

31 August 2016

Dear Sir/Madam,

GENERAL PURPOSES COMMITTEE & LICENSING COMMITTEE

Notice is hereby given that a meeting of the **General Purposes Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 8 September 2016 at **6.00pm**.

Notice is hereby given that a meeting of the **Licensing Committee** will be held in Room G21, Kelham Hall, Newark on Thursday, 8 September 2016 immediately following the General Purposes Committee.

Yours faithfully,



A.W. Muter
Chief Executive

AGENDA

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GENERAL PURPOSES COMMITTEE

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3. Declaration of any Intention to Record Meeting
4. Minutes of the Meeting held on 16 June 2016

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PART 4 – EXEMPT AND CONFIDENTIAL ITEMS

None

GENERAL PURPOSES COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 16 June 2016 in Room G21, Kelham Hall immediately following the meeting of the Licensing Committee.

PRESENT: Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, Mrs I. Brown,
D. Clarke, M.G. Cope, Mrs S.M. Michael, D.R. Payne,
Mrs S.E. Saddington, Mrs. L.M.J. Tift and I. Walker.

Due to the Chairman's apology for absence, Councillor I. Walker – Vice-Chairman, chaired the meeting.

Prior to the commencement of the meeting the Chairman led the Committee in a minute's silence in memory of Jo Cox, Labour MP for Batley and Spen, who was killed on that day.

01. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors M. Buttery, Mrs R. Crowe, P. Peacock and Mrs S. Soar.

02. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

03. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

04. MINUTES OF MEETING HELD ON 17 MARCH 2016

Councillor Mrs S. Michael informed the Committee that the minutes were incorrect as she had submitted her apology.

AGREED that subject to the above amendment, the Minutes of the meeting held on 17 March 2016 be approved as a correct record and signed by the Chairman.

05. APPLICATIONS AND RELEVANCE OF CONVICTIONS POLICY

The Committee considered the report presented by the Licensing Officer regarding a revised Policy with regard to the relevance of convictions when considering applications for Taxi/Private Hire/Private Ambulance drivers.

A Member requested that an additional sentence be added to paragraph 6.0 – Considerations given to Offences, seeking clarification as to whether the sentence was fully complied with. It was also suggested that Rape be included in paragraph 6.2.

AGREED (unanimously) that subject to the two amendments to paragraphs 6.0 and 6.2, the revised policy on the relevance of convictions be approved.

06. FACE TO FACE STREET COLLECTIONS IN NEWARK

The Committee considered the report presented by the Licensing Officer in relation to the Face to Face Street Collections Agreement that had been made between Newark Town Council and the public Fundraising Association.

Members were content with the site Management Agreement subject to Nottinghamshire County Council being notified, as the collectors stand on the road which is the responsibility of Nottinghamshire County Council.

AGREED (unanimously) that the site Management Agreement between Newark Town Council and the Public Fundraising Association be noted, subject to Nottinghamshire County Council being notified.

07. APPEAL DECISION ON THE REVOCATION OF A HACKNEY CARRIAGE & PRIVATE HIRE DRIVER'S LICENCE

The Committee considered the report presented by the Licensing Officer regarding the outcome of the appeal brought by Danny King against the General Purposes Sub Committee's decision to revoke his hackney carriage and private hire driver's licence.

AGREED (unanimously) that the outcome of the appeal be noted.

08. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Officer in relation to the activity and performance of the Licensing Team and current ongoing enforcement issues.

Contained within the report was information as to applications received for hackney carriage/private hire drivers; ambulance drivers; hackney carriage vehicles and private hire vehicles. A note of the returns for street collections and house to house collections was also provided. Paragraph 2.5 of the report set out the current enforcement issues giving details of the location; activity; date the case was opened; and what action had been taken to date.

AGREED (unanimously) that the report be noted.

The meeting closed at 6.18pm

Chairman

REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY AND GUIDANCE

1.0 Purpose of Report

- 1.1 To seek Members' approval to consult on a revised policy for Hackney Carriage & Private Hire Licensing.

2.0 Background

- 2.1 Over the past few years the Council's General Purposes Committee have agreed a number of changes to the current Hackney Carriage and Private Hire Licensing Policy and Guidance. For example at the last meeting of the Committee a new policy of the relevance of convictions was agreed.
- 2.2 The last full review of the Policy took place on 2012 and to ensure that the changes agreed since then can be consolidated into a single document a full review and rewrite of the current policy has been undertaken. The review has taken account of changes introduced by the Deregulation Act 2015 changes in best practice, changes previously agreed by Committee and has attempted to provide more comprehensive guidance to applicants.
- 2.3 The new document does not fundamentally change the policies of the Council but hopefully is an easier to use document that is set out better and provides a wider range of guidance and will provide Members with less ambiguous policy statements from which their decisions can be made. Copies of the existing policy and the consultation draft are attached as **Appendices 1 and 2**.

3.0 Summary of Main Changes

- 3.1 The new policy makes better use of its appendices. More detailed guidance can be found in the appendix related to that policy area. For example the main body of the policy document relating to applications sets out the Council's broad policy and then the detail of exactly how an application can be made and what will be taken into account are set out in the supporting appendix. This is a structure that is consistent through the document. It will enable applicants, officers and Members to locate the relevant information quickly.
- 3.2 A new Knowledge test has been developed incorporating additional requirement for numeracy and literacy skills. The knowledge test has now taken on-line and replaces the old paper based test. The new test is far easier to administer and will allow applicants to take the test with a minimum of supervision, thus freeing up officer time.
- 3.3 The new policy on the relevance of convictions was agreed at the last meeting. This has been updated to take account of issues and concerns arising from the Child exploitation Enquiry in Rotherham.
- 3.4 An additional item is included in relation to vulnerable passengers. A new code of conduct has been developed and this is included as Appendix 8. This supports the safeguarding training that is compulsory for all drivers.

- 3.5 The law allowing Private Hire Operators to sub contract across boundaries was changed under the provisions of the Deregulation Act 2015. In order to ensure that Operators continue to trade to the highest standards additional conditions have been included ensuring details of all sub-contractors are recorded and can be traced in the event of any incident or complaint.
- 3.6 Special event vehicles and limousines are now popular modes of transport for celebrations. For the first time individual specifications for these vehicles are included within the policy document.
- 3.7 A new system of allocating penalty points for breaches of licensing conditions has been developed to provide a more consistent and transparent approach to enforcement. The details are set out in appendix 19 of the policy.
- 3.8 The new scheme allocates penalty points for breaches of legislation and/or vehicle and driver conditions of licence. The number of points allocated have been determined by the seriousness of the offence. The scheme operates on a 'topping up' system so that points accrued over three years result in potential revocation or suspension of a licence.
- 3.9 Anybody accruing 12 or more points will be required to attend a Hearing of the General Purposes Committee. The scheme does not prevent drivers being prosecuted for offences should that course of Action be deemed appropriate.

4.0 Proposals

- 4.1 It is proposed to release the consultation draft of the Hackney Carriage and Private Hire policy for full consultation with the trade and any other interested bodies. A suggested timetable for the review and consultation process is set out below.

Action	Proposed Date
Prepare draft Hackney Carriage & Private Hire Policy and seek comments from General Purposes Committee.	September 2016 General Purposes Committee
Seek comments from interested parties	September, October and November 2016
Report comments to General Purposes Committee and amend Policy if appropriate	November 2016 General Purposes Committee
Implement new Policy	1 January 2017

5.0 RECOMMENDATIONS that:

- (a) **Members consider the new Hackney Carriage and Private Hire Policy and suggest any amendments prior to the document being sent out for consultation; and**
- (b) **Members are asked to agree the timetable for the review and consultation exercise.**

Background Papers

Nil

For further information please contact Alan Batty on 01636 655467

Karen White
Director – Safety

Appendix One

APPLICATION PROCEDURES

1. Application Procedures – Vehicles

- 1.1 Vehicle proprietors shall make arrangements directly with the Authority approved vehicle testing stations to have vehicles examined and tested.
- 1.2 Prior to submitting the vehicle for examination, proprietors shall ensure that the vehicle is in good condition, i.e. mechanically sound; bodywork satisfactory.
- 1.3 In respect of renewal applications, vehicles should not be examined more than 4 weeks before their licence is due to expire. However, it is advised to arrange the examination and test at least 7 days prior to the application appointment, in case the vehicle examination identifies the need for repair work and re-testing, which can then be undertaken prior to the expiry of the licence.
- 1.4 Vehicle proprietors may be subject to a recharge fee by the vehicle testing station in respect of vehicles that fail the vehicle test and undergo a second examination and test.
- 1.5 When presenting an application to the Council the following documents **MUST** accompany the completed application form:-

(i) **DVLA Vehicle Registration Certificate** (which must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s) hereinafter described as the proprietor(s) thereof) or a bill of sale identifying the vehicle, seller and purchaser as long as this is accompanied by the part of registration certificate showing the year of registration of the vehicle;

(ii) **Valid Certificate of Insurance** or cover note confirming that insurance is in place for each driver of the vehicle and specifying use as either a Hackney Carriage or Private Hire Vehicle.

(iii) **Vehicle testing Compliance Certificate;**

2. Application Procedures – Drivers

- 2.1 Applications for hackney carriage or private hire driver licences may be made at any time of the year. Applications must be made on the Council's application form which is available from the Licensing Section or from the Council's website. The application will not be accepted unless it is complete and with all the relevant documentation.

- 2.2 **False or incomplete information provided as part of the application process will result in the application being refused. A further application by the same driver will not be considered for a further 6 months.**
- 2.3 Applicants shall hold a full driving licence issued in the UK, the European Community (EC) or one of the other countries in the European Economic Area (EEA). In addition any applicant who holds an EC/EEA driving licence shall also have a GB counterpart document.
- 2.4 Applicants shall have held a full UK, EC or EEA driving licence for at least 12 months prior to the date of application.
- 2.5 Applicants will be required to complete an application form and pay the appropriate fee for an enhanced certificate from the Disclosure and Barring service on first application and every 12 months thereafter. Applicants will be encouraged to sign up to the DBS update service. Two forms of personal identification are required as well as a utility bill showing the applicant's current address. Applicants who have previously been known as a different name are required to provide evidence of this name change. Applicants will also need to provide their national insurance number. Any DBS certificate submitted in support of an application shall not be accepted if it is more than three months older than the date the certificate was issued.
- 2.5 **With effect from the 1st October 2015, the policy and conditions of all licences require ALL new licence holders to subscribe to the DBS annual update service and to undergo a DBS every year. This will be introduced for all current drivers during their licence renewal process.**
- 2.6 **Where an applicant has resided in the UK after their 10th birthday or has spent a period of 3 months or more as a non-resident, the Authority will require a certificate of good conduct authenticated by the relevant embassy of that country of residence and a translated, provided at the applicant's own expense, in addition to the enhanced DBS check.**
- 2.7 Applicants shall make a declaration that they have a statutory right to work in the UK and any applicant that has a limited right to work shall not be issued a driver licence for a period longer than that limited period.
- 2.8 Applicants are required to pass a medical examination of Group II standards. Medical examinations must be conducted by the Council's independent medical advisor. In exceptional circumstances, the applicant may use their own general practitioner or medical practice. In these cases the applicant must provide evidence as to why this should be permitted.

- 2.9 A medical examination shall be required on the submission of the first application. Drivers aged 45 or over will require an examination every 3 years thereafter until aged 65 years. Drivers aged 65 or over or those drivers with a specified medical condition will be required to have examinations on an annual basis (or as specified by the medical practitioner).
- 2.10 There are different medical requirements applying to insulin dependant drivers and these are set out in Appendix Two
- 2.11 All applications will have to be submitted **IN PERSON** at the main council offices.

3. New Driver Qualifications

- 3.1 In order to maintain the high standards that the Authority expects of its drivers operating within the district - a basic numeracy, literacy and knowledge of locations is assessed by the Authority through a knowledge test.
- 3.2. There is a fee payable for the Knowledge test. If further tests are required these will be arranged and an additional administrative fee will be charged, to be paid prior to the test. Subsequent tests must be a minimum of one week apart. The tests must be held within two months of the first failed test date or the application will be returned and deemed not duly made.
- 3.3 The literacy and numeracy test aims to identify understanding of the English language and basic mathematics.
- 3.4 The local knowledge test is practical and aims to identify knowledge of locations of places of interest and routes.
- 3.5 New applicants are required to undertake a driving proficiency test conducted by the Council's appointed Driving examiner. Where an applicant fails a test driving ability a period of one week must elapse before any retest is taken.
- 3.6 An applicant may only take the test of knowledge and driving ability on three occasions in respect of one application. A test is taken if the applicant attends at relevant test centre and is given a test paper or sets off on the ability test. If three tests of either type are failed the application will be refused and no further application for a drivers licence may be made for a period of six months from the date the last test was failed.

5 The Consideration of Applications

- 5.1 If satisfied, from the information available, that the applicant is a fit and proper person to hold a licence, the Licensing Officer has delegated power to grant the application and issue a licence. **The Council will normally issue licences for a three-year period.**

However the Council does have the discretion to issue licences of a shorter duration, if it considers this to be necessary given the circumstances.

- 5.2 A driver's badge will be issued which shall remain the property of the Authority and must be surrendered if the driver licence is suspended, revoked or not renewed by the Authority. The badge shall be displayed on the driver's person at all times they are acting as a licensed driver.
- 5.4 If the Authority is not satisfied, from the information available, that the applicant should be granted a licence, the matter will be referred to the General Purposes Committee for a hearing.

Appendix Two

Matters examined in Driving Ability Test

1 Comply with the requirements of the eyesight test for drivers

2 Take proper precautions before starting engine

3 Make proper use of:

- Accelerator
- Footbrake
- Clutch
- Handbrake
- Gears
- Steering

4 Move away safely and under control

5 Stop the vehicle in an emergency promptly and under control

6 Reverse into a limited opening to the left or right under control and with proper observation

7 Turn in the road under control and with proper observation

8 Reverse park under control and with proper observation

9 Make effective use of mirror(s)/rear observation well before:

- Signalling
- Changing direction
- Changing speed

10 Give signs:

- Where necessary
- Correctly
- That are properly timed

11 Take appropriate action on all:

- Traffic signs
- Road markings
- Traffic lights
- Signals by traffic controllers
- Signals by other road users

12 Exercise proper care in the use of speed

13 Keep a safe distance behind vehicles

14 Make progress by driving at a speed appropriate to the road and traffic conditions avoiding undue hesitancy

15 Make proper use of:

- Speed on approach
- Position before turning left
- Observation
- Turning right
- Cutting right hand corners

16 Deal with other vehicles safely when:

- Overtaking
- Meeting
- Crossing their path

17 Position the vehicle correctly:

- During normal driving
- Exercise lane discipline

18 Allow adequate clearance to stationary vehicles and obstructions

19 Take appropriate action at pedestrian crossings

20 Select a safe position for normal stops

21 Show awareness and anticipation of the actions of other road users.

An applicant will be permitted 9 minor faults in passing this test. A serious or dangerous fault will result in failure. If the examiner or the applicant stops the test before it is completed that will also count as a failure.

Appendix Three

DRIVERS WITH DIABETES

1. Insulin Dependant Diabetics

- 1.1 There are specific medical requirements for applicants for the grant or renewal of Private Hire/Hackney Carriage and Ambulance Drivers licences who are Insulin Dependent Diabetics.
- 1.2 The applicant must have had no hypoglycaemic attacks requiring assistance whilst driving within the previous 12 months.
- 1.3 The applicant's condition must have been stable for a period of at least one month.
- 1.4 Once a licence has been granted the holder must regularly monitor their condition by checking their blood glucose levels at least twice daily and at times relevant to driving. **The use of memory chip meters for such monitoring is required.** The Council may require the licence holder to produce records of such monitoring and may copy them for the purpose of taking it own medical advice relating to the licence holder.
- 1.5 The licence holder must arrange to be examined every 12 months by a suitable person who specialises in diabetes. At the examination the specialise will require sight of their blood glucose records for the last 3 months. The Council will require confirmation that the examination has been carried out and that there is no change in the licence holder's condition.
- 1.6 The licence holder must have no other condition, which would render them a danger when driving Private Hire vehicles, Hackney carriages or Ambulance vehicles.
- 1.7 The licence holder will be required to sign an undertaking to comply with the directions of doctors(s) treating the diabetes and to report immediately to both the Council and the DVLA any significant change in their condition.
- 1.8 The effect of this is that all drivers must undergo a medical examination which is in accordance with the requirements for holding a Group 2 licence from the DVLA. This standard states that an Insulin Dependent Diabetic cannot be granted a Group 2 licence and accordingly should not be granted a Private Hire/Hackney Carriage/Ambulance Drivers licence by Newark & Sherwood District Council. However this will be waived as long as the driver meets the medical criteria set out above for the granting of C/C1E entitlement for a DVLA licence. Compliance with this standard does not mean that a driver with a licence issued by the Council can drive a vehicle which requires a C1/C1E entitlement on a DVLA licence unless their DVLA licence shows that entitlement.

1.9 In the event that a licence holder fails to comply with any of the above then the licence will be suspended and the question of whether the driver remains fit and proper to hold a licence will be referred to the General Purposes Committee.

2.0 Maturity Onset Diabetes

2.1 The requirements only apply to one type of medication used to control MODM these being sulphonylureas taken in tablet form.

- Drivers are examined at time of application and then at the same frequency as at present. No driver will be recalled earlier than would normally be the case.
- At each examination drivers with diabetes will be identified and advised as to the additional requirements for testing and provided with written guidance.
- Those drivers identified as MODM treated with sulphonylureas will be provided with additional advice and support.
- Assuming no other problems are identified a one year health certificate will be issued with a requirement to attend a further examination in a year time. They will be advised to use this time to purchase self testing equipment, learn the technique and undertake testing at the intervals advised.
- At the second examination the results from the self testing will be assessed. Satisfactory results will allow for a three year medical certificate to be issued. Unsatisfactory results will result in a one year certificate and a requirement for additional testing. Failure to supply any results will result in no medical certificate being issued.

Appendix Four

Relevance of Convictions Policy

1.0 Introduction

- 1.1 This policy provides guidance to the General Purposes Committee (and its sub-committee) and Officers with delegated powers on the criteria to take into account when considering the relevance of convictions in determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a Hackney Carriage and/or Private Hire driver or Operator Licence. Any decision made by the General Purposes Committee (and its sub-committee) and Officers with delegated powers will be made on the balance of probabilities and not beyond all reasonable doubt.
- 1.2 It is the responsibility of Newark and Sherwood District Council (referred to as the Council) to issue Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847. In exercising this duty the Council will consider the safety of the public as its primary consideration.
- 1.3 In seeking to safeguard the public, the licensing authority seek to ensure:
- That a person is a fit and proper person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II)
 - That the person does not pose a threat to the public
 - That the public are safeguarded from dishonest persons
 - The safety of children, young persons and vulnerable adults
- 1.4 This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:
- Applicants for a driver's licence
 - Existing licensed drivers whose licences are being reviewed
 - The holders of Private Hire Operators licences
 - Licensing officers
 - Members of the General Purposes Committee/sub-committee

- Magistrates hearing appeals against local authority decisions

1.6 In considering this guidance the Council will be mindful that each case must be considered on its individual merits and, where the circumstances demand, the committee may depart from the guidelines. Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction [Nottingham City v Mohammed Farooq (1998)]

1.7 In this policy the word “Conviction” is to be defined as including convictions, cautions, warnings, reprimands fixed penalty notices and other relevant information. In this policy ‘from date sentence has ended’ is taken to be the date which is reached once the whole of the period as sentenced by the court has elapsed and not necessarily the length of time served by the applicant. For example, if a sentence is five years imprisonment then the date that the sentence ends will be five years from the date of sentencing – regardless of the amount of time actually served by the applicant. If the sentence is amended by a court at a later date then this new sentence becomes relevant for the purposes of this policy. The term ‘since completion of sentence’ is to be construed in a similar way.

1.8 In this policy the word applicant refers to either new applicants, or those existing licence holders who are seeking renewal, or when offences have come to light of existing licence holders

2.0 General Policy

2.1 Whilst the Council may consider that a person with a conviction for a serious offence may not need to be automatically barred from obtaining a licence, it is however to be normally expected that the applicant would be required to:

- a. Remain free of conviction for an appropriate period as detailed below; and
- b. Show adequate evidence that they are a fit and proper person to hold a licence (the onus will be on the applicant to produce such evidence).

Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

2.2 The Council may depart from this policy if good reasons exist. The otherwise good character and driving record of the applicant or licence holder will not ordinarily be considered as exceptional circumstances

2.3 Outstanding Charges or Summonses

- If an outstanding charge or summons involves a serious offence and/or the individual’s conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the

application should normally be put on hold until proceedings are concluded or the licence may be refused.

2.4 Non-conviction information

If an applicant has on one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application.

2.5 In assessing the action to take, the safety of the public must be the paramount concern.

2.6 Where an applicant has had a Hackney Carriage/Private hire driver's licence revoked by another local authority, the Council will not normally grant a licence until at least twelve months has elapsed since the revocation

3.0 Consideration of Applications

3.1 Applications will be referred for determination by the Council's General Purposes Committee in the following circumstances:

- where the applicant had been convicted of an offence other than infrequent minor traffic offences, within the five year period immediately preceding the date of the application. However a number of minor traffic offences may result in a reference to the committee as indicating recklessness;
- where the conviction(s) occurred outside the five year period referred to above but:-
 - the offence was of a particularly serious nature; or
 - there was a history of criminal convictions demonstrating a series of offences which had occurred with relative frequency over a period of years;
- where, in respect of motoring offences which were not spent, the applicant had incurred four or more penalty points in respect of any one offence or had incurred a total of seven or more penalty points; or
- where the Strategic Director (Corporate Services) considers that the offence(s) raised concern that the safety of the public might be put at risk.
- where information is revealed on a DBS check about behaviour which does not involve a conviction or caution for an offence but which the Business Manager – Environmental Health considers should be referred to the Committee.

3.2 When submitting an application for a licence to drive a hackney carriage, private hire vehicle or Ambulance vehicle, applicants are required to declare any convictions or formal cautions they may have.

- 3.3 Details of all convictions must be disclosed under the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002. This includes any convictions which would otherwise be “spent”, as taxi drivers do not have the protection afforded under the Rehabilitation of Offenders Act 1974 and accordingly full disclosure is required.
- 3.4 The disclosure of a criminal record or other information will not debar an applicant from gaining a licence unless the authority considers that the conviction affects whether they are fit and proper to hold a licence. In making this decision, the authority will consider the nature of the offence, how long ago and what age the applicant was when it was committed and any other factors which may be relevant in accordance with these guidelines and policy.
- 3.5 Any applicant refused a driver’s licence on the ground that he/she is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates’ Court.

4.0 Powers

- 4.1 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if:
- the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence;
 - failure to comply with the provisions of the Town Police Clauses Act 1847;
 - failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976;
 - or any other reasonable cause.
- 4.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a Private Hire Vehicle or Hackney Carriage driver’s licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. In accordance with this Act, all convictions, cautions, warnings and reprimands must be declared by the Applicant.
- 4.3 Under the provisions of Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to be satisfied that an applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver’s licence and/or Private Hire Vehicle Operator’s licence is a “fit and proper” person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will consider:
1. How relevant the offence(s) are to the licence being applied for
 2. How serious the offence(s) were

3. When the offence(s) were committed
4. The date of conviction
5. Circumstances of the individual concerned
6. Sentence imposed by the court
7. The applicant's age at the time of conviction
8. Whether they form part of a pattern of offending
9. Any other character check considered reasonable (e.g. personal references)
10. Any other factors that might be relevant, for example:
 - (a) The previous conduct of an existing or former licence holder,
 - (b) Whether the applicant has intentionally misled the council or lied as part of the application process,
 - (c) Information provided by other agencies / council departments.

It may also be appropriate to consider the sentencing powers engaged by the court in disposing of criminal proceedings and Judges reasons (obiter dicta) for coming to that decision.

- 4.4 Existing holders of driver's licences are required to notify the licensing authority in writing within seven days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions). Failure to do so will raise concerns as to the honesty of the licence holder and may be taken into account as part of any subsequent renewal applications or reviews.
- 4.5 Applicants can informally discuss further what effect a caution/conviction may have on any application or existing licence by contacting the Licensing Service on 0115 981 9911 in confidence for advice. The Council will not be bound by any advice given and reserve its full powers
- 4.6 The Council conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver's licence. Applicants applying for the grant or a renewal of a driver's licence will be required to obtain an enhanced disclosure at their expense, or subscribe to the update service and also at other times as determined by the Council.
- 4.7 The Council is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other licensing authorities, and information disclosed by the police.

- 4.8 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Section 57(3) Local Government (Miscellaneous Provisions) Act 1976 Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.
- 4.9 For renewal applications and current licence holders the guidance will not be applied retrospectively. The policy will be applied if any additional convictions are incurred or brought to the attention of the Council that would call into question a person's suitability to hold a licence.
- 4.10 Any offences not covered by this Policy will not prevent the Council from taking into account the offences.

5.0 Policy on immediate revocation/suspension of driver's licence

- 5.1 If the Council decides to revoke or suspend a driver's licence, it will then have to consider whether that revocation/suspension should take immediate effect under Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.
- 452 The Council only has the power to resolve that the revocation/suspension will take immediate effect if it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect. The interest of public safety is not defined and is for the Council to determine. However, regard will be had to any risks to public safety arising from concerns about the licence-holder's driving standards, his character including but not limited to dishonesty, violent behaviour, involvement in drink or drugs, inappropriate sexual conduct, any relevant previous convictions and any other matters the Council may deem relevant.
- 5.3 Before reaching a decision, in most cases and where practical, the Council shall give the licence holder the opportunity to make representations as to whether or not the revocation/suspension will take immediate effect.
- 5.4 The overriding consideration shall always be the safety and protection of passengers and the general public.
- 5.5 Matters such as unemployment and home circumstances should not be taken into account when determining whether the revocation or suspension will take place immediately and therefore shall not outweigh the public safety factor.
- 5.6 Where the Council has decided that a licence-holder is no longer "fit and proper" to hold a licence, for reasons of public safety, the presumption will be that ~~require~~ the revocation of the licence shall have immediate effect.
- 5.7 If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, the Council will give notice to the driver,

which includes a statement to that effect and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

5.8 Appeals

Any applicant refused a driver's licence, or who has their licence suspended or revoked on the grounds that the licensing authority is not satisfied they are a fit and proper person to hold such a licence has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, s77 (1)].

6.0 Considerations given to Offences

This section deals with the types of offences and applies to **new and renewal applications**, and upon **review** of a current licence.

6.1 Serious offences involving violence

Licensed drivers have close regular contact with the public. A firm line will be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.

6.2 Unless there are exceptional circumstances a licence will **not normally** be granted where the applicant has a conviction for an offence such as:

1. Murder
2. Manslaughter
3. Manslaughter or culpable homicide while driving
4. Terrorism offences
5. Kidnapping or abduction
6. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.3 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) to those below unless at least **10 years** have passed since the completion of any sentence and /or licence period:

1. Arson
2. Malicious wounding or grievous bodily harm which is racially aggravated
3. Actual bodily harm which is racially aggravated
4. Grievous bodily harm with intent
5. Robbery
6. Possession of firearm
7. Riot
8. Assault Police

- 9. Common assault with racially aggravated
- 10. Violent disorder
- 11. Threats to kill
- 12. Resisting arrest
- 13. Hate crime against a person
- 14. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

6.4 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below unless at least **5 years** have passed since the completion of any sentence and/or licence period:

- 1. Racially-aggravated criminal damage
- 2. Racially-aggravated offence
- 3. Hate crime against property
- 4. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

6.5 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below unless at least **3 years** have passed since the completion of any sentence and/or licence period:

- 1. Common assault/Battery
- 2. Assault occasioning actual bodily harm
- 3. Affray
- 4. S5 Public Order Act 1986 offence (harassment, alarm or distress)
- 5. S4 Public Order Act 1986 offence (fear of provocation of violence)
- 6. S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- 7. Obstruction
- 8. Criminal damage
- 9. Harassment
- 10. Offences involving anti-social behaviour
- 11. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.6 A licence will not normally be granted if an applicant has more than one conviction in the last **10 years** for an offence of a violent nature.

6.7 In the event of a licence being granted, despite convictions against the Applicant, a strict warning both verbally and in writing should be administered. If a warning is issued, this will remain in place for a period commensurate with the time periods in the relevant sections above.

6.8 Possession of a weapon

If an applicant has been convicted of possession of a weapon or any other weapon related offence, depending on the circumstances of the offence, at least **3 years** must have passed since the completion of the sentence, before a licence is granted.

6.9 Sexual and indecency offences

As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. All sexual offences should be considered as serious. Applicants with convictions for sexual offences will **normally be refused a licence upon application, renewal or review.**

Such offences include:

1. Rape
2. Assault by penetration
3. Offences involving children or vulnerable adults
4. Grooming, Trafficking or other Sexual Exploitation related offences (adults and/or children)
5. Making or distributing obscene material
6. Possession of indecent photographs depicting child pornography.
7. Sexual assault
8. Indecent assault
9. Exploitation of prostitution
10. Any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.10 In relation to indecency offences, an applicant should be free of conviction for at least **5 years** (or at least **5 years** must have passed since the completion of the sentence, whichever is longer), if he / she has a conviction for an offence such as:

1. Making indecent telephone calls
2. Importuning
3. Indecent exposure
4. Soliciting (kerb crawling)
5. Any similar offences (including attempted or conspiracy to commit) offences which replace the above.

6.11 A licence will **not normally be granted** if an applicant has more than one conviction for an indecency offence.

6.12 In addition to the above the licensing authority will **not normally grant a licence** to any applicant who is currently on the Sex Offenders Register or any other similar register.

6.13 Dishonesty

A licensed driver is expected to be trustworthy. In the course of their working duties drivers will deal with cash transactions and valuable property may be left in their vehicles. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. For these reasons, a serious view is taken of any conviction involving dishonesty.

6.14 In general, a minimum period of **3 years** free of conviction or at least **3 years** have passed since the completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:

1. theft
2. burglary
3. fraud
4. benefit fraud
5. handling or receiving stolen goods
6. forgery
7. conspiracy to defraud
8. obtaining money or property by deception
9. other deception
10. taking a vehicle without consent
11. or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.15 Applicants or existing licence holders that are found to have intentionally misled the council, or lied as part of the application process, will not normally be issued with a licence.

6.16 **Alcohol and Drugs**

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. In some cases, a warning may be appropriate. However, a number of convictions for drunkenness, including drunk and disorderly or drunk and incapable, could indicate a medical problem necessitating critical examination and refusal of licence.

6.17 In addition, the applicant will normally be required to show a period of **10 years** has elapsed after completion of detoxification treatment if (s)he was an alcoholic.

6.18 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.

6.19 A licence will not normally be granted where the applicant has more than one conviction for offences related to the supply of drugs and has not been free of conviction for **10 years**.

- 6.20 A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for **5 years**.
- 6.21 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last **3-5 years** may be granted a licence, but consideration should be given to the nature and quantity of the drugs.
- 6.22 If there is evidence of persistent drug use, misuse or dependency, a specialist examination (in accordance with the DVLA group two medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of **5 years** free from drug taking after detoxification treatment.

6.23 Driving offences involving the loss of life

A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted if the applicant has a conviction for:

1. Causing death by dangerous driving
2. Causing death by careless driving whilst under the influence of drink or drugs
3. Causing death by driving: unlicensed, disqualified or uninsured drivers
4. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

- 6.24 Before a licence is granted, an applicant should be free of conviction for **10 years** (or at least **10 years** must have passed since the completion of the sentence, whichever is longer) if the applicant has a conviction for:
1. Causing death by careless driving
 2. Causing death by driving: unlicensed, disqualified or uninsured drivers.

6.25 Driving offences involving alcohol and/or drugs

A serious view will be taken of convictions of driving, or attempting to drive, or being in charge of a vehicle while under the influence of drink or drugs. Where a disqualification has occurred as a result of a drug or drink-driving offence, at least **5 years** free of conviction should elapse after the restoration of the DVLA licence before an applicant is granted a licence.

- 6.26 More than one conviction for this type of offence or one such offence within the last **5 years** is likely to merit refusal.

In addition, applicants will normally be required to show a period of at least **5 years** has elapsed after completion of detoxification treatment if (s)he was an alcoholic or drug addict.

6.27 Appendix one sets out the traffic offences related to in this section.

6.28 Major Traffic Offences

Subject to the above paragraphs an isolated conviction for a major traffic offence, without disqualification, such as dangerous driving or driving without due care and attention will require careful consideration of the facts and will at the very least merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire drivers. However, where the conviction is within **6 months** prior to the date of the application the application will normally be refused.

6.29 In cases of disqualification at least **3 years** free from conviction after the restoration of the DVLA licence should normally elapse before an applicant is granted a licence.

6.30 Where an applicant has been convicted of a major traffic offence which has not resulted in disqualification, careful consideration should be given to the circumstances surrounding the offence. An application for a licence will normally be refused where the offence occurred less than **2 years** prior to the application.

6.31 Where an existing licence holder is disqualified from driving as a result of a conviction for a major traffic offence, the licence will normally be revoked.

6.32 Where an existing licence holder is convicted of a major traffic offence, but the licence-holder is not disqualified from driving, the licence should normally be revoked or not renewed and any subsequent application for a new licence will be determined in accordance with the guidance above.

6.33 A list of offences to which this section applies is attached as Appendix two

6.34 Minor Traffic Offences

Isolated convictions for minor traffic offences should not prevent a person from proceeding with an application. However, the number, type and frequency of this type of offence will be taken into account. If there are several minor traffic offences the applicant will normally be expected to show a period free of conviction of at least 6 months.

6.35 An application with a points total **above 7** will merit further consideration. A licence will normally be refused where the applicant has **12 or more penalty points** on his DVLA licence for minor traffic offences but has not been disqualified from driving.

- 6.36 Where an offence has resulted in the applicant being disqualified from driving for a period of time this will normally be taken as reflecting seriously on the applicant's driving standard.
- 6.37 Generally, a period of **12 months** free from conviction must have elapsed from the restoration of the DVLA licence.
- 6.38 Where an existing licence holder is disqualified from driving the licence will normally be revoked by the Director- Safety under delegated powers.
- 6.39 A list of offences to which this section applies is attached as **Appendix three**

6.40 Totting Up Disqualifications

- 6.41 Where a number of traffic offences has resulted in a driver receiving **12 penalty** points or more on his/her licence the driver will be disqualified from driving unless the Court is satisfied that exceptional hardship would be suffered by an individual if disqualified. This is known as a "totting-up" disqualification. Where an applicant has a totting-up disqualification an application will usually be refused until a period of between **12 months and 2 years** has lapsed from the restoration of the DVLA licence depending on the seriousness of the offences which led to the totting up.
- 6.42 Where an existing licence holder is disqualified from driving as a result of a totting up, the licence will normally be revoked.

6.43 Hybrid traffic offences

Offences of the type listed in Appendix three will be treated as **major** traffic offences if the court awarded **4** or more penalty points for the offence and as **minor** traffic offences if the court awarded **3** or less penalty points for the offence.

- 6.44 Any applicant who has committed an offence of plying for hire within 6 months of their application will normally be refused a licence. Any existing licence holder found to have committed this offence will be judged on the circumstances of the case, and at the least suspension of the licence should be considered. Where a driver is convicted on more than one occasion the licence may be revoked or not granted. Consideration will be taken if the offence of plying for hire was accompanied by the fact that at the time there was no insurance cover in place for the vehicle in line with 5.46 below. It will be up to the applicant to prove that there was valid insurance in place at the time of the offence.

6.45 Insurance Offences

A serious view will be taken of convictions of driving a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted

provided he/she has been free of conviction for **3 years**. However, strict warning should be given as to future behaviour. More than one of these offences would normally prevent a licence being granted or renewed. Isolated incidents associated with a licensing offence will not necessarily prevent a licence being granted or renewed. Each case will be prevented on its merits.

- 6.46 At least **3 years** should elapse (after restoration of the DVLA driving licence), before a licence would normally be granted for a HC or PH drivers licence. An operator found guilty of aiding and abetting the driving passengers for hire and reward whilst without insurance will have his operator's licence revoked immediately and prevented from holding a licence for **3 years**.

DRAFT

MAJOR TRAFFIC OFFENCES

- AC10 Failing to stop after an accident
- AC20 Failing to give particulars or to report an accident within 24 hours
- AC30 Undefined accident offences

- BA10 Driving while disqualified by order of court
- BA30 Attempting to drive while disqualified by order of court
- BA40 Causing death by driving while disqualified
- BA60 Causing serious injury by driving while disqualified

- CD10 Driving without due care and attention
- CD20 Driving without reasonable consideration for other road users
- CD30 Driving without due care and attention or without reasonable consideration for other road users
- CD40 Causing death through careless driving when unfit through drink *
- CD50 Causing death by careless driving when unfit through drugs *
- CD60 Causing death by careless driving with alcohol level above the limit *
- CD70 Causing death by careless driving then failing to supply a specimen for analysis *
- CD80 Causing death by careless or inconsiderate driving *
- CD90 Causing Death by driving: unlicensed, disqualified or uninsured drivers *

- DD40 Dangerous driving
- DD60 Manslaughter or culpable homicide while driving a vehicle *
- DD80 Causing death by dangerous driving *
- DD90 Furious driving
- DG60 Causing death by careless driving with drug level above the limit*

The above offences marked * are dealt with in the section entitled driving offences involving the loss life

- DR10 Driving or attempting to drive with alcohol level above limit +
- DR20 Driving or attempting to drive while unfit through drink +
- DR31 Driving or attempting to drive then refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity
- DR40 In charge of a vehicle while alcohol level above limit +
- DR50 In charge of a vehicle while unfit through drink +
- DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
- DR61 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive +
- DR70 Failing to provide specimen for breath test +
- DR80 Driving or attempting to drive when unfit through drugs +
- DR90 In charge of a vehicle when unfit through drugs +

DG10 Driving or attempting to drive with drug level above the specified limit

DG40 In charge of a vehicle while drug level above the specified limit

The above offences marked + are dealt with in the section entitled alcohol and drugs

IN10 Using a vehicle uninsured against third party risks

LC20 Driving otherwise than in accordance with a licence

LC30 Driving after making a false declaration about fitness when applying for a licence

LC40 Driving a vehicle having failed to notify a disability

LC50 Driving after a licence has been revoked or refused on medical grounds

MS50 Motor racing on the highway

UT50 Aggravated taking of a vehicle

TT99 signifies a disqualification under the totting up procedure 12 or more points within three years

DRAFT

MINOR TRAFFIC OFFENCES

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers
- CU80 Using a mobile phone while driving a vehicle
- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS30 Play street Offences
- MS40 Driving with uncorrected defective eyesight or refusing to submit to a test
- MS60 Offences not covered by other codes
- MS70 Driving with uncorrected defective eyesight
- MS80 Refusing to submit to an eyesight test
- MS90 Failure to give information as to the identity of driver etc.
- MW10 Contravention of Special Road Regulations (excluding speed limits)
- PC10 Undefined contravention of Pedestrian Crossing Regulations
- PC20 Contravention of Pedestrian Crossing Regulations with moving vehicle
- PC30 Contravention of Pedestrian Crossing Regulations with stationary vehicle
- SPI0 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence
- TS10 Failing to comply with traffic light signals
- TS20 Failing to comply with double white lines
- TS30 Failing to comply with a "Stop" sign
- TS40 Failing to comply with direction of a constable/ warden
- TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
- TS60 Failing to comply with school crossing patrol sign
- TS70 Undefined failure to comply with a traffic direction sign

HYBRID TRAFFIC OFFENCES

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers

- SPI0 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence

Other non endorsable motoring offences i.e. no MOT

NOTE:

All offences in Appendix One to Three may also the following codes

Aiding, abetting, counselling or procuring

Offences as coded above, but with 0 changed to 2 (e.g. CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 changed to 4 (e.g. CU10 becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. CU10 becomes CU16)

Appendix Five

Code of Conduct

Preservation of a professional and responsible Hackney Carriage and Private Hire trade

Licence holders shall promote the Hackney Carriage and Private Hire trade by:

- Complying with this Code of Conduct
- Complying with all the conditions of their licence, byelaws and the Authority's Hackney Carriage and Private Hire Licensing Policy Statement
- Behaving in a civil, orderly and responsible manner at all times, including being polite, helpful and fair to passengers
- Paying attention to personal hygiene and dress so as to present a professional image to the public (see Dress Code)
- Not eating or drinking in the vehicle in the presence of customers
- Keep their vehicles clean and suitable for Hire to the public at all times
- Respecting authorised Officers during their normal course of their duties

Protection of public health and safety

Licence holders shall:

- Maintain their vehicles in a safe and satisfactory condition at all times
- Not consume alcohol immediately before or at any time whilst driving or being in charge of a Hackney Carriage or Private Hire vehicle
- Not drive while having misused legal or taken illegal drugs
- Comply with legislation regarding the length of working hours
- Drive with care and due consideration for other road users and pedestrians
- Obey all Traffic Regulation Orders and directions at all times
- Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle
- Not smoke in the vehicle at any time

Access to an efficient and effective public transport service

Licence holders shall:

- Attend punctually when undertaking pre-booked Hires
- Assist where necessary, passengers into and out of vehicles
- Provide passengers reasonable assistance with luggage

Protection of the environment

To avoid nuisance to residents when picking up or waiting for a fare, a driver shall:

- Not sound the horn or other audible warning instrument on the vehicle, other than in accordance with the Highway Code, to attract the attention of passengers
- Keep the volume of music media players, radios and/or other audio/visual devices to a minimum
- Switch off the engine if required to wait
- Take whatever additional action is necessary to avoid disturbance to residents in the locality

At taxi ranks licence holders shall, in addition to the requirements above:

- Rank in an orderly manner and proceed along the rank in order and promptly

At Private Hire offices licence holders shall:

- Not allow their music media players, radios and/or other audio/visual devices to cause disturbance to residents of the neighbourhood
- Take whatever additional action is necessary to avoid disturbance to residents of the neighbourhood, which might arise from the conduct of their business.

All of the above items are deemed to be of equal importance. By accepting their licence, the holder is deemed to have accepted the above code of conduct.

Standard Conditions on Hackney Carriage/Private Hire and Private Ambulance
Drivers Licences and Hackney Carriage Bye-Laws.

A Standard Conditions – Hackney Carriage/Private Hire and Private Ambulance

- Notes: (1) The holder of an Private Ambulance Drivers Licence may only drive a licensed Private Ambulance Vehicle
(2) Those Clauses marked with an asterisk shall not form part of an Private Ambulance Drivers Licence or will be amended as shown

1 Conduct of Driver

The driver shall:-

- 1.1 afford all reasonable assistance with passengers' luggage;
- 1.2 at all times be clean and respectable in their dress and person and behave in a civil and orderly manner. In particular drivers shall abide by the dress code set out at paragraph 22 below ;
- 1.3 take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle;
- 1.4 not smoke, drink or eat in the vehicle;
- 1.5 not without the express consent of the hirer, play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- 1.6 at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle; and
- 1.7 ensure that the vehicle is kept clean and well maintained in every way fit for public service.

2. Driver's Badge

The driver shall, when driving a Hackney Carriage/Private Hire/Private Ambulance vehicle wear the driver's badge issued by the Council in such position and manner as to be plainly visible.

3. Licence Plate

The driver shall ensure that the licence plates issued in respect of the vehicle is clearly displayed in the front window of the vehicle and securely fixed and displayed to the exterior of the vehicle.

4. *Taxi Meter and Fare to be Demanded

While acting as a driver of a hackney carriage and plying for hire within the District the driver shall charge and cause to be paid the fare calculated at the rate set out in the table of fares displayed in the vehicle and determined from time to time by the Council.

The driver shall not cause the fare recorded on the taxi meter to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.

5. Fare to be Demanded

The driver shall not demand from any hirer of a private hire or private ambulance vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter the fare shown on the face of the taximeter.

6. Waiting for Hire

The driver shall NOT permit the Private Hire and Private Ambulance vehicle to wait on stands appointed for Hackney Carriages NOR accept an offer for immediate hire while that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by telephone or other apparatus; and without the Driver having first procured the offer in any way.

7. Prompt Attendance

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

8. Route Taken

The driver of a Hackney Carriage/Private Hire vehicle when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

9. Passengers

The driver shall not convey or permit to be conveyed in a Hackney carriage/Private Hire and Private Ambulance vehicle a greater number of persons than that prescribed in the licence for the vehicle, irrespective of whether they are children or not.

The carrying of pets shall be at the driver's discretion subject to the obligation to carry guide, dogs, hearing dogs or assistance dogs in accordance with the Disability Discrimination Act 1995 (as amended) and by the regulations made under that Act. The only exception to this obligation is if the driver has an allergy. In this case a medical certificate must be provided to the Council

10. Seat Belts

Where seatbelts are provided for use by passengers, the driver shall advise passengers of their requirement to wear the seatbelts.

It is the driver's responsibility to ensure that all children wear seatbelts or use appropriate child restraints in accordance with the table below.

Occupant	Front Seat	Rear Seat	Who is responsible
Driver	Seatbelt must be worn. (Subject to exemptions in law)		Driver
Child under 3 years of age	Correct child restraint must be used.	Correct child restraint must be used. If one is not available in a Taxi, may travel unrestrained in the back	Driver
Child from 3 rd birthday up to 135cms in height (or 12 birthday, whichever they reach first)	Correct child restraint must be used	Correct child restraint must be used where seat belts are fitted. Must use adult belt in a rear seat if correct child restraint is not available in a taxi	Driver
Child aged 12 or 13, or over 135cms in height.	Seatbelt must be worn if fitted.	Seatbelt must be worn if fitted	Driver
Adult passengers.	Seatbelt must be worn if fitted.	Seatbelt must be worn if fitted.	Passenger

11. Lost Property

11.1 The driver shall immediately after the termination of any hiring of a Hackney Carriage/Private hire vehicle/Private Hire Ambulance, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there;

11.2 If any property accidentally left in a vehicle by any person who may have been conveyed therein is found by or handed to the driver, they shall seek to identify the owner thereof and failing which, the property shall be delivered to the nearest Police Station or the Council offices, Kelham Hall, Newark with an explanation of the circumstances.

12. Luggage

The driver shall, when requested by the hirer, convey a reasonable quantity of luggage, and afford reasonable assistance with the loading and unloading and removal thereof to the entrance of any house or place at which they may take-up or set-down the hirer.

13. Written Receipts

The driver shall, if requested by the hirer of a Hackney Carriage/Private Hire vehicle/Private Hire Ambulance provide them with a written receipt of the fare paid.

14. Deposit of Licence

If the driver is permitted or employed to drive a Hackney Carriage/Private Hire/Private Ambulance vehicle of which the Proprietor/Operator is someone other than themselves, they shall before commencing to drive that vehicle deposit the licence with that Proprietor/Operator until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle owned by the Proprietor/Operator.

15. Change of Address

The driver shall notify the Council in writing of any change of their address during the period of the licence within 7 days of such change taking place.

16 Interviews & Documents

Where a driver is requested to attend an interview relating to the driving or operation of a vehicle licensed by the Council and fails to attend without reasonable excuse the Council may suspend this *driver's* licence without notice. If a driver is requested to attend any of the Council's offices and produce any documents relating to a licensed vehicle, failure to do so within seven days of the request without reasonable excuse may also result in the suspension of this *driver's* licence

17. Convictions

The driver shall, within 7 days, disclose to the Council in writing details of any conviction imposed upon them during the period of the licence. (For the purposes of this condition, a Fixed Penalty Ticket is deemed to be a conviction). When a driving licence issued by DVLA has been endorsed with 9 or more penalty points in total whether at one time or over a period the driver shall be required to attend a meeting of the General Purposes Committee for it to assess whether he or she remains a fit and proper person to hold a Hackney Carriage/Private Hire and Private Ambulance Driver's licence.

18. Disqualifications

Where a driver is disqualified from driving during the period of a licence, that Hackney Carriage/Private Hire and Private Ambulance Drivers Licence shall become automatically revoked and the licence and badge issued to the driver shall be returned to the Council forthwith.

19. Return of Badge

The driver shall, upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the Council the driver's badge issued to them by the Council when granting this licence.

20. Fire Extinguisher and First Aid Kit

The driver shall ensure that the vehicle is equipped with the relevant serviceable fire extinguisher (a minimum 1 litre AFFF or 1KG dry powder type) and first aid kit. Both of these are to be located in accordance with the Councils Supplementary Testing Manual. The First Aid Kit shall consist of at least the following items :

- | | |
|---|--|
| (a) Basic instruction card covering Expired Air Respiration, External Cardiac Compression, Treatment of Shock, Recovery Position and Treatment for Bleeding Control | (g) assorted individual plasters |
| (b) 1 triangular bandage | (h) 6 10cm x 10cm Melolin Squares |
| (c) 1 No.16 eye dressing | (i) 1 roll surgical tape such as Micropore |
| (d) 3 No 9 large dressings | (j) 1 pair blunt ended scissors |
| (e) 3 No 8 medium dressings | |
| (f) 3 No 7 small finger dressings | |

All of these items are to be contained in a serviceable box, satchel or other suitable container marked as a First Aid Kit

21 Dress Code

Drivers shall be required to comply with the dress code at all times.

22. Newark and Sherwood District Byelaws

The Byelaws for the time being in force in the District of Newark and Sherwood with respect to Hackney Carriage and Private Hire Vehicles, Private Hire Operators, Hackney Carriage Proprietors and Hackney Carriage/Private Hire Drivers shall apply to this licence and are incorporated as if they were herein set out in full as conditions of this licence

B Hackney Carriage Bye Laws

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

INTERPRETATION

1. Throughout these byelaws “the Council” means the Newark and Sherwood District Council and the “district” means the District of Newark and Sherwood.

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

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

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) if such hackney carriage is mechanically propelled, cause the roof or covering to be kept water-tight;
 - (c) if such hackney carriage is mechanically propelled, provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
 - (i) if such hackney carriage is mechanically propelled, provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a motorised 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 letters and figures shall be capable of being suitably illuminated during any period of hiring; and
 - (f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

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

5. The driver of a motorised 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 a 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; and
 - (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.

6. A proprietor or driver of a motorised hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a motorised 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 for the purposes of such a carriage;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. 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.
9. The driver of a hackney carriage shall not when driving for hire smoke without the express permission of the hirer.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:-
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such person.

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

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

Provided always that where a motorised 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.

- (b) The proprietor or driver of a horse drawn hackney carriage shall be entitled to demand and take for the hire of the carriage the fare prescribed by the Council, such fare being calculated by measured distance over a number of prescribed routes.
15. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

16. The 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.
17. 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 forty-eight hours, if not sooner claimed by or on behalf of its owner, to the office of the

Council and leave it in the custody of the officer in charge of the office 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 five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

Provisions in respect of horse drawn hackney carriages

- 18. The driver of a horse drawn hackney carriage shall, when plying for hire, stand only on ranks specially appointed for the purpose.
- 19. A proprietor or driver of a horse drawn hackney carriage shall not, while standing, plying or driving for hire, drive or allow to be driven or harness or allow to be harnessed to the carriage any animal in such a condition as to expose any person conveyed or being in such carriage, or any person traversing any street, to risk of injury.
- 20. The driver of a horse drawn hackney carriage shall, while standing, plying or driving for hire, cause every part of the harness of any horse hitched up to the carriage to be kept in order, so that the horse shall be properly and securely attached to the carriage, and under due control.
- 21. Every proprietor of a horse drawn hackney carriage shall provide the carriage with a sufficient drag chain and slipper or other sufficient brake.
- 22. A proprietor or driver of a horse drawn hackney carriage shall not, in any street, feed or allow to be fed any horse harnessed or otherwise attached to such carriage, except with food contained in a proper bag or other receptacle suspended from the head of such horse or from the centre pole of the carriage, or which is held in and delivered with the hand of the person feeding such horse.
- 23. A proprietor or driver of a horse drawn hackney carriage shall not exercise his calling between half an hour after sunset and half an hour before sunrise.
- 24. A proprietor or driver of a horse drawn hackney carriage shall not permit a horse used to draw a hackney carriage to be harnessed or otherwise attached to such carriage for more than seven hours in any one day or for more than four consecutive hours.

PENALTIES

- 25. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level two 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 therefor.

REPEAL OF BYELAWS

26. The byelaws relating to hackney carriages which were made by the Mayor, Aldermen and Burgesses of the Borough of Newark on the seventh day of January 1966, and which were confirmed by one of Her Majesty's Principal Secretaries of State on the first day of May 1966 and the byelaws relating to hackney carriages made by the Newark District Council on the first day of March 1975, and which were confirmed by one of her Majesty's Principal Secretaries of State on the twenty fifth day of April 1975 are hereby repealed.

Appendix Seven

DRESS CODE

1. General Standard

- 1.1 The driver must be clean and tidy in appearance.
- 1.2 The driver shall, at all times, be dressed in a manner not to cause embarrassment to members of the public, this to include attention to personal hygiene so as to present a professional image to the public.

2. Acceptable Standard of Dress

- 2.1 The following is considered to be an acceptable standard of dress.
 - Shirts, blouses, polo shirts, sweat tops, jumpers, cardigans or fleece jackets should cover the shoulders and be of a sufficient length to enable them to be tucked into trousers or shorts.
 - Shirts or blouses can be worn with a tie or open-necked.
 - Clothing bearing the company logo is acceptable.
 - Trousers may be either full length or shorts, if tailored.
 - Smart jeans are permitted.
 - Footwear should fit around the heel of the feet.
 - Dresses and skirts must be of at least knee length.
 - Suitable headwear to be worn in a correct manner.

3. Unacceptable Standard of Dress

- 3.1 The items below are considered unacceptable to be worn by drivers whilst on duty.
 - Bare chests.
 - No combat or camouflage clothing.
 - Items of clothing that depicts affiliation to a particular sporting team.
 - Unclean or damaged clothing or footwear.
 - Clothing with offensive words, logos or graphics.
 - Beach type footwear (e.g. flip flops, also no bare feet)
 - Hooded garments

Appendix Eight

Code of Conduct when working with Vulnerable Passengers

This code of conduct aims to promote good safeguarding practice for drivers and staff working with vulnerable passengers in the taxi or private hire trade. The following safeguarding principles should be embedded into driver working practice:

Drivers should carry photo ID at all times, and wear it in accordance with the conditions of licence.

If necessary, you should obtain a record of the carer's contact details if there is no chaperone.

If a vulnerable passenger is refused service a responsible person should be informed so that alternative arrangements can be made. For example, this situation may arise if the customer has an assistance dog and the driver has a medical exemption granted by the council.

Always ask if a vulnerable passenger needs help, do not assume.

Drivers should remain professional at all times and should not:

- o Touch a vulnerable person inappropriately
- o Make offensive or inappropriate comments (such as the use of swearing or sexualised or discriminatory language)
- o Behave in a way that may make a vulnerable passenger feel intimidated or threatened
- o Attempt to misuse personal details obtained via the business about a vulnerable person

A log should be maintained by drivers when a service has been provided to a vulnerable passenger including the details of any incidents occurring / actions taken or refusals of service.

If you are concerned about the safety, welfare or behaviour of a vulnerable person, you should report this to the police by telephoning 101 (or in appropriate cases by calling 999).

If you are concerned about someone else's conduct, you should report your concerns to the council's licensing department (01636 650000), police (101) or Crimestoppers (0800 555111).

Appendix Nine

PLANNING REQUIREMENTS FOR PRIVATE HIRE AND AMBULANCE OPERATORS

1. Vehicles

1.1 Planning Permission may not be required for the operation of a taxi and/or private hire business from a private residential property but you should always check with the Planning Department. The factors that will be taken into consideration are;

- (i) the location of the property;
- (ii) the number of vehicle parked at and/or controlled from the property;
- (iii) if the vehicle is to be based at or controlled from the property. It is likely to require planning permission if the level of activity is such that it causes a material change of use;
- (iv) if the operations form part of a light haulage/courier operation;
- (v) the hours of the proposed movement of vehicles, i.e. during the night or early mornings;
- (vi) maintenance (such as minor servicing) that may take place on or at the property;

2. Aerials

2.1 The permitted development rights for aerials are set out in The Town and Country Planning (General Permitted Development) Order 1995 (as amended) at Class H. This sets out the permitted allowances for the installation, alteration or replacement of a microwave antenna (aerial) on a dwellinghouse or within the curtilage of a dwellinghouse. It should be noted that such legislation is subject to change and you should ensure that this is the right legislation when considering such development.

2.2 In order to establish whether or not planning permission would be required for the operation of a taxi and/or private hire business and/or the installation of an aerial you should complete and submit an Enquiry Form which can be downloaded from the Council's website at <http://www.newark-sherwooddc.gov.uk/planningapplications> or phone 01636 650000 and request that one be sent in the post to you. A fee is payable for this service.

2.3 If planning permission is required then you can use the Local Planning Authority's Pre-application service to determine whether or not such development would be considered favourably.

2.4 Provided no valid planning complaints are received regarding the operation of the business, the Local Planning Authority will continue to honour the informal guidance offered to proprietors who were operating a maximum of two taxis/private hire vehicles from a property prior to 1st January, 1994. However, proprietors who were

operating only one vehicle prior to and since 1st January, 1994, will now need to apply for planning permission if they wish to increase their number of vehicles to two or more.

- 2.5 Any pre-1994 two vehicle operators will also be required to apply for planning permission if they wish to increase their number of vehicles to three or more.

Appendix Ten

Private Hire and Ambulance Operator's Licence Conditions

1. No Operator of a Private Hire vehicle and/or Ambulance Vehicle which is licensed by Newark and Sherwood District Council under this Act shall invite or accept a booking for such vehicle, or control or arrange a journey to be undertaken by such vehicle, without first making available in writing, or giving orally, to the person making the booking information as to the basis of charge for the hire of the vehicle.
2. Every Operator of Private Hire vehicles and/or Ambulance Vehicles who accepts a booking for a Private Hire vehicle and/or Ambulance Vehicle for an appointed time and place, shall give the booking to a vehicle, allowing sufficient time for the vehicle to punctually attend.
3. The Operator, when accepting bookings under the terms and conditions of the licence, shall only operate drivers and vehicles licensed by the Newark and Sherwood District Council.
4. The holder of an Operator's licence shall not permit any person who is drunk, or is behaving in a disorderly manner, to remain upon the premises in respect of which the licence is in force.
5. If the Operator makes provision on any premises for the reception of members of the public proposing to hire a vehicle, the Operator must ensure that the premises are in a clean and tidy condition at all times and that adequate arrangements are made for the seating of customers within the premises.
6. The Operator, as Operator, and without prejudice to any other liability imposed under the Local Government (Miscellaneous Provisions) Act 1976, shall use their best endeavours to ensure that drivers and proprietors of vehicles owned or controlled or operated in association with the Operator shall observe and perform the conditions of their Private Hire Driver's Licence and their Private Hire Vehicle Licence.
7. The Operator shall maintain at their premises particulars of all vehicles operated by him or her, which shall include the following:-
 - (i) the licence plate number;
 - (ii) the registration number;
 - (iii) the name and address of proprietor;
 - (iv) the name(s) and address(s) or driver(s) of the above vehicle(s);

- (v) the badge number(s) of driver(s); and
 - (vi) copies of licences for all vehicles and drivers.
- 8 The records required by Condition 7 shall be produced to any Authorised Officer of the Council or Police Constable upon request
 - 9 The Council must be informed of any changes in the particulars detailed in Condition 7 above.
 - 10 The Operator shall enter in a bound book, the pages of which are numbered consecutively, particulars of every Private Hire booking and the particulars shall be entered in the book at the time of the booking and shall include the following:
 - (i) the time and date of each booking;
 - (ii) by what method the booking was received, i.e. telephone call or personal call;
 - (iii) journey from to
 - (iv) the name of the hirer and where the booking is received from another operator, the name of that operator;
 - (v) the Private Hire Vehicle and/or Ambulance Vehicle Licence Plate Number of the vehicle and the name and licence number of the driver which will attend or where the booking is passed onto another operator the name of that operator.
 - 11 An alternative method of record keeping may only be used with the written agreement of the Council, which will specify in detail how the records are to be kept.
 - 12 The records required in condition 10 shall be kept for a period of not less than 2 years, or such longer period as required by an Authorised Officer of the Council.
 - 13 A hard copy of the records must be produced immediately, on request, to any Authorised Officer of the Council or Police Constable.
 14. Where any bookings are sub contracted either by the operator to another licensed operator or are accepted by the operator from another operator a full record of the booking (in line with 10 above) and notes must be included; including the name of the sub contractor and contact information)
 15. The Operator shall not, knowingly or without the prior written consent of the Council, engage in partnership with, or allow or suffer any involvement in the management of the Operator hereby licensed:

- (a) any person who has been convicted of an offence under the Local Government (Miscellaneous Provisions) Act 1976 or any other legislation relating to Private Hire and hackney carriage licensing; and
 - (b) any person who, for the purposes of Part II of the said Act, has been found by any Licensing Authority not to be a fit and proper person to hold a driver's or Operator's licence. (Your attention is drawn to the Rehabilitation of Offenders Act 1974).
16. The Operator shall notify the Council in writing of any change of their operating address, during the period of the licence within 7 days of such change taking place.
17. The Operator shall inform the Council of any:
- (a) any convictions by a Magistrates or Crown Court incurred during the period of the licence within 7 days of the conviction;
 - (b) Any High or County Court judgments against the operator or any partner director or officer of the Operator.,
18. The Operator shall be responsible for the actions of any manager, supervisor or any other person appointed to run the Private Hire business on their behalf.
19. The Byelaws for the time being in force in the District of Newark and Sherwood with respect of Hackney Carriages, Private Hire Vehicles, Private Hire Operators and Hackney Carriage and Private Hire Drivers shall apply to this licence and are incorporated as if they were herein set out in full as conditions of this licence.
20. A person who offends against a byelaw, or the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 is liable to a fine not exceeding level 3 on the standard scale. In addition, the Council may suspend or revoke an existing licence or refuse to renew a licence.
21. Your attention is drawn to the various provisions contained in the legislation referred to in these conditions which you are advised to obtain and read carefully.
22. The Operator shall keep, after having first seen the original, a copy of all cover notes and certificates of insurance issued to the said drivers/proprietors. The dates shown on such documents must show continuation of cover throughout the period that the vehicle is working in connection with the said Operator. When a "block" policy is held by the Operator a full list of all vehicles and drivers covered should be kept for at least **one year**.
- (a) Name and address of insurance company (and broker if applicable) insuring the use of the vehicle
 - (b) Date of commencement of any policy of insurance and of any cover notes issued with policy and cover note numbers relating to the use of the vehicle.
 - (c) Date of expiry of the policy and of any cover notes issued.

(d) Persons entitled under the terms of the policy to drive the vehicle and details of any limitations as to use (e.g. Private Hire or Public Hire).

23. Each Operator shall keep records of all complaints made to him or his agents or managers relative to any aspect of his business or persons at that time working with or employed by that Operator. The records shall be available at all times for inspection by an authorised officer of the Council. Any complaints received by the Operator shall be referred in writing to the Council, together with any action taken, where appropriate.
24. The Operator will monitor drivers working hours to ensure they are safe to transport the public. Although there is no legal framework for taxi driver's hours, it is incumbent upon the Operator to ensure drivers do not work long hours and that they are fit to driver and thus will not put the public at risk.
25. A licensed operator must inform the council if they are going to be absent from the day to day running of the business for a period of 2 consecutive months. In doing this, the operator must give the name of the person that will be responsible for the running of the business on their behalf.
26. The Operator must not operate a private hire vehicle / hackney carriage unless the vehicle and driver are licensed by Newark & Sherwood. The Operator must personally examine vehicle licences and insurance certificates to satisfy himself / herself as to their validity.

Appendix Eleven

Specification for Private Hire Vehicles and Hackney Carriages

1 Age of vehicles

- 1.1 Private Hire -
Generally vehicles must be under four years of age when first licensed and not over 8 years of age on renewal.
- 1.2 Hackney Carriage –
Generally vehicles must be under four years of age when first licensed and not over 8 years of age on renewal. A purpose built or wheelchair accessible hackney carriage must be under seven years of age when first licensed and not over 12 years of age on renewal.
- 1.3

1 Vehicle type

- 1.1 Vehicles for private hire applications must be Saloon, Hatchback, Estate Cars or a suitable wheelchair accessible vehicle. Vehicles not meeting this definition will be considered where the applicant can demonstrate a market need for a different type of vehicle.
- 1.2 Vehicles for Hackney Carriage applications must be Saloon, Hatchback, Estate cars, a purpose built hackney carriage, or a suitable wheelchair accessible vehicle. Vehicles not meeting this definition will be considered where the applicant can demonstrate a market need for a different type of vehicle.

2 Vehicle Power/Engine size

- 2.1 A minimum engine capacity of 90 Brake Horsepower (BHP)

3 Driver Configuration

- 3.1 Right hand drive.

4 Doors

- 4.1 Four passenger doors including the driver's door.

5 Seating:

- 5.1 seating should be for at least four, but not more than eight passengers in addition to the driver;

- 5.2 rearward facing seats over or rearward of the rear wheels and axle(s) having normal access only through a rear door will not be permitted;

- 5.3 sideways mounted seats will not be permitted.

6 Wheels and Tyres

- 6.1 All tyres, including the spare wheel, must be suitable for use on the vehicle

and conform to the requirements of the Original Manufacturers' Specification.

- 6.2 Run-flat tyres are acceptable on licensed vehicles.
- 6.3 'Space-saver' spare tyres are acceptable on licensed vehicles if they conform to the Original Manufacturers' Specification. If a 'space-saver' spare tyre is used on a licensed vehicle it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the 'space-saver' spare tyre is being used on the vehicle.
- 6.4 Original Manufacturers' Specification 'tyre repair kits / compressor' are permitted within licensed vehicles provided they comply with the relevant British Standards. If a 'tyre repair kit / compressor' is used on a licensed vehicle in lieu of a spare tyre it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the tyre repaired with the 'tyre repair kit / compressor' is being used on the vehicle.
- 6.5 All tyres must be crossply or radials (remould tyres and part worn tyres are NOT acceptable)

7 Vehicle Roof

- 7.1 A permanent roof which is watertight - a standard sun roof (i.e. sun roof fitted when new by manufacturer) or a sunroof fitted retrospectively will be allowed.

8 Vehicle Structure and Appearance

- 8.1 The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded;
- 8.2 A clean and smart appearance both externally and internally.

9 Luggage Compartment

- 9.1 A separate locking luggage area, or in the case of an estate vehicle, a permanent grille fitted sufficient to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat. Roof racks and, top boxes are permitted, but roof racks shall only be used for the transport of sports equipment.

10 Seat Belts

- 10.1 All vehicles must be fitted with fully operational seat belts, one for each passenger to be carried, fully compliant with the relevant British Standard, except where legislation specifically provides an exemption.

11 Mirrors

- 11.1 Internal rear view mirror

11.2 Nearside and offside exterior rear view mirrors.

12 Communication with Driver

12.1 Sufficient means by which a passenger can communicate with the driver.

13 Fire Extinguishers

13.1 An appliance for extinguishing fires must be carried in all licensed vehicles. Such an appliance must be suitable for vehicle fires (fire class B and C) and conform to BSEN 3, showing the appropriate kite-mark.

13.2 The appliance must be securely fixed in a position readily accessible to the Driver. It is acceptable for the appliance to be carried inside the vehicle's luggage compartment, however, it is preferable that the appliance is carried in the passenger compartment and visible to the passengers.

13.3 All extinguishers must be certified in accordance with the appropriate British Standard. The date of expiry must be clearly visible on the extinguisher. The extinguisher must be marked with the vehicle registration number or Licence Plate number.

14 First Aid Kit

14.1 All licensed vehicles must carry a first aid kit suitable for treating minor injuries that complies with the advice of the Health and Safety Executive as a minimum. There is no requirement for a driver to administer first aid treatment, however, the first aid kit should be made available to passengers or any person(s) where appropriate.

14.2 The first aid kit should be stored in such a position so as to be readily available to the driver at all times.

14.3 The first aid kit should be marked with the registration or plate number of the vehicle and replenished as necessary to conform to any product expiry date.

14.4 The following is a suggested list for the minimum requirements of the contents of a first aid kit:

- individually wrapped sterile plasters (of assorted sizes), appropriate to the type of work (you can provide hypoallergenic plasters if necessary);
- sterile eye pads;
- individually wrapped triangular bandages, preferably sterile;
- safety pins;
- large, individually wrapped, sterile, unmedicated wound dressings;
- medium-sized, individually wrapped, sterile, unmedicated wound dressings;
- disposable gloves

15 MOT certificate

15.1 An M.O.T. certificate, which must be produced on application.

*NOTE An MOT. certificate is required for licensed vehicles after the FIRST YEAR of registration.

16 Equipment

- 16.1 Spare wheel and tyre - properly stored to protect passengers' luggage.
- 16.2 Jack and Wheel brace
- 16.3 A reflective warning triangle together with a set of replacement light bulbs for all front and rear lights. The latter does not apply to vehicles with sealed unit lights which do not have replaceable bulbs
- 16.4 Fire extinguisher meeting the requirements of section 13.
- 16.5 An approved First aid kit. Meeting the requirements of section 14.

17 Modifications

- 17.1 No material alteration or change in the specification, design, condition or appearance of any licensed vehicle may be made without:
 - i) compliance with road traffic legislation,
 - ii) compliance with insurance requirements, and
 - iii) obtaining approval for the change(s) from the Council

18 Advertisements

- 18.1 Any advertising shall be confined to the door panels and rear boot panels and in the case of hackney carriages to the top sign as permitted by law.
- 18.2 No licensed vehicle shall carry an advertisement for any other hackney carriage or private hire proprietor, operator or company.
- 18.3 All advertisements shall be in good taste and contain no material that may be considered to be offensive to any section of the community. The Council retains the right to require advertising to be removed from vehicles.

19 Trailers

- 19.1 Trailers may only be used with the prior approval of the Council and subject to the following requirements:
- 19.2 The driver's DVLA driving licence must cover the categories that allow the towing of trailers, currently 'BE' for cars and 'D1E' for a minibus, as amended by any subsequent legislation.
- 19.3 The trailer must at all times comply with all requirements of road traffic legislation, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.

- 19.4 The vehicle insurance must include cover for towing a trailer.
- 19.5 Trailers must not be left unattended anywhere on the highway.
- 19.6 The speed restrictions applicable to trailers must be observed at all times.
- 19.7 A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.
- 19.8 Trailers must be approved by the Council's nominated garage.
- 19.9 Trailers must undergo any inspection required by the Council and in all cases be inspected at the same frequency of vehicles.
- 19.10 Trailers must display an identical Licence Plate to the licensed vehicle. The Council may charge an administrative fee for the duplicate plate.
- 19.11 Trailers cannot be used on a hackney carriage rank and should only be used for specific pre-booked journeys, not whilst plying for hire.

20 Windows

- 20.1 The front windscreen, front driver's side window and front passenger's side window must be clear glass. Exemption from this requirement will be given for original manufacturer's specification 'light tint' glass.
- 20.2 The rear windscreens of any vehicle shall not have been treated so that less than 75% of light is transmitted through it, and the rear passenger compartment side windows of any vehicle so that less than 70% of light is transmitted through them.
- 20.3 This section does not preclude any requirements provided for in any relevant legislation relating to road traffic vehicles.

21 Taxi Signage

- 21.1 A hackney carriage shall carry upon the roof, or as an alternative in or on the windscreen of the said vehicle, a sign which shall include the word "Taxi" or "For Hire" and shall be capable of being illuminated internally at all times when the vehicle is plying for hire, but not otherwise; and such sign shall be fixed in such manner and position and to be of such size as shall be approved by the Council.
- 21.2 A private hire vehicle shall NOT display any sign which might reasonably be taken to indicate that the vehicle is a hackney carriage, and for this purpose includes the word 'TAXI' or 'CAB' in the singular or the plural, or any word of similar meaning or appearance or such words in combination with any other word or words shall be taken to indicate that the vehicle is a hackney carriage licensed to ply for hire

22 Fare Meter

- 22.1 A hackney carriage shall be so constructed or adapted as to be capable of carrying the fare meter in a position acceptable to the Council and visible to all passengers at all times.

- 22.2 The Proprietor of the hackney carriage shall cause the official rates of fare to be exhibited in the carriage as to be clearly visible by all passengers. The Proprietor shall ensure that at all times the table of fares are kept in such condition that all lettering thereon is clearly visible to the passengers and shall renew the same cards as often as is necessary in order to comply with these conditions. Additional copies of the cards may be obtained from the Council.
- 22.3 The fare displayed on the taxi meter for the use of this vehicle when plying for hire within the district shall be strictly at the rate calculated in accordance with the scale of fares determined from time to time by the Council.
- 22.4 The Operator of a private hire vehicle is not required to fit a taximeter but no such vehicle so equipped shall be operated unless the taximeter has been tested by the Council.

23 Wheelchair Access

- 23.1 Where a vehicle is to be accessible to wheelchairs the following conditions apply:
- a Access may be through either the side or rear door for wheelchairs. The rear access for all passengers must not to be blocked by any chair lift once the doors are closed.
 - B Emergency signage must be provided where solid wheelchair ramps obscure emergency signs.
 - c. Wheelchair anchorage points and seat belts must be fitted to the vehicle in accordance with the relevant statutory provisions and British Standard

Appendix Twelve

AMBULANCE VEHICLES

Newark & Sherwood District Council will Licence as 'Ambulance Vehicles' a vehicle which meets the following criteria:

- 1 The vehicle must be exempt from Vehicle Excise Duty by reason of the application of Paragraph 6 of Schedule 2 of the Vehicle Excise and Registration Act 1994.
- 2 Manufacturers gross vehicle weight for the tyres and suspension actually fitted to the vehicle must be sufficient for a minimum payload equal to a full fuel tank, the driver and the number of passengers for which a licence is requested (at 70 kg per person) and luggage (at 20 kg per passenger); and where propane or Liquid Petroleum Gas is used as the vehicle fuel, the weight of extra equipment must be within the gross weight limit.
- 3 Wheels and Tyres
 - a Four/six (dependent on axle configuration) road wheels fitted with manufacturer's recommended size tyres.
 - b Arrangements must be made by the operator for the replacement of damaged or punctured tyres while the vehicle is in use.
- 4 A permanent roof which is watertight - a standard sun roof (i.e. sun roof fitted when new by manufacturer) or a sunroof fitted retrospectively will be allowed.
- 5 Generally vehicles must be under 5 years of age when first licensed and not over 8 years of age on renewal. However a vehicle which does not meet these criteria may be licensed subject to the conditions in Part V of this Appendix
- 6 The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded;
- 7 The vehicle must be fitted with rear seat belts or an appropriate means of restraining a stretcher bound patient (irrespective of age)
- 11 Nearside and offside exterior rear view mirrors.
- 12 Sufficient means by which a passenger can communicate with the driver.
- 13 A fully serviceable fire extinguisher, fitted in such a position to be readily available for use and a capacity of not less than 1.0 litre. The extinguisher must be suitable for use in ambulance.

- 14 An approved first aid kit.
- 15 An MOT certificate, which must be produced on application.

*NOTE An MOT. certificate is required for ambulance vehicles after the FIRST YEAR of registration.

- 16 A clean and smart appearance both externally and internally.

17 Equipment

- a A reflective warning triangle together with a set of replacement light bulbs for all front and rear lights. Where arrangements are in place under paragraph 3(b) for tires these may include provision for the replacement of bulbs if required.
- b* Fire extinguisher (minimum 1.0 litre).

*Located in accordance with the Supplementary Testing Manual

18 Age

Generally vehicles must be under 7 years of age when first licensed and not over 12 years of age on renewal. However a vehicle which does not meet these criteria may be licensed subject to the conditions in Part V of this Appendix.

Appendix Thirteen

Specification for Minibuses and Multi purpose Vehicles (MPVs)

1 Age of vehicles

- 1.1 Private Hire -
Generally vehicles must be under four years of age when first licensed and not over 8 years of age on renewal.
- 1.2 Hackney Carriage –
Generally vehicles must be under four years of age when first licensed and not over 8 years of age on renewal. A purpose built or wheelchair accessible hackney carriage must be under seven years of age when first licensed and not over 12 years of age on renewal.
- 1.3

1 Vehicle type

- 1.1 A private hire vehicle or Hackney Carriage licence will be granted in respect of a minibus or MPV constructed or adapted to carry up to 8 passengers i.e. 8 seats plus the driver's seat.

2 Vehicle Power/Engine size

- 2.1 A minimum engine capacity of 110 Brake Horsepower (BHP)

3 Driver Configuration

- 3.1 Right hand drive.

4 Passenger Doors

- 4.1 The vehicle must have appropriate emergency exit facilities i.e. two emergency doors as follows:
 - a) one side opening door and one rear opening door (which must not be a single vertically opening door) in addition to the driver and front passenger doors, both of which must be capable of being opened from the inside with direct access for all passengers; or
 - b) two side opening doors, in addition to the driver and the front passenger doors, both of which must be capable of being opened from the inside and with direct access for all passengers. For the avoidance of doubt this means that all passengers must be able to exit the vehicle without passing the end of another row of seats or having to lift, move or cross over another seat; and
 - c) all opening mechanisms must be to manufacturer's standard specifications or comply with current British Safety Standards.

5 Seating:

- 5.1 Seating should be for at least four, but not more than eight passengers in addition to the driver;
- 5.2 Rearward facing seats over or rearward of the rear wheels and axle(s) having normal access only through a rear door will not be permitted;
- 5.3 Sideway mounted seats will not be permitted.
- 5.4 Folding or moving seats which are so constructed to provide access to other seats and/or doors to which there is no direct access will be permitted so long as they have not been modified from the original design and construction of the vehicle.
- 5.5 Vehicles with folding or moving seats that provide access will be inspected prior to any approval being given for the use of the additional seats.

6 Wheels and Tyres

- 6.1 All tyres, including the spare wheel, must be suitable for use on the vehicle and conform to the requirements of the Original Manufacturers' Specification.
- 6.2 Run-flat tyres are acceptable on licensed vehicles.
- 6.3 'Space-saver' spare tyres are acceptable on licensed vehicles if they conform to the Original Manufacturers' Specification. If a 'space-saver' spare tyre is used on a licensed vehicle it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the 'space-saver' spare tyre is being used on the vehicle.
- 6.4 Original Manufacturers' Specification 'tyre repair kits / compressor' are permitted within licensed vehicles provided they comply with the relevant British Standards. If a 'tyre repair kit / compressor' is used on a licensed vehicle in lieu of a spare tyre it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the tyre repaired with the 'tyre repair kit / compressor' is being used on the vehicle.
- 6.5 All tyres must be crossply or radials (remould tyres and part worn tyres are NOT acceptable).

7 Vehicle Roof

- 7.1 A permanent roof which is watertight - a standard sun roof (i.e. sun roof fitted when new by manufacturer) or a sunroof fitted retrospectively will be allowed.

8 Vehicle Structure and Appearance

- 8.1 The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded;

8.2 A clean and smart appearance both externally and internally.

9 Luggage Compartment

9.1 A separate locking luggage area, or in the case of an estate vehicle, a permanent grille fitted sufficient to prevent luggage carried in the rear compartment from coming into contact with persons using the rear seat. Roof racks and, top boxes are permitted, but roof racks shall only be used for the transport of sports equipment.

10 Seat Belts

10.1 All vehicles must be fitted with fully operational seat belts, one for each passenger to be carried, fully compliant with the relevant British Standard, except where legislation specifically provides an exemption.

11 Mirrors

11.1 Internal rear view mirror.

11.2 Nearside and offside exterior rear view mirrors.

12 Communication with Driver

12.1 Sufficient means by which a passenger can communicate with the driver.

13 Fire Extinguishers

13.1 An appliance for extinguishing fires must be carried in all licensed vehicles. Such an appliance must be suitable for vehicle fires (fire class B and C) and conform to BSEN 3, showing the appropriate kite-mark.

13.2 The appliance must be securely fixed in a position readily accessible to the Driver. It is acceptable for the appliance to be carried inside the vehicle's luggage compartment, however, it is preferable that the appliance is carried in the passenger compartment and visible to the passengers.

13.3 All extinguishers must be certified in accordance with the appropriate British Standard. The date of expiry must be clearly visible on the extinguisher. The extinguisher must be marked with the vehicle registration number or Licence Plate number.

14 First Aid Kit

14.1 All licensed vehicles must carry a first aid kit suitable for treating minor injuries that complies with the advice of the Health and Safety Executive as a minimum. There is no requirement for a driver to administer first aid treatment, however, the first aid kit should be made available to passengers or any person(s) where appropriate.

- 14.2 The first aid kit should be stored in such a position so as to be readily available to the driver at all times.
- 14.3 The first aid kit should be marked with the registration or plate number of the vehicle and replenished as necessary to conform to any product expiry date.
- 14.4 The following is a suggested list for the minimum requirements of the contents of a first aid kit:
- individually wrapped sterile plasters (of assorted sizes), appropriate to the type of work (you can provide hypoallergenic plasters if necessary);
 - sterile eye pads;
 - individually wrapped triangular bandages, preferably sterile;
 - safety pins;
 - large, individually wrapped, sterile, unmedicated wound dressings;
 - medium-sized, individually wrapped, sterile, unmedicated wound dressings;
 - disposable gloves

15 MOT certificate

- 15.1 An M.O.T. certificate, which must be produced on application.

*NOTE An MOT. certificate is required for private ambulance vehicles, private hire vehicles and Hackney Carriages after the FIRST YEAR of registration.

16 Equipment

- 16.1 Spare wheel and tyre - properly stored to protect passengers' luggage. In compliance with section 6
- 16.2 Jack and Wheel brace
- 16.3 A reflective warning triangle together with a set of replacement light bulbs for all front and rear lights. The latter does not apply to vehicles with sealed unit lights which do not have replaceable bulbs

17 Modifications

- 17.1 No material alteration or change in the specification, design, condition or appearance of any licensed vehicle may be made without:
- i) compliance with road traffic legislation,
 - ii) compliance with insurance requirements, and
 - iii) obtaining approval for the change(s) from the Council

18 Advertisements

- 18.1 Any advertising shall be confined to the door panels and rear boot panels and in the case of hackney carriages to the top sign as permitted by law.

18.2 No licensed vehicle shall carry an advertisement for any other hackney carriage or private hire proprietor, operator or company.

18.3 All advertisements shall be in good taste and contain no material that may be considered to be offensive to any section of the community. The Council retains the right to require advertising to be removed from vehicles.

19 Trailers

Trailers may only be used with the prior approval of the Council and subject to the following requirements:

19.1 The driver's DVLA driving licence must cover the categories that allow the towing of trailers, currently 'BE' for cars and 'D1E' for a minibus, as amended by any subsequent legislation.

19.2 The trailer must at all times comply with all requirements of road traffic legislation, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.

19.3 The vehicle insurance must include cover for towing a trailer.

19.4 Trailers must not be left unattended anywhere on the highway.

19.5 The speed restrictions applicable to trailers must be observed at all times.

19.6 A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.

19.7 Trailers must be approved by the Council's nominated garage.

19.8 Trailers must undergo any inspection required by the Council and in any case this will be at intervals of every six months.

19.9 Trailers must display an identical Licence Plate to the licensed vehicle. The Council may charge an administrative fee for the duplicate plate.

19.10 Trailers cannot be used on a hackney carriage rank and should only be used for specific pre-booked journeys, not whilst plying for hire.

20 Windows

20.1 The front windscreen, front driver's side window and front passenger's side window must be clear glass. Exemption from this requirement will be given for original manufacturer's specification 'light tint' glass.

20.2 The rear windscreens of any vehicle shall not have been treated so that less than 75% of light is transmitted through it, and the rear passenger compartment side windows of any vehicle so that less than 70% of light is transmitted through them.

20.3 This section does not preclude any requirements provided for in any relevant legislation relating to road traffic vehicles.

21 Taxi Signage

21.1 A hackney carriage shall carry upon the roof, or as an alternative in or on the windscreen of the said vehicle, a sign which shall include the word "Taxi" or "For Hire" and shall be capable of being illuminated internally at all times when the vehicle is plying for hire, but not otherwise; and such sign shall be fixed in such manner and position and to be of such size as shall be approved by the Council.

21.2 A private hire vehicle shall NOT display any sign which might reasonably be taken to indicate that the vehicle is a hackney carriage, and for this purpose includes the word 'TAXI' or 'CAB' in the singular or the plural, or any word of similar meaning or appearance or such words in combination with any other word or words shall be taken to indicate that the vehicle is a hackney carriage licensed to ply for hire

22 Fare Meter

22.1 A hackney carriage shall be so constructed or adapted as to be capable of carrying the fare meter in a position acceptable to the Council and visible to all passengers at all times.

22.2 The Proprietor of the hackney carriage shall cause the official rates of fare to be exhibited in the carriage as to be clearly visible by all passengers. The Proprietor shall ensure that at all times the table of fares are kept in such condition that all lettering thereon is clearly visible to the passengers and shall renew the same cards as often as is necessary in order to comply with these conditions. Additional copies of the cards may be obtained from the Council.

22.3 The fare displayed on the taxi meter for the use of this vehicle when plying for hire within the district shall be strictly at the rate calculated in accordance with the scale of fares determined from time to time by the Council.

22.4 The Operator of a private hire vehicle is not required to fit a taximeter but no such vehicle so equipped shall be operated unless the taximeter has been tested by the Council.

23 Wheelchair Access

23.1 Where a vehicle is to be accessible to wheelchairs the following conditions apply:

- a Access may be through either the side or rear door for wheelchairs. The rear access for all passengers must not to be blocked by any chair lift once the doors are closed.
- B Emergency signage must be provided where solid wheelchair ramps obscure emergency signs.
- c. Wheelchair anchorage points and seat belts must be fitted to the vehicle in accordance with the relevant statutory provisions and British Standard

Appendix Fourteen

SPECIAL EVENT VEHICLES

1 Definition

1.1 A Special Event Vehicle is:

- (a) a vehicle which has been converted or adapted from the manufacturers original specification to increase the number of seats in the vehicle or increase its overall length:
or
- b) one which is not a saloon car, estate car, people carrier or minibus licensable under the Council' standard Private Hire Specification.

1.2 The licensing of Special Event Vehicles is always subject to the proviso that the Council is satisfied that the vehicle concerned is suitable in size, type and design for use as a Private Hire Vehicle. The Council's prime consideration is the safety and comfort of the travelling public and thus it reserves the right to refuse to licence any vehicle which, in its opinion, fails to meet this consideration.

1.3 Proprietors are reminded that Private Hire Cars, including Special Event Vehicles, licensed by Newark & Sherwood District Council must be controlled by the holder of a Private Hire Operator's Licence and can only be driven by the holder of a Hackney Carriage/Private Hire Driver's Licence, both issued by the Authority.

1.4 Before any vehicle is presented to the Council's Depot for mechanical testing the owner shall ensure that it complies with the following requirements and conditions.

- (a) The owner shall provide the following documents to the Council:
 - i) DVLA Registration Document (V5)
 - ii) Either:
 - (1) Single Vehicle Approval issued by VOSA: or
 - (2) A Qualified Vehicle Modifier certificate issued by the coachbuilder who carried out the conversion
 - iii) Insurance certificate covering the vehicle for hire and reward
 - iv) Documentation showing the approved overall weight of the vehicle and displayed on it.
 - v) Current MOT test certificate regard less of the age of the vehicle.
 - vi) If the vehicle is converted to run on LPG an installation certificate from a LPGA approved UK conversion company.
 - vii) A diagram of the vehicle showing the layout of the seats and any other equipment in the vehicle, e.g. mini bars. television equipment etc.

2 Age Policy

- 2.1 The vehicle shall be no more than five years old on first licensing and be no more than eight years old on renewal. An owner may apply to licence a vehicle outside these limits but will be required to produce to the following documents in addition to those above:
- a. A full and satisfactory service history of the vehicle;
 - b. A current Emissions Certificate for the vehicle;
 - c. A current MOT Certificate which remains valid for a period of not less than 6 months at the time of the application; and
- 2.2 An applicant will need to demonstrate that the vehicle does not show evidence of structural and/or body repairs (for example use of body filler or welding). The vehicle must also satisfy any mechanical or other test relating to road worthiness or passenger safety set down from time to time by the Licensing Authority. Prior to the conduct of such tests as may be required from time to time by the Licensing Authority the owner of the vehicle should be required to present it at such premises as the Licensing Authority shall direct, the vehicle having first been valetted internally and steam cleaned externally.
- 2.3 In addition, due regard shall be had to the mileage of the vehicle, taking into account the average mileage for a domestic vehicle of a comparable age and vehicle type.
- 2.4 Vintage Cars, i.e. those vehicles manufactured more than 25 years prior to the date of application for a Private Hire Vehicle Licence, should be treated in exemption to the general policy where the Council's designated Vehicle Examiner has certified that the vehicle is, in his opinion, in mint condition and that it satisfies all current tests and regulations relating to road worthiness and passenger safety.

3 Vehicle Specification

- 3.1 A Special Event Vehicle must also comply with the following
- 3.2. A minimum engine capacity of 90 Brake horse power (BHP)
- 3.3 Right hand drive although an imported Stretched Limousine may be left hand drive.
- 3.4 Four passenger doors including the driver's door. A Stretched Limousine must have two doors in the passenger compartment.
- 3.5 The windscreen and all windows in the drivers cab shall be fitted with clear glass. Tinted windows complying with the requirements of the Construction and Use Regulations 2003 as amended or replaced may be fitted to the other windows of the vehicle.

3.6 Seating:

- i) seating should be for at least four, but not more than eight passengers in addition to the driver;
- ii) rearward facing seats over or rearward of the rear wheels and axle(s) having normal access only through a rear door will not be permitted;
- iii) sideways mounted seats will not be permitted except in Stretched Limousines. Such seats must be at least 400mm wide for each passenger and each seat must be fitted with a seatbelt which must be used.

3.7 Manufacturers gross vehicle weight for the tyres and suspension actually fitted to the vehicle must be sufficient for a minimum payload equal to a full fuel tank, the driver and the number of passengers for which a licence is requested (at 70 kg per person) and luggage (at 20 kg per passenger); and where propane or Liquid Petroleum Gas is used as the vehicle fuel, the weight of extra equipment must be within the gross weight limit. A licence will not be granted for any vehicle which requires an LGV or PSV licence.

3.8 Wheels and Tyres

- i) Four road wheels fitted with manufacturer's recommended size tyres.
 - ii) *A spare which will enable the vehicle to complete the current journey for which it is hired. A replacement tyre of the same type as that originally fitted must be fitted to the vehicle as soon as possible after the end of the journey*
- NB All tyres must be crossply or radials (remould tyres are NOT acceptable unless they are clearly marked showing that they comply with British Standard BSAU144E).

3.9 A permanent roof which is watertight - a standard sun roof (i.e. sun roof fitted when new by manufacturer) or a sunroof fitted retrospectively will be allowed.

3.10 The vehicle must not show evidence of patched repairs to the chassis or structural body parts of the vehicle including the outriggers unless the repair is of the original gauge metal and continuously welded;

3.11 Rear seat belts. (irrespective of age)

3.12 Nearside and offside exterior rear view mirrors.

3.13 Sufficient means by which a passenger can communicate with the driver.

3.14 An approved first aid kit located in accordance with the Supplementary Testing Manual.

3.15 A clean and smart appearance both externally and internally.

3.16 Equipment

- i) Spare wheel and tyre - properly stored to protect passengers' luggage.
- ii) Jack
- iii) Wheelbrace
- iv) A reflective warning triangle together with a set of replacement light bulbs for all front and rear lights. The latter does not apply to vehicles with sealed unit lights which do not have replaceable bulbs
- v) Fire extinguisher (minimum 1.0 litre AFFF or 1 kg Dry Powder type).

4 Licence Conditions

4.1 The Council's standard Private Hire Vehicle licence conditions shall apply with the following amendments:

- a. The vehicle must display a licence plate in the front window of the vehicle unless otherwise permitted.
- b. No luggage may be carried in the passenger compartment
- c. Passengers may not be carried in the drivers compartment of a stretched limousine.
- d. No more than eight passengers may be carried in a special event vehicle.
- e. A notice must be fixed in a conspicuous place in the passenger compartment stating that passengers must not put any part of their body outside the vehicle through any door or opening in the vehicle at any time.
- f. Where as part of the hiring alcohol is supplied to the passengers this must be done from premises licensed under the Licensing Act 2003.
- g. No alcohol shall be supplied as part of the hiring where any passenger in the party is under 18 years of age. It is the responsibility of the licence holder to ensure that all members of the party are over 18, where any member appears to be under 21 proof of age shall be obtained in the form of a Passport, Photo Driving Licence or approved proof of age card bearing the PASS hologram.
- h. No alcohol shall be supplied in a moving vehicle.

Appendix Fifteen

Hackney Carriage and Private Hire Vehicle Licence Conditions

1 Licence Plates and Signs

- 1.1 The Proprietor or Operator shall cause the number of this licence to be fixed and displayed on the hackney carriage or private hire vehicle at all times during which the vehicle is licensed as a hackney carriage or private hire vehicle. The number is to be displayed by means of the licence disc and the licence plate issued by the Council to the Proprietor or operator.
- 1.2 The licence plate shall be fixed and clearly displayed either on the rear bumper or attached to the rear registration plate of the vehicle. In the latter case the Licence plate shall not obscure the Registration Plate
- 1.3 The licence disc shall be fixed and clearly displayed on the left-hand side of the windscreen of that vehicle.
- 1.4 The Proprietor or Operator shall ensure that the approved taxi or private hire vehicle signs, containing the Council's logo, are displayed on both side of the vehicle on the area behind the rear doors (unless another approved sign is displayed there in which case the position of the logo shall be agreed by the Council) of the hackney carriage or private hire vehicle at all times while the vehicle is Licensed as a Hackney Carriage or Private Hire Vehicle. The sign must be displayed with the words 'Newark & Sherwood District Council' uppermost.

- 2 The licence plate and the licence disc referred to in Condition 1 shall remain the property of the Council and shall be returned forthwith to the Licensing Section of Newark and Sherwood District Council, Kelham Hall, Newark, Nottinghamshire, if the Proprietor or Operator no longer holds a Hackney Carriage or Private Hire Vehicle Licence issued by the Council which is in force in respect of the vehicle.

3 Authority to Inspect Vehicles and Conduct Vehicle Inspections

- 3.1 An Authorised officer of the District Council or any Police Constable shall have the power at all reasonable times to inspect and test any hackney carriage vehicle licensed by the District Council for the purpose of ascertaining its fitness.
- 3.2 If the Authorised Officer of the District Council or the Police Constable is not satisfied with the fitness of the licensed vehicle, the Proprietor shall, after being notified in writing, present the vehicle at the time and place specified for an examination.

- 4 In addition to the provisions of Condition 3 above, the Proprietor or Operator shall present the hackney carriage or private hire vehicle for inspection and testing at such time as specified in a notice served upon the Proprietor by an Authorised Officer of the District Council or any Police Constable requiring the Proprietor or Operator to do so.
- 5 Provided that the Council shall not under the provisions of this Condition require the Proprietor or Operator to present the vehicle for inspection and testing on more than two separate occasions during any one period of twelve months.
- 6 If the Authorised Officer or police Constable is not satisfied as to the condition of the hackney carriage or private hire vehicle upon completion of the inspection required by Condition 3(b) or Condition 4, as the case may be, he or she may immediately suspend the vehicle licence and the Proprietor or Operator shall forthwith upon being required to do so by the Authorised officer or Constable, cause the licence plate and licence disc to be removed from the hackney carriage or private hire vehicle and handed to the Authorised Officer or Constable who shall retain them until such a time as he is satisfied as to the condition of the hackney carriage or private hire vehicle, whereupon the licence plate will be returned to the Proprietor or Operator.
- 7 In addition to the provisions of Conditions 3, 4 or 5 above, the vehicle shall be subject to a mechanical examination every six months which will be conducted at a test station approved by the Council.
- 8 **Vehicles - General**
 - 8.1 The vehicle shall comply with the specification for hackney carriage and private hire vehicles set by the Council.
 - 8.2 The vehicle shall be kept clean and well maintained in every way fit for public service.
 - 8.3 The vehicle will only be permitted to carry the number of persons specified on the licence irrespective of whether they are children or not.
 - 8.4 All vehicles shall be fitted with seatbelts, one for each passenger, plus the driver, which shall be readily accessible for use and maintained in a useable state of repair.
 - 8.5 The vehicle may only be driven by a person holding a valid Hackney Carriage/Private Hire Drivers Licence issued by this Authority (subject to the exemptions in law).
 - 8.6 A hackney carriage or private hire vehicle licensed with this Authority may not hold a hackney carriage or private hire vehicle licence with another Authority.

9 Vehicle Documentation

- 9.1 The Proprietor or Operator shall during the currency of this licence hold a policy of insurance which complies with Part 4 of the road Traffic Act 1988.
- 9.2 The Proprietor or Operator shall produce, when required, the vehicle's registration document, certificate of insurance and Ministry of Transport (MOT) certificate and shall ensure that the vehicle displays a valid Vehicle Excise Licence.
- 9.3 Failure to produce such documents within seven days of being so required may result in the suspension of the vehicle licence without notice.

10 Advertising on Vehicles

- 10.1 Any advertising shall be confined to the door panels and rear boot panels and in the case of hackney carriages to the top sign as permitted by law;
- 10.2 No licensed vehicle shall carry an advertisement for any other hackney carriage or private hire proprietor, operator or company.

Note Notwithstanding that any hackney carriage/private hire vehicle which at the time of implementation of this rule shall be permitted to retain any design, which has been approved by the Council, until such time as that vehicle ceases to be a licensed hackney carriage or private hire vehicle, or the livery of the vehicle is altered, whichever is the shorter period.

- 10.3 All designs are to be submitted for approval by the Council prior to use on vehicles.

11 Taxi Signs & Roof Signs

- 11.1 A hackney carriage shall carry upon the roof, or as an alternative in or on the windscreen of the said vehicle, a sign which shall include the word "Taxi" or "For Hire" and shall be capable of being illuminated internally at all times when the vehicle is plying for hire, but not otherwise; and such sign shall be fixed in such manner and position and to be of such size as shall be approved by the Council.
- 11.2 A private hire vehicle shall NOT display any sign which might reasonably be taken to indicate that the vehicle is a hackney carriage, and for this purpose includes the word 'TAXI' or 'CAB' in the singular or the plural, or any word of similar meaning or appearance or such words in combination with any other word or words shall be taken to indicate that the vehicle is a hackney carriage licensed to ply for hire.
- 11.3 A Private Hire Vehicle shall NOT carry any roof sign.

12 Fare Meters and Fares for Hackney Carriages

- 12.1 A hackney carriage shall be so constructed or adapted as to be capable of carrying the fare meter in a position acceptable to the Council and visible to all passengers at all times.
- 12.2 The Proprietor of the hackney carriage shall cause the official rates of fare to be exhibited in the carriage as to be clearly visible by all passengers. The Proprietor shall ensure that at all times the table of fares are kept in such condition that all lettering thereon is clearly visible to the passengers and shall renew the same cards as often as is necessary in order to comply with these conditions. Additional copies of the cards may be obtained from the Council.
- 12.3 The fare displayed on the taxi meter for the use of this vehicle when plying for hire within the district shall be strictly at the rate calculated in accordance with the scale of fares determined from time to time by the Council.
- 12.4 The Operator of a private hire vehicle is not required to fit a taximeter but no such vehicle so equipped shall be operated unless the taximeter has been tested by the Council.

13 Reporting of Accidents

- 13.1 The Proprietor or Operator shall, within 72 hours of any accident involving the hackney carriage or private hire vehicle, report such occurrence to the Council.

14 First Aid Kits and Fire Extinguishers

- 14.1 The vehicle shall be fitted with a First Aid Kit and a serviceable 1.0 litre A.F.F.F. or 1.0 kilogram Dry Powder Fire Extinguisher. Both of these items must be carried in accordance with the instructions in the Supplementary Testing Manual.
- 14.2 The vehicle shall also carry a reflective warning triangle together with a set of replacement light bulbs for all front and rear lights. The latter does not apply to vehicles with sealed unit lights which do not have replaceable bulbs

15 Proprietors/Operators of Hackney Carriages/Private Hire Vehicles

- 15.1 The Proprietor or Operator shall not in Newark and Sherwood District act as a driver of a vehicle unless he has a current Hackney Carriage/Private Hire Driver's Licence issued to him by the Council.
- 15.2 The Proprietor or Operator shall not in Newark and Sherwood District employ or use any person as a driver of the vehicle, or permit any other person to act as the driver of the vehicle unless the person concerned holds a current Hackney Carriage Private Hire Driver's Licence issued by the Council (subject to the exemptions in law).

15.3 The Proprietor or Operator shall inform the Council in writing of any:-

- (a) all convictions and penalties incurred, whether imposed by a Court or by a Police Officer or other officer authorised to serve Fixed Penalty Notices, during the period of the licence within seven days of the conviction or the issuing of the Fixed Penalty Notice; - (for this purpose a fixed penalty is classed as a conviction).
- (b) County or High Court judgements, i.e. in the case of bankruptcy, etc.
- (c) change of their address during the period of the licence within 7 days of such change taking place.

16 Documentation to be Maintained by Proprietors/Operators of Hackney Carriage/Private Hire Vehicles

16.1 The Proprietor or Operator shall maintain a list of the names and addresses of all persons employed, or otherwise used, by him or her for the purposes of driving the hackney carriage, and shall make such a list available for inspection by the Council on demand.

16.2 The Proprietor or Operator must notify the Council in writing of any change of address (including any change of business address) during the period of the licence, within seven days of such change taking place.

17 Interviews

17.1 Where a Proprietor or Operator is requested to either attend an interview relating to the driving or operation of a vehicle licensed by the Council and fails to attend without reasonable excuse the Council may suspend this licence without notice.

18 Newark and Sherwood District Byelaws

18.1 The Byelaws for the time being in force in the District of Newark and Sherwood with respect to Hackney Carriage and Private Hire Vehicles, Hackney Carriage Proprietors, Private Hire Operators and Hackney Carriage Private Hire Drivers shall apply to this licence and are incorporated as if they were herein set out in full as conditions of this licence.

19 Penalties

19.1 A person who offends against a byelaw, or the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 is liable to a fine not exceeding level 3 on the standard scale. In addition, the Council may suspend or revoke an existing licence or refuse to renew a licence.

Appendix Nineteen

PENALTY POINTS SCHEME

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

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

2.0 Imposition of Points

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

3.0 Duration of Points

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

4.0 The Hearing

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

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

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

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

5. Appeals

5.1 Should a driver, operator or proprietor wish to dispute the imposition of points made by an officer, then they have the right to appeal. Appeals will be made to the Business Manager, Licensing and Enforcement who may quash the points, uphold the points or increase the where they deem it appropriate, subject to the maximum points identified in Schedule X.

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

Schedule X to Appendix X - Penalty Points Tariff

1.1 Legislative offences and penalties:

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

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

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

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

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

Table 1

TOWN AND POLICE CLAUSES ACT 1847

List No.	Imposition of points by LO or Ctte	Section and Offence	Penalty Points or Action	Period Points Remain on the Licence	Operator	Proprietor	Driver
1	LO Ctte	S40 - Giving false information on a hackney carriage licence application.	6-12*	3 Years		X	
2	LO	S44 - Failure to notify change of address on a hackney carriage licence.	2	1 Year		X	
3	Ctte	S45 - Plying for hire without a hackney carriage licence.	12	5 Years		X	X
4	Ctte	S47 - Driving a hackney carriage without a hackney carriage driver's licence.	12	5 Years		X	X
5	Ctte	S47 - Lending or parting with a hackney carriage driver's licence.	12	3 Years			X
6	Ctte	S47 - Hackney carriage proprietor permitting or employing an unlicensed driver to drive a hackney carriage vehicle.	12	5 Years		X	
7	LO	S48 - Failure of a proprietor to retain in his/her possession copies of any hackney carriage driver's licence that permits them to drive their vehicle.	3	1 Year		X	
8	LO	S48 - Failure of a proprietor to produce on request by an authorised officer any hackney carriage driver's licence for whom he has permitted to drive his/her vehicle.	3	1 Year		X	
9	LO	S52 - Failure to display a hackney carriage plate.	4	3 Years		X	X
10	LO Ctte	S53 - Refusal to take a fare without a reasonable excuse.	8-12*	5 Years			X
11	LO Ctte	S54 - Charging more than the agreed fare.	8	5 Years			X
12	LO Ctte	S55 - Obtaining more than the legal fare (including failure to refund).	8	5 Years			X
13	LO Ctte	S56 - Travelling less than the lawful distance for an agreed	6	5 Years			X
14	Ctte	S57 - Failure to wait after a deposit to wait has been paid.	12	3 Years			X
15	LO Ctte	S58 - Charging more than the legal fare.	8-12*	5 Years			X
16	LO	S59 - Carrying persons other than with the consent of the hirer.	6	3 Years			X
17	Ctte	S60 - Driving a hackney carriage without the proprietor's consent.	12	5 Years			X
18	Ctte	S60 - Allowing a person to drive a hackney carriage without the proprietor's consent.	12	5 Years			X
19	LO	S62 - Driver leaving a hackney carriage unattended.	2	1 Year			X
20	LO	S64 - Hackney carriage driver obstructing other hackney carriages.	2	1 Year			X
21	LO Ctte	S68 - Breach of Byelaws	3-6*	3 Years			X

Table 2

Local Government (Miscellaneous Provisions) Act 1976

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

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

Table 3

LICENSING AUTHORITY POLICY

List No.	Imposition of points by LO or LCtte	Section and Offence	Penalty Points or Action	Period Points Remain on the Licence	Operator	Proprietor	Driver
50	Ctte	Failure to ensure the safety of passengers.	12	5 Years	X	X	X
51	LO Ctte	Concealing or defacing a vehicle licence plate.	6	3 Years	X	X	X
52	LO	Failure to attend on time for a pre-arranged appointment at the request of the Licensing Authority for interview without reasonable cause.	2	1 Year	X	X	X
53	LO Ctte	Conveying a greater number of passengers than permitted.	6-12*	5 Years	X	X	X
54	LO	Failure to give reasonable assistance with passenger's luggage.	2	1 Year			X
55	LO Ctte	Private hire soliciting for hire or accepting a fare that is not pre-booked.	6	3 Years			

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

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

UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

1.0 Purpose of Report

1.1 To inform the Committee of the activity and performance of the Licensing Team and to provide Members with details of current ongoing enforcement issues.

2.0 Background

2.1 A new applicant for a Hackney Carriage/Private Hire Drivers or Private Ambulance Drivers Licence have to undergo various checks. These include a: Disclosure and Barring check; DVLA check; two references are required; Group II medical; and knowledge & ability tests.

2.2 This report covers the period from 1 April to 30 June 2016 and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Application Type	New applications received	Renewal of applications received	Number Issued	Comments
Hackney Carriage/Private Hire Driver	2	15	17	
Ambulance Drivers	3	3	6	
Hackney Carriage Vehicles	1	25	26	
Private Hire Vehicles	2	5	7	

2.3 Street Collections

The table below sets out the numbers of collections undertaken within the reporting period and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

Charity	Location	Date	Total amount collected	% returned to charity
Breast Cancer Now	Newark	23.04.16	£124.57	100%
Marie Curie	Southwell	02.04.16	£603.17	100%
RSPCA	Ollerton	30.04.16	£101.23	100%
RNLI	Farnsfield	24.04.16	£176.00	100%
Guide Dogs for the Blind	Newark	07.05.16	£223.51	100%
Salvation Army	Southwell	21.05.16	£621.53	100%
Gate to Southwell	Southwell	11.06.16		
RSPCA	Newark	11.06.16	£201.53	100%
Newark Community First Aid	Newark	04.06.16		

2.4 House to House Collections

The table below sets out the numbers of collections undertaken within the reporting period and the charities supported. The organisations undertaking the collections are required to complete a return that sets out the 80 % of the collection that is returned to the charity.

Charity	Location	Date	Total amount collected	% returned to charity
Coping with Cancer	Whole district	20-27 April 2016	£158.28	82%
Be Child Cancer Aware	Whole district	May 2016	£51.00	80%
Coping with Cancer	Whole district	19-26 May 2016	£155.49	83%
Coping with Cancer	Whole district	22-29 June 2016	£145.83	80%
Troop Aid	Whole district	June 2016	£333.90	82%
Cancer Recovery Foundation	Whole district	01.06.16	£37.50	100%
Tree of Hope Charity	Whole district	14.06.16	£39.60	85%

2.5 Enforcement Issues

Hackney Carriage/Private Hire Ongoing Enforcement Activity between 1st April 2016 and 30th June 2016

Location	Activity	Date Case Opened	Action Taken So Far
West Bridgford	Complaint – driver smoking in vehicle	11.04.16	LEO spoke to driver who claimed that he was using an e-cig. Driver apologised and said he would not do it again.
Ollerton	Applicant did not disclose a caution on his driver's application that showed up on his DBS certificate.	18.04.16	LEO interviewed applicant and presented the facts of the case to Business Manager who allowed the applicant to continue with the application. However, a licence can only be granted for an initial period of 1 year.
Barnby Gate, Newark	Councillor reported a taxi parked the wrong way on a one way street.	06.04.16	LEO visited area to check signage and could not see any signs to indicate a one way system. He contacted NCC Highways who confirmed that there was no traffic regulation order in place. Therefore, taxi has not committed an offence.

			Advice was given to the driver regarding parking on double yellow lines and on the pavement.
Middle Gate, Newark	Vehicle licence check	12.04.16	Vehicle all in order.
East Midlands Airport	Multi agency vehicle licence check	25.04.16	1 vehicle checked from NSDC authority. Vehicle had no warning triangle and no 'no smoking' signs. Re-inspected 04.05.16 –All in order.
Newark	Taxi complaint	10.05.16	Wheelchair user was on pavement with family on Hawton Lane, Balderton. When HC mounted and drove on pavement. Complainant feared for his safety. Driver issued with a written warning by Business Manager, to be kept on record for 12 months.
Northgate, Newark	Taxi complaint	28.06.16	Road rage incident reported. LEO interviewed driver who gave a different account of events. Driver was given a verbal caution regarding his behaviour and future conduct.

3.0 RECOMMENDATION

That the Committee consider the contents of the report and identifies any issues it wishes to examine further.

For further information please contact Nicola Kellas on extension 5894.

Karen White
Director – Safety

LICENSING COMMITTEE

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 16 June 2016 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor I. Walker (Vice - Chairman)

Councillors: Mrs K. Arnold, Mrs B.M. Brooks, Mrs I. Brown,
D. Clarke, M.G. Cope, Mrs S.M. Michael, D.R. Payne,
Mrs S.E. Saddington, Mrs. L.M.J. Tift and I. Walker.

Due to the Chairman's apology for absence, Councillor I. Walker – Vice-Chairman, chaired the meeting.

01. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors M. Buttery, Mrs R. Crowe, P. Peacock and Mrs S. Soar.

02. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED: that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

03. DECLARATION OF INTENTION TO RECORD MEETING

NOTED: that there would be an audio recording of the meeting.

04. MINUTES OF MEETING HELD ON 17 MARCH 2016

Councillor Mrs S. Michael informed the Committee that the minutes were incorrect as she had submitted her apology.

AGREED that subject to the above amendment, the Minutes of the meeting held on 17 March 2016, be approved as a correct record and signed by the Chairman.

05. LICENSING ACT TRAINING FOR MEMBERS AND OFFICERS

The Committee considered the report presented by the Licensing Officer in relation to Licensing Act training scheduled for 1 July 2016 at the Hostess Restaurant in Mansfield.

Members of the Committee were requested to let Officers know if they were able to attend the training.

AGREED (unanimously) that:

(a) the Licensing Act training be supported; and

(b) the following Members confirmed their attendance for the forth

coming training. Councillors Mrs S.M. Michael, D. Payne (PM only), Mrs S.E. Saddington, Mrs L. Tift, I. Walker and K. Walker.

06. THE WHITE HART, NEWARK – OUTCOME OF SUMMARY REVIEW OF PREMISES LICENCE

The Committee considered the report presented by the Licensing Officer which provided an update on the outcome of a Summary Review of the premises licence requested by Nottinghamshire Police with regard to the White Hart, Newark.

NOTED (unanimously) that the outcome of the Summary Appeal brought in respect of The White Hart be noted.

07. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Officer in relation to the activity and performance of the Licensing Team between 1 January and 31 March 2016 and to provide Members with details of current enforcement issues.

NOTED that the report be noted.

08. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JANUARY AND 31 MARCH 2016 INCLUSIVE

NOTED the Temporary Event Notices received and acknowledged between 1 January and 31 March 2016 inclusive.

The meeting closed at 6.35 pm

Chairman

LICENSING ACT TRAINING

1.0 Purpose of Report

- 1.1 To provide feedback to Members on the Licensing Act update training provided on 1 July 2016

2.0 Background

- 2.1 The Nottinghamshire Authorities Licensing Group hosted a training course at the Hostess Restaurant in Mansfield for Officers and Members across the County. The training was organised for the group by Officers from Newark & Sherwood. The training covered the following areas of licensing legislation:

- Overview of the Licensing Act 2013
- Overview of taxi licensing
- Hearings

- 2.2 This year's training was delivered by local licensing solicitors and an interactive licensing hearing case study prepared and delivered by local authority staff

- 2.3 These sessions were delivered to help licensing authorities take a strategic approach to the licensing regime and make the best use of the available powers to deliver a balance between promotion and restraint and help implement best practice.

- 2.4 Not all Members were able to attend and a copy of the notes from the training will be made available to those Members wishing to have them.

- 2.5 The Nottinghamshire Authorities Licensing Group have met since the training and the feedback given was that most of those present thought the training was well delivered and useful to both experienced Members and Members new to licensing.

- 2.6 It is intended to provide additional training for Members next year and any suggestions for topics to be covered can be made to licensing staff who will feed this back to the organising group.

3.0 RECOMMENDATION

That Members be asked to provide feedback on the licensing training event and make any suggestions for future training.

Background Papers - Nil

For further information please contact Alan Batty on 01636 655467

Karen White
Director – Safety

COUNTY WIDE BEST BAR NONE SCHEME

1.0 Purpose of Report

1.1 To update members on the progress of the county wide Best Bar None Scheme.

2.0 Background

2.1 The Best Bar None (BBN) scheme rewards licensees who provide good management, a safe and enjoyable environment for customers, discourage binge drinking and prevent alcohol related crime. It therefore encourages licensees to act responsibly and take pride in their premises and surroundings and in doing so, put something back into the town and local community.

2.2 The rewards for licensees include, the prestige of being part of the awards scheme, increased business within the area and lower insurance premiums resulting from the fact that they are running safer establishments. It also provides an opportunity for licensees to demonstrate to official agencies how well they manage their own business. It is an opportunity for positive dialogue between the two sides.

2.3 In order to be awarded with the Best Bar None accreditation, premises must be compliant with all aspects of the law. However, for premises to have the potential of winning "best in the category" they must offer much more than this, and this is one of the ways the Best Bar None Scheme helps to raise the standards of licensed premises, by providing a competitive framework. Although the scheme is nationally recognised, it can be tailored to the local environment. As a result, the scheme will not focus primarily on the late night economy and instead will capture all types of licensed premises across the County.

2.4 In order to raise the standards in licensed premises the scheme will look to promote (where appropriate) such things as:-

- Premises conducting regular staff training and keeping a record of this.
- The licensee conducting thorough risk assessments in line with the type of establishment that they are running (to ensure public safety).
- Large venues carrying out mock evacuation exercises.
- Adequate and clean smoking shelters which are controlled so as not to cause a public nuisance (through noise, litter, broken glass etc).
- Attendance at Pubwatch and involvement with local initiatives.
- Engagement and open dialogue with the Police.
- Ensuring deliveries are done at suitable times so that local premises are not affected in the early hours of the morning.
- Policies are in place and followed on dealing with lost property, underage drinkers and people who are drunk.
- Notices advising patrons of local taxi companies to help to prevent people drinking and driving.

- Drug checks of toilet areas and a drug and weapon policy (including a safe storage area of anything found).
- Ensuring children are properly supervised by parents and are not allowed in areas near gambling machines.
- Licensees checking and monitoring CCTV to prevent proxy purchases.
- Effective use of the challenge 21/25 policy including written refusal logs.
- Signage regarding safe alcohol levels units and where to go if you need help on alcohol consumption.
- Not selling products which are attractive to street drinkers (i.e. white lighting).
- Locating the cheaper/higher alcohol content drinks nearer to the counter so that they can be better monitored.
- Marking bottles so that there is a better trace of them if they have been brought to give them to underage persons (proxy purchases).
- First aiders being on duty.
- The licensee informing the Police before the holding of any large event.
- Providing adequate litter bins and ensuring any litter is cleared away during the day.

3.0 The Scheme to Date

3.1 The Best Bar None Scheme was launched across the county in January 2015. The scheme was promoted at Pub Watch meetings, during individual visits and in the press, although it is fair to say that the press coverage across Newark and Sherwood was less than in some other districts.

3.2 Year One

Across the county interest was expressed from 259 venues with applications being received from 109 premises. Within the Newark and Sherwood District there were 8 applications. Seven of the application premises met the Best Bar None criteria with the eighth just falling short. However, at the time of assessment they committed to a programme of improvements and have since satisfied the criteria and have been awarded the Best Bar None accreditation.

3.3 The top two premises with the highest assessment score were put forward into the county wide finals where they completed for the accolade of the best premises in the county. An additional premise would also be selected for the finals as a 'judges choice'. These are premises where the judges feel that whilst not necessarily scoring the highest in all categories there is one element that stands out. All the premises that have achieved the accreditation were included in a public vote to produce the overall public county winner.

3.4 At the awards ceremony in October The Grove at Balderton was awarded the overall winner for Newark and Sherwood and the Red Lion Farnsfield was awarded the Best Village Pub in the countywide public vote.

3.5 All the applicants were invited to a local awards ceremony where the Chairman of Licensing committee presented the winners with their certificate of accreditation.

3.6 Year Two

Applications for year two have just closed and there are 7 applications from the Newark and Sherwood District. These are:

The Lion, Farnsfield
The Magna Charta, Lowdham
Sir John Arderne, Newark
Old Post Office, Newark
Atrium, Newark
The Prince Rupert, Newark
Fox and Crown, Newark

4.0 Proposals

4.1 The County awards are proposed to be held in October at a black tie awards ceremony.

4.2 As the only full county scheme running in the country the success of this scheme has gained a lot of interest from all areas of the licensing industry as well as government departments. The Nottinghamshire scheme was highly commended on the Best Bar None national awards earlier in the year.

5.0 Recommendation

- (a) **Members are asked to note the progress of the Nottinghamshire county Best Bar None Scheme; and**
- (b) **Support the proposals for both local and county wide award ceremonies.**

Background Papers

Nil

For further information please contact Alan Batty on Extension 5467.

Karen White
Director – Safety

TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 APRIL AND 30-JUNE 2016 INCLUSIVE

1.0 Purpose of Report

1.1 To inform Members of changes to Temporary Event Notices and notices that have been received and acknowledged between 1 April and 30 June 2016 inclusive.

2.0 Background

2.1 The Licensing Act 2003 introduced a light touch system for ad hoc, permitted temporary activities. A Temporary Event Notice (TEN) is given by an individual (a premise user) and authorises the premises user to conduct one or more licensable activities at premises.

2.2 There are two types of TEN;

- A standard TEN, to be given no later than 10 working days before the event to which it relates
- A late TEN, can be given 9 and not later than 5 working days before the event. Late TENs are intended to be used by premise user who is required for reasons outside their control to for example, change the venue at short notice.

2.3 Only the Police and Environmental Health can make representation against the TEN. Once the Police and Environmental Health receive a TEN, they have three working days to make any objections to it on the grounds of any of the four licensing objectives: prevention of crime and disorder; prevention of public nuisance; public safety; and the protection of children from harm. If no objections are received the event will go ahead as planned. If an objection is received for a standard TEN the Council will have to organise a hearing to consider the objection and may impose conditions or decide that the event cannot go ahead. If an objection is received against a late TEN, no hearing is held and the application is refused.

3.0 Attachments

3.1 A list of Temporary Event Notices numbers by ward that have been received and acknowledged between 1 April and 30 June 2016 is attached at **Appendix A**.

3.2 A detailed list of Temporary Event Notices is attached at **Appendix B**.

4.0 RECOMMENDATION

That the report be noted.

Background Papers

Nil

For further information please contact Nicola Kellas on extension 5894.
Karen White
Director - Safety

APPENDIX A

Temporary Event Notices Acknowledged between 1 April and 30 June 2016 inclusive listed by wards. For further details please see Licensing Section.

Ward	Number of TENS	TEN No's
Balderton North and Coddington	8	16/00813/TEN, 16/00788/TEN, 16/00787/TEN, 16/00762/TEN, 16/00739/TENLAT, 16/00673/TEN, 16/00609/TEN, 16/00583/TEN
Boughton	3	16/00735/TEN, 16/00680/TENLAT, 16/00679/TEN
Collingham	14	16/00870/TEN, 16/00869/TENLAT, 16/00867/TEN, 16/00862/TENLAT, 16/00860/TEN, 16/00816/TEN, 16/00783/TEN, 16/00741/TEN, 16/00734/TEN, 16/00703/TEN, 16/00671/TENLAT, 16/00649/TEN, 16/00589/TENLAT, 16/00585/TEN
Devon	1	16/00599/TEN
Dover Beck	8	16/00868/TEN, 16/00722/TEN, 16/00682/TENLAT, 16/00677/TEN, 16/00672/TEN, 16/00665/TEN, 16/00598/TEN, 16/00548/TEN
Edwinstowe and Clipstone	6	16/00876/TEN, 16/00791/TENLAT, 16/00683/TEN, 16/00617/TENLAT, 16/00582/TEN, 16/00581/TEN
Farndon and Fernwood	4	16/00866/TEN, 16/00865/TENLAT, 16/00823/TEN, 16/00675/TEN
Farnsfield and Bilsthorpe	5	16/00819/TEN, 16/00749/TEN, 16/00745/TEN, 16/00660/TEN, 16/00586/TEN
Muskham	7	16/00764/TEN, 16/00718/TEN, 16/00717/TEN, 16/00716/TEN, 16/00715/TEN, 16/00616/TEN, 16/00615/TEN
Newark – Beacon	7	16/00846/TEN, 16/00730/TEN, 16/00729/TEN, 16/00702/TEN, 16/00632/TENLAT, 16/00612/TEN, 16/00600/TEN
Newark - Bridge	1	16/00684/TEN
Newark - Castle	6	16/00773/TENLAT, 16/00772/TENLAT, 16/00733/TEN, 16/00714/TEN, 16/00685/TEN, 16/00670/TEN
Ollerton	5	16/00874/TENLAT, 16/00820/TEN, 16/00760/TEN, 16/00732/TEN, 16/00661/TENLAT
Rainworth North and Rufford	3	16/00707/TEN, 16/00706/TEN, 16/00705/TEN
Rainworth South and Blidworth	5	16/00779/TEN, 16/00738/TEN, 16/00737/TEN, 16/00736/TEN, 16/00699/TEN
Southwell	17	16/00873/TENLAT, 16/00852/TEN, 16/00849/TEN, 16/00848/TEN, 16/00824/TEN, 16/00784/TEN, 16/00761/TEN, 16/00750/TEN, 16/00725/TEN, 16/00721/TEN, 16/00701/TEN, 16/00674/TEN, 16/00633/TEN, 16/00607/TEN, 16/00606/TEN, 16/00601/TEN, 16/00584/TEN

Sutton on Trent	10	16/00814/TEN, 16/00777/TEN, 16/00774/TEN, 16/00657/TEN, 16/00766/TEN, 16/00765/TEN, 16/00763/TEN, 16/00759/TENLAT, 16/00731/TEN, 16/00724/TEN
Trent	8	16/00851/TEN, 16/00794/TEN, 16/00767/TEN, 16/00753/TENLAT, 16/00709/TEN, 16/00708/TEN, 16/00758/TEN, 16/00650/TEN

TEMPORARY EVENT NOTICES ACKNOWLEDGED BETWEEN 1 APRIL AND 30 JUNE 2016 INCLUSIVE

KEY FOR LICENCED ACTIVITIES

A – THE SALE BY RETAIL OF ALCOHOL

C – SUPPLY OF ALCOHOL BY OR ON BEHALF OF A CLUB TO, OR to THE ORDER OF, A MEMBER OF THE CLUB

E - THE PROVISION OF REGULATED ENTERTAINMENT

R – THE PROVISION OF LATE NIGHT REFRESHMENT

REF	ACK'D	PREMISE	NATURE OF EVENT	DATE OF EVENT	TIME OF EVENT	LICENCED ACTIVITIES
SOUTHWELL 16/00526/TEN	30.03.16	OLD HALL FARM, GREAVES LANE, EDINGLEY, NG22 8BJ	PRIVATE PARTY	05.08.16	10:00 to 23:00	E & R
BALDERTON NORTH AND CODDINGTON 16/00813/TEN	15.06.16	THE SCOUT HALL MAIN STREET, CODDINGTON, NG24 2PN	QUIZ NIGHT FUNDRAISER	16.07.016	19:00 to 23:00	A
BALDERTON NORTH AND CODDINGTON 16/00788/TEN	10.06.16	CODDINGTON C OF E PRIMARY SCHOOL, BROWNLOWS HILL, CODDINGTON, NG24 2QA	SUMMER FAIR	25.06.16	16:00 to 21:00	A
BALDERTON NORTH AND CODDINGTON 16/00787/TEN	10.06.16	CHUTER EDE PRIMARY SCHOOL, WOLFIT AVENUE, BALDERTON, NG24 3PQ	SCHOOL PLAY	05.07.16 to 08.07.16	18:00 to 22:00	A
BALDERTON NORTH AND CODDINGTON 16/00762/TEN	07.06.16	THE SCOUT HALL MAIN STREET, CODDINGTON, NG24 2PN	CHRISTENING	19.06.16	13:00 to 19:00	A
BALDERTON NORTH AND CODDINGTON 16/00739/TENLAT	01.06.16	CODDINGTON VILLAGE HALL, MAIN STREET, CODDINGTON, NG24 2PN	CHRISTENING	05.06.16	14:00 to 19:00	A
BALDERTON NORTH AND CODDINGTON 16/00673/TEN	06.05.16	CHUTER EDE PRIMARY SCHOOL, WOLFIT AVENUE, BALDERTON, NG24 3PQ	FASHION SHOW	26.05.16	18:30 to 22:00	A
BALDERTON NORTH AND CODDINGTON 16/00609/TEN	19.04.16	THE NEWARK ACADEMY, LONDON ROAD, BALDERTON, NG24 3AL	SWIMMING CLUB PRESENTATION AND DISCO	13.05.16	19:00 to 22:30	A & E

BALDERTON NORTH AND CODDINGTON 16/00583/TEN	13.04.16	BALDERTON PLAYING FIELD, CORONATION STREET, BALDERTON, NG24 3BD	SUMMER FETE	17.07.16	11:00 to 18:00	A
BOUGHTON 16/00735/TEN	01.06.16	FIELD OFF BRAKE ROAD, BOUGHTON, NOTTS, NG22 9NG	FAMILY FUND RAISING CHARITY EVENT	01.07.16 02.07.16 03.07.16	20:00 to 24:00 15:00 to 24:00 00:00 to 01:00	A, E & R
BOUGHTON 16/00680/TENLAT	10.05.16	WALESBY FOREST SCOUT CENTRE, BRAKE ROAD, WALESBY, NG22 9NG	WEDDING	21.05.16	14:30 to 23:30	A
COLLINGHAM 16/00870/TEN	24.06.16	COLLINGHAM FOOTBALL CLUB, STATION ROAD, COLLINGHAM, NG23 7RA	WEDDING	30.07.16 31.07.16	00:00 to 02:00	A & E
COLLINGHAM 16/00869/TENLAT	24.06.16	JOHN BLOW PRIMARY SCHOOL, SNOWDON ROAD, COLLIINGHAM, NG23 7PT	FAMILY FUN AFTERNOON	08.07.16	15:30 to 18:30	A
COLLINGHAM 16/00867/TEN	24.06.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	09.07.16 10.07.16	12:00 to 23:00 12:00 to 23:00	A
COLLINGHAM 16/00862/TENLAT	17.06.16	THE SHOWGROUND, WINTHORPE	RABBIT SHOW	25.06.16 26.06.16	12:00 to 23:00	A & R
COLLINGHAM 16/00816/TEN	15.06.16	WINTHORPE PRIMARY SCHOOL, GAINSBOROUGH ROAD, WINTHORPE, NG24 2NN	SCHOOL FETE AND BBQ	01.07.16	18:00 to 20:00	A
COLLINGHAM 16/00783/TEN	10.06.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	02.07.16 03.07.16	12:00 to 23:00 12:00 to 23:00	A
COLLINGHAM 16/00741/TEN	01.06.16	BROOKLANDS CLOSE, COLLINGHAM, NG23	STREET PARTY	12.06.16	12:00 to 18:00	A & E
COLLINGHAM 16/00734/TEN	01.06.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	12.06.16	12:00 to 23:00	A
COLLINGHAM 16/00703/TEN	18.05.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	03.06.16	12:00 to 23:00	A
COLLINGHAM 16/00671/TENLAT	06.05.16	WINTHORPE COMMUNITY CENTRE, WOODLANDS, WINTHORPE, NG24 2NL	FUNDRAISING EVENT	14.05.16	19:00 to 22:00	A
COLLINGHAM 16/00649/TEN	28.04.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	29.05.16	12:00 to 23:00	A
COLLINGHAM 16/00589/TENLAT	14.04.16	OAKRIDGE QUARTER HORSES, SWINDERBY ROAD, COLLINGHAM, NG23 7NZ	HORSE SHOW	23.04.16	12:00 to 23:00	A
COLLINGHAM 16/00585/TEN	14.04.16	COLLINGHAM CRICKET CLUB, NEWARK ROAD, COLLINGHAM, NG23 7RD	VILLAGE FAIR	02.05.16	12:00 to 24:00	A, C, R

DEVON 16/00599/TEN	15.04.16	TOM MANN PAVILION, DEVON PARK, NG24 4QN	ENGLISH CIVIL WAR SOCIETY	29.04.16 30.04.16 01.05.16 02.05.16	17:00 to 23:30 10:00 to 23:30 10:00 to 23:30 10:00 to 23:30	A
DOVER BECK 16/00868/TEN	24.06.16	CAYTHORPE COTTAGE, 15 CAYTHORPE ROAD, CAYTHORPE, NG14 7DZ	WEDDING RECEPTION	23.07.16	14:00 to 24:00	A
DOVER BECK 16/00722/TEN	27.05.16	FERRY FARM, BOAT LANE, HOVERINGHAM, NG14 7JP	CLASSIC CAR SHOW	11.06.16 12.06.16	11:00 to 24:00 11:00 to 17:00	A
DOVER BECK 16/00682/TENLAT	11.05.16	GUNTHORPE VILLAGE HALL, DAVIDS LANE, GUNTHORPE, NG14 7EW	FOOTBALL PRESENTATION AWARDS	22.05.16	12:30 to 18:00	A & E
DOVER BECK 16/00677/TEN	09.05.16	FIELD REF 3918, BOAT LANE, HOVERINGHAM, NG14 7JP	TRACTOR RALLY	29.05.16	12:00 to 17:00	A
DOVER BECK 16/00672/TEN	06.05.16	HOLME FARM, GONALSTON, NG14 7JA	OPEN GARDENS	26.06.16	13:00 to 17:00	A
DOVER BECK 16/00665/TEN	04.05.16	HOVERINGHAM VILLAGE HALL, GONALSTON LANE, HOVERINGHAM, NG14 7JH	WEDDING	28.05.16	13:30 to 23:59	A
DOVER BECK 16/00598/TEN	15.04.16	GUNTHORPE VILLAGE HALL, DAVIDS LANE, GUNTHORPE, NG14 7EW	MUSICAL CONCERT	30.04.16	19:30 to 23:00	A & E
DOVER BECK 16/00548/TEN	05.04.16	HOVERINGHAM VILLAGE HALL, GONALSTON LANE, HOVERINGHAM, NG14 7JH	QUIZ NIGHT	22.04.16	19:00 to 24:00	A
EDWINSTOWE AND CLIPSTONE 16/00876/TEN	28.06.16	ST MARYS CHURCH OF ENGLAND PRIMARY, PADDOCK CLOSE, EDWINSTOWE, NG21 9LP	SCHOOL PLAY	15.07.16	18:30 to 21:30	A
EDWINSTOWE AND CLIPSTONE 16/00791/TENLAT	13.06.16	SHERWOOD PINES VISITOR CENTRE, CLIPSTONE ROAD, KINGS CLIPSTONE, NG21 9JH	CORPORATE EVENT	20.06.16	19:00 to 23:45	A
EDWINSTOWE AND CLIPSTONE 16/00683/TEN	11.05.16	SHERWOOD FOREST COUNTRY PARK, SWINCOTE ROAD, EDWINSTOWE, NG21 9HN	WEDDING	17.06.16	12:00 to 16:00	A
EDWINSTOWE AND CLIPSTONE 16/00617/TENLAT	19.04.16	KING JOHN'S PALACE, MANSFIELD ROAD, KINGS CLIPSTONE	LIVE MUSIC, BEER AND CIDER FESTIVAL	29.04.16 30.04.16 01.05.16	18:00 to 23:00 13:00 to 23:00 13:00 to 20:00	A & E

EDWINSTOWE AND CLIPSTONE 16/00582/TEN	13.04.16	HAMMER AND WEDGE CLUB, EAST LANE, EDWINSTOWE, NG21 9QN	SINGER	08.07.16 09.07.16	00:00 to 01:00	A & E
EDWINSTOWE AND CLIPSTONE 16/00581/TEN	13.04.16	HAMMER AND WEDGE CLUB, EAST LANE, EDWINSTOWE, NG21 9QN	CHARITY NIGHT	22.05.16	01:00 to 02:00	A, E, R
FARNDON AND FERNWOOD 16/00866/TEN	24.06.16	ST PETERS CHURCH OF ENGLAND PRIMARY, SANDHILL ROAD, FARNDON, NG24 4TE	SCHOOL PLAY	19.07.16 20.07.16	18:30 to 20:30	A
FARNDON AND FERNWOOD 16/00865/TENLAT	24.06.16	ST PETERS CHURCH OF ENGLAND PRIMARY, SANDHILL ROAD, FARNDON, NG24 4TE	SCHOOL PLAY	02.07.16	13:30 to 18:00	A
FARNDON AND FERNWOOD 16/00823/TEN	17.06.16	FARNDON MEMORIAL HALL, MARSH LANE, FARNDON, NG24 3SZ	CONCERT	29.07.16	19:00 to 23:59	A & R
FARNDON AND FERNWOOD 16/00675/TEN	06.05.16	THE COACH HOUSE, STAUNTON HALL, STAUNTON IN THE VALE, NG13 9PE	CHARITY BBQ	11.06.16	18:30 to 23:00	A
FARNSFIELD AND BILSTHORPE 16/00819/TEN	16.06.16	ST MICHAELS C OF E PRIMARY SCHOOL, BRANSTON AVENUE, FARNSFIELD, NG22 8JZ	MUSIC FESTIVAL	16.07.16	12:00 to 24:00	A, E, R
FARNSFIELD AND BILSTHORPE 16/00749/TEN,	06.06.16	BILSTHORPE LIBRARY, THE CRESCENT, BILSTHORPE, NOTTINGHAMSHIRE, NG22 8QX	BRASS BAND PERFORMANCE	17.06.16	18:00 to 21:00	R
FARNSFIELD AND BILSTHORPE 16/00745/TEN	02.06.16	CARR BANKS FARM, LONGLAND LANE, FARNSFIELD, NG22 8HB	PLOUGHING MATCH	24.09.16	11:00 to 17:30	A
FARNSFIELD AND BILSTHORPE 16/00660/TEN	04.05.16	THE GRANGE, MAIN STREET, FARNSFIELD, NG22 8EA	BRITISH LEGION BBQ	18.06.16	17:00 to 24:00	A
FARNSFIELD AND BILSTHORPE 16/00586/TEN	14.04.16	FOREST FARM HOUSE, MANSFIELD ROAD, FARNSFIELD, NOTTINGHAMSHIRE, NG22 8JB	SOCIAL EVENING	10.06.16	19:30 to 12:30	A & E
MUSKHAM 16/00764/TEN	07.06.16	FLORAL MEDIA, THE WOOVERS, NORWELL ROAD, CAUNTON, NG23 6AQ	WOMENS INSTITUTE BBQ	05.07.16	19:00 to 23:00	A

MUSKHAM 16/00718/TEN	24.05.16	THE FURROWS, MILL LANE, CAUNTON, NG23 6AJ	GARDEN PARTY	23.07.16	19:00 to 23:00	A
MUSKHAM 16/00717/TEN	24.05.16	SUNNYDALE COTTAGEM MILL LANE, CAUNTON, NG23 6AJ	GARDEN PARTY	23.07.16	19:00 to 23:00	A
MUSKHAM 16/00716/TEN	24.05.16	GARRY THOMPSON, APPLE TREE HOUSE, MILL LANE, CAUNTON, NG23 6AJ	GARDEN PARTY	23.07.16	19:00 to 23:00	A
MUSKHAM 16/00715/TEN	24.05.16	ORCHARD HOUSE, MILL LANE, CAUNTON, NG23 6AJ	GARDEN PARTY	23.07.16	19:00 to 23:00	A
MUSKHAM 16/00616/TEN	19.04.16	THE WOOVERS, NORWELL ROAD, CAUNTON, NG23 6AQ	WEDDING	28.05.16	14:00 to 24:00	A & R
MUSKHAM 16/00615/TEN	19.04.16	FLORAL MEDIA, THE WOOVERS, NORWELL ROAD, CAUNTON, NG23 6AQ	BIRTHDAY PARTY	07.05.16	19:00 to 24:00	A & R
NEWARK –BEACON 16/00846/TEN	21.06.16	NEWARK TOWN & DISTRICT CLUB 25 BARNBY GATE, NEWARK ON TRENT, NG24 1PX	WEDDING	16.07.16	12:00 to 24:00	A, C, R
NEWARK –BEACON 16/00730/TEN	31.05.16	HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON, NG24 3AL	SCHOOL SPORTS DAY	01.07.16	12:00 to 17:00	A
NEWARK –BEACON 16/00729/TEN	31.05.16	HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON, NG24 3AL	SCHOOL SPORTS DAY	17.06.16	12:00 to 17:00	A
NEWARK –BEACON 16/00702/TEN	18.05.16	NEWARK TOWN & DISTRICT CLUB 25 BARNBY GATE, NEWARK ON TRENT, NG24 1PX	WEDDING	04.06.16	12:00 to 24:00	A
NEWARK -BEACON 16/00632/TENLAT	25.04.16	HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON, NG24 3AL	FASHION SHOW	06.05.16	19:00 to 21:30	A
NEWARK –BEACON 16/00612/TEN	19.04.16	HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON, NG24 3AL	FAMILY FESTIVAL	11.06.16	13:00 to 24:00	A & E
NEWARK –BEACON 16/00600/TEN	18.04.16	NEWARK TOWN & DISTRICT CLUB 25 BARNBY GATE, NEWARK ON TRENT, NG24 1PX	WEDDING	14.05.16	12:00 to 24:00	A & E
NEWARK – BRIDGE 16/00684/TEN	11.05.16	BROWNHILLS, LINCOLN ROAD, NEWARK, NG24 2EA	OPEN WEEKEND	10.06.16 11.06.16	11:00 to 22:00 09:00 to 23:00	A & E
NEWARK – CASTLE 16/00773/TENLAT	08.06.16	STALL OUTSIDE 16-17 STODMAN STREET, NEWARK, NG24 1AT	MARKET STALL WITHIN FOOD FESTIVAL	18.06.16	09:00 to 18:00	A
NEWARK – CASTLE 16/00772/TENLAT	06.06.16	STALL OUTSIDE BURTONS, STODMAN STREET, NEWARK, NG24 1AT	MARKET STALL WITHIN FOOD FESTIVAL	17.06.16 18.06.16	08:00 to 22:00	A

NEWARK – CASTLE 16/00733/TEN	01.06.16	NEWARK CASTLE, CASTLE GATE, NEWARK,	JOE BONAMASSE CONCERT	08.07.16	11:00 to 23:00	A
NEWARK – CASTLE 16/00714/TEN	24.05.16	NEWARK ROWING CLUB, FARNDON ROAD, NEWARK ON TRENT, NG24 4SE	PRIVATE PARTY	15.07.16	18:00 to 23:59	A, E, R
NEWARK – CASTLE 16/00685/TEN	11.05.16	THE OLD POST OFFICE, 34 KIRK GATE, NEWARK, NG24 1AB	BANK HOLIDAY DISCO	30.05.16	00:00 to 02:00	A, E, R
NEWARK – CASTLE 16/00670/TEN	06.05.16	NEWARK CASTLE, CASTLE GATE, NEWARK,	WEDDING	21.05.16	13:00 to 23:59	A & E
OLLERTON 16/00874/TENLAT	27.06.16	THORESBY HOME FARM, THE GREEN PERLETHORPE, NG22 9EQ		09.07.16	20:00 to 01:00	A, E, R
OLLERTON 16/00820/TEN	16.06.16	MAUN INFANTS SCHOOL, WALESBY LANE, OLLERTON, NG22 9RJ	RETIREMENT PARTY	16.07.16	16:00 to 21:00	A
OLLERTON 16/00760/TEN	16.06.16	EVENTS FIELD, THORESBY PARK, PERLETHORPE, NG22 9WH	CARAVAN CLUB BIRTHDAY MEET	23.06.16 24.06.16 25.06.16 26.06.16	14:00 to 23:00 13:00 to 23:00 11:00 to 23:00 11:00 to 15:00	A
OLLERTON 16/00732/TEN	1.6.2016	LIFESPRING CENTRE, SHERWOOD DRIVE, OLLERTON, NG22 9PP	WEDDING	10.06.16	17:00 to 24:00	A
OLLERTON 16/00661/TENLAT	04.05.15	LIFESPRING CENTRE, SHERWOOD DRIVE, OLLERTON, NG22 9PP	WEDDING	14.05.16	17:00 to 24:00	A
RAINWORTH NORTH AND RUFFORD 16/00707/TEN	20.05.16	WELLOW HOUSE SCHOOL, NEWARK ROAD, WELLOW, NG22 0EA	SPORTS DAY	17.06.16	13:00 to 17:30	A
RAINWORTH NORTH AND RUFFORD 16/00706/TEN	20.05.16	WELLOW HOUSE SCHOOL, NEWARK ROAD, WELLOW, NG22 0EA	SPORTS DAY	10.06.16	13:00 to 17:30	A
RAINWORTH NORTH AND RUFFORD 16/00705/TEN	20.05.16	WELLOW HOUSE SCHOOL, NEWARK ROAD, WELLOW, NG22 0EA	SUMMER BALL	25.06.16	11:00 to 01:00	A
RAINWORTH SOUTH AND BLIDWORTH 16/00779/TEN	08.06.16	JERRY GREEN DOG RESCUE CENTRE, WARSOP LANE, RAINWORTH, NG21 0PG	SUMMER FUNDRAISING SHOW	28.08.16	11:00 to 16:00	E
RAINWORTH SOUTH AND BLIDWORTH 16/00738/TEN	01.06.16	KIRKFIELD, CALVERTON ROAD, BLIDWORTH, NG21 0NW	CHARITABLE FUN DAY	03.07.16	10:00 to 17:00	A & E

RAINWORTH SOUTH AND BLIDWORTH 16/00737/TEN	01.06.16	KIRKFIELD, CALVERTON ROAD, BLIDWORTH, NG21 0NW	CHARITABLE FUN DAY	24.07.16	14:00 to 20:00	A & E
RAINWORTH SOUTH AND BLIDWORTH 16/00736/TEN	01.06.16	KIRKFIELD, CALVERTON ROAD, BLIDWORTH, NG21 0NW	WEDDING	18.06.16 19.06.16	11:00 to 00:30	A, E, R
RAINWORTH SOUTH AND BLIDWORTH 16/00699/TEN	18.05.16	PROVIDENCE FARM, CROSS LANE, BLIDWORTH, NG21 0LY	WEDDING	04.06.16 05.06.16	15:00 to 01:00	A
SOUTHWELL 16/00873/TENLAT	27.06.16	MINSTER SCHOOL, NOTTINGHAM ROAD, SOUTHWELL, NG25 0LG	CHARITY QUIZ NIGHT	08.07.16	19:00 to 23:00	A
SOUTHWELL 16/00852/TEN	21.06.16	BRACKENHURST COLLEGE, BRACKENHURST LANE, SOUTHWELL, NG25 0QF	WEDDING	06.08.16	13:00 to 24:00	A & E
SOUTHWELL 16/00849/TEN	21.06.16	MINSTER SCHOOL, NOTTINGHAM ROAD, SOUTHWELL, NG25 0LG	SCHOOL CONCERT	11.07.16	18:00 to 23:00	A & E
SOUTHWELL 16/00848/TEN	21.06.16	MINSTER SCHOOL, NOTTINGHAM ROAD, SOUTHWELL, NG25 0LG	SCHOOL CONCERT	05.07.16	18:00 to 23:00	A & E
SOUTHWELL 16/00824/TEN,	17.06.16	THE FINAL WHISTLE, STATION ROAD, SOUTHWELL, NG25 0ET	BEER FESTIVAL	22.07.16 23.07.16	12:00 to 23:00	A & E
SOUTHWELL 16/00784/TEN	10.06.16	FAR CORKHILL FARM, CORKHILL LANE, KIRKLINGTON, NG22 8NP	PARTY	25.06.16	18:00 to 23:00	A
SOUTHWELL 16/00761/TEN	07.06.16	FIELD ADJ to BURNELL ARMS, MAIN STREET, WINKBURN, NG22 8PQ	DOG SHOW	16.07.16	12:00 to 19:00	A
SOUTHWELL 16/00750/TEN	06.06.16	THE PREBEND COACH HOUSE, CHURCH STREET, SOUTHWELL, NG25 0HQ	FUNDRAISING GARDEN PARTY	10.07.16	12:00 to 18:00	A & E
SOUTHWELL 16/00725/TEN	31.05.16	HOME FARM, BRACKENHURST LANE, SOUTHWELL, NG25 0QL	FUNDRAISING PARTY	25.06.16	19:00 to 23:00	A
SOUTHWELL 16/00721/TEN,	27.05.16	APPLEDOWN, GREAVES LANE, EDINGLEY, NG22 8BJ	WEDDING	18.06.16	14:00 to 24:00	A & E
SOUTHWELL 16/00701/TEN	18.05.16	KIRKLINGTON PRIMARY SCHOOL, SCHOOL LANE, KIRKLINGTON, NG22 8NG	SUMMER FAIR	02.07.16	14:00 to 16:00	A & E
SOUTHWELL 16/00674/TEN	06.05.16	THE HOPBARN, HOCKERWOOD LANE, UPTON, NG25 0PZ	CONCERT	21.05.16	19:30 to 23:00	A & E
SOUTHWELL 16/00633/TEN	25.04.16	LOWES WONG JUNIOR AND INFANT SCHOOL, QUEEN STREET, SOUTHWELL, NG25 0AA	MAY FAIR	14.05.16	11:00 to 01:00	A

SOUTHWELL 16/00607/TEN	18.04.16	TREBECK MEMORIAL HALL, BISHOPS DRIVE, SOUTHWELL, NG25 0JP	CHARITY QUIZ	21.05.16	19:00 to 23:00	A
SOUTHWELL 16/00606/TEN	18.04.16	SOUTHWELL FOLK FESTIVAL, MILL LANE, UPTON	SOUTHWELL FOLK FESTIVAL	09.06.16 10.06.16 11.06.16 12.06.16	09:00 to 22:00	A
SOUTHWELL 16/00601/TEN	18.04.16	HOPYARD FARM, HOCKERWOOD LANE, UPTON, NG25 0PZ	THEATRE PERFORMANCE	07.05.16	18:00 to 23:00	A
SOUTHWELL 16/00584/TEN	27.04.16	MINSTER SCHOOL, NOTTINGHAM ROAD, SOUTHWELL, NG25 0LG	QUIZ NIGHT	13.05.16	18:45 to 23:00	A
SUTTON ON TRENT 16/00814/TEN	15.06.16	LADYWOOD FARM, LADYWOOD LANE, WESTON, NG23 6TD	BARN DANCE	09.07.16	19:00 to 24:00	A & E
SUTTON ON TRENT 16/00777/TEN	08.06.16	EGMANTON VILLAGE HALL, TUXFORD ROAD, EGMANTON, NG24 0HA	CHARITY SUMMER PARTY	02.07.16	19:00 to 23:30	A & E
SUTTON ON TRENT 16/00774/TEN	08.06.16	THE DOVECOTE INN, CROSS HILL, LAXTON, NG22 0SX	SUMMER BALL	08.07.16	19:00 to 24:00	A & E
SUTTON ON TRENT 16/00657/TEN	29.04.16	WESTON VILLAGE HALL, MAIN STREET, WESTON, NG23 6ST	VILLAGE PUB NIGHT	14.05.16	19:00 to 23:00	A
SUTTON ON TRENT 16/00766/TEN	07.06.16	EGMANTON VILLAGE HALL, TUXFORD ROAD, EGMANTON, NG22 0HA	WEDDING	14.08.16	15:00 to 23:00	A & E
SUTTON ON TRENT 16/00765/TEN	07.06.16	EGMANTON VILLAGE HALL, TUXFORD ROAD, EGMANTON, NG22 0HA	WEDDING	16.07.16	13:00 to 23:30	A & E
SUTTON ON TRENT 16/00731/TEN	31.05.16	CARLTON HALL, CHURCH LANE, CARLTON ON TRENT, NG23 6LP	VILLAGE FETE	25.06.16	12:00 to 19:00	A & E
SUTTON ON TRENT 16/00724/TEN	31.05.16	ORCHARD END, 3 CARLTON LANE, SUTTON ON TRENT, NG23 6PH	WEDDING	30.07.16 31.07.16	14:00 to 24:00	A, E, R
TRENT 16/00851/TEN MODIFIED	21.06.16	MEADOWFIELD GARDENS CAMPING AND CARAVAN SITE, FISKERTON ROAD, ROLLESTON, NG23 5SJ	BIRTHDAY PARTY	16.07.16 17.07.16	17:00 to 00:30	A, E, R
TRENT 16/00794/TEN	13.06.16	ORCHARD FARM, FISKERTON ROAD, ROLLESTON, NG23 5SJ	CHILLI, BEER AND ARTISAN FESTIVAL	08.07.16 09.07.16 10.07.16	19:00 to 23:00 10:00 to 23:59 10:00 to 17:00	A, E, R
TRENT 16/00767/TEN	07.06.16	BRITISH HOROLOGICAL INSTITUTE, MAIN STREET, UPTON	VILLAGE FETE	02.07.16	14:00 to 18:00	A

TRENT 16/00753/TENLAT	06.06.16	BRITISH HOROLOGICAL INSTITUTE, MAIN STREET, UPTON	FUNDRAISING LUNCH	12.06.16	10:00 to 18:00	A
TRENT 16/00709/TEN	20.05.16	ARTHUR RADFORD HALL, COOKS LANE, MORTON, SOUTHWELL, NG25 0XG	BIRTHDAY PARTY	17.07.16	14:00 to 23:00	A
TRENT 16/00708/TEN	20.05.16	ARTHUR RADFORD HALL, COOKS LANE, MORTON, SOUTHWELL, NG25 0XG	CRICKET FUNDRAISING EVENT	29.05.16	21:00 to 21:00	A
TRENT 16/00758/TEN MODIFIED	18.05.16	LAND OFF MAIN STREET, UPTON	PARTY	11.06.16 12.06.16	17:00 to 02:00	A
TRENT 16/00650/TEN	28.04.16	BLEASBY C OF E SCHOOL, STATION ROAD, BLEASBY, NG14 7GD	SUMMER FAIR	18.06.16	13:00 to 17:00	A

UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

1.0 Purpose of Report

1.1 To inform Committee of the activity and performance of the licensing team between 1 April and 30th June 2016 and to provide members with details of current going enforcement issues.

2.0 Background

2.1 This report covers the period from 1 April to 30 June 2016 and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

Activity Report for 1 April to 30 June 2016

Application Type	Number Received	Number Issued	Number Refused	Comments
Personal Licence	25	25	0	
Vary the Designated Premise Supervisor	32	32	0	
Transfer of Premise Licence	8	8	0	
Minor Variation	3	3	0	
Variation to Premise Licence	2	2	0	
New Premise licence	3	3	0	
Change of Premise Name	0	0	0	
Notification of Interest	0	0	0	
Temporary Event Notices	118	116		1 Modified 2 Cancelled

2.2 As can be seen from the above table there were two variations to existing licences and three new applications for premises licences. The table below identifies the premises and the outlines the outcomes of the applications.

Premises	Application	Description of application	Outcome
6 Martindale Lane, Newark	New premises application	Application to sell alcohol from a general store	Granted subject to conditions
Wellowfest Chapel Farm Wellow	New premises application	Application to licence festival site for 3 days per year	Granted following Hearing
Brecks Farm Maplebeck	New premises application	Farmers ball for one event every two years	Granted subject to conditions
Bella Italia, Center Parcs	Variation to licence	Layout Changes, additional seating and extension of customer area	Granted subject to conditions
Browbot Petroleum, Bowbridge Road	Variation to licence	Extend hours of sale to 24hrs. Addition of late night refreshment. Amendment to conditions	Granted subject to conditions

2.3 Enforcement Activity

Ongoing Enforcement Activity 1-April to 30 June 2016

Location	Summary Of Complaint/Reason For Visit	Date Case Opened	Action Taken So Far
Shell Service Station, Ollerton	Premise licence check	04.04.16	All in order
Co-op, Edwinstowe	Premise licence check	04.04.16	All in order
C K Convenience Store, Edwinstowe	Premise licence check	04.04.16	All in order
Mills Newsagents, Edwinstowe	Premise licence check	04.04.16	All in order
Bargain Booze, Edwinstowe	Premise licence check	04.04.16	All in order
Texaco, Ollerton	Premise licence check	04.04.16	All in order
Fox & Crown, Newark	DPS change not notified	19.04.16	Police notified us that at routine visit the DPS was not who we had listed on licence. Investigations discovered previous DPS not been in situ since Christmas. Spoke to licence holder and new application received within an hour. Warning letter issued licence holder for failure to change DPS.
Londis, Eton Avenue	Premise licence check	21.04.16	All in order.
Holly Farm Shop, Cromwell	Premise licence check	13.04.16	Premise closed. No longer operating
Milestone Brewery, Cromwell	Premise licence check	13.04.16	All in order
Jet Station, Rainworth	Premise licence check	18.4.2016	All in order
Tipple and Tape, 68 Kirklington Road, Rainworth	Premise licence check	18.4.16 04.05.16	Revisit required. Advice given re: summary refusals book and authority to sell. All in order
Londis, Preston Road, Rainworth	Premise licence check	18.04.16	All in order
Co-op, Southwell Road East, Rainworth	Premise licence check	18.04.16	All in order
Spar, Lake Farm Road, Rainworth	Premise licence check	18.04.16	Revisit required. Advice given re: summary refusals book and authority to sell.

		04.05.16	All in order
Tesco Express, Kirklington Road, Rainworth	Premise licence check	18.04.16	All in order
Cromwell Services, Cromwell	Premise licence check	18.04.16	All in order
Co-op, High Street, Sutton on Trent	Premise licence check	18.04.16	All in order
Center Parcs, Rufford	Gaming Machine visit	31.05.16	Machines have been sited so that they can be supervised. However, plan does not reflect their current positions. Requested new plan
Lyndhurst Stores, Blidworth	Premise licence check	04.05.16	All in order

Tesco Express, Blidworth	Premise licence check	04.05.16	All in order
Co-op, Mansfield Road, Blidworth	Premise licence check	04.05.16	All in order
Ruby Newsagents, Mansfield Road, Clipstone	Premise licence check	04.05.16	All in order
Bacon Barn, Old Hall Farm Shop, Kneesall	Premise licence check	11.05.16	All in order
Co-op, Mansfield Road, Clipstone	Premise licence check	11.05.16	All in order
The Pit Stop, Mansfield Road, Clipstone	Premise licence check	11.05.16	All in order
C K Convenience, First Avenue, Edwinstowe	Premise licence check	11.05.16	All in order
Wizard Confectionary, Edwinstowe	Premise licence check	11.05.16	All in order
Norwell Post Office, Norwell	Premise licence check	11.05.16	All in order
Old Vicarage Boutique Hostel, Southwell	Premise licence check	31.05.16	Noise complaint. Advice given to the complainant regarding regulated entertainment.
Lurcher, Rainworth	Noise complaint	31.05.16	Noise complaint. Advice given to DPS.

Fox & Crown, Newark	Noise complaint	30.06.16	Noise complaint. Advice given DPS.
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3.0 RECOMMENDATION

That the Committee consider the contents of the report and identifies any issues it wishes to examine further.

For further information please contact Nicola Kellas on Extension 5894.

Karen White
Director – Safety