

# Public Document Pack

## Cherwell District Council

### Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 6 June 2016 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council  
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Ken Atack, Lead Member for Financial Management  
Councillor Colin Clarke, Lead Member for Planning  
Councillor John Donaldson, Lead Member for Housing  
Councillor Tony Ilott, Lead Member for Public Protection  
Councillor Kieron Mallon, Lead Member for Banbury Futures  
Councillor D M Pickford, Lead Member for Clean and Green  
Councillor Lynn Pratt, Lead Member for Estates and the Economy  
Councillor Nicholas Turner, Lead Member for Change Management, Joint Working and IT

Also Present: Councillor Sean Woodcock, Leader of the Labour Group  
Councillor Dan Sames

Officers: Sue Smith, Chief Executive  
Scott Barnes, Director of Strategy and Commissioning  
Ian Davies, Director of Operational Delivery  
Paul Sutton, Chief Finance Officer / Section 151 Officer  
Kevin Lane, Head of Law and Governance / Monitoring Officer  
Jackie Fitzsimons, Shared Public Protection Manager, for agenda item 7  
Nicola Riley, Shared Interim Community Partnerships and Recreation Manager, for agenda item 9  
Nicholas Sutcliffe, Licensing Manager, for agenda item 7  
Tim Mills, Private Sector Housing Manager, for agenda item 8  
Natasha Clark, Team Leader, Democratic and Elections

#### 1 **Declarations of Interest**

There were no declarations of interest.

#### 2 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

3 **Urgent Business**

There were no items of urgent business.

4 **Minutes**

The minutes of the meeting held on 4 April 2016 were agreed as a correct record and signed by the Chairman.

5 **Chairman's Announcements**

The Chairman made the following announcement:

1. Members of the public were permitted to film, broadcast and report on the meeting, subject to the efficient running of the meeting not being affected.

6 **Private Hire Licensing and Hackney Carriage Policy 2016**

The Public Protection Manager submitted a report to seek approval of the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy prior to public and stakeholder consultation.

**Resolved**

- (1) That the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy (annex to the Minutes as set out in the Minute Book) be approved.
- (2) That authority be delegated to the Public Protection Manager to consider responses and, if necessary amend the policy in consultation with the Lead Member for Public Protection.

**Reasons**

By approving the joint draft Private Hire and Hackney Carriage Licensing Policy we will be able to consult and then implement a policy which will improve and strengthen our taxi licensing regime, ensuring public safety.

**Alternative options**

Option 1: Not to approve the joint draft Cherwell and South Northamptonshire Council Private Hire and Hackney Carriage Licensing Policy. This is not recommended as the proposed policy includes a number of updates and improvements with a clear policy statement.

7 **Disabled Facilities Grants and Better Care Funding**

The Head of Regeneration and Housing submitted a report to provide an update on changes to Disabled Facilities Grant (DFG) funding and to seek the

Executive's direction on suggested opportunities to improve the Council's service to disabled residents that arise from those funding changes.

The Chairman requested that officers submit an update report to Executive in due course.

### **Resolved**

- (1) That the Council's capital contribution for Disabled Adaptations be left unchanged.
- (2) That it be confirmed that any of the total Disabled Facilities Grants (DFGs) capital budget in excess of what is required to deliver mandatory DFGs should be utilised to make identified improvements to the delivery of adaptations and assistance to eligible disabled residents.
- (3) That it be noted that, in accordance with the Scheme of Delegation to Officers and its Private Sector Housing Grants and Assistance Policy, the Head of Regeneration & Housing and the Lead Member for Housing will determine what additional forms of grants and loans may be appropriate to improve DFG service and delivery.

### **Reasons**

The total DFG budget resulting from an increased HWB contribution will allow services to disabled households to be improved beyond the scope of what can be achieved through the established mandatory grants. Officers believe, in particular, that there are opportunities to simplify operations and speed up delivery. Although a suggested range of possible improvements will all require further investigation and working-up, they do not require additional funding by the Council, simply for the existing capital allocation to be maintained for 2016-17.

### **Alternative options**

Option 1: To reduce the Council's £375k capital allocation for 2016-17, by a sum to be determined, and thereby reduce the total DFG budget. This option would result in the Council foregoing some, or all, of the opportunities to develop and enhance the service provided to disabled residents.

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## **Safeguarding Policy and Internal Review Update**

The Director of Operational Delivery submitted a report to consider an update of the Council's joint safeguarding policy and receive an update on the progress made to date on implementing the recommendations from the internal safeguarding review.

### **Resolved**

- (1) That the updated joint Safeguarding policy (annex to the Minutes as set out in the Minute Book) be approved.

- (2) That the work carried out to date to implement the agreed recommendations from the internal review be noted.

### **Reasons**

The revised joint policy is comprehensive and makes reference to the latest legislation providing a robust and thorough Safeguarding Policy document. The procedures for reporting a concern are clear and reference the new See it Report it intelligence gathering system.

### **Alternative options**

Option 1: Not to update the policy; this is not a viable alternative given the change in duties placed upon Local Authorities

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## **Bicester Healthy New Town Status**

The Director of Operational Delivery submitted a report to consider Bicester's participation in the NHS England Healthy New Town Programme.

### **Resolved**

- (1) That Bicester's participation in the NHS England Healthy New Town Programme be supported.
- (2) That agreement be given for the Council to act as the lead and accountable body for the Bicester Healthy New Town Programme.
- (3) That the inclusion of this activity in the consideration by the Bicester Strategic Delivery Board be supported.
- (4) That agreement be given to a Healthy New Town Cherwell fund of £20,000 to serve as an enabling fund to secure further external funding for the Bicester initiatives beyond 2016/17.

### **Reasons**

The scale and nature of Bicester's development has provided an excellent opportunity to be enhanced through the NHS England Healthy New Town programme. NHS England has recognised in its shortlisting of Bicester to participate along with the offer of a range of support including financial.

A wider multi-disciplinary and multi-sector partnership group from Bicester and Oxfordshire has also responded very positively to this initiative and is now in the process of preparing a detailed set of proposals which turn intent into action. This requires a programme lead which is proposed to be undertaken by this Council and it is this which is reflected in the report recommendations.

### **Alternative options**

Option 1: Not to engage in the NHS England HNT Programme and withdraw for these activities. This is not proposed due to the relevance and benefits of this programme to Bicester

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## **Performance Report 2015-2016 Quarter 4 / End of Year**

The Director of Strategy and Commissioning to provide information relating to quarter four of the annual performance year, for the period 1 January - 31 March 2016. The report also reflected end of year outturns as measured through the performance management framework.

### **Resolved**

- (1) That it be noted that despite tough performance targets, a challenging economic environment, and on-going policy and organisational change, Cherwell District Council has met or made satisfactory progress on 96% of all the performance targets outlined in its performance management framework.
- (2) That it be noted that there was no feedback on performance issues from the Overview & Scrutiny Committee at its meeting on 31 May 2016 provided directly to The Leader.
- (3) That the Annual report (annex to the Minutes as set out in the Minute Book) be approved for publication.

### **Reasons**

This is a report of the Council's performance in the fourth quarter of 2015/16 measured through the performance management framework. The report covers key areas of performance against the Council's 12 public pledges and the 2015/16 business plan. The report also contains performance information around the Corporate Equalities Plan and Significant Partnerships.

In this final quarter report we show that the Council has made strong progress towards delivering its ambitions to improve the services delivered to the public and against key projects and priorities, despite tough performance targets, a challenging economic environment, and on-going policy and organisational change. It also demonstrates the Council's proactive performance management of issues raised and the inclusive role of Overview and Scrutiny in supporting performance review.

With a 96% delivery rate against the key strategic priorities and the deliverables that sit underneath them the report clearly demonstrates that the council's performance is excellent, and that together we are making a significant and positive difference to the District, our residents, businesses and other key stakeholders. There can be no other recommendations to make, other than to commend everyone who has contributed to such excellent performance, of which we should all be proud.

### **Alternative options**

Option 1: To request additional information on items and/or add to the work programme for review and/or refer to Overview and Scrutiny.

11 **2015/16 Draft Revenue Outturn**

The Chief Finance Officer / Section 151 Officer submitted a report to provide an initial draft update on the Council's revenue outturn for 2015/16.

In response to comments from Councillor Woodcock, Leader of the Labour Group, regarding the reported shortfall in rental income from Castle Quay, the Chairman requested that the Town Centre Managers submit a report to the September or October Executive on the matter and the reasoning.

**Resolved**

- (1) That the report be noted.

**Reasons**

The Executive has the responsibility for managing the Council's resources. A key element of this is budgetary control, and the final outturn for the year is the measure of the accuracy of budgeting and budgetary control throughout the year.

**Alternative options**

Option 1: To not note the report but members will not be aware of the likely outturn and performance against budget for 2015/16 if they choose to take this option.

12 **Proposal for a Joint Revenues and Benefits Service with South Northamptonshire Council**

The Chief Finance Officer / Section 151 Officer submitted a report which presented the final business case following consultation for a joint Revenues and Benefits service across Cherwell District and South Northamptonshire Councils and sought approval for the non-staffing elements of the business case.

The proposal was part of the wider transformation programme across the two Councils.

**Resolved**

- (1) That the final business case for a Joint Revenues and Benefits Service with South Northamptonshire Council (SNC) and the consultation responses in relation to non-staffing matters be considered.
- (2) That it be noted that the business case was approved by the Joint Commissioning Committee with regard to staffing matters on 26 May

2016 and that this included consideration of consultation responses from affected staff and trade union representatives.

- (3) That the proposed final business case to share a joint Revenues and Benefits Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet on 13 June 2016, be approved and implemented.
- (4) That authority be delegated to the Chief Finance Officer, in consultation with the Leader of the Council, to make any non-significant amendment that may be required to the business case following the decision by SNC Cabinet.
- (5) That the allocation of £200,000 from general fund balances to cover 50% of the implementation costs be approved.

### **Reasons**

The proposal is to establish a Joint Revenues and Benefits service between CDC and SNC which will deliver significant financial and operational benefits. The business case sets out the significant financial and operational benefits to establishing the proposed joint service.

### **Alternative options**

#### Option1: Status Quo (No Change)

Following the decision taken by CDC Executive on 7 September 2015, retaining the status quo is no longer an option for CDC who will be insourcing the Revenues and Benefits service in 2017. While retaining the status quo is an option for SNC, it is not considered an appropriate option given the benefits and savings associated with delivering a joint service with CDC.

#### Option 2: Three-way Shared Service with Stratford-on-Avon District Council (SDC)

A three-way shared service with SDC is no longer a realistic option although serious consideration was previously given to this option.

Due to the different visions and strategic priorities of the three Councils regarding how to meet the financial challenges and respond to regional opportunities for devolution it has been agreed that no further three-way business cases are prepared.

### **Proposal for a Joint Community and Leisure Service with South Northamptonshire Council**

The Director of Operational Delivery submitted a report which presented the final business case following consultation for a Joint Community and Leisure service across Cherwell District Council and South Northamptonshire Council and sought agreement for the non-staffing elements of the business case.

The proposal was part of the wider transformation programme across the two Councils.

## **Resolved**

- (1) That the final business case for a Joint Community and Leisure Service with South Northamptonshire Council and the consultation responses in relation to non-staffing matters be considered.
- (2) That it be noted that the business case was approved on 26 May 2016 by the Joint Commissioning Committee (JCC) with regard to staffing matters and that this included consideration of consultation responses from affected staff and trade union representatives.
- (3) That the proposed final business case to share a Joint Community and Leisure Service between CDC and SNC, subject to similar consideration and approval by SNC Cabinet, be approved and implemented.
- (4) That authority be delegated to the Director of Operational Delivery in consultation with the Leader of the Council any non-significant amendment that may be required to the business case following the decision by SNC Cabinet.

## **Reasons**

The business case represents a significant step in the revised transformation programme across CDC and SNC. The proposed joint service would provide realigned delivery teams designed to meet the agendas for each district.

## **Alternative options**

Not to approve the recommendations. This is not recommended as the business case remodels the existing services at both councils into a new joint service and as a result delivers savings in excess of the guidance targets set out in the February 2015 business case.

## 14 **Exclusion of the Press and Public**

There being no questions on the exempt appendices to the Proposals for a Joint Revenues and Benefits Service with South Northamptonshire Council and a Joint Community and Leisure Service with South Northamptonshire Council, it was not necessary to exclude the press and public.

## 15 **Proposal for a Joint Revenues and Benefits Service with South Northamptonshire Council - Exempt Appendix**

### **Resolved**

- (1) That the exempt appendix be noted.



16 **Proposal for a Joint Community and Leisure Service with South Northamptonshire Council - Exempt Appendices**

**Resolved**

- (1) That the exempt appendices be noted.

The meeting ended at 7.30pm

Chairman:

Date:



# Private Hire and Hackney Carriage Licensing Policy 2016

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## **Appendices**

- Appendix A – Criminal Records Policy**
- Appendix B – Driver Application Process and Conditions**
- Appendix C – Vehicle Application Process and Conditions**
- Appendix D – Operator Application Process and Conditions**
- Appendix E – Private Hire and Hackney Carriage Penalty Points Scheme**

# 1. Introduction

- 1.1 South Northamptonshire and Cherwell District Councils are responsible for the licensing and enforcement Private Hire and Hackney Carriage Vehicle trades within their respective districts. The key objectives of the Private Hire and Hackney Carriage Vehicle licensing regime is ensuring public safety and the protection of residents and visitors to the districts.
- 1.2 This policy and the appendices detail how the licensing of drivers, vehicles and operators will be undertaken by each Council. The policy has immediate effect and will be applied to all existing licences and all new applications.
- 1.3 The Councils reserve the right to review and if necessary reverse any decision if information comes to light that identifies the initial decision as being incorrect.
- 1.4 In developing this policy the Councils have had regard to the following:
- Local Government (Miscellaneous Provisions) Act 1976
  - Town Police Clauses Act 1847
  - Guidance on the Rehabilitation of Offenders Act 1974 – March 2014
  - Disclosure Barring Service Information Note on Rehabilitation of Offenders Act 1974 and Police Act 1997 Orders – 2013
  - Taxi and PHV Licensing Criminal Convictions; Policy, Local Government Regulation, Sept 2010
  - Equalities Act 2010
  - Regulators Code 2014
  - Road Traffic Acts
  - Crime and Disorder Act 1998
  - Health Act 2006
  - Data Protection Act 1998

- The Department of Transport “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” (Currently under review)
- Jay Report into Child Sexual Exploitation (CSE) in Rotherham
- The Serious Case Review into Child Sexual Exploitation in Oxfordshire
- South Northamptonshire and Cherwell District Council Enforcement Policy
- Other relevant legislation

## **2. Scope**

- 2.1 This policy sets out the process for applying for a Private Hire or Hackney Carriage driver, operator and vehicle licence; the requirements to hold a licence; the conditions to be adhered to, and the grounds for and process by which the Council may take action against a licence.

## **3. Policy Statement**

- 3.1 The Council recognise the important role that Private Hire and Hackney Carriage Vehicle drivers play in enabling people to travel around the districts and while doing so act as ambassadors for their Council. In promoting these licensing aims and objectives the Council will expect licence holders to continuously adhere to the high standards outlined within this policy. This will help portray a positive image of both the Council and the licensed trade.
- 3.2 The principle purpose of Private Hire and Hackney Carriage Vehicle licensing is to protect the public and promote public safety. South Northants and Cherwell District Council (The Council) will adopt and carry out the Private Hire and Hackney Carriage licensing functions with a view to promoting the following;

- The protection of the public
- Safeguarding children and the vulnerable
- The prevention of crime and/or disorder
- The safety and health of public and drivers
- Vehicle safety and suitability

3.3 The protection of the public, safeguarding children and the vulnerable, and the prevention of crime and /or disorder;

- Raising awareness amongst licensees of issues of safeguarding children and the vulnerable
- Operating rules, conditions and disciplinary processes
- Vetting , training and monitoring of licensees
- Commitment to work with the police, neighbouring authorities and other relevant agencies
- An expectation that licensees will treat all customers, members of the public and authorised licensing officers with respect and courtesy at all times

3.4 The safety and health of the public and licensees;

- Consideration of history of convictions, cautions, formal warnings, arrests, complaints and information received from partner agencies and other local authorities.
- Knowledge of the relevant Council topography
- Health and fitness of licensees
- Relevant safeguarding training
- A relevant professional driving qualification

3.5 Vehicle safety and suitability;

- Standards of vehicles
- Regular testing of vehicles including roadside checks
- Location of ranks
- Provision of wheelchair accessible vehicles

## 4. Background and definitions

4.1 The Local Government (Miscellaneous Provisions) Act 1976, as amended and the Town Police Clauses Act 1847 is the legislative framework for the Hackney Carriage and Private Hire licences.

4.2 This policy applies to the following:

4.2.1 **Hackney Carriages:** A vehicle available to transport members of the public that has no more than 8 seats for passengers, which is licensed to ply for hire. A Hackney Carriage may stand at designated taxi ranks and/or be hailed in the street by members of the public. A Hackney Carriage may also undertake pre booked journeys.

4.2.3 **Private Hire Vehicles:** These are licensed to carry no more than 8 passengers and must be booked in advance through a licensed Private Hire Operator. A Private Hire Vehicle cannot ply for hire nor use any designated taxi ranks.

4.2.4 **Private Hire Operators:** are required to take and record bookings for Private Hire vehicles. Bookings must be recorded and records be made available for inspection within the specified timescales.

4.2.5 **Hackney Carriage and Private Hire Drivers:** Licensed individuals who have undertaken certain tests and checks. Only a licensed driver can drive a licensed vehicle.

## 5. Private Hire and Hackney Carriage Drivers

5.1 This licence allows a person to drive a licensed vehicle, whether it is a Hackney Carriage or a Private Hire vehicle. The Council issues a joint Hackney Carriage and Private Hire driver licence. Licences shall be issued for a maximum period of 3 years but can

be granted for a lesser period if deemed appropriate. The only exemptions to this are those applicants whose right to remain and/or work in the UK is for less than the 3 year period. In such cases the licence shall only be issued for the same period as the leave to remain or right to work allows.

- 5.2 All applicants must satisfy the Council that they are a fit and proper person to hold a Hackney Carriage and Private Hire Drivers Licence (HCPHD). Once the licence has been granted the licence holder must remain a fit and proper person throughout the duration of the licence. The fitness and propriety of the license holder will be monitored and assessed throughout the licence period. Where licence holders have broken any licence condition, or any complaints and/ or criminal behaviour are brought to the attention of the Council the license holder may be subject to enforcement action. This may result in the revocation of a licence.
- 5.3 All applicants for a HCPHD licence must act with honesty and integrity and ensure all information that is provided is correct and up to date. Throughout the application process the applicant must provide and disclose all necessary information in a timely manner. This includes information relating to previous convictions, warnings, cautions, arrests, or any current or pending criminal investigations being undertaken, as well as any civil actions, injunctions or other factors which may bring into question the suitability of the applicant. Failure to do so will have a negative impact on the assessment of the application and may result in the licence being refused.
- 5.4 The process for applying for a HCPHD licence is provided in Appendix B. It is essential that all applicants understand and are familiar with this process prior to application and renewal to ensure that information requested is provided within the specified timescales. Failure to do so may result in the application being refused.



## 6. The Fit and Proper Person Test

6.1 Section 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 require that all applicants and licence holders are, and remain, fit and proper to hold a licence. There is no legal definition of what constitutes a fit and proper person for the purposes of Private Hire and Hackney Carriage Vehicle licensing. However, the Council must be satisfied, based on the information provided that the applicant or licence holder is suitable to hold a licence and the public will be safe with the licence holder.

6.2 In determining whether a person is fit and proper to hold a licence, the Council is effectively asking the following question:

**“Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”**

6.3 If the answer to the question is an unqualified ‘yes’, then the applicant or licence holder can be considered to be fit and proper. If there are any doubts in the minds of the Council, then further consideration will be given as to whether the applicant or licence holder should hold a licence.

6.4 If there is any doubt as to the suitability of the applicant or licence holder the Council will undertake any checks and apply any process necessary to ensure that licences are not issued or held by unsuitable persons. It is important to note that applications and any issues with current licence holders are dealt with on a case by case basis and as such it is not possible to detail an exhaustive list

of all checks or requirements that may be asked of the applicant or licence holder in order to satisfy this criteria but any decision will be transparent and relayed to the applicant/licence holder.

6.5 The Council will consider a number of factors when determining if an individual is a fit and proper person;

- Criminality
- Driving history
- Driving ability
- Right to work
- Medical history
- Standard of verbal and written English
- Any previous licensing history
- Anything else that may bring into question the applicants suitability to hold a licence.

A more detailed, but non- exhaustive list, is provided in Appendix A.

6.6 In addition the Council will consider any further information provided by other agencies including the Police, Neighbouring Authorities, Child and Adult Safeguarding Boards and County Councils that may have a bearing on the fit and proper standard of the individual.

6.7 The Council may, at any time throughout the duration of the licence access the DVLA records of the applicants to ensure their driving meets the requirements of this policy. Licence conditions in Appendix B require all licensed drivers to notify the licensing authority within 7 working days of any DVLA penalty points issued or any other driving offence. Failure to do so will result in the licenced driver receiving Council penalty points, under the Penalty Point Scheme (See Appendix E)

- 6.8 In submitting an application to the Council for a drivers licence, the applicant will be required to sign certain disclosures relating to the application form and their information. Details contained within the application may be shared with other agencies including but not limited to the Police, Immigration and HM Customs and Excise. In addition declarations must be signed that allow for the applicants DVLA record to be reviewed throughout the duration of the licence, alongside their DBS record through the online update service. The Council retains and shares information in accordance with Information Sharing Agreements and the Data Protection Act 1998.
- 6.9 An applicant will not be considered to be a fit and proper person to hold a licence if there is any evidence that the applicant has been dishonest in making the application or it can be evidenced that an applicant or an existing licence holder has misled, or attempted to mislead, the Council (officers or elected members of the licensing committee) during any part of the application process or with the administration of the licence throughout its duration.

## **7. Disclosure and Barring Service (DBS)**

- 7.1. A criminal record check for any potential driver is essential and is an important safety measure in ensuring that an applicant is a fit and proper person and to protect public safety. All applicants will be required to undergo an Enhanced Disclosure through the Disclosure and Barring Service. This will list information on all live and spent convictions, police cautions and other relevant information. Details of the DBS application process can be found within Appendix B as part of the application process.
- 7.2 Private Hire and Hackney Carriage Drivers are included as “exceptions” within the Rehabilitation of Offenders Act 1974

(Exceptions) Order 1975. As such all applicants will be asked to disclose on their application form any conviction or caution regardless of the date of the conviction or caution. The DBS certificate will disclose convictions and cautions and where these have not been disclosed on the application form by the applicant the integrity and honesty of the applicant will be questioned. All licence holders must notify the Council of any convictions or cautions received during their licence period as stated in the licence conditions. Failure to do so may result in suspension or revocation of the licence.

7.1.3 All applicants (both new and renewals) must declare on the application form all convictions, cautions, informal warnings, fixed penalty notices, driving offences, civil actions, county court judgements, arrests and any on-going criminal, civil or traffic related investigation. Failure to inform the relevant Council of any information may result in the application being refused or a licence being suspended or revoked.

7.1.4 Applicants are responsible for the costs of obtaining a DBS certificate. It is a licence condition that applicants sign up to the DBS online update service and on the grant of a licence, the licence holder must maintain the subscription. The subscription costs are the responsibility of the applicant / licence holder and permission must be given to the relevant Council to undertake checks of the DBS status should the Council consider it necessary and appropriate to do so. The update service will be used to monitor the criminal record of the license holder and can also be used at the time of licence renewal. If no changes have been recorded on the DBS certificate a full DBS check will not be required.

7.1.5 In order to sign up to the online service the applicant, on receipt of their completed Enhanced DBS Certificate, must register for the

service within 19 days of the DBS certificate issue date. Upon licence renewal the applicant will need to provide the Council with their original certificate in order for the update service to be checked.

7.1.6 DBS Certificates will only be accepted when the application has been made through the relevant Council (South Northants or Cherwell). However, DBS certificates from other local authorities will be accepted providing the applicant has signed up to Update Service and has been checked to an enhanced level.

7.1.7 A Licence will not be issued without a current enhanced DBS certificate.

## **7.2 Applicants with Residency Periods Outside of the UK**

7.2.1 Where an applicant has spent six months or more continuously outside the UK evidence of a criminal record check from the Country/Countries visited covering the duration overseas will be required. For stays longer than 6 months outside of the European Union a certificate of good conduct is required to be authenticated by the relevant embassy.

## **7.3 Right to Work in the UK**

7.3.1 All applicants must provide evidence of their right to work in the UK. This is required for the first application and all renewals.

7.3.2 The list below states what evidence needs to be provided to prove the applicant has a right to work in the UK, this list is not

exhaustive and other documents may be accepted (please follow this link; <https://www.gov.uk/government/organisations/uk-visas-and-immigration>), however this must be discussed with the Council in advance of the application being submitted. Any issues with the documentation provided may result in a delay in issuing the licence or renewal of an existing licence.

- A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country – including Switzerland),
- Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment,
- Full UK Birth/Adoption Certificate,
- An Immigration Document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment,
- A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment.

## **7.4 Convictions, Cautions and Driving Offences**

7.4.1 Where convictions and cautions have been declared by the applicant or disclosed on the DBS Certificate the Council must ensure that it is satisfied that the applicant is a fit and proper person to hold a licence. The Council will refer to The Criminal Records Policy for guidance which can be found in Appendix A.

7.4.2 Where convictions, cautions and driving offences have been imposed on a licence holder the same Criminal Records Policy will

be referred to in order to determine that the licenced driver remains a fit and proper person to hold the licence.

## **8. The Knowledge Test**

8.1 All applicants are required to pass the relevant Council's Knowledge Test. The purpose of the test is to ensure that the applicant has sufficient knowledge in the following areas:

- Numeracy
- Topography
- Communications
- Road Safety
- Safeguarding and Child Sexual Exploitation (CSE)

8.1.2 In addition to the Knowledge Test all applicants will be required to attend (at their own cost) Council approved Safeguarding and CSE training prior to submitting their applications.

8.1.3 The Safeguarding, CSE and Disability Awareness training is mandatory for all applicants and licence holders regardless of whether the application is for a new or renewed licence. This is to ensure that applicants and licenced drivers are receiving the most up to date information at the time of the application.

8.1.4 Applicants are entitled to 2 attempts at the Knowledge Test as part of the application.

- Should an applicant fail s/he will have to wait 4 weeks before taking another test.
- A 3<sup>rd</sup> and 4<sup>th</sup> test will be permitted should the applicant require one and s/he will be charged at the fee set at the time.

- After 4 failures applicants will have to wait 6 months before taking the test again.
- A further 4 failures will result in the applicant being deemed not “fit and proper” and the application refused.

## **9. Medical Fitness Assessments**

9.1 It is essential the licensed drivers are in good health and meet the requirements of Group 2 Standards of Medical Fitness as stated by the DVLA. Licensed drivers are expected to carry passengers' luggage and shopping, will drive on the road for longer periods than most car drivers and may have to assist disabled passengers. The Council must therefore be satisfied that the applicant /licensed driver is fit enough to undertake these tasks. Any pre-existing medical condition must be disclosed and be under control to the satisfaction of a General Practitioner and the relevant Council.

9.1.2 Applicants shall submit to the Council the supplied medical form completed by their own General Practitioner or a doctor who has full access to the applicant's medical records at the time of their application. A medical examination form will be required upon first application, then at the point of renewal of a 3 year licence until the applicant reaches the age 65 when an annual medical fitness assessment is required. Where an applicant has applied for a licence at the age of 64 and turns 65 within the first year the applicant will not be required to complete another medical assessment until renewal. Where certain conditions are noted by the GP, additional medicals or an alternative frequency may be required.



9.1.3 All licence holders must advise the licensing authority within 7 working days if any pre-existing medical conditions have deteriorated or his / her health has changed in any way that may affect the licence holder's fitness to drive.

9.1.4 Where the licensing authority is in any doubt as to the medical fitness of the applicant, further medical examinations may be required to be undertaken. Any costs relating to these additional assessments shall be paid for by the applicant.

9.1.5 No medical fitness assessment form will be accepted where the person completing the form does not have access to the applicant's patient records.

## **10. Assistance Dogs**

10.1.1 All licensed drivers are under a legal duty to carry guide, hearing and any other assistance dogs in their vehicles without any additional charge to the passenger. A licensed driver may only refuse to do so where s/he has a medical exemption. A medical exemption may be granted by the licensing authority where the licensed driver has provided detailed medical evidence that shows a medical condition will be aggravated by exposure to dogs. If the medical exemption is granted the licensed driver will be issued with an exemption certificate and a notice of exemption. The notice must be displayed in the vehicle by fixing it in a prominent position facing outwards on the dashboard.

10.1.2 When hired to carry a guide dog, the owner should be asked where s/he would prefer their dog to be.

10.1.3 Most dogs are trained to lie in the front passenger foot well between the feet of their owner. If the vehicle is fitted with front and side air bags, it is essential that the dog is lying down at all times. Licensed drivers must inform the owner accordingly.

Assistance dogs are trained not to move and will not harm a licensed driver in any way.

10.1.4 If the front foot well is not large enough to accommodate the dog, the owner should be advised to travel in the rear of the vehicle with the dog in the foot well behind the front passenger seat. The seat should be pushed forward to make room for the dog.

## **11. Private Hire and Hackney Carriage Vehicle Licences**

11.1.1 The procedure for applying for a Private Hire Vehicle or Hackney Carriage Vehicle Licence is detailed in Appendix C. Only vehicles less than 6 years old will be considered for a new licence.

11.1.2 In order for an application to be considered the applicant must submit the following documentation to the Council:

- The fully completed vehicle licence application form
- Application Fee
- The original of the Vehicle Registration Document (Log Book/V5) certificate of registration for the vehicle (the new keeper's supplement section of the V5 document will be accepted in the case of vehicles that are not licensed at the time that the application is made, and the vehicle has recently been purchased by the applicant (documentary evidence will be required). Licences will not be renewed unless the full V5 document is made available to the Council at the time of application)

- The original insurance or insurance cover note for the vehicle. The document must state that the vehicle is insured for Private Hire (Hire and Reward) or Hackney (Public Hire)
- A valid MOT no older than 28 days from an approved MOT testing station within the relevant Councils area.

In addition to the above:

Incomplete application forms, incorrect fees or supporting documentation that does not conform will result in the application being rejected. Only when a complete application has been provided will the assessment process begin.

## **11.2 Grant and Renewal of Vehicle Licences**

11.2.1 All vehicles will be inspected by a licensing officer prior to a licence being issued. All vehicles should be safe and must remain safe for passengers and therefore the Council expects vehicles to be in such a condition that the inspection will be passed.

11.2.2 Vehicle licences are for a period of 1 year and will be subject to MOT testing throughout that period. Vehicles with less than 100,000 miles on the odometer will be tested every 6 months. Vehicles with more than 100,000 miles on the odometer will be tested every 4 months. The relevant dates will be printed on the licence. No reminders will be sent. There is no upper age limit for vehicle renewals however all vehicles older than 10 years will have to present a full service history from the time the applicant obtained the vehicle.

## **11.3 Insurance**

11.3.1 All insurance documents for the vehicle to be licensed must be provided with all the other relevant information at the time of application. In order to satisfy the Council that appropriate insurance is in place for the vehicle, the following is required:

- A valid Certificate of Insurance or Cover Note. This must confirm that insurance is in place for each driver of the vehicle and specify that it is covered for its use as a Hackney Carriage or Private Hire vehicle
- A Hackney Carriage vehicle requires insurance to cover public hire
- A Private Hire vehicle requires insurance to cover Private Hire and hire and reward
- A Cover Note will be accepted and the licence issued on the understanding that a certificate of insurance will be presented as soon as possible.

11.3.2 All insurance dates are noted on the Council system at the time of application and follow ups will be undertaken to ensure the vehicle is appropriately insured. Where a new insurance certificate has not been submitted to the Council for that vehicle it will be deemed to have no insurance and the licence suspended until such time as an appropriate insurance document is provided and penalty points will be issued to the licence holder.

## **11.4 Vehicle Specifications**

11.4.1 The Council have set down a number of specifications, in order to apply for a vehicle to be a licensed Private Hire or Hackney Carriage Vehicle it must comply with the specifications at the time of application.

The specifications for a Private Hire and Hackney Carriage Vehicles are detailed in Appendix C

## **11.5 Licensed Vehicle Conditions**

11.5.1 Conditions are imposed on all operator, driver and vehicle licences and the Council is empowered to impose any conditions that are considered reasonably necessary in the granting of a licence. The conditions will be attached to the licence upon issue and are detailed in Appendix C. All applicants will be expected to have read and understood these conditions, any breach in the conditions will result in penalty points being issued or the licence considered for review.

## **11.6 Identification of Vehicles as a Private Hire Vehicle or Hackney Carriage**

11.6.1 All vehicles must clearly indicate to the public that the vehicle is licensed. The public must be able to clearly distinguish the difference between a Private Hire and Hackney Carriage Vehicle. No signs, stickers or insignia shall be added/ attached to the vehicle unless in compliance with Council requirements. Permission will be required in writing. The Vehicle Licence conditions in Appendix C provide detail on the following:

- The position/location of the licence plates
- The position of permanent door signs
- Required wording for the door signs and roof lights
- Requirements to display certain notices in the vehicles

## 11.7 Tyres

11.7.1 It is essential that the tyres on all licensed vehicles are in good condition. All tyres must conform to the following requirements:

- Tyre treads are designed to efficiently and effectively remove water from the road surface and provide maximum grip. All tyres fitted to the vehicle must have at least 2.0 mm tread depth throughout a continuous band in the centre 3/4 of the tread and around the entire circumference of the tyre. (please be aware that this is a more stringent standard than the MOT test)
- Tyre fitted to a motor vehicle or trailer must be fit for purpose and be free from any defects which might damage the road or endanger any person. Fit for purpose means that a tyre must:
  - be compatible with the types of tyres 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 the 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 recommended pressure.
- All replacement tyres fitted to licensed vehicles must be new (i.e. not have been used previously on any other vehicle) and have been fitted by a reputable vehicle maintenance company/contractor. Vehicle proprietors are required to retain invoices/receipts to show that any tyre that is purchased meets this requirement.
- The fitting of part worn tyres to licensed vehicles is not permitted.
- 'Space saving' spare wheels must only be used in an emergency, and then only in accordance with the manufacturer's instructions. Should the use of a 'space saving' spare wheel become necessary during a period of hire then the journey may continue, but the wheel must be replaced before another journey commences.

## **11.8 Accidents**

11.8.1 If, at any time, a licensed vehicle is involved in any kind of accident, regardless of how minor or who was at fault, the driver must inform the Council of the accident within 72 hours of the accident; this can be done by telephone or email. An accident report form is available upon request and should be completed and submitted to the Council along with photographs of the damage within 24 hours of reporting the accident.

11.8.2 Following submission of the accident report form the Council will review and determine whether, by nature of the accident, or the stated damage caused, the vehicle must be inspected by an MOT approved garage to ensure the safety of the vehicle. If the damage (whether mechanical or cosmetic) means the vehicle is no longer fit to be licensed a Section 68 notice will be issued. The notice requires that the vehicle is repaired to the required standard within 2 months of issue.

## **11.9 Meters**

All Hackney Carriages must be fitted with an approved meter. This forms part of the vehicle test. Meters must be calibrated to the tariff set by the relevant Council.

## **11.10 Additional Provisions for Private Hire Vehicles Only**

### **11.10.1 Advertisements**

Limited advertising is allowed on a Private Hire Vehicle subject to preapproval by the Council. Advertisements must be in accordance with the requirement set out in Appendix C.

## 11.11 Additional Provisions for Hackney Carriage Vehicles Only

### 11.11.1 Hackney Carriage Wheelchair Accessibility Requirements:-

1. Wheel chair spaces requirements: 1130mm length, 690mm width, 1290mm height (min).
2. Acceptable intrusions into the wheelchair space: One or more tipping, folding or easily removed seats. Padded head and back restraint. Handrails or handholds provided that they do not extend into the wheel chair space by more than 90mm. Wheelchair restraint system and wheelchair user restraint system and appropriate anchorages and fittings.
3. Wheelchair user safety provisions: Every wheelchair space shall be fitted with a wheelchair tie-down system and a wheelchair user restraint system.
4. The vehicle must have type approval certification i.e. EU Whole Type Approval Certificate or UK Low Volume Type Approval Certificate.

### 11.12.1 Boarding Lifts and Ramps

1. Dimensions: Single piece ramp – width 700mm (min), length 1600mm (max)
2. Ramp gradients: Side entry: Kerb (125mm): 14 degs (max)
  - i. Ground: 19 degs (max)
3. Slip resistant surfaces: all surfaces over which a wheelchair user may travel shall have a slip resistant finish applied.
4. Colour contrasting edge marks: a band contrasting with the remainder of the boarding ramp surface, 45mm to 55mm in width around and abutting the edge of the ramp or lift surface.
5. Control and fail safe mechanisms or power operated equipment: power operated equipment shall only be capable of operation from a control adjacent to the ramp.
6. Load sensors and re-cycling mechanisms for power operated equipment: a device to stop the movement of the boarding ramp when motion is likely to cause injury.
7. Manual override provisions for power operated equipment: a provision to repeatedly operate the equipment in the event of power failure shall be provided.



8. Manual/portable ramp: Such ramps must have a designated stowage location which can store the equipment such that it does not present a risk of injury.

#### Entrances and Exits

1. Number and position: a minimum of 1 located on the nearside
2. Minimum doorway width: 740mm
3. Minimum doorway height: 1230mm

#### 11.13.1 Taxi Ranks

A list of Taxi Ranks will be made available on request.

Private Hire Vehicles are not permitted to park on Taxi Ranks. Private Hire Vehicles are not permitted to pick up or set down passengers on a Taxi Rank. Where Private Hire drivers are found to be using a Taxi Rank penalty points may be issued.

## **12. Executive Hire (discreet plates)**

- 12.1 Any vehicle proposed to be used for Executive Hire must be licensed as a Private Hire Vehicle. Vehicles used for this purpose must meet the requirements for Private Hire Vehicles. An application for a discreet plate must be made and approved by the Council. A discreet plate means that the vehicle does not need to display the same number of signs that a standard vehicle is required to do. However, these vehicles must display a plate issued by the Council, which states details of the vehicle, issue date and the number of persons allowed to be carried. This plate must be displayed in the front window of the vehicle. Licences will be conditioned to reflect any restrictions the Council feels necessary.

12.1.2 Drivers of Executive Vehicles must complete the licensing application process in the same way as any other licensed driver.

12.1.3 Vehicles with discreet plates must never be used for day to day Private Hire work.

12.1.4 Applicants wishing to apply for a discreet plate must satisfy the following Council requirements;

- a) Vehicles accepted include luxury brands such as Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley and Lexus. The highest specification executive type cars from other manufacturers may also be considered. American style stretched vehicles will normally qualify for discreet plates.
- b) The vehicle must be in immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.
- c) The type of work undertaken is 'executive' in nature. This would mean that the vehicle is used specifically for clients that for security reasons would not want the vehicle to be identifiable. Documentary evidence of contracts will be required.

Application for exemption will be made to the Licensing Authority in writing by a person holding a Private Hire operator's licence issued by the Council. The application must be accompanied by documentation to evidence compliance with point a) and c).

Provided that conditions a) and c) are satisfactorily met, an appropriate appointment will be made to inspect the vehicle to satisfy the requirement of clause b).

If all points above are satisfied discreet plates will be issued.

## **13. Private Hire Vehicle Operators**

13.1.1 The Private Hire Vehicle Operator is responsible for all persons employed, sub-contracted or used in the course of the Private

Hire Vehicle business. The operator must undertake sufficient checks so as to be satisfied that only suitable drivers are used (and continue to be used) in the course of the business.

13.1.2 The Private Hire Vehicle Operator licence is not transferable and the person to whom it is issued must display it in a prominent position at each business premises recorded on the licence. The licence must be displayed at all times during the currency of the licence, so as to be on view to members of the public, except on such occasions as the licence is presented to the Council for amendment or if it is required to be produced for inspection by an Authorised Licensing Officer of the Council or a Police Officer.

13.1.3 A separate licence will be issued in respect of each approved secondary booking office if applicable.

## **13.2 Requirement for a Private Hire Vehicle Operator Licence**

13.2.1 A licensed Private Hire Vehicle can only be despatched to a customer by a licensed Private Hire Vehicle Operator. The operator licence requires the operator to ensure all its Private Hire Vehicle drivers are licensed by the same Council along with their vehicles.

13.2.2 A Private Hire Vehicle operator may sub contract work to operators licensed in other districts if unable to fulfil a booking with its own licensed drivers. Accurate records of any sub-contracting must be kept by the operator and be available for inspection on request. A Private Hire Vehicle operator can also despatch work to any Hackney Carriage. South Northants and Cherwell District Council licensed operators will only be able to use Hackney

Carriage drivers who have undertaken recognised Safeguarding training.

13.2.3 Applications for a Private Hire Vehicle operator licence must be made on the Council application form, with the appropriate fee and the applicant must undergo a Basic Disclosure Barring Service check if not already a licensed driver within the Council area. The Council will then decide whether the applicant is a fit and proper person to hold an operator licence. The Council will grant operator licences for a period of 5 years. A licence will only be granted for less than 5 years in exceptional circumstances.

### **13.3 Fitness and propriety**

13.3.1 Applications will only be granted where the Council is satisfied that the applicant is a fit and proper person to hold a Private Hire Vehicle Operator licence. In order to determine the applicant's fitness the following will be considered:

- Criminal record (including convictions, cautions, warnings and reprimands),
- Factors such as demeanour, general character, non-criminal behaviour, honesty and integrity,
- Previous conduct (particularly in cases where the applicant holds or has previously held a licence issued by either Council),
- Business practices demonstrated by the applicant (for example standard of record keeping, compliance with other regulatory requirements, financial practices etc.)

13.3.2 In addition the Council will also consider further information sources such as the Police (including abduction notices), Children and Adult Safeguarding Boards, other licensing authorities and statutory agencies.

13.3.3 If an application is received from a person that is not a driver licensed by the Council the applicant will be required to provide a Basic Disclosure from the Disclosure and Barring Service.

#### **13.4 Insurance**

13.4.1 Every operator shall put in place Public Liability Insurance for the premises that are to be licensed. Where the operators directly employ the licensed taxi drivers Employer's Liability Insurance must also be in place. Evidence of these insurances should be provided as part of the application.

#### **13.5 Conditions**

13.5.1 The Council has the power to impose conditions on an operator's licence and will do so upon issue. A copy of the operator conditions are provided in Appendix D.

13.5.2 Additional conditions may be added to a licence when it is deemed necessary by the Council. Failure of the operator to adhere to the conditions of the licence will lead to enforcement action which may include the issuing of penalty points, suspension or revocation of the licence or prosecution.

#### **13.6 Operator responsibility**

The Council expects licensed operators to work with the Council and to support the aim of improving safety and safeguarding. Operators must alert the Council to any concerns as to public

safety or safeguarding and failure to do so will call into question the fitness and propriety of the operator to hold a licence.

## **14. Driver, Vehicle and Operator Licence Conditions and Application Process**

14.1 Conditions are attached at the time of the issuing of the relevant licence. These conditions are available to view in Appendix D and are sent out with the application packs. Applicants and licence holders must be aware of these conditions and adhere to them at all times throughout the duration of the licence.

Failure to do so may result in penalty points being issued which could result in the suspension or revocation of the licence.

14.2 The application process for driver, vehicle and operator licences can be found in Appendices B, C and D respectively.

## **15. Enforcement, Compliance and Complaints**

**Need to cover sharing information and data protection act – authorisation and scheme of delegation should be covered here**

15.1 The purpose of licensing the taxi trade is to protect the public and promote public safety. The Council will utilise all legislative powers available to ensure the public are protected. The Council has an overarching Enforcement Policy to ensure that enforcement is efficient, targeted, proportionate and transparent. The Enforcement Policy is available on the Council's website.

### **15.2 Enforcement Penalty Points**

15.2.1 The Council operates a penalty point Scheme.

Where breaches of the terms and conditions of any licence (drivers, vehicle or operator) are determined by the Council, penalty points may be issued. Details of the penalty points scheme can be found in Appendix E.

15.2.2 The Scheme is a way of formalising warnings being issued to licence holders. Every licence holder will know what penalty points are attributed to the different types of breaches. Greater penalty points are issued for the condition breaches that are the most serious.

15.2.3 The penalty points are issued per incident and are cumulative. If one incident has resulted in several breaches of the licence conditions the points issued may reach a trigger level that would require further action against the licence. This could result in suspension or revocation of the licence.

15.2.4 All Authorised Licensing Officers are authorised to operate the scheme and issue points accordingly.

### **15.3 Suspension or Revocation of a Licence**

15.3.1 Where a vehicle fails to meet the licence conditions determined by an Authorised Licensing Officer, action may be taken to suspend the licence until the vehicle meets the required standard

15.3.2 A Section 68 Notice may be served suspending the use of the vehicle until the defects are remedied. The suspension will only be lifted once the vehicle has been inspected by an Authorised Licensing Officer. A Section 68 Notice may also result in Penalty Points being issued.

15.3.3 In situations where a serious risk to the safety of the public is known, under delegated powers an Authorised Licensing Officer is permitted to suspend the licence of a driver, vehicle or operator.

15.3.4 The Council does not suspend or revoke licences lightly but will not hesitate to do so if it is felt it is necessary for the protection of the public.

#### **15.4 Refusal to Renew a Licence**

15.4.1 Any renewal application where new criminal convictions are shown on the DBS or there are any other concerns may result in that application being refused.

15.4.2 A person whose licence renewal application is refused may appeal such a decision to the Magistrates' Court.

15.4.3 Where an applicant has failed to provide all relevant information or documentation; or has failed to comply with any of the requirements needed to renew a licence, the application and renewal of the licence may be refused.

#### **15.5 Prosecution of Licence Holders**

15.5.1 The Council may prosecute licence holders for relevant offences in accordance with the Council Enforcement Policy.



## **15.6 Appeals**

15.6.1 Information on any right of appeal will be issued when a decision is made on any enforcement action.

## **15.7 Service Requests and Complaints**

15.7.1 The Council has a duty to investigate complaints made by members of the public or partner agencies and any such complaint will be logged as a service request and investigated.

15.7.2 In determining the most appropriate course of action the Council will have regard to the evidence collated, the credibility of both the licence holder and the complainant.

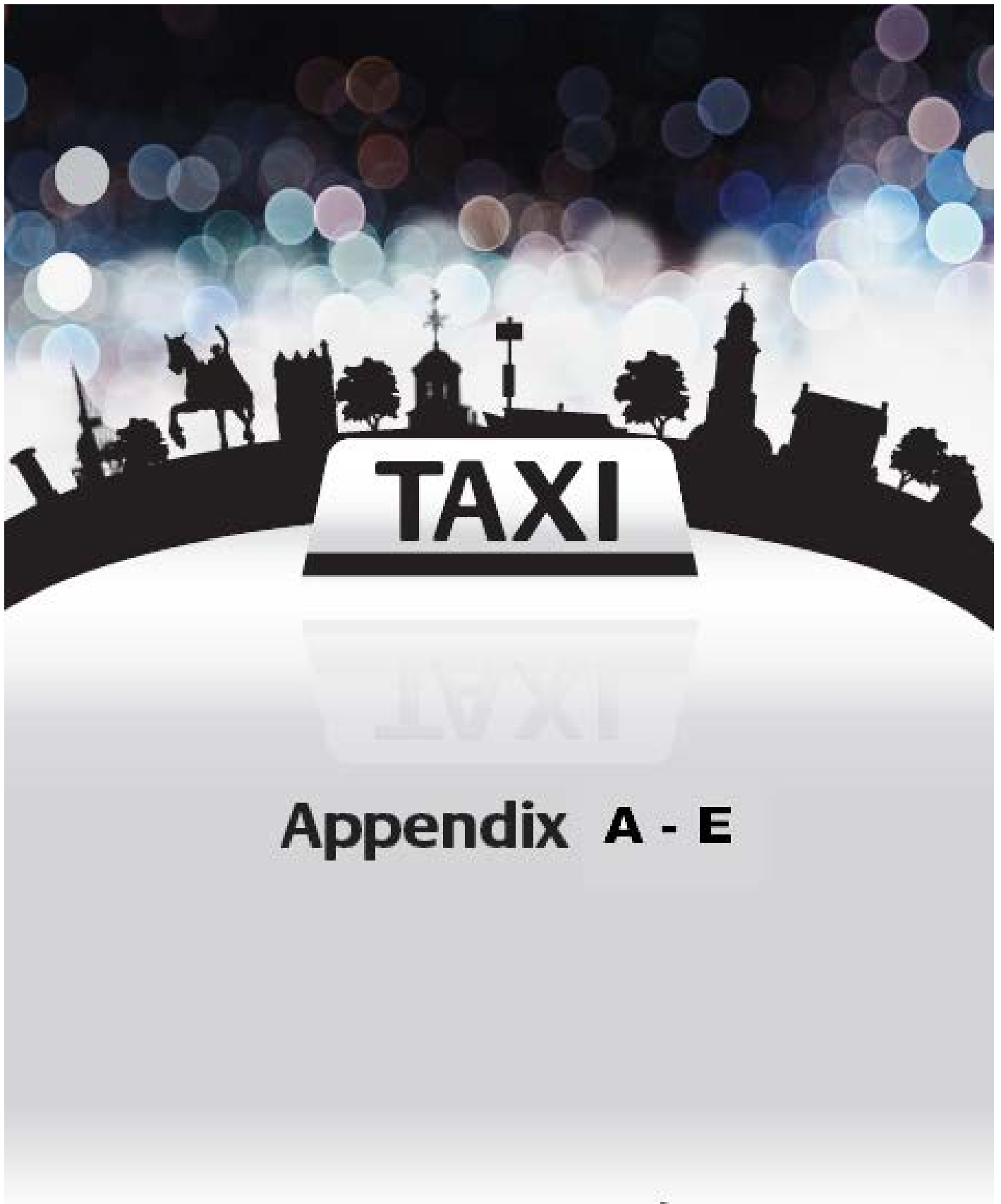
15.7.3 The Council operates a complaints process should any person be unhappy with the service received from the Council. Details can be found on the Council website;

South Northamptonshire Council

<http://www.southnorthants.gov.uk/complaints-and-comments.htm> a

Cherwell District Council

<http://www.cherwell.gov.uk/index.cfm?articleid=3985>



## Appendix A - E

## **Appendices**

**Appendix A – Criminal Records Policy**

**Appendix B – Driver Application Process and Conditions**

**Appendix C – Vehicle Application Process and Conditions**

**Appendix D – Operator Application Process and Conditions**

**Appendix E – Hackney Carriage and Private Hire Driver Penalty Points Scheme**

# Criminal Records Policy

## Contents

- 1) Introduction
- 2) Scope
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- 4) General Policy
- 5) Serious Offences Involving Violence
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- 10) Other Traffic Offences
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- 16) Summary

## 1. Introduction

- 1.1 Cherwell District and South Northamptonshire Councils are responsible for issuing Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976 and therefore must ensure, to the best of their abilities, that those who are granted a licence are 'fit and proper'. In undertaking this duty the Council's primary concerns are protecting public safety.

## 2. Scope

- 2.1 This policy provides guidance for licence applicants on what is taken into account when determining if an applicant is a 'fit and proper' person to hold a licence. This policy relates to any application regardless of whether it is a new or a renewal application. Whilst criminal convictions will play a large part in the determination of the application other information relating to the applicant's honesty and integrity, driving ability and information provided by the Police or any other body will also be taken into account.
- 2.2 This policy mainly relates to the determination of a driver licence application/ renewal however its principles are equally applicable in the determination of a Hackney Carriage/ Private Hire Vehicle licence and a Private Hire Vehicle Operator licence. Therefore when a conviction is noted on any application form and is considered relevant in determining if an applicant is 'fit and proper' this policy will be referred to in order to assist the determination of the application.
- 2.3 This policy applies from the date of publication to all current licences and to all new licence and renewal applications after the publication date.

## 3. Background

- 3.1 In order to protect public safety the Council is mindful of the following:
- That a person is a **fit and proper** person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II)
  - That the person does not pose a threat to the public

- That the public are safeguarded from dishonest persons
- The safety of children, young persons and vulnerable adults

3.2 There is no strict legal definition for what constitutes a 'fit and proper person' and it will be in the opinion of the Council as to whether or not an applicant is a 'fit and proper' person.

3.3 To assist in determining whether an applicant is a 'fit and proper' person to hold a licence the Council will undertake any checks deemed necessary and will take every step to ensure that licences are not issued to or used by unsuitable people. The Council will take the following into consideration:

- Criminality – details provided from the Disclosure Barring Service (DBS) Certificate or intelligence from the Police
  - Period of holding a DVLA driver's licence – An applicant who has not held their licence for at least one year will not be eligible to apply for a licence
  - Number of endorsed driving licence penalty points – as detailed in the DVLA licence check
  - Right to work – Evidence that the applicant is eligible to work in the UK must be provided within the application. If the leave to work is less than the drivers licence (3 years) the licence will only be issued for the same period however the fee remains the same.
  - Medical fitness – A completed medical must be provided with the application by a doctor who has full access to the applicant's medical records and history. If we are not satisfied with the medical submitted further assessments may be required
  - The Standard of verbal and written English
  - The Standard of driving/driving ability
  - General conduct/standards of behaviour (including online activity)
  - The conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process) – For example, where an applicant has not disclosed all criminal convictions on the application form as requested but the DBS Certificate details convictions this will be considered to be dishonest and the application may not be looked on favourably
  - The previous licensing history of existing/former licence holders – including information sought from neighbouring authorities that the applicant may have previously worked in
  - Knowledge and understanding of requirements of a licenced driver
  - Or anything else that may bring into doubt the applicants suitability to hold a licence
- **To ask the question “Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”**

- 3.4 The Council may also take into account information and intelligence provided by other agencies including, but not limited to, the Police, Immigration Services, Children and Adult Safeguarding Teams.
- 3.5 This policy is a guide for applicants, Council officers and members, however, it is not possible to detail every possible situation and every application is dealt with on a case by case basis. If exceptional circumstances dictate, it may be necessary for the Council to depart from the policy and the Council reserves the right to do so.
- 3.6 For the avoidance of doubt, where it is detailed in this policy that a specified period of time from conviction is required to elapse before an application will be considered, the date of conviction is the date upon which an applicant pleads guilty or is found guilty. Where it is detailed in this policy that a specified period of time from the completion of sentence/ licence period is required to elapse before an application will be considered, the completion of sentence is the date upon which an applicant's sentence, including any licence period, is completed.
- 3.7 The Council reserves the right to review and if necessary reverse any previous decisions if information comes to light that identifies that the initial decision as being was incorrect.

#### **4. General Policy**

- 4.1.1 A previous conviction is not an automatic bar to an applicant being granted a licence. The criteria set out below (4.2.3) will be considered and an applicant with a previous conviction will be expected to:-
1. Have remained free of further conviction for a specified period of time; and
  2. Provide evidence that s/he is a fit and proper person to hold a licence. It is the applicant's responsibility to produce any evidence s/he thinks relevant to assist in the determination of his/ her 'fit and proper' status. Simply remaining free from convictions is not necessarily enough to demonstrate that an applicant is fit and proper, particularly in light of evidence of poor driving or where the behaviour of the applicant has been called into question.
- 4.1.2 The criteria set out below (4.2.3) would normally be applied in the determination of all applications. The Council may depart from this policy where required to do so by exceptional circumstances. The otherwise good character and driving record of the applicant or licence holder will not ordinarily be considered as exceptional circumstances.

4.1.3 Applicants must include on the application form all details of:-

- Any arrest or request to voluntarily attend a police station for interview or formal questioning;
- Convictions, cautions, binding overs, reprimands or final warnings;
- Being charged with an offence or summonsed to court;
- Issued with a Fixed Penalty Notice;
- DVLA driving licence endorsements;
- Civil proceedings, orders or injunctions.

## 4.2 Appeals

4.2.1 Any applicant refused a driver or operator licence, or who has a licence suspended or revoked on the grounds that the Council is not satisfied that the applicant is a fit and proper person to hold such a licence has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, S 77 (1)].

## 4.3 Powers

4.3.1 **Section 61 of the Local Government Miscellaneous Provisions Act 1976:** Allows the Council to suspend, revoke or refuse to renew a licence if the applicant licence holder has been convicted of an offence involving dishonesty; indecency; violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

4.3.2 **The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975:** Allows the Council to take into account all convictions recorded against an applicant or licence holder whether 'spent' or not. The Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Applicants need to be aware that, in accordance with this Act, all convictions, cautions, warnings and reprimands must be declared. The time periods post-conviction referred to later in this policy are guidelines only. For example being 10 years clear of an arson offence will not mean a licence will be automatically granted.



#### 4.3.3 Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976:

The Councils are required to ensure that an applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver licence or Operator Licence is a “fit and proper” person to hold such a licence. However, if an applicant has any convictions, cautions, warnings, charges awaiting trial or on-going investigations, the Council will consider:

- How relevant the offence(s) are to the licence being applied for
- How serious the offence(s) were
- When the offence(s) were committed
- The date of the conviction, warning, caution etc.
- Circumstances of the individual concerned
- Any sentence imposed by the court
- The applicant’s age at the time of offence/incident leading to the conviction, warning, caution etc.
- Whether the conviction, caution, warning etc. forms part of a pattern of offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant, for example:
  - The previous conduct of an existing or former licence holder,
  - Whether the applicant has intentionally, knowingly or recklessly misled the Council or lied as part of the application process,
  - Information provided by other agencies/Council departments.

4.3.4 In accordance with the conditions attached to the licence, existing holders of a driver licence or operator licence are required to notify the licensing department of the Council in writing, by letter or email within 7 days of his/ her being:-

- Arrested or requested to voluntarily attend a police station for interview or formal questioning;
- Administered with a caution, binding over, reprimand or final warning;
- Charged with an offence or summonsed to court;
- Convicted of an offence;
- Issued with a Fixed Penalty Notice;
- Receiving a DVLA driving licence endorsement;
- The subject of any civil proceedings, orders or injunctions.

4.3.5 All drivers will have an enhanced Disclosure Barring Service (DBS) check undertaken at the time of application. All new and renewal applicants must attend the Council Offices for the DBS check to be completed. Once the certificate has been received by the applicant the applicant must sign up to the DBS Online Update Service within 19 days of the certificate issue. The costs of all DBS checks are the responsibility of the applicant. The DBS Online Update Service is a less expensive service that ensures a quicker turnaround of the certificate; the fee for the service must be paid on an annual basis by the applicant. The applicant must sign up to the service before the licence is issued as it is a condition

of the licence that the applicant / licence holder has signed up, and remains signed up to the service.

- 4.3.6 Information as to the suitability of the applicant may be sought from any external organisations. The Common Law Disclosure Policy used by all Police forces may result in receiving information which calls into question the suitability of the applicant. Such information may be provided to the Council at the point of application or throughout the duration of the licence.
- 4.3.7 It is an offence for any person to intentionally, knowingly or recklessly make a false declaration, or to omit any material particular in giving information required by way of the application for a licence (s57 Local Government (Miscellaneous Provisions) Act 1976). Where an applicant has made a false statement or a false declaration on the application for the grant or renewal of a licence, the licence will normally be refused.
- 4.3.8 Any offences or behaviour not stated in this Policy will not prevent the Council from taking into account those offences or behaviours.

#### **4.4 Options when Determining an Application and Reviewing a Licence**

- 4.4.1 When determining an application or reviewing an existing licence the Council has the following options:
- approve the application or take no further action
  - refuse the application/ revoke the licence/ suspend the licence
  - issue a warning which may include the use of enforcement penalty points

### **5. Serious Offences Involving Violence**

- 5.1 Licenced drivers have close regular contact with the public. Serious consideration will be given to applicants and licence holders convicted of offences of violence. No application will be granted and an existing licence revoked where a conviction offence has resulted in a loss of life.

5.2 A licence application will be refused or an existing licence revoked where the applicant / licence holder has a conviction or is convicted of any of the following offences:

- Murder
- Rape
- Offences related to Child Sexual Exploitation
- Manslaughter
- Manslaughter or Culpable Homicide while Driving
- Offences related to Child Sexual Exploitation
- Terrorism
- Any offences (including attempted or conspiracy to commit offences) that are similar to those above.

5.3 Consideration will only be given to the granting of a licence if at least 10 years have passed since the completion of any sentence and/ or licence period following conviction the following offences:-

- Arson
- Malicious wounding
- Actual bodily harm
- Grievous bodily harm
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Violent disorder
- Resisting arrest
- Any racially-aggravated offence against a person or property
- Common assault
- Affray
- Any offence that may be categorised as domestic violence
- Any Public Order Act 1986 offence (harassment, alarm or distress, intentional harassment or fear of provocation of violence)
- Any offence (including attempted or conspiracy to commit offences) that are similar to those above.

A licence application will be refused if the applicant has more than one conviction for an offence of violence, irrespective of the dates of conviction.

An existing licence will ordinarily be revoked if the licence holder is convicted of an offence of violence

5.4 Consideration may only be given to the granting a licence if at least 5 years have passed since the completion of sentence and/ or licence period following conviction for an offence shown below:

- Obstruction
- Criminal damage
- Any offence (including attempted or conspiracy to commit offences) that are similar to those above.

## **5.2 Possession of a Weapon**

5.2.1 If an applicant or licence holder has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the applicant/ licence holder is a fit and proper person to hold such a licence. At least 3 years must have passed since the completion of the sentence/ and or licence period, before a licence is granted.

## **6. Sexual and Indecency Offences**

6.1 Licenced drivers often carry unaccompanied and vulnerable passengers; the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences will be considered as serious. Convictions for sexual or indecency offences will result in the refusal of an application or revocation of an existing licence. Such offences include:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Trafficking, sexual abuse against children and/or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003)
- Making or distributing obscene material
- Possession of indecent photographs depicting child pornography
- Sexual assault
- Indecent assault
- Exploitation of prostitution
- Soliciting (kerb crawling)
- Grooming
- Making obscene/indecent telephone calls
- Indecent exposure

- Any similar offence (including attempted or conspiracy to commit) offences which replace the above

6.2 In addition to the above the Council will not grant a licence to any applicant who is currently on the Sex Offenders Register or any other similar register.

## **7. Dishonesty**

7.1 A licenced Hackney Carriage/Private Hire Vehicle driver is expected to be trustworthy. In the course of their working duties a Hackney Carriage/ Private Hire Vehicle driver will deal with cash transactions and valuable property may be left in their vehicles. Drivers will also deal with passengers who are vulnerable or intoxicated and potentially easily confused. For these reasons, a serious view is taken of any conviction involving dishonesty.

7.2 In general, a minimum period of 5 years free of conviction or at least 5 years have passed since the completion of sentence/ and or licence period should be required before granting a licence to an applicant convicted of a dishonesty offence. Offences involving dishonesty include:

- Theft
- Burglary
- Fraud
- Benefit fraud
- Handling or receiving stolen goods
- Forgery
- Obtaining money or property by deception
- Other deception
- Taking a vehicle without consent
- Or any similar offence (including attempted or conspiracy to commit) offences which replace the above

7.3 An existing licence will ordinarily be revoked if the licence holder is convicted of an offence of dishonesty.

## **8. Alcohol and Drugs**

- 8.1 A serious view is taken of any drug related offence. Taking drugs and driving poses an obvious risk to public safety. Whilst applicants who have convictions for the supply of drugs should also be treated with considerable concern, the nature and quantity of the drugs, whether for personal use or supply are issues which will be considered carefully.
- 8.2 Hackney Carriage / Private Hire Vehicle drivers are professional, vocational drivers and a serious view is taken by the Council of convictions for driving, or being in charge of a vehicle while under the influence of alcohol or drugs. More than one conviction for an alcohol or drug related offence raises significant doubts as to the fitness of an applicant / driver to drive the public. At least 5 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be granted. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be granted.
- 8.3 A licence will not be granted where the applicant has a conviction for an offence related to the supply of drugs and a current licence will be revoked, because of the nature of a driver's involvement with the public.
- 8.4 A licence will not be granted where the applicant has a conviction for offences related to the possession of illegal/controlled drugs until at least 5 years have passed since the completion of any sentence and/ or licence period, and only then after full consideration of the nature of the offence and the quantity/type of drugs involved.
- 8.5 If there is evidence of persistent alcohol or drugs use, misuse or dependency, a specialist medical examination (in accordance with DVLA Group 2 medical standards) and a satisfactory medical report may be required before the licence is granted. If the applicant is a recovering addict evidence will be required to show 5 years free from alcohol / drug use after detoxification treatment is required.

## **9. Driving Offences involving the Loss of Life**

9.1 A very serious view is to be taken of any applicant or licenced driver convicted of a driving offence that resulted in the loss of life. A Hackney Carriage / Private Hire Vehicle driver licence will be refused or revoked if the applicant / licenced driver has a conviction for:

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

## **10. Other Traffic Offences**

10.1 Traffic offences such as obstruction, some speeding offences (usually dealt with by means of a fixed penalty), pedestrian crossing offences, traffic light offences, waiting in a restricted area, or offences of a similar nature may not ordinarily merit the refusal of an application, but the application will be subject to consideration as part of the Council's Penalty Points Scheme. However, if an applicant has more than 6 points or 6 points for a singular offence the application will be refused. If a licenced driver totals up more than 6 DVLA points or has his/ her licence endorsed with 6 DVLA points for a singular offence, the licence will be revoked. Hackney Carriage / Private Hire Vehicle drivers are professional drivers and the Council expects such drivers to maintain the highest standards of driving.

10.2 Traffic offences such as driving without due care and attention, reckless driving, more serious speeding offences (usually dealt with by a court rather than a fixed penalty), or offences of a similar nature will give rise to serious doubts about the applicant's suitability to be a driving professional. An applicant with any such convictions will be required to show a period of at least one year free of such convictions. For applicants with more than one offence this should normally be increased to two years.

10.3 Where the courts have imposed a disqualification in respect of the DVLA driving licence, the periods stated above should normally commence from the date of the restoration of the licence.

10.4 A list of all DVLA offence codes can be found here: <https://www.gov.uk/penalty-points-endorsements/endorsement-codes-and-penalty-points>

## **11. Outstanding Charges or Summonses**

- 11.1 If an applicant is the subject of an outstanding charge or summons his/ her application may be suspended until the matter is resolved. If an existing licence holder is subject to an outstanding charge or summons his/ her licence may be suspended or revoked dependant on the information available. Such a decision will be made on a case by case basis.

## **12. Non-Conviction Information**

- 12.1 The Council will also take into account situations and circumstances that have not resulted in a prosecution or conviction. This may include acquittals, circumstances in which convictions were quashed due to misdirection by the court, circumstances where the decision was taken not to prosecute, situations where the applicant or licence holder has been arrested and bailed but not yet charged, and complaints from the public. In considering the most appropriate action to take in relation to non-conviction information (or a complaint), the credibility of the witness/ complainant and the licence holder will also be taken into account.
- 12.2 If an applicant has been arrested or charged, but not prosecuted or convicted, in relation to a serious offence which calls into question his/ her fit and proper status, serious consideration will be given to refusing the application. An existing licence holder in the same situation is subject to the same. His/ her licence may be suspended or revoked dependant on the information available. Such offences include violent and/ or sexual offences of dishonesty and drug related offences.
- 12.3 In assessing the action to take, the safety of the travelling public will be the overriding consideration.

## **13. Licensing Offences**

- 13.1 Certain offences under the Hackney Carriage / Private Hire Vehicle licensing legislation such as plying for hire, overcharging (Hackney Carriages), refusing to carry disabled persons or assistance dogs (in the absence of the requisite exemption) will prevent a licence being granted. An existing licence holder should expect his/ her licence to be



revoked following a conviction for a licensing offence. In such circumstances a licence will not be granted until a period of 3 years has passed since the date of conviction.

#### **14. Insurance Offences**

- 14.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily prevent a licence being granted provided the applicant has been free of conviction for 3 years; however strict warning should be given as to future behaviour. More than one conviction for these offences will prevent a licence being granted or renewed. If the second conviction occurs whilst a licence is held that licence will be revoked.
- 14.2 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will have an Operator licence revoked immediately and will not be permitted to hold a licence for a period of at least three years from the date of conviction.

#### **15. Applicants with Periods of Residency outside the UK**

- 15.1 If an applicant has spent 6 continuous months or more overseas (since the age of 16) the Council will expect to see evidence of a criminal record check from the Country/Countries visited covering the 6 month period.
- 15.2 Due to the potential lifetime relevance for some of the most serious offences mentioned in this policy, the Council will need to ensure that sufficient background checks are conducted for those applicants who have lived overseas. For EU nationals a disclosure that is similar to the UK DBS will be required; for those Countries for which checks are not available, the Council will require a Certificate of Good Conduct authenticated by the relevant Embassy.

#### **16. Summary**

- 16.1 A previous conviction will not always automatically result in the refusal of a licence and a conviction obtained during the period of a licence will not always automatically result in the revocation of an existing licence. In most cases, an applicant or licence holder whose licence has been revoked as a result of a conviction would be expected to have remained free from conviction for 3 to 10 years (depending on the offence committed

before an application is likely to be successful. If there is any doubt about the suitability of an individual to be a licence holder, the Council's primary consideration is the need to protect the public.

- 16.2 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licenced. A series of convictions over a period of time is more likely to give cause for concern than an isolated conviction, but in all case the protection of the public is the Council's primary consideration.
- 16.3 A suspension or revocation of the licence of an existing licence holder takes effect at the end of the period of 21 days beginning with the day on which notice is given to the licence holder. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the licence holder includes such a statement and explanation,, the suspension or revocation takes effect when the notice is given to the driver [s61(2B) of the Local Government (Miscellaneous Provisions) Act 1976].

# Driver Application Process and Conditions

## The Application Process

If you are a new driver wishing to apply for a driver's licence for a Hackney Carriage/Private Hire Vehicle please visit [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk) or [www.southnorthants.gov.uk](http://www.southnorthants.gov.uk) to download an application form. Alternatively you can email [licensing@cherwell-dc.uk](mailto:licensing@cherwell-dc.uk) or [licensing@southnorthants.gov.uk](mailto:licensing@southnorthants.gov.uk) to request a copy be emailed to you.

If you are already a driver and your licence is due for renewal, your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is your responsibility to apply to renew your licence in time.

You must complete all sections of the application form. It is important to note that the following matters must be disclosed on the application form, irrespective of the age of the matter:-

- Arrests and/ or voluntary attendances at police station for interview or formal questioning;
- Convictions, cautions, binding overs, reprimands or final warnings;
- Charges awaiting trial;
- Summons to court;
- Fixed Penalty Notices
- DVLA driving licence endorsements;
- Civil proceedings, orders or injunctions.

The Council is seeking to ensure the honesty and integrity of the Hackney Carriage / Private Hire Vehicle drivers it licences and will not look favourably at an application where offences have not been detailed on an application form, but appear on the Disclosure Barring Service Certificate, or if the Council receives information from other agencies which should have been disclosed on the application form.

If you have spent six months or more continuously outside the UK evidence of a criminal record check from the Country/Countries visited covering the duration overseas will be required. For stays longer than 6 months outside of the European Union a certificate of good conduct is required to be authenticated by the relevant embassy. If the applicant has resided in this country for less than 5 years a Certificate of Good Conduct is required from either the local Police from where they lived or the Embassy of that country where they resided previously. This also applies to overseas stays of 6 months more during that 5 year period.

All applicants must provide evidence of their right to work in the UK. This is required for the first application and all renewals.

The list below states what evidence needs to be provided to prove the applicant has a right to work in the UK, this list is not exhaustive and other documents may be accepted (please follow this link; <https://www.gov.uk/government/organisations/uk-visas-and-immigration>), however this must be discussed with the Council in advance of the application being submitted. Any issues with the documentation provided may result in a delay in issuing the licence or renewal of an existing licence.

- A UK passport confirming that the holder is a British Citizen (or citizen of another EEA country – including Switzerland),
- Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment,
- Full UK Birth/Adoption Certificate,
- An Immigration Document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment,
- A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment. You must make an appointment to attend the Council Offices with your completed application and supporting documentation.

During your appointment your application and supporting documentation will be reviewed. Your DVLA record will be checked online and your Disclosure Barring Service (DBS) application form checked to ensure it has been completed correctly. For licence renewals a check of the DBS Online Update Service will be undertaken if you have brought your current certificate to your appointment. If you have not signed up to the DBS Online Update Service your application may be delayed or refused.

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. An application will be progressed until:

- The application is completed in full
- Group 2 Medical form completed by a doctor with access to your patient records
- Payment for the application has been made
- All supporting documents required have been seen and photocopied (including 2 passport photographs)
- The Disclosure Barring Service application has been completed
- Council approved safeguarding training has been undertaken

- A Council approved Spoken English qualification has been produced
- A Council approved driving qualification has been produced
- Topographical Knowledge Test

If you have any offences on your application form or Disclosure Barring Service (DBS) Certificate the Council will refer to the Criminal Convictions Policy (see appendix A) in determining your application.

Once your DBS Certificate has been posted to you, you must apply to the DBS Online Update Service as part of the terms and conditions of your licence within 19 days of the certificate being issued. This ensures that your criminal record can be checked throughout the duration of your licence and enables a faster licence renewal application process at a lower cost. The licence fee for your application/renewal is in addition to this fee. To register your Certificate visit: [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service).

All driver licences will be issued for a period of three years unless otherwise determined by the Council. All licences will be a joint Hackney Carriage/ Private Hire Vehicle driver licence.

All applications for a Hackney Carriage / Private Hire Vehicle drivers licence are to be made on the Council's official form and must be submitted together with all necessary documentation.

Licence applications will be determined by an Authorised Licensing Officer.

## **Driver Licence Conditions**

### **1. Driver Badge/Licence**

- 1.1 The driver must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council in a prominent visible place on the outer clothing. The badge must be clearly visible to passengers and made available on request.
- 1.2 The driver's badge remains the property of the Council. The badge must be returned to the Council immediately if the licence is suspended or revoked. Upon expiry the badge must be returned to the Council within 7 days.
- 1.3 The driver of a Hackney Carriage / Private Hire Vehicle /shall submit the original Private Hire Vehicle Driver's licence to his/ her employer (Private Hire Vehicle Operator) before commencing employment as a driver of Private Hire Vehicle. The employer (Private Hire Vehicle Operator) shall retain the original Private Hire Vehicle Driver's licence until such time as the driver ceases to be so employed.

- 1.4 Hackney Carriage and Private Hire Vehicles shall not be driven by unlicensed drivers under any circumstances.

## **2. Conduct of Driver**

- 2.1 The driver of a Hackney Carriage/Private Hire Vehicle shall at all times when the vehicle is being driven for hire be clean and smartly dressed.
- 2.2 The driver shall not at any time behave in an abusive, aggressive or threatening manner to any passenger, officer of the Council or any officer authorised by the Council.
- 2.3 Drivers of Private Hire Vehicles shall not ply the street for hire nor shall s/he use Hackney Carriage stands (taxi ranks)
- 2.4 Drivers must at all times when working with vulnerable passengers comply with the below detailed safeguarding principles:-

A vulnerable passenger is a passenger whose age or disability means that s/he is more susceptible to harm than a typical passenger. Vulnerable passengers include children, elderly persons or somebody with learning difficulties. In addition, an individual should be considered vulnerable if she does not fall within one of the above categories, but whose condition is such as to render him/ her more susceptible to harm than may otherwise be the case (for example as a result of being under the influence of alcohol).

The following safeguarding principles aim to promote good safeguarding practice for drivers and staff working with vulnerable passengers in the Hackney Carriage or Private Hire trade. The following safeguarding principles must be complied with and embedded into driver working practice:

- Drivers must carry photo ID at all times and wear it in accordance with the conditions of the licence.
- A lone vulnerable passenger must not be transported in the front passenger seat of the vehicle.
- The driver/operator must confirm that appropriate provision has been made for the vulnerable person prior to accepting the booking or commencing the journey. This does not necessarily mean that the driver/operator is responsible for the provision of appropriate measures, however if appropriate measures are not in place then the driver/operator must not undertake the journey.
- Drivers should always ask if a vulnerable passenger needs help and should not make assumptions.

- Drivers must remain professional at all times and should not:
    - Touch a person inappropriately
    - Make offensive or inappropriate comments (such as the use of swearing, sexualised or discriminatory language)
    - Behave in a way that may make a passenger feel intimidated or threatened
    - Attempt to misuse personal details obtained via the business about a person; these standards are equally applicable when working with vulnerable and non-vulnerable passengers.
  
  - Drivers and operators must remain alert to issues around the safeguarding of children and vulnerable adults. Drivers should ensure that children and vulnerable adults leave the vehicle directly onto the kerb and immediately outside their destination (if it is safe and legal to do so). If a driver/operator is concerned about the safety, welfare or behaviour of a vulnerable person, the driver must report this to the police by telephoning 101 (or in appropriate cases by calling 999).
  
  - If a driver/operator is concerned about someone else's conduct, they should report any concerns to the Council's Licensing Department; South Northants Council 01327 322278 and Cherwell District Council 01295 753744, Police (101) or Crimestoppers (0800 555111).
- 2.5 Licensed Drivers must comply with all reasonable requirements of any person hiring or being conveyed in the vehicle.
- 2.6 Licensed Drivers must afford all reasonable assistance with passenger luggage and shopping as may be required. At the conclusion of the journey the driver must similarly offer all reasonable assistance to passengers leaving the vehicle and assist them with luggage, shopping, disability aids or wheelchair.
- 2.7 Licensed Drivers must take all reasonable steps to ensure the safety of passengers entering, travelling in, or alighting from the vehicle, especially those passengers with a disability.
- 2.8 Licensed Drivers must not smoke tobacco or a similar substance, or E-Cigarettes /Vaping Cigarettes in the vehicle at any time as provided by the Health Act 2006.
- 2.9 Licensed Drivers must at all times when driving a licensed vehicle ensure that the vehicle is clean, road worthy and well maintained, meets Council vehicle licence conditions

- 2.10 Licensed Drivers must ensure that none of the markings/signs/notices that are required to be displayed on the vehicle become concealed from public view or be so damaged or defaced that any figure or material particular is rendered illegible. The licence plate must be securely attached externally to the rear of the vehicle.
- 2.11 Licensed Drivers must, when aware that the vehicle has been hired to be in attendance at an appointed time and place, or when otherwise instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at the appointed time and place unless delayed or prevented by sufficient cause.
- 2.12 Licensed Drivers must undertake an inspection of any vehicle being driven whilst working as a Hackney Carriage/ Private Hire Vehicle driver. This inspection must be undertaken at least daily and before the first carriage of a fare paying passenger in the vehicle whilst it is being driven by the licence driver.

### **3. Change of Address**

- 3.1 Licensed Drivers must notify the Council in writing within 7 days of any change of his/her address taking place during the period of the licence, whether permanent or temporary.

### **4. Customer and Other Personal Information**

- 4.1 Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates.

For example, telephone numbers provided by customers so that they can be alerted/ updated by SMS text message with regard to a booking they have made must only be used for this purpose. The information must not be retained by the driver after the text message has been sent and/or used for any other purpose (such as unsolicited marketing calls). If a driver is found to be contacting a customer after the booking has been completed his/ her licence may be suspended or revoked.

### **5. Accidents**

- 5.1 If at any time the vehicle is involved in an accident, however minor, the driver must inform the Council of this fact as soon as possible and in any event within 72 hours (by telephone or email). An accident report form (available from the licensing office) must then be completed and submitted to the Council within 24 hours of reporting the accident (except in exceptional circumstances when the report must be made as soon as possible after the accident – an example of an exceptional circumstance would be



that the driver is incapacitated due to the accident and physically unable to make the notification).

## **6. Fares**

- 6.1 Licensed Drivers must not, if driving a licensed vehicle fitted with a taximeter, cause the fare to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.
- 6.2 Licensed Drivers must not demand from any hirer of a licensed vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter, and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.
- 6.3 Licensed Drivers must, if requested by the hirer, provide a written receipt for the fare paid. The receipt must bear the name and address of the proprietor of the vehicle together with the badge number of the driver.

## **7. Passengers**

- 7.1 The licence holder must not carry more persons than is permitted by the vehicle licence.
- 7.2 Licensed Drivers not allow to be conveyed in the front of a licensed vehicle:
  - more than one person, unless the vehicle is manufactured to carry two front seat passengers, and seat belts are fitted for both passengers, or
  - any child under the age of 13 years old.
- 7.3 Licensed Drivers must not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.
- 7.4 Licensed Drivers must provide all reasonable assistance to passengers and especially those with a disability. The Equality Act 2010 places the following duties on licensed Hackney Carriage/ Private Hire Vehicle drivers:

## **Duty to Assist Passengers in Wheelchairs**

Section 36 of the Disability Discrimination Act 1995 (DDA) places a duty on the driver of a designated\* wheelchair accessible Hackney Carriages and Private Hire vehicles to:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

\* Designated vehicles are those listed by the Council under section 167 of the Equality Act 2010 as being a 'wheelchair accessible vehicle'. (a list can be obtained on request)

Section 36 of the DDA 1995 remains in effect until such time as section 165 of the Equality Act 2010 comes into force. It will then be a condition of a licence that drivers adhere to the requirements of s165 of the 2010 Act.

## **8. Duty to Carry Guide Dogs and Assistance Dogs**

- 8.1 Drivers must not fail or refuse to carry out a booking by or on behalf of a person with disabilities who is accompanied by an 'assistance dog' unless the driver has a Medical Exemption granted by the Council and the Notice of Exemption is displayed in the approved manner by it being fixed in a prominent position facing outwards on the dashboard.
- 8.2 Any animal belonging to or in the custody of any passenger should remain with that passenger and may be conveyed in the front or rear of the vehicle.
- 8.3 Drivers hired to carry a guide dog must ask the owner where s/he would prefer the dog to be. Most dogs are trained to lie in the front passenger foot well between the feet of the owner. If the vehicle is fitted with front and side air bags, it is essential that the dog is lying down at all times. Drivers must let the visually impaired person know that this applies.
- 8.4 If the front foot well is not large enough to accommodate the dog, the guide dog owner must be advised to travel in the rear of the vehicle with the dog in the foot well behind the front passenger seat. The seat should be pushed forward to make room for the dog.

## **9. Found Property**

Licensed Drivers must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property, must deliver the item to the local police station within 24 hours, unless an alternative arrangement has been made with the owner of the property.

## **10. Medical Conditions**

- 10.1 Licensed Drivers must notify the Council in writing without undue delay of any change in medical condition.
- 10.2 Licensed Drivers must at any time, or at such intervals as the Council may reasonably require, produce a certificate in the form prescribed by the Council signed by a registered medical practitioner to the effect that s/he is or continues to be physically fit to be a driver of a Hackney Carriage/ Private Hire Vehicle

## **11. Convictions, Cautions, Arrest etc.**

- 11.1 Throughout the duration of the licence, Licensed Drivers must notify the relevant Council **within 3 days** providing full details of any:-
- Convictions, cautions, binding overs, reprimands or final warnings,
  - Charges awaiting trial,
  - Summons to court,
  - Fixed Penalty Notices,
  - DVLA driving licence endorsements,
  - Civil proceedings, orders or injunctions

Failure to notify the Council of the above will result in enforcement action being taken.

## **12. Disclosure and Barring Service Online Update Service and Online DVLA System**

- 12.1 Licensed Drivers must subscribe to the Disclosure and Barring Service (DBS) Online Update Service. Any costs associated with maintaining this subscription must be met by the licensed driver.
- 12.2 Licensed Drivers must give permission for the Council to undertake checks of their DBS and DVLA status should the Council consider it necessary to do so. The Councils will use the DBS Online Update Service to monitor the criminal record of Licensed Drivers.

### **13. Change of Operator**

- 13.1 Licensed Drivers must notify the Council in writing within 5 working days of a change their operator.

### **14. CCTV Recording Equipment**

- 14.1 Drivers are permitted to install in Hackney Carriage Private Hire Vehicles CCTV recording equipment if previously approved by the Council. Approved CCTV recording equipment will have a hard drive which is only accessible by an Authorised Officer of the Council or a Police Officer. Misuse of any approved installed CCTV or use of unauthorised CCTV systems will result in action being taken against the licensed driver which could ultimately result in the revocation of the driver's licence. All installed CCTV must comply with the Information Commissioners CCTV Code of Practice.

## Appendix C

# Vehicle Application Process and Conditions

### Application Process

Any vehicle that is not currently licenced with the relevant Council, no matter how recently the licence elapsed or was transferred will be treated as a new vehicle application.

If you are wishing to apply for a new licence for a Hackney Carriage/Private Hire vehicle please visit [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk) or [www.southnorthants.gov.uk](http://www.southnorthants.gov.uk) to download an application form. Alternatively you can email [licensing@cherwell-dc.uk](mailto:licensing@cherwell-dc.uk) or [licensing@southnorthants.gov.uk](mailto:licensing@southnorthants.gov.uk) to request a copy be emailed to you. Please note that new licence applications can only be submitted for vehicles under 6 years old. Once licenced a vehicle is required to be tested depending on its age. These are known as periodical tests. Vehicles under 6 years will require an MOT every 6 months and vehicles over 6 years every 4 months.

If you already have a vehicle and your licence is due for renewal your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is the licence holder's responsibility to apply to renew their licence in time.

Any vehicle must be first MOT tested before a request for an appointment is made at the relevant Council. The cost of this test is not included in the licence application fee, neither are the costs included for the periodical tests.

Any vehicle MOT failures at any time will require retesting at the applicant's expense. It is your responsibility to ensure that your vehicle is safe at all times and therefore a vehicle should not fail when presented to be tested.

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. No application will be progressed until:

- The application is completed in full
- MOT test showing a pass is enclosed with proof that all mechanical/safety advisories have been rectified
- Insurance documents are enclosed (your insurance document must specify that it is insured to convey passengers for reward) Hackney Carriages require 'Public Hire' on insurance. Private Hire vehicles require 'For hire and reward'
- V5 registration document is enclosed or New Keeper Supplement along with letter headed sales receipt should the vehicle have been recently acquired
- Any other supporting documentation required must be submitted to the Council with the appropriate fee

Procedure for vehicles leased by a hire company:

- The vehicle(s) in question will be licenced in the driver's name; however the V5 can show the company name
- Must have a signed hire agreement between company and driver
- We will not accept fleet insurances, all insurance certificates must show the relevant drivers name for the vehicle(s) in question
- Should the driver of a vehicle(s) change, we must be informed in writing and have a new hire agreement showing new driver details – this must be done before the new driver has the vehicle
- Should any of the above be breached or not adhered to, the licence will be revoked

During your appointment at the relevant Council your vehicle will be inspected. Provided it meets the required standards outlined below you will be issued a licence and relevant plates. The external plate must be attached securely to the rear exterior of the vehicle. Once the vehicle is licenced only a person holding a drivers licence issued by the relevant Council will be permitted to drive the vehicle.

# VEHICLE LICENCE CONDITIONS

## PRIVATE HIRE VEHICLES

### 1.1 GENERAL

- a) Front engine - petrol, diesel, LPG, hybrid or electric front or rear wheel drive  
(if a vehicle is fuelled with LPG and the system is not factory fitted as original equipment the installation must be certified as satisfactory by a qualified vehicle engineer).
- b) The vehicle must be right hand drive.
- c) The vehicle must have least three body-side doors for passengers with a separate means of access for the driver. Rear doors may be included in this number as long as there is unobstructed access of at least 30cms via these doors to the rear row seats; this relates to minibus type vehicles.
- d) All seats must be fitted with lap & diagonal safety belts as a minimum standard, and may face forwards or backwards, but not sideways.
- e) Backward facing seats over or behind the rear wheels and axle(s) having normal access only through a rear door will not be accepted.
- f) Both Councils follow guidelines from the Department for Transport in respect of multi-purpose vehicles (MPVs). Accordingly:
  - i) Vehicles with folding for moving seats which are constructed to provide access to other seats to which there is no direct access are acceptable, will be licenced for the same number of passengers as there are seats.
  - ii) Certain models of Vauxhall Zafira and a number of other models have a rear row of seats which under normal circumstances should only be used by children. In the interests of passenger's comfort and public safety, these vehicles will only be licenced to carry four passengers.
- g) The vehicles must have at least four road wheels; which – unless alloy – must have matching trims.
- h) All tyres must be the same dimensions unless specifically designed otherwise. Tyres with embedded nails, etc., are not acceptable; they must be replaced, not repaired. The minimum tread depth will be 2mm and wear must be even.
- i) Seats must still be fully 'sprung', free of stains, tears, cigarette burns or repair, and not threadbare. Floor coverings must not be unduly worn and present no trip hazards. Household carpeting or similar is unacceptable and must not be used. Upholstery (headlining and side panel coverings) must be free of ingrained grime, fractures and maintained in the manufacturers original style

### 1.2 DIMENSIONS

- a) A row of seats provided for three persons shall be at least 1295mm (51") wide.
- b) Seats designed for two persons shall be at least 865 mm (34") wide.

## 2 WHEELCHAIR ACCESSIBLE PRIVATE HIRE VEHICLES

Both Councils adhere to the Equalities Act 2010 in respect of wheelchair accessible vehicles.

- a) Suitably modified “people mover” type vehicles may be deemed acceptable for licensing. The vehicle will generally have to comply with the requirements relating to vehicles that carry 5 or more passengers, pending the publication of a national Hackney Carriage and Private Hire vehicles. Further advice may be obtained from the Licensing team at the relevant Council.
- b) The vehicle must have a satisfactory arrangement for ramps, steps, handrails and storage of wheel chairs. Fixing of wheelchairs must also be satisfactory. The vehicle must be capable of taking a passenger in a wheelchair; which in turn must be suitably anchored with a safety belt / harness. The dimensions for the door aperture giving access for wheelchair-based persons and the interior dimensions of the vehicle must also be acceptable to the Licensing Authority.
- c) All such vehicles will be licenced for the number of non-wheelchair customers only.

### **3 STRETCH LIMOUSINES**

The majority of these vehicles are imported from the USA via Belgium. In the interests of passenger safety, South Northamptonshire Council and Cherwell District Council will licence them as long as they meet the required specification and are under six years of age from the date of first registration wherever that may have been.

## **4 REQUIREMENTS FOR ALL VEHICLES**

### **4.1 LUGGAGE SPACE**

A separate lockable luggage compartment shall be provided. For non-saloon vehicles, passengers must be protected from items of luggage contained in the loads space being propelled into the passenger compartment by the vehicle movement. In the case of LPG fuelled vehicles, the vehicle will not be licenced if the LPG tank adversely impacts on the load carrying capacity.

### **4.2 AGE AND CONDITION OF VEHICLES, AND MECHANICAL TESTING**

- a) Only vehicles less than six years old will be considered for first-time licensing.
- b) All vehicles must have inspections carried out at an approved MOT testing centre. For vehicles with less than 100000 miles on the odometer this inspection shall be carried out every six months; for vehicles with more than 100000 miles on the odometer, every four months.
- c) A vehicle more than ten years old will not be licenced unless it is in an ‘exceptionally well maintained’ condition and currently licenced by the relevant Council.

To be classed as ‘exceptionally well maintained’, a vehicle must: -

- i) Have a full service history showing from the date when the vehicle was first licenced;
- ii) The bodywork must be in an unmarked condition i.e. no dents rust or body-filler, and paintwork must be of a uniform colour;



- iii) The interior of the vehicle must be clean; all door fittings must be in place and working. All seats must be intact and not sagging, torn, ripped or repaired. All carpets must be clean and properly fitted; headlining must be clean and properly fixed;
- iv) There must be no wires hanging loose from the dashboard or anywhere else;
- v) The load carrying space must be clean and dry, with flooring in good condition and correctly fitted matting;
- vi) Any other items or modifications must be to the satisfaction of an authorised Licensing Officer and be to EU safety standards

#### **4.3 COLOUR, MARKINGS, SIGNS, ADVERTISEMENTS AND WINDOWS**

- a) The vehicle may be any single colour, but **MUST NOT** resemble a Hackney Carriage. Signs showing the words TAXI or CAB must not be displayed on or above roof height. Paintwork must be factory standard – no “crackle” or “custom” paint.
- b) The name of the company / owner and telephone number may appear on the vehicle subject to the prior approval of the Council. Third party advertising is not permitted.
- c) Glass should be kept clean to give a clear view both into and out of the vehicle. Tinted windows, which prevent clear vision into vehicle are not permitted. Only factory fitted tinted glass will be acceptable which must meet the requirements of the Road Vehicles (Construction and Use) Regulations 1986. Under no circumstances will stick on style tinting be permitted.

#### **4.4 EQUIPMENT**

The following shall be provided: -

- a) Spare wheel and tyre – properly stowed to protect passengers’ luggage;
- b) Jack;
- c) Wheel brace;
- d) Any current alternative to the above that allows the vehicle to complete the journey.
- e) Nearside and offside exterior rear view mirrors;
- f) The standard factory exhaust system

#### **4.5 RADIO AND AUXILLIARY EQUIPMENT**

Any equipment fitted to the vehicle for operational requirements, such as two-way radio, or navigation systems must be fixed to the satisfaction of the Council. The microphone must be properly fixed to the vehicle dashboard.

#### **4.6 DISPLAY OF INFORMATION**

Every vehicle (except those with a discreet plate exemption) must have:-

- a) The plate issued by the Council displayed securely on the rear outside (and not inside the rear window);
- b) Displayed inside and visible to passengers, the smaller plate issued by the Council;

- c) Signs with the words “**This vehicle must be pre-booked**” and the Councils name and crest. These must be displayed on both nearside and offside front doors. With the permission of the Licensing Manager they may incorporate the Private Hire company’s name.
- d) At least one interior sign showing the red ‘no smoking’ symbol.

#### 4.7 MODIFICATIONS

No modifications shall be made to the standard factory built vehicle without prior consent of the licensing authority.

#### 5. EXCEPTIONS

If a vehicle does not meet all of the above requirements, but is: -

- a) built to a higher standard than that which is normally acceptable for licensing, or
- b) as a result of model changes, does not fully comply with the current specification, the Licensing Manager may use discretion in deciding its suitability for use as a Private Hire vehicle.

#### HACKNEY CARRIAGES

##### 1.1 GENERAL

- a) All Hackney Carriages (taxis) must be; for SNC – black and wheelchair accessible, for CDC- all vehicles must be white unless purpose built “London style” taxis and all new grants must be wheelchair accessible.
- b) Front engine - petrol, diesel, LPG, hybrid or electric  
front or rear wheel drive  
(If vehicle is fuelled with LPG and the system is not factory fitted as original equipment the installation must be certified by a qualified vehicle engineer as satisfactory).
- c) The vehicle must be right-hand drive.
- d) Must have at least 3 body-side doors for passengers with a separate means of access for the driver and excluding any rear door.
- e) All seats must be fitted with lap & diagonal safety belts as a minimum standard, and may face forwards or backwards, but not sideways. Minimum access to rear seating will be 30cms
- f) Backward facing seats over or behind the rear wheels and axle(s) having normal access only through a rear door will not be accepted.
- g) The vehicle must have at least four road wheels; which – unless alloy – must have matching trims.
- h) All tyres must be the same dimensions unless specifically designed otherwise. Tyres with embedded nails, etc, are not acceptable; they must be replaced, not repaired. The minimum tread depth will be 2mm and wear will be even.
- i) A roof sign shall be provided which is capable of being illuminated at night. The roof sign must display the word TAXI, and there must be a sign to indicate when the vehicle is available FOR HIRE.

## **1.2 DIMENSIONS**

- a) A row of seats provided the three persons shall be at least 1295mm (51") wide.
- b) Seats designed for two persons shall be at least 865mm (34") wide  
Any vehicle which has to be modified to meet this requirement will not be accepted.

## **2. HACKNEY CARRIAGES MUST BE CONSTRUCTED FOR THE CARRIAGE OF PASSENGERS IN WHEELCHAIRS – SNC ALL VEHICLES / CDC NEW GRANTS**

- a) The Councils adhere to the Equalities Act 2010 in respect of wheelchair accessible vehicles.
- b) The vehicle must have satisfactory arrangement for ramps, steps, handrails and storage of wheelchairs. Fixing of wheelchairs must also be satisfactory. It must be capable of taking a wheelchair with passenger, suitably anchored with a safety belt / harness. The dimensions for the door aperture giving access for wheelchair-based persons must also be acceptable to the Licensing Authority relevant Council.

## **3. REQUIREMENTS FOR ALL VEHICLES**

### **3.1 LUGGAGE SPACE (GENERAL)**

A separate lockable luggage compartment shall be provided. Passengers must be protected from items of luggage contained in the load space being propelled into the passenger compartment by the vehicle movement. In the case of LPG fuelled vehicles, the vehicle will not be licenced if the LPG tank adversely impacts on the load carrying capacity.

### **3.2 AGE AND CONDITION OF VEHICLES AND MECHANICAL TESTING**

- a) Only vehicles less than six years old will be considered for first-time licensing
- b) All vehicles must have inspections carried out at an approved MOT testing centre. For vehicles with less than 100000 miles on the odometer this inspection shall be carried out every six months; for vehicles with more than 100000 miles on the odometer, every four months.
- c) A vehicle more than ten years old will not be licenced unless it is in an 'exceptionally well maintained' condition and currently licenced by the relevant Council.  
*To be classed as 'exceptionally well maintained', a vehicle must:-*
  - i) *Have a full service history showing from the date when the vehicle was first licenced;*
  - iii) *The bodywork must be in an unmarked condition, meaning no dents, rust or body-filler, and paintwork must be of a uniform colour;*
  - iii) *The interior of the vehicle must be clean; all door fittings must be in place and working. All seats must be intact and not sagging, torn, ripped or repaired. All carpets must be clean and properly fitted; headlining must be clean and properly fixed;*

- iv) *There must be no wires hanging loose from the dashboard or anywhere else;*
- v) *The load carrying space must be clean and dry, with flooring in good condition and correctly fitted matting;*
- vi) *Any other items or modifications must be to the satisfaction of an authorised Licensing Officer.*

### **3.3 COLOUR, MARKINGS, SIGNS, ADVERTISEMENTS AND WINDOWS**

- a) For SNC the vehicle must be black, for CDC the vehicle must be white unless a purpose built "London style" taxi. All paintwork must be factory standard – no "crackle" or "custom" paint.
- b) The name of the company / owner and telephone number may appear on the vehicle subject to the prior approval of the Council. Third party advertising is not permitted without prior approval from the Council.
- c) A windscreen sign should be fitted, displaying the words "FOR HIRE".
- d) Glass should be kept clean to give a clear view both into and out of the vehicle. Tinted windows, which prevent clear vision into vehicle are not permitted. Only factory fitted tinted glass will be acceptable which must meet the requirements of the Road Vehicles (Construction and Use) Regulations 1986. Under no circumstances will stick on style tinting be permitted.

### **3.4 TAXIMETER**

- a) a taximeter must be fitted to all vehicles and it must comply with the following requirements: -
  - i) be capable of being locked so that when the meter is not in use no fare is recorded;
  - ii) when in use the fare shall be displayed in clearly legible figures;
  - iii) must be fitted so that all letters and figures on the meter can be clearly visible to any person travelling in the vehicle;
  - iv) the letters and figures must be illuminated at night;
  - v) must be fixed to the vehicle with seals so that no unauthorised person can alter or tamper with the meter without the seal being broken;
  - vi) vehicles with improperly sealed meters will not be licenced. The meter must be used for all journeys including those booked through a Private Hire operator.
  - vii) the Measuring Instruments (Taximeters) Regulations 2006 applies to all meters fitted

### **3.5 EQUIPMENT**

The following must be provided: -

- a) a spare wheel and tyre – properly stowed to protect passengers' luggage;
- b) a jack;
- c) Any current alternative to the above that allows the vehicle to complete the journey.
- d) nearside and offside exterior rear view mirrors;
- e) standard factory exhaust system;
- f) Wheelchair accessible vehicles; ramps, securing straps and other associated items.

### **3.6 RADIO AND AUXILLIARY EQUIPMENT**

Any equipment fitted to the vehicle for operational requirements, such as two-way radio, or navigation systems must be fixed to the satisfaction of the relevant Council. Any microphone must be properly fixed to the vehicle dashboard.

### **3.7 DISPLAY OF INFORMATION**

Every vehicle must have:-

- a) the plate issued by the Council displayed securely on the outside rear (and not inside the rear window);
- b) the smaller plate issued by the Council displayed inside and visible to passengers;
- c) At least one sign showing the red 'no smoking' symbol prominently displayed.
- d) Door signs on nearside and offside front doors displaying the word "TAXI"

### **3.8 MODIFICATIONS**

No modifications shall be made to the standard factory built vehicle without prior consent of the licensing authority.

## **4. EXCEPTIONS**

If a vehicle does not meet all of the above requirements, but is:-

- a) built to a higher standard than that which is normally acceptable for licensing, or
- b) as a result of model changes, does not fully comply with the current specification, the Licensing Manager may use discretion in deciding its suitability for use as a Hackney Carriage.

### **Right of appeal**

**Nothing in these conditions will remove the right to appeal to a Magistrates' Court against the Council's refusal to grant or renew a licence, or any decision to suspend or revoke a licence, nor against any conditions which may have been imposed on any such licence by the local authority. Any appeal must be made to the relevant Council's Magistrates' Court within 21 days of the refusal or decision.**

## Appendix D

# Operator Application Process and Conditions

### The Application Process

If you are already a licensed driver with the relevant Council you are not required to undergo an additional Disclosure Barring Service check in order to apply for your operator's licence. You should be subscribed to the DBS Update Service and when you apply for a new or renewal of an operator's licence we will check your information online as part of the application process.

If you are not a licenced driver with the relevant Council you will be required to submit as part of your application process a standard Disclosure Barring Certificate. You can apply for a Standard Disclosure Barring Certificate online at <http://www.disclosurescotland.co.uk/basicdisclosureonline>

If you are already an operator and your licence is due for renewal your renewal date will appear on the paper counter part of your licence, you will not receive a separate reminder. Please allow sufficient time before expiry when booking your appointment, leaving it to the latter part of the month may result in your application not being processed in time. It is the operator's responsibility to apply to renew their licence in time. Failure to renew in time could result in your business ceasing to operate until such time as the new licence is granted.

If you are a new operator wishing to apply for a licence to operate Private Hire vehicles please visit [www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk) or [www.southnorthants.gov.uk](http://www.southnorthants.gov.uk) to download an application form. Alternatively you can email [licensing@cherwell-dc.uk](mailto:licensing@cherwell-dc.uk) or [licensing@southnorthants.gov.uk](mailto:licensing@southnorthants.gov.uk) to request a copy be emailed to you.

You must complete the relevant application form and then make an appointment with the relevant Council

Payment for the application must be made at the time of submitting the paperwork and a receipt will be given. No application will be progressed until:

- The application is completed in full
- Either a Standard Disclosure Barring Certificate is provided or confirmation that the applicant is subscribed to the DBS Update Service
- A full list of all vehicles you intend to operate
- Proof of identity – a passport or driving licence photocard
- Proof of National Insurance number
- Proof of right to work in the UK
- Public liability insurance

Please note we consult with Planning and they have 14 days in which to make any comments.

## Operator Licence Conditions

### 1. Records

Private Hire operators must keep records in accordance with the above legislation.

The records kept by the operator under Section 56 Local Government (Miscellaneous Provisions) Act 1976 must be kept in a manner, whether written or on a computer, which enables them to be examined or audited. Written records must be kept in a bound book.

In any case, all records must be kept for at least three years, and made available to an authorised officer of the Council or police officer within the requested time scale.

If the operator uses a computerised record system, hard copies of all records must be printed and kept in accordance with the above at the end of each daily working period.

All computerised systems must be checked regularly for time accuracy (this can easily be done online at <http://www.greenwichmeantime.co.uk/> )

Records to be kept:-

- Vehicle details
- Make & model
- Registration number
- Vehicle owner
- Relevant Councils plate number
- Fleet number/call-sign (if issued). If a call sign or number is allocated for a temporary period, a record must be kept of the relevant dates and the vehicle and driver concerned
- Copy of the vehicle licence
- Copy of the insurance certificate / cover note
- Copy of the vehicle's most recent MOT certificate

*Driver details*

- Name
- Address
- Relevant Councils driver's licence number
- Copy of the Private Hire drivers licence

### 2. Bookings

*General*

Before the commencement of each journey, the operator (or in his/her absence, a responsible member of staff) must enter either in a bound book or on a computer system, the particulars of every booking of a Private Hire vehicle accepted by him. The bookings must follow this format:

- Date and time of receipt of booking
- Name of the hirer
- Contact details of hirer (address and/or phone number)
- Location and time of the pick-up point
- Destination
- The fare quoted for the booking
- Date & time a driver was allocated the booking
- Identity of the driver and vehicle

Example: -

Date	Time	Name of hirer	Contact details	Pick-up location	Pick-up date/time	Destination	Fare	Date/time	Dvr No	Veh No
			add / phone no				quoted	allocated		

*Computerized systems (e.g. Diplomat, Autocab, Avakia, and others)*

When a computerized system with GPS tracking is installed – and where the software allows this function – it must be used to indicate where a vehicle is at any given time. In addition, a printed plot of a vehicle’s movements must be made available on request.

3. Insurance

The operator must keep a copy of all cover notes and certificates of insurance issued to the drivers/proprietors. The dates shown on such documents must show continuation of cover throughout the period that the vehicle is working in connection with the operator. When a "block" policy is held by the operator, a full list of all vehicles and drivers covered should be kept for at least one year. The insurance document should show:

- (a) name and address of insurance company (and broker if applicable) insuring the use of the vehicle;
- (b) date of commencement of any policy of insurance and of any cover notes issued with policy and cover note numbers relating to the use of the vehicle;



- (c) date of expiry of the policy and of any cover notes issued;
- (d) persons entitled under the terms of the policy to drive the vehicle and details of any limitations as to use (e.g. Private Hire or public hire).

#### 4. Standard of Service

The operator must at all reasonable times provide a prompt, efficient and reliable service to members of the public and shall in particular ensure that: -

- (a) when a vehicle has been hired to attend at an appointed time and place, the vehicle shall attend punctually unless delayed or prevented by sufficient cause. Where possible, the operator should contact the customer and inform them of any delay;
- (b) premises provided by the operator, either for waiting or booking shall be kept clean, adequately heated, ventilated and well lit and also adequate seating provided;
- (c) any telephone facilities and radio equipment are maintained in a sound condition;
- (d) any complaints received by the operator shall be referred in writing to the Council, together with any action taken;
- (e) the operator shall ensure, without prejudice to any other liabilities imposed under the Act that all vehicles and drivers owned, controlled or operated in association with the operator shall observe and perform the conditions of their licence;
- (f) and that all vehicles operated by him shall be maintained in a satisfactory and road worthy condition;
- (g) in that respect, the Council will hold the owner and / or operator of a Private Hire vehicle responsible for the general condition and roadworthiness of the vehicle(s), and for ensuring that drivers are familiar with all conditions, legislation and byelaws regulating the operation of vehicles;
- (h) in certain instances therefore the proprietor or operator may be subject to enforcement action as a result of an offence committed by the driver of their vehicle;
- (i) the Councils will take into account the circumstances of each offence and how far the proprietor has carried out their obligations in deciding whether to take any action against the proprietor.

#### 5. Reference to the Council

The licenced operator must inform the relevant Council in writing within 7 days of: -

- (a) any convictions incurred by him or any partner, director or company secretary during the period of the licence for any offence;
- (b) change of address, in writing, within 7 days. (Note: It is your responsibility to ensure that your address is also changed on your driving licence, insurance documents and V5);

It is in your interest to also tell us if you are stopping work for any length of time, especially if it is likely to affect the date of your licence renewal.

#### 6. Driver / vehicle licences

It is the licenced operator's responsibility to ensure that the licences of all drivers currently working for and vehicles being used by him/her are current.

## 7. Complaint Book

In relation to condition 4(d) above, each operator must keep in a bound book approved by the Council, a record of all complaints made to him or his agents or managers relative to any aspect of his business or persons at that time working with or employed by that operator. The complaint book shall be available at all times for inspection by an authorised officer of the Council.

## 8. Door Signs/Advertisements

When an operator wishes to provide drivers/proprietors with door advertising panels (other than the ones issued by the relevant Council) the below procedure must be followed: -

- (a) the sign must be approved by an authorised officer before being put into use;
- (b) it must be displayed on both front doors of the vehicle;
- (c) it may contain the name of the company and the telephone number but must incorporate the words, '**South Northamptonshire Council /Cherwell District Council. Private Hire Vehicle. This vehicle must be pre-booked.**'
- (d) it must not show the words "TAXI" or "CAB", nor any other word of similar meaning or appearance which may be taken to indicate that the vehicle is a Hackney Carriage.

## 9. Planning consent for operating base

This Council's current planning policy allows one car to be operated without planning permission. Any more than one car would require an application for change of use of the premises. Planning consent for each operating base must be maintained during the period of a licence.

## 10. Change of circumstances

Any material change of the circumstances since the licence was granted must be reported to the Council immediately. This includes any changes to drivers or vehicles which must be notified to a licensing officer in writing within 48 hours.

## 11. General Conduct

Whilst in the course of your business you must not cause a nuisance to individuals or other businesses. A maximum of 2 vehicles can be in attendance at the business address at any one time.

**FAILURE TO COMPLY WITH THE CONDITIONS SET OUT IN THIS DOCUMENT MAY RESULT IN PENALTY POINTS BEING AWARDED AGAINST YOU, LEGAL ACTION BEING TAKEN, OR YOUR LICENCE BEING SUSPENDED OR REVOKED**

### Right of appeal

**Nothing in these conditions will remove the right to appeal to a Magistrates' Court against the Council's refusal to grant or renew a licence, or any decision to suspend or revoke a licence, nor against any conditions which may have been imposed on any such licence by the local authority. Any appeal must be made to the relevant county's Magistrates' Court within 21 days of the refusal or decision.**

# Hackney Carriage and Private Hire Driver Penalty Points Scheme

### Introduction

Points based enforcement is a method by which licenced drivers, operators or owners can be issued with points against their Council issued Hackney Carriage/ Private Hire Drivers or Operator Licence by authorised licensing officers of the Council. Points would be used for less serious breaches of a licence condition or legislative provision. The issuing of points formalises the Councils previous practice of issuing warnings. The aim is to encourage licence holders to comply with licence conditions and legislation and to behave in an acceptable manner at all times, thereby improving the professionalism and reputation of the licenced vehicle trade. The points system operates in addition to all existing enforcement options and has regard to the principles of the Councils overarching 'Enforcement Policy' and the Regulators Code.

1. The points system aims to provide a fast and efficient way of dealing with lesser breaches of licence conditions or primary legislation. Licence holders who habitually disregard the less serious aspects of the licensing regime will accumulate points. Points will be issued according to a scale developed by the Council as part of the scheme. Points will accumulate on a licence until a trigger level is reached, at which time the licence holder could be subject to more formal sanctions including the suspension or revocation of his/her licence.
2. The points will be administered by an authorised licensing officer and recorded on the Council's licensing database. The points system will be used for less serious offences which would not normally trigger more formal enforcement action in the first instance and which are resolved by the licence holder after it is brought to his/her attention. The points system will help provide an open and transparent method of how a licence holder will be assessed in terms of the 'fit and proper person' test.
3. Points will remain on a licence for between 12 and 36 months from the date of issue depending on the seriousness of the offence.
4. Where a licence holder accumulates the trigger level of penalty points more than once in any three year period, the Council will decide whether a licence should be suspended or revoked if it is considered that the accumulation of points indicates that the licence holder is no longer a 'fit and proper person' to hold a licence. Each case will be considered on its own merits.
5. Points can be issued at the roadside or at the Council's offices by authorised licensing officers. Points issued to a licence holder will be confirmed in writing within ten working days from the contravention or at the conclusion of an investigation into a complaint.
6. The Council may cancel penalty points issued to a licence holder and take more with formal enforcement action, if additional information becomes available subsequent to the issuing of points which the Council considers to increase the severity of the offence to a level beyond that which can be sanctioned by way of penalty points.

7. The penalty points system will operate without prejudice to the Council's ability to take alternative enforcement action as provided for by the Private Hire and Hackney Carriage Licensing Policy and/or legislation.



**Penalty points system for Hackney Carriage/Private Hire drivers & Private Hire operators**

	Offence/breach of condition	No. of pts	Dvr	Op		Offence/breach of condition	No. of pts	Dvr	Op
1	<b>Driver not holding a current Hackney Carriage/Private Hire driver licence</b>	<b>12*</b>	✓	✓	16	Failure to notify transfer of Private Hire or Hackney Carriage licence within 14 days	4*	✓	✓
2	Failure to notify the Council of change of address within 7 calendar days	3*	✓	✓	17	Failure to provide information on vehicle garaging arrangements	3	✓	✓
4	<b>Touting/illegally plying for hire</b>	<b>9*</b>	✓	✓	18	Failure to display "taxi" sign on roof of Hackney Carriage	4	✓	✓
5	Failure to display/no vehicle excise licence	6	✓	✓	19	Failure to maintain, keep or produce records of Private Hire bookings, or other documents required to be kept	6*		✓
6	<b>Using unlicensed vehicle or vehicle without insurance</b>	<b>12*</b>	✓	✓	20	Unsatisfactory behaviour or conduct of driver	3	✓	
7	Failure to produce documents within timescale, when requested to do so	4*	✓	✓	21	Using a non-approved taximeter	6	✓	✓
8	Vehicle in unsatisfactory condition inside or out	4	✓	✓	22	<b>Driver not holding a current DVLA licence</b>	<b>12</b>	✓	✓
9	Failure to produce vehicle for testing when required	4*	✓	✓	23	Failure to wear driver's badge	4*	✓	
10	<b>Using a vehicle subject to a prohibition/suspension order</b>	<b>12</b>	✓	✓	24	Failing to notify change of medical circumstances	6	✓	
11	<b>Using a vehicle for which the licence has been suspended or revoked</b>	<b>12*</b>	✓	✓	25	Failure to return driver's badge within 7 days of being requested to do so	4*	✓	✓
12	Failure to report within 72 hours an accident or damage to a licenced vehicle	3	✓	✓	26	Failure to return vehicle licence plate within 7 days of being requested to do so	4*	✓	
13	Overloading of licenced vehicle (including exceeding the licenced number of passengers)	6*	✓		27	Failure to notify the Council of any motoring or criminal convictions or cautions during period of current licence	6	✓	✓
14	Failure to display external or internal licence plate or door sign as required (including not attaching plate in suitable manner)	4*	✓		28	Providing false/misleading information on application form, or failing to provide relevant information	6*	✓	✓
15	Carrying an offensive weapon in the vehicle	4-12	✓		39	Any other offence not outlined above namely ....	3-12	✓	✓

Driver Name: .....

Driver Badge No: .....

Vehicle Plate No: .....

Signature of Officer ..... Date: .....

**Notes:**

**General**

- Those items marked with an asterisk (\*) are direct contraventions of the Local Government (Miscellaneous Provisions) Act 1976 or other legislation and may result in prosecution in addition to any points penalty imposed
- Ticks (✓) indicate potential recipients of penalty points for infringements may result in both driver and operator receiving penalty points
- Where there is a range in points available the Licensing Officer has the discretion to award the number of points according to the severity of the breach
- Points generally remain on the driver's file for a period of 12 months from the date of issue
- Points awarded for more serious offences (in **bold** print) will remain on the driver's file for a period of 36 months
- Any driver or operator awarded points has a right to appeal to the Magistrates Court within 21 days

**Drivers**

- On accumulation of 12 or more points in a rolling 12 month period, a driver will be subject to a recommendation to suspend his/her licence
- For drivers on the first occasion of an accumulation of 12 points, the recommendation would be suspension for 28 consecutive days
- For drivers on the second occasion of an accumulation of 12 points, the recommendation would be revocation of licence

**Operators**

- On accumulation of 24 or more points in a rolling 12 month period, an operator will be subject to a recommendation to suspend his/her licence
- For an operator on the first occasion of an accumulation of 24 points, the recommendation would be suspension of the operator's licence for 28 consecutive days
- For an operator on the second occasion of an accumulation of 24 points, the recommendation would be revocation of licence
- All suspensions and revocations will be determined by the Licensing Committee
- Once a suspension has been served, all points will be removed
- Any driver or operator subject to suspension or revocation has a right to appeal to the Magistrates Court within 21 days of the decision

- Suspensions and revocations will not be implemented until the 21 day appeals period has elapsed; however, driver suspensions on public safety grounds will take immediate effect.



DISTRICT COUNCIL  
NORTH OXFORDSHIRE



**South  
Northamptonshire  
Council**

## **Safeguarding Children, Young People and Vulnerable Adults, Policy and Procedures**

### **Introduction**

1. This policy is for all staff, elected members who may come into contact with children, young people and vulnerable adults in the course of their work, whether it is in someone's home, on council premises or in the community.
2. Cherwell District Council (CDC) and South Northants Council (SNC) aim to work in a way that contributes to the safeguarding of children, young people and vulnerable adults, preventing harm and radicalisation.
3. CDC and SNC will ensure that:
  - all employees involved in working with children, young people and vulnerable adults implement good working practices to ensure a safe and healthy environment;
  - all employees are aware of safeguarding and radicalisation issues both in the context of organised activities and within the home and community;
  - standard procedures are in place to identify and report suspected abuse or actual abuse of children or vulnerable adults and that all employees providing services for these groups understand these procedures.
4. CDC and SNC recognise that in providing services for children, young people and vulnerable adults there is a need to provide and maintain a high degree of physical and emotional wellbeing. Therefore the following procedures will be implemented:
  - ensure employees are aware of the safeguarding children, young people and vulnerable adults policy and procedures;
  - ensure employees and members of the public can effectively report concerns about children, young people and vulnerable adults at risk;



- operate sound recruitment and selection procedures for employees to ensure suitability for working with children, young people and vulnerable adults;
- identify and enable appropriate safeguarding training to take place for employees who work with children, young people and vulnerable adults;
- identify and enable appropriate safeguarding awareness training for Members and other staff not directly working with children, young people and vulnerable adults
- maintain appropriate records of training, risk assessments, referrals and escalation of concerns;
- demonstrate best practice in ensuring the safety of children, young people and vulnerable adults;
- participate in activities designed to increase community intelligence and reduce the risk of criminal acts

### **Recruitment and Selection of Employees**

5. CDC and SNC have a legal obligation to ensure that all job applicants (including casual and volunteer staff) do not have a history that would make them unsuitable for posts involving contact with children, young people and vulnerable adults.

In addition to the Safer Recruitment Policy and Practices of satisfactory references, medical reports / examinations and asylum and immigration checks, offers of appointment may be subject to receipt of a satisfactory disclosure from the DBS.

**The DBS policy must be adhered to and sets out clear guidelines for recruitment. The DBS policy should be read in conjunction with this Safeguarding Children, Young People and Vulnerable Adults Policy.**

### **Risk Assessment Protocol**

6. The line manager will carry out a risk assessment for any post identified on the vacancy assessment as having contact with children, young people or vulnerable adults. In all such posts the individual is not permitted to commence employment until satisfactory clearance has been received by the Council.

In exceptional circumstances and if restrictions can be applied to the role to negate any risks prior to the receipt of DBS clearance, such as identifying office based duties, the employee may be able to commence employment. Continued employment under these circumstances will still be conditional upon receipt of a satisfactory Disclosure being received. Failure to obtain clearance will result in non-engagement/instant dismissal. This policy and procedure includes paid employees, volunteers, elected Members and contractors.

### Training

7. Training is a crucial element in supporting employees to meet their responsibilities toward safeguarding children, young people and vulnerable adults. CDC will utilise the training provided by the Oxfordshire Safeguarding Children and Safeguarding Adults Boards and will support the Boards by offering members of staff to train as trainers.
8. SNC will utilise the training provided through a training contract identified by the Northamptonshire Safeguarding Children and Safeguarding Adults Board.
9. Additional training from other providers will be accessed to support the continuing professional development of staff in specific circumstances i.e. national legislation changes or staff in new roles.
10. There are three levels of training which respond to the specific types of contact employees have with children, young people and vulnerable adults. Managers will identify which level of training is appropriate to all posts and this information will be held in a central HR register and reviewed each time a post is recruited to. Attendance at the appropriate level of training will be mandatory.
11. Attendance will be monitored by Managers as part of the appraisal process. Failure to participate in training provided can lead to disciplinary action. In addition, safer recruitment training will be provided for staff involved with recruitment of these groups. Ad hoc training will also be provided to up skill staff in relation to specific areas of the broader safeguarding agenda through the knowing your communities programme. ( this may be referred to as Level 4 training)

#### 12. Level 1 (Awareness)

All employees will be provided with a basic understanding of the principles and their responsibilities towards safeguarding children, young people and vulnerable adults via this Safeguarding policy and a Safeguarding presentation. This will form part of the induction process for new staff. All managers will be required to attend Know Your Community briefings and attendance will be monitored and recorded.

#### 13. Level 2 (Generalist)

This ½ day training course or e learning modules covers definitions of abuse, indicators and managing concerns and is designed for employees who work with or have contact with children, young people and vulnerable adults during the course of their role. This includes staff who have regular or intense contact or who have an enforcement role or who have contact within a single setting, such as family homes, community events or schools or at Council offices to access services.

#### 14. Level 3 (Specialist)

This course is designed for the named lead / designated members for CDC with a specific responsibility for safeguarding children, young people and vulnerable adults within their job role, including all staff who may make a safeguarding referral or may participate in an assessment, safeguarding plan or be a member of a vulnerable adults or safeguarding children statutory meeting.

### **Definitions of Abuse**

15. Abuse may arise through neglect or through infliction of harm, or by failure to act to prevent harm. Children, young people and vulnerable adults may be abused in a wide variety of settings, by people known to them, or by strangers. Further information on the categories of abuse can be found at Appendix 1.

### **Responding to Disclosure, Suspicions and Allegations of Abuse**

16. It is not the responsibility of CDC employees to decide whether or not abuse is taking place. It is the responsibility of CDC/SNDC staff to be alert to signs of abuse and to report concerns. If a person says or indicates that they are being abused or information is obtained which gives concern that a person may be being abused the concerns should be reported promptly.

17. Staff should participate in child and adult protection proceedings where their professional expertise is needed to ensure positive safeguarding outcomes for children, young people or vulnerable adults. These proceedings may be called by social care colleagues or the police.

### **Confidentiality**

18. Confidentiality is a key issue in safeguarding children, young people and vulnerable adults. Sharing information with appropriate agencies, even when the individual does not consent, is allowed under these circumstances

- if there are safeguarding concerns
- in the case of concerns over radicalisation
- where there may be a need to share information to prevent a crime being committed.

### **Data Protection**

19. Occasionally there will be a need or requirement to collect and use certain types of information on children, young people and vulnerable adults. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998. (Personal information is data that relates to a living individual who can be identified from the data or other data held by the Council).

20. The lawful and correct treatment of personal information is very important and wherever such information is kept there is a need to comply and adhere to the principles of data protection, as laid out in the Data Protection Act 1998. The Council's joint Data Protection Policy is available on the intranet. In most cases

the need to safeguard a child or vulnerable adult will mean that sharing of the data with other relevant persons or agencies will represent fair and lawful processing of the data under the Act and where an employee is uncertain about this they should seek advice from Legal Services.

### Reporting Concerns

21. If you have any concerns you should report them using the See It Report It process. Guidance is provided on the intranet. The form captures written evidence of what you have seen or heard that gives you concern, keeps that document safe and confidential, and is reviewed by the Nominated Officer who is the joint Safeguarding Lead (detailed at Appendix II) as soon as possible.
22. Officers who have received specialist training may make their own referral to either MASH or Adult Social Care. A copy should be forwarded to the Nominated Officer for review and monitoring purposes.
23. If there is an imminent risk of harm then you should phone 999

### Nominated Officer

24. This person is available to advise employees and elected members and is required to:
  - be familiar with safeguarding procedures;
  - ensure there are effective internal procedures to handle concerns;
  - be the link person with relevant agencies;
  - attend appropriate training.

### Acceptable and Unacceptable Behaviour

25. CDC and SNC have published Safeguarding Guidance to support employees and elected members in understanding what is acceptable and unacceptable behaviour when working with children, young people or vulnerable adults (Annex A).
26. CDC and SNC have a duty to have a designated officer to be involved in the management and oversight of individual cases. The Nominated Officer will have this designation.
27. This person has responsibility for:
  - Ensuring that each authority operates procedures for dealing with allegations in accordance with the local Safeguarding Boards' guidance resolving inter-agency issues;
  - Liaison with the Local Safeguarding Boards on any issues.

### Review Processes for Child Death, Domestic Homicide Review and Serious Case Review

28. All members of the Local Safeguarding Boards are required to provide a senior officer contact to the Board. This person will act as a first point of contact for any

## Appendix 1

review processes undertaken, including, but not limited to deaths of children, young people and vulnerable adults, domestic homicide reviews that the organisation is made aware of.

29. If you become aware of the death of a child, young person or vulnerable adult in the course of your professional duties you should immediately contact the Nominated Officer as well as calling 999.

### Appendix 1

#### Categories and signs of abuse

##### Physical abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a person for whom they are caring.

##### Emotional abuse

Is the persistent emotional ill-treatment such as to cause severe adverse effects.. For example, it may involve conveying to children, young people and vulnerable adults that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. It may involve causing children, young people and vulnerable adults to frequently feel frightened or in danger, or their exploitation or corruption. Some level of emotional abuse is involved in all types of ill-treatment, though it may occur alone.

##### Sexual abuse

involves forcing or enticing a person to become involved in any way in sexual activities, whether or not they are aware of what is happening.

##### Sexual Exploitation

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's or young person's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Neglect is the persistent failure to meet basic physical and/or psychological needs, and is likely to result in the serious impairment of health or development.

Financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills property or inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits of vulnerable adults.

### The Signs of Abuse

The following factors should act as indicators in situations of potential or actual abuse:

- unexplained or suspicious marks, bruises, fractures, burns/scalds or injuries to the mouth and eyes;
- poor physical condition or delayed speech and language development in children
- a change in behaviour or appearance;
- inappropriate sexual awareness in children
- a statement by a child or person that he or she has been victimised;
- distrust of others, particularly those with whom a close relationship would normally be expected;
- difficulty making friends or socialising;
- prevention from socialising with other children, young people or adults.

It should be recognised that this list is not exhaustive and the presence of one or more of these indicators is not proof that abuse is actually taking place.

**Appendix II**

**Nominated Officer**

Nicola Riley  
Shared Interim Communities, Partnerships and Recreation Officer  
01295221724  
[Nicola.riley@cherwellandsouthnorthants.gov.uk](mailto:Nicola.riley@cherwellandsouthnorthants.gov.uk)



### **Promoting Good Practice when working with children, young people and vulnerable adults**

It is possible to reduce situations in which abuse can occur and help protect employees by promoting good practice. The following guidelines should be used to ensure this can be achieved:

- Always ensure that you follow safer recruitment practices and undertake DBS checks;
- Always work in an open environment, avoiding private or unobserved situations;
- Treat all children, young people and vulnerable adults with equal dignity and respect
- Always put the welfare of the person first;
- Maintain a safe, appropriate and professional distance with children, young people and vulnerable adults
- Build balanced relationships based on mutual trust which empowers children, young people and vulnerable adults to share in the decision making process;
- Make activities fun, enjoyable and promote fair play;
- Ensure that if any form of manual / physical support is required, it should be provided openly and with due care;
- Keep up to date with the appropriate technical skills and qualifications; ensure that if children are supervised that they are accompanied by at least two employees;
- Be an excellent role model - this includes not smoking or drinking alcohol, use of appropriate language and topics of conversation in the company of children, young people and vulnerable adults; give enthusiastic and constructive feedback rather than negative criticism;
- Recognise the developmental needs and capacity of children, young people and vulnerable adults;
- Ensure that equipment and facilities are safe and appropriate to the age and ability of the person
- Ensure that high standards are maintained at all times.

### **Practice to be avoided**

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of a senior officer, guardian or carer or the child's parent, for example:

- spending excessive amounts of time alone with children, young people and vulnerable adults away from others oversight;
- taking unaccompanied children, young people or vulnerable adults on car journeys, however short, on your own
- taking children, young people and vulnerable adults to your home.

Employees should never:

- engage in rough, physical or sexually provocative games, including horseplay;
- allow or engage in any form of inappropriate touching;
- allow children to use inappropriate language unchallenged;
- make sexually suggestive comments to a person, even in fun;
- allow allegations made by a person to go unrecorded or not acted upon;
- do things of a personal nature for children, young people and vulnerable adults that they can do for themselves;
- invite or allow children, young people and vulnerable adults to stay at their home;
- constantly shout at and/or taunt a person.

# Annual Performance Report June 2016

Looking back on 2015-16



*Cherwell: a great place to live*

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**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

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## Key Achievements at a glance

### Local Plan was adopted in July 2015

**200 hectares of new employment land and 22,800 houses**

**Improved rail connections between Bicester, Oxford and London**

**Growing economy**

**Low levels of unemployment**

**1,083 jobs created or safeguarded**

**Extension of Begbroke Science Park**

**New Technology Studio School in Bicester**

**Employable Banbury workshop**

**'building bridges' between businesses, educators and organisations**

**Bicester designated as a Garden Town and an NHS England Healthy Town**

**The UK's largest self-build programme**

**322 affordable homes**

# Foreword

Welcome to our Annual Report which provides an overview of the council's performance and highlights our key achievements in 2015/16.

During the year the council has continued to deliver high quality services, new projects and innovations, whilst ensuring our customer satisfaction levels remained high.

We have continued proactive working with our partner South Northamptonshire Council in developing further shared working to provide resilience and to make savings so that the council is prepared for the future and any further government reduction in grants and revenues.

We have promoted economic growth; helping local companies to expand, securing high quality and high value jobs, with increased opportunities for all, and supporting more affordable homes for local people so that Cherwell District is a place where people want to live and work. We also work with partners to help deliver the right services and new projects for the District.

Our effective financial management has ensured we have balanced our budget and delivered no increase on the council element of Council Tax for 2016/17.

Although this is an opportunity to look back on our achievements we are not standing still and are looking forward to this year 2016/17 with a refreshed annual business plan in place to take us on our journey. The 2016/17 business plan can be found here [www.cherwell.gov.uk/yourcouncil](http://www.cherwell.gov.uk/yourcouncil)



**Councillor Barry Wood**

Leader of Cherwell District Council



**Sue Smith**

Joint Chief Executive, Cherwell District and South Northamptonshire Councils

In 2015/16 Cherwell District Council continued to work with the four strategic priorities.

<b>Cherwell: a district of opportunity</b>	Supporting economic development, employment, conservation, regeneration and development of the District.
<b>Cherwell: safe, green, clean</b>	Working to ensure the District has high standards of environmental cleanliness, great recycling and waste management, tackling crime and supporting energy efficiency.
<b>Cherwell: a thriving community</b>	Providing affordable housing, leisure and sports facilities and activities. Working with partners to improve access to health services. Providing arts, cultural and community services.
<b>Cherwell: sound budgets and customer focused council</b>	Ensuring the council is run as efficiently as possible, consulting with local people, helping vulnerable people to access our services, and the provision of council tax and housing benefits.

Each year, from the key objectives and actions under our strategic priorities, several are highlighted as performance pledges. These pledges reflect local priorities and demonstrate our commitment to the delivery of important local services and new projects to help make Cherwell a great place to live.

One year on, it's time to reflect on our progress in delivering the 2015-16 Business Plan. The next few pages highlight some of the achievements that the council, working with its partners has achieved.

## Key achievements

The **Local Plan was adopted in July 2015** and the Development Framework for the District is in place concentrating growth on Bicester, Banbury and Upper Heyford. All the sites are coming forward to deliver **200 hectares of new employment land and 22,800 houses.**

The East West Rail line **improved connections between Bicester, Oxford and London** for commuters and business links.

The **economy is growing** and we are recording historical **low levels of unemployment** and through the Job Fairs the Economic Growth Team have seen large increases in local employment and company support.

The Banbury Gateway opened with the 9th largest Marks and Spencer in the country with **staff recruited through the Job Fairs.** Considerable assistance has been provided to businesses recruiting local people. Tailored events provided to business needs through the job club and job fair services enabled the recruitment of over 1,000 staff: this supported a wide range of businesses across the district that required help to fill vacancies in manufacturing, logistics, retail, care, research and development and leisure. The full year saw **1,083 jobs created or safeguarded.**

The new **extension of Begbroke Science Park** is under construction and is a major extension of Oxford University presence in Cherwell District.

Throughout the year, partnership plans have progressed well towards establishing a **new Technology Studio School in Bicester**, due to open in September 2016. As part of the Brighter Futures in Banbury programme, skills issues have also been considered alongside matters relating to health, families and housing culminating on 18 March with the Council leading an **Employable Banbury workshop**, held at Banbury College and including Victoria Prentis MP. Particular emphasis was placed upon **'building bridges' between businesses, educators and organisations.** Two apprentices from a local engineering company provided an impressive insight to the opportunities that are already available to young people.

Bicester/Graven Hill - We are **proud of Bicester as a place, as a designated Garden Town, and as an NHS England Healthy Town,** and we want a full range of housing choices. The easiest way to genuinely speed up delivery is to be in charge of it. There is an unmet demand for self build and custom build in this country, so the opportunity to purchase a brown field site from MoD was too good to miss. "Do it Yourself" has become our motto in every respect.

Build - From tackling run down empty properties in Banbury to **the UKs largest self-build programme,** over the last 5 years Cherwell has transformed its approach to affordable housing, development and building new communities by creating an innovative, sustainable and scalable housing model. During 2015/16 **322 affordable homes** were delivered in the District with 95 of these being self build housing projects.



# Awards

## Green Apple Environment award MRW Team of the Year award Champion of the Year Primary Authority of the Year Best Town/ City award

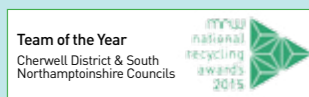
Cherwell District Council's EcoBicester team, sustainability charity Bioregional and developers A2Dominion were jointly awarded the **Green Apple Environment award** for the Built Environment category. The Green Apple Environment awards have been taking place since 1994 to promote, recognise and reward schemes which promote environmental best practice across the world. The award recognised the organisations' One Shared Vision initiative to extend the sustainability concept for 6,000 true zero carbon homes at NW Bicester across the rest of the town.

Cherwell District and South Northamptonshire Councils jointly scooped the **Team of the Year award** at the national MRW Recycling Awards in July 2015 for a joint campaign using social media to raise residents awareness of recycling.

At the 2015 national Local Authority Recycling Advisory Committee (LARAC) awards the Joint Recycling Officer was named **Champion of the Year** for his portfolio of successful recycling initiatives.

Cherwell District Council, along with partner Sainsbury's, was nominated in the **Primary Authority of the Year** awards and received a 'highly commended' accolade after having been among the shortlisted finalists. "Primary Authority" is a scheme that aims to reduce burdens on business and encourage economic growth.

Cherwell District Council and sustainability charity Bioregional collectively took the **Best Town/City award** at the P. E. A. (People. Environment. Achievement) Awards which recognise efforts by individuals and organisations to support a green agenda. To take the accolade, Cherwell and Bioregional had to demonstrate measures which had been implemented to reduce the carbon footprint of the town. Bicester had been shortlisted for the award alongside other towns/cities including Bristol and Brighton but took the title for the work which had taken place to embed sustainable development throughout the entire town with designs that could be easily replicated by all local authorities.



# Our performance pledges for 2015/16 – a review

Cherwell: a district of opportunity

Supporting economic development, employment, conservation, regeneration and development of the District.

### Make progress onsite for the initial housing development at North West Bicester.

- The first phase of development at NW Bicester, known as Elmsbrook, is nearing completion and is due for first occupations in late spring 2016. The phase includes a mix of housing including flats, terrace, semi detached and detached houses. The houses are a mix of tenures with affordable rented properties, shared ownership and market sale properties. In addition to housing, the first primary school is under construction and planning permission has been resolved to be granted for the local centre to serve the development. The development is achieving true zero carbon and very high standards of sustainability as required by the Local Plan policy Bic 1.

### Make progress on site for the initial infrastructure at Graven Hill and promotion of the self-build plots.

- A new Managing Director was appointed in January 2016 as we now push towards the implementation phase. Infrastructure works have commenced on the demonstrator project and the first self builders are due on site in June 2016 with phase 1A plots due for release in Summer 2016.

### Commission and complete a commercial appraisal for Banbury town centre, and subsequently bring forward appropriate redevelopment proposals for urgent consideration.

- Business Improvement District bid: The tender to undertake the BID study, the essential first stage to creating a BID has been let and responses are awaited. The option of a BID has been discussed with the Chamber of Commerce and is referred to in the draft Banbury Masterplan.

- Banbury Vision and Masterplan progress: The draft Masterplan has been published and completed a four week consultation. Responses are being compiled and assessed, with a view to considering what changes may be required to the draft Masterplan. The final Supplementary Planning Document is to be considered at Executive in July and adopted.
- Hella Site: A viability assessment has been commissioned and completed. Officers have considered the report and have asked that the Canalside site phasing plan is completed to enable the Hella report to be considered in relation to how it might assist the relocation of companies from Canalside and so enable development land to become available at Canalside in a phased way.

### Complete and implement the Masterplan for Kidlington, helping to develop a strong village centre.

- Consultation is underway on the Kidlington Masterplan.



Our performance pledges for 2015/16 – a review

**Cherwell: safe, green, clean**

Working to ensure the District has high standards of environmental cleanliness, great recycling and waste management, tackling crime and supporting energy efficiency.

**Maintain the District's high recycling rate.**

- The target has been missed and the provisional figures show 55.78% v target of 57%. Composting is down this year which affects the tonnage collected. However overall the amount sent to landfill is less than last year and most of the waste that cannot be recycled is sent to the Energy Recovery Facility. 1,557 blue bins have been delivered to customers this year encouraging more recycling.

**Improve local residents' satisfaction with street and environmental cleanliness continuing our successful programme of neighbourhood litter blitzes.**

- All six of the planned Neighbourhood Blitz events have been completed. They all proved to be very popular with members of the public and Councillors alike. We also supported Banbury Town Council in the Clean for the Queen initiatives, which involved staff, members of the public, and local Councillors. The satisfaction survey in 2015 showed 69% of respondents were satisfied with the level of street cleanliness, a slight increase on the previous year and 75% were satisfied with the care of parks and open spaces.



**Work with the local police and licence holders to ensure our town centres remain safe and vibrant in the evenings.**

- There has been no appreciable increase in night time violence in the towns and the numbers of exclusions from the towns have fallen. This indicates that generally licensees are managing responsibly and co-operating with the police.

Our performance pledges for 2015/16 – a review

**Cherwell: a thriving community**

Providing affordable housing, leisure and sports facilities and activities, working with partners to improve access to health services, providing arts, cultural and community services.

**Continue working with our partners to provide support to the most vulnerable individuals and families in the district, building on the Brighter Futures in Banbury programme.**

- The second workshop for the Brighter Futures in Banbury programme involved a successful 'employability' workshop in March 2016 which brought secondary and higher education together with local employers. A range of actions and initiatives were developed from this, which are now being considered.

**Deliver 150 units of affordable homes in the District and support opportunities for self-build and developing self-build skills.**

- The year overall has been positive with new opportunities identified as well as established sites progressed to a position which will enable new affordable housing to be delivered in the district under the Council's Build! banner. A total of 322 affordable homes were delivered within the District during the year, significantly exceeding target.

**Continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training.**

- In March 2016, the Council led an Employable Banbury workshop as part of the Brighter Futures in Banbury programme, held at Banbury College and including Victoria Prentis MP. Particular emphasis was placed upon 'building bridges' between businesses, educators and organisations. Two apprentices from a local engineering company provided an impressive insight to the opportunities that are already available to young people. Discussions enabled further links to be established

between businesses, for instance in the promotion of the science, technology, engineering and maths (STEM) subjects. An action plan is being developed and further workshops are being planned to address related issues such as housing affordability.

- March also featured the National Apprenticeship week, with specialist events held at North Oxfordshire Academy and other venues across Cherwell. Day-to-day liaison with businesses by the Economic Growth team also provided referrals into the Oxfordshire Apprenticeship Services.
- The Brighter Futures in Banbury programme is also providing a grant of £10,000 to Ethnic Minority Business Service to allow the continuation of guidance for long-term unemployed people.
- Job clubs and job fairs were provided in Banbury and Bicester, with over 2,000 visits made during the year. This included six job fairs being held (Banbury & Bicester) in addition to weekly job clubs. All age groups are helped as well as assisting people that were already in employment to change careers. The Job Club partnership links have also promoted apprenticeships and traineeships to businesses as a practical means of engaging young people and supporting them in their career paths.



Our performance pledges for 2015/16 – a review

**Cherwell: sound budgets and customer focused council** Ensuring the council is run as efficiently as possible, consulting with local people, helping vulnerable people to access our services, and the provision of council tax and housing benefits.

Continue to improve our website, and implement additional online services for customers and maintain the SOCITM rating of 3/4 stars.

- The website has been maintained on an on-going basis, although development has been staid as there are plans to move to a new single platform. Work on this was placed 'on hold' whilst discussions were on-going about the future working with Stratford. This will be addressed in 2016/17.

Extend the Joint Working Programme to include new methods of service delivery and more services delivered in partnership.

- Significant progress has been made over the year with Business Cases agreed for Economic Growth, Communications, Environmental Health & Public Protection and Customer Service, Revenues and Benefits (subject to consultation) Leisure and Community (subject to consultation). Options are under development for Housing and Planning. The joint programme is designed to provide resilience and savings to the council.



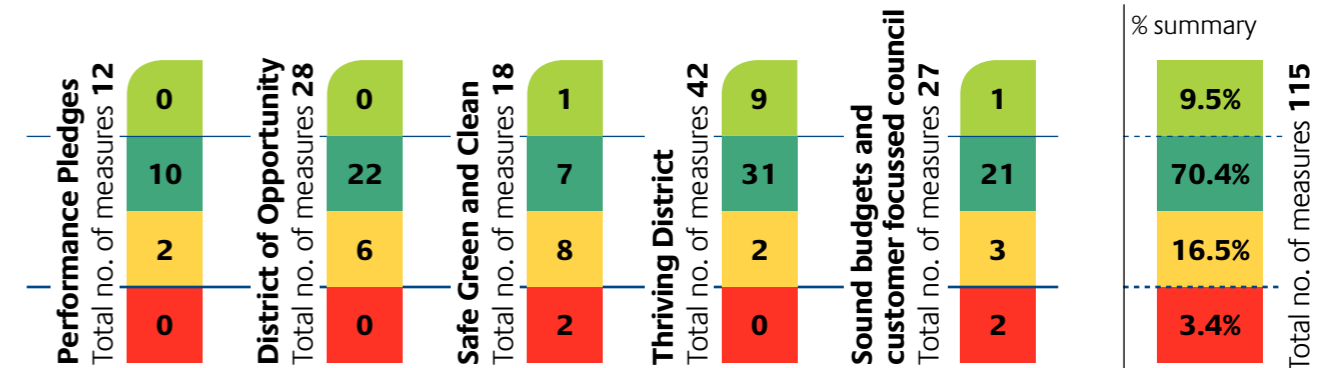
# A summary of our performance:

## Summary of our performance

The table below summarises the progress we have made delivering against the activities, task and projects outlined in our business plan under each of the four strategic priorities.

We use a 'RAGG\*' (red, amber, green, green\*) system where green\* refers to a target that has been over achieved, green to a target wholly met, amber to a target narrowly missed and red to a target missed by 10%.

### End of year 2015/16 summary outturn



Please see the accompanying Appendices for full details on the progress in 2015/16

## Community Engagement

A Connecting Community Event “Have Faith in Community” was held during Inter Faith Week (15 – 21 November 2015) providing information regarding the community services offered by the District, the County and the voluntary groups in and around Banbury. The ambitious event linked the Faith Forum and Connecting Communities with over 70 people attending. The Give or Take and Radio Horton really helped to bring people forward and it was a joint effort to encourage participation.





**Customer Contact and Feedback**

Every year since 2006 Cherwell District Council has undertaken a customer satisfaction survey. In 2015 the survey was carried out between May and July revealing that 79% of residents are satisfied with the council's performance; the highest level of satisfaction since the survey began and the fourth year running that satisfaction has increased.



**As a place to live Cherwell is at its highest satisfaction level at 88%.**

**Street cleaning services scored 69%, the best ever.**

**Perceptions of value for money offered by the council reached 55%, highest score to date.**

Full details of the satisfaction survey can be found at [www.cherwell.gov.uk/satisfactionsurvey](http://www.cherwell.gov.uk/satisfactionsurvey).

**This is the highest rating of satisfaction recorded since the survey began.**

**Complaints Summary**

No of complaints received	No of valid complaints	No of complaints escalated to Stage 2	Percentage acknowledged in 3 working days	Percentage responded to in 10 working days
261	129	43	90.04%	79.31%

The figures regarding the 10 working day response time do not include the number of complaints that received agreed extension dates as per the policy. During 2016/2017 new reporting functions will enable reporting on the number of complaints to receive extension requests which will provide a more accurate figure for the adherence to the policy.

**Ombudsman summary**

No of Ombudsman Complaints received	No of valid complaints	No of complaints escalated to Stage 2	Percentage acknowledged in 3 working days	Percentage responded to in 10 working days
tbc	tbc	tbc	tbc	tbc

**Freedom of information requests**

Number of requests received during 2015/16:

Apr – June	July – Sept	Oct - Dec	Jan – March	Year Total
136	111	109	138	<b>494</b>

## Getting in touch

Throughout the year the council provides opportunities for local people to have their say. Whether this be through customer satisfaction surveys, budget consultation, consultation on new projects and services, talking to local business organisations or feedback via our link-points or web site we are keen to listen to what you like and what needs to be improved. Our consultations are published on our one-stop consultation portal which can be found at:

<http://consult.cherwell.gov.uk/portal/>

However, if you would like to feedback about any other matter you can do so using the contact details on this page.

**Email:** [consultation@cherwell-dc.gov.uk](mailto:consultation@cherwell-dc.gov.uk)

**To find and email your ward councillor:**  
<http://modgov.cherwell.gov.uk/mgFindCouncillor.aspx>

**Call the Performance and Insight Team:**  
01295 221605

**Customer Services:** 01295 227001

**Write:**

The Performance and Insight Team  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire, OX15 4AA

For general enquiries visit [www.cherwell.gov.uk](http://www.cherwell.gov.uk)  
or contact the customer service team  
01295 227001.

*Cherwell: a great place to live*

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**Cherwell**  
  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE



# Business Plan 2016-17



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**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# Business Plan 2016-17





Cherwell:  
a district of  
opportunity

Cherwell:  
safe, green,  
clean

Cherwell:  
a thriving  
community

Cherwell:  
sound budgets  
and customer  
focused council

*Cherwell: a great place to live*

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