

# Public Document Pack



<b>MID SUFFOLK CABINET</b>	
<b>DATE:</b>	<b>MONDAY, 6 DECEMBER 2021 10.30 AM</b>
<b>VENUE:</b>	<b>FRINK ROOM (ELISABETH) - ENDEAVOUR HOUSE</b>

<b>Councillors</b>
<u>Conservative and Independent Group</u> David Burn Julie Flatman Jessica Fleming Peter Gould Lavinia Hadingham Suzie Morley (Chair) Harry Richardson John Whitehead Gerard Brewster (Vice-Chair)

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## **AGENDA**

### **PART 1**

#### **MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

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- 1 **APOLOGIES FOR ABSENCE**
- 2 **DECLARATION OF INTERESTS BY COUNCILLORS**
- 3 **MCa/21/28 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 1 NOVEMBER 2021** 5 - 12
- 4 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**
- 5 **QUESTIONS BY COUNCILLORS**
- 6 **MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

## 7 FORTHCOMING DECISIONS LIST

The most up to date Forthcoming Decisions List can be viewed on the Website on the following link:

[Forthcoming Decisions List » Mid Suffolk](#)

### 8 **MCa/21/29 GENERAL FUND FINANCIAL MONITORING 2021/22 - QUARTER 2** 13 - 30

Cabinet Member for Finance

### 9 **MCa/21/30 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2021/22 - QUARTER 2** 31 - 38

Cabinet Member for Finance.

### 10 **MCa/21/31 QUARTER 2 PERFORMANCE** 39 - 68

Cabinet Member for Customers, Digital Transformation and Improvement

### 11 **MCa/21/32 NEW HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING POLICY** 69 - 122

Cabinet Member for Environment

## **Date and Time of next meeting**

Please note that the next meeting is scheduled for Monday, 10 January 2022 at 10.30 am.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, H. Holloway on: 01449 724681 or Email: [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk)

### **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

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# Agenda Item 3

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK CABINET** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Monday, 1 November 2021

### PRESENT:

Councillor: Suzie Morley (Chair)

Councillors: David Burn  
Jessica Fleming  
Lavinia Hadingham  
John Whitehead  
Julie Flatman  
Peter Gould  
Harry Richardson

### In attendance:

Councillor(s): John Field  
Helen Geake  
Andrew Mellen  
Keith Welham

Guest(s): Jo Fellowes – Schools Infrastructure Manager - Suffolk County Council  
Schools  
Pete Munford – Schools Planning Manager - Suffolk County Council

Officers: Chief Executive (AC)  
Strategic Director (KN)  
Assistant Director – Planning and Building Control (TB)  
Assistant Director - Economic Development and Regeneration (FD)  
Assistant Director - Housing (GF)  
Interim Assistant Director for Communities and Wellbeing (NM)  
Senior Governance Officer (HH)

### Apologies:

Gerard Brewster (Vice-Chair)

## 57 DECLARATION OF INTERESTS BY COUNCILLORS

57.1 Councillor Richardson declared a local non-pecuniary interest in Item 8, as a Ward Member for Thurston.

57.2 Councillor Whitehead declared a local non-pecuniary interest in Item 10, as Director for Gateway 14 Ltd.

## 58 MCA/21/24 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 4 OCTOBER 2021

It was **RESOLVED**: -

**That the minutes of the meeting held on the 4 October 2021 be confirmed as a**

correct record.

**59 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

**60 QUESTIONS BY COUNCILLORS**

None received.

**61 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

There were no matters referred.

**62 FORTHCOMING DECISIONS LIST**

The Forthcoming Decisions List was noted.

**63 MCA/21/25 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME NOVEMBER 2021**

63.1 The Chair invited the Cabinet Member for Planning, Councillor Burn to introduce the report.

63.2 Councillor Burn provided the introduction and outlined the two CIL bids in the report. He introduced Suffolk County Council's (SCC) Schools Infrastructure Manager and Schools Planning Manager to Cabinet.

63.3 Councillor Burn proposed recommendation 3.1 and 3.2 in the report, which was seconded by Councillor Fleming.

63.4 The Chair invited the Ward Member for Elmswell, Councillor Geake to make a representation to Cabinet.

63.5 Councillor Geake reiterated that the Parish Council, the Suffolk County Councillor and herself were against the proposal for Elmswell. She provided a summary of the attendance at the school and the circumstances surrounding school provision for Elmswell and Woolpit and the reasons for her objections to the development at Elmswell Primary School.

63.6 In response to Councillor Hadingham's questions, the SCC Schools Infrastructure Manager and Schools Planning Manager detailed the issues for the development of the school site based on the projected increase in pupils attending the school in 2022. The neighbouring village of Woolpit would be able to provide school places for any future increases in the number of primary school children in Elmswell, once the new housing developments were completed. Currently no suitable sites had been made available for the development of a new school in Elmswell.

- 63.7 The Chair asked if any of the sites that had been identified in the emerging Joint Local Plan had been considered, to which the SCC School Planning Manager responded that there had been no sites offered to the SCC Educational Authority which had been large enough to accommodate a new school in Elmswell.
- 63.8 The SCC Schools Manager continued to respond to questions from Members on issues including expected increases in the number of pupils in both Elmswell and Woolpit, the current and future capacity of the school provision in both villages, the time scales for the building of a new school, and the implications of the land availability for sites.
- 63.9 The Schools Infrastructure Manager outlined the responses to the consultation and the support of the school Governors for the development.
- 63.10 Officers responded to questions from other Members attending the meeting including the combined capacity of Elmswell and Woolpit schools and the long-term cohesive strategy for both communities being served by three schools, plans for walking and cycling links between the two villages, and forecasts for pupils attending each school.
- 63.11 Members debated the issues including that the solution to provide additional school places was based on advice received from the Local Education Authority and was supported by the School in Elmswell, that the Community User agreement would be included in phase 3 of the bid progression, that the bid was supported by the school administration and Governors, the consequences of delaying the bid, and that the bid was based on technical advice from planning officers and SCC officers. In addition that the role of the Cabinet was not to decide where schools should be built but to consider the proposed bid.
- 63.12 The Cabinet Member for Planning, Councillor Burn stated that due diligence had to be undertaken when considering the CIL Bid. He outlined the issues around the decision for the new school site and future plans for further developments in both Elmswell and Woolpit.
- 63.13 The Chair advised Members that a separate vote would be taken for each of the proposed CIL bids in recommendation 1.1.

**It was RESOLVED:-**

- 1.1 That the CIL Expenditure Programme (November 2021) and accompanying technical assessment of the CIL Bid – M21-03 and M19-06(forming Appendices, A and B) and which include decisions on these CIL Bid for Cabinet to make as follows be approved: -**

**Ringfenced and Local Infrastructure Fund**

CIL Bid, Location and	Amount of CIL Bid and	Cabinet Decision
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<b>Infrastructure Proposed</b>	<b>total cost of the Infrastructure</b>	
M21-03 ELMSWELL Elmswell Primary School increase from 315 to 420 places	Amount of CIL Bid £1,560,006.21 Total costs £2,224,884.50	Recommendation to Cabinet to approve CIL Bid M21-03 for £1,560,006.21, with £1,251,938.98 from the Ringfenced Fund and £308,067.23 from the Local Infrastructure Fund

It was **RESOLVED**:

**AMENDMENTS TO A PREVIOUS BID AGREED BY MID SUFFOLK CABINET  
ON 7th JUNE 2021**

<b>CIL Bid, Location and Infrastructure Proposed</b>	<b>Amount of CIL Bid and total cost of the Infrastructure</b>	<b>Cabinet Decision</b>
M19-06 THURSTON Additional Land and School/Community Facilities	Amount of CIL Bid (previously approved) £1,069,841.00 Total costs £1,169,703.00	Recommendation to Cabinet to approve the amendments to the previously agreed CIL bid as set out in this report – to remove the requirement for a Community User Agreement.

It was **RESOLVED**:

- 1.3 That this CIL Expenditure Programme which includes the position in respect of approved CIL Bids from Rounds 1, 2, 3, 4, 5, 6 and 7 (including Cabinet decisions in June 2021) - (Appendix A Section B) together with details of emerging infrastructure /CIL Bids (Appendix A Section C) be noted and endorsed.**

**REASON FOR DECISION**

Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11<sup>th</sup> April 2016. The CIL Expenditure Framework was



originally adopted in April 2018 and reviewed with amendments adopted on the 18<sup>th</sup> March 2019, 20<sup>th</sup> April 2020 and 23<sup>rd</sup> and 25<sup>th</sup> March 2021. The CIL Expenditure Framework requires the production of a CIL Expenditure Programme for each District which contains decisions for Cabinet to make or note on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form one of the ways in which necessary infrastructure supporting growth is delivered.

**64 MCA/21/26 INFRASTRUCTURE FUNDING STATEMENT FOR MID SUFFOLK DISTRICT COUNCIL APRIL 2020 - MARCH 2021**

- 64.1 The Chair, Councillor Morley read out a statement that Cabinet had agreed that this Infrastructure Funding Statement and all future Infrastructure Funding Statements would be circulated to all Members and published on the Council's website in due course. Therefore, this item would not be presented to Cabinet.
- 64.2 The Cabinet Member for Planning, Councillor Burn provided an introduction for the item and outlined the requirements for the Infrastructure Funding Statement. He supported the decision that the Infrastructure Funding Statement should be forwarded to all Members in the future and published on the Council's website.
- 64.3 Councillor Burn proposed the recommendations in the report, which was seconded by Councillor Gould.

**It was RESOLVED: -**

- 1.1 That Cabinet note the content of this report and Appendices A and B and that the content of Appendices A and B be submitted to the Government as Babergh's Infrastructure Funding Statement.**
- 1.2 Cabinet's agreement is also sought to the publication of the Infrastructure Funding Statement (Appendices A and B) on the Council's web site.**

**REASON FOR DECISION**

There are a number of different ways which Infrastructure is delivered following growth within each District. Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11<sup>th</sup> April 2016. The CIL Expenditure Framework was originally adopted in April 2018. It was reviewed with amendments; these were adopted on the 18<sup>th</sup> March 2019 and the 20<sup>th</sup> April 2020. This Framework requires the production of a CIL Expenditure Programme for each District at least twice a year containing decisions for Cabinet to make or note on CIL Bids for infrastructure. Section 106 monies are collected through the completion of legal agreements before planning permission is granted for development. These secure developer contributions or direct provision of infrastructure. These legal agreements control the amount of money to be received and the timing and nature of the infrastructure provision. Neighbourhood CIL is paid out twice a year by the 28<sup>th</sup> April and by the 28<sup>th</sup> October to all Parishes with the exception of Parish meetings where these monies are held by the Councils for us to work with those

Parishes to devise and implement infrastructure proposals. All Parishes need to make a yearly return to each Council on the expenditure of their Neighbourhood CIL and this should be published on their Parish web site. As part of the evidence supporting the development of a Joint Local Plan an Infrastructure Delivery Plan has been produced which is being updated. All of these measures and where appropriate, decisions form ways in which necessary infrastructure supporting growth in the Districts are delivered /or prioritised for the benefit of our communities

## **65 MCA/21/27 FUNDING TO SUPPORT THE STRATEGIC PRIORITIES**

Note: The meeting was adjourned between 11:50 am and 12:03pm.

- 65.1 The Leader of the Council, Councillor Morley introduced the Item and proposed recommendations 3.1, 3.2 and 3.3 in the report.
- 65.2 Councillor Flatman seconded the recommendations.
- 65.3 The Chair invited the Cabinet Members for Communities, Housing, and Health and Wellbeing to provide introductions for their proposals in the Strategic Priorities.
- 65.4 The Chair provided an introduction on behalf of the Cabinet Member for Economic Growth, as he had forwarded apologies to the meeting.
- 65.5 The Chair invited questions from Cabinet Members and other Members attending the meeting.
- 65.6 In response to a question regarding the staff resources required to meet the projects set out in the Strategic Priorities, the Chief Executive stated that the report detailed the requirements for staff resources and that it varied whether recruitment for vacancies would be for permanent or temporary arrangements. A breakdown of staff requirements for each Service Area would be provided to Members after the meeting.
- 65.7 In response to questions from other Members attending the meeting the Cabinet Member for Health and Wellbeing advised that the Youth Prescribing scheme would be made available through the integrated neighbourhood teams. The delivery plan would also include engagement with opposition members. The Holiday Scheme eligibility would in the first instance be based on those who received free school meals. The Department of Education provided funding for all other holiday schemes except for those provided in the half-term breaks, which the Council funded.
- 65.8 In response to questions in relation to the funding allocated for sustainable travel, the Assistant Director for Economic Development and Regeneration detailed the work of the Sustainable Travel Officer and stated that the funding supported this work with stakeholders such as Suffolk County Council and businesses.
- 65.9 The Strategic Director responded to a question in relation to members'

involvement in developing the proposals included in the Strategic Priorities. There would be opportunities at the upcoming All Member Briefings to provide input to the proposals and to discuss further.

- 65.10 Additional questions from other Members attending the meeting related to the funding allocation for the proposals, the timing for the expenditure of the funding and the previous exemplar scheme for construction of housing.
- 65.11 The Assistant Director for Housing stated that the housing developments were on HRA sites, and that it was pertinent to look at new technological developments, as they come forward, to improve energy performance in housing.
- 65.12 Members debated the issues including the impressive array of investments in action, that small sums of funding were important to smaller organisations, that non-permanent appointments should be made to time limited projects, and that the reserves were spent as a result of prudent savings and would be put to good use in the Community.
- 65.13 In addition to the Council providing money for core funded services, the Council could also deliver the new services identified in the Strategic Priorities, these were funded from the reserves, recirculating loans and from external match funding. The Council was in a fortunate position to be able to develop and recover from the effect of the past months and to support residents and businesses, enabling them to grow.

**It was RESOLVED: -**

- 1.1 That the proposed areas of expenditure, with a total value of £5.138m and as set out at paragraph 4.5 of this report, be agreed in principle.**
- 1.2 That authority be delegated to the relevant Assistant Director in consultation with the relevant Cabinet Member to finalise the detail of the programmes of work and to make minor amendments if required.**
- 1.3 That authority be delegated to the relevant Assistant Director in consultation with the relevant Cabinet Member and the Cabinet Member for Finance to agree the criteria for the allocation of new loans and grants.**

**REASON FOR DECISION**

To enable the new and extended programmes of work to commence to support the delivery of the Council's strategic objectives.

The business of the meeting was concluded at 12:58 pm.

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Chair

# Agenda Item 8

## MID SUFFOLK DISTRICT COUNCIL

<b>COMMITTEE:</b> Cabinet	<b>REPORT NUMBER:</b> <b>MCa/21/29</b>
<b>FROM:</b> Councillor John Whitehead, Cabinet Member for Finance	<b>DATE OF MEETING:</b> 6 December 2021
<b>OFFICER:</b> Katherine Steel, Assistant Director, Corporate Resources	<b>KEY DECISION REF NO.</b> CAB276

### GENERAL FUND FINANCIAL MONITORING 2021/22 – QUARTER 2

#### 1. PURPOSE OF REPORT

- 1.1 This report considers the revenue and capital financial performance for the period April to September as well as the impact of COVID19 on the Council's finances and highlights significant variances expected for the financial year 2021/22. As at 30<sup>th</sup> September a surplus position of £398k is forecast.

#### 2. OPTIONS CONSIDERED

- 2.1 At this stage in the year, the financial position is for noting only

<b>3. RECOMMENDATIONS</b>
3.1 That, subject to any further budget variations that arise during the rest of the financial year, the surplus position of £398k, referred to in section 6.6 and Appendix A of the report, be noted;
3.2 The revised 2021/22 Capital Programme referred to in Appendix E and section 6.16 be noted.
<b>REASON FOR DECISION</b>
<b>To ensure that Members are kept informed of the current budgetary position for both General Fund Revenue and Capital.</b>

#### 4. KEY INFORMATION

##### Strategic Context

- 4.1 In February 2021 Mid Suffolk District Council approved the General Fund Budget 2021/22 and Four-Year Outlook. The budget was prepared during one of the most challenging and uncertain times due to the impacts of COVID19 on the Council's finances, staff, residents, and local economy. Income streams were reviewed when setting the budget and revised where appropriate and any COVID19 related costs were assumed to be funded from the COVID19 reserve.

- 4.2 The financial impact of COVID19 for 2021/22 and beyond remains difficult to predict, therefore regular monitoring and reporting to MHCLG of the financial impact continues during this financial year.

#### Comprehensive Spending Review

- 4.3 The Government's three-year Comprehensive Spending Review (CSR) was planned to conclude in July 2020, however, on 24 March 2020 the Chancellor announced that the CSR would be delayed 'to enable the Government to remain focussed on responding to the public health and economic emergency'. On 21<sup>st</sup> October 2020, the Chancellor announced the decision to provide a one-year Spending Review (SR) to prioritise the response to COVID19 and focus on supporting jobs. Details of this SR20 were published on 25<sup>th</sup> November 2020.

- 4.4 The spending review for 2022/23 was announced on 27<sup>th</sup> October 2021 and covers the three years 2022/23 to 2024/25. The Chancellor announced £1.5bn growth in grant funding for 2022/23 with no further increases in 2023/24 or 2024/25. Details of the funding allocations for individual authorities, and whether these will cover the 3-year period, will not be known until the provisional settlement in December 2021.

#### Business rates review and revaluation

- 4.5 The Fair Funding Review, Business Rates Review and business rates reset have been delayed. The Chancellor's Budget on 27<sup>th</sup> October announced several measures around the business rates system, including reducing the burden for some sectors, introducing new reliefs to support property improvements and green investment and de-carbonisation of properties and confirmation that revaluations would take place every 3 years from 2023. To support stability leading up to the next revaluation, it was announced that transitional relief would be extended for a further year.

### 5. IMPACT OF COVID19

#### **Government support schemes**

- 5.1 The Council continues to administer the business restart and back to business grants as well as self-isolation payments in 2021/22
- 5.2 The table below shows the amount of grants that have been paid out in the first half of the year.

<b>COVID SUPPORT ADMINISTERED BY MID SUFFOLK</b>				
		<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
	<b>Balance at 1 April 21</b>	<b>Received from Government</b>	<b>Paid out</b>	<b>Balance at 30 Sept 21</b>
<b>Business Grants</b>				
Local Restrictions Support Grant Funding (LRSG)	2,450		(451)	1,999
Additional Restrictions Funding (ARG), Restart and Back to Business Grants	1,610	6,150	(7,155)	605
	<b>4,060</b>	<b>6,150</b>	<b>(7,606)</b>	<b>2,605</b>
<b>Self isolation payments</b>				
MHCLG Self Isolation Funding payments	69	28	(22)	74
	<b>69</b>	<b>28</b>	<b>(22)</b>	<b>74</b>

## Financial Impact for the Council

- 5.3 The impacts of COVID19 for 2021/22 continue to remain a risk for the Council's finances as the pandemic continues to have an impact nationally and locally. The long-term effects and speed of recovery is still unknown at this stage.
- 5.4 As the Council did not use all of the £2.7m Government funding during 2020/21, it was able to top up the existing COVID19 reserve by £582k giving a total reserve balance of £862k to mitigate the financial impacts and support recovery in 2021/22 along with a further £438k of COVID funding received in 2021/22.
- 5.5 The main areas where support is currently anticipated during 2021/22 are additional costs for public health, leisure, and business support, but this will be kept under review throughout the year.
- 5.6 The full year impact forecast at the second quarter of the year is additional costs relating to COVID19 of £500k and a loss of income of £379k as shown in the table below.

<b>COVID FINANCIAL IMPACT ON MID SUFFOLK</b>		<b>£'000</b>
Amounts carried forward as creditors from 2020/21		(97)
COVID Reserve		(862)
<b>Total Funding at 1st April 2021</b>		<b>(959)</b>
<b>LOSS OF INCOME</b>		
<b>Sales, fees &amp; charges income losses</b>		
Garden waste		202
Trade waste		14
Licensing		37
<b>Total sales, fees &amp; charges loss</b>		<b>253</b>
<b>Other income losses</b>		
Council tax - income from court fees		126
<b>Total loss of Income</b>		<b>379</b>
<b>COVID COSTS</b>		
Housing - rough sleeping accomodation and support		7
Public Health - Testing, contact tracing and outbreak management		95
Compliance and Enforcement		6
Leisure centres - support		122
ICT & remote working		1
Additional external audit costs		40
Additional staff costs - Home But Not Alone and Business grants		83
Cost of hiring venue for council meetings and screens for EH		24
Recovery support for Businesses		50
Elections costs		1
Supplies and materials including Personal Protective Equipment		71
<b>Total COVID costs</b>		<b>500</b>
<b>GENERAL FUND IMPACT BEFORE FUNDING</b>		<b>879</b>
<b>NEW FUNDING</b>		
COVID-19 Local Authority Support Grant		(438)
Containment outbreak management fund		(113)
Test & Trace		(12)
<b>TOTAL NEW FUNDING</b>		<b>(563)</b>
<b>Current forecast balance 31st March 2022</b>		<b>(641)</b>
Specific grants to be carried forward		(139)
Balance remaining in COVID Reserve		(503)

## 6. 2021/22 OUTTURN POSITION

6.1 The report covers:

- The General Fund Revenue Budget
- The General Fund Capital Programme.

6.2 Budget monitoring is a key tool and indicator on the delivery of the Council's plans and priorities for the year. There will, of course, always be reasons why there are variances such as:

- Economic conditions and those services that are affected by demand
- Uncertainties relating to funding or other changes that were not known at the time the budget was approved.

6.3 Taking each area in turn, the position on key aspects of the 2021/22 budget is summarised below:

### **General Fund Revenue Account**

6.4 In relation to funding:

- (a) Council Tax (£6.4m): at the end of September, the collection rate was 56.26%, compared with 56.21% for the same period the previous year.
- (b) Government Grants: baseline business rates of £2.9m and New Homes Bonus (NHB) of £1.1m were forecast in the 2021/22 budget. NHB is fixed but the actual amount of business rates will vary.
- (c) Business Rates: at the end of September the collection rate was 59.96% compared with 53.04% for the same period the previous year. The reason for the higher collection rate at this point in the year is due to one significant account being paid in full.

6.5 Based upon financial performance and information from April to September (with emerging trends extrapolated to the end of the financial year) and discussions with budget managers and the Senior Leadership Team, key variations on expenditure and income compared to budget have been identified.

6.6 A tolerance level of 10% based on full year actual to budget has been used to identify those variances where further narrative is provided. Appendix A shows the main items that are included in the overall variance of £398k. The forecast variances identified within this report will be taken into consideration when setting the budgets for 2022/23.



## Staffing Position

- 6.7 Staff vacancies are a component of the surplus position at 30<sup>th</sup> September 2021. The table below shows the vacancies at that point in time compared to the full-time equivalent number of posts included in the 2021/22 budget.

	<b>Budget 2021/22 F.T.E.*</b>	<b>Current vacancies F.T.E.*</b>	<b>Vacancy rate %</b>
Assets & Investments	4.87	1.06	22%
Communities & Wellbeing	9.50	3.00	32%
Corporate Resources	19.11	1.06	6%
Customers, Digital Transformation & Improvement	27.54	3.38	12%
Economic Development & Regeneration	5.10	1.00	20%
Environment & Commercial Partnerships	54.86	3.96	7%
Housing	23.05	6.90	30%
Law & Governance	18.59	4.68	25%
Planning & Building Control	57.74	8.57	15%
Senior Leadership Team	5.00	0.00	0%
<b>Total</b>	<b>225.36</b>	<b>33.61</b>	<b>15%</b>

\* F.T.E. = Full Time Equivalent

## Business Rates Retention Pilot

- 6.8 Following the successful bid by the 8 local authorities in Suffolk to become a pilot area for the retention of 100% business rates growth in 2018/19, for one year only, Appendix B provides further details of the schemes and spend as at September 2021. A separate report will be prepared for Cabinet setting out proposals for use of the unallocated balance for feasibility work under the three themes of the Economic Strategy and Recovery Plan.

## Growth and Efficiency Fund (GEF)

- 6.9 The table below provides a high-level summary of the anticipated movement in the Growth and Efficiency Fund during 2021/22 and does not include the £398k surplus, as this is likely to change as the year progresses and will comprise a number of other transfers to and from reserves. These will be approved as part of the outturn report. A more detailed breakdown of the expenditure from the Fund is shown in Appendix C.

<b>Growth &amp; Efficiency Fund</b>		<b>£'000</b>
<b>Balance at 31 March 2021</b>		<b>6,849</b>
2021/22 Budgeted Surplus*		1,080
<b>Revised Balance Available 31st March 2021</b>		<b>7,929</b>
<b>Less:</b>		
Contributions to other earmarked reserves;		
Well-being		(1,000)
Economy		(1,000)
Housing		(1,000)
Communities		(1,000)
COVID 19 Business Recovery		(104)
Actual spend 2021/22 - Appendix C		(679)
Commitments on current projects - Appendix C		(2,648)
<b>Total spend &amp; commitments</b>		<b>(7,431)</b>
<b>Remaining unallocated GEF Balance</b>		<b>497</b>

- 6.10 Commitments in 2021/22 will continue to be reviewed to ensure the key priorities are supported.

### **Earmarked Reserves**

- 6.11 Earmarked reserve balances forecast to the end of March 2022 were £18.494m as at 1<sup>st</sup> October 2021 excluding the £2.068m S31 grants received in 2020/21 that will be used to cover the cost of retail, hospitality and leisure reliefs during 2021/22 through the Collection Fund. Appendix D outlines the specific earmarked reserve movements that are included within the full year forecast for Quarter 2.
- 6.12 Earmarked reserves are for a particular purpose or known requirements that affect more than one financial year. The Council can increase its earmarked reserves when underspends occur, income has exceeded costs or where grant monies or other sources of funding are received for specific purposes. For those service areas that are now incurring expenditure in 2021/22 in relation to these grants / funding, it is possible to make a transfer from those reserves. They include Commuted Maintenance Payments (£63k), Homelessness (£90k), Neighbourhood Planning Grants (£32k) and Community Housing Fund (£26k). There are also a number of transfers to reserves for Temporary Accommodation (£80k), Planning – legal (£225k), Planning Enforcement (£50k), Elections (£20k), and Well-being (£56k).

### **Capital**

- 6.13 Use of capital and one-off funds is critical and needs to be linked into our future delivery plans.
- 6.14 With complex capital schemes it is difficult to accurately assess the level of payments that will be made during the financial year. The Council continues to embark on new projects relating to investments and commercial delivery where it is difficult to accurately predict how payments will fall. Members should therefore focus on whether overall outcomes are being achieved because of the capital investment rather than variances against the plan for a particular year.

- 6.15 Capital expenditure for the period April to September 2021 totals £4.56m, against a revised programme (including carry forwards) of £30.03m, as set out in Appendix E. The profile of the anticipated spend for 2021/22 is difficult to assess at this stage of the year and it is likely that there will be slippage in the delivery of some programmes due to the ongoing effects of COVID19, issues with obtaining some supplies and based on previous years outturns.
- 6.16 Some items in the capital programme, such as the Strategic Investment Fund and Regeneration Fund are unlikely to be fully spent in year, whilst a review of future spend requirements is undertaken, so the figures in Appendix E anticipate that a request will be made to carry forward any unspent balance at year-end. Planning delays will impact on the start of the next stage of the Gateway 14 development, so a carry forward is expected and has been reflected in Appendix E.
- 6.17 There is an anticipated total overspend of £4,443k of which £4,413k relates to additional items of expenditure that have been approved since the budget was set, to be funded from CIL, S106 monies, additional grants receivable and expected capital receipts.

## **7. LINKS TO THE CORPORATE PLAN**

- 7.1 Ensuring that the Council makes best use of its resources is what underpins the ability to achieve the priorities set out in the Corporate Plan. Specific links are to financially sustainable Councils, managing our corporate and housing assets effectively, and property investment to generate income.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 These are detailed in the report.

## **9. LEGAL IMPLICATIONS**

- 9.1 There are no specific legal implications.

## **10. RISK MANAGEMENT**

- 10.1 This report is most closely linked with the Council's Significant Risk No. 13 – We may be unable to respond in a timely and effective way to financial demands and Corporate Risk No. 5E05 – if the Finance Strategy is not in place with a balanced position over the medium term the Councils will not be able to deliver the core objectives and service delivery may be at risk of not being delivered. Other key risks are set out below:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
If the forecast savings and efficiencies are not delivered, then it will have a detrimental impact on the resources available to deliver services	3 - Probable	2 - Noticeable	Monitored throughout the year by Finance Teams, Corporate Managers, Assistant Directors and the Senior Leadership Team

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
and the strategic priorities			
If economic conditions and other external factors like COVID19 are worse than budgeted for it could have an adverse effect on the Councils 2021/22 and medium-term financial position	3 - Probable	2 - Noticeable	Focus is on monitoring key income and expenditure streams – but Government changes and economic conditions continue to affect costs and income for a number of services. COVID19 reserve used to offset these costs and maintain sufficient minimum reserve level to withstand the impact.

## 11. CONSULTATIONS

- 11.1 Consultations have taken place with Assistant Directors, Corporate Managers and other Budget Managers as appropriate

## 12. EQUALITY ANALYSIS

- 12.1 An equality analysis has not been completed because there is no action to be taken on service delivery as a result of this report.

## 13. ENVIRONMENTAL IMPLICATIONS

- 13.1 There are a number of areas that as a result of COVID19 have had a positive effect on the Council's environmental impact as well as the financial position. They include for example, reduced travel, less printing and reduced utility costs.

## 14. APPENDICES

Title	Location
Detailed Variances (Revenue)	APPENDIX A
Business Rates Retention Pilot	APPENDIX B
Growth and Efficiency Fund	APPENDIX C
Earmarked Reserves	APPENDIX D
Detailed Variances (Capital)	APPENDIX E

## 15. BACKGROUND DOCUMENTS

6 September 2021 General Fund Financial Monitoring 2021/22 - Quarter 1 - MCa/21/17

18 February 2021 General Fund Budget 2021/22 and Four-Year Outlook – MC/20/24

## REVENUE DETAILED VARIANCES

Area	Full Year Budget £000's	Q2 Full Year Forecast £000's	Q2 Forecast Variance (favourable) / adverse £000's	Comment
<b>Assets &amp; Investments</b>	<b>624</b>	<b>658</b>	<b>33</b>	
Chilton Depot	24	42	19	Additional costs for fixing a water leak at the site and charges for cleaning waste vehicles.
Stowmarket Football Ground	15	56	42	£40k legal costs to surrender lease.
Asset Utilisation	145	130	-14	Savings on salaries due to vacancies (which have now been filled) but offset by various costs for assets that don't have their own dedicated budget.
Needham Market Middle School	0	33	33	Asset to be transferred to HRA is still liable for Business Rates.
Cedars Park Community Centre	17	3	-14	Budget for 21/22 was set based on forecast for 20/21 and costs were overestimated.
Endeavour House - HQ	245	213	-32	Reduced Service Charge negotiated along with savings associated with rent reduction on giving up members area.
Other Variances			-10	
<b>Communities &amp; Wellbeing</b>	<b>1,015</b>	<b>984</b>	<b>-32</b>	
Community Development	393	349	-44	Staff vacancies.
Other Variances			13	
<b>Corporate Resources</b>	<b>1,720</b>	<b>2,408</b>	<b>687</b>	
Treasury Management	27	67	40	Fees for timing of one off investments for companies
External Audit	71	112	41	Finalisation of 2019/20 audit fees, which were higher than previously estimated. Shortfall will be funded from COVID19 Reserve.
Pay Inflation and Increment Costs	-489	0	489	Adjustment to reflect centrally budgeted salary savings realised within service areas.
Council Tax Collection	-207	-102	105	Budget for Recovery of legal costs on collections will not be realised due to change in availability of court time which reduces the amount of costs added to outstanding debts. Shortfall will be funded from COVID19 Reserve.
Other Variances			12	

## REVENUE DETAILED VARIANCES

Area	Full Year Budget £000's	Q2 Full Year Forecast £000's	Q2 Forecast Variance (favourable) / adverse £000's	Comment
<b>Customers, Digital Transformation &amp; Improvement</b>	<b>1,748</b>	<b>1,626</b>	<b>-122</b>	
ICT	867	745	-122	Carry forward for specific fixed term FTE not recruited to until Q2. Will need to carry into 22/23.
<b>Economic Development &amp; Regeneration</b>	<b>301</b>	<b>301</b>	<b>0</b>	
<b>Environment &amp; Commercial Partnerships</b>	<b>3,233</b>	<b>3,055</b>	<b>-179</b>	
Footpaths	12	23	11	Footpath change application income. Some on hold as result of Covid and delayed site visits with SCC.
Food & Safety (General)	269	240	-30	Staff vacancies.
Animal Welfare Licensing	-8	4	12	Agency cost to cover vacant post
Environmental Protection	323	280	-43	Staff vacancies, partly offset by agency costs.
Open Spaces	614	644	30	The 21/22 Budget includes a general target saving of £50k for Open Spaces, current savings are tracking to £32k of salary savings and other costs are tracking above budget largely due to £10k asbestos works not budgeted for. This leaves an overall adverse variance of £30k.
Car Parks General	-207	-166	41	£15k overspend in rates bill not budgeted for and £23k reduction in car park income.
Domestic Waste	2,004	1,834	-171	A favourable variance of £105k on MRF disposal as volumes significantly up on prior year. Further savings against budget of £101k from the sale of Twin Bins largely to new property developments (£61k), savings on the Serco contract (£40k) and other disposal costs (£5k). Savings have been offset by additional costs of £40k on additional delivery rounds due to year on year property growth.
Garden Waste	-332	-402	-70	£17.5k increase in Garden Waste Disposal costs; £8k increase to Serco contract; £81k increase in Garden Waste Collection income - renewal of existing customers and additional subscribers; £8.5k increase in Recycling credits
Licensing Staff Costs	63	49	-14	Staff vacancies.
Alcohol ,Entertainments & Late Night Refreshment Licensing	-69	-38	31	Drop in income relating to Alcohol licences, as many businesses not reopening post Covid
Other Variances			23	

## REVENUE DETAILED VARIANCES

Area	Full Year Budget £000's	Q2 Full Year Forecast £000's	Q2 Forecast Variance (favourable) / adverse £000's	Comment
<b>Housing</b>	<b>558</b>	<b>560</b>	<b>3</b>	
Homelessness Private Sector	43	99	56	Increased by £50k for Cedars & Grange with anticipated effects of Covid support ending
Homeless Prevention Fund	222	235	13	Increase in staff and Contractor Grants & Loans
Guaranteed Rent Scheme	-31	-82	-51	Guaranteed rent scheme has higher take up than expected
Rough Sleeper Accommodation Programme	0	-14	-14	Funding applied for after budgets set
Other Variances			-2	
<b>Law &amp; Governance</b>	<b>988</b>	<b>988</b>	<b>1</b>	
<b>Planning &amp; Building Control</b>	<b>1,216</b>	<b>734</b>	<b>-481</b>	
Development Management	-143	-507	-364	£154k staff vacancies offset by £1.6k agreed overtime. £26k training underspend - £27.5k carry forward from 20/21 budget £3.5k overspend on mileage costs due to increased volume in applications. £202k favourable variance on income due to strength in applications - expected to fall back to normal levels in Q3 and Q4.
Building Regs Chargeable Services	1	-38	-39	£32k staff vacancies. £3k overspend on mileage - increased site visits as result of increased development. £31k increase in Building Notice Fees - Increase in applications and development £23k drop in income on full plans; regularisation; reversions (no control over reversions)
Conservation	135	105	-30	Staff vacancies.
Planning Enforcement	202	169	-33	Staff vacancies
Other Variances			-6	
<b>Senior Leadership Team</b>	<b>680</b>	<b>688</b>	<b>7</b>	
<b>Funding</b>	<b>769</b>	<b>452</b>	<b>-316</b>	
Business Rates Pooling Benefit	-458	-859	-400	Benefit from changed pooling arrangement for this year agreed by the Public Sector Leaders. One-off as likely to revert to the previous method of allocation for 22/23.
Business Rates Levy	1,227	1,311	84	Increase in levy.
<b>Grand Total</b>	<b>12,852</b>	<b>12,454</b>	<b>-398</b>	

## MID SUFFOLK – BUSINESS RATES RETENTION PILOT

<b>Scheme Description</b>	<b>BRR Funding £'000</b>	<b>Actual Spend 2018/19 £'000</b>	<b>Actual Spend 2019/20 £'000</b>	<b>Actual Spend 2020/21 £'000</b>	<b>Actual Spend 2021/22 £'000</b>	<b>Cumulative Spend to 2021/22 £'000</b>
Market Town Vision & Invest	240	18	54	39	11	122
Needham Lake Café / Visitor Centre	500	15	64	13	147	239
Innovation Cluster in Stowmarket	200	29	44	26	32	130
The Foyer, Stowmarket	150	150	-	-	-	150
Inclusive Growth Engagement Officer	60	-	-	-	-	-
Establishment of a Central Suffolk Chamber of Commerce	42	30	-	12	-	42
Unallocated	116	-	-	-	-	-
<b>BRRP total</b>	<b>1,308</b>	<b>242</b>	<b>162</b>	<b>90</b>	<b>189</b>	<b>683</b>



## Growth and Efficiency Fund

Project	Total Budget £'000	Council's Share of Budget £'000	Cumulative Expenditure to 2020/21 £'000	Expenditure 2021/22 (to Q2) £'000	Total Expenditure £'000	Commitments £'000
<b>Business Growth</b>						
<b>Town Visioning &amp; Investment work</b> - the Economic Development Team will engage with key town stakeholders to create and maintain sustainable partnerships for the delivery of a range of projects and programmes that benefit the towns future development and growth. These vital partnerships in the form of Vision or Invest Boards will promote our places through a single voice to stimulate investment, support our businesses and create jobs, enhance and grow our cultural offer, and create opportunities to raise skills levels and aspiration in our communities, making our 5 key market towns desirable places to live and work in. (BDC - 21%, MSDC - 79%)	209	165	41	17	58	106
<b>Business Innovation Grants</b>	158	158	0	0	0	158
<b>Cross Street, Eye Workspace Development</b> - to invest in delivery of the building's upgrade to workspace accommodation. This will directly support the Council's 'Invest in Eye' programme and provide jobs and employment opportunities at a growing key location in the district.	195	195	0	0	0	195
<b>Community Capacity Building</b>						
<b>Members Locality Budgets</b> (£250k in 2020/21 and 2021/22)	500	500	218	51	268	232
<b>Efficient Organisation</b>						
<b>Planning Resources</b>						
Additional resources to enable Senior Planning Officer level to be released to support delivery of the planning transformation programme (BDC -50%, MSDC - 50%)	205	103	56	0	56	47
<b>Public Realm</b> - transition to combined in-house delivery	98	49	15	3	17	32
<b>Housing Delivery/Business Growth</b>						
<b>Key Sites</b> - commissioning of external specialist feasibility / viability work on key sites as required, to be able to move them forward for approval and development to support economic and housing growth	475	216	162	0	162	54
<b>Environment</b>						
<b>Solar PV multi-function carport including battery storage &amp; vehicle charging points</b>						
Funding required for technical feasibility and viability appraisal for installations at two Leisure Centres & Council carparks in Sudbury and Stowmarket. Also, a third flexibly deployable option to be worked up as part of the study. This can support external investment opportunities and delivery against environmental and economic priorities, including transitioning towards carbon neutral districts by 2030.	40	20	11	2	13	7
<b>Sustainable travel officer post &amp; licence for commonplace engagement software regarding cycling and walking routes</b>	45	23	1	5	6	17
Funding for the above post as approved by Cabinets and matched by the IECCG Wellbeing funding together with software license to enable stakeholder engagement						
<b>Solar PV multi-function carport including battery storage &amp; vehicle charging points</b>	223	112	0	0	0	112
Funding for capital expenditure 2021/22						

## Growth and Efficiency Fund

Project	Total Budget £'000	Council's Share of Budget £'000	Cumulative Expenditure to 2020/21 £'000	Expenditure 2021/22 (to Q2) £'000	Total Expenditure £'000	Commitments £'000
Trees for Life (BDC - 40%, MSDC - 60%)	23	14	7	0	7	7
Improve disabled access at Needham Market Train Station - Matched funding with SCC.	50	50	0	0	0	50
Sports strategy refresh	40	20	10	7	16	4
Contribution to Regal Theatre (Capital)	1,575	1,575	1,560	0	1,560	15
Former Council Offices (Capital)	829	829	235	376	611	218
Mid Suffolk Leisure Centre (Capital)	2,200	2,200	1,709	205	1,914	286
Needham Market Lake Visitor Centre (Capital)	325	325	0	0	0	325
Strategic Planning posts	52	52	0	0	0	52
HR Business Partner	52	26	0	14	14	12
Parking Strategy	21	21	0	0	0	21
Corporate priorities - loan to fund work on corporate priorities to include increasing environmental standards in rented houses, bringing empty hmes back into use and increasing community led, affordable housing.	700	700	0	0	0	700
<b>Total</b>	<b>8,014</b>	<b>7,350</b>	<b>4,023</b>	<b>679</b>	<b>4,702</b>	<b>2,648</b>

## General Fund Earmarked Reserves

Reserve	Balance 31/03/2021 £'000	Transfers £'000	Forecast transfers to £'000	Forecast transfers from £'000	Forecast Balance 31/03/22 £'000
Business Rates & Council Tax	4,859	-	1,446	(2,068)	4,237
Business Rates Retention Pilot (BRRP)	814	-	-	(189)	625
Carry Forwards	717	-	-	(717)	-
Climate Change and Biodiversity	500	-	500	(39)	961
Commercial Development Risk Management	2,500	-	1,631	-	4,131
Community Housing Fund	217	-	-	(26)	192
Commuted Maintenance Payments	638	-	-	(63)	576
COVID 19	862	-	438	(797)	503
COVID 19 Business Recovery	-	104	-	-	104
Elections Equipment	35	-	-	-	35
Elections Fund	49	-	20	-	69
Government Grants	234	-	5	-	239
Growth and Efficiency Fund	6,849	(4,104)	1,080	(3,327)	497
Homelessness	328	-	34	(124)	237
Joint Local Plan	100	-	-	-	100
Neighbourhood Planning Grants	109	-	-	(32)	78
Planning (Legal)	572	-	250	(25)	797
Planning Enforcement	45	-	50	-	95
Repair & Renewals	293	-	-	-	293
Rough Sleepers	26	-	-	-	26
Strategic Planning	50	-	-	-	50
Temporary Accommodation	258	-	95	(15)	338
Waste	115	-	-	-	115
Welfare Benefits Reform	7	-	-	-	7
Well-being	248	1,000	-	(56)	1,191
Economy	-	1,000	-	-	1,000
Housing	-	1,000	-	-	1,000
Communities	-	1,000	-	-	1,000
<b>Total</b>	<b>20,422</b>	<b>-</b>	<b>5,549</b>	<b>(7,478)</b>	<b>18,494</b>

## 2021/22 Capital Programme

MID SUFFOLK CAPITAL PROGRAMME 2021/22	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend	Full Year Forecast at Q2	Potential Carry Forward	Full Year Forecast LESS Budget (favourable)/ adverse	Comments
GENERAL FUND	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>General Fund Housing</b>								
Mandatory Disabled Facilities Grant	579	354	932	179	698	234	-	There was a backlog of cases from Orbit which SCC OT's are working through. In addition some cases have now been outsourced to a private provider. Expect to spend most of the budget in the year with a small carry forward.
Renovation/Home Repair Grant (formerly Discretionary Housing Grants)	100	24	124	35	80	44	-	An empty homes officer is to be appointed which will speed the assessment and awarding of these grants
Empty Homes Grant	100	169	269	-	135	134	-	
Grants for Affordable Housing	-	340	340	-	170	170	-	A report is to be made to Cabinet with proposals for awarding grants and expect to carry forward unspent allocation.
<b>Total General Fund Housing</b>	<b>779</b>	<b>887</b>	<b>1,666</b>	<b>214</b>	<b>1,083</b>	<b>583</b>	<b>-</b>	
<b>Environment and Projects</b>								
Recycling Bins	100	-	100	116	130	-	30	Increased spend due to housing growth and take up of garden waste collection service (generating additional revenue income)
EV Charging Points	-	-	-	3	3	-	3	To be financed from CIL
HVO Fuel Storage Tank	50	-	50	27	27	-	(23)	Cost of tanks less than anticipated. To be financed from CIL
Public Sector Decarbonisation	-	-	-	265	1,002	-	1,002	It is expected that expenditure will be incurred before the cut off date of 25/11/21 specified in the conditions of the grant received.
<b>Total Environmental Services</b>	<b>150</b>	<b>-</b>	<b>150</b>	<b>411</b>	<b>1,162</b>	<b>-</b>	<b>1,012</b>	

## 2021/22 Capital Programme

MID SUFFOLK CAPITAL PROGRAMME 2021/22	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend	Full Year Forecast at Q2	Potential Carry Forward	Full Year Forecast LESS Budget (favourable)/ adverse	Comments
GENERAL FUND	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Communities and Public Access</b>								
Streetcare - Vehicles and Plant Renewals	162	139	301	241	301	-	-	
CIL Plant Renewals	-	-	-	34	34	-	34	To be financed from CIL
Planned Maintenance / Enhancements - Car Parks	163	224	387	101	387	-	-	Expect budget to be fully utilised for required works but rate of spend will be affected by staff time and supply issues.
<b>Total Community Services</b>	<b>325</b>	<b>363</b>	<b>688</b>	<b>376</b>	<b>722</b>	<b>-</b>	<b>34</b>	
<b>Sustainable Communities</b>								
Play Equipment	65	85	150	-	58	92	-	In 2021/22 improvement plans for 3 play areas. The balance expected to be spent in 2022/23 at Needham Lake.
S106 Open Spaces Grants	-	-	-	54	54	-	54	All to be financed from S106 monies
Community Development Grants	189	165	354	57	354	-	-	There is a high demand for grants. Expect to spend the full allocation but some of the projects are being delayed due to supply issues.
<b>Total Sustainable Communities</b>	<b>254</b>	<b>250</b>	<b>504</b>	<b>110</b>	<b>466</b>	<b>92</b>	<b>54</b>	

## 2021/22 Capital Programme

MID SUFFOLK CAPITAL PROGRAMME 2021/22	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend	Full Year Forecast at Q2	Potential Carry Forward	Full Year Forecast LESS Budget (favourable)/ adverse	Comments
GENERAL FUND	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Leisure Contracts</b>								
Stowmarket Leisure Cent - Improvements	405	932	1,337	(3)	1,337	-	-	Improvement programme to be reviewed at the end of this year and carry forwards will be for clearly identified projects which need to be undertaken.
Stradbroke Pool - Improvements	212	447	658	82	658	-	-	
Stowmarket Leisure Cent - Extension and Refurbishment	-	291	291	205	291	-	-	
Solar Car Ports	377	223	600	-	750	-	150	£150k Additional funding received from LEP
<b>Total Leisure Contracts</b>	<b>993</b>	<b>1,892</b>	<b>2,886</b>	<b>284</b>	<b>3,036</b>	<b>-</b>	<b>150</b>	
<b>Assets and Investments</b>								
Other Corporate Buildings	30	80	110	1	110	-	-	
CIL Funded Infrastructure Grants	-	-	-	1,704	1,704	-	1,704	To be financed from CIL
Strategic Investment Fund	-	3,000	3,000	71	71	2,929	-	Expenditure is purchase of land at Combs Lane. Investigating further opportunities for investment.
Regal Theatre	-	15	15	-	15	-	-	
Regeneration Fund	-	218	218	187	218	-	-	Includes the car park at Woolpit Health Centre and at Pure Gym and adjacent building. Asset reviews are being undertaken to plan other future spend
Regeneration Fund - Former Council Offices	994	1,321	2,315	1,048	2,098	216	-	Includes drawdown against loan facility to Mid Suffolk Growth Ltd - which will be offset by capital receipts from future sales
Gateway 14	16,003	1,247	17,250	-	2,000	15,250	-	Planning delays mean that work on site is not likely to commence until February 2022.
Wingfield Barns	20	-	20	-	20	-	-	
Needham Lake Visitors Centre	220	587	807	144	807	-	-	Expected to complete in 2021/22
<b>Total Assets and Investments</b>	<b>17,267</b>	<b>6,467</b>	<b>23,734</b>	<b>3,155</b>	<b>7,043</b>	<b>18,395</b>	<b>1,704</b>	
<b>Total Customers, Digital Transformation and Improvement</b>	<b>250</b>	<b>150</b>	<b>400</b>	<b>9</b>	<b>200</b>	<b>200</b>	<b>-</b>	
<b>Total General Fund Capital Spend</b>	<b>20,017</b>	<b>10,010</b>	<b>30,028</b>	<b>4,559</b>	<b>13,712</b>	<b>19,270</b>	<b>2,953</b>	

# Agenda Item 9

## MID SUFFOLK DISTRICT COUNCIL

<b>COMMITTEE:</b> Cabinet	<b>REPORT NUMBER:</b> <b>MCa/21/30</b>
<b>FROM:</b> Councillor John Whitehead, Cabinet Member for Finance	<b>DATE OF MEETING:</b> 6 December 2021
<b>OFFICER:</b> Katherine Steel, Assistant Director, Corporate Resources	<b>KEY DECISION REF NO.</b> CAB278

### HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2021/22 – QUARTER 2

#### 1. PURPOSE OF REPORT

- 1.1 This report considers the revenue and capital financial performance for the period April to September as well as the impact of COVID19 on the Council's finances and highlights significant variances expected for the financial year 2021/22. The revenue position is forecast to be an adverse variance of £747k.

#### 2. OPTIONS CONSIDERED

- 2.1 At this stage in the year, the financial position is for noting only.

#### 3. RECOMMENDATIONS

- 3.1 That, subject to any further budget variations that arise during the rest of the financial year, the adverse variance of £747k, referred to in section 6.5 of the report, be noted;
- 3.2 The 2021/22 revised Capital Programme referred to in Appendix A and section 6.13 be noted.

#### REASON FOR DECISION

**To ensure that Members are kept informed of the current budgetary position for both the HRA Revenue and Capital Budgets.**

#### 4. KEY INFORMATION

##### Strategic Context

- 4.1 The financial position of the HRA for 2021/22 should be viewed in the context of the 30-year business plan. The budget set in February 2021 showed a forecast surplus position for 2021/22 of £102k this was achieved by reviewing both capital and revenue budgets.
- 4.2 The Housing Service continuously identifies savings, efficiencies and income generation opportunities that will achieve a sustainable business plan into the future. The business plan sets out the aspiration of the Council to increase the social housing stock by either buying existing dwellings or building new ones.

- 4.3 Following a period of five years that saw annual rent reductions, ended in March 2020, councils are allowed to increase rents by the maximum of the Consumer Price Index (CPI) +1% for a period of five years from April 2020. Subject to Compliance with the Regulator of Social Housings Rent Standard, this begins to mitigate the impact of the 1% reduction on the 30-year plan.
- 4.4 With the Council's housing stock at 3,225 homes (as at 31<sup>st</sup> March 2021) there will always be unplanned events that affect the level of income and expenditure in any one financial year. Members should therefore consider annual variances in the context of the medium-term outcomes that the Council wishes to achieve.
- 4.5 As COVID restrictions ease, property repairs and maintenance work are re-commencing within the Government's COVID19 safety guidelines. However, the impact of the backlog of works to be carried out is likely to incur additional costs during 2021/22. The HRA had a surplus in 2020/21 resulting in £543k being transferred in to the HRA Strategic Priorities Reserve. This will be used to fund overspend in 2021/22.
- 4.6 The new build programme has been impacted as development ground to a halt during lockdown and has been slow to recover, and as it does, now carries additional COVID19 related costs for site works to re-commence safely.

## **5. 2021/22 Financial Impact of COVID19**

- 5.1 The HRA is likely to continue to be impacted by COVID19 during 2021/22 due to additional costs for sub-contractors to deal with backlogs in maintenance, potential delays in the capital programme and additional costs as described below and in 4.5 above.
- 5.2 In terms of income, there has not been any reduction to income levels during the first half of 2021/22. This may not be the case for the second half of the year with the furlough scheme having come to an end in September 2021, as tenants who are in employment may be impacted. Housing Benefit and Universal Credit tenants are likely to be unaffected. However, levels of debt to be written off are expected to be very low, if any, as any outstanding rents are likely to be reclaimed, but over a longer period because of secure tenancies. As well as the decision last year not to evict any tenant that has generated arrears as a result of COVID19. The team will continue to monitor the situation closely over the coming months and update the financial position accordingly.

## **6. Quarter 2 Position**

- 6.1 The report covers:
- The Housing Revenue Account (HRA) Revenue Budget
  - The Housing Revenue Account (HRA) Capital programme
- 6.2 Budget monitoring is a key tool and indicator on the delivery of the council's plans and priorities for the year. There will, of course, always be reasons why there are variances such as:
- Economic conditions and those services that are affected by demand.
  - Base budgets being over or understated.



- Uncertainties relating to funding or other changes that were not known at the time the budget was approved.

6.3 Based upon financial performance and information from April to September 2021 (with trends extrapolated to the end of the financial year) and discussions with budget managers and the Senior Leadership Team, key variations on expenditure and income compared to budget have been identified.

6.4 Taking each area in turn, the position on key aspects of the 2021/22 budget is summarised below:

### Revenue

6.5 The original budget set for the HRA for 2021/22 shows a surplus of £127k, which would be transferred to reserves to achieve a balanced budget position. The forecast position for the year as at September is an adverse variance of £747k, as detailed in the table below.

	Budget	Full Year Forecast Quarter 2 2021/22	Variance Adverse / (Favourable)	% variance
	£'000	£'000	£'000	
Dwelling Rents	(14,368)	(14,435)	(67)	0%
Service Charges	(704)	(656)	47	-7%
Non Dwelling Income	(355)	(355)	0	0%
Other Income	(19)	(19)	(1)	3%
Interest Received	(9)	(9)	-	0%
<b>Total Income</b>	<b>(15,454)</b>	<b>(15,474)</b>	<b>(20)</b>	<b>0%</b>
Housing Management	3,143	3,177	34	1%
Building Services	3,738	4,470	732	20%
Depreciation	3,911	3,911	-	0%
Interest payable	2,968	2,968	-	0%
Revenue Contribution to Capital	1,599	1,599	-	0%
Bad Debt Provision	92	92	-	0%
<b>Total Expenditure</b>	<b>15,451</b>	<b>16,217</b>	<b>766</b>	<b>5%</b>
2020/21 Carry-forward	(99)	(99)	-	0%
<b>Deficit / (Surplus) for Year</b>	<b>(102)</b>	<b>644</b>	<b>747</b>	

6.6 The forecast variances identified within this report will be taken into consideration when setting the budgets for 2022/23.

6.7 The main items that are included in the overall adverse variance of £747k are detailed below:

6.8 **Building Services (Responsive Repairs and Maintenance) – an adverse variance of £732k**

- A £1.134m adverse variance to budget is predicted on the use of sub-contractors to support the Trades Team in completing a backlog of void and responsive jobs, built up because of Covid restrictions. This backlog has also led to an increase in spend on materials. Increases in the cost of materials has not impacted the Council which works to a national schedule of rates. Actions

have been taken to mitigate against scarcity of supply post COVID19. The HRA had a surplus in 2020/21 resulting in £543k being transferred in to the HRA Strategic Priorities Reserve. This will be used to fund part of this overspend in 2021/22.

- A favourable variance of (£308k) due to capital income being ahead of budget.
- A favourable variance of (£54k) income is forecast from the Renewable Heat Incentive scheme. There has been a larger than expected uptake of the scheme following identification of more eligible households.
- A favourable variance of (£57k) is forecast due to a short delay in the adoption of hydro-treated vegetable oil (HVO) fuel vehicles, meaning the higher costs built into the budget have not yet been required.
- Other smaller adverse variances totalling £17k.

6.9 The net £747k adverse position means that the total HRA balances as at 31 March 2022 would be £6.586m. This includes a minimum working balance of £1m, £4.945m in the Strategic Priorities Reserve and £46k in other earmarked reserves.

## **Capital**

6.10 Use of capital and one-off funds is critical and needs to be linked into our future delivery plans. A zero-based approach was adopted for the capital programme for 2021/22 to ensure that resources are aimed at delivering the Council's strategic priorities.

6.11 With complex capital schemes it is difficult to accurately assess the level of payments that will be made during a particular financial year. The Council continues to embark on new projects e.g. building new homes, where it is difficult to accurately predict at the planning stage how payments will fall. Members should therefore focus on whether overall outcomes are being achieved as a result of the capital investment rather than variances against the plan for a particular year.

6.12 Actual capital expenditure for the period April 2021 to September 2021 totals £4.91m, against the budget (including carry forwards) of £39.96m, as set out in Appendix A.

6.13 Some items in the capital programme, such as Planned Maintenance and ICT Projects are unlikely to be fully spent in year, so the figures in Appendix A anticipate that a request will be made to carry forward any unspent balance at year-end.

## **7. LINKS TO THE CORPORATE PLAN**

7.1 Ensuring that the Council makes best use of its resources is what underpins the ability to achieve the priorities set out in the Corporate Plan. Specific links are to a financially sustainable Council, managing our housing assets effectively, and property investment to generate income.

## **8. FINANCIAL IMPLICATIONS**

8.1 These are detailed in the report.

## 9. LEGAL IMPLICATIONS

9.1 There are no specific legal implications.

## 10. RISK MANAGEMENT

10.1 This report is most closely linked with the Council's Significant Risk No. 13 – We may be unable to respond in a timely and effective way to financial demands and also Corporate Risk No. 5E05 – if the Finance Strategy is not in place with a balanced position over the medium term the Councils will not be able to deliver the core objectives and service delivery may be at risk of not being delivered. Other key risks are set out below:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
If there are increases in inflation and other variables, then Council Housing self-financing could result in a greater risk to investment and service delivery plans.	Unlikely - 2	Noticeable – 2	Inflation and interest rate assumptions have been modelled in the HRA business plan. Capital receipts and capital programme funding have been reviewed.
If we fail to spend retained right-to-buy (RTB) receipts within the 5-year period, then it will lead to a requirement to repay to the Government with interest.	Probable - 3	Bad - 3	Provision has been made in the budget and Investment Strategy to enable match funding and spend of RTB receipts.
If we borrow too much to fund new homes, we will not be able to pay the loan interest.	Unlikely - 2	Bad - 3	Follow the CIPFA Prudential Code which states capital investment plans must be affordable, prudent and sustainable.
If economic conditions and other external factors like Covid19 are worse than budgeted for it could have an adverse effect on the Council's 2021/22 and medium-term financial position.	Probable – 3	Noticeable - 2	Maintain the focus and momentum on reducing the budget deficit throughout the financial year. Use of the Covid19 reserve. Maintain sufficient minimum reserve level to withstand the impact.
If capital data is inaccurate it could lead to problems with treasury management debt and cashflows.	Unlikely - 2	Bad - 3	Work closely with treasury management when setting capital budgets and how this will be financed. Monitor the capital spend quarterly and raise any changes with treasury management.

**11. CONSULTATIONS**

11.1 Consultations have taken place with the Assistant Director, Corporate Managers and other Budget Managers as appropriate

**12. EQUALITY ANALYSIS**

12.1 An equality analysis has not been completed because there is no action to be taken on service delivery as a result of this report.

**13. ENVIRONMENTAL IMPLICATIONS**

13.1 There are a number of areas that as a result of COVID19 have had a positive effect on the Council’s environmental impact as well as the financial position. They include for example, reduced travel and fuel costs.

**14. APPENDICES**

Title	Location
APPENDIX A – Capital Programme	Attached

**15. BACKGROUND DOCUMENTS**

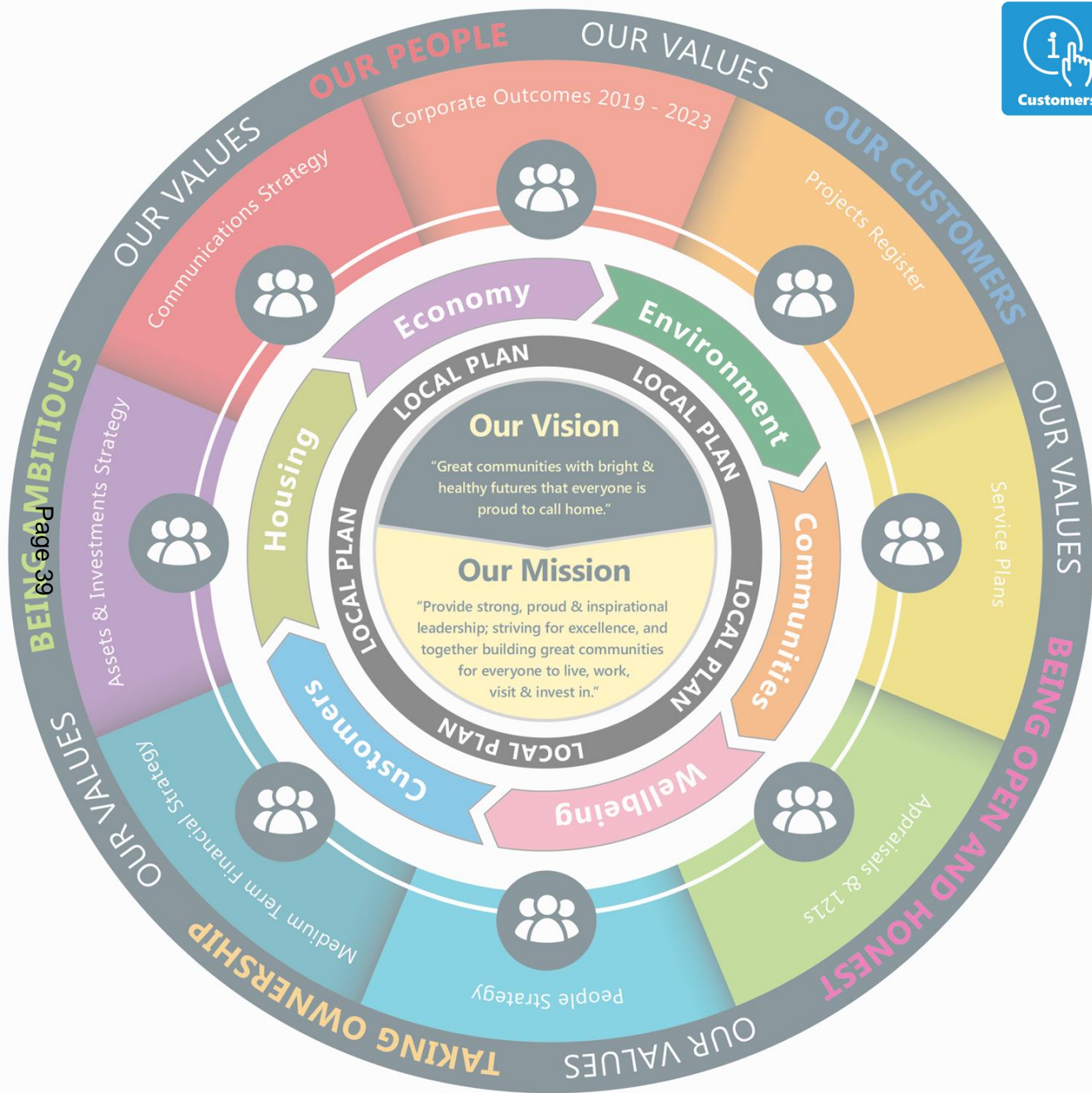
6 September 2021 Housing Revenue Account (HRA) Financial Monitoring 2021/22 – Quarter 1 - MCa/21/18

18 February 2021 Housing Revenue Account (HRA) Budget and Four-year Outlook Report 2021/22 – MC/20/25

## Capital Programme

Mid Suffolk CAPITAL PROGRAMME 2021/22	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual at end Q2	Full Year Forecast at Q2	Potential Carry Forwards	Non- Contractual Carry Forwards	Variance after Carry Forwards (favourable) / adverse	Comments
HOUSING REVENUE ACCOUNT	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Housing Maintenance</b>									
Planned maintenance	2,534	2,159	4,693	1,317	4,020	673			Contractual Commitments likely to be completed as expected, but there may be carry forwards due to procurement delays
ICT Projects	200	216	416	-	10	406			Forecast is for specific projects to be completed in the year. ICT requirements will be reviewed. Potential for underspend.
Environmental Improvements	40	40	80	-	-			(80)	No current plans for this year
Disabled adaptations to council dwellings	200	32	232	160	232				
<b>Total Housing Maintenance</b>	<b>2,974</b>	<b>2,447</b>	<b>5,421</b>	<b>1,477</b>	<b>4,262</b>	<b>1,079</b>	<b>0</b>	<b>(80)</b>	
<b>New Build and Acquisitions</b>									
New build programme inc acquisitions	23,364	11,174	34,538	3,436	15,223	19,315			
<b>Total HRA Capital Spend</b>	<b>26,338</b>	<b>13,621</b>	<b>39,959</b>	<b>4,913</b>	<b>19,485</b>	<b>20,394</b>	<b>0</b>	<b>(80)</b>	

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# Quarter 2 Performance

## Mid Suffolk District Council

### December 2021 Cabinet

Agenda Item 10





This performance report has been developed in collaboration with Cabinet members, Senior Leadership Team and corporate managers. It covers the period July - September (Q2).

There has been a shift in emphasise during this quarter, with the continued support for our communities in the recovery process from the pandemic still ongoing. However, the council has also worked on the delivery of a number of projects across the key areas, these include the transfer of the waste fleet to Hydrotreated Vegetable Oil (HVO) fuel, the commencement of Innovate Local, and a review of the performance outcome framework. As well as seeing consultations and survey's being completed providing a rich source of information that will be used to enhance and develop our services further.

The council was also successful at the iESE Public Sector Transformation Awards, with the economic development team picking up the Gold Award in the Asset Management and Regeneration category for their work on the Virtual High Street project. The planning enforcement team also scooped the Silver Award in the Customer Focus category for streamlining processes and using technology to improve the service for residents. Having fended off competition from over 100 councils nationwide picked up the Bronze Award for Council of the Year. Finally, the housing services teams were recognised in the MJ Awards being Highly Commended in the Community Heroes category for the work undertaken during the pandemic and the refurbishment of The Lees.

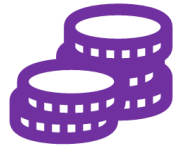
Please note:

- This is a high-level report, highlighting how the council is performing against its six key priority areas from the Corporate Plan (2019-27). It also gives a snapshot of the overall health of the organisation (including headline performance indicators) and looks in brief towards projects commencing in the next quarter.
- The report provides high level assurance that the council is delivering against the Corporate Plan.

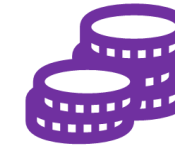


# Mid Suffolk Economy

## Headline Performance Indicators



**Covid grant funding:**  
**7356** grants paid worth **£38,040,161**  
to **2296** individual businesses



**124**

Virtual High Street  
Registrations

*82 Stowmarket*  
*24 Needham Market*  
*18 Eye*



Innovation newsletter  
sent to **7812** business  
contacts

# Economy

## Objectives and progress



**Objective 1 – Connected and Sustainable** :To be one of the best-connected places in the East of England and be a testbed for new innovation in clean growth industries

### Progress:

- Workspace and grow-on study evidence reviewed post-Covid.
- Changing place facility expression of interest submitted for three identified locations with partners.
- Energy Consultant report now received and being analysed and briefed for solar investment options at Gateway 14.
- Needham Rail Station accessibility improvements are being further discussed with Greater Anglia following initial feasibility assessments.
- Stowmarket Health, Education, Leisure Facility (SHELF) – Brief completed for the master planning Stowmarket Sports and Wellbeing hub.
- Needham Lake - Work on site is progress and is on track with the agreed schedule to be completed by the end of the year.
- Cross Street – planning permission granted.
- Outline Business Case submitted to Government for Freeport East which includes a funding ask for the skills and innovation centre at Gateway 14.

# Economy

## Objectives and progress

### **What we plan to do next quarter:**

- Work with Freeport East Board to support development of Full Business Case.
- Progress development of digital infrastructure strategy for rollout of ultrafast broadband and promotion of broadband vouchers to businesses.
- Develop specific sector intelligence for key sectors to inform investment and business support in Clean Growth.
- Develop costed pipeline of projects in conjunction with the Local Enterprise Partnership (LEP).
- Work with Suffolk County Council to develop projects linked to Active Travel funding.
- Progress to next stage all capital projects/pipeline.
- Work with Network Rail to secure new access through Needham Station.
- SHELF – Appointment of the consultant for the master planning for the Stowmarket Sports and Wellbeing hub.
- Appoint a contractor and operator for the new innovation hub at Cross Street .
- Agree name and complete development programme at Needham Lake.

# Economy

## Objectives and progress



**Objective 2 – Innovative and Creative** :We will become a growing area for Innovation, Enterprise and Creativity in the East

### Progress:

- Discretionary Restart and Back to Business grant schemes launched, administered and completed with all funding committed.
- Evidence base drafted to support development of new Economic Strategy.
- Won Gold at iESE Public Sector Transformation Awards 2021 for Virtual High Street programme.
- Rollout of Virtual High Street programme to Needham Market and Eye completed.
- Average 5000+ visits per month to the VHS platform with an average 40% of visitors clicking through to business profiles.
- Recovery Strategy drafted and presented to Cabinet and shared with partners and stakeholders for comment.
- Secured sponsorship of over £10,000, keynote speakers and a venue for the Local Energy Showcase which will take place on 21/22 October.
- Business innovation Support Scheme grants launched.

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### What we plan to do next quarter:

- Delivery of digital skills programme.
- Launch Recovery Strategy.
- Commence Draft of new Economic Strategy with updated evidence base .
- Development of an Inward Investment website to ensure the Districts are promoted to investors as a place to locate.
- Progress plans for a Centre of Excellence linked to Innovation cluster at Gateway 14.
- Support plans for redevelopment of key employment/development sites including the creation of an Innovation Hub at Gateway 14.
- Host successful Local Energy Showcase and agree next steps and actions following the event. Event held with over 220 attendees. Post event feedback being established.
- Begin project planning for Innovation Awards 2022.

# Economy

## Objectives and progress



**Objective 3 – Successful and Skilled** :We will raise levels of aspiration and ambition in our districts and recognise and celebrate our success

### **Progress:**

- Careeriosity programme developed to showcase career opportunities in Science, Technology, Engineering and Maths (STEM) and creative subjects in venues in Stowmarket in October half term. \* Hosted with over 160 young people booked on. Post event feedback underway.
  - Innovate Local market programme has commenced with 7 different businesses having received support in Stowmarket Market. 4 more businesses are on the waiting list.
- Welcome Back Fund has been used to support projects across both districts with funding given to over 30 events which saw 5670 total participants, 1340 of those were children under 12. 6 new walking trails have been developed and 6 new staff have been employed to help town centres and the visitor economy recover from Covid.

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### **What we plan to do next quarter:**

- Launch a “trade local” scheme to celebrate the innovation from our businesses during Covid-19 and maintain ongoing local business to business trade.
- Scope an innovation futures pilot with a local school.
- Development of workspace strategy and delivery plan across the District to ensure we have sufficient workspace.
- Commence delivery of Innovate Local programme through opening of Innovation Hub in Eye.
- Use feedback from Careeriosity events to develop a similar programme of skills activities for young people.

# Mid Suffolk Environment Headline Performance Indicators



**545**

New garden waste  
subscribers

*Total subscriptions to date 17,906, there has been a continual increase in the number of subscribers.*



**101**

Incidents of fly tipping

*This is a slight reduction on the previous quarter (125)*



**13.92%**

of recycling collected was  
identified as contaminated or too  
small to process (under 45mm)

*Items included mainly bags or bagged waste, glass, food waste/dirty items and textiles. This is an increase .  
(Data from Materials Recovery Facility input sample)*



**99%**

of fly tips cleared in 48  
hours

*Fly tipping data relates to tips on public land only*

# Environment

## Objectives and progress



**Objective 1** – To achieve the Councils’ ambition to become carbon neutral by 2030, following the adoption of the Carbon Reduction Management Plan.

**Progress:**

- The waste fleet has commenced using Hydrotreated Vegetable Oil (HVO) fuel.
  - The installation of solar panels and heat pumps as part of the leisure centres decarbonisation works is nearing completion.
  - A bid for 75% capital funding from the Office of Zero Emission Vehicles (OZEV) is being prepared for electric vehicle chargers in 14 BMSDC carparks. An options appraisal for funding models for the remaining 25% is being prepared.
- Solar car ports contractor appointed, planning permission agreed and £400k external funding agreement with LEP finalised. Contractors expected to mobilise on site in from November 2021 to install 70 bay solar carports.

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**What we plan to do next quarter:**

- Will be transferring the public realm fleet over to HVO fuel.
- Discussions will take place during Q3 with residents in order to produce an options appraisal for the electric vehicle charging.
- A presentation will be made to Councillors in respect of how actions taken to date have impacted on our carbon footprint and future steps.

# Environment

## Objectives and progress



**Objective 2** – Improve the biodiversity of the district, consistent with the biodiversity pledge adopted by the Council

**Progress:**

- Hand over 166 Tree for Life Trees to parents and children – (2020 births, delivery delayed due to Covid-19).
- Relaunch of Tree for Life for 2021 to mark the arrival of new born or new adopted children between 1 Jan – 31 Dec 2021. We also offer remembrance trees for parents who have lost a child during the same period. Since 2018 621 trees have been donated across the district.

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Apply to Forestry Commission Local Authority Treescapes Fund for provision of 40 trees at Green's Meadow and 100 trees at Needham Lake

- 42 applications for tree and hedge planting received from Parishes. We are working through each application to ensure tree planting identified is appropriate. We will continue to work with Parishes to identify areas for tree and hedgerow planting this winter and winter 2022.
- Continue to work with Parishes to identify areas suitable for changing mowing regimes and for creating wildflower meadows.

**What we plan to do next quarter:**

- Order trees, stakes, biodegradable tree guards for Parish winter tree planting programmes, schedule delivery and planting.
- Continue to work through Parish tree applications



# Environment

## Objectives and progress



**Objective 3** – To promote a safe, healthy, and sustainable environment for our districts.

**Progress:**

- Food and Safety team are on track with the Food Standards Agency’s Recovery Plan. This involves a combination of inspections and remote assessments of food premises.
- In continuing with the Food Standards Agency Plan, we have appointed an additional temporary officer, using Containing the Outbreak Management Fund, to assist with catching up with the backlog of inspections caused by the pandemic. We anticipate that we will be back up to date within the next 4-5 months.
- Successful in securing funding of £20k from the Waste and Resources Action Programme (WRAP) to support a litter and fly-tipping campaign as well as the purchase of solar bins.
- Following on from the development of the online reporting of fly-tipping the app What 3 Words is now also available to identify the sites of fly-tipping, during July and August the app was used 96 times with 61.5% of the information provided being useful to help in identifying the location.

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**What we plan to do next quarter:**

- For 2021/22 we are focusing on reducing the amount of glass in recycling bins and encourage them to be recycled through the bottle bank scheme.
- A draft litter and fly tipping strategy is being created.
- To continue our Design Council project work to trial the use of smart bins and the impact of this on littering and create further opportunities to support on biodiversity and climate change initiatives.

# Customers

## Headline Performance Indicators

Combined data for both councils



**4,432**  
daily  
web visits (av.)

Page 50  
This has decreased from last quarter, mainly due to the reduction in visits to grant funding pages



**563/136**  
calls per day (av.) total  
visits to the CAP

6% decrease from Q1 21 but a 17% increase from 2020.  
Total of 136 visitors at Stowmarket Access Point during Q2



**99**  
email responded to  
per day (av.)

34% increase from last quarter.



**1635**  
Social media responses  
issued

decrease of 35% from Q1



**53**  
compliments

Decrease of 13%



**4.56**  
out of 5

75% of customers rated 5/5 for our online form process



**22%**  
abandon rate

1% increase from Q1  
Reason: Mainly due to higher call volumes in July, this is now decreasing with October recording 13% and 1 min 57 sec wait time



**3 min & 30 sec**  
wait time (av.)

Reason: higher calls than 2020 experienced in July; the wait time has reduced month on month



**1,684/1457**  
chatbot and automated  
telephone sessions

Chatbot activity reduced by 37% from Q4 and automated telephony up 114% from Q1.



**228**  
stage 1 complaints

Increase of 52% from Q1.

# Customers

## Objectives and progress



**Objective 1:** We will implement the technology capabilities that support and enhance customer and employee experience, invest in our people to give them confidence to use and promote digital services and tools, and underpin this with an ethos and culture of listening and engagement.

**Progress:**

We have completed our complaints survey online and had 1-2-1 sessions with customers to gain further insight into their feedback to ensure we understood more about how we could improve our complaints policy and process from a customer perspective.

Using this data, we can see approx. 35% of customers were satisfied by the complaints handling overall and often dissatisfaction related to the level of seriousness they felt someone had taken the complaint and the outcome of the complaint.

The satisfaction survey for our chatbot and automated telephony has not been well used by customers (only 0.5% completion rate) from this limited data it shows approx. 47% would use the service again.

**What we plan to do next quarter:**

- We will now be using the feedback from our complaints survey and 1-2-1's to help shape the new complaints policy and we will look to have this completed by the end of December.
- We will promote the use of our satisfaction survey on both our chat and automated telephone service and well as implementing a short satisfaction survey on our call centre operation to ensure we are able to compare the levels of satisfaction.

# Customers

## Objectives and progress



**Objective 2:** We will develop and deliver a phased approach to supporting customers with digital inclusion and digital upskilling by working with like-minded community partners and using insight and intelligence to baseline our approach and measure our success.

### Progress:

- The digital skills survey closed at the end of September, and we had 917 responses from our tenants. We are now analysing the feedback to ensure we can support those tenants to get online where they wish with over 100 tenants asking for additional support.
- The I-pads are now in Suffolk libraries after a small delay and will be launched in early October.
- We have been organising a presence across Needham Market and Stowmarket from the 18th October to run drop-in sessions for those who wish to learn more about getting online, as part of get online week [Get Online Week](#).

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### What we plan to do next quarter:

- We will plan our approach to supporting our tenants to access online services and will look to report the approach in the next quarter.
- We will track the I-pads now they are ready to be distributed and continue to promote the approach.
- We will monitor the number of people we are able to engage through get online week.

# Customers

## Objectives and progress



**Objective 3** – We are committed to putting our customers first by reviewing our current processes and re-designing them to ensure that they are simple, intuitive and maximise the use of technology.

**Progress:**

- Our next NVQ cohort commences on the 19th October with 8 people attending to learn more about how to improve our processes from a customer perspective.
- We have started mapping waste services processes and payments processes to streamline them and improve the customer experience.

We are working with citizens advice in Mid Suffolk to understand their digital hubs.

Page 53

**What we plan to do next quarter:**

- Commence the projects with our new NVQ cohort to ensure we are improving our processes from a customer perspective.
- We are planning a piece of engagement work across our districts to understand what is important to our customers and gain resident satisfaction levels.
- Continuation of the work with citizens advice to review the options for digital hubs across the District.



# Mid Suffolk Communities Headline Performance Indicators



## Community Grants



**£35,882.86**

Capital Grant Spend

**£60,747.83**

Community Restart Spend

**£6,398.37**

S106 funds allocated

**£768.75**

Minor Grant Spend

**£210,603.39**

Total amount of funding offered through Capital, Minor and Community Restart

*(cumulative Q1 +Q2)*

**19**

VCSE organisations supported through Revenue Grants

*Detailed information on allocations on page 19*

# Communities

## Objectives and progress



**Objective 1:** To create great places to live and to empower local people and communities to shape what happens in their area

### Progress:

- Consultation completed for cycling and walking route improvements with 1146 responses received.
- Approval granted to streamline the Neighbourhood Plans (NP) process which supports the councils ongoing ambition for residents to help shape development in the district. NP's provide communities with the opportunity to develop a shared vision for their area, to date around 50 parishes in Babergh and Mid Suffolk have started to prepare NP's, with 16 of these being successfully adopted so far.
- Hearing Sessions for the Joint Local Plan resumed, sessions are being held virtually and streamed in real time on the councils' [Joint Local Plan YouTube channel](#). (\*Note, the hearings are now paused.)

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### What we plan to do next quarter:

- Review the 250 schemes that have been identified as part of the cycling and walking consultation and agree prioritisation.
- Organise workshops to progress the development of Key Strategy Delivery Plans
- Review of Integrated Neighbourhood Team Delivery Plans and progress place based service delivery

# Communities

## Objectives and progress



**Objective 2** – To effectively deliver our Community Safety Statutory responsibilities deliver on the priorities agreed within the Western Suffolk Community Safety Partnership (WSCSP) Action Plan.

### Progress:

- Face to face engagement with public during Antisocial Behaviour (ASB) Awareness week providing better understanding of our work, our partner relationships yielding several new referrals.
- Five new applications made for case reviews under the community trigger process demonstrating our campaigns have reached deeper into the community all successfully concluded.
- Domestic Abuse training delivered to the Communities Team with a number becoming Domestic Abuse Champions
- Youth Steering group established with support from the team on school engagement links.

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### What we plan to do next quarter:

- Ongoing support to the Western Suffolk Community Safety Partnership and delivery of action plan
- Delivery of external training for staff on Disruptive Criminal Exploitation and Modern Day Slavery.
- Hate crime policy and procedures for reporting to be reviewed.
- Develop content for Crucial Crew and Crucial Crew Plus to include input on Hate Crime
- Support the completion of a County Wide 'Violence against Women and Girls' Strategy and Domestic Abuse Accommodation Strategy and consider Mid Suffolk's role in delivery of the joint action plan.
- Support progression of Youth Steering Group objectives



# Communities

## Objectives and progress



**Objective 3** – To deliver a Community Grants Services that is inclusive and transparent, supports community participation & activity and works with Voluntary and Community Sector organisations to develop thriving communities

**Progress:**

- Community Grants and S106 funded projects include: S106 allocated to Debenham Village Hall’s car park refurbishment; and towards new play equipment in Barham.
- Capital Projects include the refurbishment of Debenham Community Centre and 1<sup>st</sup> Claydon Scout’s Hut, as well as support for the Oak Meadow Project in Combs/Little Finborough.
- Revenue Grants: Funding Officer in regular communication with all organisations and in process of meeting on an individual basis.
- Locality Awards: 56 Awards were processed in Q2 totalling £49,711.00
- Grants Review: Application forms have been digitised and move away from paper application forms has begun.

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**What we plan to do next quarter:**

- Capital/Minor: Pipeline projects include an extension and refurbishment works at Stowupland Village Hall, new play equipment in Wilby and new floodlighting at Wortham Tennis Club. Award will shortly be made to Framsdon Parish Council towards new play equipment.
- Revenue Grants: Health checks to be carried out with all client organisations.
- S106 obligations in Needham Market. Application received from Wetheringsett Village Hall to purchase new electric heaters as part of a wider energy efficiency/insulation project



# Mid Suffolk Wellbeing Headline Performance Indicators



**25**

attended Family Park Cooking in  
Stowmarket during the Summer  
Holidays  
- 71% take up

**28**

Residents improved their  
health through the  
Outreach programme with  
Active Suffolk



*28 residents were referred through to the project from Eye and the surrounding area. After 3 months 50% reported improved mental health and reduced BMI.*

**7**

attended Family Park Cooking in  
Eye during the Summer holidays  
- 28% take up



**24**

attended Adventure Days in Eye  
during the Summer Holidays  
- 60% take up

**8**

Schools supported through  
Active Schools project



# Wellbeing

## Objectives and progress



**Objective 1** – To develop the Councils first Wellbeing Strategy to ensure that we put the wellbeing of our communities at the heart of everything we do.

### **Progress:**

- Our Parks Project – offering organised fitness sessions saw an average of 12 attendees per week at Stowmarket Recreation Ground.
- Sinfonia Viva Orchestra delivered a Dementia Music Project in Stowmarket with an average of 10 attendees per week over the five week course with a joint final concert in Stowmarket with 35 attendees including the Mayor of Stowmarket
- Stowmarket Dementia Action Alliance restarted music sessions at The Red Gables and the Bowls Club as well as activities at Mid Suffolk Leisure Centre. Various 'Meet up Monday' session also restarted in Eye, Stowmarket and Stradbroke
- Suffolk Says Thanks badges are live, multiple volunteers have been nominated to receive a badge.

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### **What we plan to do next quarter:**

- Our Parks – Fitness sessions continue until 31st October 2021, evaluation to take place following the project.
- School Holiday Activity - free school meal holiday activity project will take place over October half term at Museum of East Anglia Life in Stowmarket run by Abbeycroft and the Explore Outdoor Team.
- Holiday Activity Fund – Evaluation of the Summer activities to take place to help decide a delivery plan for December.
- Women's Tour - Taking place on the 9th October 2021, the tour will pass through Great Finborough, Stowmarket, Needham Market, Great Blakenham, Claydon and Coddensham.
- Active Schools – schools now able to meet with the co-ordinator to look at Year 2 plans and the Active Suffolk Team now working on preparing the final evaluation reports
- Active Wellbeing – The active wellbeing project in Eye attracted a total of 28 participants with half reporting improved mental wellbeing and a reduction in BMI and over a third reporting better sleep. The Eye project is being used as an example of good practice across the districts
- Stowmarket Integrated Neighbourhood Team will be working with The Mix to support mental health in schools and increase awareness.
- Domestic Abuse Awareness event to take place at The Mix on 18th October 2021 with 50 spaces available for businesses and organisations to attend.

# Case study – Ministers ‘drop-in’ to Holiday Activities and Food Programme

[The Mix](#) youth charity in Stowmarket, was one of many provisions across the district who benefitted from funding by the Department of Education, Holiday Activity and Food programme.

The Children and Families Minister Vicky Ford and MP Jo Churchill joined councillors in a ‘drop-in’ visit during the summer to experience the programme in action.

*“It’s been fantastic to see children involved with the all the different sports, activities and musical opportunities as part of the visit”*

Children and Families Minister Vicky Ford



The programme ensures that children can access healthy food and enriching activities over the school holidays, in recognition of the pressure points for some families because of increased costs, such as food and childcare.

The sessions, open to young people aged 11-16, included pool, table tennis, air hockey and other sports activities. In addition, recording studio and music sessions were provided. Those in receipt of free school meals were also provided with a healthy lunch from The Mix’s award winning café, Cabbages and Kings.

# Mid Suffolk Housing Headline Performance Indicators



10

Households placed into temporary accommodation

*There has been a noticeable reduction in the number of households requiring Temporary Accommodation during the last quarter, which is positive. However, the team continue to be incredibly busy and dealing with lots of new cases.*



12

New Affordable Homes Built or Acquired

*There continue to be issues with the availability of materials and social distancing requirements for the construction industry which is causing some delays.*



33

cases where homelessness has successfully been prevented or relieved

*The team are still diligently focussed on preventing and relieving homelessness and performance has remained steady.*



Properties relet (not temporary accommodation)

*There continues to be a good supply of properties available for reletting, which enables our residents to have somewhere safe to call home.*



22

average number of days for standard VOID re-lets

*With so many factors that impact on void times, e.g. contractor availability, materials supply, number of voids at one time etc, it is usual to see variances each quarter. Management of voids remains a priority and a strong focus to keep times to a minimum.*

# Housing

## Objectives and progress



**Objective 1** – Enabling delivery and provision of homes within the Districts.

**Progress:**

Completions as follows:

- Green Road, Woolpit (S106 acquisition from Landex) - 7x Affordable Rent Tenure and 5 x Shared Ownership. 3 of the 5 shared Ownership houses are reserved.
- All 12 new properties have air source heat pumps.
- There have been a 10 further installations of air source heat pumps within existing council stock at sites in Stradbroke, Framsdan, Tostock, Worlingham, Occold, Walsham le Willows and Stowmarket. With the impact of Covid-19 and experiencing difficulties sourcing parts and labour has led to the project being slightly behind schedule.
- Stakeholder engagement plan put together for each of phase 2 sites and one site in phase 2 submitted for planning.
- There were 34 housing specific planning applications granted, which will deliver 423 homes.

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**What we plan to do next quarter:**

- Design Guide to be completed and consultation on housing technical specification to be completed in Autumn 2021.



# Housing

## Objectives and progress



### Objective 2 – Digital transformation to improve services to our residents

#### Progress:

- We have launched Rent Sense for Income Team. Predicted benefits include reduction of rent arrears, more time to deal with Universal Credit claimants and complex cases and increase the number of payment arrangements.
- As reported in last quarters report, our My Home email bulletin continues to grow. We have issued proactive communications around how to prevent damp and mould as we enter that 'season'. We have sent our first sheltered bulletin and looking to develop more targeted communication campaigns in the coming months.

Page 69 The final stages of preparation are being made on Scheduler, VOIDS and Van Stock modules for our Open Housing System. These modules will greatly improve our services for tenants and staff (see below for further details).

A digital skills survey was issued to all tenants to understand levels of access and any restrictions/training needs. The results will help us to identify a plan to help support individuals and families with digital access.

#### What we plan to do next quarter:

- Launch of Scheduler within our Repairs Service – will massively improve our service by making it easier for our tenants to schedule repair jobs when they first make contact.
- Launch of Workflow and VOIDS module will see benefits to staff, as well as bring data into our Housing System rather than being kept separately.
- Will be launching the ability for tenants to access the My Home Tenant Portal via social media - making it easier for them to register and login and hopefully continue to drive up usage and reduce the need for tenants to contact us (as they can self-serve more).

# Case study – Show homes now open in multi-million investment by Mid Suffolk Growth

Show homes in Needham Market are now open to potential buyers– in the first phase of Mid Suffolk District Council’s multi-million investment in the town.

The development is being delivered by Mid Suffolk Growth – a joint venture between Mid Suffolk District Council and Norse Group set up to deliver housing and promote sustainable growth across the district.

The first phase sees the Council’s former headquarters transformed into a combination of two and three bed detached and semi-detached houses, as well as one and two bed apartments and a retail unit. Ten of these properties will be affordable homes, helping to support those on lower incomes.

Read more here: <https://www.midsuffolk.gov.uk/news/show-homes-give-first-glimpse-of-councils-investment-in-needham/>





# Mid Suffolk Health of the Organisation

## Headline Performance Indicators

*Combined data for both Councils if not specified*



**2.99**

average no. of days  
sickness per FTE

*Last year's Q2 was 1.73 days*



**847**

Total number of days lost  
to sickness

*Top 2 reasons for absence:  
22.94% Mental Health  
20.93% Musculo Skeletal*



**90,700**

Mid Suffolk Twitter  
impressions

*'impressions' are the number of  
times a Twitter  
user sees our Tweets*



**222,106**

Mid Suffolk Reach for  
Facebook

*'reach' is the number of unique users  
who had any content from our Facebook  
page or about the page enter their screen*



**1730**

Mid Suffolk Committee /  
Council meeting views

*There were 13 meetings in Q2, with 44  
members of the public attending, as well as  
4 joint meetings with 169 YouTube views*

# Health of the Organisation

## Objectives and progress



**Objective 1** – Develop and implement a comprehensive 'People' Strategy that ensures we are a great organisation to work for, that our people are supported to learn and grow, energised and enabled to deliver our ambitions

### Progress:

- Developed Phase 2 of the leadership and management development programme which commences mid-October.
- Finalised content of our wellbeing programme and currently developing the induction and line manager sessions ready for implementation Q4, following our health and wellbeing audit.
- Finalised contract for provision of new HR Information System. Kicked off project and implementation plan for go live of Phase 1 February 2022.
- Finalised approach to organisational pulse surveys and currently developing content for first pulse survey late Q3/early Q4.
- Completed our successful internship programme for Summer 2021
- Commenced work on our HR policy review

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### What we plan to do next quarter:

- Review of our occupational health cover and contract.
- Continue to work on our agile / hybrid way of working and revise policies (where necessary) to support this way of work.
- Develop learning interventions to support leaders, managers and our people to lead and work effectively in a hybrid manner.
- Commence programme for onboarding graduates 2022.
- Commence work on our resourcing strategy.
- Commence work on our talent strategy.
- Continue our work on our wellbeing programme, commencing delivery of our mental health and stress management sessions.
- Develop an action plan based on the feedback from our equality, diversity and inclusion sessions.

# Health of the Organisation

## Objectives and progress



**Objective 2** – Provide robust effective management of the Councils finances, including our capital projects and contracts. We will use our resources in a sustainable way and prioritise based upon our Corporate Plan.

### Progress:

- 2019/20 Statement of Accounts have been signed off by external audit.
- Treasury Management 2020/21 outturn report was presented to Joint Audit and Standards Committee.
- General Fund and Housing Revenue Account (HRA) 2020/21 outturn reports were presented to Cabinet.
- General Fund and HRA 2021/22 Quarter 1 reports were presented to Cabinet.
- Work is underway on the Finance Transformation Plan with the focus initially on resources and planning. The review of the Revenue Business Partners model is well underway with new roles and responsibilities in place. A self assessment against the requirements of the Chartered Institute of Public Finance and Accountancy Funding Model (CIPFA FM) code has been undertaken and an action plan compiled.
- The East of England Local Government Association (EELGA) Commissioning & Procurement report findings have been presented to the Commissioning & Procurement Board

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### What we plan to do next quarter:

- 2020/21 Draft Statement of Accounts to be published.
- Treasury Management 2021/22 half year report to be presented to Joint Audit and Standards Committee.
- General Fund and HRA 2021/22 Quarter 2 reports to be presented to Cabinet.
- Work on the 2022/23 Budgets, Treasury Management, Investment and Capital Strategies
- Communications/workshops to Senior Leadership Team (SLT) and Extended Leadership Team (ELT) on the Finance Transformation Plan.
- Actions and priorities agreed from the EELGA Commissioning & Procurement diagnostics.
- Outcomes and plan of action from the Budgetary Control Audit.

# Health of the Organisation

## Objectives and progress



**Objective 3** – Effective and efficient management of our property portfolio to make the best use of our assets.

### Progress:

- The first phase of the Garage Review has identified 4 sites to proceed to detailed feasibility. A wider review of these sites is ongoing.
- Finalised long term leasing arrangements to enable Stowmarket Community Sports & Social Club CIC to secure the next steps toward the Football Association grading requirements.
- Commenced the first tranche of non-housing asset reviews focussed on our depots and touchdown points.
- Completed S106 acquisition of land at Green Road, Woolpit to deliver 12 affordable homes.
- Gateway 14 Ltd received a resolution to grant planning consent for the Innovation, Business and Logistics Gateway 14 scheme to deliver 1.4m sq ft of business accommodation.
- CIFCO rent collection was 98% in Q2 and continued to make full debt repayments to the Councils.
- Mid Suffolk Growth continues work on site at Chambers Green with many of the market homes in phase one under offer and the first affordable homes due to be handed to the council in December.

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### What we plan to do next quarter:

- Continue to develop the proposals and design to deliver the Accommodation and Agile Strategy.
- Produce a draft Land Adoption Policy.
- Continue to deliver the Strategic Asset Management Action Plan Priorities.
- Council Owned Companies to continue to deliver against agreed Business Plans.

# Agenda Item 11

## MID SUFFOLK DISTRICT COUNCIL

<b>TO:</b> Cabinet	<b>REPORT NUMBER:</b> MCa/21/32
<b>FROM:</b> Jessica Fleming – Cabinet Member for Environment	<b>DATE OF MEETING:</b> 6 December 2021
<b>OFFICER:</b> Cassandra Clements – Assistant Director of Environment and Commercial Partnerships	<b>KEY DECISION REF NO.</b> CAB308

### NEW HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING POLICY

#### 1. PURPOSE OF REPORT

- 1.1 This report is to adopt the revised Hackney Carriage and Private Hire Vehicle Licensing Policy, which was considered by the Licensing and Regulatory Committee, report MLR/21/7 at the Meeting of 15 October 2021, following the wide and balanced public consultation exercise.

#### 2. OPTIONS CONSIDERED

- 2.1 All options to be considered are contained within the body of this report.

#### 3. RECOMMENDATION

- 3.1 That Cabinet following consideration of Licensing and Regulatory Committee's recommendation adopt the post consultation draft Hackney Carriage and Private Hire Vehicle Licensing Policy, attached as **Appendix A**.

#### REASON FOR DECISION

Following the publication of the new Statutory Standards for Taxi's and Private Hire Vehicles, Councils are required to review the recommendations from the Department for Transport (DFT) and consult on any changes to their current policies.

#### 4. KEY INFORMATION

- 4.1 Hackney Carriage and Private Hire licensing is based on complex statute and case law. The legislation is antiquated and has been subject to many amendments. A clear Policy is therefore required to set out the standards expected of the trade by Mid Suffolk.
- 4.2 Applications made for driver, vehicle or operator licences are each on merit consideration for the District Council within its general scheme framework and controlled zone. A local authority has discretionary, and wide ranging, powers in relation to attaching criteria/conditions to a licence for a Hackney Carriage under section 47, Private Hire vehicles under section 48, drivers under section 51 and operators under section 55, of the Local Government (Miscellaneous Provisions) Act 1976.

- 4.3 On 21 July 2020 the DFT published its long-awaited Statutory Standards for Taxi and Private Hire Licensing. The new Standards brought in a raft of recommendations/requirements which Councils **must have regard to** in exercising their functions under Hackney Carriage and Private Hire Vehicle Licensing. Unless there is a compelling local reason not to these standards must be implemented as issued by the Secretary of State for Transport under the Policing and Crime Act 2017.
- 4.4 The Standards also replaced relevant sections of the Best Practice guidance issued by the DFT in 2010, where there is a conflict between the Standards and Best Practice the Standards will take precedence.
- 4.5 The DFT will update its Best Practice guidance for Councils in due course, however in the meantime it expects Councils to adopt its recommendations in the New Standards document, so that past failings of some licensing regimes are never repeated.
- 4.6 Whilst the focus of the New Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to better regulate the taxi and private hire vehicle sector. The overarching aim of the Statutory Standards is public protection.

## **5. LINKS TO CORPORATE PLAN**

- 5.1 The Council's Hackney Carriage and Private Hire Vehicle Licensing Policy is the overarching set of principles which guides the Councils in carrying out its Taxi and Private Hire Licensing functions. The policy assists in supporting businesses to thrive and prosper, whilst promoting the health and wellbeing of the travelling public.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 This is a statutory function, and the legislation provides for recovery of the reasonable costs of administration, inspection and supervision of the licensing scheme.
- 6.2 The cost of providing the consultation is contained within the fees collected as part of existing Licensing budget.

## **7. LEGAL IMPLICATIONS**

- 7.1 The Local Government (Miscellaneous Provisions) Act 1976 provides that the Council can attach conditions to the grant of a licence as reasonably necessary. Any person aggrieved by the decision of the District Council to attach conditions to a licence is entitled to appeal to the Magistrates' Court. Appeals carry an associated cost and resource implication for the Council.

## 8. RISK MANAGEMENT

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to regularly review and consult upon the Council's Hackney Carriage and Private Hire Vehicle Policy containing conditions and criteria for how the Council will administer its licensing function may result in legal challenge	2 – Unlikely	2 – Noticeable	Regularly review, revise and consult on the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy in accordance with amendments to Statutory Guidance and Regulatory amending the Law.

## 9. CONSULTATIONS

- 9.1 This will be the third edition of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy and the first aligned policy with Babergh District Council. The Licensing Team has the necessary experience, stakeholder contacts and networking in place to ensure that a wide and balanced consultation has taken place. The consultation was undertaken over a period of 28 days, through various channels and media.
- 9.2 Following the Consultation exercise Mid Suffolk received a significant number of responses. Officers on reviewing the consultation responses made several amendments to the proposed policy which are attached as Appendix B to this report.

## 10. EQUALITY ANALYSIS

- 10.1 There are no equality implications arising directly from this report.
- 10.2 The Council also recognises its obligations under the Equality Act 2010, in the exercise of its licensing functions, and shall have due regard to any comments received during the consultation, or individual applications, on equality issues.

## 11. ENVIRONMENTAL IMPLICATIONS

- 11.1 The recommendation to switch to Hybrid and Fully Electric Vehicles could mean that either the Hackney Carriage ranks in the Mid Suffolk district need to be adapted or infrastructure will be needed nearby to support the change to Greener energy efficient vehicles.

## 12. APPENDICES

Title	Location
(a) Draft Hackney Carriage and Private Hire Vehicle Policy	Attached
(b) Overview of changes made to the policy from Consultation responses received	Attached

### **13. BACKGROUND DOCUMENTS**

13.1 Report MLR/21/7

13.2 DFT: Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

13.3 DFT: Statutory Taxi and Private Hire Vehicle Standards & determination of those keeping, amended, or rejecting

13.4 Local Government (Miscellaneous Provisions) Act 1976

13.5 Town Police Clauses Act 1847

### **14. REPORT AUTHORS**

Kay Sanders - Licensing Officer

Katherine Green – Licensing Officer



# Mid Suffolk District Council

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## Hackney Carriage, Private Hire Operator, Vehicle & Driver Policy

### Introduction and the Role of the Licensing Authority

This is the third review of the Hackney Carriage and Private Hire Vehicle Policy for Mid Suffolk District Council and the first time that an aligned policy for Babergh and Mid Suffolk District Councils has been published.

Taxis and Private Hire Vehicles have a specific and important role to play in an integrated transport system both locally and in linking users with longer distance services such as rail. They play a critical role where public transport is limited (for example in rural areas or outside “normal” hours of operation), and for those with mobility difficulties.

The aims of the licensing authority are to provide a uniform set of standards and expectations for the taxi and PHV trade, to protect the public in terms of safety and security and ensure that there is reasonable access to taxi and PHV services for all users. It is important that the Authorities’ taxi and licensing powers are used to ensure that taxis and PHVs in the district are safe, comfortable, properly insured and available where and when required.

In producing this aligned policy, the Licensing team have had regard to the Statutory Standards published by the Department of Transport in July 2020. We recognise our responsibilities in ensuring that children and vulnerable adults are safe when travelling by taxi or private hire vehicles and we work closely with partner agencies such as the Police and Suffolk County Council to fulfil these, as well as ensuring timely and appropriate responses to complaints about the taxi and PHV trade.

This first combined policy brings in some changes. There are new requirements for driver training and refresher training and a move towards a greener taxi and PHV fleet. Nothing in this Policy will result in the immediate revocation of a licence; Mid Suffolk will allow a reasonable period of time for compliance and where changes present difficulties to the trade these will be considered on a case-by-case basis. However, safety of the travelling public is our priority and where failure to adhere to the Policy might compromise this, for example with regard to Safeguarding of children and vulnerable adults, avoidable delays will not be tolerated.

In this Policy the Council shall refer to Mid Suffolk District Council in respect of their licensed area (controlled zone).

## Foreword by Councillor Jessica Fleming

“ On behalf of the residents of Mid Suffolk, I as the respective Portfolio Holder for Licensing welcome the new policy and recognise the important role that Hackney Carriage and Private Hire vehicles play in enabling people to travel both locally and more widely through linking with rail and longer distance buses. The confidence of the travelling public is vital to the success of this service and is the main intended outcome of this policy.

Taxi and PHV drivers themselves have a key role as ambassadors for the Council and their customers rightly expect that in using licensed vehicles they will be transported in comfort and safety and be charged fairly.

The new Policy recognises the importance of the trade to the district and aims to support the needs of drivers and operators as well as the travelling public.

The Policy has been the subject of a wide consultation during summer 2021 with good levels of response from both user groups and service providers, and the new Policy reflects these comments as well as input from the District Licensing Committee.

I am grateful to all those who contributed to this document.

”



## Contact Details

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# PART 1: HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER POLICY

## 1. DEFINITIONS

### 1.1 DEFINITIONS

1.1.1 Unless otherwise stated 'the Council' refers to the relevant District Council, the 'Driver' is a person holding and acting in accordance with a Driver's Licence issued by the Council and 'Vehicle' is a Hackney Carriage, or Private Hire Vehicle licensed by the Council.

### 1.2 FIT AND PROPER PERSON TEST

1.2.1 All drivers must satisfy the Council that they are a fit and proper person to be granted a driver's licence and must remain a fit and proper person for the duration of said licence. The fitness and propriety of a driver will be monitored/assessed throughout the validity of the licence.

1.2.2 Applicants are expected to act with honesty and integrity throughout the application process and must fully and accurately disclose any information that is requested/required. This includes information regarding previous convictions, arrests, warnings, reprimands, licence refusals, suspensions or revocations, current investigations and pending criminal proceedings.

1.2.3 In order to assess the suitability of an applicant the Council will undertake all checks deemed necessary to ensure that licences are not issued to and used by those that are unsuitable for the trade. In assessing the suitability of an applicant or the continued suitability of a licence holder, the Council will take into consideration the following factors:

- Period of holding a driver's licence
- Criminal history
- Medical Fitness
- Number of endorsed driving licence penalty points
- Knowledge of the local area
- General Conduct/standards of behaviour
- Right to work

In addition to these factors the Council will also consider other factors and/or further information sources such as the Police, Children & Adult Safeguarding, other Councils and Statutory Agencies.

## 2. DRIVER APPLICATION REQUIREMENTS

### 2.1 DISCLOSURE AND BARRING SERVICE CHECK

2.1.1 A Disclosure and Barring Service (DBS) Check is a vital component of assessment in regard to the driver being a fit and proper person.

2.1.2 The Council will only accept DBS certificates which are applied for through the Council's DBS checking system. However, a DBS certificate issued by another local Council will be accepted if it has been printed within the last four weeks, is to an enhanced level and has been processed in relation to other workforce employment (including the barred, children and adult lists).

2.1.3 Once a licence has been granted to an applicant the licence holder is required to register with the DBS update service and provide the Licensing team with a code to allow the team to check the licence online annually. Any applicant who has not registered for the DBS Update Service will be required to undergo an annual DBS check at cost to the applicant.

### 2.2 REHABILITATION OF OFFENDERS ACT

- 2.2.1 The Council is entitled under the Rehabilitation of Offenders Act 1974, as amended by the Rehabilitation of Offenders Act 1974 (exceptions) (Amendment) Order 2002, to consider relevant spent convictions when determining the 'fit and proper' person status of Hackney Carriage/PHV driver applicants.
- 2.2.2 Each case will be considered on its own merits, and applicants/licensees are entitled to a fair and impartial consideration.

### 2.3 CRIMES RESULTING IN DEATH

- 2.3.1 Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person that individual shall not be licensed.

### 2.4 EXPLOITATION ETC.

- 2.4.1 Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they shall not be licensed. This includes but is not limited to, slavery, child sexual abuse, exploitation, grooming, psychological, emotional, or financial abuse.

### 2.5 SEXUAL OFFENCES

- 2.5.1 Where an applicant has a conviction for any offence involving or connected with illegal sexual activity a licence shall not be granted.
- 2.5.2 In addition to this matter the licensing authority shall not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

### 2.6 OFFENCES INVOLVING VIOLENCE AGAINST THE PERSON

- 2.6.1 Where an applicant has a conviction for an offence of violence against a person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

### 2.7 DRUGS

- 2.7.1 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.
- 2.7.2 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.
- 2.7.3 In these circumstances, any applicant will have to undergo drugs testing for 6 months at their own expense to demonstrate that they are not using controlled drugs.

### 2.8 POSSESSION OF A WEAPON

- 2.8.1 Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.



## 2.9 DISHONESTY

2.9.1 Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

## 2.10 DISCRIMINATION

2.10.1 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

## 2.11 DRINK DRIVING/DRIVING UNDER THE INFLUENCE OF DRUGS

2.11.1 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed.

2.11.2 In these circumstances, any applicant will have to undergo drugs testing for 6 months at their own expense to demonstrate that they are not using controlled drugs.

## 2.12 USING A HANDHELD DEVICE WHILST DRIVING

2.12.1 Where an applicant has a conviction for using a handheld mobile telephone device or a handheld device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the latter.

## 2.13 MOTORING CONVICTIONS

2.13.1 Hackney Carriage and Private Hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple or serious motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

2.13.2 A conviction or caution for reckless driving or driving without due care and attention etc. will normally merit at least a warning as to future driving conduct and advice on the standard expected of Hackney Carriage and PHV drivers. More than one conviction/caution for this type of offence within the last 2 years will normally merit refusal and the grant of a licence should not normally be considered until a period of at least 3 years, free from convictions/cautions/endorsements, has elapsed.

2.13.3 Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

## 2.14 PERSISTENT CRIMINALITY

2.14.1 Due to potential risks to the public, applications from persons with a persistent record of criminality, where the record suggests a persistent lack of regard for the well-being of others or for their property, would normally be refused.

**2.15 MEDICAL CHECK**

- 2.15.1 All applicants shall provide a completed medical examination form supplied by the Council. This form must be completed by the applicants own General Practitioner or by a General Practitioner who has access to the applicant's full and complete medical records. All applicants shall be assessed to Group 2 medical standard.
- 2.15.2 The Council may require applicants and licence holders to undergo further medical or occupational assessments when deemed necessary.
- 2.15.3 Where there is any doubt as to the medical fitness of the applicant the Council may make further enquiries to the General Practitioner or specialists before determining an application.
- 2.15.4 Medical examination forms will be required every three years unless the General Practitioner states more frequent examination is necessary due to an ongoing medical condition that could impact the applicants driving capability. At 65 years of age annual examinations will be required.

**2.16 CONTINUED MEDICAL FITNESS**

- 2.16.1 Licence holders must advise the Licensing Team without delay of any worsening medical condition or other change in their health that may affect their driving. If a licensed driver develops a medical condition that fails to meet DVLA group 2 medical standards of fitness to drive (note this is a higher standard than that required to hold an ordinary driving licence), the driver must surrender their licence to the Council. The licence and badge will be retained by the Licensing Team until a General Practitioner assesses that the driver meets the fitness criteria to continue driving.

**2.17 DVLA CHECK**

- 2.17.1 All new applicants and licensed drivers of a Combined Hackney Carriage/Private Hire Driver's Licence are required to obtain a code from the DVLA under the share my driving licence service (please see information leaflet provided). This code must be provided annually to allow the Council to check the applicant's driving history.

**2.18 KNOWLEDGE TEST**

- 2.18.1 All new applicants for a Combined Hackney Carriage and Private Hire Driver's Licence will need to obtain a pass certificate for the Council's Knowledge Test. The tests are based on the applicant's knowledge of the requirements of being a driver and the local area.
- 2.18.2 Applicants will be permitted a maximum of five opportunities to pass the knowledge test and if a pass is not obtained the applicant will be required to wait for 12 months before retaking the assessment.

**2.19 TRAINING**

- 2.19.1 All new applicants are required to undertake the BTEC Level 2 course in an Introduction to the Role of a Professional Taxi and Private Hire Driver. This training is to be carried out at the drivers' expense and a pass certificate presented to the Council prior to acquiring a Combined Hackney Carriage & Private Hire Driver Badge. Refresher training will be required on a three-yearly basis. Drivers will be advised by the Licensing Team when refresher training is due.
- 2.19.2 All existing drivers on renewal will be expected to undertake the BTEC Level 2 in an Introduction to the Role of a Professional Taxi and Private Hire Driver course and this training is to be carried out at the drivers' expense. A pass certificate must be presented to the Council within six months of the renewal of their Combined Hackney Carriage & Private Hire Driver Badge. Refresher training will be required on a three-yearly basis. Drivers will be advised by the Licensing Team when refresher training is due.

- 2.19.3 There are no formal entry requirements for this course, but all applicants will be required to have a good understanding of English.
- 2.19.4 The BTEC Level 2 course in an Introduction to the Role of a Professional Taxi and Private Hire Driver will incorporate disability awareness and safeguarding.

### 2.20 FOREIGN NATIONALS

- 2.20.1 Applicants born outside of the UK and resident in the UK for less than 5 years, who are not a British Citizen will need to provide to the Council a Certificate of Good Conduct which details if the applicant has a criminal record in their own country. This certificate can be obtained from the Embassy, Consulate or High Commission of the Country. If these certificates cannot be obtained in English, they must be translated by an official translator who will be expected to sign a declaration that to the best of their knowledge the information is correct.
- 2.20.2 A DBS check will also be undertaken along with a Home Office referral to ascertain if the applicant has the right to work within the UK. Where an applicant is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the United Kingdom.

### 2.21 NATIONAL REGISTER OF LICENCE REVOCATIONS AND REFUSALS

- 2.21.1 The Council has access to the National Register of Licence Revocations and Refusals in order to check if an applicant has previously had a licence refused or revoked by another local authority.

### 2.22 TAX CHECKS ON LICENCE APPLICATIONS AND RENEWALS

- 2.22.1 From the 4 April 2022 all applicants will need to carry out a tax check. The Licensing team will be required to obtain confirmation from HMRC that the applicant has completed the check before being able to consider the application.

## 3. CONDUCT OF ALL DRIVERS

### 3.1 GENERAL CONDUCT

- 3.1.1 The driver shall behave in a civil, polite, and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 3.1.2 The driver when hired to drive to a particular destination shall proceed to that destination by the shortest/quickest route.
- 3.1.3 The driver shall not convey or permit to be conveyed in a vehicle any greater number of persons than the number of persons indicated on the Vehicle Licence.
- 3.1.4 All reasonable assistance will be afforded to passengers with luggage.
- 3.1.5 The driver is expected to exercise due care and attention at all times whilst undertaking their duties.
- 3.1.6 The driver shall at no time cause or permit the noise emitted by any radio or other device in the vehicle which they are driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- 3.1.7 All reasonable assistance will be afforded to passengers with disabilities.

### 3.2 DRIVER DRESS CODE

- 3.2.1 It is recognised that the taxi trade, both Hackney Carriages & Private Hires, play an important role in portraying a positive image of Babergh & Mid Suffolk and they are seen as key ambassadors for the

Districts. Therefore, the driver shall at all times be clean and respectable in their dress and person and behave in a civil and orderly manner befitting public service.

### 3.3 CARRYING OF DRIVER'S BADGE

- 3.3.1 A driver shall at all times carry whilst in the course of their duty the driver's badge which must display a passport style photograph for identification purposes. This badge must be shown, if requested, to the hirer of the vehicle to any authorised Officer of the Council or Police Officer for the purpose of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.3.2 The badge shall be held in accordance with the requirements of these conditions, and should a driver's badge be lost, stolen, or defaced then the driver must notify the Council and seek the issue of a replacement without delay. A replacement badge will incur a cost to the driver.

### 3.4 SMOKING, EATING AND DRINKING

- 3.4.1 The driver must not smoke or vape in a licensed vehicle, even when it is not being used for hire or reward.
- 3.4.2 The driver shall not eat in the vehicle unless they have a medical need.

### 3.5 MOBILE PHONES AND HANDSFREE DEVICES

- 3.5.1 No mobile phones save for 'hands free' kit shall be used whilst the driver is driving the vehicle. Use of any handheld mobile phones or similar device whilst driving is prohibited by law.

### 3.6 LOST PROPERTY

- 3.6.1 The driver shall after every hiring search the vehicle for any property which may have been accidentally left therein.
- 3.6.2 The driver shall, if any property is accidentally left within their vehicle, retain the property within the vehicle or at the operator's office for a reasonable period.

### 3.7 CONVICTIONS, CAUTIONS, CHARGES AND ENDORSEMENTS

- 3.7.1 The driver shall within 48 hours disclose to the Council, in writing, details of any arrest and release, charge, driving licence endorsements, conviction or caution imposed on them during the period of the licence. It should be noted that the Police may notify the Council of relevant information or convictions.
- 3.7.2 The Council may suspend, revoke, or refuse to renew a driver's licence should this condition not be complied with.
- 3.7.3 A decision to refuse or revoke a licence where an individual is thought to present a risk of harm to children or vulnerable adults will be referred to the Disclosure and Barring Service.

### 3.8 DRIVING STANDARDS

- 3.8.1 The expectation of the Council is that all drivers shall drive to a high standard remaining professional at all times. An existing licensed driver may be required to undertake a further driving assessment in certain circumstances:
- Obtaining 9 or more penalty points on their DVLA driving licence
  - One serious or three minor fault accidents within a one-year period
  - Serious complaint(s) about driving standards

This list is not exhaustive and there may be other reasons for requiring an existing licensed driver to undertake an assessment. In all instances, a driver will receive a letter explaining the reasons for an

assessment and will be required to deposit their badge to the Council. This assessment must be completed, and a certificate provided to the Council before the driver is permitted to continue driving their vehicle at which point the badge will be returned.

- 3.8.2 If the driver fails to comply with the request for an assessment, the matter will be referred to the Licensing Sub-Committee for it to determine whether the driver remains fit and proper to hold a licence.

### 3.9 CHANGE OF ADDRESS AND CHANGE OF OPERATOR

- 3.9.1 The driver shall notify the Council in writing of any change of their address or any change of Operator during the period of the licence within 7 days of any such change.

### 3.10 RETURN OF BADGE

- 3.10.1 The driver shall upon the expiry, revocation, or suspension of this licence, immediately return to the Council the Driver's badge issued to them by the Council when granting this licence.

### 3.11 ANNUAL DECLARATIONS

- 3.11.1 The driver will be sent a declaration form annually that is required to be completed and returned to the team 14 days prior to their renewal date.
- 3.11.2 Failure to return this form will begin a two-step process. Firstly, a reminder letter will be sent to request that if the driver wishes to continue to be licensed, they have an additional 14 days in which to provide their declaration and fee to the team to allow for postal delays. If the declaration is not provided the driver is then sent a letter to inform them the licence will lapse until payment is made to reinstate it.

## 4. ADDITIONAL ASSISTANCE REQUIREMENTS

### 4.1 PASSENGERS WITH ASSISTANCE DOGS

- 4.1.1 The Equality Act 2010 requires Hackney Carriage proprietors and Private Hire Operators to carry guide, hearing and other assistance dogs for disabled passengers and must do so at no extra charge.

### 4.2 PASSENGERS WHO ARE WHEELCHAIR USERS

- 4.2.1 Section 165 of the Equality Act 2010 states that a driver of a designated wheelchair accessible vehicle is required to undertake the following duties:
- to transport the passenger whilst 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 and that they are competent to provide
- 4.2.2 A driver of a wheelchair accessible vehicle must be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.
- 4.2.3 Before any movement of the vehicle takes place, the driver must ensure that a passenger travelling in their wheelchair is wearing a seatbelt unless the passenger is exempt and ensure the brakes of the wheelchair have been applied.

### 4.3 MEDICAL EXEMPTIONS

- 4.3.1 Exemption from lifting wheelchairs or people who are wheelchair users or have mobility difficulties and from transporting assistance dogs may only be obtained by individual drivers on medical grounds. If any driver of the vehicle wished to apply for exemption on such grounds, then they should contact the Council for an exemption application.

## **PART 2: VEHICLE SPECIFICATIONS AND CONDITIONS OF LICENCE**

### **5 DEFINITIONS**

#### **5.1 DEFINITIONS**

- 5.1.1 In this Policy the Council shall refer to either Babergh District Council or Mid Suffolk District Council in respect of their licensed area (controlled zone).

#### **5.2 SMOKING (INCLUDING VAPE & E-CIGARETTES)**

- 5.2.1 Smoking in licensed vehicles has been an offence since 1 June 2007. Vehicle licence holders must not permit the use of Vape or E-cigarettes within the licensed vehicle.

#### **5.3 CCTV**

- 5.3.1 The Council's position on CCTV is that we will look sympathetically on all requests for CCTV to be installed within a licensed vehicle. Vehicle licence holders or prospective licence holders must provide the Licensing team with details of the proposed CCTV system prior to installation. Where the CCTV system is approved for use additional conditions will be attached to the vehicle licence.
- 5.3.2 A full consultation will be undertaken by the Council at a later date on the subject of CCTV, its merits and whether or not CCTV should be mandatory.

### **6 VEHICLE SPECIFICATIONS AND CONDITIONS OF LICENCE**

#### **6.1 GENERAL**

- 6.1.1 The Council recognises the need to move towards a greener fleet for the benefit of the environment as referenced in 6.1.8 below. The motor trade is also moving in this direction under the central government direction to cease the sale of all new petrol and diesel cars by 2030. Given the current infrastructure and cost constraints it is impractical to require the trade to change wholesale to greener vehicles in the short term however the Council will look to research and develop an incentive scheme to encourage a move towards carbon reduction in line with the Council's Climate Change ambition.
- 6.1.2 All licensed vehicles shall comply in all respects with the requirements set out below as appropriate for the type of vehicle (Hackney Carriage or Private Hire Vehicles including Stretched Limousines). This is in addition to all requirements of the Road Traffic legislation, which relates to all motor vehicles.
- 6.1.3 All vehicles shall have an appropriate "type approval" which is either a:-
- European Community Whole Vehicle Type Approval;
  - British National Type Approval; or
  - British Individual Vehicle Approval.
- 6.1.4 Be of Euro New Car Assessment Programme star rating of 4 or more.



- 6.1.5 Be no more than eight years of age since the date of first registration.
- 6.1.6 Where a currently licensed vehicle of either petrol or diesel reaches ten years of age it must be tested a minimum of twice a year to ensure the vehicle remains fully compliant and fit for purpose.
- 6.1.7 Be capable of carrying at least 4 passengers, be fitted in right-hand drive (an exception regarding right hand drive will be made in the case of a stretched limousine) and shall have an engine capacity which is capable of enough power to carry the number of passengers it is licensed for including luggage.
- 6.1.8 The Council strongly recommends new, or replacement vehicles be either Hybrid or Electric Vehicle (an exception will be made for stretched limousines on a case-by-case basis). Hybrids in addition to the above minimum engine size capacity shall be of the following type: Plug-in (PHEV), Self-Charging or Range Extender (REX or Series Hybrid). Mild Hybrids will be considered on a case-by-case basis; please contact the Licensing Team if you are considering buying a Mild Hybrid.
- 6.1.9 Other alternative fuels such as Hydrogen and Hydrotreated Vegetable Oil (HVO) will be considered on a case-by-case basis.
- 6.1.10 Comply with all construction and use/type approval requirements applicable to the vehicle.
- 6.1.11 Any application for a new Hackney Carriage or Private Hire Vehicle for 8 passengers must be Wheelchair accessible.
- 6.1.12 Be either a purpose-built taxi, or a 4-door saloon or 5-door hatchback/estate/multi-passenger (MPV)/sports utility (SUV) vehicle, except that a private hire vehicle shall not be of the London Taxi type.
- 6.1.13 Vehicles should have no damage affecting the structural safety of the vehicle and must not have been written off for insurance purposes however category N will be considered on a case-by-case basis with the reasons for write off provided to the team by the relevant insurance underwriter.
- 6.1.14 The layout of the vehicle must permit communication between the driver and passengers at all times.
- 6.1.15 All vehicles shall at all times be maintained in sound and roadworthy condition and serviced according to the manufacturer's recommendations.

## 6.2 SAFETY SCREENS

- 6.2.1 Prior to installing protective screens within the vehicle, the vehicle proprietor must contact the licensing team to obtain consent for the safety screen to be fitted.
- 6.2.2 All screens shall conform to the following requirements:
- That the product is compliant with government and industry regulations, the Road Vehicle (Construction and Use) Regulations and relevant safety, UK, and European Community (EC) legislation.
  - Evidence that the product has been tested to relevant UK standards and approved by appropriate certification organisation.
  - The screen shall only be fitted by a professional installer in accordance with the manufacturer's instructions.
  - The screen shall only be constructed of PETG (Polyethylene Terephthalate Glycol-modified) or polycarbonate.
  - Screens shall not impede the driver's vision, movement, or communication with passengers, or the driver or passenger access or egress to the vehicle.
  - Insurers shall be notified of any modifications made to the vehicle.

- Confirmation from the manufacturer that the installation does not compromise the integrity of the vehicle's structure and safety features.

6.3.3 The Council accepts no liability in circumstances where the screen causes an injury to a passenger or driver.

### 6.3 DOORS

6.3.1 All saloons, estates or purpose-built taxi vehicles shall have at least 4 side opening doors, which may be opened from the inside and the outside. Minibuses, transits, and people carrier type vehicles shall have at least 3 doors not including any tailgate or rear doors.

6.3.2 All vehicles shall be constructed so that the doors open sufficiently wide as to allow easy access into and egress from the vehicle.

6.3.3 All vehicles, including larger passenger vehicles (multi-purpose vehicles), must have sufficient safe and suitable access and egress from the vehicle for the driver and all passengers.

### 6.4 INTERIOR DIMENSIONS

6.4.1 Height Inside: There must be sufficient space between the seat cushions and the lowest part of the roof to safely accommodate the driver and passengers in reasonable comfort.

6.4.2 Knee Space: There must be sufficient space between the front and back seats to safely accommodate the driver and passengers in reasonable comfort.

### 6.5 SEATS

6.5.1 Access to every passenger seat must be unobstructed and be easily accessible to passengers.

6.5.2 Passenger seats must be at least 400mm wide per passenger with no significant intrusion by wheel arches, armrests, or other parts of the vehicle. All measurements are taken across the front of the seat cushion.

6.5.3 There must be a minimum of 860mm headroom for all passenger seats measured from the rear of the seat cushion to the roof lining.

6.5.4 The seating must be capable of being configured to achieve 600 millimetres minimum leg room available to any passenger. The measurement will be taken from the base of the seat to the rear of the seat in front. Where there is no seat in front the measurement will be taken from the base of the seat to the nearest obstruction in front.

6.5.5 In the case of Multi-Purpose Vehicles where there is a rearmost row of seats and seats capable of being the rearmost seats e.g., fold away seats – these must be forward facing.

6.5.6 In relation to the carriage of child passengers under 3 years of age and travelling in the front seat of the vehicle, an appropriate child seat **MUST** be used, where an appropriate child car seat is not available for a child passenger under 3, they **MUST** travel in the rear of the vehicle only. Where a child passenger is between 3-12 years old and an appropriate child car seat is not available, they **MUST** travel in the rear seats of the vehicle and an adult seat belt **MUST** be worn.

6.5.7 When a child seat or booster seat is used in the front seat where there is an active front airbag (ready to be deployed in the event of an accident) the vehicle handbook must be consulted for advice on seating children in seats with front airbags and this should be followed. Children, and adults for that matter, should not sit close to an active front airbag. It is suggested by the UK Department for Transport that the car seat should be as far back as possible from an airbag.



**6.6 SEAT BELTS**

- 6.6.1 All vehicles must be fitted with fully operational front and rear seat belts, one for each passenger to be carried, fully compliant with British Standards except where the law specifically provides an exemption.

**6.7 PASSENGER CAPACITY**

- 6.7.1 The carrying capacity of all vehicles shall be at the discretion of the Authority having regard to manufacturer's specifications and compliance with dimensions referred to previously.

**6.8 FIRE EXTINGUISHERS**

- 6.8.1 An appliance for extinguishing fires must be carried in such a position as to be readily available for use. Such an appliance must be a minimum of either a 2kg ABC General Purpose Powder or 2 litre AFFF Foam and conform to BSEN 3, showing the appropriate kite-mark and must be securely fixed in a position readily accessible to the driver.
- 6.8.2 All extinguishers must be checked every 12 months by one of the Council's nominated garages during the vehicle test. The date of the test and signatures must be clearly visible on a sticker attached to the extinguisher. The extinguisher must be marked with the vehicle registration number.

**6.9 FIRST AID KIT**

- 6.9.1 There shall be provided in such a position as to be readily available at all times when the vehicle is used for hire, a suitable first aid kit containing appropriate dressings for immediate use in an emergency.

**6.10 VENTILATION**

- 6.10.1 Windows must be provided at the rear and sides along with means of opening and closing not less than one window on either side.
- 6.10.2 Rear passenger windows must be capable of being opened by passengers when seated unless air conditioning is available.

**6.11 LUGGAGE**

- 6.11.1 Adequate storage for passenger luggage separated from the passenger compartment without obstructing any emergency exits must be available. Luggage carried must be suitably secured in place.
- 6.11.2 In the case where a roof mounted storage is used, this must not obstruct the roof mounted signage.

**6.12 MAINTENANCE AND CONDITION OF THE VEHICLE**

- 16.12.1 The interior and exterior of the vehicle shall be maintained in a clean, safe, and proper manner to the reasonable satisfaction of the Council. In particular the exterior of the vehicle shall be free of large dents, rust or unrepaired accident damage and shall at all times have uniform paintwork equivalent to that applied by the manufacturer. The interior shall be free of all stains, splits and tears and the seats shall be required to function in accordance with the original manufacturer's specification.
- 16.12.2 Vehicles shall be liable to be inspected and tested at any time. If upon inspection it is discovered that a vehicle is not being properly maintained, or kept in good order, a notice may be served on the owner to this effect, setting out the defects to be remedied. If public safety is compromised by the defects, the further use of the vehicle may be prohibited until the defects have been addressed and the vehicle has successfully undergone a further inspection.

## 6.13 MODIFICATIONS

- 6.13.1 No vehicle shall be fitted with 'bull bars' or other modification that increases the risk to passengers, pedestrians or other road users.
- 6.13.2 No material alteration or change in the specification, design, condition, or appearance of the vehicle may be made without first complying with road traffic and insurance legislation and secondly the approval of the Licensing Team, at any time while the licence is in force.

## 6.14 LICENCE PLATES AND STICKERS

- 6.14.1 Except as provided at 6.14.4 below, at all times while the vehicle is being used as a Hackney Carriage or Private Hire vehicle there shall be securely fixed to the rear of the vehicle the appropriate Vehicle Licence Plates supplied by the Council.
- 6.14.2 The number of persons licensed to be carried in the vehicle shall be exhibited outside the vehicle on the Vehicle Licence Plate referred to above. (For these purposes children are counted as one person).
- 6.14.3 At all times while the vehicle is being used as either a Hackney Carriage or Private Hire vehicle there shall be displayed at the top left hand of the windscreen of such vehicle, the licence disc, which identifies the vehicle as either a Private Hire vehicle or Hackney Carriage vehicle. On this disc will be displayed the registration number of the vehicle and the number of passengers permitted to be carried.
- 6.14.4 Provided that express written consent has been granted from the Council, limousines and other professionally chauffeured vehicles may, in certain circumstances, be permitted not to display the internal and external vehicle licence plate.
- 6.14.5 All applications for dispensation from the requirements to display the internal and external vehicle licence plate will be considered by an authorised officer who will consider the individual circumstances of the case. Dispensations are unlikely to be granted unless the applicant can satisfy the authorised officer that their vehicle(s) are of such a type and age that they would be appropriate for executive travel and that such work represented at least 80% of their total business (verified by operator records in the case of existing vehicles). The licence plates must be carried in the boot of the vehicle at all times and shown to an authorised Officer of the Council or Police or VOSA upon request.

## 6.15 SIGNAGE

### HACKNEY VEHICLE MARKINGS

- 6.15.1 All Hackney Carriage vehicles, other than those with built-in roof signs, must be fitted with an illuminated external sign on and above the roof of the vehicle showing the word "TAXI".
- 6.15.2 The roof sign must be centrally mounted on the vehicle roof and be adequately secured either directly to the roof by suitable magnets or mounted on a single roof bar and secured by bolts, straps, or clamps. Suction fittings alone are not considered suitable without additional means of fixing.
- 6.15.3 On purpose-built vehicles, with built-in roof signs, the roof light must be extinguished when the fare meter is in use.

### PRIVATE HIRE VEHICLE MARKINGS

- 6.15.4 A Private Hire Vehicle must not carry any roof sign or any markings that might give the impression that it is a Hackney Carriage. Any advertising or signage on the vehicle must specifically not include the words "taxi", "cab", "hackney carriage" or "hire" for this reason.

6.15.5 No alternative words or spellings, such as “Kab”, which would have the effect of leading the public to believe that a vehicle is a hackney carriage available for hire, may be used on the vehicle. The Council’s decision as to the interpretation of 6.15.5 shall be final.

### 6.16 ADVERTISING ETC

6.16.1 Any advertising in or on the vehicle must be restricted to the name, logo or insignia, telephone number, free-phone number, fax number, email address or web site of the owner or operator of the vehicle. Advertising of other businesses or products or services is **not** permitted, including art works, emblems, symbols, slogans, or other displays of any kind.

6.16.2 No sign or advertisement shall obliterate or be confused with the vehicle’s licence plate or the number plates of the vehicle.

6.16.3 Limited advertising, in line with the requirements of 6.15.1 and 6.15.2 above may be displayed on a vehicle subject to the following conditions:

#### 6.16.4 HACKNEY CARRIAGES

- (i.) For saloons and estate cars the lettering of all advertising/graphics etc must be a maximum height of 15 cm.
- (ii) For minibuses, transits and people carrier type vehicles, the lettering of all advertising/graphics etc must be a maximum height of 25. In addition, the single word “Taxi”, to a maximum height of 30 cm, may be displayed.
- (iii) Any advertising may include details of current fare scales or discounts charged by the owner/proprietor.

#### 6.16.5 PRIVATE HIRE VEHICLES

- (i) For saloons and estate cars the lettering of all advertising/graphics etc must be a maximum height of 15cm.
- (ii) For minibuses, transits and similar people carrier type vehicles, the lettering of all advertising/graphics etc must be a maximum height of 25cm.

### 6.17 COMMUNICATIONS DEVICES

6.17.1 All two-way radio equipment must be of a type currently approved by Ofcom (Office of Communications).

6.17.2 All radio equipment fitted to the vehicle must be fitted securely and safely and in accordance with guidelines for the time being published by Ofcom.

6.17.3 Only one two-way radio with a single operator frequency may be operational in the vehicle at any one time and this shall be an approved radio used exclusively for the Hackney Carriage/Private Hire trade and licensed with an effective radio power (ERP) not exceeding 25 watts.

6.17.4 The use of a Citizen Band (CB) transmitter, receiver or radio scanner is prohibited.

### 6.18 METERS

#### HACKNEY CARRIAGES

- 6.18.1 A calendar-controlled taximeter, approved by the Council, must be fitted and correctly calibrated, sealed and fully functional in accordance with the current Council approved fare structure. It must be easily visible to passengers.
- 6.18.2 The taximeter and all the fittings shall be fixed to the carriage with seals or other appliances, so as to be tamper proof except by breaking, damaging, or permanently displacing the seals or other appliances.
- 6.18.3 The taximeter shall be positioned so that all letters and figures on the face thereof must be plainly visible at all times to any person being conveyed in the vehicle. The dial of the taximeter shall be kept properly illuminated throughout any part of the hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1988 and also at any time at the request of the hirer.
- 6.18.4 When the meter is operating there shall be recorded on the face of the meter, in clearly legible figures, a fare not exceeding the maximum fare that may be charged for a journey.
- 6.18.5 If the taximeter has been altered for whatever reason, the proprietor of the vehicle must immediately report the alteration to the Licensing Team so that arrangements for resetting and resealing may be made.
- 6.18.6 Any failure to the taximeter must be reported to the Licensing Team without delay.
- 6.18.7 An official copy of the Council's fare chart shall be clearly displayed in the vehicle so as to be plainly visible to all passengers.
- 6.18.8 The proprietor of the vehicle may make a further charge for any valeting deemed necessary following soiling/fouling to the interior of the vehicle rendering it unfit for further immediate hiring. This is a matter between the proprietor and the hirer. Vehicle proprietors must clearly display details of their valeting charge policy following soiling/fouling, inside the vehicle.
- 6.18.9 The taximeter shall be brought into operation at the commencement of the journey and the fare demanded by the driver shall not be greater than that fixed by this Council in connection with the hire of Hackney Carriages.
- 6.18.10 Where the journey starts in the district and ends outside, a fare may be agreed before the start of the journey. The meter must be in operation for the duration of the journey and the final fare charged shall not exceed the fare on meter.

### PRIVATE HIRE VEHICLES

- 6.18.11 Although Private Hire vehicles may be fitted with a taximeter, it is not a requirement. However, any taximeter fitted to a Private Hire vehicle must comply with those conditions and requirements set out above from 6.18.1 to 6.18.8, as well as 6.19 and 6.20 below.
- 6.18.12 The current fare chart shall be clearly displayed in the vehicle, so as to be plainly visible to all passengers, along with a notice indicating that the hire charges for the vehicle are not prescribed by the Council but are a matter of negotiation with the hirer.

### 6.19 METER TESTING

- 6.19.1 The meter will be calibrated in accordance with the current table of fares.
- 6.19.2 All taximeters are required to be tested by a meter agent when:

- a vehicle is first licensed as a taxi or private hire vehicle;
- a licensed vehicle is changed;
- a new meter is fitted;
- a new table of fares is created; or

- the seal is found to be broken/irregular.

6.19.3 All taximeters will be tested by the Council where an irregularity is reported/found as a result of a customer complaint or enforcement spot check.

6.19.4 Testing of the meter will include a run over a measured mile and shall be checked against the Council's table of fares.

6.19.5 Once the meter has been tested it will be sealed by the meter agent, with an identifiable seal and shall not be altered or tampered with.

### 6.20 RECEIPTS

6.20.1 A Receipt must be issued where it is requested by a customer.

6.20.2 Receipt information must include a minimum of the following:

- date and time of issue;
- metered fare (Hackney only).
- metered extras (Hackney only).
- tariff code shown on the meter, i.e. tariff 1,2,3 or 4; (Hackney only) and
- total fare.

6.20.3 A printer fitted to a licensed Vehicle must be approved by the Council before installation. Full technical specifications must be submitted for consideration as part of the approval process.

6.20.4 All printers must be CE-marked to identify that they are compliant with the appropriate automotive directives and motor vehicle regulations pertaining to the fitting of electrical sub-assemblies into motor vehicles.

### 6.21 TRAILERS

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

- Trailers can only be used in connection with private hire vehicle bookings and cannot be used for plying for hire on a rank;
- The trailer must at all times comply with all requirements of road traffic legislation in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986;
- The vehicle insurance must include cover for towing a trailer;
- Trailers must not be left unattended anywhere on the highway;
- The speed restrictions applicable to trailers must be observed at all times;
- A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.
- Trailers must have been manufactured by a recognised manufacturer and not have been structurally altered since manufacture.
- Un-braked trailers shall be less than 750 KGs gross weight.
- Trailers over 750 KGs gross weight shall be braked acting on at least two road wheels.
- The towing vehicle must have a kerb weight of at least twice the gross weight of the trailer.
- The maximum permissible length of the trailer shall not be greater than the towing vehicle subject to no trailer being wider than 2.3 metres.
- The maximum length for braked twin axle trailers is 5.54 metres.

### 6.22 DISABILITY ACCESS

6.22.1 Vehicles, which are built or adapted for disabled passengers and their disability apparatus under the advice of the Mobility & Inclusion Unit of the Department for Transport, is that there be no restriction on access, recognising that different vehicles may be suited to varying operating areas.

6.22.2 Where a vehicle is utilised for the carriage of passengers using a wheelchair, the following conditions shall apply:

- Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus;
- Wheelchair internal anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit;
- A suitable restraint must be available for the occupant of a wheelchair;
- Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and assistant.
- Ramps and lifts must be securely stored in the vehicle before it may move off.
- Hackney carriage vehicles must be side loading.

6.22.3 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307). Any such equipment must be maintained in good working order and be available for use at all times.

6.22.4 The licensed driver of a wheelchair accessible vehicle must have received suitable and sufficient training to load and convey passengers who travel in their wheelchairs. The provision of this training shall be the responsibility of the operator/licensed driver. A written record of the training shall be kept by the vehicle proprietor and made available for inspection by an authorised officer of the Licensing Authority upon request. Refresher training shall be undertaken at least once every 36 months, with any new licensed driver undertaking the training prior to their first journey.

6.22.5 Subject to the provisions of section 6.15 above, a sign may be affixed to the outside of the vehicle indicating that it is wheelchair accessible provided that the vehicle has been manufactured or properly adapted for that purpose.

### 6.23 TINTED WINDOWS

6.23.1 The front side windows and windscreen of any vehicle shall comply with the current Construction and Use Regulations with regard to the level of tint. Except for stretched limousines (see paragraph 7.3.3 below) the remaining windows may have a minimum VLT of 50%. No self-adhesive material (tinted or clear) shall be affixed to any part of the glass. All vehicles licensed by this Council shall only be fitted with factory tinted glass by the vehicle manufacturer.

### 6.24 INSURANCE

6.24.1 There shall be a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988 for the duration of the vehicle licence.

6.24.2 A copy of the current vehicle insurance policy must be provided to the Licensing Team before a licence will be issued.

### 6.25 CHANGES

6.25.1 Any change of circumstance affecting this vehicle licence must be notified within 7 days of such change to the Licensing Team.

6.25.2 When the holder of a vehicle licence wishes to transfer the licence to another person, they must notify the Licensing Team by completing the appropriate application form, before such change takes place. Failure to do so is likely to result in the refusal to renew the licence.



**6.26 INSPECTION**

6.26.1 The vehicle licence must be available for inspection at all times on request by any authorised officer of the Council or the Police.

**6.27 UNAUTHORISED USE**

6.27.1 The proprietor of a Private Hire vehicle or Hackney Carriage shall not allow the vehicle to be driven and used for hire by any person who does not hold a current Private Hire vehicle or Hackney Carriage driver's licence, as appropriate, issued by Mid Suffolk District Council in respect of Mid Suffolk licensed vehicles or Babergh District Council in respect of Babergh licensed vehicles.

**6.28 ACCIDENT REPORTING**

6.28.1 If any licensed vehicle is involved in an accident, this must be reported to the Licensing Team within 48 hours of the incident.

6.28.2 Where, following an accident or damage to a licensed vehicle, it is the intention of the owner or operator to continue licensed use, the vehicle must be inspected (at the owner's or operator's expense) to determine its fitness for continued use. A Licensing Officer may suspend the use of a licensed vehicle until it is suitably repaired to the Licensing Officer's satisfaction.

6.28.3 A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be replaced by a hire vehicle provided:

- The damage to, or defect in, the vehicle has been reported;
- Application is made in the usual way for a change of vehicle (albeit temporarily);
- The replacement vehicle meets the Council's licensing criteria and is suitable to be used for hire purposes;
- The hiring of the hire vehicle is organised and paid for by the affected licensed owner or operator.

**6.29 SATELLITE NAVIGATION****HACKNEY CARRIAGE**

6.29.1 If the proprietor of a Hackney Carriage has affixed within the carriage a satellite navigation system it must be of a type suitable for UK roads.

6.29.2 The satellite navigation system must be fitted in such a position that it does not obstruct the drivers view or in such a way as to distract the driver's concentration from the road.

6.29.3 The proprietor of a Hackney Carriage is required to keep the satellite navigation system updated with the latest maps at all times.

**PRIVATE HIRE VEHICLE**

6.29.4 Where a Private Hire vehicle has been fitted with a satellite navigation system of a type suitable for UK roads (UK mapping) it must comply with the requirements of 6.29.1 and 6.29.3 above.

**6.30 MISCELLANEOUS**

6.30.1 The proprietor shall not knowingly cause or permit the vehicle to be used for any illegal or immoral purpose whatsoever.

6.30.2 The driver of the licensed vehicle shall not, unless given the express consent of the hirer, eat or drink in the licensed vehicle. This condition shall not apply to any consumption where there are

relevant medical grounds (for example diabetic control). The driver is expected to exercise due care and attention at all times whilst undertaking their duties.

6.30.3 Having due regard to environmental considerations the Council strongly recommend that all proprietors of vehicles shall ensure drivers do not leave the engine of the vehicle running for any significant length of time whilst awaiting a booking. It should be noted that powers are available to the Council to make byelaws that may incorporate such matters.

### 6.31 DISPENSATION/ VARIATION

6.31.1 The Council may in exceptional circumstances by way of special condition dispense with or vary any of the conditions set out in the Policy.

## 7 ADDITIONAL CONDITIONS FOR PRIVATE HIRE VEHICLE LIMOUSINES

### 7.1 GENERAL INFORMATION

7.1.1 Stretched limousines shall comply with the existing conditions of licence applicable to all licensed private hire vehicles (above) in so far as they are not superseded by these additional conditions.

### 7.2 TYPES OF VEHICLES

7.2.1 The vehicle must have one of the following:

- A UK Individual Vehicle Approval Certificate;
- A European Whole Vehicle Approval Certificate;
- UK Low Volume Type Approval Certificate.

### 7.3 VEHICLE AND SAFETY EQUIPMENT

7.3.1 The proprietor of a vehicle shall:-

- Provide one efficient fire extinguisher in addition to the extinguisher required to comply with the standard Vehicle Conditions of Licence applicable to all licensed Private Hire vehicles. One fire extinguisher should be mounted on brackets, in a convenient position in the driver's compartment, if practical. The other should be similarly mounted within the boot of the vehicle, so as to be readily available at all times;
- Ensure that the vehicle and all its fittings and equipment are at all times kept in a fit, serviceable, efficient, safe, and clean condition and all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and Use) Regulations) are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle should be removed from service until the reasons for non-compliance are rectified;
- Ensure that loose luggage is not carried within the passenger compartment of the vehicle;
- Ensure that any CCTV cameras installed in the vehicle have received prior written approval of the Council; and
- Display a Council approved sign, in a position clearly visible to passengers, warning customers that camera surveillance equipment may be in operation.

7.3.2 Vehicles may be left or right-hand drive providing that they have proof of full DFT vehicle type approval.

7.3.3 The passenger compartment of the vehicle may be fitted with darkened or blackened glass.



- 7.3.4 Vehicles must be supplied with a safety hammer, capable of being used to break the glass of the vehicle, which is securely located in the driver's compartment.
- 7.3.5 The licence holder shall not at any time use or permit to be used in the vehicle a radio scanner or citizen band radio.
- 7.3.6 The use of fog machines, lasers, fibre optics, disco balls and jacuzzis should comply with relevant Health and Safety regulations and should not be used in a manner which is likely to distract the private hire vehicle driver or other road users.
- 7.3.7 Where strobe lights are to be used, those hiring the vehicle should be verbally notified in advance and the person making the booking notified, both verbally and in writing. Strobe lighting should not be used/be turned off if so requested. Use should comply with relevant Health and Safety regulations and should not be used in a manner, which is likely to distract the private hire vehicle driver or other road users.

### 7.4 USE OF VEHICLE

- 7.4.1 The vehicle shall not be used for every day Private Hire Vehicle use.
- 7.4.2 The proprietor of the vehicle shall:-
- That the vehicle is at all times only driven by a person who holds a current Private Hire Vehicle Driver's Licence issued by the Council. The same Council which issued the Vehicle Licence.
  - That no more than the number of persons for which the vehicle is licensed shall be conveyed within the vehicle;
  - Not convey any passengers in the front compartment of the vehicle;
  - Not supply any intoxicating liquor in the vehicle unless there is in force an appropriate premises licence under the Licensing Act 2003, permitting the sale or supply of the same;
  - Provide sufficient means by which any person in the Private Hire vehicle may communicate with the driver during the course of hiring;
  - Ensure the interior of the vehicle is kept wind and watertight;
  - Ensure any necessary windows and means of opening and closing will have at least one window on each side of the passenger compartment;
  - Ensure that there are at least two doors for the use of persons conveyed within the vehicle and separate means of entry and exit for the driver;
  - Ensure the seats in the passenger compartment are properly cushioned and covered; and
  - Ensure the floor in the passenger compartment is provided with a proper carpet, mat or other suitable covering.
- 7.4.3 Where occupants in the vehicle are under the age of 16, a responsible adult other than the driver must accompany them.

### 7.5 VEHICLE IDENTIFICATION DISCS

- 7.5.1 Private hire vehicle limousines will not be required to display on the rear of the vehicle the external private hire vehicle licence plate which must normally be displayed by licensed private hire vehicles. The proprietor of the vehicle will be issued, by the Council, with two licence discs (an external

private hire vehicle licence plate will also be issued see below), which identify the vehicle as a private hire vehicle on which will be displayed the registration number of that vehicle and the number of passengers permitted to be carried (Known as Private Hire Limousine Vehicle Disc).

7.5.2 The proprietor shall ensure that:-

- The external Private Hire vehicle licence plate complies with 6.14.4 and 6.14.5 above in vehicle specifications;
- No Private Hire Limousine Vehicle Disc/Plate shall be parted with, lent or used on any other vehicle and the loss or damage of the vehicle disc(s)/plate shall be reported to the Council as soon as the proprietor is aware of the loss. In the event of ceasing to use the vehicle for private hire (special event) purposes the proprietor shall surrender the vehicle discs/plate and licence to the Council within seven days.

### 7.6 SIGNS, NOTICES, ETC

7.6.1 No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems, or devices whatsoever shall be displayed on, in or from the vehicle, other than those specifically approved by the Council. Failure to obtain such express consent may render the vehicle's licence liable to immediate suspension.

7.6.2 No media (e.g. music, videos etc) shall be presented that, given its age classification or content, is unsuitable for the age of passengers in the vehicle.

### 7.7 INSURANCE/MOT TEST CERTIFICATE

7.7.1 The vehicle must not be used to carry passengers for Private Hire special events unless there is in force for the vehicle:

- A current Certificate of Compliance test certificate;
- A policy of insurance covering the use of the vehicle for Private Hire special events and the proprietor of the vehicle is shown as the policy holder and any other licensed Private Hire Limousine Vehicle Drivers who drive the vehicle are covered.

7.7.2 These documents shall be produced to an authorised officer of the Council or a Police Officer at such time and place as may be required.

7.7.3 The proprietor shall deposit a valid and current copy of the Certificate of Compliance Test Certificate and Certificate of Insurance, or cover note with the Operator before the vehicle is used to accept bookings provided by the Operator.

7.7.4 If the insurance cover on the vehicle is cancelled, expires, or fails to cover the use to which the vehicle is being put, the Licensing Officer shall be informed immediately, and the vehicle shall not be used until appropriate cover is obtained.

### 7.8 DEPOSIT OF LICENCES

7.8.1 If the proprietor permits or employs any other person to drive his Private Hire Vehicle Limousine, he shall, before that person commences to drive the vehicle, cause the driver to deliver to him a copy of his Private Hire Vehicle Driver's licence for retention until such time as the driver ceases to be permitted or employed to drive that vehicle.

7.8.2 The proprietor of the vehicle will deposit within five working days, a copy of the Private Hire Limousine Vehicle licence with the Operator before any bookings are accepted.

7.8.3 The loss of any vehicle or driver licence shall be reported to the Council as soon as possible.

## 7.9 VEHICLE TESTING

7.9.1 A Private Hire Vehicle Limousine will be subject to twice-yearly mechanical examination at intervals to be specified by the Council, at its authorised testing station.

## 7.10 GENERAL CONDITIONS

7.10.1 All Operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers and at the time of booking the vehicle, the restriction of carrying no more than 8 passengers shall be explained to the hirer. This is in accordance with the restriction on Licensing Authorities that they may not licence vehicles with more than 8 seats.

7.10.2 The Licensee must produce a copy of the SVA (Single Vehicle Approval) certificate at time of licensing.

## 8 ADDITIONAL CONDITIONS FOR SPECIAL EVENT PRIVATE HIRE VEHICLES (FIRE ENGINES)

### 8.1 GENERAL INFORMATION

8.1.1 Special Event Vehicles (namely Fire Engines only) shall comply with the existing conditions applicable to all licensed Private Hire vehicles contained within Vehicle Specifications of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy, in so far as they are not superseded by these additional conditions.

### 8.2 TYPES OF VEHICLES

8.2.1 The vehicle must have one of the following:

- A UK Single Vehicle Approval Certificate;
- A European Whole Vehicle Approval Certificate;
- UK Low Volume Type Approval Certificate;

### 8.3 VEHICLE AND SAFETY EQUIPMENT

8.3.1 The proprietor of a vehicle shall:-

- Ensure that the vehicle and all its fittings and equipment are at all times kept in a fit, serviceable, efficient, safe, and clean condition and all relevant statutory requirements (including those contained in the Motor Vehicles (Construction and Use) Regulations) are fully complied with. Should the vehicle fail to comply with any legal requirement then the vehicle should be removed from service until the reasons for non-compliance are rectified;
- Ensure that loose luggage is not carried within the passenger compartment of the vehicle;
- Ensure that any CCTV cameras installed in the vehicle have received prior written approval from the Council; and
- Display a Council approved sign, in a position clearly visible to passengers, warning customers that camera surveillance equipment may be in operation.

8.3.2 The licence holder shall not at any time use or permit to be used in the vehicle a radio scanner or citizen band radio.

- 8.3.3 The use of fog machines, lasers, fibre optics, disco balls and jacuzzis should comply with relevant Health and Safety regulations and should not be used in a manner which is likely to distract the private hire vehicle driver or other road users.
- 8.3.4 Where strobe lights are to be used, those hiring the vehicle should be verbally notified in advance and the person making the booking notified, both verbally and in writing. Strobe lighting should not be used/be turned off if so requested. Use should comply with relevant Health and Safety regulations and should not be used in a manner, which is likely to distract the private hire vehicle driver or other road users.

### 8.4 USE OF VEHICLE

8.4.1 The vehicle shall not be used for every day Private Hire Vehicle use.

8.4.2 The proprietor of the vehicle shall ensure:-

- That drivers and passengers conveyed within the vehicle do not impersonate or give reason to anyone to believe that they are employees of any Fire and Rescue Service;
- That drivers and passengers conveyed within the vehicle wear any uniform that this should be distinguishable from that worn by any Fire and Rescue Service staff;
- That Blue Lights or Two Tones are not permitted to be used.
- That the vehicle is at all times only driven by a person who holds a current Private Hire Vehicle Driver's Licence issued by the Council. The same Council which issued the Vehicle Licence.
- That the driver is holds a DVLA driving licence authorising them to drive a car category B, they are also required to hold a category C1 and category C as a full licence holder;
- That no more than the number of persons for which the vehicle is licensed shall be conveyed within the vehicle;
- Not supply any intoxicating liquor in the vehicle unless there is in force an appropriate premises licence under the Licensing Act 2003, permitting the sale or supply of the same;
- Provide sufficient means by which any person in the Private Hire vehicle may communicate with the driver during the course of hiring;
- The interior of the vehicle is kept wind and watertight;
- Any necessary windows and means of opening and closing will have at least one window on each side of the passenger compartment;
- The seats in the passenger compartment are properly cushioned and covered; and
- The floor in the passenger compartment is provided with a proper carpet, mat or other suitable covering.

8.4.3 Where occupants in the vehicle are under the age of 16, a responsible adult other than the driver must accompany them.

### 8.5 VEHICLE IDENTIFICATION PLATES AND DISCS

8.5.1 The proprietor of the vehicle will be issued, by the Council, with two licence discs (an external special event private hire vehicle licence plate will also be issued, see below), which identify the vehicle as a special event private hire vehicle upon which will be displayed the registration number

of that vehicle and the number of passengers permitted to be carried (Known as Special Event Private Hire Vehicle Disc).

8.5.2 The proprietor shall ensure that:-

- One Special Event Private Hire Vehicle Disc must be displayed on the top left-hand corner of the front windscreen in a conspicuous position where it can be clearly seen from the outside of the vehicle and all wording and lettering contained thereon can be read. The other identification disc shall be fixed inside the vehicle in such a position (such as the bulkhead or security screen) so as to be visible to persons conveyed therein;
- The external special event private hire vehicle licence plate is to be fixed and displayed on the Authorised Vehicle at all times whilst licensed as a Special Events Private Hire Vehicle (there will be no exemptions permitted under vehicle specifications 6.14.4 and 6.14.5 above) and is to be fitted in the centre or the off side of the rear exterior of the vehicle on either the rear bumper or by using the approved bracket. (Please note that a plate must not be fitted to the near side of the vehicle).
- The external special event private hire vehicle licence plate shall be black and gold in colour containing the words Special Event Private Hire Vehicle.
- No Special Event Private Hire Vehicle Disc/Plate shall be parted with, lent or used on any other vehicle and the loss or damage of the vehicle disc(s)/plate shall be reported to the Council as soon as the proprietor is aware of the loss. In the event of ceasing to use the vehicle for private hire (special event) purposes the proprietor shall surrender the vehicle discs/plate and licence to the Council within seven days.

### 8.6 SIGNS, NOTICES, ETC

- 8.6.1 No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems, or devices whatsoever shall be displayed on, in or from the vehicle, other than those specifically approved by the Council. Failure to obtain such express consent may render the vehicle's licence liable to immediate suspension.
- 8.6.2 No media shall be supplied that, given its age classification or content is unsuitable for the age of passengers in the vehicle.
- 8.6.3 Strictly no signage or insignia (e.g., crest badge, station name etc) to be used on the appliance as to infer that the vehicle is part of any Fire and Rescue Service.
- 8.6.4 The front driver and passenger doors must display a sign in 10cm high black capital letters bearing "This vehicle is only available for use by pre-booking".

### 8.7 INSURANCE/MOT TEST CERTIFICATE

- 8.7.1 The vehicle must not be used to carry passengers for Private Hire special events unless there is in force for the vehicle:
- A current Certificate of Compliance test certificate;
  - A policy of insurance covering the use of the vehicle for Private Hire special events and the proprietor of the vehicle is shown as the policy holder and any other licensed Special Event Private Hire Vehicle Drivers who drive the vehicle are named.
- 8.7.2 These documents shall be produced to an authorised officer of the Council or a Police Officer at such time and place as may be required.

- 8.7.3 The proprietor shall deposit a valid and current copy of the Certificate of Compliance Test Certificate and Certificate of Insurance or cover note with the Operator before the vehicle is used to accept bookings provided by the Operator.
- 8.7.4 If the insurance cover on the vehicle is cancelled, expires, or fails to cover the use to which the vehicle is being put, the Licensing Officer shall be informed immediately, and the vehicle shall not be used until appropriate cover is obtained.

### 8.8 DEPOSIT OF LICENCES

- 8.8.1 If the proprietor permits or employs any other person to drive his Special Event Private Hire Vehicle, he shall, before that person commences to drive the vehicle, cause the driver to deliver to him a copy of his Private Hire Vehicle Driver's licence for retention until such time as the driver ceases to be permitted or employed to drive that vehicle.
- 8.8.2 The proprietor of the vehicle will deposit within five working days, a copy of the Special Event Private Hire Vehicle licence with the Operator before any bookings are accepted.
- 8.8.3 The loss of any vehicle or driver licence shall be reported to the Council as soon as possible.

### 8.9 VEHICLE TESTING

- 8.9.1 A Special Event Private Hire Vehicle will be subject to twice-yearly mechanical examination at intervals to be specified by the Council, at an authorised testing station.

### 8.10 GENERAL CONDITIONS

- 8.10.1 All Operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers (or such number as stated on the vehicle plate and disc) and at the time of booking the vehicle, the restriction of carrying no more than 8 passengers shall be explained to the hirer. This is in accordance with the restriction on Licensing Authorities that they may not licence vehicles with more than 8 seats.

### 8.11 TRAILERS

- 8.11.1 During the currency of the licence a Special Event Private Hire Vehicle is not permitted to tow a trailer.

## 9 VEHICLE LICENCES: APPLICATION PROCEDURES – (HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE

### 9.1 GENERAL INFORMATION

- 9.1.1 The following processes/procedures detail how to licence a Hackney Carriage or Private Hire Vehicle and Vehicle Licence Renewal.
- 9.1.2 To licence a vehicle within either the relevant district Council area you must first decide whether the vehicle that you are going to drive is to be a Hackney Carriage or Private Hire Vehicle.
- 9.1.3 These licences are issued under an Act of Parliament called the Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847 (for Hackney Carriages only) and is referred to as a vehicle licence. To obtain a vehicle licence the vehicle must comply with the Council's Policy and undergo tests and checks so that the Council can determine your application fairly and consistently.
- 9.1.4 The following checks and testing will apply:

- Vehicle testing

- Vehicle registration documents
- Intended use of the vehicle
- Insurance certificate
- MOT certificate (after one year from date of registration for Hackney carriages, thereafter annually. After three years of registration for Private Hire Vehicles and thereafter annually).
- Vehicle Road Tax
- Basic Disclosure (where the applicant is not a licensed driver or licensed operator)
- Meter Test Certificate
- Radio equipment licence.

### 9.2 VEHICLE APPLICATION PROCEDURES

9.2.1 Please note the Application process is the same for new, renewal, change and transfer of a vehicle.

9.2.2 Applications for Hackney Carriage and Private Hire Vehicle Licences are not limited and may be made at any time of the year. To drive either a Hackney Carriage or Private Hire Vehicle licensed by Babergh District Council or Mid Suffolk District Council the driver must hold an appropriate driver's licence by the relevant District Council.

9.2.3 Applications are to be made on the prescribed application form.

9.2.4 Documentation, which **MUST** accompany the application form.

- **REGISTRATION BOOK** (which must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s) hereinafter described as proprietor(s) thereof);
- **INSURANCE CERTIFICATE (showing the appropriate wording for the vehicle (hire and reward, public hire or private hire) –** (if a cover note, licence holders will be required to produce further insurance certificates on or before the expiry of the cover note), this is also to include Insurers Policy book and details of Third-Party Liability Cover;
- **BASIC DISCLOSURE CERTIFICATE –** where the applicant for the vehicle licence is not a licensed driver with the Council, they will require a basic disclosure certificate to be obtained and provided to the Council on an annual basis.
- **MOT CERTIFICATE –** the Licensing Team will check this on-line
- **VEHICLE TAX –** the Licensing Team will check this on-line
- **RADIO EQUIPMENT LICENCE from OFCOM –** (For further details contact Ofcom regarding what radio equipment needs to be licensed (as per vehicle specifications 6.17.4 above CB transmitters or receivers are not permitted)).

9.2.5 For new vehicles sight will be required of the vehicles Vehicle Registration Document (Vehicle Registration Document will also be required at renewal) or a Bill of Sale (Full Vehicle Registration Documents will be required once issued by DVLA in applicants name).

9.2.6 In every application, the name and address shall be given of:

- The person applying for a licence; and
- Every proprietor or part proprietor of the vehicle; or
- Any person concerned, either solely or in partnership with any other person, in the keeping, employing or letting to hire of the vehicle.

### 9.3 PROPRIETOR REQUISITION DECLARATION (NOTE THIS WILL FORM PART OF THE APPLICATION FORM)



- 9.3.1 Before a Hackney Carriage/Private Hire vehicle licence is granted, a Proprietor Requisition Declaration shall be made and signed by the proprietor or one of the proprietors of the Hackney Carriage/Private Hire vehicle in respect of which such licence is applied for.

### 9.4 VEHICLE TESTING

- 9.4.1 Vehicles will be required to undertake an inspection at one of the Council's approved vehicle testing centres before a licence shall be granted.
- 9.4.2 Owners of vehicles will be subject to a re-charge fee if the vehicle is required to undertake either a 6-monthly check or a safety complaint regarding the continued fitness of the vehicle is received before the next annual inspection is due.
- 9.4.3 When a vehicle is successfully tested it should be licensed with the Council as soon as practical.
- 9.4.4 Any applicant who omits the name of the owner or part owner of the vehicle who is responsible for keeping, employing or letting of the vehicle shall be liable to a penalty.
- 9.4.5 For renewals only we will endeavour to send a reminder approximately four weeks before your annual declaration is due (You are reminded that this is a courtesy service. It is your responsibility to ensure your declaration is submitted in a timely manner).

### 9.5 TAXI RANKS

- 9.5.1 Each Council has appointed ranks, as indicated below, for Hackney Carriages on the public highway.
- 9.5.2 The use of Hackney Carriage stand/rank is kept under review and may be discontinued in individual instances where a particular stand/rank has fallen into disuse. Conversely, the Council will consider the creation of new stands/ranks where there is a perceived need. Everyone who wishes the Council to consider the creation of new stands/ranks must write to the Licensing Team, at the address set out at the beginning of this document, giving full details of the proposed location(s), and explaining their reasons in full.

### TAXI RANKS IN THE BABERGH DISTRICT COUNCIL AREA

LOCATION OF RANK	NUMBER OF VEHICLES	TIME RESTRICTION
<b>EAST STREET, SUDBURY</b>	4	NONE
<b>OLD MARKET PLACE, SUDBURY</b>	4	NONE
<b>SUDBURY RAILWAY STATION</b>	2	NONE

### TAXI RANKS IN THE MID SUFFOLK DISTRICT COUNCIL AREA

LOCATION OF RANK	NUMBER OF VEHICLES	TIME RESTRICTION
<b>MARKET PLACE, STOWMARKET</b>	3	NONE
<b>REGAL THEATRE CAR PARK, IPSWICH STREET, STOWMARKET</b>	2	NONE



## PART 3: PRIVATE HIRE OPERATOR POLICY

### 10. GENERAL INFORMATION

#### 10.1 GENERAL INFORMATION

- 10.1.1 The Authority will not grant a Private Hire Vehicle (PHV) operator's licence for an operator with an operating base that is outside of the district area. This is to ensure that proper regulation and enforcement measures may be taken by the Authority and is in no way intended to be a restraint of trade.
- 10.1.2 The following processes/procedures are for a Private Hire Operator and Operators licence renewal.
- 10.1.3 For renewals only the team will endeavour to send a reminder approximately four weeks before an annual declaration is due. This is a courtesy service. It is the licence holder's responsibility to ensure their declaration is submitted in a timely manner.
- 10.1.4 To become a Private Hire Operator within the District an applicant will need to obtain a licence from the Council. The licence is issued under the Local Government (Miscellaneous Provisions) Act 1976 and is referred to as an operator's licence.
- 10.1.5 To obtain a licence the Council must determine whether the applicant is a 'fit and proper person' and whether the location intended to be used as the base is suitable. This involves a series of checks being carried out with various organisations so that the Council can determine the application fairly and consistently.
- 10.1.6 From the 4 April 2022 all applicants for a Private Hire Operators licence will need to carry out a tax check. The Licensing team will be required to obtain confirmation from HMRC that the applicant has completed the check before being able to consider the application.

#### 10.2 NEW PRIVATE HIRE VEHICLE OPERATORS' APPLICATION PROCEDURES

- 10.2.1 Applications for Private Hire Vehicle Operators Licences are not limited and may be made at any time of the year.

##### **FOR NON-DRIVER OPERATORS (including all partners and company directors)**

- 10.2.2 Applicants will be required to undergo a basic disclosure and barring service check with the Disclosure & Barring Service.
- 10.2.3 Applicants are required to undertake the BTEC Level 2 course in an Introduction to the Role of a Professional Taxi and Private Hire Driver. This training is to be carried out at the applicants expense and a pass certificate presented to the Council prior to acquiring a Private Hire Operators Licence.
- 10.2.4 The applicant will be required to pass a knowledge test. This will demonstrate whether the applicant has adequate knowledge of the legislation and licensing requirements.
- 10.2.5 After all checks/tests have been carried out and are satisfactory applicants must complete the appropriate application form giving all the necessary/applicable information as set out below, accompanied by the required documents and appropriate fee.
- 10.2.6 In every application, the name and surname and place of abode shall be given of:
- The person applying for a licence
  - Only one Operating name is allowed.
  - A copy of planning permission obtained for the use of the premises as a Private Hire Vehicle Operation (where applicable)

- Certificate from Ofcom for Radio System, and details of frequencies used (where applicable)
- Details of all telephone numbers intended to be used for bookings and the address to which each one relates.
- Applications are to be made on the prescribed application form.
- A list of all drivers and vehicles operated by you (see prescribed application form).
- In the absence of the Operator, the Name(s) and Address(es) of the Managers who will assume control of the booking of Private Hire Vehicle Drivers and Vehicles.
- A copy of the Company Policy in relation to the carriage of passengers accompanied by Guide or Hearing Dogs, those with Disabilities and Safeguarding of Children and vulnerable persons.
- A copy of the Certificate of Company Registration where applicable.
- Operators' Public Liability Insurance (for offices where the public have access)

10.2.7 In the event of refusal of the licence the specified fee is not refundable.

### FOR DRIVER OPERATORS

10.2.8 All relevant checks will have been undertaken at the driver application stage. Applicants must complete the appropriate application form giving all the necessary/applicable information as set out below, accompanied by the required documents and appropriate fee.

10.2.9 In every application, the name and surname and place of abode shall be given of:

- The person applying for a licence
- Only one Operating name is allowed.
- A copy of planning permission obtained for the use of the premises as a Private Hire Vehicle Operation (where applicable)
- Certificate from Ofcom for Radio System, and details of frequencies used (where applicable)
- Details of all telephone numbers intended to be used for bookings and the address to which each one relates.
- Applications are to be made on the prescribed application form.
- A list of all drivers and vehicles operated by you (see prescribed application form).
- In the absence of the Operator, the Name(s) and Address(es) of the Managers who will assume control of the booking of Private Hire Vehicle Drivers and Vehicles.
- A copy of the Company Policy in relation to the carriage of passengers accompanied by Guide or Hearing Dogs, those with Disabilities and Safeguarding of Children and vulnerable persons.
- A copy of the Certificate of Company Registration where applicable.
- Operators' Public Liability Insurance (for offices where the public have access)

10.2.10 In the event of refusal of the licence the specified fee is not refundable.

### 10.3 FOREIGN NATIONALS

10.3.1 Applicants born outside of the UK and resident in the UK for less than 5 years, who are not a British Citizen will need to provide to the Council a Certificate of Good Conduct which details if the applicant has a criminal record in their own country. This certificate can be obtained from the Embassy, Consulate or High Commission of the Country. If these certificates cannot be obtained in English, they must be translated by an official translator who will be expected to sign a declaration that to the best of their knowledge the information is correct.

10.3.2 A DBS check will also be undertaken along with a Home Office referral to ascertain if the applicant has the right to work within the UK. Where an applicant is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the United Kingdom.

**10.4 PRIVATE HIRE VEHICLE OPERATORS' ANNUAL DECLARATION PROCEDURE**

10.4.1 The Licensing Team will endeavour to send a reminder approximately four weeks before an annual declaration is due. This is a courtesy service. It is the licence holder's responsibility to ensure the declaration is submitted in a timely manner. Should the licence holder let their licence expire they will need to begin the process again as a New Applicant.

10.4.2 The Applicant will need to provide the following documentation:

- In every application, the name and surname and place of abode shall be given of:
  - The person applying for a licence
- Only one Operating name is allowed.
- Details of all telephone numbers intended to be used to invite bookings and addresses to which one relates i.e. the first point of reception for each call.
- Applications are to be made on the prescribed application form
- A list of all drivers and vehicles operated by you (see prescribed application form).
- Operators' Public Liability Insurance (for offices where the public have access)
- A sample of log book/records of journeys undertaken during the last 12 months.

10.4.3 In the event of refusal of the licence the specified fee is not refundable.

**10.5 DISCLOSURE AND BARRING SERVICE (DBS) CHECK**

10.5.1 The renewal Applicant will be required to undertake an annual Basic DBS check or as required.

10.5.2 When the applicant is required to undergo a DBS check the Licensing Team will write to them. This will be required before any renewal of a licence is considered. Any conviction shown on the DBS check which has not been notified to the Council will result in a Disciplinary Hearing.

**11 CONDITIONS OF PRIVATE HIRE OPERATOR LICENCE****11.1 RECORD KEEPING**

11.1.1 The records required to be kept by the Operator under Section 56(2) and 56(3) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable format. The Operator shall record before the commencement of each journey, the following particulars of every booking of a Private Hire vehicle invited or accepted by them:

- (i) the time and date of the booking;
- (ii) the name and address of the hirer;
- (iii) how the booking was made (i.e., by telephone, e-mail, or personal call);
- (iv) the time of pick-up;
- (v) the point of pick-up;
- (vi) the destination;
- (vii) the time at which a driver was allocated to the booking;
- (viii) the registration number of the vehicle allocated for the booking;
- (ix) remarks (including details of any sub-contract or fare quoted at time of booking);
- (x) the name or appropriate identifier (licence number) of the driver allocated to the booking.
- (xi) the name of individual that responded to the request.
- (xii) the name of the individual that dispatched the vehicle.

11.1.2 The Operator shall also keep records of the particulars of all Private Hire vehicles operated by them, which shall include details of the owners, registration numbers, plate number, number of seats for passenger, insurance details and drivers of such vehicles.

11.1.3 All records kept by the Operator shall be preserved at the operator address as identified in the licence, for a period of not less than 5 years following the date of the last entry and shall be produced promptly upon request to any authorised Officer of the Council or to a Police Officer.

**11.2 INTERNET BOOKINGS AND MOBILE PHONE DIVERSIONS**

- 11.2.1 Where on-line bookings are invited or accepted the point of booking shall be at a computer physically located at the operator base address as identified in the operator licence. Where telephone bookings are made to a landline or virtual (VOIP) number which diverts to a mobile phone away from the bookings office, or the booking is made by text message, the booking must be recorded in the bookings log as soon as practicable.
- 11.2.2 Conditions relating to the use of a mobile telephone app for operators will be introduced and included in this policy at a later date.

**11.3 DRIVER BOOKINGS**

- 11.3.1 The operator shall keep records of the particulars of all drivers of private hire vehicles operated by them pursuant to section 56 (3) of the 1976 Act such details to include the following particulars, namely:
- Details as to the drivers of the vehicles, and their call signs
  - Details of when any new driver begins service
  - Details of when any driver's service ceases
  - Details of any change of address of any driver in service
  - If he/she becomes aware that any driver is suffering from any illness, disability or condition which may affect the driver's ability to safely carry out their duties, details of that information
  - Expiry dates of driver's badges and vehicle licences
- 11.3.2 All records maintained by the operator shall be kept for at least 12 months after entry and shall be produced for inspection, on request, by any authorised officer.

**11.4 STANDARD OF SERVICE**

- 11.4.1 The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:
- (a) ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed by unforeseen circumstances or prevented by sufficient cause, punctually attend at that appointed time and place;
  - (b) keep clean, adequately heated, ventilated and lit any premises which the Operator provides and to which the public have access, whether for the purpose of booking or waiting;
  - (c) put in place and maintain an adequate public liability insurance policy for premises that are open to the public;
  - (d) ensure that any waiting area provided by the Operator has adequate seating facilities;
  - (e) ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly;
  - (f) ensure that drivers and controllers are advised to act in a helpful, polite, and professional manner at all times whilst undertaking their duties.

**11.5 CITIZEN BAND RADIO**

- 11.5.1 The Operator shall not cause or permit any Citizen Band (CB) radio to be used for or in connection with the hiring of a private hire vehicle, nor shall any radio scanning equipment be so used.

**11.6 CHANGE OF CIRCUMSTANCES**

- 11.6.1 The Operator shall notify the Council in writing of any change affecting the operator's licence including change of drivers, vehicles, and address (including any address from which they operate or otherwise conducts their business as an Operator) also change of any directors or partners involved in the business, as soon as possible and in any event within 7 days of the change taking place.

**11.7 DISCLOSURE OF CONVICTIONS, CAUTIONS AND DISCHARGES**

11.7.1 The Operator shall disclose in writing to the Council details of any such conviction, caution, charges, or fixed penalty being imposed upon them within 48 hours. If the operator is a Company or Partnership this requirement shall apply, if any directors or partners received any such conviction, caution, charges or fixed penalty. It should be noted that the Police may notify the Council of relevant information or convictions in accordance with the Police Common Law Disclosures Scheme.

**11.8 HIRINGS CHARGE**

11.8.1 The Operator of a licensed private hire vehicle shall not invite or accept a booking for such vehicle or control or arrange a journey to be undertaken by such vehicle, without first making available in writing, or giving orally, to the person making the booking, information as to the basis of the charge for the hire of the vehicle.

**11.9 CODE OF CONDUCT**

11.9.1 The operator shall have in place a code of conduct policy for their drivers, which must be regularly reviewed and be in addition to the conditions contained within this policy, which shall be made available to fare-paying passengers, any authorised officer of the Council or any Police Officer.

**11.10 ADVERTISING OF PRIVATE HIRE SERVICES**

11.10.1 The holder of an Operator's Licence shall not cause or permit any advertising of private hire services to be made in such manner or form of words that is likely to indicate to a member of the travelling public that a private hire vehicle may be available for immediate hire without prior booking. Therefore, such advertising (including cards, notices, and websites) shall not contain such words as 'taxi', 'cab' or similar.

11.10.2 The operator shall disclose to the Council any website used to advertise the operation.

**11.11 PARKING OF LICENSED PRIVATE HIRE VEHICLES**

11.11.1 The Operator shall ensure that all drivers of licensed private hire vehicle(s) operating under their control are advised to:

- (a) Not park in such manner or location so as to cause significant traffic congestion to the detriment of local residents, amenities or general passenger traffic;
- (b) Not park so as to form a rank of vehicles, that may cause a member of the travelling public to interpret a private hire vehicle as being available for immediate hire without any prior booking being made;
- (c) Not park in such manner or location so as to be in contravention of any applicable laws or regulations; and
- (d) Not sound the horn of the vehicle to alert a pre-booked passenger to the arrival of the vehicle, when in a built up area between the hours of 11:30pm and 7:00am, or where such use would be contrary to rule 92 of the Highway Code.

11.11.2 Having due regard to environmental considerations the Council strongly recommend that the Operator advises all drivers of his licensed vehicle(s) to not leave the engine of the vehicle running for any significant length of time whilst awaiting a booking. It should be noted that powers are available to the Council to make byelaws that may incorporate such matters.

## 11.12 PRIVATE HIRE DRIVER'S LICENCE

- 11.12.1 The operator shall satisfy themselves that every driver engaged by them has acquired a Private Hire driver's licence and has a badge issued by the Licensing Team. The operator shall request a copy of the paper counterpart of the licence from each driver.

## 11.13 COMPANY POLICY FOR DRIVERS/STAFF

- 11.13.1 The operator shall have in place a company policy relating to:
- The carriage of passengers accompanied by guide/hearing or assistance dogs
  - The carriage of passengers with Disabilities and Safeguarding children and vulnerable persons. This policy should be in line with the requirements under the Equality Act 2010 and any disabled or vulnerable passenger **must not** be charged extra for their journey's.
  - Smoking and the law (operators must provide training of all staff and drivers detailing what their responsibilities are)
  - Standards of service expected from all staff and drivers.
- 11.13.2 Operators shall provide and maintain a policy on the employment of staff with convictions for offences as detailed in condition 2.3 to 2.14 of the driver application requirement. This will determine the suitability of all staff employed by the operator.
- 11.13.3 The policy must be regularly reviewed and shall be made available upon request to fare-paying passengers or any authorised officer of the Council or any Police Officer.

## 11.14 COMPLAINTS

- 11.14.1 The operator shall notify the Licensing Authority within 7 days in writing of any complaints concerning a contract for hire arising from their business, such notification to include the action taken or proposed as a result of the complaint.

## 11.15 BOOKING AND DISPATCH STAFF

- 11.15.1 All operators shall be required to produce and keep updated a register of all staff that will take bookings and or dispatch vehicles.
- 11.15.2 Operators shall be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register.
- 11.15.3 DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a 'responsible organisation' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.
- 11.15.4 Operators may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

## 11.16 DATA PROTECTION

- 11.16.1 Private Hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.



# Summary of changes

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## Pre-Consultation Changes

- All personalisation errors and grammatical errors have been reviewed and rectified.

## Post-Consultation Changes

- The Licensing Team jointly received a response from the Mid Suffolk Disability Forum who work in conjunction with the Suffolk Disability forum, and they have suggested the following amendments to ensure the policy is not using any discriminatory wording:
  - Under Section 3 General conduct the following condition has been added: *“All Reasonable assistance will be afforded to passengers with disabilities”*
  - Under Paragraph 4.1 the title is now *“Passengers with Assistance Dogs”*
  - Under Paragraph 4.2 the title is now *“Passengers who are Wheelchair Users”*
  - Paragraph 4.2.3 has been amended to read *“Before any movement the driver must ensure that a passenger travelling in their wheelchair is wearing a seatbelt unless the passenger is exempt and ensure brakes of the wheelchair have been applied.”*
  - Paragraph 4.3.1 has been amended to read *“Exemption from lifting wheelchairs or people who are wheelchair users or have mobility difficulties and from transporting assistance dogs may only be obtained by individual drivers on medical grounds.”*
  - Under 6.22.2 now states *“Passengers using a wheelchair”* and helper has been changed to *“assistant”*
  - Under 6.22.4 now states *“Passengers who travel in their Wheelchairs”*
  - Under 6.22.5 now states simply *“wheelchair accessible”*
  - Under paragraph 11.13.1 now states that *“This policy should be in line with the requirements under the Equality Act 2010 and any disabled and vulnerable passengers **must not** charge extra for their journey’s.”*
- The Licensing Team have included the following statement at 2.19.4 *“The BTEC Level 2 course in an Introduction to the Role of a Professional Taxi and Private Hire Driver will incorporate disability awareness and safeguarding.”* This has been included as the Mid Suffolk Disability Forum raised that this should be included to ensure Drivers are aware of this obligation.

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- Under 3.1.2 the Licensing Team are proposing this to be amended to *“The driver when hired to drive to a particular destination shall proceed to that destination by the shortest/quickest route.”* This was proposed by a Babergh driver and the team have amended as it brings greater clarification in that a driver should not prolong a journey to incur a greater fare.
- Under 3.4.2 the Licensing Team are proposing to reword the condition to *“The driver shall not eat in the vehicle unless they have a medical need”*
- Under 6.1.7 the Licensing Team are now proposing to amend the condition to *“Be capable of carrying at least 4 passengers, be fitted in right-hand drive (an exception regarding right hand drive will be made in the case of a stretched limousine) and shall have an engine of capacity which is capable of enough power to carry the number of passengers it is licensed for including luggage.”* This was raised as a comment by a Babergh driver. The team felt this was more appropriate wording.
- Under 6.1.8 the team are proposing to remove *“Electric Vehicles (EV) shall have a minimum range of 140 miles.”* This was raised by a Babergh driver. The trade are aware of the needs of their business so therefore we shouldn’t stipulate minimum mileage.
- Under 6.1.8 the team are also proposing to amend the condition to *“Hybrids in addition to the above minimum engine size capacity shall be of the following type: Plug-in (PHEV), Self-Charging or Range Extender (REX or Series Hybrid).”* The team on review of the consultation response cannot see a reason why it shouldn’t be included as it is a vehicle that would be better for the environment than a purely fossil fuelled vehicle.
- The Licensing Team have removed the condition under 6.1.12 that states *“The following categories of vehicle are unacceptable to be licensed: City Cars, Supermini, Small Family (this includes SUVs and MPVs of this category/size), and Cabriolets.”* The already listed conditions regarding, door provision, engine capacity and interior dimensions will prevent any of this type of vehicle from being licensed.
- Under 6.1.13 the Licensing Team are proposing to reword the condition to *“Vehicles should have no damage affecting the structural safety of the vehicle and must not have been written off for insurance purposes however category N will be considered on a case-by-case basis with the reasons for write off provided to the team by the relevant insurance underwriter.”*
- Under 6.15.1 the team are proposing to remove the following wording *“on the side facing the front and the name of the company, or its telephone number, or “TAXI”, or any combination of the three on the side facing towards the rear of the vehicle. The roof sign and lettering shall be of an appropriate size to enable it to be read clearly from a distance of 14 metres.”* This was raised by a Babergh driver. The team feel the additional wording is unnecessary.



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- Under 6.15.4 the Licensing Team are proposing to remove *“Self-adhesive identification signs as approved by the Council, indicating that insurance is invalid unless the vehicle is booked by private hire, must be affixed to the drivers’ door and front passenger door panels of the vehicle. These signs should not be tampered with in any way and must be displayed at all times whilst the vehicle has current private hire vehicle plate affixed.”* This proposed condition is unlikely to prevent the illegal hire of private hire as we hope and would be an unnecessary additional cost for the trade.
- In conjunction with the above the team are proposing to remove 6.16.5 (iii) *“No signs whatsoever, other than the identification signs approved and supplied by the Council (see 6.15.4 above) must be affixed to the drivers’ door and front passenger door panels of the vehicle.”*
- Under 6.16 the Licensing Team are proposing to reword the condition to *“Any advertising in or on the vehicle must be restricted to the name, logo or insignia, telephone number, free-phone number, fax number, email address or web site of the owner or operator of the vehicle. Advertising of other businesses or products or services is **not** permitted, including art works, emblems, symbols, slogans, or other displays of any kind.”*
- Under Section 6.16.4 the team are proposing the wording to be amended to *“For saloons and estate cars the lettering of all advertising/graphics etc must be a maximum height of 15 cm.”* This was raised by a Babergh driver. The positioning of the company advert should be down to the discretion of the trade.
- Under Section 6.16.4 the team are proposing the wording to be amended to *“For minibuses, transits and people carrier type vehicles, the lettering of all advertising/graphics etc must be a maximum height of 25 cm. In addition, the single word “Taxi”, to a maximum height of 30 cm, may be displayed.* This was raised by a Babergh driver. The positioning of the company advert should be down to the discretion of the trade.
- Under Section 6.16.5 the team are proposing the wording be amended to *“For saloons and estate cars the lettering of all advertising/graphics etc must be a maximum height of 15cm.”* This was raised by a Babergh driver. The positioning of the company advert should be down to the discretion of the trade.
- Under Section 6.16.5 the team are proposing the wording to be amended to *“For minibuses, transits and similar people carrier type vehicles, the lettering of all advertising/graphics etc must be a maximum height of 25cm.”* This was raised by a Babergh driver. The positioning of the company advert should be down to the discretion of the trade.
- Under Section 6.20.2 the team are proposing to put *“Hackney Carriage only”* after metered fare, metered extras and tariff code shown on the meter, i.e. tariff 1,2,3 or 4; to ensure this is clear for Private Hire drivers. This was raised by a Babergh driver.
- Under 6.22.2 the Licensing Team are proposing to add the following bullet point *“Hackney Carriage vehicles must be side loading”*. This was raised as a comment by a Babergh driver.

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The team felt it was appropriate to add this clarification as it is the only appropriate way to load a wheelchair at the rank.

- Under 6.22.4 the Licensing Team are proposing to reword the condition to *“The licensed driver of a wheelchair accessible vehicle must have received suitable and sufficient training to load and convey passengers who travel in their wheelchairs. The provision of this training is the responsibility of the Operator/licensed driver.”*
- 6.29.1 the Licensing Team are proposing this to be amended to *“ If the proprietor of a hackney carriage has affixed within the vehicle a satellite navigation system it must be of a type suitable for UK roads.”* This was raised as a concern by a Babergh driver. The team felt making the satnav usage optional was more beneficial as technology advancements means a greater number of drivers are using google maps on their smart phones instead of Satnav.
- Under Section 9.1.4 the team are proposing to include after MOT testing the following *“after one year from date of registration for Hackney carriages, thereafter annually. After three years of registration for Private Hire Vehicles and thereafter annually).”* This was raised by a Babergh driver. The team felt it necessary to clarify the required MOT testing.
- Under 9.2.4 the team are proposing to remove the following *“ METER TEST CERTIFICATE – where the vehicle is a Hackney Carriage or where a Private Hire Vehicle is fitted with a meter.”* This was raised by a Babergh driver. The certificate is superfluous and the team in practice do not require this as a matter of course.
- Under 9.4.2 the team are proposing to remove *“Prior to submitting the vehicle for testing owners must ensure that the vehicle is in good condition, i.e., mechanically sound, bodywork in a satisfactory condition and the engine and full chassis steam cleaned.”* This condition will potentially cause unnecessary damage to the electrical components of the vehicle.
- Under 9.4.3 the Licensing Team are proposing this to be amended to *“Owners of vehicles will be subject to a re-charge fee if the vehicle is required to undertake either a 6-monthly check or a safety complaint regarding the continued fitness of the vehicle is received before the next annual inspection is due.”*
- Under Section 11.2.1 the licensing team are proposing to amend to *“Where telephone bookings are made to a landline or virtual (VOIP) number which diverts to a mobile phone away from the bookings office, or a booking is made by text message the booking must be recorded in the bookings log as soon as practicable.”* To provide clarity in regard to booking via both landline and virtual methods. This was raised by a Babergh driver.

The characteristics protected by the Equality Act 2010 are:

<b>Disability</b>	<b>Age</b>	<b>Sex (gender)</b>
<b>Gender reassignment</b>	<b>Marriage/civil partnership</b>	<b>Pregnancy/maternity</b>
<b>Race</b>	<b>Sexual orientation</b>	<b>Religion/belief</b>

*By law we must have due regard to the need to:*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

In effect, this means that we need to ensure that our policies and services are fair, equitable and proportionate and where possible mitigate against any adverse impacts on people from the different protected characteristics.

In addition to the above protected characteristics you should consider the impact of living in a **rural area** as part of this assessment. Where people live is not a characteristic protected by law, but for an organisation such as Babergh and Mid Suffolk District Councils it is good practice to consider carefully how location may affect people's experience of a policy or service.

The Rural-Urban definition, defines the rurality of very small census based geographies. Census Output Areas forming settlements with populations of over 10,000 (which are urban), while the remainder are defined as one of three rural types: *town and fringe, village or hamlet and dispersed*.

<b>Details</b>	
<b>Service or policy title</b>	Taxi Policy Review
<b>Lead officer</b> <i>(responsible for the policy or service/function)</i>	Emma Richbell, Food Safety and Licensing Assistant Manager
<b>Officers carrying out the EQIA</b> <i>(at least one must have done EQIA training and it is recommended that an officer responsible for the policy or service/function is involved in completion)</i>	Kay Sanders Katherine Green
<b>Is this new or a revision?</b> <i>(If revision state when previous EQIA undertaken)</i>	New
<b>Is this the first time this policy or function has been assessed?</b>	Yes
<b>Date of completing this EQIA</b>	24/06/2021

<b>Description</b>
<p><b>What exactly is proposed?</b> <i>(Describe the service/policy and the changes that are being planned)</i></p> <p><i>Babergh &amp; Mid Suffolk are attempting to align their separate policies into one uniform document to cover both districts. The main changes to the policies are as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>removal of the requirement of plates 1-20 in Babergh being any type of vehicle and 21+ as Wheelchair accessible only.</i></li> <li>• <i>vehicle age policy amended/added for both councils.</i></li> <li>• <i>Currently the Licensing Team undertake a knowledge test however there will be a mandatory requirement to undertake the ‘Introduction to the Role of Professional Taxi and Private Hire Driver’ course</i></li> <li>• <i>New Safeguarding standards have been introduced by the Department for Transport and these are being assessed and incorporated where necessary.</i></li> </ul>
<p><b>Why?</b> <i>(Give reasons why these changes are being introduced)</i></p> <p><i>Both Council’s have been working together since 2012 but the policies have been vastly different. This review is to align the policy and processes so that officers can apply the same conditions across both districts. This will aid any driver wishing to work in both districts as the information would be the same. However, there is no automatic entitlement to work across both districts once licensed in a particular Council area.</i></p>
<p><b>What will the effect of the changes be?</b> <i>(Describe which people, communities, localities etc. will be affected by the changes)</i></p> <p><i>Babergh has made no significant changes to their policies since 2007 and Mid Suffolk policy since 2011.</i></p> <p><i>The trade will be affected by the changes in policy:</i></p> <ul style="list-style-type: none"> <li>• <i>Babergh Drivers for plates 1-20 have incurred an unfair revenue as this plate belongs to the company/proprietor until they wish to transfer. On transfer the individual sells the plate number on at a high price. This has led to a monopoly by certain operators and individuals which is unfair to other members of the trade.</i></li> <li>• <i>Mid Suffolk Drivers have never had an age policy for their vehicle and a lot of them may find it difficult to finance newer vehicles.</i></li> <li>• <i>The mandatory requirement to undertake the ‘Introduction to the Role of Professional Taxi and Private Hire Driver’ course will have a financial implication for driver’s and operators.</i></li> <li>• <i>The new safeguarding standards will have an effect on new licence applicants as well as existing licensed drivers as all criminal history will have to be considered by our Licensing and Regulatory Sub-Committee. The benefits of the new standards are that all drivers will be regulated to a higher standard and this in turn will ensure that the drivers on the road are fit and proper to hold such a licence.</i></li> </ul>

<p><b>How will it be implemented?</b> <i>(Describe the decision-making process, timescales, process for implementation)</i></p> <p>The Policy will be going to Licensing &amp; Regulatory Committee (LRC) in August 2021. This will be the first viewing of the policy and LRC will be asked to recommend this for consultation with the public and the trade. The consultation will run for 28 days, and the responses will be collated, and the policy will return to LRC in October 2021. If LRC are minded to the policy will be recommended to Cabinet for adoption and this meeting is in December 2021. There will be a Cabinet briefing prior to full Cabinet, and this is in November 2021.</p>
<p><b>When is it due to start?</b> <i>(Planned start of new/revised policy/service)</i></p> <p>31 January 2022</p>
<p><b>Any other relevant details</b></p> <p>N/A</p>

<p><b>Data about the population</b></p> <p><b>What is the demographic profile or make up of the community you are serving?</b> <i>(A brief overview of quantitative data used and qualitative research undertaken, including customer surveys and focus groups, plus links to reports, local or national data that you have used, suggested sources of information can be found at the end of this document)</i></p> <p>Population typical for rural Suffolk – increasing elderly population, small population of black and ethnic minority residents. The source for our data is see <a href="#">Suffolk Observatory – Equality Impact Assessment</a></p>
<p><b>What is the profile or make up of your service users by protected characteristics?</b> <i>(Where this data is available. If it is not currently available state any plans to collect this in future)</i></p> <p>A survey is currently in the process of being undertaken for wheelchair users in Babergh on the advice of our Equalities team. The consultation on this policy will provide any further insight into needs/requirements.</p>

<p><b>Implications for communities and workforce</b></p>	
<p><b>Disability</b></p>	
<p>What is the impact on people with a disability (including children with additional needs) and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i></p>	<p>There is no differential impact on people with a disability. The Taxi Policy is applicable to all who use this service.</p>
<p>How does it have a positive or negative impact?</p>	<p>Disabled adults appear to rely more on the bus and on taxis according to DfT national data, which shows that the</p>

	<p>proportion of trips with taxi/minicab as the main mode was small but noticeably higher for disabled adults. Nationally wheelchair users and disabled persons are statistically more likely to use taxis than persons who do not identify themselves as disabled. The demand for vehicles and drivers may increase however the cost implications for the process may deter individuals from applying reducing the availability of Wheelchair accessible Vehicles.</p>
<p>What could be done to mitigate any adverse impact or further promote positive impact?</p>	<p>The alignment of the policies and the introduction of the new safeguarding standards will ensure that the travelling public are receiving the best service from the trade as the policy is attempting to ensure all applicants are fit and proper for the job role and are better regulated. Some potential mitigation may be provided by ensuring local disability groups are effectively involved in the consultation process.</p>
<p><b>Age</b></p>	
<p>What is the impact on people of different ages and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i></p>	<p>There is no differential impact on people of different ages. The Taxi Policy is applicable to all who use this service.</p>
<p>How does it have a positive or negative impact?</p>	<p>In terms of age, surveys by the DFT have identified that young adults and elderly persons are more likely than other age groups to use taxis on a regular basis. The service isn't age restricted however if the process deters individuals from applying there may be a reduced capacity by companies to aid these individuals which could lead to isolation.</p>
<p>What could be done to mitigate any adverse impact or further promote positive impact?</p>	<p>The alignment of the policies and the introduction of the new safeguarding standards will ensure that the travelling public are receiving the best service from the trade as the policy is attempting to ensure all applicants are fit and proper for the job role and are better regulated. Some mitigation can be achieved by effective consultation.</p>
<p><b>Sex (gender)</b></p>	
<p>What is the impact on people of different genders and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i></p>	<p>There is no differential impact on people of different genders. The Taxi Policy is applicable to all who use this service.</p>
<p>How does it have a positive or negative impact?</p>	<p>N/A</p>
<p>What could be done to mitigate any adverse impact or further promote positive impact?</p>	<p>N/A</p>

<b>Gender reassignment</b>	
What is the impact on people who have undergone gender reassignment (i.e. transgender people) and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people who have undergone gender reassignment. The Taxi Policy is applicable to all who use this service.
How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A
<b>Marriage/civil partnership</b>	
What is the impact on people who are married or in a civil partnership and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people who are married or in a civil partnership. The Taxi Policy is applicable to all who use this service.
How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A
<b>Pregnancy/maternity</b>	
What is the impact on people who are pregnant women or those with a young child and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people who are pregnant or who have a young child. The Taxi Policy is applicable to all who use this service.
How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A
<b>Race</b>	
What is the impact on people from different races or ethnic groups and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people of different races. The Taxi Policy is applicable to all who use this service.



## Equality Impact Assessment (EQIA)



How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A
<b>Sexual orientation</b>	
What is the impact on people according to their sexual orientation and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people of different sexual orientations. The Taxi Policy is applicable to all who use this service.
How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A
<b>Religion/belief</b>	
What is the impact on people according to their religion or belief and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	There is no differential impact on people of different religions or beliefs. The Taxi Policy is applicable to all who use this service.
How does it have a positive or negative impact?	N/A
What could be done to mitigate any adverse impact or further promote positive impact?	N/A



<b>Rurality</b>	
Where people live is not a characteristic protected by law: but for Babergh and Mid Suffolk District Councils it is good practice to consider carefully how location may affect people's experience of a policy or service.	
What is the impact on people according to whether they live in an urban or rural environment and what evidence do you have? <i>(If you do not believe there is any impact describe why not)</i>	Both Districts are predominantly rural however Babergh is slightly more urbanised regarding the location of its Taxi services. The Taxi policies have historically remained as separate entities under each council. However, the officers whilst reviewing this policy have taken into consideration that the benefits of a single policy outweigh any concerns regarding its alignment.
How does it have a positive or negative impact?	The negative impact of the changes proposed in this policy is there may be a decrease in the applicants for a position as a Hackney Carriage and Private Hire Driver due to the increased need and cost to undertake safeguarding training. As both districts are rural this could lead to a higher reliance on bus services which are sporadic in the districts and may lead to isolation of vulnerable groups.
What could be done to mitigate any adverse impact or further promote positive impact?	Some mitigation can be achieved by effective consultation.

<b>Making Decisions</b>	
Having completed this equality impact assessment indicate which decision is recommended to be taken.	
Should the policy or service be implemented as the correct course of action?	Yes
Should the policy or service be amended as suggested by the report so that mitigating actions are taken to address an adverse or negative impact on any characteristic?	No
Should the policy or service be reviewed and revised more significantly to take into account its impact on different groups?	No
Should the policy or service not be actioned as there are too many negative impacts?	No

<b>Monitoring Impact</b>	
Assessing the impact on equality is an ongoing process that does not end once a policy or service had been agreed or implemented.	
How frequently will the policy or service be reviewed?	Three Yearly
Who will be involved?	Licensing Officers, Licensing and Regulatory Committee, Cabinet
Will there need to be an action plan completed for any amendments?	No
What further evidence or consultation will be needed to check that the policy or service is working well?	Complaint monitoring and Disability Forum feedback

<b>Completion</b>	
Authors signature	Kay Sanders Katherine Green
Date of completion	24 June 2021

Additional sources of data can be found on the following links:

<http://www.suffolkobservatory.info/Default.aspx>

<http://www.nomisweb.co.uk/>

<https://www.ons.gov.uk/>

<http://suffolkcf.org.uk/publications/hidden-needs-2016/>

<https://www.nao.org.uk/>