

Committee Agenda



**Epping Forest
District Council**

Licensing Committee Wednesday, 15th October, 2008

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 2.00 pm

Democratic Services Officer Gary Woodhall (Research and Democratic Services)
Email: gwoodhall@eppingforestdc.gov.uk Tel: 01992 564470

Members:

Councillors Mrs P Brooks (Chairman), Mrs P Richardson (Vice-Chairman), K Angold-Stephens, R Barrett, Mrs S Clapp, M Cohen, D Dodeja, Mrs R Gadsby, J Hart, Ms J Hedges, Mrs M McEwen, R Morgan, B Rolfe, Mrs P Smith and J Wyatt

PLEASE NOTE THE START TIME OF THE MEETING

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

3. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order (6) (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks notice of non-urgent items is required.

4. MINUTES OF THE LICENSING COMMITTEE (Pages 5 - 8)

To confirm the minutes of the Licensing Committee meeting held on 16 April 2008.

5. MINUTES OF THE LICENSING SUB-COMMITTEES

Copies of the minutes from the Sub-Committee's meetings will be available for the relevant Chairmen to sign off.

6. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003

Under the Licensing Act 2003, officers are required to report on the numbers of applications received and the determinations of those applications. The following table outlines the applications received for the period up to 29 September 2008.

(a) Premises Licence Applications/Variations

Number of new applications	7
Number of renewals	340
Change of Designated Premises Supervisor	53
Number of applications for variation	3
Number of applications granted under delegated authority	9
Number of applications considered by the Sub-Committee	1
Number of applications granted subject to conditions	0
Number of applications refused	0
Number of appeals to Magistrates	0
Temporary Event Notices	130
Reviews	2
Refused	2

(b) Personal Licence Applications

Number of applications received	42
Number of applications granted under delegated authority	42
Number of applications refused	0
Number of appeals to Magistrates	0

7. APPLICATIONS RECEIVED UNDER THE GAMBLING ACT 2005**(a) Betting Office Applications**

The following table outlines the applications received for the period up to 29 September 2008.

Betting office applications granted	0
Club gaming permit granted	1
Notifications for 2 gaming machines	2

8. MISCELLANEOUS LICENSING APPLICATIONS RECEIVED

The following table lists the other applications received for the period up to 29 September 2008:

(i) Street Trading Applications	1
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9. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES

To review the proceedings of the Licensing Sub-Committee held during the preceding period and identify any problems of procedure, policy and organisation that have adversely affected the running of the meetings.

10. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE

To highlight any further training considered necessary for the members tasked with discharging the Council's Licensing function.

11. HACKNEY CARRIAGE AND PRIVATE HIRE REVIEW (Pages 9 - 30)

(Assistant Director Legal Services) To consider the attached report.

12. HACKNEY CARRIAGE AND PRIVATE HIRE CONSULTATION (Pages 31 - 34)

(Assistant Director Legal Services) To consider the attached report.

13. HACKNEY CARRIAGE AND PRIVATE HIRE DELEGATED AUTHORITY (Pages 35 - 38)

(Assistant Director Legal Services) To consider the attached report.

14. MATTERS ARISING

To consider any further matters arising in respect of the Council's Licensing function, not covered elsewhere on the agenda.

15. DATE OF NEXT MEETING

The next meeting of the Licensing Committee has been scheduled for 15 April 2009 at 2.00pm in the Council Chamber.

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Committee **Date:** Wednesday, 16 April 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 2.00 - 3.05 pm

Members Present: M Woollard (Chairman), Mrs P Smith (Vice-Chairman), M Cohen, Mrs R Gadsby, Ms J Hedges, R Morgan, T Richardson and J Wyatt

Other Councillors:

Apologies: Mrs M McEwen and Mrs P K Rush

Officers Present: A Mitchell (Assistant Head of Legal, Administration and Estates (Legal)), R Ferriera (Legal Executive), K Tuckey (Environmental Services) and A Hendry (Democratic Services Officer)

Also in attendance S Fisher

14. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

15. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Committee.

16. MINUTES OF THE LICENSING COMMITTEE

RESOLVED:

That the minutes of the meeting held on 10 October 2007 be taken as read and signed by the Chairman as a correct record.

17. MINUTES OF THE LICENSING SUB-COMMITTEES

RESOLVED:

That the minutes of the following meetings of the Licensing Sub-Committee be taken as read and signed by the relevant Chairmen as a correct record:

- (i) 4 October 2007;
- (ii) 1 November 2007;
- (iii) 6 December 2007;
- (iv) 10 January 2008;

- (v) 7 February 2008; and
- (vi) 6 March 2008.

18. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003

The Assistant Director of Legal Services reported that, up to 31 March 2008, in respect of Premises License Applications or Variations, there had been 8 new applications, 7 renewals, 38 Change of Designated Premises Supervisor applications, and 10 applications for variation received. Of these, 14 applications were granted under delegated authority, whilst 5 were considered by Sub-Committee and granted subject to conditions. A single application had been refused and there had not yet been an appeal to the Magistrate's Court. In addition, 37 Temporary Event Notices had also been granted, and 37 Personal Licence applications had been received and granted under delegated authority. It was noted that under the Gambling Act 2005, 3 Betting Office Applications had been granted and 1 Club gaming permit granted.

RESOLVED:

That the report to the Licensing Committee regarding the current situation in respect of the applications received under the Licensing Act 2003 and the Gambling Act 2005 be noted.

19. TO REVIEW THE ORGANISATION AND RUNNING OF THE LICENSING SUB-COMMITTEES SO FAR AND IDENTIFY ANY MATTERS OF CONCERN ARISING

RESOLVED:

That the Committee were satisfied with the current procedures of the Licensing Committee and the Sub-committee meetings.

20. REVIEW OF THE LICENSING FUNCTION

The Chairman welcomed Simon Fisher, the Divisional Licensing Officer for Essex Police, who was there at the invitation of the Committee. They had concerns that they had not received many objections from the Police. He was asked to take the Committee through their procedure on how they decide to object (or not) to any particular application. Mr Fisher said that when an application was received, if they have any concerns they carry out a full investigation, including interviews. If they continued to have concerns then they would take it to the District Licensing Sub-committee. If, for example, they have a problem with personal criminal convictions they will talk to the person concerned and see if they can sort it out. This can have the effect to cause the application to be withdrawn. When it comes to Licensing Sub-committees, they do go through all applications and would have negotiated with applicants to modify or withdraw their application. Only a very few will need to be brought to the Sub-Committee. The cases that they have brought recently to the Sub-Committee have been led by Counsel, who was complementary about the way it was handled and the speedy way it was dealt with. Any infringements that we may receive intelligence about, we investigate and give out warnings etc.

Mr Fisher was asked about a recent Sub-committee meeting that reviewed a licence. The review was refused because of the low quality of evidence presented. The evidence was supplied by ECC and not the Police. Councillor Cohen remarked that the second set of proceedings were prosecuted by Counsel and were presented in a more legal way. As this sort of application was looking at taking away someone's livelihood, it was only right for it to be more formal. In future will you continue to use the services of Counsel? Mr Fisher replied that it was difficult to answer this. If the other side was to be represented by Counsel then they would like to have their own Counsel there, other wise he would handle the case.

Councillor Morgan remarked that the evidence was much better for the second case. Mr Fisher agreed, saying the Trading Standards had learned from the previous cases. They were conscious that it had to be done properly, with enough evidence being presented. The Senior Licensing Officer commented that the Trading Standards people were surprised at the formality of the meeting and embarrassed that they did come completely prepared and will do better next time.

Councillor Cohen asked if the police were constrained by Trading Standards taking the lead. Mr Fisher replied that the Home Office has said that Trading Standards must take the lead. They were learning and getting better at presenting their cases.

Councillor Wyatt asked if they ensured that the young people used in test purchasing lived some way from the shop being tested. Mr Fisher confirmed that they were all drawn from different areas well away from the test areas to ensure that they are not known.

Councillor Mrs Smith said that the public were not aware of the background checks that the Police do for the applications and how they filter out the issues in the background. Could they not communicate this to the Neighbourhood Action Groups? Mr Fisher replied that they would if they were informed of their concerns. It was noted that the quality of evidence at a hearing had to be off the same standard of a criminal case.

Councillor Cohen commented that he had never heard a Police Officer ask an accused from "which premises you came from". Mr Fisher said that the custody sergeant had a set number of questions to ask and the 'where their last drink was' was one of these.

The Chairman remarked that the premises serving someone who was the worst for wear should be asking these types of questions before they served them. Mr Fisher commented that some of the demands placed on the licensees by their parent companies were unrealistic. They have to make more money and so will do anything possible to get their margins up. There was great competition out there. He was a one man band, strapped for resources.

The Chairman thanked Mr Fisher for coming to this meeting and wanted to formally record the Committee's thanks for all the hard work he has done in his role as Divisional Licensing Officer.

21. LICENSING POLICY REVIEW

Councillor Mrs Smith asked about possible concession for green taxis. The Senior Licensing Officer said that they were currently looking at the new business plan, which involved all things covering taxis. They would bring their conclusions to members when the report is done. This will also include proposals for the Langston

Road MOT service for taxis. Currently there is some debate whether Langston Road is to be sold off. EFDC would have to reconsider their options if this is done.

Councillor Cohen said that there were some concerns over the fees being charged under the Gambling Act; are we covering our costs? The Senior Licensing Officer said she would find out and get back to the committee on this.

ACTION: to report back on the fees charged under the Gambling Act.

22. LOUGHTON TOWN COUNCIL

The Committee noted the concerns and observations offered by the Loughton Council Town Clerk in her letter of 14 February 2008.

They noted that:

- the procedures of the Sub-Committee were always read out at the start of a case and also appears on the agenda;
- the venue is considered by the Committee to be the most appropriate, they have tried other venues, such as the Committee Rooms but they did not work as well;
- the cases, especially for Taxi licences, do not last very long; and
- the Chamber has very good microphones, so sound should not be a problem.

RESOLVED:

To keep to using the Council Chamber for all Licensing Meetings where possible.

23. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE

1. The Committee noted that a Sub-committee should be made up of experienced and novice members and that all members should have a chance to chair a meeting at least once.

2. The Committee agreed that a chairman does not necessarily have to continue all day, and can change. However, a Chairman must sit through an entire application and not change halfway through.

24. DATE OF NEXT MEETING

1. The Committee noted the date of the next scheduled meeting.

2. As this was the last Committee meeting of the year, the members wanted to give a vote of thanks to the officers for their hard work during the year. This was also the last meeting for the Chairman of the Committee, Councillor Woollard, who was stepping down as a Councillor at the end of the year. The Committee wanted to express their thanks to him for all his hard work on the committee during the year.

CHAIRMAN

Report to the Licensing Committee

Report reference:

Date of meeting: 15 October 2008



**Epping Forest
District Council**

Subject: Hackney Carriage And Private Hire Review.

Responsible Officer: Alison Mitchell (01992-564017).

Democratic Services Officer: Gary Woodhall (01992-564470)

Recommendations/Decisions Required:

- (1) To vary the licence conditions in respect of:
 - (a) Hackney Carriage Vehicle Licence;
 - (b) Hackney Carriage Driver's Licence;
 - (c) Private Hire Vehicle Licence;
 - (d) Private Hire Driver's Licence; and
 - (e) Operator's Licence.

Other Options for Action:

The Council could consider reducing the number of tests to be carried out on vehicles to the minimum required once a year after the vehicle is over three years. However, having sought technical advice from officers at the Langston Road depot this is not recommended.

Report:

1. A review has been carried out of the various taxi licences in order to incorporate changes in legislation and generally update the provisions. There are set out below details of the main changes

Hackney Carriage /Private Hire Vehicle Licence

2. Some amendments have been made to the Vehicle Specifications which are as follows:

- (a) The previous conditions asked for three doors, this has been increased to four doors.
- (b) There is a trend with smaller new cars not to provide a spare wheel. A repair kit is included instead but advice received suggests that although this would be sufficient to repair a small hole but not a larger gash. However, if the Council continued to insist upon a spare wheel then the amount of storage for luggage would be substantially decreased. The conditions have been amended to allow the vehicles to carry a spare wheel or a run flat type of tyre, which is smaller together with the necessary tools for fitting.

- (c) Additional requirements for storage of luggage in a safe way.
- (d) The requirements of side view mirrors.

3. There is a legal duty to have inspections once a year after the vehicle is over three years old. Government guidance suggests that inspections for older vehicles should be carried out more frequently. At present the Council requires that inspections take place every four months. It is suggested that the inspections of new vehicles should take place twice yearly and for vehicles over five years old they should continue to be inspected three times a year.

4. The inspections are to ensure that the vehicles comply with the conditions set out in the Vehicle Licence and the Taxi Inspection Report also attached.

Hackney Carriage/Private Hire Vehicle Driver's licence

5. There has been a requirement that the driver must not smoke in his vehicle. This is to take account of recent legislation.

6. A new duty has been introduced to permit animals to be allowed into vehicles where they are assisting a disabled person. This is a legal requirement.

7. There is included as one of the conditions that the driver must have passed a knowledge test of this area.

Operator's Licence

8. The conditions suggested are similar to those operated by other authorities.

Resource Implications:

None.

Legal and Governance Implications:

The Local Government (Miscellaneous Provisions) Act 1976.
The Town Police Clauses Act 1847.
The Disability Discrimination Act 1995.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

None.

Background Papers:

None.

Impact Assessments:

Not performed.

PRIVATE HIRE/HACKNEY CARRIAGE - TAXI INSPECTION REPORT

Inspecting Garage _____		Inspection Date _____		
Vehicle Registration No. _____		EFDC Licence No. _____		
Year of Manufacture _____		Make & Model _____		
Colour _____		Recorded Mileage _____		
Current MOT Expiry Date _____		Certificate Number _____		
A. Preliminary Inspection - General Appearance & Condition				
Exterior	Pass	Advise	Delayed Failure	Failed
Interior	Pass	Advise	Delayed Failure	Failed
Delayed Failure - Vehicle must be re-presented within 28 days for body/paintwork inspection only.				
B. Preliminary Inspection - Engine Condition & Timing Belt History				
Engine Condition	Good	Acceptable	Poor	Test Aborted
Timing Belt Service History	Within Limits	Unknown	N.A.	Test Aborted
C. Workshop Inspection				
Items Tested	Test Manual Reference	Pass	Fail	Reason For Failure & Remarks
Lighting & Horn				
Front & Rear Lamps etc	1.1			
Headlamps	1.2			
Brake Lamps	1.3			
Rear Reflectors	1.4			
Direction Indicators	1.5			
Hazard Warning Lamps	1.5			
Headlamp Aim	1.6			
Horn Operation	1.7			
Interior Lamps	N.A.			
Steering & Suspension				
Steering Control	2.1			
Steering Mechanism	2.2			
Steering System	2.2			
Power Steering Operation	2.3			
Power Steering System	2.3			
Front Suspension	2.4, 2.5			
Rear Suspension	2.4, 2.6			
Transmission Shafts	2.5			
Wheel Bearings	2.5, 2.6			
Shock Absorbers	2.7			
Wheel Alignment	N.A.			
Oil & Fluid Leaks	N.A.			
Brakes				
ABS Warning System & Controls	3.4			
Service Brake System	3.3, 3.5, 3.6			
Service Brake Performance	3.7			
Parking Brake System	3.1, 3.2, 3.5			
Parking Brake Performance	3.7			
Additional Braking Devices	Where app.			
Wheels & Tyres				
Tyre Size & Type (Inc. Spare)	4.1			
Tyre Speed Rating (Inc. Spare)	4.1			
Tyre Condition (Inc. Spare)	4.1			
Wheel Rims	4.2			

Items Tested	Test Manual Reference	Pass	Fail	Reason for Failure & Remarks
Seat Belts				
Type & Presence	5.1			
Mountings, Operation & Condition	5.1			
General				
Drivers View of the Road	8.2,8.3,8.4			
Wiper Blades (Front & Rear)	8.2			
Screen washers	8.2			
Mirrors (Including Interior)	8.1			
Exhaust System	7.1			
Exhaust Emissions	7.3,7.4			
General Vehicle Condition	6.1,6.2,6.4			
Fuel System	7.2			
Registration Plates & VIN No.	6.3			
Glazing (Door Glasses etc)	N.A.			
Road Test				
Check for abnormal engine or transmission noise				
Check for excessive smoke emissions				
Check power & performance under load				
Check steering & brake operation				
Check suspension for knocks, noises, ride etc				
Check speedo, odometer operation				
Licence Conditions				
Seats - Width & suitability				
Doors - Number & suitability				
Wheelchair & luggage stowage				
Fire Extinguisher				
Window Stickers & Licence Plate Fitted Correctly				
Hackney Carriage Only - Taxi sign fitted				

D - Test Result

Mechanical Condition & Safety Items

Pass	
Fail	
Advise	

Coachworks & Cab Conditions

Pass	
Fail	
Delayed Fail	

Delayed Failure - Vehicle must be re-presented for inspection within 28 days

Advise Items

1. _____
2. _____
3. _____
4. _____

Garage Stamp	Inspector's Name: _____
	Inspector's Signature: _____

**PRIVATE HIRE VEHICLE LICENCE CONDITIONS.
(Proposed Conditions)**

Epping Forest District Council is the licensing authority in respect of Private Hire Vehicles. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of Private Hire Vehicles in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

VEHICLE LICENCE

Term of Licence

1. A Private Hire Vehicle licence shall be renewed annually.

Signs

2. A plate, bearing the number of the license and the number of passengers for which the vehicle is licensed, shall be displayed in a vertical position, and fixed firmly to the outside of the vehicle close to the rear number plate. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and license. The plate must be returned on the termination of the licence.
3. Window signs, as supplied by the Council, shall be displayed on each passenger window of the vehicle.
4. A driver shall not conceal from public view or deface the Private Hire Vehicle plate. The plate shall be kept clean.
5. The trade name, address and telephone number of the operator may be displayed on the doors of the vehicle and/or on a maximum three inches depth advertisement panel in the rear window in a position not restricting rearward vision.
6. There shall be **no** display of roof signs of any description or the display of the word "TAXI" or "CAB" whether in the singular or plural and whether alone or part of another word nor the word "FOR HIRE" in any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up passengers wishing to hire it or would be available if not already hired.

Vehicle Specification

7. All vehicles shall be in satisfactory mechanical order and body condition and in operational order in every respect. Vehicles shall have:
 - a) A minimum of four doors, each adjacent to a seat and capable of being opened from the inside of the vehicle.
 - b) Seats with a minimum width of not less than 43cm per person.

- c) Accommodation for not less than four passengers.
- d) Be capable of carrying a wheelchair in a reasonable manner.
- e) The vehicle shall have a minimum headroom of five feet.
- f) An adequate heating system for the passengers.
- g) Internal panelling or trimmed with such materials as would be suitable for passenger comfort and sound insulation.
- h) A serviceable spare tyre or run flat type of tyre, jacking equipment and wheel brace.
- i) Adequate luggage facilities and the luggage must be adequately secured.
- j) Be equipped with fully functional nearside and offside exterior rear view mirrors.

Vehicle Inspections

- 6. If the vehicle is less than five years old the driver of a Private Hire Vehicle shall submit the vehicle for mechanical and/or such other inspection six months after the date that the licence is issued at premises that are approved by the Council.
- 7. If the vehicle is over five years the driver of a Private Hire Vehicle shall submit the vehicle for mechanical and/or such other inspection as the Council every four months from the date when the licence is issued at premises that are approved by the Council.
- 8. The Council may require a vehicle to be inspected at any other time.
- 9. The interim inspection reports must be submitted when renewing the vehicle licence.

Accidents

- 10. Without prejudice to any statutory duty imposed under the Road Traffic Acts, the proprietor of a Private Hire Vehicle shall report to the Council as soon as reasonably practicable, and in any case within seventy two hours of the occurrence of any accident causing damage which materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried in the vehicle. The licence holder must present the vehicle for inspection immediately if required by the Council. In the event that the vehicle fails an examination for serious body damage or mechanical defects it shall be subject to prohibition by written notice for use as a Private Hire Vehicle, until such time as the defect has been corrected to the satisfaction of the Council.

Advertising

11. Product advertising is permitted on the doors subject to the Council retaining the right to request removal of any particular advertisement that is felt to be unsuitable.

Condition of the Vehicle

13. The inside and outside of a Private Hire Vehicle vehicle shall be kept clean and free from damage, well maintained and in every way fit for public service.

Safety Equipment.

14. A Non Halon Fire Extinguisher conforming to BS5423 shall be carried and be readily available for use.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

“The authority is under a duty to protect public funds it administers, and to this end may use information The licence holder have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes”

PRIVATE HIRE DRIVER'S LICENCE CONDITIONS
(Proposed)

Epping Forest District Council is the licensing authority in respect of Private Hire Driver's licences. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of Private Hire Vehicles in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

Conduct of Driver

1. No person shall drive a vehicle licensed as a Private Hire Vehicle without a Private Hire Vehicle Driver's Licence which must be renewed annually. The holder shall also produce that licence for examination by his proprietor, both at the commencement of his employment and immediately after its renewal.
2. The driver be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with their reasonable requirements.

NB. Minimum standards of dress prohibit the wearing of vests or singlets. Shorts may be worn only if properly tailored and of sufficient length when the driver is seated as not to offend against decency

3. The driver is not permitted to smoke in the vehicle at any time even when the vehicle has no passengers.
4. The driver must take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicles.
5. If a driver carries a hirer to a certain place and the hirer asks the driver to wait, the driver may ask for his fare for driving there and ask also for a deposit against the waiting time. After accepting such a deposit, the driver shall not drive away without the consent of the hirer.
 - a. The driver of a Private Hire Vehicle who shall have agreed or shall have 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 with such vehicle at the appointed time and place.
5. When picking up the hirer, the driver shall make his presence known in person and shall not attract the hirer's attention by sounding the car horn, shouting or making any other disturbing noise.

6. The driver of a 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.

Badges

7. A driver shall, at all times, display his badge so that it is clearly visible.
8. The driver will return their badges to the Licensing Section upon the expiry, revocation or suspension of their licence.
9. After the expiry date shown on any drivers licence that is no longer valid any badge must be returned to the Licensing Section immediately.
10. A license holder, on changing his address shall notify the Council of such a change within seven days.

Insurance /MOT/ Licence.

11. The appropriate MOT Certificate and insurance documents covering the use of that vehicle and driver shall be produced within seven days when required by the Council. A copy of these documents shall also be carried on the vehicle and must produce them on request by an authorised officer of the Council or a police officer.
12. The driver of a Private Hire Vehicle shall produce his license on request for inspection by an authorised officer of the Council, or any police officer

Passengers and Luggage

13. A driver shall not carry or permit to be carried in his vehicle any greater number of persons than the number specified in the licence issued to that particular vehicle and must not refuse to carry fewer persons than the number marked on the plate
14. Once a Private Hire Vehicle has been hired, a driver shall not carry anyone else during that hire, without the CONSENT of the first hirer.
15. Adequate luggage facilities must be provided, ensuring its safety and the driver shall, when requested by the hirer:
 - a. Afford reasonable assistance in loading and unloading such luggage
 - b. Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he may take up or set down such person.

Lost Property

16. The driver of a Private Hire Vehicle shall immediately after the termination of the hiring search the vehicle for any property, which may have been accidentally left therein. The driver shall on finding such property, carry it as soon as possible and in any case within 48 hours, to his operator.

Animals

17. Any animal belonging to or in the custody of any passenger can be conveyed in a licensed vehicle at the driver's discretion.
18. Any driver of a licensed vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog, or a person who wishes such a person to accompany him or her in the vehicle will have a duty to:-
 - a. Convey the disabled passenger's dog and allow it to remain with the passenger, and
 - b. Are not to make any additional charge for doing so.

An assistance dog is defined by regulations as a dog which is trained by a specified charity i.e. "Dogs for the disabled", "Support Dogs" or "Canine Partners for Independence", to assist a disabled person with physical impairment and which at the time that its owner hires a taxi is wearing a yellow jacket inscribed with the name of a charity or has some other form.

19. A driver shall only be exempt from condition 18 on medical grounds and has obtained an exemption notice from the Council. The notice of exemption shall be displayed in a prominent position

Fares

1. The driver shall not demand from the hirer a fare in excess of any previously agreed fare for that hiring.
21. Where a tariff is enforced, a tariff card shall be displayed on the inside of the vehicle in such a position as is plainly visible to persons travelling in the vehicle.

Use of Private Hire Vehicle

22. No driver, licensed or otherwise, shall act as a Private Hire Vehicle driver without the consent of the owner of the Private Hire Vehicle .
23. A driver shall not leave his Private Hire Vehicle unattended in a public place, the Police being authorised to tow it away under such circumstances.
24. A driver shall not obstruct or hinder another Private Hire Vehicle driver in any way.

25. Private Hire Vehicles may not wait on any stand designated for the use of Hackney Carriages

Knowledge Test

26. Prior to the grant of a licence a driver must have successfully completed a knowledge test

Criminal Convictions

27. In the event that a license holder is charged or summoned for any alleged criminal offence, then he shall within seven days of being charged or on receipt of the summons (as the case may be) report the fact, in writing, to the Licensing authority, giving particulars of each alleged offence and in which court the proceedings are pending.
28. In the event that a license holder is convicted of any criminal offence, he shall within seven days of such conviction report such conviction in writing to the Council, and give particulars of each conviction and any penalty points imposed in respect of it. **All driving offences shall be reported to the Council (this also includes a totting up of points.)**
29. Following any conviction or the issue of a fixed penalty, notice which results in penalty points being endorsed on the license holder's DVLA driving license, that license must be produced to the Council within seven working days of its return from the DVLA or a Court or a Fixed Penalty Office, following the endorsement of the offence thereon.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

“The authority is under a duty to protect public funds it administers, and to this end may use information The licence holder have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes”



Epping Forest District Council

OPERATOR LICENCE APPLICATIONS

Before granting an operator licence, the Council shall be satisfied that, in addition to being a fit and proper person, applicants have met any further requirement that may be prescribed, which include the following requirements relating to licence holders

1. Details of any conviction incurred by the licensee during the currency of the licence must be reported in writing to the Council within two weeks of the date of the conviction.
2. Details of any changes to the information supplied on the application form, e.g. change of address of telephone number, must be notified to the Council within two weeks of the change.
3. The Operator must indicate clearly at the operation centre or within any advertising or promotion of their service that the service provided is in respect of pre-booked journeys only.
4. Detailed fare tariffs should be available to members of the public and displayed on public view at the operating centre or made available upon request.
5. Fares will be in accordance with the operator's advertised table of fares, unless otherwise agreed with the hirer at the time of booking.
6. The operator should give details of the fare for a particular hiring to the hirer when the booking is being made, if requested by the hirer.
7. Operators will be required to notify the Council of the name of the person responsible for the day-to-day running of each operating centre named on the licence, and of any changes of that
8. Operators must establish a complaints procedure, ensuring that all complaint records include the driver's name, nature of complaint, details of complainant and action taken.
9. Operators must establish a procedure for dealing with client's property lost and found in a Private Hire Vehicle operated by them or under contract to them. This should include evidence that an attempt has been made to return the property to the owner, and a system for recording and storing lost property.
10. Operators must provide details to the Council of any licensed driver whose services are dispensed with by the operator, where the circumstances of the driver's dismissal relate to a breach of the licence conditions.

11. Operators must display on public view at operating centres with public access evidence of their public liability insurance and must provide the Council with copies on request.
12. Operators shall not employ or otherwise engage, whether directly or indirect, any vehicle that has not been licensed by the Council or a driver who does not a valid licence, for any bookings.
13. Operators shall only accept booking at an authorised operating centre.
14. Operators shall display a copy of their licence at operating centre in a position that is accessible to member of the public.
15. Operators shall only sub contract bookings to a licensed operator.

Records

1. Records of private hire bookings and of vehicles and drivers available to the operator shall be kept as follows:-
 - 1) Records must be kept in a form which give easy access for inspection, e.g. in a bound book or if a booking is made by computer, a print out of each day's booking or kept in computerised form so that the record can easily be made available for inspection by an authorised officer of the Council or Police Officer. Records must be kept for at least one year.
 - 2) The operator shall keep at each operating centre, records of the Private Hire Vehicle drivers and vehicles (including a copy of their licence) available to the operator for carrying out bookings accepted at that centre.
 - 3) All records must be made and retained in written or electronic form and securely stored.
 - 4) Records of each hiring must contain the following details.
 - Date and time booking made
 - Name of hirer
 - Name of principal passenger (if different from 2)
 - Agreed time of pick-up
 - Agreed place of pick up
 - Destination(s) specified at time of hiring by the hirer(s)
 - identity of vehicle undertaking the hiring (vehicle registration or Private Hire Vehicle licence number)
 - identity of undertaking the hiring (name or Private Hire Vehicle driver licence number)
 - Fare quoted to hirer, if requested by hired
 - Time and of journey (if different from the date of booking)
 - whether the booking was sub-contracted; if so, the name of the sub-contractor, the
 - Licensing authority and the operator licence number.

5) Records of the Private Hire Vehicle driver(s) used by the operator must contain the following details:

- Full name of driver,
- Date of birth
- Address (of normal place of residence)
- Date driver became available to operator
- Category of vehicle for which eligible to drive
- Private Hire Drivers licence number
- Date driver ceased to be available to the operator

6) Records of the Private Hire Vehicle used by the operator must contain the following details:

- Manufacturer, model and colour
- Registration number
- Private Hire licence/plate number
- Registered owner name and address (on registration document)
- Date when vehicle became available to operator
- Copy of current valid certificate of insurance
- Date vehicle ceased to be available to the operator

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

“The authority is under a duty to protect public funds it administers, and to this end may use information The licence holder have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes”

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS.
(Proposed Conditions)

Epping Forest District Council is the licensing authority in respect of Hackney Carriages. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of hackney carriages in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

VEHICLE LICENCE

Term of Licence

1. A Hackney Carriage Vehicle Licence shall be renewed annually.

Signs

2. A plate, bearing the number of the licence and the number of passengers for which the vehicle is licensed, shall be displayed in a vertical position, and fixed firmly to the outside of the vehicle close to the rear number plate. The vehicle shall not be used to convey a greater number of passengers than shown on the plate and licence. The plate must be returned to the Council on termination of the licence.
3. Window signs, as supplied by the Council, shall be displayed on each passenger window of the vehicle.
4. A driver shall not conceal from public view or deface the Hackney Carriage plate. The plate shall be kept clean.
5. A Hackney Carriage shall be required to display a roof sign capable of being illuminated, and showing to the front and rear the word "TAXI", the light for which can be extinguished when the vehicle is under hire. London style taxis with signs forming an integral part of the roof are exempt from the regulation.
6. The trade name, address and telephone number of the operator may be displayed on the doors of the vehicle and/or on a maximum three inches depth advertisement panel in the rear window in a position not restricting rearward vision.

Vehicle Specification

7. All vehicles shall be in satisfactory mechanical order and body condition and in operational order in every respect. Vehicles shall have:
 - a) A minimum of four doors, each adjacent to a seat and capable of being opened from the inside of the vehicle.

- b) Seats with a minimum width of not less than 43cm per person.
- c) Accommodation for not less than four passengers.
- d) Be capable of carrying a wheelchair in a reasonable manner.
- e) The vehicle shall have a minimum headroom of five feet.
- f) An adequate heating system for the passengers.
- g) Internal panelling or trimmed with such materials as would be suitable for passenger comfort and sound insulation.
- h) A serviceable spare tyre or run flat type of tyre, jacking equipment and wheel brace.
- i) Adequate luggage facilities and either have a separate luggage compartment or a fixed screen (of sufficient construction to protect passengers from injury from items in the luggage compartment) between the rear seat and the luggage compartment which shall be kept in position at all times. This condition shall not apply to people carriers or multi purposes vehicles.
- j) Be equipped with fully functional nearside and offside exterior rear view mirrors.

Vehicle Inspections

- 7. If the vehicle is less than five years old the driver of a Hackney Carriage vehicle shall submit the vehicle for mechanical and/or such other inspection six months after the date when the licence is issued at premises that are approved by the Council.
- 8. If the vehicle is over five years old the driver of a Hackney Carriage vehicle shall submit the vehicle for mechanical and/or such other inspection as the Council every four months after the date that the licence was issued at premises that are approved by the Council.
- 9. The Council may require a vehicle to be inspected at any other time.
- 10. The interim inspection reports must be submitted when renewing the vehicle licence.

Accidents

- 11. Without prejudice to any statutory duty imposed under the Road Traffic Acts, the proprietor of a Hackney Carriage shall report to the Council as soon as reasonably practicable, and in any case within seventy two hours of the

occurrence of any accident causing damage which materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried in the vehicle. The licence holder must present the vehicle for inspection immediately if required by the Council. In the event that the vehicle fails an examination for serious body damage or mechanical defects it shall be subject to prohibition by written notice for use as a Hackney Carriage, until such time as the defect has been corrected to the satisfaction of the Council.

Advertising

12. Product advertising is permitted on the doors subject to the Council retaining the right to request removal of any particular advertisement that is felt to be unsuitable.

Condition of the Vehicle

13. The inside and outside of a Hackney Carriage vehicle shall be kept clean and free from damage, well maintained and in every way fit for public service.

Safety Equipment.

14. A Non Halon Fire Extinguisher conforming to BS5423 shall be carried and be readily available for use.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

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DRIVER'S LICENCE

Epping Forest District Council is the licensing authority in respect of Hackney Carriages. On granting a licence it will impose the following conditions which it considers are reasonably necessary for the regulation of hackney carriages in its district. All applications that fall outside these conditions will be referred to the licensing sub-committee for determination and may incur additional costs to be paid by the applicant.

Conduct of Driver

1. No person shall drive a vehicle licenced as a Hackney Carriage without a Hackney Carriage Driver's Licence which must be renewed annually. The holder shall also produce that Licence for examination by his proprietor, both at the commencement of his employment and immediately after its renewal.
2. The driver be clean, respectable and act with civility towards every person travelling in the vehicle and shall comply with their reasonable requirements.

NB. Minimum standards of dress prohibit the wearing of vests or singlets. Shorts may be worn only if properly tailored and of sufficient length when the driver is seated as not to offend against decency

3. The driver is not permitted to smoke in the vehicle at any time even when the vehicle has no passengers.
4. The driver must take all reasonable precautions to ensure the safety of persons travelling in or alighting from such vehicles.
5. If a driver carries a hirer to a certain place and the hirer asks the driver to wait, the driver may ask for his fare for driving there and ask also for a deposit against the waiting time. After accepting such a deposit, the driver shall not drive away without the consent of the hirer.
6. The driver of a Hackney Carriage who shall have agreed or shall have 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 with such vehicle at the appointed time and place.
7. When picking up the hirer, the driver shall make his presence known in person and shall not attract the hirer's attention by sounding the car horn, shouting or making any other disturbing noise.
8. The driver of a Hackney Carriage, 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.

Badges

9. A driver shall, at all times, display his badge so that it is clearly visible.
10. The driver will return their badges to the Licensing Section upon the expiry, revocation or suspension of their licence.
11. After the expiry date shown on any drivers licence that is no longer valid any badge must be returned to the Licensing Section immediately.
12. A Licence holder, on changing his address shall notify the Council of such a change within seven days.

Insurance /MOT/ Licence.

13. The appropriate MOT Certificate and insurance documents covering the use of that vehicle and driver shall be produced within seven days when required by the Council. A copy of these documents shall also be carried on the vehicle and must produce them on request by an authorised officer of the Council or a police officer.
14. The driver of a Hackney Carriage shall produce his Licence on request for inspection by an authorised officer of the Council, or any police officer

Passengers and Luggage

15. A driver shall not carry or permit to be carried in his vehicle any greater number of persons than the number specified in the licence issued to that particular vehicle and must not refuse to carry fewer persons than the number marked on the plate
16. Once a Hackney Carriage has been hired, a driver shall not carry anyone else during that hire, without the CONSENT of the first hirer.
17. Adequate luggage facilities must be provided, ensuring its safety and the driver shall, when requested by the hirer:
 - a. Afford reasonable assistance in loading and unloading such luggage
 - b. Afford reasonable assistance in removing such luggage to or from the entrance of any building, station or place at which he may take up or set down such person.
 - c. Take reasonable precautions to ensure the safety of persons entering or alighting from the vehicle.

Lost Property

17. The driver of a Hackney Carriage shall immediately after the termination of the hiring search the vehicle for any property, which may have been accidentally left therein. The driver shall on finding such property, carry it as soon as possible and in any case within 48 hours, to his operator.

Animals

18. Any animal belonging to or in the custody of any passenger can be conveyed in a Licenced vehicle at the driver's discretion.
19. Any driver of a Licenced vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog, or a person who wishes such a person to accompany him or her in the vehicle will have a duty to:-
 - a. Convey the disabled passenger's dog and allow it to remain with the passenger, and
 - b. Are not to make any additional charge for doing so.

An assistance dog is defined by regulations as a dog which is trained by a specified charity i.e. "Dogs for the disabled", "Support Dogs" or "Canine Partners for Independence", to assist a disabled person with physical impairment and which at the time that its owner hires a taxi is wearing a yellow jacket inscribed with the name of a charity.

20. A driver shall only be exempt from condition 30 on medical grounds and has obtained an exemption notice from the Council. The notice of exemption shall be displayed in a prominent position.

Fares

21. The driver shall not demand from the hirer a fare in excess of any previously agreed fare for that hiring.
22. Where a tariff is enforced, a tariff card shall be displayed on the inside of the vehicle in such a position as to be plainly visible to persons travelling in the vehicle.

Use of Hackney Carriage

23. No driver, licensed or otherwise, shall act as a Hackney Carriage driver without the consent of the owner of the Hackney Carriage.
24. A driver shall not leave his Hackney Carriage unattended in a public place, the Police being authorised to tow it away under such circumstances.

25. A driver shall not obstruct or hinder another Hackney Carriage driver in any way.

Knowledge Test

26. Prior to the grant of a licence a driver must have successfully completed a knowledge test

Criminal Convictions

27. In the event that a Licence holder is charged or summoned for any alleged criminal offence, then he shall within seven days of being charged or on receipt of the summons (as the case may be) report the fact, in writing, to the Licensing authority, giving particulars of each alleged offence and in which court the proceedings are pending.
28. In the event that a Licence holder is convicted of any criminal offence, he shall within seven days of such conviction report such conviction in writing to the Council, and give particulars of each conviction and any penalty points imposed in respect of it. **All driving offences shall be reported to the Council (this also includes a totting up of points.)**
29. Following any conviction or the issue of a fixed penalty, notice which results in penalty points being endorsed on the Licence holder's DVLA driving Licence, that Licence must be produced to the Council within seven working days of its return from the DVLA or a Court or a Fixed Penalty Office, following the endorsement of the offence thereon.

Failure to comply with any of the conditions will result in a referral to licensing panel for consideration of suspension or revocation of licence.

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Report to the Licensing Committee



Date of meeting: 15 October 2008

**Epping Forest
District Council**

Subject: Hackney Carriage and Private Hire Consultation Exercise.

Responsible Officer: Alison Mitchell (01992-564017).

Democratic Services Officer: Gary Woodhall (01992-564470).

Recommendations/Decisions Required:

- (1) To authorise a consultation exercise with a view to the introduction of:**
 - (a) a knowledge test prior to the issue of a hackney carriage / private drivers licence;**
 - (b) incentives for the use of 'green' vehicles; and**
 - (c) incentives for the use of vehicles for use by disabled people.**

Report:

1. The Senior Licensing Officer has reviewed the licensing of taxis in the district and compared the conditions imposed on the grant of taxi licences in neighbouring districts. Members have also asked that the Council should look at the introduction of incentives for 'green' vehicles and those adapted for use by the disabled. She would consider that it would be useful to carry out a consultation exercise with a view to the introduction of changes in the Council's policies. The result of the consultation would be reported back to the next meeting of this committee.

A Knowledge Test

2. Other neighbouring authorities require new applicants to undertake a knowledge test. If members considered that a test should be introduced in this area it is proposed that the test should consist of a list of questions that the officer processing the application would ask.

3. It is considered that this test would lead to an improvement in the service offered to members of the public using the taxi. This should be at no extra cost to the Council or the applicant. The effectiveness would be kept under review.

Incentives for 'Green' Vehicles

4. The Council may wish to consider granting incentives to the owners of green vehicles. Green vehicles are usually hybrid vehicles part battery powered and part fuel. There are concerns that when looking at these vehicles and how environmentally friendly account may not be taken of the carbon use to produce the battery and they may not be more economical than a good diesel vehicle. It is also possible to encourage the use of cars with low emissions. This could be looked into as part of the consultation.

5. It is open to the Council to give an incentive to any operator of a green taxi. This would reduce the income from taxi licensing. The Council could not recover its loss by increasing the fee in respect of other vehicles as by statute it is only entitled to charge an amount that covers the cost of issue.

6. However, encouraging the greater use of green taxis would meet one of the objectives in the Council's Plan to protect the environment in the district.

Incentives for Vehicles adapted for Disabled Passengers

7. The Council could consider the introduction of a reduced licence fee for vehicles. Again this would have the effect of reducing income. The Council could include a list of taxi operators who have such vehicles on its website which may act as an incentive.

A Driver's Test

8. Some authorities insist on training for licence holders including customer care courses and driving skills updates. These courses are expensive and it is considered that the existing driving test is adequate.

Liveried Vehicles

9. If the Council introduced a requirement for liveried hackney carriages this would likely to be resisted by local firms and drivers, as this has not been a requirement in the past. It would impose an additional expense on owners.

Fixed Fares

10. Epping Forest is one of the few authorities in this area that does not insist on meters being installed in vehicles and this has led to numerous complaints from the public, especially disabled passengers, that drivers set high fares. They express the belief that this would not happen if the Council set the fares.

11. Research has been carried out as to the costs of installing and monitoring the use of meters. The cost of the initial installation of a meter is £650. A further charge is incurred if the meter were moved to another vehicle.

12. It would be necessary for inspections to be carried out if meters were to be installed. Enquiries made of two similar sized authorities suggest that an officer would have to be appointed for two days a week to carry out the necessary regular checks on vehicles which involve monitoring over a set route. It is not recommended that set fees be introduced.

Limiting the number of Taxi Drivers licensed

13. This is another area that has been of concern to existing licensed drivers. There have been complaints that the Council is issuing too many licences which adversely affects the income of the drivers.

14. The Council has the power to limit the number of licences granted 'if, but only if, the local licensing authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'. Anyone refused a licence could challenge that refusal on those grounds.

15. The guidance from the Department for Transport states that it regards it as best practice

not to impose such limits. It suggests that Council's would have to undertake periodic surveys to ensure that demand is being met and that there is no latent demand (people not attempting to use taxis because of delays etc). This type of research would be time consuming and difficult to prove that the demands have not been met. It is not proposed that limits should be imposed on the numbers of drivers.

Resource Implications:

Consultation will be carried out using existing budgets.

Legal and Governance Implications:

The Local Government (Miscellaneous Provisions) Act 1976.
The Town Police Clauses Act 1847.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

None.

Background Papers:

None.

Impact Assessments:

Not undertaken.

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Report to the Licensing Committee



Date of meeting: 15 October 2008.

**Epping Forest
District Council**

Subject: Hackney Carriage and Private Hire Delegated Authority.

Responsible Officer: Alison Mitchell (01992-564017).

Democratic Services Officer: Gary Woodhall (01992-564470).

Recommendations/Decisions Required:

To amend the delegated authority to grant and renew the Hackney Carriage and Private Hire Drivers Licences as set out in the report.

Other Options for Action:

- (i) Not to grant any delegated authority to officers. This would lead to delays in granting new and renewing existing licences.
- (ii) To allow officers to decide all cases. There is an opportunity to appeal to the magistrates' court against any decisions this is less likely to happen if an applicant can see that there are three councillors considering the decision.

Report:

1. At the last review of the schedule of delegations the Head of Corporate Support Services, the Assistant Head (Legal) and the Senior Licensing Officer were given power to authorise suitably qualified officers to exercise functions that were listed as schedule 2 to the Schedule of Delegations in the Constitution. This included the right to issue licences to drivers of Hackney Carriages and Private Hire Vehicles under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

2. Prior to this amendment the officer's delegated authority had been limited. It is proposed that subject to a small variation the powers should be limited in a similar way so that where there are convictions that are not spent or relevant driving offences then the application must be referred to the Licensing Sub-Committee.

3. The proposed amended delegation is as follows:

All applications for Hackney Carriage and Private Hire Vehicle drivers' licences will be determined by the Head of Corporate Support Services, the Assistant Head (Legal) and the Senior Licensing Officer or suitably qualified officers authorised by them to exercise this function except in the following circumstances when the application will be referred to the sub-committee.

Where there have been breaches of condition of a previous drivers licence or related law in the preceding twelve months.

An applicant fails to comply with the Council's licensing procedure or meet the experience or

medical fitness requirements.

Where in the opinion of the Council's medical advisor (or doctor nominated by him), an applicant is not medically fit to hold a driver's licence.

An applicant for a driver's licence has any unspent criminal convictions.

An applicant has motoring convictions listed below:

Disqualification from driving by a court for any reason within the preceding five years; or

An accumulation of a total of 10 or more penalty points from endorsable motoring offences in any of the preceding five years; or

Any unspent conviction for an offence or offences within the following categories

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 drug

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

DD30 Reckless driving

DD40 Dangerous driving

IN10 Using a vehicle uninsured against third party risks.

4. Where Head of Corporate Support Services, the Assistant Head Legal Services or the Senior Licensing Officer consider it appropriate to exercise her discretion by reason of their concern as to the suitability of the applicant they may refer the application to the licensing sub-committee.

5. The Head of Corporate Support Services, the Assistant Head (Legal) and the Senior Licensing Officer may grant at their discretion a licence for a short period until the next meeting of the licensing sub-committee if a driver wishing to renew his or her licence has committed an offence such that there is no delegated authority to renew the licence.

Resource Implications:

None.

Legal and Governance Implications:

The Local Government (Miscellaneous Provisions) Act 1976.

The Town Police Clauses Act 1847.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

None.

Background Papers:

None.

Impact Assessments:

Not undertaken.

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