

## **Appendix F**

**SHEFFIELD CITY COUNCIL**

**Private Hire Operator and Vehicle  
Licence Policy**

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## Frequently Used Terms

The following terms are used frequently throughout this policy document.

<b>‘The Authority’</b>	Refers to Sheffield City Council which carries out its function as the Licensing Authority under the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 as well as other relevant legislation and policies.
<b>‘The Council’</b>	Refers to Sheffield City Council.
<b>‘The Licensing Committee’</b>	Refers to the committee of Sheffield City Council.
<b>‘The Licensing Sub-Committee’</b>	Refers to three members of the Licensing Committee with sub-delegation of functions.
<b>‘Licensing Policy’</b>	Refers to this document, Sheffield City Councils’ Private Hire Operator and Vehicle Policy
<b>‘LGMPA’</b>	Refers to the Local Government (Miscellaneous Provisions) Act 1976
<b>‘TPCA’</b>	Refers to the Town Police Clauses Act 1847
<b>Statutory Guidance</b>	Statutory Taxi and Private Hire Vehicle Standards

## Part 1 – Introduction

Sheffield City Council is responsible for the regulation of private hire operators and private hire vehicles in the district of Sheffield.

The policy builds on the experience and knowledge we have gained by administering and enforcing the legislation for many years, particularly when addressing issues that may impact on the safety and well-being of our residents, visitors to the city and those working in the city.

This policy, related procedures and processes, and the Statutory Taxi and Private Hire Vehicle Standards, which have been embedded within the policy, will guide the work of Sheffield City Council in the way in which it carries out its licensing functions.

The policy has effect from (to be decided) and will be applied to existing licences and new applications received after the date that the policy is adopted by the Council.

The Council reserves the right to overturn a decision that has previously been made. In addition, the Council will undertake periodic auditing of currently licensed vehicles to ensure that perverse or wrong decisions are discovered and corrected. Such audits will be conducted using this policy as the required standard.

The policy has been developed by Sheffield City Council after consulting with the public at large and those recommended in the Statutory Standards. In developing this policy, we have also taken into consideration other strategies, policies and guidance as referenced in Part 2.

This policy sets out the requirements and standards that individuals must adhere to. In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document. However, each application or enforcement action will be considered on its own merits.

The Council will review the policy at least every three years and informally re-evaluate it from time to time

## Part 2 – Integrating Strategies and Legislation

Due regard will be given to other such strategies, policies and guidance documents in the writing of this policy, in decision making processes, and all other work carried out within the scope of the licensing regime.

The policies and strategies referenced below are recognised as those that are integral in the current licensing regime and will help to define context and content:

- Rehabilitation of Offenders Act 1974
- Transport Act 1985, 1991 and 2000
- Human Rights Act 1988
- Crime and Disorder Act 1998
- The Office of Fair Trading “The Regulators of Licenced Taxi and PHV Services in the UK” 2003
- Road Traffic Act 2006
- Equality Act 2010
- The Department for Transport Taxi and Private Hire Vehicle Licensing: Best Practice – March 2010
- Anti-Social Behaviour, Crime and Policing Act 2014
- Guidance on the Rehabilitation of Offenders Act – March 2014
- Better Regulation Delivery Office – Regulators’ Code 2014
- Policing and Crime Act 2017
- Taxi and Private Hire Licensing – Councillors’ Handbook (England and Wales) 2017
- Access for Wheelchair users to Taxis and Private Hire Vehicles – Statutory Guidance 2017
- Safeguarding Children and Vulnerable Adult Policy
- Clean Air Sheffield
- A 10 Point Plan for Climate Action (Working Draft)
- Statutory Taxi & Private Hire Vehicle Standards 2020

## Part 3 – Equality, Diversity, and Inclusion

Sheffield is a diverse city, both ethnically and culturally. We value and celebrate the diversity that exists amongst both the citizens of Sheffield and our workforce. As a Council we want to ensure that everyone can fully participate in the social, cultural, political, and economic life of the city.

### The Equality Act 2010

The Equality Act 2010 and Section 149, the Public Sector Equality Duty, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment, and victimisation; to advance equality of opportunity; and to foster good relations between persons with the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy & maternity
- race
- religion or belief
- sex
- sexual orientation
- Marriage & Civil Partnership.

The Licensing Authority will have regard to the Equality Act 2010 and Sheffield City Council's Equality, Diversity, and Inclusion Policy Statement 2017.

For further information, please see details at the following link:

[www.equalityhumanrights.com/private-and-public-sector-guidance/organisations-and-businesses/businesses](http://www.equalityhumanrights.com/private-and-public-sector-guidance/organisations-and-businesses/businesses)

### Equality Impact Assessment (EIA)

An EIA is how Sheffield City Council systematically assesses the potential effects that a proposed policy or project is likely to have on different groups within the city. Policies will affect different people in different ways, and it is possible that they have the potential to discriminate against certain groups, even if this is not an intention.

EIA's are carried out within the Licensing Service to consider the equality impacts of any proposed projects, new and revised policies, strategies, and budget proposals.

An EIA has been carried out throughout the formulation of this policy.

## Part 4 – Delegations

Sheffield City Council, acting as the Licensing Authority, has established a Licensing Committee, comprising of 15 Councillors. The Licensing Committee has the authority, amongst other licensing matters, to discharge non-executive regulatory functions in respect to hackney carriage and private hire licensing and to help formulate and review licensing policies in this regard.

The Licensing Committee has further delegated its functions to a Licensing Sub-Committee and are responsible for determining individual cases.

In addition, the Chief Licensing Officer has been further delegated to appoint and authorise Officers to investigate and discharge statutory duties under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Some of these authorised powers include, but are not limited, to:

- Accepting applications
- Granting licences
- Licence suspensions
- Issuing formal warnings and cautions
- Investigation and preparation of prosecution files
- Investigating complaints

The table below sets out the agreed delegation of decisions and functions to the Licensing Committee, Sub-Committees and Officers.

Matter to be dealt with	Full Committee	Sub Committee	Officers
Policy Review	✓		
Fee Setting	✓		
Application for a Private Hire Operators Licence		✓	✓
Refusal of Licence		✓	
Revocation of Licence		✓	
Suspension of Licence		✓	✓
Review of Licence		✓	
Formal Warnings		✓	✓
Investigation of offences and preparation of prosecution files			✓
Complaints		✓	✓



## **Rights of the Applicant**

This policy does not preclude any person from making an application. Each application will be considered on its own individual merits in accordance with the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, associated byelaws and relevant integrating legislation.

## **Hearings**

Where Officers are unable to determine an application, a report will be submitted the Licensing Sub-Committee for determination.

Each application will be judged on its own individual merits.

An applicant may request a third party, such as a friend or trade representative, to make a written representation, and attend to present their case at a sub-committee hearing.

Every determination of a licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant as soon as is practicable.

## **Appeals against Licensing Authority Decisions**

There is a right of appeal against Council and Licensing Committee decisions. Appeal applications must be made to Sheffield Magistrates Court within 21 days of the determination.

## Part 5 – Information Sharing

### How Information is used

Personal data is processed under contract to which licensees are party by way of an application for a licence (as per Article 6(1)(b) of the General Data Protection Regulation). In terms of special category data, including criminal records or health information, information is processed as it is necessary for the performance of a task carried out in the public interest (as per Article 9(2)(g) of the General Data Protection Regulation).

The following legislation and guidance are observed throughout the licensing regime:

- Town Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Statutory Taxi and Private Hire Vehicle Standards

### Who is information shared with?

Information on those organisations with which information is shared can be sought directly from the Licensing Authority.

As an example, those organisations with which information is shared is as follows:

- Driving and Vehicle Licensing Agency (DVLA)
- Disclosure and Barring Service
- South Yorkshire Police and other police organisations
- Home Office
- NR3 National Register of Taxi Licence Refusals and Revocations
- Department for Environment, Food and Rural Affairs (DEFRA)
- Other Licensing Authorities
- Other Council Services
- Any Other Service/Organisation as Referenced in the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976

### How long will Information be kept for?

The information you provide will be kept for the duration of your licence, plus six years, after which time it will be deleted.

The information will be stored either in paper form and/or electronically on a secure council database.

If your licence is revoked, or an application refused, information will be uploaded to the NR3 Register and the information kept for 25 years.

### Your Rights

There are rights under Data Protection law. Further details about rights, contact details of our Data Protection Officer and your initial rights to make a complaint can be found on the Council's Privacy Notice webpage: [www.sheffield.gov.uk/privacy](http://www.sheffield.gov.uk/privacy).

## **SHEFFIELD CITY COUNCIL**

### **Private Hire Operator Policy**

**Without any prejudice, and based on the information before you, would you feel comfortable providing sensitive information such as travel plans, movements of family members or other sensitive information to this Private Hire Operator?**

## Part 1– Legislative Background

The Licensing Authority, in respect of regulating (administering and enforcing) private hire operators, adheres to the regulatory framework as set out in the Local Government (Miscellaneous Provisions) Act 1976 (Part II).

The legislative framework contained in the Act, the policy objectives set out in this document, and all other integrating legislation and guidance documents will be used in the regulation of private hire operators.

### Local Government (Miscellaneous Provisions) Act 1976

The Local Government (Miscellaneous Provisions) Act 1976 is used to regulate the private hire industry. The Act was adopted by Sheffield City Council at its meeting on Wednesday 1<sup>st</sup> March 1978.

A private hire operator's licence is issued in accordance with the Local Government (Miscellaneous Provisions) Act 1976, Section 55. It states:

*"Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence"*

"Operate" is defined in the Local Government (Miscellaneous Provisions) Act 1976, Section 80, as follows:

*"' Operate' means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle'*

A private hire vehicle means:

*"a motor vehicle constructed or adapted to seat, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers"*

## Part 2 – Fit and Proper Person Requirement

The role of a private hire operator is akin to that of a licenced driver, and it is the Licensing Authority's objective in licensing such operators, to trust that they are dispatching vehicles and drivers that are appropriately licenced.

In applying for a licence, individuals must satisfy the authority of their fit and properness, and also demonstrate that all ancillary staff have been properly vetted and suitable records maintained.

Section 55 of the 1976 Act states, in relation to fit and properness:

*"Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from any person for the grant to that person of a licence to operate private hire vehicles grant to that person an operator's licence:*

*"Provided that a district council shall not grant a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence".*

The term 'fit and proper' has no legal definition; however, when deciding a person's fit and properness, the Licensing Authority will use a common-sense approach, judging each case on its own merits.

The following question will be considered:

*"Without any prejudice, and based on the information before you, would you feel comfortable providing sensitive information such as travel plans, movements of family members or other sensitive information to this Private Hire Operator?"*

Fit and properness will be assessed throughout the period for which a person/company is licenced, with checks, as identified in the following sections, carried out to ensure compliance.

## Part 3 – Background Checks

The overarching aim of licensing is the **protection of the public**.

In licensing a Private Hire Operator, the Authority must be satisfied, through the checks it undertakes at the outset of an application, that an individual will pose no threat to public safety and has no links to serious criminal activity – the applicant must satisfy fit and properness and demonstrate that they are safe and suitable.

In assessing a person's fit and properness, the Authority will undertake such checks as it deems necessary. The mandatory checks cited in this section form the basis of an application, and any failure in fulfilling these will result in the application being referred directly to the Licensing Committee for determination.

## **Part 3.1 Disclosure and Barring Service (DBS) Checks**

A criminal record check is seen as a fundamental tool in assessing a person's fit and properness.

The Authority therefore requires a criminal conviction certificate (Basic Disclosure) from the Disclosure and Barring Service (DBS) for the purpose of private hire operator licensing.

In assessing fit and properness, the Authority will look at any and all convictions contained within the DBS Check and review against the Fit and Proper Threshold.

The Fit and Proper Threshold is referenced within this section and pays particular attention to:

- Crimes resulting in death
- Exploitation
- Offences involving violence
- Possession of a weapon
- Sex and indecency offences
- Dishonesty
- Drugs
- Discrimination

### **Policy – Objective 1**

#### **Basic Disclosure**

An applicant is required to apply for a Basic Disclosure Certificate through the Disclosure and Barring Service (DBS).

The Basic Disclosure will disclose any unspent convictions recorded on the Police National Computer (PNC). The Authority will look at any and all convictions contained within the DBS Check and review against the Fit and Proper Threshold.

Where it is a company or a partnership applying for a licence, all named directors and partners within the company will be required to apply for a Basic Disclosure.

Where there is a change to the named directors and partners, the Licensing Authority must be informed of such and ensure all necessary disclosure checks have been undertaken.

All applicants, directors, and partners must apply for a Basic Disclosure on an annual basis.

Where a person has lived outside of the UK for a period not less than three continuous months, they will be required to supply a Certificate of Good Character. Up to date information in relation to this type of information can be found on the Home Office website.

In addition to carrying out a Basic Disclosure, for which only unspent convictions and cautions are identified, the Authority requires licensees to inform within 48 hours of an arrest and release, charge or conviction of any offence involving dishonesty, indecency or violence.

## Part 3.2 Booking and Dispatch Staff

The Licensing Authority must be satisfied that an Operator can demonstrate that all staff who have contact with the public and/or oversee the dispatching of vehicles do not pose a risk.

### Policy – Objective 2

#### Booking and Dispatch Staff

A Private Hire Operator is required to maintain a register of all individuals that take bookings and/or dispatch vehicles.

Operators are required to evidence that they have had sight of a Basic DBS check for all such individuals listed on their register. They must ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. Individuals are required to advise the operator of any convictions while they are employed in the role.

A Basic DBS check must be undertaken annually for all individuals listed on the register.

A record of all individuals employed in the role should be kept for the same duration as booking records are required (see conditions). Additionally, a record that the operator has had sight of a Basic DBS check certificate should be retained for the same duration that the individual remains on the register.

Where an operator outsources its booking and dispatch functions, it should ensure and be able to evidence that comparable protections are applied by the company to which they outsource these functions.

As referenced above, operators are required to provide a policy on employing ex-offenders as booking and/or dispatch staff. Those with a conviction as referenced in the Fit and Proper Threshold may not be suitable.



### Part 3.3 Relevance of Convictions, Cautions, Reprimands and Warnings

In determining applications, the Authority will make a decision on a person's fit and properness, assessing, if any, convictions, cautions, reprimands, warnings and any other relevant information provided by the police and other relevant authorities.

Particular attention will be paid to:

- The class of the offence
- The age of the offence
- The number and frequency of the offences; and
- The apparent seriousness of the offence, as determined by the Authority

A criminal conviction is not a bar to obtaining a licence, but where offences are recorded, specifically those referenced in the Fit and Proper Threshold, the application will be determined by the Licensing Committee.

In reviewing the offences, the Authority will pay particular attention to:

- Any term of imprisonment or custody
- Any conviction and/or caution for:
  - Crimes resulting in death
  - Exploitation
  - Offences involving violence
  - Possession of a weapon
  - Sex and indecency offences
  - Dishonesty
  - Drugs
  - Discrimination
- Any offence referenced in hackney carriage and private hire legislation

Additional information held by the local police and which they deem to be reasonably relevant to the role of an operator, and any information or intelligence obtained from other credible sources to that which is already held on the applicants record, will be used by the Authority in assessing fit and properness.

In disclosing information, the police will look at the reasonable basis of credibility and that which is specifically related to the occupation in question. This may include unproven allegations or charges for which an applicant or licensee has been acquitted. The information may show that a person acted in a way that is incompatible with that of a licensee – not fit and proper.

Complaints, and other sources of information such as those from other council departments and which show a pattern of behaviour not befitting to that of a licensee, will be considered.

All available information will be considered in assessing fit and properness. Information that shows a tendency to behave in a way that does not constitute fit and properness will be made on the civil standard of proof, that being the balance of probabilities.

### Part 3.4 Fit and Proper Threshold

Legislation specifically includes offences including, dishonesty, indecency and violence as a factor when assessing a person's fit and properness.

The Authority will consider those offences, as well as:

- Crimes Resulting in Death
- Exploitation
- Offences Involving Violence
- Possession of a Weapon
- Sex and Indecency Offences
- Dishonesty
- Drugs
- Discrimination

Any convictions or unacceptable behaviour will have a negative impact and will weigh heavily against an individual.

Where an individual has one or more conviction and where this shows a pattern or tendency irrespective of the time since the conviction, the Authority will give serious consideration as to the fit and properness. Where a conviction is listed in the Fit and Proper Threshold, that individual will be automatically referred to the Licensing Committee.

The Fit and Proper Threshold sets out time periods that are expected to have elapsed following completion of the sentence or offence.

The Authority will assess each case on its own merits, but the criteria set down in the Fit and Proper Threshold will be considered in the determination of a licence, and only in truly exceptional circumstances will the criteria be deviated from.

## Fit and Proper Threshold

### The Fit and Proper Threshold

<b>Crimes Resulting in Death</b>	Where an individual has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person, they will not be licenced.
<b>Exploitation</b>	Where an individual has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licenced. This includes, but is not limited to, slavery, child sex abuse, exploitation, grooming, psychological, emotional or financial abuse.
<b>Offences Involving Violence</b>	Where an individual has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 5 years has elapsed since the completion of any sentence imposed.
<b>Possession of a Weapon</b>	Where an individual has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 5 years has elapsed since the completion of any sentence imposed.
<b>Sex and Indecency Offences</b>	Where an individual has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted. In addition, a licence will not be granted to any individual who is currently on the Sex Offenders Register or on any barred list.
<b>Dishonesty</b>	Where an individual has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.
<b>Drugs</b>	Where an individual has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.  Where an individual has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.
<b>Discrimination</b>	Where an individual has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

## Part 3.5 Right to Work Documentation

Individuals are required to evidence that they are legally entitled to work in the United Kingdom.

The Authority has taken direction from the Home Office on documents and processes acceptable in confirming an individual's eligibility to work in the UK.

### Policy – Objective 2

#### Right to work Documentation

The Licensing Authority will conduct either a physical document check or an online check to establish a right to work.

#### Manual Right to Work Check (Physical Check)

In order to perform a physical check, individuals must provide original documents from a list of acceptable documents.

Examples of acceptable documents are:

- Current or expired passport
- Biometric Immigration Document
- Immigration Status Document
- Birth Certificate
- Positive Verification Notice

This list is not exhaustive and other documents may be accepted. Full guidance can be obtained from the Home Office at: [Right to work checks: an employer's guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/right-to-work-checks-an-employer-s-guide)

#### Online Check

An online check can be undertaken for those individuals who hold any of the following documents:

- Biometric Residence Permit
- Biometric Residence Card or status issued under the EU Settlement Scheme or status issued under the points-based immigration system
- British National Overseas (BNO) visa
- Frontier Worker permit

Where an individual is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the United Kingdom.

## Part 3.6 – Tax Conditionality Checks

Individuals are required to evidence that they have undertaken a tax check.

The Authority has taken direction from HM Revenue & Customs on the process of undertaking Tax Conditionality Checks.

### Policy – Objective 3

#### Tax Conditionality Checks

Individuals will be required to meet new rules on applying for a Private Hire Operator Licence on or after 4<sup>th</sup> April 2022.

Individuals and companies who have not previously held a licence must confirm that they are aware their tax registration obligations, such as:

- PAYE information
- Registering for Self-Assessment
- Corporation Tax Information

Individuals and companies who make an application to **renew a licence** on or after 4<sup>th</sup> April 2022 will need to complete a tax check.

A tax check must be carried out by the individual – the Licensing Authority is unable to undertake on the individual's behalf.

The tax check asks questions about how an individual pays tax on income earned from the licensed trade.

As part of the renewal application process, individuals are required to provide the Licensing Authority with required information for a tax check to be carried out.

Failure to provide the required information will result in an incomplete application and the licence will not be renewed.

## **Part 3.7 Insurance Requirements**

Appropriate insurance, for the services provided, must be in place. This may include, depending on the type of operation, public and employers' liability insurance.

### **Policy – Objective 4**

#### **Insurance Requirements**

Applicants must have in place suitable insurance in respect of the business operation. This may include the following:

- Public Liability Insurance
- Employers Liability Compulsory Insurance

#### **Public Liability Insurance**

Public Liability Insurance must be in place in respect of premises that are publicly accessible. Where there is no public access and where no people are employed and work from the premises, Public Liability Insurance is not required.

Public Liability Insurance, where required, must be to a minimum of £2,000,000 in respect of any one incident.

#### **Employers' Liability Compulsory Insurance**

Employers' Liability Compulsory Insurance must be in place in respect of businesses that employ staff. Details of such insurance must be available for staff to view and a copy supplied to the Licensing Authority at the outset.

The insurance must cover, as a minimum, death or personal injury arising out of any incident during the course of a person's employment.

## **Part 3.7 Planning Permission**

A suitable premises in which to operate from must be established at the outset. Enquiries relating to planning permission and consents can be sought from the Planning Service by request.

### **Policy – Objective 5**

#### **Planning Permission**

The premises used must be suitable for the business purpose and, where required, have in place relevant planning consent.

Applicants must present as part of the application process, written proof from Sheffield City Council's Planning Service that the premises to be used is suitable and has in place the correct planning permission, if required. Where planning permission is not required, a letter from the Planning Department stating this must be presented.

## **Part 3.9 Registering with the Information Commissioner's Office**

The Data Protection Regulations 2018 requires every organisation that processes personal information to register with the Information Commissioner's Office (ICO) unless they are exempt. Failure to register may result in a fixed penalty.

### **Policy – Objective 6**

#### **Registering with the Information Commissioner's Office**

All private hire operators must register with the Information Commissioner's Office.

Applicants must ensure that they adhere to the principles of the General Data Protection Regulations and understand best practice for managing information. To help ensure compliance, there are a range of training materials including practical toolkits, training videos and more available on the ICO website: [www.ico.org.uk](http://www.ico.org.uk)

## **Part 3.10 Operator name**

A Private Hire Operator must operate under a company name. The company name must be unique, in that it cannot be the same or similar to that used by another company within the same district.

### **Policy - Objective 7**

#### **Operator name**

An operator name must not be the same or similar to one that is already in use by another operator within the district.

Where an operator's licence is revoked, or where it has lapsed, the name, or one that is similar to that name, cannot be used by another operator until such time that at least 12 months has lapsed or until such time that all matters relating to an appeal have been exhausted, whichever is longer.

Similarly, if an operator licence is relinquished or where the company is amalgamated with another company, the company name cannot be used by another operator until such time that 12 months has passed.

An operator must not use the words "taxi", "Hackney Carriage", "cab" or any word of similar meaning or appearance to any words in any advertising of the operator's company. Private Hire Vehicles must not display any such words related to "taxi".

## **Part 3.11     Supporting Documents**

Individuals applying for a licence must be able to demonstrate that they understand the qualities expected of them and the complexities of operating such a business.

The Authority will require applicants to supply such information as it sees fit, with application judged on its own merits.

### **Policy – Objective 8**

#### **Supporting Documents**

In helping to demonstrate fit and properness, applicants are required to complete a set of questions showing that they possess the knowledge and aptitude required of an operator.

A copy of the current questions can be found at Appendix C. The Authority reserves the right to alter these questions at any time it sees fit.



## Part 4 – Licence

In ensuring that individuals are of the highest possible standard – are fit and proper and safe and suitable – an application process has been established that allows the Authority to make an informed decision, helping to answer the simple question of:

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

It is vital that private hire operators are, above all, trustworthy. Although not directly responsible for transporting passengers, they are trusted with collecting and storing large amounts personal information.

Undertaking appropriate checks, including those in section 3, are seen as fundamental in assessing fit and properness, and it is only when the Authority is satisfied that it has all the necessary information at its disposal that an informed decision is made.

### Duration of Licence

Section 55 (2) of the Local Government (Miscellaneous Provisions) Act 1976 (as amended by Section 10 (3) of the Deregulation Act 2015), states that:

*‘Every licence granted under this section shall remain in force for five years or for such lesser period, specified in the licence, as the district council think appropriate in the circumstances of the case.’*

## Policy – Objective 8

### Duration of Licence

Where the applicant satisfies the Authority of their fit and properness, a licence will be issued as applied for, and will in any case not exceed 5 years.

Those applicants who do not satisfy fit and properness will have their application referred directly to the Licensing Committee for determination.

Existing licensees are expected to fulfil the same criteria as new applicants, demonstrating their fit and properness at renewal stage and throughout the licensable period.

## Part 5 – Private Hire Operator Conditions

Section 55 (3) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

*'A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.'*

The following mandatory conditions form part of all private hire operator licences and should be observed; failure to do so may result in the licence being referred directly to the Licensing Committee for review.

Following determination of an application by the Licensing Committee, additional conditions may be imposed, so long as they are reasonably necessary.

## Mandatory Conditions

### Definitions

<b>‘The Council’</b>	Refers to Sheffield City Council
<b>‘The District’</b>	Refers to the district of Sheffield
<b>‘The Act’</b>	Refers to the Local Government (Miscellaneous Provisions) Act 1976
<b>‘Private Hire Vehicle’</b>	Refers to the same meaning as in The Act
<b>‘Vehicle’</b>	Refers to a licenced vehicle
<b>‘Operator’</b>	Refers to a person who has been granted a private hire operator’s licence issued by the Council under Section 55 of The Act
<b>‘Premises’</b>	Refers to the private hire operator’s place of business for the purpose of operating vehicles
<b>‘Authorised Officer’</b>	Refers to any officer of the Council authorised in writing by the Council for the purpose of regulating private hire legislation

## 1. Operator Licence

a.)	Operators will adhere to statutory legislation, guidance, Sheffield City Council's Private Hire Operator's Licence Policy document and information contained in these conditions. Operators must also adhere to health, safety, welfare, environmental and equalities legislation as appropriate.
b.)	The licence shall be displayed in a prominent position at each business premises recorded on the licence. Exceptions to this will be where the licence is to be presented to the Licensing Authority for amendment and/or inspection.
c.)	A separate licence will be issued, where applicable, to each approved secondary booking office.
d.)	The operator licence is non-transferable. The licence is a personal or company licence and is not transferable between individuals. Any change of operating address within the district must be notified to the Licensing Authority at least 7 days before the date of the change, and a new licence showing the new address will be issued and a charge will be made in accordance with our fees and charges
e.)	Any intended change of business premises must be notified to the Licensing Authority and approval obtained before being so used.
f.)	The operator must not at any time operate more vehicles than is specified on the licence. A proposed increase in the number of vehicles to be operated must be made in writing to the Licensing Authority and consent given before being implemented.
g.)	If the person as named on the operator licence is to be absent from the day to day running of the business for a period of not less than two consecutive months, they shall inform the Licensing Authority of such. In doing so, the operator must name a person who will be responsible for running the business on their behalf.
h.)	The operator shall ensure that the Licensing Authority has their most up to date contact details, including a mobile telephone number and email address. There should be a generic email address for the company and a confidential email address for the operator in order that sensitive information can be properly handled and held confidentially by the operator.
i.)	The operator, in line with statutory legislation and as a condition on this licence, will only operate from a premises within the district of the Authority. The Licensing Authority will not grant any operator's licence where the operating base is outside the boundary of the district. This is to ensure both compliance with legislation and so that proper regulation and enforcement measures may be taken.
j.)	The operator shall maintain a register of all staff that take bookings and/or dispatch vehicles and are required to evidence that they have had sight of a Basic DBS check for all such individuals listed on their register and to ensure that the Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders.
k.)	The operator is required to provide the Licensing Authority with their policy on employing ex-offenders in booking and/or dispatch roles.

## 2. Premises

<b>a.)</b>	The operator shall only conduct business from the address named on the operator licence. The Licensing Authority reserves the right for an Authorised Officer to inspect the premises for suitability and compliance with the requirements of these Conditions.
<b>b.)</b>	The operator shall only employ or utilise persons to conduct their business that have been properly vetted. A register of all staff that take bookings or dispatch vehicles should be kept. The operator shall evidence, upon request, a copy of the register and show that persons therein have undergone a Basic Disclosure check.
<b>c.)</b>	If additional persons are employed at the business premises then the premises must be kept clean, adequately lit, heated and ventilated and must conform to all other legal requirements, such as no smoking to be allowed on the premises (Health Act 2006), the requirements of the Regulatory Reform (Fire Safety) Order 2005 which requires that a fire safety risk assessment is in place at the premises and Health and Safety at Work Regulations are adhered to.

### 3. Record of Bookings

a.)	<p>The Operator must keep an accurate record of every booking of a private hire or hackney carriage vehicle that is invited and accepted. The loss of records must be reported to the Licensing Authority within 24 hours and immediately to the police. Separate records must be kept at each premises from which the operator conducts business. The records must be kept at the business address/addresses. All records must be in English and be permanent. Records must be kept for a period of not less than 12 months from the date of last entry.</p>
b.)	<p>The operator shall, <b>before the commencement</b> of each journey, record in a manner prescribed by the Licensing Authority, the following details of each booking:</p> <ul style="list-style-type: none"> <li>(i) The full name of the passenger</li> <li>(ii) The time and date the booking was received and, if required, any subsequent cancellation</li> <li>(iii) The method by which the booking was received (e.g., telephone, email, electronic application etc.)</li> <li>(iv) The name of the individual taking and the booking (or in the case of a computer system, the identity, including the site/location of where the booking was received)</li> <li>(v) The name of the individual that dispatched the vehicle (or in the case of a computer system, the identity, including the site/location of where the booking was dispatched)</li> <li>(vi) The time and date of the journey</li> <li>(vii) The address/premises from which the journey will commence and the address/premises of the destination</li> <li>(viii) The vehicle registration number and licence plate number of the hackney carriage or private hire vehicle that is to be used for the booking</li> <li>(ix) The name, licence number and call-sign of the driver to be used for the booking</li> <li>(x) Remarks, including details of any subcontracting to another licenced operator</li> </ul>
c.)	<p>Where bookings are sub-contracted either by the operator to another licenced operator or are accepted by the operator from another licenced operator, a full record of the booking (in line with 3b above) and notes must be included; including the name of the sub-contractor, what time the job was sub-contracted and any contact information.</p>
d.)	<p>Records of bookings must be maintained and kept up to date and must be made available for inspection at all reasonable times without notice by an Authorised Officer or Police Officer. Officers must be permitted to photograph and/or remove such records and to remove from the premises if so required.</p>
e.)	<p>Records of bookings must not be retrospectively altered after the completion of a journey.</p>

#### 4. Details of Vehicles

<b>a.)</b>	<p>The operator shall keep at the main business address a detailed list in writing of all the vehicles they operate. This will include:</p> <ul style="list-style-type: none"> <li>(i) The registration mark issued in respect of the vehicle under the Vehicles (Excise) Acts</li> <li>(ii) A copy of the current private hire or hackney carriage vehicle licence as issued by the Licensing Authority</li> <li>(iii) A copy of the current insurance certificate for the vehicle, clearly stating the permitted drivers and permitted use of the vehicle</li> <li>(iv) The date on which the vehicle commenced to be operated by the licensee</li> <li>(v) The date on which the vehicle ceased to be operated by the licensee</li> <li>(vi) Any radio/computer call-sign/number allocated to the vehicle by the licensee</li> </ul>
<b>b.)</b>	<p>The operator shall only operate private hire and hackney carriage vehicles where the vehicle and driver are licenced by Sheffield City Council. The operator must check and keep a copy of all driver and vehicle licence documents.</p>
<b>c.)</b>	<p>When the operator ceases to operate any licenced vehicle, the operator shall notify the Licensing Authority within 72 hours.</p>
<b>d.)</b>	<p>The operator shall ensure, as well as is reasonably practical, that all vehicles operated by them display correct vehicle and driver signage.</p>

## 5. Details of Drivers

<b>a.)</b>	<p>The operator shall keep at the main business address a detailed list in writing showing the following particulars in respect of every driver of every private hire and hackney carriage vehicle operated:</p> <ul style="list-style-type: none"> <li>(i) The name, address, and date of birth of the driver of the vehicle</li> <li>(ii) A copy of the Hackney Carriage and Private Hire Driver's Licence as issued by the Licensing Authority</li> <li>(iii) The date in which the driver commenced driving each vehicle</li> <li>(iv) The date on which the driver ceased driving each vehicle</li> </ul>
<b>b.)</b>	The operator shall keep the records in alphabetical order, by surname, for a period of two years from the date on which the driver ceased driving for them.
<b>c.)</b>	The Hackney Carriage and Private Hire Driver's Licence shall be available for inspection by an Authorised Officer of the Council or Police Officer. The licence may be taken away from the premises if so required.
<b>d.)</b>	The operator shall take all reasonable steps to ensure that drivers of vehicles employed, used, or controlled by them observe and perform the conditions attached to their Hackney Carriage and Private Hire Driver's Licence, the vehicle licence, and all other statutory requirements, including road traffic regulations.
<b>e.)</b>	The operator shall take all reasonable steps to ensure that drivers and vehicles, employed, used, or controlled by them observe anti-idling legislation, local policy, and byelaws.



## 6. Public Complaints

<b>a.)</b>	The operator must maintain a register of complaints that are made by the public, either in hard copy or computer format.
<b>b.)</b>	<p>The operator shall, upon receiving a 'specified complaint', notify the Licensing Authority within 72 hours in writing.</p> <p>A specified complaint is considered as any allegation of criminal behaviour whilst acting as a private hire or hackney carriage driver; these may include:</p> <ul style="list-style-type: none"> <li>• Sexual misconduct, sexual harassment, or inappropriate sexual attention</li> <li>• Racist behaviour</li> <li>• Violence</li> <li>• Dishonesty</li> <li>• Exploitation</li> <li>• Discrimination,</li> <li>• Drugs offences</li> <li>• Breaches of equality</li> </ul>
<b>c.)</b>	<p>The operator shall, upon receiving a 'low level complaint', maintain such a register for inspection by the Licensing Authority. Complaints of this nature shall be kept for a minimum period of 12 months.</p> <p>Low Level complaints are those that are indicative of a professional development need, of concealing some potential significant offending or allegations of unsafe behaviour.</p>
<b>d.)</b>	The operator must ensure that customers can speak to a person in the event of a complaint or problem with the journey. Licensing Officers and the Police must also be able to access information immediately on request.

## 7. Acceptance of Bookings

<b>a.)</b>	The operator shall only operate private hire and hackney carriage vehicles where the vehicle and driver are licenced by Sheffield City Council. The operator must check all driver and vehicle licence documents.
<b>b.)</b>	Where the operator sub-contracts a job booking and/or accepts a sub-contracted job booking to/from another operator they must ensure that: <ul style="list-style-type: none"> <li>(i) The operator is licenced under the Act</li> <li>(ii) The operator, vehicle and driver are all licenced by the same authority</li> <li>(iii) The vehicle is appropriately insured</li> </ul>
<b>c.)</b>	Every contract for the hire of a private hire vehicle (or hackney carriage for such purpose) shall be deemed to be made with the licenced operator who accepted the booking, even if that operator does not subsequently provide the vehicle.
<b>d.)</b>	Where bookings are sub-contracted either by the operator to another licenced operator or are accepted by the operator from another licenced operator a full record of the booking and notes must be included; including the name of the sub-contractor, what time the job was sub-contracted and any contact information.
<b>e.)</b>	The operator shall provide a prompt, efficient and reliable service to members of the public, unless delayed or prevented by sufficient cause.
<b>f.)</b>	The operator will be responsible for a booking that has been transferred to another operator and will therefore remain accountable for that service delivery.

## 8. Fares

Where a request for hiring is received and the vehicle to be used for hiring is not fitted with a meter (private hire vehicle), the operator must inform the person making the booking, if so requested, the basis of the hire charge. If requested, the information must be put in writing.

## 9. Lost Property

The operator shall keep a record of all lost property retained by them.

## 10. Criminal convictions, cautions, reprimands, warnings, fixed penalty notices, or restorative justice.

Any person, company director, partner etc. named on the licence shall, within 72 hours of the date of receiving or having imposed on them any criminal convictions, cautions, reprimands, warnings, fixed penalty notices, or if they have been made subject to a restorative justice disposal, disclose to the Licensing Authority in writing, details of the criminal convictions, cautions, reprimands, warnings, fixed penalty notices, and/or restorative justice disposal during the period of the licence.

## 11. Compliance with other Legislation

<b>a.)</b>	The operator must bring to the attention of all drivers their legal obligations regarding the use of seatbelts by both adults and children less than 14 years of age.
<b>b.)</b>	The operator must bring to the attention of all drivers their legal obligation regarding no smoking in vehicles under the Health Act 2006.
<b>c.)</b>	The operator must ensure that all drivers are aware of their obligations under any other legislation relevant to the work of a private hire, or a hackney vehicle carriage used for private hire purposes.
<b>d.)</b>	The operator must register, where applicable, with the Information Commissioner's Office (ICO).
<b>e.)</b>	The operator must ensure, as far is reasonably practicable, that all drivers wear their licence badges when working.
<b>f.)</b>	The operator must ensure, as far is reasonably practicable, that vehicles display the correct vehicle signage as provided by the Licensing Authority.
<b>g.)</b>	The operator must not fail or refuse to accept a booking by or on behalf of a disabled person accompanied by an 'assistance dog' when the reason for failure or refusal is that the disabled person will be accompanied by an 'assistance dog'.

## Part 6 – Compliance and Enforcement

The primary aim of the Licensing Authority is public safety, and to provide a service that businesses and individuals can depend on for reasons of health, safety, welfare, equality and consistency.

The undertaking of compliance and enforcement checks on private hire operators is essential in order to achieve this. Ultimately these checks are undertaken in order to ensure fit and properness, compliance with the law, compliance with licence conditions and to ensure the safety of the general public.

In order to achieve this objective, the Licensing Authority ensures that private hire operators are complying with statutory requirements and licensing conditions by undertaking regular enforcement and compliance checks.

A broad range of tools and powers are available to the Licensing Authority should breaches of compliance be found. The following options, which will be discussed in more detail throughout this section include, but are not limited to:

- No Action
- Informal Warning
- Formal Warning
- Review
- Suspension
- Revocation
- Simple Caution
- Prosecution

Where appropriate and where there are causes for concern the Licensing Authority will pass on information to partner organisations such as the police, Sheffield City Council Transport Services and the Sheffield Safeguarding Children Board.

Equally, the Licensing Authority will act on information received from those and other partner organisations and deal with complaints in line with the Licensing Authority's Complaints Procedure. A copy of the complaint's procedure can be obtained by contacting the Licensing Authority.

## Part 7 - Better Regulation Delivery Office: Regulators' Code, 2014

In undertaking enforcement duties, the Licensing Authority will pay particular attention to the Regulators Code. This sets out the standards that the Licensing Authority should follow when undertaking compliance and enforcement checks. Therefore, the Licensing Authority will:

- carry out their activities in a way that supports those they regulate to comply and grow
- provide simple and straightforward ways to engage with those they regulate and hear their views
- base their regulatory framework activities on risk
- share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- ensure that their approach to their regulatory activities is transparent

## Part 8 - Better Regulation Unit: Enforcement Concordat

Attention will also be paid to the principals of good enforcement as contained in the Enforcement Concordat and the Licensing Authority will ensure that when carrying out enforcement we are:

- **Open:** The Licensing Authority will provide information in plain language and will be transparent in the activities it undertakes. It will also be clear with customers on how the service operates.
- **Helpful:** The Licensing Authority will work with licensees to advise and assist with compliance. A courteous and efficient service will be provided by all staff and licensees will have a single point of contact and telephone number for further dealings. Applications will be dealt with promptly and where possible enforcement services will operate effectively to minimise overlaps and time delays.
- **Proportionate:** The Licensing Authority will minimise the costs of compliance for licensees by ensuring any action taken is proportionate to the risks involved; an account of the circumstances and attitude of licensee will be considered.
- **Consistent:** The Licensing Authority will carry out all duties in a fair, equitable and consistent manner. Licensing officers will exercise judgment in all cases and arrangements will be put in place to promote consistency.

The Licensing Authority will also provide a well-publicised, effective, and timely complaints procedure that is easily accessible to licensees and members of the public alike.

Advice given by licensing officers on behalf of the Licensing Authority will be put clearly and simply and confirmed in writing.

The Licensing Authority will also ensure that before action is taken because of enforcement or compliance checks, an opportunity to discuss the circumstances will be provided to resolve the points of difference. However, in circumstances where immediate action is necessary, such as health and safety or preventing evidence being destroyed, the Licensing Authority will be required to take a more formal approach. An explanation as to why such action was required will be given at the time and confirmed in writing, in most cases, within five days and, in all cases, within 10 working days.

## Part 9 - Enforcement and Non-Compliance Options

In line with the Regulators' Code and Enforcement Concordat the Licensing Authority will choose the most appropriate form of action under the circumstances. The Licensing Authority has at its disposal a range of enforcement and non-compliance options.

Where there have been several instances of non-compliance and at the discretion of the Licensing Authority, licensees may be referred to the Licensing Sub-Committee without further warning where a decision will be made as to the future of their licence.

### Stage 1 - No Action

A decision of no action may be taken where formal enforcement is deemed inappropriate under the circumstances. In such cases the licensee, and where necessary, the complainant, will be informed of the reason(s) for such a decision.

The Licensing Authority will look at all the evidence before making a determination on how to proceed following enforcement and compliance checks. It may be that evidence comes to light after the checks, indicating no action is required.

### Stage 2 - Informal Warning/Words of Advice

Where there is a minor contravention and where the degree of risk from a given situation is minor, an informal warning may be deemed the most appropriate form of action.

An informal warning may come in the form of a verbal notice and recorded as such on the licensee's record. A culmination of verbal notices may result in a more serious form of action; this will be reviewed on a case-by-case basis.

This type of warning may be used where there is little or no impact on licensees, service users and members of the public and where all other forms of enforcement action are viewed as inappropriate and/or disproportionate.

### Stage 3 - Formal Warning

A formal warning is a tool that is available for more serious breaches of licence conditions. Each event is viewed on a case-by-case basis and enforcement officers will use their judgment as to whether to exercise the formal warning procedure.

A formal warning will be held on the licensee's record. Should the licensee be referred to the Licensing Sub-Committee, the Licensing Sub-Committee will be made aware of it.

### Suspension of licence

Where there has been a serious breach of licence, non-compliance, or any other reasonable cause, it may be deemed appropriate to suspend the licence.

The power to suspend a licence is contained in the Local Government (Miscellaneous Provisions) Act 1976, Section 62. It states:

*Notwithstanding anything in this Part of this Act a district council may suspend or revoke, or (on application therefor under section 55 of this Act) refuse to renew an operator's licence on any of the following grounds-*



- (a) *any offence under, or non-compliance with, the provisions of this Part of this Act*
- (b) *any conduct on the part of the operator which appears to the district council to render him unfit to hold an operator's licence*
- (c) *any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or*
- (d) *any other reasonable cause*

Where the Licensing Sub-Committee, as part of a review of the licence, is satisfied that one of more of the above grounds has not been adhered to, they may suspend the licence for any specified period as they see fit.

Upon the suspension of a licence the licence holder may appeal the decision to the Magistrates Court; there is no other recourse available.

## **Revocation**

In circumstances of more serious breaches of conditions, such as those stated above (Local Government ((Miscellaneous Provisions)) Act 1976, Section 62) or where there have been repeated contraventions or convictions, a revocation of the licence may be deemed necessary.

The power to revoke a licence is retained by the Licensing Committee and will be implemented where there is considered to be an immediate and on-going risk to public safety.

Upon the revocation of a licence the licence holder may appeal the decision to the Magistrates Court; there is no other recourse available.

## **Refusal to Renew**

Reasons to refuse an application may be due to information received at renewal stage, such as background checks as referred to in section 4, or where the applicant has failed to comply with the provisions of the Act.

In making a decision on whether to refuse to renew a licence the Licensing Sub-Committee will take into account the fit and proper test, the provisions of the Act and any supporting documents that are supplied by the applicant and the Licensing Authority.

If a decision is reached whereby the licensee is refused, they will have the opportunity to appeal the decision to Magistrates Court.

## **Caution**

Where a serious breach of conditions or non-compliance has been evidenced, but where a prosecution would not be in the public interest, a formal caution may be issued.

Guidance as issued by the Health and Safety Executive provides practical advice and sets out certain preconditions that must be adhered to for a formal caution to be used:

- The offender making a clear and reliable admission of the offence before a simple caution can be offered
- A realistic prospect of conviction if the offender were to be prosecuted in line with the Code for Crown Prosecutors
- The offender agreeing to receive a simple caution; and
- A full explanation of the ramifications of accepting a caution.

In addition, a formal caution may be issued where the offender has no previous history in relation to the offence and has done everything in their power to make amends. If a formal caution was offered and refused by the offender, the matter would then proceed to court. In any event, a decision to offer a caution will rest solely with the Licensing Authority.

A formal caution issued by the Licensing Authority will not be passed on to third party organisations automatically. However, if internal services or neighbouring authorities seek information on licensees information will be discharged, subject to appropriate Data Protection Act provisions.

## Prosecution

A prosecution will be instigated in cases where there has been a flagrant breach of licence conditions and where other options have been considered and deemed unsuitable, or where serious issues of public safety have arisen.

For a prosecution to be initiated there must be enough evidence to provide a realistic prospect of a conviction and it is in the public interest to do so. In determining whether a prosecution should be initiated the Code for Crown Prosecutors should be considered:

- Is there enough evidence against the defendant; and
- Is it in the public interest to bring the case to court

## Part 17 – Complaints

The Licensing Authority is responsible for investigating complaints in relation to drivers, vehicles and operators licensed within the city of Sheffield.

Complaints include, but are not limited, to:

- poor customer service
- poor standards of driving
- overcharging
- refusal to hire
- vehicle defects
- failures to display driver/vehicle identification
- prolonging journeys
- plying for hire
- issues against an operator
- equality issues (wheelchair / guide dog issues etc.)
- non-compliance with conditions

Complaints about drivers and operators provide a source of intelligence when considering a licence renewal or to identify issues during the period of a licence. Patterns of behaviour, such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence.

### Making a Complaint

The Licensing Authority has guidance for passengers on how to make a complaint which is located on its website.

Ways to make a complaint are also displayed in all licensed vehicles.

The Licensing Authority will investigate complaints in line with corporate timeframes. A copy of the official complaint form can be accessed here:

<https://www.sheffield.gov.uk/home/business/licences-permits-registrations/taxi-driver-complaint>

**SHEFFIELD CITY COUNCIL**

## **Private Hire Vehicle Policy**

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## Part 1 – Legislative Background

The Licensing Authority, in respect of regulating (administering and enforcing) private hire vehicles, adheres to the regulatory framework as set out in the Local Government (Miscellaneous Provisions) Act 1976 (Part II).

The legislative framework contained in the Act, the policy objectives set out in this document, and all other integrating legislation and guidance documents will be used in the regulation of private hire vehicles.

### Local Government (Miscellaneous Provisions) Act 1976

The Local Government (Miscellaneous Provisions) Act 1976 is used to regulate the private hire industry. The Act was adopted by Sheffield City Council at its meeting on Wednesday 1<sup>st</sup> March 1978.

A private hire vehicle licence is issued under the Local Government (Miscellaneous Provisions) Act 1976, Section 48. It states:

*(1) Subject to the provisions of this Part of this Act, a district council shall, on receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:*

*Provided that a district council shall not grant such a licence unless they are satisfied –*

*(a) that the vehicle is-*

- (i) suitable in type, size and design for use as a private hire vehicle*
- (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage*
- (iii) in a suitable mechanical condition*
- (iv) safe*
- (v) comfortable*

*(b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of [Part VI of the Road Traffic Act 1988], and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the council.*

*(2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.*

## Part 2 – Application Process

The Authority will licence private hire vehicles that are of a high standard, meet the requirements as set in the vehicle specification, and that adhere to all other policy requirements.

### Applying to licence a Private Hire Vehicle

Before making an application, applicants are expected to have read this policy, specifically the vehicle specification and emissions section, in order that they purchase a vehicle that is suitable and conforms to all necessary requirements.

#### Policy – Objective 1

##### Application Process

Applying for a licence under the Act generally involves three stages.

1. **Applying** - Completion of an application form by applicant
2. **Processing** - Receipt and handling of application by licensing officers
3. **Determining** - Deciding on the outcome of the application

##### Applying

The following information must be supplied when submitting an application:

- Application form, completed on the prescribed form as supplied by the Authority
- Tax Conditionality Check
- Basic Disclosure
- The original V5C registration certificate (logbook), or the new keepers supplement of the V5C if the vehicle has been recently purchased
- The original certificate of insurance or, in the case of newly purchased vehicle, the insurance cover note
- Compliance Certificate as issued by Sheffield City Council's Testing Station
- The appropriate fee



##### Processing

The Authority will ensure compliance with legislation, statutory guidance and this policy.



##### Determining

Where an application conforms to legislation, statutory guidance and this policy, a licence will be granted for a period not exceeding 12 months.

Where an application does not conform to legislation, statutory guidance and this policy, the individual will be informed.

## Part 3 – Tax Conditionality Checks

Individuals are required to evidence that they have undertaken a tax check.

The Authority has taken direction from HM Revenue & Customs on the process of undertaking Tax Conditionality Checks.

### Policy – Objective 2

#### Tax Conditionality Checks

Individuals and companies will be required to meet new rules on applying for a Private Hire Vehicle on or after 4<sup>th</sup> April 2022.

Individuals and companies who have not previously held a licence must confirm that they are aware their tax registration obligations, such as:

- PAYE information
- Registering for Self-Assessment
- Corporation Tax Information

Individuals and companies who make an application to **renew a licence** on or after 4<sup>th</sup> April 2022 will need to complete a tax check.

A tax check must be carried out by the individual – the Licensing Authority is unable to undertake on the individual's behalf.

The tax check asks questions about how an individual pays tax on income earned from the licensed trade.

As part of the renewal application process, individuals are required to provide the Licensing Authority with required information for a tax check to be carried out.

Failure to provide the required information will result in an incomplete application and the licence will not be renewed.

## Part 4 - Disclosure and Barring Service (DBS) Checks

Vehicle proprietors, unlike drivers, are not eligible for standard or enhanced criminal record checks; the Authority will therefore accept a criminal conviction certificate (Basic Disclosure) from the Disclosure and Barring Service (DBS) to assess fit and properness.

In assessing fit and properness, the Authority will look at all convictions contained within the DBS Check and review against the Fit and Proper Threshold.

The fit and proper threshold is referenced within this section and pays particular attention to:

- Crimes resulting in death
- Exploitation
- Offences involving violence
- Possession of a weapon
- Sex and indecency offences
- Dishonesty
- Drugs
- Discrimination

### Policy – Objective 3

#### Basic Disclosure

An individual who is not already licensed as a driver is required to apply for a Basic Disclosure Certificate through the Disclosure and Barring Service (DBS).

The Basic Disclosure will disclose any unspent convictions recorded on the Police National Computer (PNC). The Authority will look at all convictions contained within the DBS Check and review against the Fit and Proper Threshold.

Where it is a company or a partnership applying for a licence, all named directors and partners within the company will be required to apply for a Basic Disclosure.

Where there is a change to the named directors and partners, the Licensing Authority must be informed of such, and must be provided with a Basic Disclosure within 24 hours.

All applicants, directors, and partners must apply for a Basic Disclosure on an annual basis.

Where a person has lived outside of the UK for a period not less than three continuous months, they will be required to supply a Certificate of Good Character. Up to date information in relation to this type of information can be found on the Home Office website.

Further information on applying for overseas criminal record information or 'Certificates of Good Character' can be found in Home Office Guidance.

Where an individual is aware that they have committed an offence overseas which may be equivalent to those listed in the Fit and Proper Threshold, they should seek independent expert or legal advice to ensure they provide information that is truthful and accurate.

In addition to carrying out a Basic Disclosure, for which only unspent convictions and cautions are identified, the Authority requires licensees to inform within 48 hours of an arrest and release, charge or conviction of any offence involving dishonesty, indecency, or violence.



## Part 4.1 Relevance of Convictions, Cautions, Reprimands and Warnings

In determining applications, the Authority will make a decision on a person's fit and properness, assessing, if any, convictions, cautions, reprimands, warnings, and any other relevant information provided by the police and other relevant authorities.

Particular attention will be paid to:

- The class of the offence
- The age of the offence
- The number and frequency of the offences; and
- The apparent seriousness of the offence, as determined by the Fit and Proper Threshold

A criminal conviction is not a bar to obtaining a licence, but where offences are recorded, the application will be determined by the Licensing Committee.

In reviewing the offences, the Authority will pay particular attention to:

- Any term of imprisonment or custody
- Any conviction and/or caution for:
  - Crimes resulting in death
  - Exploitation
  - Offences involving violence
  - Possession of a weapon
  - Sex and indecency offences
  - Dishonesty
  - Drugs
  - Discrimination
- Any offence contrary to legislation and statutory guidance

Additional information held by the local police and which they deem to be reasonably relevant to the role of an operator, and any information or intelligence obtained from other credible sources to that which is already held on the applicants record, will be used by the Authority in assessing fit and properness.

In disclosing information, the police will look at the reasonable basis of credibility and that which is specifically related to the occupation in question. This may include unproven allegations or charges for which an applicant or licensee has been acquitted. The information may show that a person acted in a way that is incompatible with that of a licensee – not fit and proper.

Complaints, and other sources of information such as those from other council departments and which show a pattern of behaviour not befitting to that of a licensee, will be considered.

All available information will be considered in assessing fit and properness. Information that shows a tendency to behave in a way that does not constitute fit and properness will be made on the civil standard of proof, that being the balance of probabilities.

## Part 4.2 Fit and Proper Threshold

Legislation specifically includes offences including, dishonesty, indecency and violence as a factor when assessing a person's fit and properness.

The Authority will take into account those offences, as well as:

- Crimes Resulting in Death
- Exploitation
- Offences Involving Violence
- Possession of a Weapon
- Sex and Indecency Offences
- Dishonesty
- Drugs
- Discrimination

Any convictions or unacceptable behaviour will have a negative impact and will weigh heavily against an individual.

Where an individual has one or more conviction and where this shows a pattern or tendency irrespective of the time since the conviction, the Authority will give serious consideration as to fit and properness. Where a conviction appears on the Fit and Proper Threshold, that individual will be automatically referred to the Licensing Committee.

The Fit and Proper Threshold sets out time periods that are expected to have elapsed following completion of the sentence or offence.

The Authority will assess each case on its own merits, but the criteria set down in the Fit and Proper Threshold will be considered in the determination of a licence, and only in truly exceptional circumstances will the criteria be deviated from.

## Fit and Proper Threshold

### The Fit and Proper Threshold

<b>Crimes Resulting in Death</b>	Where an individual has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person, they will not be licenced.
<b>Exploitation</b>	Where an individual has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licenced. This includes, but is not limited to, slavery, child sex abuse, exploitation, grooming, psychological, emotional or financial abuse.
<b>Offences Involving Violence</b>	Where an individual has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 5 years has elapsed since the completion of any sentence imposed.
<b>Possession of a Weapon</b>	Where an individual has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 5 years has elapsed since the completion of any sentence imposed.
<b>Sex and Indecency Offences</b>	Where an individual has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted. In addition, a licence will not be granted to any individual who is currently on the Sex Offenders Register or on any barred list.
<b>Dishonesty</b>	Where an individual has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.
<b>Drugs</b>	Where an individual has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.  Where an individual has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.
<b>Discrimination</b>	Where an individual has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

## Part 5 - Private Hire Vehicle Specification

Applications for private hire vehicles are invited to those vehicles that conform to legislative requirements and this private hire vehicle specification.

The vehicle specification sets out the specific vehicle requirements and is an aid to help guide applicants in choosing an appropriate vehicle. Applications for vehicles that do not fully comply with the vehicle specification will be automatically referred to the Licensing Committee for determination.

### IMPORTANT

**As of 1<sup>st</sup> January 2025, newly licensed vehicles must be Zero Emission Capable (ZEC)**

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## Part 1 - General Construction

Vehicles must comply in all respects with:

- Requirements of the Motor Vehicle (Type Approval) Regulations 1980
- Motor Vehicle (Type Approval) (Great Britain) Regulations 1984
- Road Vehicles (Construction and Use) Regulations 1986
- The Motor Vehicles (EC Type Approval) Regulations 1998
- European Community Whole Vehicle Type Approval (ECWVTA)

In addition, every vehicle must comply in all respects with British and European vehicle regulations and be 'type approved' to the requirements of M1 (low volume) category of European Whole Type Approval 2007/46/EC as last amended by 2019/543.

Vehicles that have not been 'type approved' to M1 categories must be presented with approved certification showing that the vehicle meets the requirements of M1 category.

Page 53 Imported vehicles that do not meet the requirements set out above and have only been approved under the British Single Vehicle Approval scheme (SVA), will not be accepted.

53 If the vehicle has been converted to run on liquefied petroleum gas (LPG), it must be listed on the UKLPG Register to confirm satisfactory installation, examination, and testing.

All vehicles so constructed as to facilitate the carriage of disabled persons must be capable of accommodating a disabled person in a DFT reference wheelchair (specified in the Public Service Vehicle Accessibility Regulations 2000) in the passenger compartment.

No vehicle first being licensed will have been written off in any category and will not be renewed (if previously written off).

## Part 2 - Age Limits

A newly licensed vehicle must be under five years old on the date the first licence is issued. The date of first registration will be used to determine the age of the vehicle, and it must be licensed for use within one month from the date of application.

The maximum age of a vehicle is indicated in the below table.

Date Effective	Maximum Age Limit	Maximum Age Limit
	Petrol - Euro 4 or better Diesel - Euro 6 or better	Zero Emission Capable
1 <sup>st</sup> September 2022	9 Years	11 Years

### IMPORTANT

As of 1<sup>st</sup> January 2025, all newly licensed vehicles must be Zero Emission Capable (ZEC)  
Existing licensed vehicles can be licensed for the periods shown in the above table

### Zero Emission Capable Vehicle

A Zero Emission Capable (ZEC) vehicle refers to one that meets the following requirements:

- Emit no more than 50g/km CO<sub>2</sub> and be capable of being operated with no (zero) exhaust emissions for a minimum range of 10 miles (16.093 km); or
- Emit no more than 75g/km CO<sub>2</sub> exhaust emissions and be capable of being operated with no (zero) emissions for a minimum range of 20 miles (32.187 km)
- As a minimum, the vehicle must meet the Euro 6 emissions standard if an internal combustion engine is part of the vehicle specification (i.e. hybrid vehicles)
- If it has an internal combustion engine, it must be petrol

A vehicle wishing to be licenced beyond the stated licensable period will need to comply with the *Exceptional Vehicle Criteria*, with applications referred directly to the Licensing Committee for determination.

### Part 3 – Fuel Systems

Where retrofit emissions technology is installed in a vehicle, the technology must have been approved as part of the Clean Vehicle Retrofit Accreditation Scheme (CVRAS) and be listed on the UKLPG Register.

As of January 2025, any newly licensed vehicle must be Zero-emission Capable (ZEC). A ZEC vehicle refers to one that meets the following requirements:

- Emit no more than 50g/km CO<sub>2</sub> and be capable of being operated with no (zero) exhaust emissions for a minimum range of 10 miles (16.093 km); or
- Emit no more than 75g/km CO<sub>2</sub> exhaust emissions and be capable of being operated with no (zero) emissions for a minimum range of 20 miles (32.187 km)
- As a minimum, the vehicle must meet the Euro 6 emissions standard if an internal combustion engine is part of the vehicle specification (i.e. hybrid vehicles)

### Part 4 - Bodywork and Vehicle Structure

The vehicle must have no signs of any significant accident damage which affects the safety or appearance.

The paintwork must be of a professional standard and consistent with the colour scheme of the vehicle.

All parts of the passenger compartment must be clean and free of any damage which may affect its suitability for the carriage of passengers.

The bodywork shall have no significant signs of corrosion.

### Part 5 - Steering

Vehicles must be right hand drive.

### Part 6 - Doors

The vehicle must have as a minimum four doors, two to each side. They must be easily accessible to passengers without the need to move any other seat etc. to gain access to them.

An exception to this is where the vehicle has a single passenger carrying area (e.g. minibus). In this instance there must be two doors available to every passenger for egress from the vehicle. Clarification should be sought from the Licensing Authority or testing station should you propose licensing a vehicle that has fewer than four doors.

## Part 7 - Sliding Doors

The interior door handle must be clearly visible and easily accessible to passengers when the door is in a fully open position.

There must be approved reflective strips on both the front and rear edges of the door.

There must be a sign in an approved position clearly visible from the rear of the vehicle bearing the words "door open". This must be automatically linked to the passenger doors, in order that when either door handle is activated to open the door, the sign is illuminated. The size of the sign shall be not less than 400sq cm and shall be so positioned so as not to impair the rear vision.

## Part 8 - Seats

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The vehicle must have sufficient seating capacity to carry a minimum of four and not more than eight passengers.

The seating capacity will be determined by the Licensing Authority and will be based upon the manufacturer's specification as stated in the V5C document, the orientation of the seating and the dimensions of the seating.

Each seat shall not be less than 406mm in width. All measurements are taken across the front of the seat cushion.

Where bench seats are provided, then the seat must provide a minimum of 406mm seating space for each passenger – the rear bench seat must not be less than 1218mm to accommodate three passengers.

## Part 9 – Seat Belts

All seats must be fitted with approved seatbelts, of the lap and diagonal type.

## Part 10 - Windows

Opening windows shall be provided with mechanisms (manual or electronic), which permit the passenger adjacent to that window to open and close it.

All glazing must comply with Road Vehicles (Construction and Use) Regulations 1986, Section 32 regarding the level of tints.



Light transmission must meet the following criteria:

- Front windscreen - minimum 75% light transmission
- Front side door glass - minimum 70% light ingress transmission
- Remaining glass – minimum 60% light ingress transmission

In cases of non-estate type vehicles, the rear side windows, and rear windscreen, which in the opinion of the tester does not impact on the seating area of passengers, can have a higher density tint, but this must allow at least 20% light transmission.

Where light ingress transmission does not comply, vehicles must be fitted with Image Recording Equipment – see section 6.

Tinted films applied to any window, and any other aftermarket alterations are not permitted.

## Part 11 - Wheels and Tyres

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Vehicles should adhere to the following in respect of wheels and tyres:

- The vehicle must be fitted with four road wheels
- All tyres, including the spare (if supplied), must have at least 2.0mm tread depth throughout the continuous band in the centre 3/4 of the tread and around the entire circumference of the tyre
- All tyres fitted must be fit for purpose and free from any defects; this means:
  - Be compatible with the types fitted to the other wheels
  - Not have any lump, bulge or tear caused by separation or partial failure of the structure
  - Not have a cut or tear in excess of 25mm or 10% of the sectional width of the tyre, whichever is greater, and which is deep enough to reach the ply or cord
  - Not have any part of the ply or cord exposed
- Tyres must be correctly inflated to the vehicle/tyre manufacturer's recommendation
- A space saver tyre must only be used in an emergency. Where a vehicle is presented for a test with a space saver fitted it will fail the test
- Where a spare wheel is not supplied as standard by the manufacturer, the use of the manufacturer's method of dealing with punctured tyres is permissible. The vehicle though must come equipped with a serviceable wheel brace and jack
- Remoulded or part worn tyres are not permitted
- Tyres must not be aged more than 10 years

## Part 12 - Entertainment and Digital Media Systems

The vehicle shall not be fitted with any additional entertainment and digital media systems without the prior written consent of the Licensing Authority.

## Part 13 - Heating System

The vehicle must have an efficient heating system.

## Part 14 - Dimensions

### Leg Room

The minimum leg room available to any passenger shall be 609mm. The measurement will be taken from the base of the seat to the rear of the seat in front when the front seat is at its full, rearwards extension. Where there is no seat in front the measurement will be taken from the base of the seat to the nearest obstruction in front.

### Head Room

The minimum internal floor to roof height in seating areas shall be 1092mm.

### Ride Height

Access to the vehicle shall not be more than 460mm from ground level.

Where the top tread for the entrance exceeds 460mm and the vehicle is not fitted with approved running boards, a moveable intermediate step must be provided at each entrance into the passenger compartment. The intermediate step shall be encased beneath the vehicle and be electrically operated to extend outwards. When not in use and whenever the vehicle is in motion, the step must not exceed outwards beyond the vertical line of the bodywork.

The step must be operated from within the driver's compartment and must have a failsafe device linked to the handbrake mechanism to prevent the possibility of the vehicle being driven while the step is extended.

The step must be covered with a suitable non-slip surface with the edges of the step highlighted in a high visibility colour, which is different from the colour scheme of the vehicle.

Running boards will only be allowed where they are fitted by the manufacturer and where the vehicle has European Community Whole Vehicle Type Approval (ECWVTA) with running boards. All running boards must conform with construction and use regulations, meaning boards must not exceed the

width of the widest part of the vehicle (mirrors are not included as part of the vehicle). The board must be a minimum five inches in width, all of which must be available as a step.

### **Luggage Space**

The dedicated accessible luggage space shall not be less than 0.43 cubic metres. The luggage space must either be a separate lockable compartment or there must be some suitable device fitted to prevent luggage coming into contact with the passenger(s).

## **Part 15 - Wheelchair Carrying Facilities**

Any vehicle that has the facility for the carriage of wheelchair passengers must conform to M1 classification and comply in all respects to EC Whole Vehicle Type Approval (ECWVTA).

The vehicle will be fitted with:

- Approved anchorages for the wheelchair and wheelchair disabled person. The anchorage must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Anchorages must also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger compartment. All anchorages and restraints must be so designed that they do not cause any danger to other passengers.
- A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for use at the nearside rear passenger door. An adequate locking device must be fitted to ensure that the ramp(s) do not slip or tilt when in use. Provision must be made for the ramps to be stored safely when not in use.
- The vehicle should be equipped with a manufacturer's user manual/guide on the safe loading and unloading and security of wheelchair passengers.

## **Part 16 – Interior Licence Information**

Information bearing the licence number of the vehicle shall be displayed within the vehicle in such a position that it is clearly visible to the passengers.

## **Part 17 – Exterior Licence Information**

Provision shall be made for the display of the exterior licence plate on the rear of the vehicle in an approved position.

## Part 18 - Maintenance

The vehicle, once licenced, must maintain all fittings, advertisements, signs and notices to approved standards. The vehicle must be kept clean and tidy and in good working order.

Vehicles, at any time will be subject to test and inspection and should it be found that a vehicle is not being properly maintained or kept in good working order, a notice or suspension of the vehicle licence will be served on the driver or licensee prohibiting the use of the vehicle until the defects have been rectified and/or it has passed the City Council's full mechanical test.

## Part 19 - Interior Lighting and Auxiliary Equipment

Any interior lighting and/or auxiliary equipment that is fitted to a vehicle must not impede the driver in anyway, or hinder their view, or impede, or cause hazard to any passengers/public or any other road users.

## Part 20 - Advertisements

The vehicle shall carry no advertisements, either printed, written or via digital media systems or any other material or notices on any part (interior or exterior) except without prior written consent from the Licensing Authority.

## Part 21 – Auxiliary Equipment

Any auxiliary equipment that is fitted to a vehicle must not impede the driver, hinder their view, or obstruct, or cause hazard to passengers or other road users.

## Part 22 – Image Recording Equipment (CCTV)

See Image Recording Equipment requirements (Part 6)

## Part 23 - Currently Licenced Vehicles

Any vehicle that is currently licenced and attends for a full mechanical test is required to be fitted with the following:

- Interior identification numbers – displayed where they are clearly visible to passengers and to the public

- Exterior licence plate. The licence plate issued by the Authority should be permanently affixed to the rear of the vehicle. The licence plate should be securely affixed using the fixing plate and secured by the approved tag system
- Front door signage, as determined by the Licensing Authority
- Radio and/or data head apparatus:
  - Where a vehicle has been fitted with a two-way radio or data head system, no part of the system may be fixed in the passenger area or compartment.
  - No part of the system can be in the rear boot compartment if LPG or CNG tanks or equipment are situated therein.
  - No other radio equipment or image recording equipment shall be fitted without prior written consent from the Licensing Authority.

## Part 6 - Image Recording Equipment

Consideration is being given for vehicles to be fitted with an approved image recording system capable of storing both audio recordings and visual images.

The importance of image recording equipment is widely understood in helping to protect the driver and the wider public, ensuring that both parties act responsibly and respectfully.

### Benefits

The benefits of CCTV include:

- Deterring and preventing the occurrence of crime
- Reducing fear of crime
- Assisting the Police in investigating incidents of crime
- Assisting insurance companies in investigating motor vehicle accidents
- Assisting the Licensing Authority in investigating complaints.

### Downloads

Data will only be downloaded in the following circumstances:

- Where a crime has been reported involving the specific vehicle and the Police have formally requested data
- When a written complaint has been made to the Council regarding a specific vehicle/driver
- Where a data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licenced vehicle or driver
- Subject Access Request compliant with the Data Protection Act

### Retention

Data retained by the Council will only be retained for the following periods:

Reason	Retention Period
Cases leading to prosecution	10 years from date of trial
Formal Caution	3 years from date of caution
Written Warning or no formal action	3 years from date of decision
Subject Access Request	6 years from date of request

## **Policy – Objective 4**

### **Closed-Circuit Television (CCTV)**

A vehicle must be fitted with an approved CCTV system capable of storing both audio recordings and visual images.

For the purposes of this policy, a CCTV system will include any electronic recording device attached to the inside of the vehicle having the technical capability of capturing and retaining visual images and audio recording from inside or outside of the vehicle.

### **General Requirements**

The system must be of an approved standard as designated by the Council and be operational at all times that the vehicle is being used for licensable purposes. Where the vehicle is being used for domestic purposes there is no requirement for the equipment to be operational.

All CCTV equipment must conform to the Council's specification, and in any case adhere to Data Protection legislation. CCTV systems that do not meet the specification will not be approved for use in such vehicles.

CCTV system installs will be inspected as part of the compliance test to ensure that they do not pose a risk to the safety of the driver or passengers, and to ensure that they have been safely and securely installed. Design, construction, and installation must be in such a way that materials present no danger the driver or passengers, including impact with the equipment or danger from the electrical components being breached through vandalism, misuse or wear and tear.

The installation and operation of CCTV must comply with the requirements of the Information Commissioner's Officers CCTV Code of Practice. Detailed information can be found on the Information Commissioner's Office website: [www.ico.gov.uk](http://www.ico.gov.uk).

All equipment must meet all requirements regarding safety, technical acceptability, and operational/data integrity.

### **Signage**

Signage must be strategically displayed in the vehicle, informing passengers that they may be recorded. Notices shall be placed in both the front and rear of the vehicle.

The notices must include information informing that visual and audio recordings take place within the vehicle.

### **Camera Activation Methods**

Video recording must be active when the vehicle is being used for licensable purposes, without exception.

Activation methods may include the beginning of a journey, doors opening and panic buttons. When none of these methods is triggered, the camera may go into idle.

## **Audio Recording Methods**

Audio recording must be active in the following circumstances:

- Where an unaccompanied child or vulnerable adult is being transported in the vehicle
- Where the driver and the customer are involved in a dispute or the driver feels threatened by the behaviour of the passenger or any other such method that warrants audio recording

Activation of audio recording must be able to be triggered by the driver pressing a switch, and the recording will continue until such time that the switch is pressed again. No deactivation of the audio recording will be enabled by the passenger's audio switch – they will be independent of each other.

Activation of audio recording must be able to be triggered by the passenger pressing a switch, and the recording will continue until such time that the switch is pressed again. No deactivation of the audio recording will be enabled by the driver's audio switch – they will be independent of each other.

There must be an indicator located in the vehicle that is in clear and uninterrupted view of the passenger and that indicates that audio recording is taking place.

At the conclusion of a journey, when the passenger leaves the vehicle, audio recording must cease before another passenger enters and the journey commences. However, there should be a method of reactivating the audio recording should any of the above situations arise in relation to the new journey.

## **Automotive Electromagnetic Compatibility Requirements (EMC)**

The CCTV system must not interfere with the safety, control, electrical, computer, navigation, satellite, or radio system located within the vehicle.

CCTV equipment must meet the requirements under the European Community Automotive Electromagnetic Compatibility Directive, in regard to Electronic Sub Assembly (ESA).

CCTV equipment must be e-marked or CE-marked. If CE marked, the system must be suitable for use in motor vehicles.

## **Image Security**

Captured images must remain secure.

Captured images must be protected and designed to guard against the compromise of the stored data. The Information Commissioner's Office has published guidance on how to keep personal data (including personal data contained in CCTV images) secure: <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/>

## **Registering with the Information Commissioner's Office**

The ICO is the UK's independent body set up to uphold information rights

The Data Protection (Charges and Information) Regulations 2018 requires every organisation that processes personal information to pay a fee to the Information Commissioner's Office (ICO), unless they are exempt. Therefore, all private hire vehicle proprietors must register with the ICO and obtain documented evidence of such registration. Further information can be found on the ICO's website: <https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>



## Technical Specification and System Requirements

To be considered suitable for installation, the CCTV system must meet stringent requirements. These requirements are set out in Appendix B.

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## Part 7 – Special Occasion Vehicles

Special Occasion Vehicles are licenced under the same principle as a private hire vehicle but as the name suggests, the vehicles are only to be used in the event of a Special Occasion booking and not as a standard pre-booked private hire agreement.

Special Occasion Vehicles are vehicles such as a:

- Vintage Vehicle
- Executive Vehicle
- Other non-standard type converted vehicles used for special events

The above list is not exhaustive and other vehicles may be considered.

All vehicles that wish to be licenced as a Special Occasion Private Hire Vehicle must conform to the private vehicle specification. The specification sets out the exact minimum requirements that all vehicles wishing to be licenced as a Special Occasion Private Hire Vehicle must adhere to.

However, where a person makes an application for a Special Occasion Private Hire Vehicle licence that is or will be more than five years of age, then the application will be referred to the Licensing Committee for determination.

Additionally, vehicles issued with a special occasion licence shall only be used for special occasions and executive business contracts. Vehicles licenced within this category shall not be used for everyday private hire use. Private Hire Operator records need to be maintained recording the nature of the special occasion i.e. why the customer wanted a special occasion vehicle.

## Part 8 – Limousines

Limousines, in certain circumstances, have a legitimate role to play in the private hire sector, such as those used for school proms and other such adult bookings.

Limousines are licenced under the same principle as a private hire vehicle and therefore must have eight passenger seats or less.

Applications for a limousine must meet the physical and mechanical requirements set out in the private hire vehicle specification. The specification sets out the exact minimum requirements that must be adhered to.

Where an application is submitted that does not conform in respect of the specification, the application will be automatically referred to the Licensing Committee for determination.

Vehicles must carry within the vehicle appropriate licence information, issued by the Authority, which states details of the vehicle, issue date and the number of persons allowed to be carried. This information must be available for inspection.

Drivers of limousines must complete the licensing application process in the same way as any other licensed driver and bookings must be taken through a licensed operator.

All foreign vehicles used for these purposes must meet relevant British or European standards. Any alterations to a manufacturer's standard specification will require M1 EWVTA. Any subsequent changes to the vehicle will invalidate this approval.

When a vehicle has been imported, the importer must produce a declaration from the testing authority (DVSA) that the vehicle will not carry more than eight passengers.

## Part 9 – Exceptional Vehicle Criteria

Applicants wishing to licence a vehicle beyond its licensable period must be able to demonstrate in the first instance that it adheres to *Exceptional Vehicle Criteria* – it must be considered an ‘exceptional vehicle’.

Applications for an extension beyond the normal term will be determined by the Licensing Committee.

### Policy – Objective 5

#### Exceptional Vehicle Criteria

Where a licensee wishes to licence a vehicle beyond the normal term, they must ensure that it meets the following criteria. Consideration will not be given to those vehicles that do not meet the criteria 100%.

A vehicle will be considered in ‘exceptional condition’ where:

- It has never failed a vehicle compliance test
- It has never failed to attend a pre-arranged vehicle compliance test, unless in exceptional circumstances
- All bodywork is in A1 condition with no signs of rust, dents, scratches, stone chips or any other defects that may detract from the overall appearance
- The paint condition is in A1 condition, showing no signs of fading, discoloration or mismatching that may detract from the overall appearance
- The interior of the vehicle is in A1 condition, including carpets, mats and upholstery
- All luggage compartments are in A1 condition, clean and free from any signs of damage
- There is a complete service record, showing it has been properly serviced in line with manufacturer’s guidelines. All receipts and service book history in relation to servicing must be available
- The vehicle has not been suspended at any time due to the mechanical and/or physical condition
- The vehicle is Zero Emission Capable (ZEC)

The decision to grant a licence beyond the normal term of 9 years can only be taken by the Licensing Committee. For the Licensing Committee to consider an application to extend the vehicle licence beyond the normal term, the proprietor must be able to demonstrate that the vehicle meets all the criteria as set out above as well as exhibiting valid reasons why an extension should be granted.

## Part 10 – Vehicle Inspections and Testing

Due to high workloads and mileage, vehicles will be tested according to their age. Older vehicles will be tested more frequently than younger vehicles to ensure their fitness and suitability.

### Policy – Objective 6

#### Frequency of Tests

Vehicles must undergo and pass a vehicle compliance test at Sheffield City Council's Testing Station. The compliance standards can be found at Appendix D.

#### New Vehicles

Applications for a new vehicle licence require the undertaking of a vehicle compliance test, even where the vehicle would not normally require an MOT test (less than three years of age).

#### Currently Licenced Vehicles

Licenced vehicles must undergo a compliance test no more than four weeks prior to the renewal of their licence and in any case within the month of licence expiry.

The number and frequency of tests depends on the vehicle age as outlined below:

- Vehicle under five years of age – Every 12 months
- Vehicle over five years of age – Every 6 months

The age of the vehicle and the subsequent testing regime shall be determined by the V5C document as presented at the initial application stage.

Where a vehicle fails several consecutive tests, the Authority may require that vehicle to undergo further tests in its licenced period. Reasons for additional tests will be provided by the Authority. The expense of these tests will be borne by the licensee (up to a maximum a 3).

### Testing Criteria

The compliance test goes above and beyond the criteria as used by the Ministry of Transport (MOT) test. Due to the nature of work that is undertaken by private hire vehicles, it is important that all aspects of the vehicle are checked for mechanical safety and that it meets aesthetic requirements.

Further information on the testing procedures and standards for MOT tests can be found by visiting: <https://www.gov.uk/government/publications/mot-inspection-manual-for-class-3-4-5-and-7-vehicles>

Information on inspection and compliance standards can be found at Appendix D.

## Testing Station

Vehicles are required to undergo and pass a vehicle compliance test at Sheffield City Council's testing station. Compliance and MOT certificates provided by other testing stations will not be accepted.

The Sheffield City Council testing station carries out its functions in line with best practices from the Department for Transport (DFT), Drivers and Vehicles Standards Agency (DVSA), The Technical Officer Group of the Public Authority Transport Network and the current standards required by Sheffield City Council for its licenced vehicles.

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## Part 11 – Insurance

### Vehicle Insurance

Vehicles must have in place valid and appropriate insurance for the purposes of carrying passengers for hire and reward.

#### Policy – Objective 7

##### Vehicle Insurance

Vehicles must have in place valid and appropriate insurance.

As a minimum, the Authority requires:

- A valid insurance certificate or cover note confirming the persons insured to drive the vehicle and the purposes for which the vehicle can be used, i.e. *For the carriage of passengers or goods for Hire and Reward by prior appointment only. Provided such use complies with the laws and regulations of the appropriate Licensing Authority.*

### Public Liability Insurance

Vehicles that are equipped to carry wheelchair passengers must have in place valid insurance for doing so.

#### Policy – Objective 8

##### Public Liability Insurance

Public liability Insurance, with a minimum cover of £2,000,000, is required in respect of all vehicles that are capable of carrying wheelchair passengers.

As a minimum the insurance should cover personal injury claims and damage sustained to property.

## Part 12 – Advertising

Vehicles are permitted a limited amount of advertising which is subject to approval by the Authority.

### Policy – Objective 9

#### Advertising

A request to advertise must be made to the Licensing Authority prior to any such advertisement being used.

The vehicle proprietor must provide to the Licensing Authority such details of the proposed advertisement to determine that it:

- does not promote, either directly or indirectly, smoking (including tobacco and/or vaping), alcohol, and gambling
- is not of a sexual, religious, or political nature
- is not likely to cause offence

The contract for the advertisement must comply with the following requirements:

- Advertisements should be submitted by the vehicle proprietor
- The contract for advertisement must have a facility to state the vehicle details and the termination of the contract
- The contract must contain a condition that the advertisement must be removed at the end of the contract term

Advertisements are permitted, as follows:

- As a door sign
- On the rear window (must use contra vision or similar technology)
- On a digital screen
- As illuminated exterior media

Where full livery advertisements are applied to the vehicle, the V5C Document (logbook) must be updated – colour of vehicle must state 'full livery'.

Any advertisements fitted to a vehicle must not obscure notices, signs or plates that form part of the vehicle licence conditions. Additionally, should any approved advertisement come to be in such a condition that, in the opinion of an Authorised Officer, it adversely affects the safety or the appearance of the vehicle then the vehicle licence will be suspended with immediate effect and until such time that the defect has been rectified.



## Part 13 – Accidents

Where a vehicle is involved in an accident or has been damaged, it is the responsibility of the vehicle proprietor to report as such to the Licensing Authority. Section 50 (3) of the Local Government (Miscellaneous Provisions) Act 1976 states:

*‘...the proprietor of a Hackney Carriage or Private Hire Vehicle, licenced by a district council shall report to them as soon as reasonably practicable, and in any case within seventy two hours of the occurrence thereof, any accident to such Hackney Carriage or Private Hire Vehicle causing damage materially affecting the safety, performance or appearance of the Hackney Carriage or Private Hire Vehicle or the comfort or convenience of persons carried therein.’*

The statutory duty contained in the above legislation does not affect in any way the liability placed upon a person under Section 170 of the Road Traffic Act 1988 in relation to the reporting of certain accidents to the police. Further information in this respect can be found visiting <http://www.legislation.gov.uk/ukpga/1988/52/contents>.

### Policy – Objective 10

#### Accidents

Where a vehicle has been involved in an accident affecting the safety, performance or appearance, it is the responsibility of the vehicle proprietor to inform the Authority within 72 hours of the accident occurring.

The proprietor will be required to complete an Accident Damage Report Form, detailing the events of the accident and any damage suffered to the vehicle. An Authorised Officer will inspect the vehicle to ascertain the damage and where appropriate (vehicle fitness has not been satisfied) suspend the vehicle licence until such time that the vehicle has been repaired and passed a compliance test at Sheffield City Council's testing station.

If a vehicle has been damaged to such an extent that it can no longer be driven, the proprietor must inform the Authority as such. The proprietor will be required to provide the Authority with photographic evidence as to the vehicle's condition, specifically showing the parts of the vehicle that have been most severely damaged. The vehicle, upon repair, must be presented at Sheffield City Council's testing station in order to undergo a Compliance test. A suspension notice will not be issued where an inspection of the vehicle by an Authorised Officer is not possible.

## Part 14 – Transfer of Vehicle Licence

A proprietor, at any time, may transfer a private hire to another person.

### Policy – Objective 11

#### Transfer of vehicle licence

Where a proprietor wishes to relinquish their interest in a private hire vehicle and transfer that interest to another party, they must inform the Authority within 14 days of doing so, paying the appropriate fee.

In notifying the Authority, the proprietor must specify the name(s), date of birth and address of the person(s) to whom the vehicle has been transferred.

The new proprietor must also provide the following documentation at the time of the transfer request:

- A current insurance certificate or valid cover note relating to the vehicle and its intended use as a private hire vehicle. Insurance must be in the name of the new proprietor. If the new proprietor is not a licenced driver, the insurance certificate must state a named licenced driver.

## Part 15 – Signage

To establish the status of a vehicle, a licenced vehicle must display signage to identify itself as such, and this signage should be displayed at all times.

### Policy – Objective 12

#### Signage

Each vehicle shall display the following signage, all of which must be securely and permanently affixed to the vehicle. The use of magnets or other such types of temporary fixing is not permitted. Additionally, the signage shall not be altered from its original form.

#### Combined Operator and ‘Advance Bookings Only’ Signage

Each vehicle shall display on both the **nearside and offside front doors** information to identify the operator for which bookings are accepted and the words ‘Advance Bookings Only’.

The private hire company name and telephone number (or in cases where a telephone number is not used, the app for the private hire operator) should be clearly displayed.

Signage must be no smaller than A3 (420mm x 297mm) in size.

Signage (excluding information relating to the operator) will be provided by the Authority. Only signage (excluding operator information) issued by the Authority is permissible.

Operator information to be displayed here



The signage must be securely and permanently and securely affixed to the vehicle.

Additional signage, to that referenced above (i.e., multiple operator signage) is not permitted.

#### Licence Vehicle Plate (Exterior)

The licence plate must be securely and permanently always affixed to the rear of the vehicle. It shall be displayed so as not to obscure the vehicle's registration mark and must be clearly visible by daylight. The signage must not be altered from its original form.

The licence plate and fixings will be provided by the Authority.

#### Licence Vehicle Plate (Interior)

Interior signage must be securely and permanently affixed to the interior glazed surface of the quarter light on the nearside rear door.

Interior licence signage must be securely and permanently affixed on the left-hand side of the glazed surface of the front windscreen.

The signage will be provided by the Authority.

The signage must be securely and permanently always affixed to the vehicle and must not be altered from its original form.

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## Part 16 – Conditions

Section 48 (2) of the Local Government (Miscellaneous Provisions) Act 1976 states:

*A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.*

The following mandatory conditions form part of all private hire vehicle licences and should be observed at all times; failure to do so may result in the licence being referred directly to the Licensing Committee for review.

Following determination of an application by the Licensing Committee, additional conditions may be imposed, so long as they are reasonably necessary.

## Mandatory Conditions

Definitions	
<b>‘Authorised Officer’</b>	Any officer of the Council authorised in writing by the Chief Licensing Officer and Head of Licensing of the Council for the purposes of these conditions
<b>‘The Council’</b>	Sheffield City Council
<b>‘Hackney Carriage’</b>	Has the same meaning as in the Town Police Clauses Act 1847
<b>‘Licence Plate’</b>	The plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licenced by the Council.
<b>‘Interior Licence Plate’</b>	The plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle duly licenced by the Council.
<b>‘Interior Driver Identification Plate’</b>	The card which provides a photograph of a driver, driver licence number and the date of expiry of the licence. At all times it remains the property of the Council.
<b>‘Proprietor’</b>	The person or persons or body named in this licence as the proprietor of the vehicle and includes a part proprietor.
<b>‘The Vehicle’</b>	The private hire vehicle in respect of which this licence is issued.

## 1. Identification Plate and Signs

a.)	The exterior licence plate must be securely and permanently affixed to the rear of the vehicle at all times. It shall be displayed so as not to obscure the vehicle's registration mark and must be clearly visible by daylight. Additionally, the licence plate must be kept clean so as not to obstruct the wording.
b.)	The interior licence plate must be securely and permanently affixed to the interior glazed surface of the quarter light on the nearside rear door so that the particulars are clearly visible to all passengers in the vehicle.
c.)	The interior licence plate must be permanently affixed to the glazed surface of the front windscreen so that the particulars are clearly visible from the outside of the vehicle.
d.)	<p>Signage, as approved and supplied by the Authority, must be securely and permanently affixed to nearside and offside front doors, consisting of the following information:</p> <ul style="list-style-type: none"> <li>• The Private Hire Operators Name</li> <li>• The telephone number and/or app information of the Private Hire Operator</li> <li>• The words: 'Advance Bookings Only'.</li> </ul>
e.)	The proprietor shall not display or suffer or permit to be displayed on or from the vehicle any sign or notice not relating to the above without the prior written consent of the Authority.
f.)	Without prejudice to the provisions of this condition the proprietor shall not display or suffer or permit to be displayed on or from the vehicle any sign, notice, mark, illumination or other feature which having regard to the time and place at which it is displayed and to any other circumstances, may suggest to a person seeking to hire a private hire vehicle or hackney carriage that the vehicle is immediately available without pre-booking for the purpose of carrying passengers for hire and reward.
g.)	The Authority will permit a deviation from these conditions in certain circumstances. A request for deviation should be made in writing to the Licensing Authority, and then determined by the Licensing Committee.
Signage, licence plates and notices as referred to above will be issued or approved for use by Sheffield City Council Licensing Authority.	
Signage, licence plates and notices must be fixed to the vehicle in accordance with the requirements set out by the Licensing Authority, and in any case must be securely and permanently affixed at all times.	

## 2. Cleanliness and Appearance of Vehicle

a.)	The vehicle must be maintained in a safe and clean condition. The Authority can and will inspect a vehicle at any time it sees fit.
b.)	Storage areas must be kept free from obstruction in order to allow the safe storage of passenger luggage.
c.)	Bodywork must be maintained to a high standard, with no signs of corrosion, inferior spray work and temporary repairs.
d.)	If the vehicle is involved in an accident, affecting the safety, performance or appearance, the licensee must inform the Authority as soon as possible and in any case within 72 hours. Details of the accident must be recorded on the prescribed form, available from the Authority. The vehicle must be presented to the Authority for inspection by an Authorised Officer. Where the vehicle cannot be presented to the Authority for inspection due to damage caused, the proprietor must send photographic evidence of the vehicle's condition. All repairs to the vehicle must be carried out without undue delay and once repaired will be subject to a compliance test at Sheffield City Council's testing station.
e.)	The licensee must carry out frequent safety checks of the vehicle. As a minimum this must include lights, oil, water, tyres, mirrors and seatbelts. Any faults found must be rectified immediately and the vehicle should not undertake licensing functions until such repairs have been completed.

## 3. Equipment and Fittings

a.)	All fittings and auxiliary equipment must be kept tidy and safe.
b.)	All audio equipment must be factory fitted. No additional amplifiers, speakers, or sub-woofers are to be fitted and connected to the vehicle.

## 4. Insurance

a.)	At all times the licensee shall have in place a policy of insurance in relation to the use of a private hire vehicle that complies with the requirements of the Road Traffic Act 1988 Part VI.
b.)	Where the private hire vehicle is used to carry passengers in wheelchairs there must be in place Public Liability Insurance with a minimum cover of £2m.
c.)	The licensee shall produce to the Council within five days of such request a certificate of insurance issued by an insurance company or broker in respect of the vehicle.



## 5. Seats and Passengers

a.)	The licensee shall not cause or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified on the licence.
b.)	Once a vehicle has passed a compliance test the seating layout must not be changed, except in circumstances where the temporary accommodation of wheelchair is to be required.
c.)	Where it is possible to change the seating layout, the proprietor must ensure that no more seats than are stated on the licence are fitted.
d.)	All passengers must have access to at least two side doors, one of which must be on the nearside of the vehicle.

## 6. Drivers

a.)	<p>The proprietor must keep a written record showing the following particulars in respect of every driver (for private hire purposes) of the private hire vehicle detailed on this licence:</p> <ul style="list-style-type: none"> <li>• The name and address and date of birth of the driver of the vehicle</li> <li>• The number and date of expiry of every licence issued in respect of the driver under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 and in force during such time as the driver is driving the vehicle</li> <li>• The date on which the driver commenced driving the vehicle</li> <li>• The date on which the driver ceased driving the vehicle</li> </ul> <p>The proprietor must keep the records for a period of 12 months from the date on which the driver last used the vehicle. These records must be made available upon request to any Police Officer and/or Authorised Officer of the Council.</p>
b.)	Any person who drives a private hire vehicle must have in place a hackney carriage and private hire driver's licence as issued by Sheffield City Council.
c.)	All drivers must be fully aware of the need to provide assistance to passengers, especially those with a disability.
d.)	A driver must not fail or refuse to carry out a booking by or on behalf of a disabled person accompanied by an assistance dog, unless the driver has a medical exemption certificate as issued by the Council.

## 7. Convictions

The licensee must notify the Council within 14 days of any conviction, binding over, caution, warning, reprimand for any matter imposed on them during the course of a licence.

## 8. Transfer of Licence

A proprietor, in transferring the vehicle to another person, must notify the Council within 14 days of doing so.

## **9. Change of Address**

The proprietor must notify the Council in writing of a change of address within 14 days of such change.

## **10. Change of Operator**

The proprietor of the vehicle must notify the Council of all companies for which the vehicle is used for undertaking bookings and must immediately notify the Council if they cease to work for any company. The vehicle must display sole relevant door signage for each booking.

## **11. Additional Tests**

Those vehicles that attract a suspension notice as issued by an Authorised Officer or Police Officer will be required to present the vehicle for a test at Sheffield City Council's vehicle testing station in order to prove its roadworthiness.

## Part 17 – Compliance and Enforcement

The primary aim of the Licensing Authority is public safety, and to provide a service that businesses and individuals can depend on for reasons of health, safety, welfare, equality, and consistency.

Therefore, the undertaking of compliance and enforcement checks on licenced private hire vehicles is essential to achieve this. Ultimately these checks are undertaken to ensure vehicles are fit for purpose, are complying with the law and licence conditions and to ensure the safety of passengers, pedestrians, and other road users.

The Licensing Authority ensures that licenced private hire vehicles are complying with statutory requirements and licensing conditions by undertaking regular enforcement and compliance checks, whether it be independently or with partners such as South Yorkshire Police and the Driver and Vehicle and Standards Agency (DVSA).

A broad range of tools and powers are available to the Licensing Authority should breaches of compliance be found. The following options, which will be discussed in more detail throughout this section include, but are not limited to:

- No Action
- Informal Warning
- Formal Warning
- Review
- Suspension
- Revocation
- Simple Caution
- Prosecution

Where appropriate and where there are causes for concern the Licensing Authority will pass on information to partner organisations such as the police and Sheffield City Council Transport Services.

Equally, the Licensing Authority will act on information received from those and other partner organisations and deal with complaints in line with the Licensing Authority's Complaints Procedure. A copy of the complaint's procedure can be obtained by contacting the Licensing Authority.

## Better Regulation Delivery Office: Regulators' Code, 2014

In undertaking enforcement duties, the licensing authority will pay particular attention to the Regulators Code. This sets out the standards that the licensing authority should follow when undertaking compliance and enforcement checks. Therefore, the Licensing Authority will:

- carry out their activities in a way that supports those they regulate to comply and grow
- provide simple and straightforward ways to engage with those they regulate and hear their views
- base their regulatory framework activities on risk
- share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- ensure that their approach to their regulatory activities is transparent

## Better Regulation Unit: Enforcement Concordat

Attention will also be paid to the principals of good enforcement as contained in the Enforcement Concordat and the Licensing Authority will ensure that when carrying out enforcement we are:

- **Open:** The Licensing Authority will provide information in plain language and will be transparent in the activities it undertakes. It will also be clear with customers on how the service operates.
- **Helpful:** The Licensing Authority will work with licensees to advise and assist with compliance. A courteous and efficient service will be provided by all staff and licensees will have a single point of contact and telephone number for further dealings. Applications will be dealt with promptly and where possible enforcement services will operate effectively to minimise overlaps and time delays.
- **Proportionate:** The Licensing Authority will minimise the costs of compliance for licensees by ensuring any action taken is proportionate to the risks involved; an account of the circumstances and attitude of licensee will be considered at all times.
- **Consistent:** The Licensing Authority will carry out all duties in a fair, equitable and consistent manner. Licensing officers will exercise judgment in all cases and arrangements will be put in place to promote consistency.

The Licensing Authority will also provide a well-publicised, effective and timely complaints procedure that is easily accessible to licensees and members of the public alike.

Advice given by licensing officers on behalf of the Licensing Authority will be put clearly and simply at all times and confirmed in writing.

The Licensing Authority will also ensure that before action is taken as a result of enforcement or compliance checks, an opportunity to discuss the circumstances will be provided in order to resolve the points of difference. However, in circumstances where immediate action is necessary, such as health and safety or preventing evidence being destroyed, the Licensing Authority will be required to take a more formal approach. An explanation as to why such action was required will be given at the time and confirmed in writing, in most cases within five days and, in all cases, within 10 working days.

## **Part 18 - Enforcement and Non-Compliance Options**

In line with the Regulators' Code and Enforcement Concordat the Licensing Authority will choose the most appropriate form of enforcement under the circumstances. The Licensing Authority has at its disposal a range of enforcement and non-compliance options.

Where there have been several instances of non-compliance and at the discretion of the Licensing Authority, licensees (vehicle proprietors) may be referred to the Licensing Sub-Committee without further warning where a decision will be made as to the future of their private hire vehicle licence.

### **Stage 1 - No Action**

A decision of no action may be taken where formal enforcement is deemed inappropriate under the circumstances. In such cases the offender, and where necessary, the complainant, will be informed of the reasons for the decision.

The Licensing Authority will look at all the evidence before making a determination on how to proceed following enforcement and compliance checks. It may be that evidence comes to light after the checks, indicating no action is required.

### **Stage 2 - Informal Warning/Words of Advice**

Where there is a minor contravention and where the degree of risk from a given situation is minor, an informal warning may be deemed the most appropriate form of action.

An informal warning may come in the form of a verbal notice and recorded as such on the record. A culmination of verbal notices may result in a more serious form of action; this will be reviewed on a case by case basis.

This type of warning may be used where there is little or no impact on licensees (vehicle proprietors), service users and members of the public and where all other forms of enforcement action are viewed as inappropriate and/or disproportionate.

### **Stage 3 - Formal Warning**

A formal warning is a tool that is available for more serious breaches of licence conditions. Each event is viewed on a case-by-case basis and enforcement officers will use their judgment as to whether to exercise the formal warning procedure.

A formal warning will be held on the licensees' record for the time in which they are licensed. Should the licensee be referred to the Licensing Sub-Committee, the Licensing Sub-Committee will be made aware of it.

### **Suspension of licence**

Where there has been a serious breach of licence, non-compliance, or any other reasonable cause it may be deemed appropriate to issue a suspension notice.

The power to suspend a vehicle licence is contained in Section 60 of the Local Government (Miscellaneous Provisions) Act 1976. Further information on these suspensions can be obtained from the Acts themselves.

A suspension may be issued where the vehicle is deemed to be unfit for purpose, in terms of the mechanical condition, safety and/or comfort. A suspension notice may also be issued for 'any other reasonable cause'.

Upon the suspension of a licence the licence holder may appeal the decision to the Magistrates Court; there is no other recourse available.

## **Revocation**

In circumstances of more serious breaches of conditions, such as the private hire vehicle being unfit for purpose, non-compliance with the provisions of the Act of 1847 or the Act of 1976 or for any other reasonable cause, a revocation of the licence may be deemed necessary.

The power to revoke a licence is retained by the Licensing Committee and will be implemented where there is considered to be an immediate and on-going risk to public safety.

If a decision is reached whereby the licence is revoked they will have the opportunity to appeal the decision to Magistrates Court.

## **Refusal to Renew**

Reasons for non-renewal of a licence may be due to information received at renewal stage, such as the private hire vehicle being unfit for purpose, non-compliance with the provisions of the Act of 1847 or the Act of 1976 or for any other reasonable cause.

In making a decision on whether to refuse to renew a licence the Licensing Sub-Committee will take into account information received from the Licensing Authority and any supporting documents that are supplied by the applicant.

If a decision is reached whereby the licensee is refused, they will have the opportunity to appeal the decision to Magistrates Court.

## **Caution**

Where a serious breach of conditions or non-compliance has been evidenced, but where a prosecution would not be in the public interest, a formal caution may be issued.

Guidance as issued by the Health and Safety Executive provides practical advice and sets out certain preconditions that must be adhered to in order for a formal caution to be used:

- The offender making a clear and reliable admission of the offence before a simple caution may be offered
- A realistic prospect of conviction if the offender were to be prosecuted in line with the Code for Crown Prosecutors
- The offender agreeing to receive a simple caution
- A full explanation of the ramifications of accepting a caution

In addition, a formal caution may be issued where the offender has no previous history in relation to the offence and has done everything in their power to make amends. If a formal caution was offered and refused by the offender, the matter would then proceed to court. In any event, a decision to offer a caution will rest solely with the Licensing Authority.

A formal caution issued by the Licensing Authority will not be passed on to third party organisations automatically. However, if internal services or neighbouring authorities seek information on licensees, information will be discharged, subject to appropriate Data Protection Act provisions.

## Prosecution

A prosecution will be implemented in cases where there has been a flagrant breach of licence conditions and where other options have been considered and deemed unsuitable, or where serious issues of public safety have arisen.

In order for a prosecution to be initiated there must be enough evidence to provide a realistic prospect of a conviction and it is the public interest to do so. In determining whether a prosecution should be initiated the Code for Crown Prosecutors should be considered:

- Is there enough evidence against the defendant
- Is it in the public interest to bring the case to court

## Part 19 - Consultation

In developing this policy, the Licensing Authority consulted widely and gave due consideration to the views of all those who responded to the consultation process.

The Licensing Authority is committed to consulting with as wide an audience as possible, regarding this and any future licensing policy or any amendments in accordance with this policy.

The Licensing Authority has conducted a full consultation of this policy by way of writing and/or emailing consultees, providing relevant information on the Council website and attending meetings with interested parties.

The views of all consultees were considered and given proper weight when writing and / or reviewing this policy.

A list of consultees can be found below. This list is not exhaustive, but is an example of those who have been consulted.

Licensees	Elected Members
Local Members of Parliament	Sheffield City Council Transport Services
Transport4All	Sheffield City Council Sheffield Safeguarding Children's Board
Sheffield City Council Highways Service	South Yorkshire Police
South Yorkshire Fire Service	Sheffield City Council's Equality Team
Neighbouring Local Authorities	Sheffield City Council's Public Health Service
Sheffield City Council's Parking Services	National Association of Licensing and Enforcement Officers
Institute of Licensing	Sheffield Disability Hub
Sheffield City Council Strategy and Policy Service	Campaign for Better Transport
Chambers of Commerce	Local Traders
Women's Groups	Pubwatch



## Appendix A - Vehicle Types

The Authority will accept applications for vehicles that are of a suitable type and fully comply with the vehicle specification.

**As of 1<sup>st</sup> January 2025, newly licensed vehicles must be Zero Emission Capable (ZEC).**

### Euro Classifications

European emission standards define the acceptable limits for exhaust emissions of new vehicles sold in EU and EEA member states. The emission standards are defined in a series of European Union directives staging the progressive introduction of increasingly stringent standards. Therefore, the highest standard at present is that of a Euro 6, which was first applied to new registrations as of 1<sup>st</sup> September 2015.

Emissions Standard	Applied From	Applied to new Registrations From
Euro 1	1 <sup>st</sup> July 1992	31 December 1992
Euro 2	1 <sup>st</sup> January 1996	1 <sup>st</sup> January 1997
Euro 3	1 <sup>st</sup> January 2000	1 <sup>st</sup> January 2001
Euro 4	1 <sup>st</sup> January 2005	1 <sup>st</sup> January 2006
Euro 5	1 <sup>st</sup> September 2009	1 <sup>st</sup> January 2011
<b>Euro 6</b>	<b>1<sup>st</sup> September 2014</b>	<b>1<sup>st</sup> September 2015</b>

### Permitted Vehicle Types

**As of 1<sup>st</sup> January 2025, newly licensed vehicles must be Zero Emission Capable (ZEC).**

Vehicle Type	Permitted	
	Yes	No
Battery Electric Vehicle	✓	
Range Extended Electric Vehicle	✓	
Plug-in Hybrid Electric Vehicle	✓	
Hybrid Electric Vehicle	✓	
Liquid Petroleum Gas Vehicle (LPG)	✓	
Hydrogen Vehicle	✓	
Diesel		✓
Petrol		✓

## Appendix B

### Sheffield City Council Licenced Private Hire Vehicle CCTV - Technical Specification and System Requirements

In order to be considered suitable for installation in a Sheffield City Council licensed Private Hire vehicle, the system must meet the following requirements.

Reference	Specification	Details
<b>1.0 Operational Technical Specifications</b>		
<b>1.1</b>	100% solid state design or a proven vibration and shock resistant system	The system should not have any fan and the recording should be vibration and shock proof, i.e. <ul style="list-style-type: none"> <li>Flash-based SSD (100% industrial grade)</li> <li>Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self-check file writing system</li> </ul>
<b>1.2</b>	8 to 15 Volts DC	Operational between 8 and 15 volts DC
<b>1.3</b>	Reverse polarity protected	System to be protected against reverse voltage
<b>1.4</b>	Short circuit prevention	System to be protected against short circuits
<b>1.5</b>	Over voltage protection	System to be protected against high voltage transients likely to be encountered in the vehicle electrical system
<b>1.6</b>	Automotive Electromagnetic Compatibility Requirements	<p>The in-vehicle private hire camera system must be compliant with the Council Directives:</p> <ul style="list-style-type: none"> <li>2004/108/EC on Electromagnetic Compatibility (CISPR 22/EN55022)</li> <li>2004/104/EC on Radio Interference (sections 6.5, 6.6, 6.8 and 6.9)</li> </ul> <p>The private hire vehicle camera equipment should therefore be e-marked or CE-marked with confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles</p>
<b>1.7</b>	System activation (on/off) switch to be located in a position where it is not accessible from inside the vehicle (i.e. in the boot/engine compartment)	The system is required to be active at all times that the vehicle is being used as a licenced vehicle. This will allow the facility for the system to be deactivated during times when the vehicle is being used for private purposes (e.g. domestic use). The switch that deactivates the system must be located within the vehicles boot or engine compartment (i.e. it must only be possible to deactivate the system from outside of the vehicle)
<b>1.8</b>	First-in/first-out buffer recording principle	
<b>1.9</b>	Built-in, automatic logging of all access actions, including date and personnel names	
<b>1.10</b>	Security, duration and auto-clearing of log files	

<b>1.11</b>	Image export formats and media	Images must be exported in commercially available formats
<b>1.12</b>	Image protection during power disruption	Images must be preserved in the event of loss of power. Battery back-up will not be permitted
<b>1.13</b>	Unit must operate without the ignition being turned on	The Unit must have the ability to operate for at least 2 hours without power from the ignition
<b>1.14</b>	Image and audio data shall be recorded and stored in a unit separate from the camera head.	
<b>1.15</b>	GPS capability	System must be compatible to allow for GPS capability
<b>1.16</b>	The system must be capable of recording audio time synchronized to the recorded images	
<b>1.17</b>	The system shall not record audio except when audio is activated by means of an approved trigger	<p>The system should have the ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below)</p> <p>One trigger button must be capable of being activated by the driver. Once the trigger is activated, the system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording.</p> <p>The second trigger button must be capable of being activated by the passenger. Once the trigger is activated, the system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording.</p> <p>Both audio activation triggers must be independent of each other – this means that audio recording can only be deactivated by means of the same trigger (driver or passenger) that was used to activate the audio recording.</p>
<b>1.18</b>	The audio playback, when triggered, shall be in 'real time' and synchronised with the images that are captured	
<b>1.19</b>	Digital sampling of the audio signal must exceed 8 KHz	
<b>1.20</b>	Digital resolution of the audio samples must exceed 10 bits	
<b>1.21</b>	The audio microphone shall be integrated within the camera head	
<b>1.22</b>	Audio data and image data must be stored together, not in separate files, and must be protected against unauthorised access or tampering.	
<b>1.23</b>	The system must support testing of the audio function for	

	installation and inspection purposes.	
<b>1.24</b>	The system must 'go to sleep' to reduce battery drain during prolonged idle time. It must be capable of immediate reactivation	
<b>1.25</b>	Images recorded by the system shall not be displayed within the vehicle	
<b>1.26</b>	The system must have at least two emergency activation triggers (panic buttons)	<p>One of the triggers/panic buttons must be capable of being operated by the driver – this must be independent of the audio activation switch</p> <p>At least one other trigger/panic button must be capable of being operated by a passenger from any passenger seat in the vehicle. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.</p>
<b>1.27</b>	The system must include a visual indicator that will clearly show when audio recording is taking place. This indicator must be visible to all passengers within the vehicle.	This may take the form of an indicator LED built into the audio switch, or a remote LED that can clearly be seen by passengers.
<b>2.0 Storage Capacity Technical Specifications</b>		
<b>2.1</b>	Minimum of 28 days of recording capacity	The camera system must be capable of recording and storing a minimum of 28 days of images of HD1 (720/288) size or better
<b>2.2</b>	Images must be clear in all lighting conditions	System to provide clear images in bright sunshine, shade, dark, total darkness, and when strong backlight is present.
<b>3.0 Camera Head Technical Specifications</b>		
<b>3.1</b>	Camera installation non-obstructive	The camera and all system components shall be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
<b>3.2</b>	Protected camera disconnect	The camera head shall be designed to disconnect for ease of removal and replacement by maintenance personnel
<b>3.3</b>	Special tools for adjustment/removal	To prevent inappropriate interference, only tools supplied to authorised fitters should be capable of carrying out adjustments or removal
<b>3.4</b>	Field of view to capture all passengers in the vehicle	The lens of the camera must be of a type that captures the driver and all passengers of the vehicle on the recorded image. The lens must be of a style not to create a 'fishbowl' effect
<b>3.5</b>	Images must be clear	System to provide clear images in all lighting conditions and allow different skin tones to be detected
<b>3.6</b>	Compatible for use in vehicles with a partition (shield)	The camera system must be adaptable to provide clear images when a vehicle is equipped with a shield. This may be accomplished with the use of multiple camera heads.

3.7	Multiple cameras	The unit shall be capable of supporting up to four cameras. Four cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose built vehicles.
<b>4.0 Storage Device (Recorder) –Technical Specifications</b>		
4.1	Impact and shock resistance	The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large, heavy object such as a suitcase.
4.2	Controller in concealed location	The storage unit shall be concealed from view and effectively inaccessible except by authorised personnel.
4.3	Download port provision	The recorder shall be equipped with a communication port for downloading by authorised personnel.
4.4	Download port shall be located in an easily accessible location such as a glove compartment	The recorder download port shall be located in the glove box if practicable, if not then in a location that does not require the removal of panels and is accessible
4.5	Download port cable length – 1 foot minimum	Download port shall be at least one foot in length for ease of download
4.6	Recorder to be securely affixed to the vehicle	
4.7	Log register camera system parameter modifications	
4.8	Log to register each user access	
4.9	Log to register each image download session	
4.10	Log to register modification/manipulation of download images	
4.11	Log to register exporting of download images	
4.12	Log to register exporting of download images	
4.13	Log file protected against unauthorised access	
4.14	Time/date stamp	All stored images must be time and date stamped
4.15	Vehicle ID number stamp	All stored images must have two fields for vehicle identification (VIN & number plate)
4.16	Controller non-modifiable ID code stamp	Each recorded image shall be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record the image
4.17	Controller (Storage Recorder)	Manufacturer to supply Sheffield City Council with a supply of specialised tools to allow for the removal of the controller and download of data when required.
<b>5.0 Specifications for Video and Audio Recording Rate</b>		
5.1	Video image recording on system activation (when audio is not activated)	The system shall record images at the rate of four images per second
5.2	Video image recording when audio is activated	The system shall record images at the rate of twenty-five images per second during periods when audio recording is activated (either due to time requirement, or through activation by the driver trigger switch or passenger panic button)

5.3	When activated, audio recording must be in real time and synchronised with the video recording	
5.4	System to continue to record images (and audio when applicable) when engine is off	System must continue to record images (and audio when applicable) for 30 minutes after engine/ignition is switched off
<b>6.0 Specification for activation via driver or passenger trigger/panic buttons</b>		
6.1	The activation of a trigger button must provide for overwrite-protected image storage when activated by driver or passenger	The system must be fitted with at least two trigger buttons that once activated will trigger the protected recording of audio and video
6.2	Emergency image overwrite protection capability	Image sequences resulting from emergency activation shall be recorded in an area of memory which is protected from being overwritten
6.3	Overwrite capacity for at least 3 activations	
6.4	Overwrite protection self-clear on 96 hour timer	
<b>7.0 Downloading Technical Specification</b>		
7.1	Time to download complete memory not to exceed 30 minutes	Time to download to be accomplished in 30 minutes or less
7.2	Provision of necessary software, cables, security keys to Sheffield City Council Licensing Service	
7.3	Windows 10 compatible	
7.4	Downloaded images stored in non-volatile media	
7.5	Downloaded images stored in secure format	
7.6	Verifiable image authenticity	Each image shall be stamped with controller ID and vehicle ID and be tamperproof
7.7	Provision of technical support to Sheffield City Council Licensing Service when necessary	To assist in accessing system in case of damage to the vehicle or to the system in case of accident within 1 hour during normal working hours and within 8 hours otherwise
7.8	Wireless download prohibited	Unit must not allow for wireless downloads. Wireless diagnostic may be used. All wireless hardware to be disabled
7.9	Filter the specific images for events and times for the approximate time of the crime committed	
<b>8.0 Requirements in Relation to System Information</b>		
8.1	Provision of service log sheet with each unit shipped	The unit manufacturer shall have a service log shipped with the unit. The manufacturer shall also enclose detailed instructions for the drivers with each unit shipped. An installation manual shall also be furnished to authorised installers and fleet operators.
8.2	Serial number indication on service log	The unit will be marked with a serial number

<b>8.3</b>	Installation date indication on service log	The provision for the installer to indicate the installation date
<b>8.4</b>	Provision of the driver instruction card with each unit shipped	
<b>8.5</b>	Provision of installation manual to installers and fleet operators	
<b>8.6</b>	Clarity of operating instructions	The system shall be provided with clear and concise operation instructions that are written with due consideration to varying levels of literacy
<b>8.7</b>	Installation by authorised agents	The unit shall be installed by manufacturer's authorised agents, or other installers approved by the council (subject to agreement with the manufacturer)
<b>8.8</b>	Provision of authorised agents list to Sheffield City Council Licensing Service	The manufacturer shall provide a list of all authorised agents to Sheffield City Council Licensing Service
<b>8.9</b>	Documentation	The manufacturer must provide clear and concise operating instructions that are written in layman's terms – details on how the system records images
<b>8.10</b>	Image Protection	All captured images must be protected using encryption software that meets or exceeds the current FIPS 140-2 (level 2) standard or equivalent
<b>9.0 System Requirements in Relation to Vehicle Inspection Facility - Inspections</b>		
<b>9.1</b>	Provision of system status/health indicator	The driver shall have an indicator showing when the system is operational and when there is a malfunction
<b>9.2</b>	Mounting location of system status/health indicator to be seen by driver only	The indicators shall be mounted/installed for the driver's vision only.
<b>9.3</b>	Additional indicator requirement	Where a system is fitted with an indicator to show that the system is on, this indicator shall be separate to those listed above or of a different colour to avoid any possible confusion on the part of the drivers using the system
<b>9.4</b>	Designed and installed to be testable by Sheffield City Council Licensing Service, or persons acting on behalf of the Council, such as vehicle inspectors	The system shall be designed and installed such that the system may be easily tested by Sheffield City Council Licensing Service, to ensure that all features are operating and that images are being recorded as prescribed.
<b>10. General System Requirements</b>		
<b>10.1</b>	Vandal and tamper resistance	
<b>10.2</b>	Provision of statement of compliance	In addition to a formal test of all aspects of this requirement specification, a statement of compliance shall be provided and signed by an officer of the company
<b>10.3</b>	Reliability in operational and environmental conditions	The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation private hire vehicles
<b>10.4</b>	Programmability of image timing parameters	It shall be possible to change timing and parameters without the requirement to change components

<b>10.5</b>	Training and Technical support and Equipment	Manufacturer must provide Sheffield City Council Licensing Service with a Training and Technical Manual. Supply a working unit to Sheffield City Council Licensing Service for testing purposes
<b>10.6</b>	Software and Hardware	Manufacturer to supply Sheffield City Council Licensing Service with supply of cables and software to be installed under the supervision of the Council's authorised staff
<b>10.7</b>	Agreement between the camera manufacturer and Sheffield City Council	Agreement to allow Sheffield City Council access to the relevant software from the manufacturer so that in the event the manufacturer goes out of business, Council will be able to support the system



## Appendix C - Private Hire Operator Application Questions

### Legislation and Policy

1. Please outline the primary legislative requirements for an operator business.
2. Please outline the local primary policy requirements for an operator business.
3. Please confirm that you have read and understood all such legislation, local policies, and conditions in connection with operating an operator business.
4. How will you ensure that all drivers employed, used, or controlled by you observe obligations contained in their licence conditions and any other legislation relevant to the work of a private hire driver?
5. How will you ensure that you comply with all the requirements of the Equality Act 2010?
6. How will you promote public safety and ensure the safeguarding of children and vulnerable adults?
7. Please state your insurance requirements and provide certificates of insurance taken out.
8. Please supply a copy of your business plan for your proposed business as a private hire operator.
9. Please detail in full the proposed customer care policy.

### Partners, Directors and Employees

1. What experience of the private hire trade do you have? Please include dates, types of experience and supporting written evidence?
2. How will you ensure that you maintain a register of all staff that take bookings and/or are dispatching vehicles?
3. How will you evidence that you have had sight of a Basic DBS Check for staff that take bookings and/or dispatch vehicles?
4. Explain your policy on employing ex-offenders in booking and dispatch roles?
5. How will you ensure that you inform the Licensing Authority within 72 hours of any person, company director, partner etc. named on the licence having received or having had imposed on them any:
  - criminal convictions
  - cautions
  - reprimands
  - warnings
  - fixed penalty notices
  - restorative justice disposals

## Premises

1. Please detail the premises you intend to use for accepting bookings as a private hire operator. You must include the full postcode, a copy of the planning permission permitting its use for private hire operator purposes; brief lease/rental details; room sizes etc.

Please note that an operator licence will only be granted to a premises in the district of Sheffield.

2. How will ensure that the premises from which you operate will conform to all legal requirements, including the Health Act 2006 and the Regulatory Reform (Fire Safety) Order 2005, and that Health and Safety at Work Regulations are adhered to?

## Record and Acceptance of Bookings

1. How will you ensure that you keep an accurate record of every booking undertaken?  
Booking information must include, as a minimum:
  - (i) The full name of the passenger
  - (ii) The time and date the booking was received and, if required, any subsequent cancellation
  - (iii) The method by which the booking was received (e.g. telephone, email, electronic application etc.)
  - (iv) The name of the individual taking and the booking (or in the case of a computer system, the identity, including the site/location of where the booking was received)
  - (v) The name of the individual that dispatched the vehicle (or in the case of a computer system, the identity, including the site/location of where the booking was dispatched)
  - (vi) The time and date of the journey
  - (vii) The address/premises from which the journey will commence and the address/premises of the destination
  - (viii) The vehicle registration number and licence plate number of the hackney carriage or private hire vehicle that is to be used for the booking
  - (ix) The name, licence number and call-sign of the driver to be used for the booking
  - (x) Remarks, including details of any subcontracting to another licenced operator
2. How will you ensure that where bookings are subcontracted, you can evidence a record, including all information stated in question 2, as well as the time the job was sub-contracted and any additional contact information?
3. How will you ensure that you only operate private hire and hackney carriage vehicles licensed by Sheffield City Council?
4. How will you give information about fares to customers?
5. On what basis will you establish the fares to be charged by drivers of private hire vehicles operated by you?

## Details of Vehicles

1. How will you ensure and what method will you use to ensure a detailed list is maintained of vehicles operated? This should include, as a minimum:
  - (i) The registration mark issued in respect of the vehicle under the Vehicles (Excise) Acts
  - (ii) A copy of the current private hire or hackney carriage vehicle licence as issued by the Licensing Authority
  - (iii) A copy of the current insurance certificate for the vehicle, clearly stating the permitted drivers and permitted use of the vehicle
  - (iv) The date on which the vehicle commenced to be operated by the licensee
  - (v) The date on which the vehicle ceased to be operated by the licensee
  - (vi) Any radio/computer call-sign/number allocated to the vehicle by the licensee
2. How will you ensure that you only operate vehicles licensed by Sheffield City Council?
3. How will you ensure that all vehicles operated by you are displaying the correct signage?
4. How do you intend to ensure that the driver of any private hire vehicle operated by you does not ply for hire without a licence?
5. How do you intend to ensure that every vehicle operated by you is and remains insured?
6. How do you intend to ensure that every vehicle operated by you is and remains safe?
7. How do you intend to ensure that every vehicle operated by you is and remains clean and otherwise fit for public service?

## Details of Drivers

1. How will you ensure and what method will you use to ensure a detailed list is maintained of drivers? This should include, as a minimum:
  - (i) The name, address, and date of birth of the driver of the vehicle
  - (ii) A copy of the Hackney Carriage and Private Hire Driver's Licence as issued by the Licensing Authority
  - (iii) The date in which the driver commenced driving each vehicle
  - (iv) The date on which the driver ceased driving each vehicle
2. How will you ensure and by what method will you use to ensure that records of all drivers are kept for a period of two years?
3. What steps will you take to ensure that drivers of vehicles employed, used or controlled by you observe and perform the conditions attached to their Hackney Carriage and Private Hire Driver's Licence?
4. What steps will you take to ensure that drivers employed, used, or controlled by you observe all statutory requirements, including road traffic regulations?
5. How do you intend to ensure that every vehicle operated by you is and remains licenced?
6. How do you intend to ensure that every driver of every vehicle operated by you is and remains licenced?

## Complaints

1. What method will you use to ensure that a register of complaints made by the public is maintained?
2. How will you ensure that you inform the Licensing Authority in writing of a 'specified complaint' within 72 hours of receiving?

NB: A specified complaint is considered as any allegation of criminal behaviour whilst acting as a private hire or hackney carriage driver; these may include:

- Sexual misconduct, sexual harassment or inappropriate sexual attention
- Racist behaviour
- Violence
- Dishonesty
- Exploitation
- Discrimination
- Drugs offences
- Breaches of equality

3. How will you ensure that you maintain a register of 'low level complaints' for inspection by the Licensing Authority?

Low Level complaints are those that are indicative of a professional development need, of concealing some potential significant offending or allegations of unsafe behaviour.

Complaints of this nature shall be kept for a minimum of 12 months.

4. How will you ensure that a customer can speak to a person in the event of a complaint or problem with the journey?

NB: Licensing Officers and the Police must be able to access information immediately upon request.

## Appendix D - Sheffield City Council Taxi and Private Hire Licensing Vehicle Compliance Inspection Standards

Section	Subject
1	<b>Lighting and Signalling Equipment:</b> 1.1 Warning Lamps 1.2 Electrical Wiring and Auxiliary Equipment 1.3 Additional Lamps
2	<b>Steering and Suspension:</b> 2.1 Steering and Suspension
3	<b>Brakes:</b> 3.1 Brakes
4	<b>Tyres and Road Wheels:</b> 4.1 Tyres – Condition 4.2 Tyres – Fitting
5	<b>Seat Belts:</b> 5.1 Seat Belts – Type Approval
6	<b>Body and Structure</b> 6.1 Body Alignment, Chassis and Sub-frames 6.2 Vehicle Body and Condition – Exterior of Body and Licence Plate 6.3 Vehicle Body and Condition – Interior of Body 6.4 Interior Signage 6.5 Doors and Seats 6.6 Bumper Bars
7	<b>Fuel and Emissions:</b> 7.1 Exhaust System 7.2 Fuel System – Pipes, Tanks and Cables 7.3 Exhaust Emissions – General 7.4 LPG Conversions
8	<b>Drivers View of the Road</b> 8.1 Mirrors

	8.2 Windscreen – View Top the Front 8.3 Window Glass or Other Transparent Material 8.4 Window Tints 8.5 Wipers – Front and Rear
9	<b>Additional Requirements</b> 9.1 Speedometer and Odometer 9.2 Transmission 9.3 Engine and Transmission Mounting 9.4 Oil and Water Leaks 9.5 Luggage and Load Space 9.6 Engine Condition
10	<b>Ancillary Equipment</b> 10.1 Wheelchair Restraint and Access Equipment 10.2 Taxi Meter 10.3 Motion Locks (Hackney Carriage Only) 10.4 Electrically Operated Side Steps and Running Boards 10.5 Drivers Information Systems (Sat Navs, Data Heads etc.)

## 1.1 - Warning Lamps

Method of Inspection	Reason for Rejection
All warning lamps on dashboard to work to manufacturer's specification	
Headlamp main beam warning lamp to illuminate when main beam is switched on	Main beam warning lamp does not illuminate
Engine management lamp to operate with ignition on and go out when engine started	Engine management lamp not working or does not go out when engine started
Air bag warning lamp to operate when ignition is on and go out when engine is started	Air bag warning lamp not working or does not go out when engine started
Any brake warning lamp to operate with ignition is on and go out when engine started or parking brake released	Any brake warning lamp staying on when engine started and brakes released
Any other manufacturer's warning lamps to operate as the manufacturer intended	Any other manufacturer's warning lamp not working or staying illuminated when engine started. E.g. oil and charge lamps

## 1.2 - Electrical Wiring and Auxiliary Equipment

Method of Inspection	Reason for Rejection
This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle.	
Check all electrical wiring for: <ul style="list-style-type: none"> <li>• Condition</li> <li>• Security</li> <li>• Position</li> <li>• Signs of overheating</li> <li>• Heavy oil contamination</li> </ul>	Wiring: <ul style="list-style-type: none"> <li>• Not adequately insulated</li> <li>• Not adequately secured</li> <li>• Positioned so that it is chafing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective</li> <li>• With clear evidence of overheating</li> <li>• Heavily contaminated with oil</li> </ul>
Check battery and carrier for: <ul style="list-style-type: none"> <li>• Security</li> <li>• Leaks</li> </ul>	Battery and Carrier: <ul style="list-style-type: none"> <li>• A battery and/or carrier not secure and likely to become displaced</li> <li>• Battery Leaking</li> </ul>
Check all switches for operation, security, illumination and symbol or signage.	Any switch not illuminated, insecure, faulty, no symbol or signage.
Check any auxiliary wiring is correctly fused	Any auxiliary wiring not fused.
Security cameras, when fitted, must be fitted correctly with appropriate signs. Proprietor must provide written consent when requested.	Camera not fitted correctly, signs missing or deteriorated. No consent for equipment.
Any multimedia equipment or systems must be fitted correctly, and driver/licensee must provide written consent when requested.	Equipment not fitted correctly. No written consent on request.



### 1.3 - Additional Lamps

Method of Inspection	Reason for Rejection
<p>With the ignition switched on, check: <b>Reversing lamps</b></p> <ul style="list-style-type: none"> <li>That the reversing lamps emit a diffused white light when reverse gear is selected</li> <li>The lamps extinguish when neutral gear is selected</li> <li>The lamps are in good working order, are secure and carry an approval mark</li> <li>The lamps do not flicker when lightly tapped by hand</li> <li>Reversing warning alarms, if fitted, must operate</li> </ul>	<p>A reversing lamp:</p> <ul style="list-style-type: none"> <li>That fails to operate or does not emit a white diffused light</li> <li>Fails to extinguish when neutral or forward gear is selected</li> <li>Is not in good working order, are insecure or unapproved</li> <li>Flickers when tapped lightly by hand</li> <li>Not working correctly, i.e. should not work in the hours of darkness</li> <li>Should have a failsafe on the side lights separate marked up switch</li> </ul>
<p><b>Front Fog / Driving Lamps</b> Check that:</p> <ul style="list-style-type: none"> <li>A single front fog lamp emitting a white or yellow diffused light illuminates only when dipped beam is selected</li> <li>A pair of matched fog lamps both emitting a white or yellow diffused light should illuminate together</li> <li>A pair of matched, long-range driving lamps, both emitting a white diffused light should illuminate together</li> <li>Check any auxiliary lamps fitted to washer jets, extra running lights or any standard manufacturer lighting for security and operation.</li> </ul>	<ul style="list-style-type: none"> <li>Lamps inoperative or operate other than in dipped beam mode</li> <li>Lamps operate incorrectly</li> <li>Lamps operate incorrectly</li> <li>Any lamp insecure, deteriorated or not working.</li> </ul>
<p><b>'For Hire' Roof Signs</b> Check that:</p> <ul style="list-style-type: none"> <li>Correct style and type of sign fitted (according to Sheffield City Council vehicle specification).</li> </ul>	<p>Incorrect colour or details shown on sign.</p>
<p>Ensure that the sign is securely fastened to the vehicle.</p>	<p>Insecure sign.</p>
<p>Condition and security of wiring.</p>	<p>Wiring is not in good condition and is loose or chafed.</p>
<p>Functional test of signs for illumination.</p>	<p>Illumination not consistent across the sign, i.e. all light bulbs, LEDs illuminated when switched on.</p>

Roof lights must work through meter at all times and not be able to be switched off by a separate switch.

Any separate switch that switches of roof light fitted.

## 2.1 – Steering and Suspension

Method of Inspection	Reason for Rejection
Check all steering, suspension and wheel bearing and all joints, bushes and linkages for presence, condition, operation and freedom of leaks.	
Check all steering and suspension ball joints and rubber covers for any play or deterioration.	Any steering or suspension ball joint (including covers/gaiters) showing signs of advanced wear/play, deterioration or splits.
Check all steering and suspension bushes for wear and splitting or deterioration.	Any steering or suspension bush showing signs of advanced wear/play, splits or deterioration.
Check all wheel bearings for any play.	Any wheel bearing showing advanced wear/play.
Check coil and leaf springs for any weakness causing vehicle to sit low or tilt to one side.	Any coil or leaf spring weak or showing advanced wear.
Check all shock absorbers for condition and leaks.	Any shock absorber leaking or weak in operation.
Check condition of any suspension hydraulic pipes for corrosion and deterioration.	Any suspension hydraulic pipe corroded or deteriorated.

### 3.1 Brakes

Method of Inspection	Reason for Rejection
Check all brake components for presence, security, operation, condition and freedom from leaks.	
Check condition of rigid brake pipes for condition, corrosion, security and chafing.	Any rigid brake pipe corroded so that when lightly scraped still shows signs of corrosion, or any pipe kinked or chafing.
Check condition of brake hoses and ferrules for any cracks, corrosion or any heat damage or deterioration.	Any brake hose cracked. Any ferrule corroded to an advanced state. Any heat damage or deterioration.
Check servo pipes for security, cracks, chafing or any deterioration to rubber.	Any servo pipe insecure, cracked, chafing or deteriorated.
Check brake cables for condition and any strands for fraying.	Any brake cable with broken strands or fraying.
Check brake pads for wear and condition.	Front brake pads less than 4mm. Rear brake pads less than 3mm.
Check brake discs for wear, including pits, scoring or corrosion.	Any brake disc showing advanced wear, pitting, scoring or advanced corrosion.
Check brake pad anti-slip provision for advanced wear.	Brake pedal pad worn smooth or deteriorated.
Check rear brakes on rolling road for any obviously out of balance application or low effort.	Any rear brake obviously out of balance or low effort.
Check security of brake master cylinder cap and all covers and seals for presence and security.	Any cap, seal or cover missing or insecure.

## Section 4.1 – Tyres and Road Wheels

Method of Inspection	Reason for Rejection
<p><b>Tyres – Condition</b></p> <p>On all tyres, including spare wheel (if supplied), examine each tyre meets all the requirements laid down in the MOT Inspection Manual for Car and Light Commercial Vehicles (ISBN 0-09549239-0-1).</p> <p>Ensure that remoulded and re-tread tyres are not fitted.</p> <p>All tyres (including spare) must not be aged more than 10 years.</p> <p><b>Note 1:</b></p> <p>Where a doughnut tank is fitted in the boot for LPG, the spare wheel if still carried in the boot must be properly secured. Alternatively, a spare wheel cage installed to manufactures and British Standards may be fitted to the underside of the vehicle.</p>	<p>Not in accordance with the MOT Inspection Manual for Car and Light Commercial Vehicles (ISBN 0-9549239-0-1).</p> <p>Tyres are remoulded or re-tread tyres.</p> <p>Tyres are aged more than 10 years.</p> <p><b>Note 2:</b></p> <p>Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed, and that space savers are a temporary 'get-you-home tyre'.</p>
<p><b>Special Notice – Stretched Limousines</b></p> <p>In the case of American imported stretched limousines, vehicle inspectors will need to be vigilant when inspecting tyres for suitability. Most converted stretched limousines are converted from Ford Lincoln Town Cars, with a number of Cadillac variants also.</p> <p>In approved 'stretch' limousine conversions, the maximum weight is approximately 7,100lbs (3.2 tonnes) and care should be exercised when determining suitable tyre ratings. Generally speaking, a Ford Lincoln would require a tyre rating index of 109 T, which gives a load rating of 2,271lbs (1.03 tonnes) with a maximum speed of 118mph. The Cadillac would require a tyre rating index of 115 T, which gives a load rating of 2,679lbs (1.22 tonnes) with a maximum speed of 118mph.</p>	<p><b>Stretched Limousines</b></p> <p>More information guidance and the procurement of suitable tyres can be obtained from:</p> <p>Fleet Transport Association Hermes House 2 Manor Road Horsforth Leeds LS18 4DX</p> <p>Tel: 03717 11 22 22</p> <p><a href="http://www.fta.co.uk">www.fta.co.uk</a></p> <p>Alternatively, contact National Limousine and Chauffeur Association at <a href="http://www.ncla.co.uk">www.ncla.co.uk</a></p>

## Section 4.2 – Tyres and Road Wheels

Method of Inspection	Reason for Rejection
<b>Tyres – Fitting</b>	
Check all tyres, including spare (if supplied), for condition and deterioration.	
Tyres must have 2mm of tread across the whole width of the tyre.	Any tyre with tread less than 2mm.
Check tyre side walls for cracks and signs of being run flat.	Any tyre with excessive cracks or signs of being run flat.
All tyres to be of the same size all around the vehicle (exceptions where front and rear fitted different by manufacturer).	A tyre different size to any other on vehicle.
Check for presence of an appropriate jack and wheel brace and security.	No jack or wheel brace fitted or insecure.
Check spare tyre for correct fitment and inflation.	Spare tyre fitted incorrectly or not inflated.
Check that the spare tyre is not a rotational type.	A spare tyre that is a rotational type.
Check manufacture date of tyre	Tyre is older than the vehicle

## Section 5.1 – Seat Belts – Type Approval

Method of Inspection	Reason for Rejection
<b>Type Approval</b>	
All seats, including the drivers, shall be provided, where possible, with a lap and diagonal 3-point seat belt. Where this is not possible a 2-point lap seat belt appropriate to the tyre and position of the seat, as laid down in: European Directive 76/115 EEC (as amended by 90/629 EEC) and Regulation 46 and 47 of “The Road Vehicle (Construction and Use) Regulations 1986” whether or not those Directives or Regulations apply to that particular seat or the vehicle.	Seat belts do not comply with the Directives or Regulations as stated within Method of Inspection.
<b>Anchorage Points</b>	
All seat belts shall be fitted with the number of anchorage points appropriate to the type of seat belt. All anchorage points shall comply with M1 standards as laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) or EEC Regulation 14, whether or not those instruments apply to the particular anchorage or the vehicle.	Anchorage points do not comply with the Directives or Regulations as stated within Method of Inspection.
<b>Wheelchair Passengers</b>	
Wheelchair passengers shall be provided, where possible, with a 3-point seat belt, and where not possible, a 2-point lap belt appropriate to the position of the wheelchair as laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) and Regulations 46 and 47 of “The Road Vehicle (Construction and Use) Regulations 1986” whether or not those Directives or Regulations apply to that particular seat or the vehicle.	Seat belts for wheelchair passengers do not comply with the Directives or Regulations as stated within Method of Inspection.
All seat belts fitted shall comply with Regulation 47 of “The Road Vehicle (Construction and Use) Regulations 1986” and bear the designated mark required by that regulation, whether or not those regulations apply to that seat belt or the vehicle.	Seat belts do not comply with Regulation 47 of “The Road Vehicle (Construction and Use) Regulations 1986” and bear the designated mark.

## Section 6.1 – Body Alignment, Chassis and Sub-frames

Method of Inspection	Reason for Rejection
<p>Check all body, chassis and sub-frames for security, condition and alignment, paying particular attention to chassis legs; bulkheads; A, B and C posts; crumple zones and general vehicle alignment.</p> <p>Vehicles (new applications) that have been categorised by insurance companies as a Category A, B, S or N or write-offs will not be accepted as suitable for a licence.</p> <p>Vehicles that are already licenced and sustain Category S or N insurance markers, and/or sustain significant accident damage will only be accepted for further use a hackney carriage or private hire vehicle providing:</p> <ul style="list-style-type: none"> <li>• All work is carried out to a professional standard by a competent body shop</li> <li>• If requested (by the tester or the licensing department) a Chassis Alignment Check is carried out providing evidence that the vehicle is within the manufactures tolerances.</li> <li>• The tester is satisfied that the general vehicle structure has not been compromised, and that in the event of another accident the crumple zones and vehicle structure would perform as the manufacturer as intended</li> </ul>	<p>Signs of significant accident/structural damage.</p>



## Section 6.2 – Vehicle Body and Condition - Exterior

Method of Inspection	Reason for Rejection
<b>Body Condition – Exterior</b>	
Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury.	<p>An insecure or missing body panel, trim, step or accessory.</p> <p>Any sharp edge whatsoever which may cause injury.</p> <p>Heavy scuffing, abrasions or deformation to front and rear bumper.</p> <p>A single dent of more than 80mm in diameter, or more than 3 dents of not more than 20mm in any one panel.</p> <p>More than 4 scratches and/or abrasions of more than 50mm in length in any one panel.</p> <p>Dull, faded paintwork which has lost its gloss finish or paint mismatch to a panel(s) to such an extent that it detracts from the overall appearance of the vehicle.</p> <p>Evidence of poor repairs and/or paint finish to a repaired panel(s) including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle.</p> <p>Any paint work not finished to a professional standard.</p> <p>Obvious signs of rust/corrosion of any size, particularly those that are covered by advertising signs.</p> <p>Lack of clearly displayed or omission of 'No Smoking' signs.</p>

## Section 6.2 – Vehicle Body and Condition – Exterior (continued)

Method of Inspection	Reason for Rejection
<b>Body Condition – Exterior</b>	
Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury.	
All repairs to vehicle structure and body to be a good quality and repaired by seam welding and a minimum amount of fillers to be used.	Any structural or body repair not seam welded or not to a good quality finish or excessive fillers used.
Check all jacking points for condition and damage and security of any pads fitted.	Any jacking point damaged or corroded. Any jacking pad missing.
<b>Existing Licenced Vehicles</b>	
Exterior licence plate and mounting bracket must be securely fixed to the body of the vehicle in accordance with the condition of the appropriate licence, with suitable nuts, bolts, rivets or screws, magnet and must have a tamper-proof device fitted.	Licence plate or bracket insecure. Tamper-proof device missing or damaged. Not fixed in accordance with licence conditions.
Licence plate must be displayed.	No plate displayed (without valid paperwork)
	<b>Vehicles that are licenced and have the vehicle plate suspended and held by third party will provide documented evidence or reason for suspension or plate removal.</b>
	<b>Licensee/driver to produce documentary evidence of failure to display plate correctly. If driver or licensee does not supply such evidence the vehicle is a fail.</b>

## Section 6.3 – Vehicle Body and Condition – Interior

Method of Inspection	Reason for Rejection
<b>Body Condition – Interior</b>	
Examine thoroughly the interior for damaged, insecure or loose fixtures, fittings or accessories.	Insecure and loose seat(s).
Dirty, missing and worn trim, carpets, seat belts, mats, headlining, boot area and inclusion or prescribed items. Remove mats to inspect carpets underneath for cleanliness and wear.	Missing, dirty, soiled, stained, worn or insecure trim, carpets, headlining and mats.
Check all interior lights work, and operate correctly when doors open.	An inoperative interior light (all lights must illuminate if they are part of Sheffield City Council licenced vehicle specification and/or standard equipment).
Examine heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted (includes electric front and rear screen demisters).	A system which does not function correctly or any part is missing, including vents, controls and switches.
Examine all windows ensuring they allow lowering and rising easily.	An opening window that is inoperative or difficult to open and/or close mechanism broken/missing.
Examine interior door locks, grab handles/rails safety covers.	Missing, defective or loose door locks, child locks, protective covers, grab handles and rails. Grab handles/rails which are rigid to aid the blind and partially sighted, and are worn to excess.
Examine grills/partitions for security and condition.	A grill/partition which is insecure or has sharp edges which may cause injury to passengers or driver.
Examine electrical wiring for condition, security, including intercom systems and any ancillary systems.	Frayed, chafing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom system defective, warning light inoperative and signs illegible/missing.
Where hospitality equipment is fitted (e.g. fridges, cocktail cabinets) these must be checked for security of installation and safety.	Any hospitality equipment that is insecure or unsafe.
Examine the boot for access, contents, cleanliness and water ingress.	Unable to open, close and/or lock boot lid. Failure or boot lid support mechanism, defective seals, evidence of water ingress, dirty boot and/or carpets, loose items stored in boot i.e. spare wheel tools and equipment etc.

## Section 6.4 – Interior Signage

Method of Inspection	Reason for Rejection
<b>Hackney Carriage Only</b>	
All appropriate signs must be fixed securely for exit, window opening and other switches.	Any exit sign missing, any window operations signs missing, any intercom operations signs missing, any interior switch signs missing.
Current table of fares to be displayed.	Fares table missing, out of date, not easily read, obscured or incomplete.
Identification number to be displayed.	ID number missing, obscured or not easily read or incomplete.
Signage for the motion locks must be displayed.	Missing or deteriorated motion lock signage.
<b>All Licenced Vehicles</b>	
Any interior /exterior advertising must have written licensing consent available for inspection.	Consent not available or not given. Advertisement incomplete e.g. ripped, defaced or deteriorated.
No Smoking signs (minimum of two) to be displayed in a prominent position.	No Smoking signs missing, obscured, not easily read and/or incomplete. Must have at least two signs.
Where image recording equipment is fitted to the vehicle, approved signs must be displayed on entrance to vehicle and within the vehicle.	Image recording equipment but no signage displayed. Signs displayed are not to an approved standard as per specification. Signs not easily read, obscured, defaced and/or deteriorated.
<b>Private Hire Only</b>	
An interior licence plate must be permanently affixed to the interior glazed surface of the quarter light on the nearside rear door so that the particulars are clearly visible to all passengers in the vehicle.	Private Hire Vehicle ID missing or not displayed appropriately.
An interior licence plate must be permanently affixed to the glazed surface of the front windscreen so that the particulars are clearly visible from the outside of the vehicle.	Private Hire Vehicle ID missing or not displayed appropriately

## Section 6.5 – Door and Seats

Method of Inspection	Reason for Rejection
<b>Doors and Emergency Exits</b>	
Examine the condition of all doors and emergency exits. Check door locks, striker plates, handles and hinges for security, wear and missing and damaged trim/cover plates.	A door or emergency exit does not latch securely in the closed position. A door or emergency exit cannot be opened from both the inside and outside of the vehicle from the relevant control in each case. Missing, loose, worn handles or striker plate.
Check markings describing the presence and method of opening emergency exits are readily visible on or adjacent to the exit and are legible.	Markings describing the presence and method of opening an emergency exit missing, illegible or incorrect. Missing, loose, or damaged trim/cover plate.
Check all seats are secure, clean and not unduly worn.	Seat cushions stained, torn, holed, worn or insecure. A seat that does not provide adequate support at base or backrest, torn, slashed or badly stained seats are not acceptable.
Any seat covers fitted must be airbag compatible if required and securely fitted.	Seat covers not airbag compatible where required or is insecure. Seat covers stained, torn, holed or worn.
There must be reflective strips on both front and rear edges of sliding doors and on the rear of normally opening doors.	No reflective strips fitted to the door edges. <b>Note:</b> A lamp is only acceptable if it has a built-in reflector for if the bulb fails.
<b>Accessibility: wheelchair Vehicles WAV</b>	
Door configurations for wheelchair accessible vehicle:	
Single rear door – must open to a minimum of 90 degrees and be capable of locking in place.	Door does not open to a full 90 degrees and cannot be secured in the open position.
Check all vehicles with sliding rear doors have a door open sign in the rear window, which must illuminate when either sliding door is opened and go out when door is closed.	Sign does not illuminate when sliding doors opened. Sign stays on when doors are closed.
<b>Hackney Carriage Only</b>	
All interior grab handles to be highlighted, including exit handles.	Grab handles and exit handles not highlighted.

## Section 6.6 – Bumper Bars

Method of Inspection	Reason for Rejection
Examine the bumper bars and check:	
They are secure to their mountings.	A loose bumper bar or mounting. A weakened bumper bar and/or mounting is insecure because of poor repairs.
The mountings are secure to the vehicle.	A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected.
There is no evidence of damage.	Bumper bars which have jagged edges, cracks, splits or projections, which may cause injury to persons near the vehicle. Paint mismatch or fading which is significantly different to that of the rest of the paintwork.
Check the number plate for deterioration.	Number plates that are deteriorated.

## Section 7.1 – Exhaust System

Method of Inspection	Reason for Rejection
Examine the Exhaust System.	
Check for corrosion, leaks, alignment and mountings for cracks.	Any part of the exhaust system showing advanced corrosion, leaks, misalignment or any mounting cracked or deteriorated.
Where applicable, check for presence, security and adequacy of grease to hot exhausts.	A heat shield missing, insecure or inadequate.

## Section 7.2 – Fuel System, Pipes, Tanks and Cables

Method of Inspection	Reason for Rejection
Examine fuel tank(s) for security and leaks.	Fuel tank insecure or leaking.
Check that fuel tank filler caps are: <ul style="list-style-type: none"> <li>• Present</li> <li>• Of the correct type</li> <li>• Secure and seated properly to ensure correct function of sealing</li> </ul>	A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spilling.  <b>Note:</b> Temporary/emergency fuel caps are not permitted
Examine pipes to see they are securely clipped to prevent damage by chafing and cracking and are not in a position where they will be fouled by moving parts.	Damaged, chafed, insecure pipes, or pipes so positioned that there is a danger of them fouling moving parts.
Check that no fuel pipe runs immediately adjacent to or in direct contact with electrical wiring or the exhaust system.	A fuel pipe immediately to or in direct contact with electrical wiring or exhaust system.
Check fuel pipes for any signs of excessive corrosion.	Any fuel pipe excessively corroded.
Check throttle cables for operation and condition.	Any cable sticking or deteriorated.



## Section 7.3 – Exhaust Emissions - General

Method of Inspection	Reason for Rejection
<p>The inspector/tester will be required to inform the presenter of the vehicle, the following:</p> <ul style="list-style-type: none"><li>• That it is the responsibility of the presenter to inform the test station if he thinks the emission test will damage the vehicle</li><li>• Keep your vehicle well maintained in accordance with the manufacturer's recommendations</li><li>• Have the camshaft drive belt changed at the recommended intervals</li><li>• Ensure the oil and water levels are filled to the correct level</li><li>• Do not tamper with governor settings, seals etc.</li></ul>	<p>The tester must refuse to test your vehicle if he thinks that the smoke test may damage your engine.</p>

## Section 7.4 – LPG Conversions

Method of Inspection	Reason for Rejection
Where retrofit emissions technology is installed in the vehicle, the technology must have been approved as part of the Clean Vehicle Retrofit Accreditation Scheme (CVRAS) and be listed on the UKLPG Register.	No proof of being converted by an approved convertor/company scheme.  No evidence of fuel system fitted having been serviced by an approved servicer or registered company within the appropriate timescales of test date.
For each renewal of licence test thereafter the equipment must be serviced within on calendar month of test date.	
For intermediate or ad hoc tests thereafter the equipment must be serviced within one year of the test date.	

## Section 8.1 – Mirrors

Method of Inspection	Reason for Rejection
The number and position of all mirrors must be checked: Check the condition of each mirror reflecting surface and whether a person sitting in the driver's seat can see clearly to the rear.	Mirror condition: <ul style="list-style-type: none"><li>• A mirror deteriorated or broken</li><li>• In such a position that a person sitting in the driver's seat cannot see clearly to the rear</li></ul>

## Section 8.2 – Windscreen – View to the Front

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

## Section 8.3 – Window Glass or other Transparent Material

Method of Inspection	Reason for Rejection
Visually check the condition of all windscreens, internal screens, partitions; side, rear, roof and door windows for cracks, surface damage and discoloration.	A crack, surface damage or discoloration in glass or other transparent material that: <ul style="list-style-type: none"> <li>• Impairs the driver's front, side or rear view of the road; or</li> <li>• Presents a danger to any person in the vehicle</li> </ul>
Check presence and security of all windscreens, side, roof or rear windows, or internal screens or partitions.	A windscreen or any other outside window missing, or any windscreen, window, internal screen or partition insecure.
Check for evidence of obvious leaks from all windscreens and side, rear, roof or door windows.	Any external window or windscreen is obviously leaking.
Check for presence, security and condition of guard rails or barriers at windows, internal screens or partitions.	A guard rail or barrier at a window, internal screen or partition missing, insecure or damaged.
For all vehicles first used before 1 <sup>st</sup> January 1959, as far as is practicable, check that glass fitted to windscreens and outside windows facing to the front is safety glass.	The windscreen and/or any outside window facing to the front of a vehicle obviously not safety glass fitted to a vehicle first used before 1 <sup>st</sup> January 1959.
For all vehicles first used on or after 1 <sup>st</sup> January 1959, as far as it practicable, check that glass used for windscreens and all outside windows is safety glass or safety glazing.	Glass used for a windscreen or an outside window is obviously not safety glass.
Vehicles first used on or after the 1 <sup>st</sup> June 1978, check that windscreens and other windows, wholly or partly, on either side of the drivers set are made from safety glass displaying an acceptable safety mark.	For vehicles first used on or after 1 <sup>st</sup> June 1978, that windscreens and/or other windows wholly or partly on either side of the driver's seat that are not made from safety glass display an acceptable safety mark.
<b>Note:</b> Marking is not required for safety glass used on vehicles first used before 1 <sup>st</sup> June 1978.	

## Section 8.4 – Window Tints

Method of Inspection	Reason for Rejection
Check all windows with approved measuring device for light ingress through windows.	
Front windscreen must allow 75% light ingress	Front window less than 75% light ingress.
Front side door glass – minimum 70% light ingress transmission	Front side door glass less than 70% light ingress
Remaining glass – minimum 60 % light ingress transmission	Remaining glass less than 60% light ingress
<b>Note:</b> The rear windows and rear screen, which in the opinion of the tester does not impact on seating area of the passenger, can have a higher density tint but must not allow less than 20% light ingress.	A vehicle that has rear or rear screen that are not in the passenger seating area and does not allow at least 20% light ingress.

## Section 8.5 – Wipers – Front and Rear

Method of Inspection	Reason for Rejection
Check operation of front wipers for working on two speeds and rear wash/wipe.	
Check front wipers work on speeds one and two.	Front wipers not working on either speed, one or two.
Check operation of rear wash/wipe.	Rear washer not working and/or rear wiper not working.
Check all wiper blades for splits and deterioration.	Any wiper blade split or deteriorated.
For all air operated wipers examine: <ul style="list-style-type: none"> <li>• The condition of any visible piping</li> <li>• The function of the operating mechanism, and</li> <li>• The function of necessary valves to protect the braking system</li> </ul>	Air operated wipers: <ul style="list-style-type: none"> <li>• Pipes inadequately clipped or supported</li> <li>• Incorrect function of the wipers or leaking components</li> <li>• Incorrect operation of protection valves</li> </ul>
<b>Note:</b> Rear wash/wipe can be removed if not working, but must be completely removed, including motor, and blanked off.	

## Section 9.1 – Speedometer/Odometer

Method of Inspection	Reason for Rejection
Check that a speedometer/odometer is fitted.	Speedometer or odometer not fitted.
Check the condition of the speedometer/odometer.	Speedometer or odometer not complete or clearly inoperative, or dial glass broken or missing.
Check that the speedometer and odometer can be illuminated.	The speedometer or odometer cannot be illuminated.



## Section 9.2 – Transmission

Method of Inspection	Reason for Rejection
Examine transmission, check for:	
Missing or loose flange bolts.	A loose or missing flange bolt(s).
Cracked or insecure flanges.	A flange cracked, or loose on the transmission shaft.
Wear in shaft and/or wheel bearings.	Excessive wear in shaft bearing.
Security of bearing housings.	A bearing housing insecure to its fixing.
Cracks or fractures in bearing housings.	A cracked or fractured bearing housing.
Wear in universal joints.	Excessive wear in a universal joint.
Deterioration of flexible couplings.	Deterioration of a transmission shaft flexible coupling.
Distorted/damaged shafts.	A damaged, cracked or bent shaft.
Deterioration of bearing housing flexible mountings.	Deterioration of a flexible mounting of a bearing housing.
Clearance between transmission shafts and adjacent components.	Evidence of fouling between any transmission shaft and an adjacent component.
<b>Front Wheel Drive</b>	
Check the drive shaft inner and outer universal joint couplings and constant velocity joints for: <ul style="list-style-type: none"> <li>• Wear and security</li> <li>• Damage to flexible rubber or fabric universal joints</li> <li>• Security and oil contamination of flexible rubber or fabric universal joints</li> <li>• Condition, presence and security of constant velocity joint gaiters</li> </ul>	<ul style="list-style-type: none"> <li>• Drive shaft, constant velocity or universal joint coupling worn or insecure</li> <li>• A flexible rubber or fabric universal coupling unit damaged by severe cracking or breaking up</li> <li>• A flexible rubber or fabric universal coupling unit excessively softened by oil contamination or insecure</li> <li>• A drive shaft, constant velocity joint gaiter split, missing or insecurely mounted</li> </ul>

## Section 9.3 – Engine and Transmission Mountings

Method of Inspection	Reason for Rejection
<p>Examine condition of:</p> <ul style="list-style-type: none"><li>• Mountings</li><li>• Sub-frames</li></ul> <p>The security to chassis and check for:</p> <ul style="list-style-type: none"><li>• Fractures</li><li>• Looseness</li><li>• Deterioration</li></ul>	<p>Any mounting or sub-frame</p> <ul style="list-style-type: none"><li>• Loose</li><li>• Fractured</li><li>• Deteriorated</li><li>• Inappropriate repair</li></ul>

## Section 9.4 – Oil and Water Leaks

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

## Section 9.5 – Luggage and Load Space

Method of Inspection	Reason for Rejection
Luggage should be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury.	Load restraint system, if required, not present at time of test.
There must be an approved parcel shelf or pull-out screen in the case of a hatch/back or estate car.	Load restraint system faulty or unserviceable.
A suitable grill or net is not acceptable.	Parcel shelf or screen not fitted.

## Section 9.6 – Engine and Transmission

Method of Inspection	Reason for Rejection
The engine readily starts and displays no evidence of serious mechanical defects.	Engine shows signs or serious mechanical defect.
Must be able to be switched off.	Engine cannot be started or switched off.
<b>Hackney Carriage Only</b>  A fuel cut off switch and sign should be fitted at the front of the vehicle.  <b>Note:</b> If the vehicle is fitted with an inertia switch, above not required.	No fuel cut off switch or sign fitted.
Check clutch for excessive noise or slip or difficulty to select gears.	Clutch excessively noisy or slipping or difficult to select gears.
Check gearbox for excessive noise.	Gearbox excessively noisy.
Check clutch pedal anti-slip for wear and deterioration.	Clutch anti-slip worn or deteriorated.
Check the automatic gearbox selector illumination.	Not illuminated.

## Section 10.1 – Wheelchair Restraint and Access Equipment

Method of Inspection	Reason for Rejection
<b>Wheelchair Restraint</b>	
Where applicable, check condition and operation of wheelchair restraint.	A wheelchair restraint is defective, worn or missing.
A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces. The system and the devices used to secure a wheelchair to the vehicle shall comply with the relevant standards laid down in European Directive 76/115 EEC (as amended by 90/629 EEC) whether or not those directives apply to those devices or the vehicle.	Wheelchair anchorage systems and devices do not conform to European Directives 76/115 EEC (as amended by 90/629 EEC).
<b>Wheelchair Access and Equipment</b>	
Check that appropriate ramps are fitted and are securely installed. Examine for damage, deformity, sharp edges and provision of anti-slip covering.	Ramps missing, incorrectly stored, damaged/deformed and/or anti-slip covering in poor condition.
Presenter of vehicle to demonstrate the satisfactory fitting and deployment of ramps.	Presenter fails to demonstrate satisfactory fitting and deployment of ramps.
All new hackney carriage applications shall be equipped with a manufactures user manual/guide on the ramp deployment, and safe loading and unloading and security of wheelchair passengers.	Does not have the user manual/guide.
Any purpose designed wheelchair access ramp that is carried must be lightweight and easy to deploy.	Unable to deploy ramps.
Wheelchair access equipment shall be fitted into the side access door of the vehicle. The side door shall be the door situated on the nearside of the vehicle, i.e. kerbside when stopped in a normal road.	Wheelchair access equipment which can only be fitted to the offside access door of the vehicle.
A locking mechanism shall be fitted that holds the access door in the open position whilst in use.	No evidence of a suitable locking mechanism to hold the door open.
Any wheelchair tracking must comply with European Standard UNECE Regulation 14 (EC Directive 76/115/EEC).	Unable to present a valid or current certificate for wheelchair tracking.
<b>Further information on disabled persons transport is available from the Disabled Persons Transport Advisory Committee (DPTAC) website: <a href="http://www.dptac.gov.uk">www.dptac.gov.uk</a></b>	

## Section 10.2 – Taxi Meter (Hackney Carriage Vehicles Only)

Method of Inspection	Reason for Rejection
<p>The taxi meter is to be measured on an approved single rolling road system. The test shall be carried out using the manufacture's operating instructions and all health and safety precautions must be observed. Front wheel drive vehicles must be tied down for the rolling road test.</p> <p>All relevant distances for the test are to be taken from the current table of fares at the time of test.</p>	Taxi meter out of calibration.
The meter is to be an approved type and fitted securely in the driver's compartment and in such a position that it is clearly visible to the passenger compartment.	Taxi meter not clearly visible to passengers. Taxi meter insecure.
The meter must have an approved form of seal to prevent non approved calibration of the meter.	No approved seal on the taxi meter.
A current table of fares must be clearly displayed to passengers. The table must be in good condition and not faded.	A current table of fares not clearly displayed, damaged, or faded.
	<p><b>Note:</b> Where vehicles are manufactured as to be unable to be tested on a single rolling road system, the vehicle will be taken for test on a measured distance with the calculation taken from the current table of fares.</p>

## Section 10.3 – Motion Locks (Hackney Carriage Vehicles Only)

Method of Inspection	Reason for Rejection
Whilst the vehicle is being tested on the single rolling road or a measured distance, check the operation of motion locks.	
The rear doors must lock from the inside only as soon as the vehicle moves away, and the warning lights must illuminate. When the vehicle stops the doors must unlock and the warning lights extinguish.	Motion locks do not lock the rear doors when the vehicle is in motion.
Check the motion lock overriding system (if fitted) that operates through the footbrake lighting system (brake lights). The rear doors should lock from the inside when the foot brake is depressed, unless the system is switched off (some systems can be manually switched off).	Motion locks that do not unlock the rear doors when the vehicle stops (unless the foot brake is depressed on vehicles fitted with the foot brake override system).
<b>Note:</b> Not all vehicles have the foot brake override system The only override system allowed is the 'foot brake override system' described above.	
Check for any switches fitted that disable the motion lock system, and make sure that motion locks always operate whilst the vehicle is in motion.	Any switch that turns off the motion locks whilst the vehicle is in motion.
Check for any switches fitted that will lock the rear doors and not allow passengers to exit the vehicle.	Any switch fitted to lock rear doors and not allow passengers to exit vehicle.
Check that the motion door lock warning lights operate correctly, and check warning notices are displayed and are not deteriorated.	Missing or defective motion lock warning lamp, signage missing or faded.



## Section 10.5 – Electrically Operated Side Steps and Running Boards

Method of Inspection	Reason for Rejection
Check the condition, operation, security and cleanliness of the electrically operated side step.	Steps do not operate. Steps insecure or not in a clean condition. Step warning lights not operating when the steps are deployed.
Check the failsafe system connected to the handbrake lever.	Steps do not retract when the handbrake is released.
Check that the edges of the step are highlighted.	Steps not highlighted on all edges.
<b>Note:</b> No switches to be fitted that allow the step to be deployed when the handbrake is in the off position, or the step kept out when the vehicle is in motion.	Any switch fitted that allow steps to be left in the out position when the handbrake is released.
<b>Running Boards</b>	
If the vehicle is fitted with running boards, written evidence is to be provided for proof of fitment by the original body builder, and all measurements to be correct.	No written proof of fitment by the original body builder.
The step should have at least five inches of usable width on both sides of the vehicle and should cover the length of the door aperture.	Does not have five inches of usable width on both sides of the vehicle. Length of the step does not cover the whole door aperture.
For vehicles fitted with running boards as standard this will be covered by the M1 Type Approval.	

## Section 10.6 – Driver Information Systems

Method of Inspection	Reason for Rejection
Where information systems are fitted, e.g. data-heads, Sat-Navs, CCTV Systems and in-car entertainment.	
These must be checked for security of installation and safety.	Not securely fitted, unsafe operation, wiring loose, unsecured, or potentially hazardous.
Must not interfere with driver's safe operation of the vehicle.	Interferes with the safe operation of the vehicle.
Must not hinder the forward vision of the driver.	Obstructs forward vision of the driver.

## Definition of Motor Vehicles

Category	Definition
M	A motor vehicle with at least four wheels designed and constructed for the carriage of passengers.
M1	Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the driver's seat.
M2	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding five tonnes.
M3	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding five tonnes.

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