/private hire vehicle, including any booking accepted at the request of another Operator.

The record must be kept in the form of a log sheet or computer database detailing in particular:-

- a) The date and time of each booking
- b) The name and address of the hirer (if known)
- c) The dates, time and place of the commencement of each hiring
- d) The destination
- *e) The vehicle licence number and the name of the driver
- f) For booking transferred to another operator, details of that operator and information detailed in point 'e' above

(* This information may be given by reference to an incorporated code)

All records shall be maintained and kept up to date at all times, and shall be available for inspection at all reasonable times, without notice, by an Authorised Officer, the Police or DVSA. For the purpose of further investigation, records may be removed from the premises if so required or copied.

17. The licensed Operator shall keep a register of complaints by the public for a period of not less than 12 months.
18. Upon receiving a complaint or allegation regarding any person licensed by the Council in relation to the following matters:
 - a) sexual misconduct, sexual harassment or inappropriate sexual attention
 - b) racist behaviour
 - c) violence
 - d) dishonesty
 - e) breaches of equality

the licensed Operator shall report it immediately to the Council when the taxi licensing office is open.

19. The licensed Operator is not permitted to accept bookings forwarded by their private hire drivers.
20. Artwork for vehicle side plates must be approved by the Council prior to use.
21. Vehicle side plates must bear the name of the private hire business and the telephone number and/or website address. They must also include the wording "PRIVATE HIRE

VEHICLE – PRE BOOKED ONLY”. The side plates must have suitable lettering at least 50mm (2”) but not more than 100mm (4”) high. The sign must not include the words “FOR HIRE”, “TAXI”, or “HACKNEY CARRIAGE”.

22. Private hire operators must provide the Council with a current table of fares, including mileage fare chart.
23. If used, private hire operators must make sure all meters and PDA systems are calibrated to the correct fare scale.
24. The licensed Operator shall provide a prompt, efficient and reliable service to members of the public at all times, ensuring that when a private hire vehicle has been hired to be in attendance at an appropriate time and place, that vehicles shall, unless delayed, attend punctually at that time and place.
25. The licensed Operator remain accountable for service delivery even upon the transfer of a booking to another licensed Operator.
26. The maximum number of vehicles that may operate from the licensed Private Hire Booking Office are detailed on this licence, this number will not be exceeded without prior written notification to the Council.

Appendix 11

Hackney Carriage Ranks

Council approved Hackney Carriage ranks are located as follows:-

FULL TIME RANKS

Clifton Moor Cinema	3 cars
Duncombe Place	10 cars
Queen Street	4 cars
St. Leonard's Place	4 cars
St. Saviourgate – Rank A	12 cars
St. Saviourgate – Rank B (feeder rank)	4 cars
The Crescent (off Blossom Street)	1 car
Tower Street	4 cars

PART TIME RANKS

Midnight to 6.00 a.m.

Clifford Street (for Kuda Nightclub)	4 cars
Clifford Street (opposite side of road from Kuda Nightclub)	4 cars
Micklegate (outside The Parish)	3 cars
Toft Green (for Fibbers Nightclub)	4 cars

Exhibition Square – 8.00 p.m. to 6.00 a.m.	3 cars
Piccadilly – 11.00 a.m. to 6.00 a.m.	2 cars
Rougier Street – 10.30 p.m. to 6.00 a.m.	3 cars
St. Sampson's Square – 8.00 p.m. to 6.00 a.m.	8 cars
York Racecourse (Race Days only)	12 cars

The rank at York Railway Station is private and is therefore not under the control of the Council.