

Borough Council of
**King's Lynn &
West Norfolk**



Cabinet

Agenda

Tuesday, 14th January, 2025
at 6.00 pm

in the

Council Chamber
Town Hall
Saturday Market Place
King's Lynn

Also available to view on Zoom and available for the public to view on [WestNorfolkBC on You Tube](#)



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

CABINET AGENDA

DATE: CABINET - TUESDAY, 14TH JANUARY, 2025

**VENUE: COUNCIL CHAMBER, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN PE30 5DQ**

TIME: 6.00 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - No items will be considered in private.

1. MINUTES

To approve the Minutes of the Meeting held on 10 Decembere 2024 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST (Page 6)

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply

observing the meeting from the public seating area.

5. **CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

6. **MEMBERS PRESENT UNDER STANDING ORDER 34**

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. **CALLED IN MATTERS**

To report on any Cabinet Decisions called in.

8. **FORWARD DECISIONS** (Pages 7 - 11)

A copy of the Forward Decisions List is attached

9. **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

Corporate Performance Panel - 7 January 2024

Environment and Community Panel - 8 January 2024

10. **TRANSFORMATION PROGRAMME** (Pages 12 - 20)

11. **COUNCIL TAX DISCOUNT RESOLUTION 2025/26** (Pages 21 - 61)

12. **REVIEW OF HACKNEY CARRIAGE & PRIVATE HIRE LICENSING FEE LEVELS** (Pages 62 - 93)

13. **REVISION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS** (Pages 94 - 227)

14. **HOUSING SUPPORT SERVICES** (Pages 228 - 236)

15. **BUDGET MONITORING REPORT** (Pages 237 - 269)

16. **MEMBERS ALLOWANCES 2024/25** (Pages 270 - 273)

17. **SOCIAL VALUE POLICY** (Pages 274 - 290)

18. PROCUREMENT POLICY AND CONTRACT STANDING ORDERS (Pages 291 - 354)

To: Members of the Cabinet

Councillors B Aota, A Beales (Chair), M de Whalley, J Moriarty, C Morley, S Ring (Vice-Chair), J Rust and S Squire

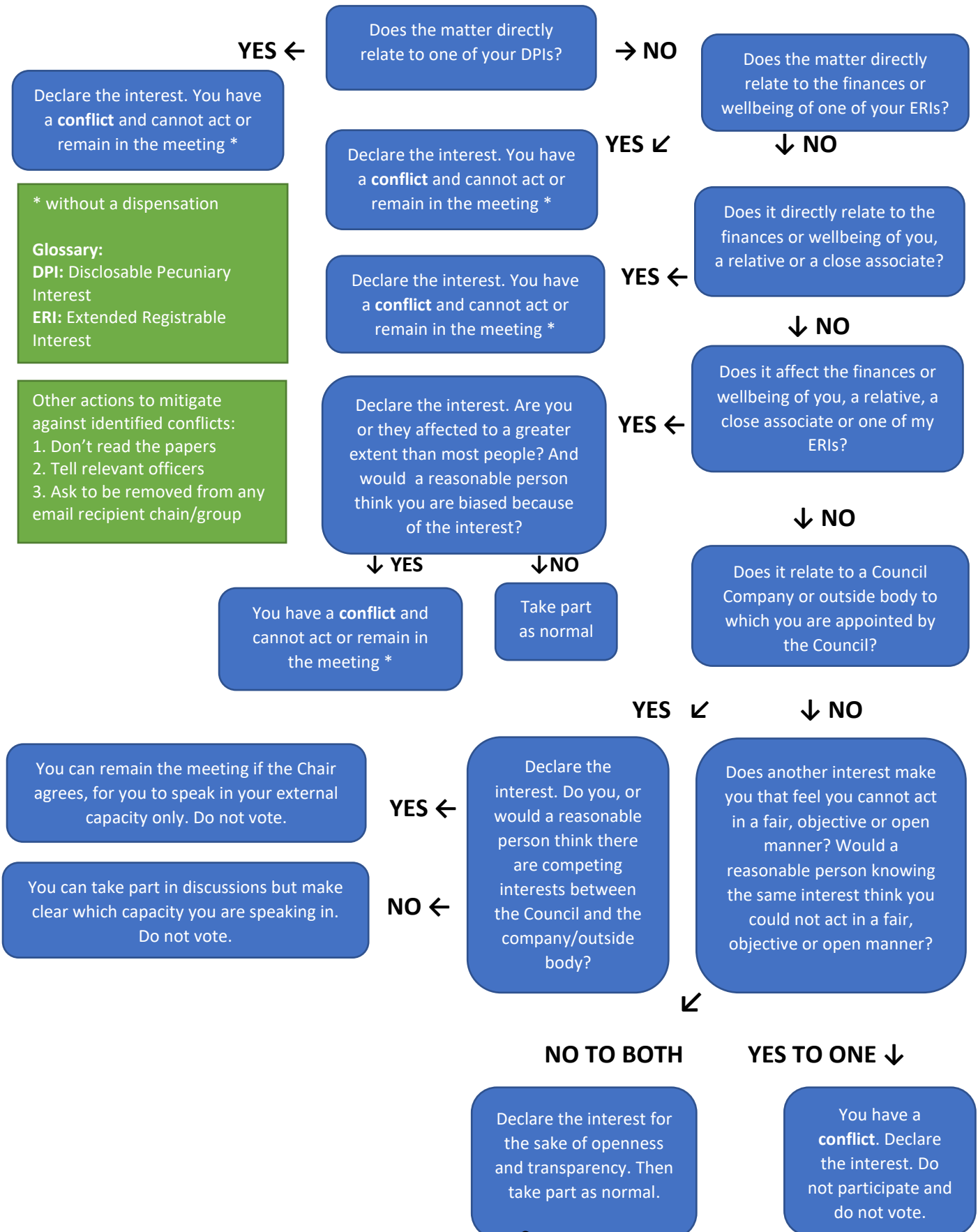
For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



Declare the interest. You have a **conflict** and cannot act or remain in the meeting *

* without a dispensation

Glossary:

DPI: Disclosable Pecuniary Interest

ERI: Extended Registrable Interest

Other actions to mitigate against identified conflicts:

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

FORWARD DECISIONS LIST

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
14 January 2025						
	Housing Support Services Contract	Key	Cabinet	People and Communities Asst Dir - D Hall		Public
	Taxi Fees and Conditions		Council	Monitoring Officer		Public
	Social Value Policy	Non	Council	Leader Monitoring Officer		Public
	Procurement Strategy and Contract Standing Orders	Non	Council	Finance Monitoring Officer		Public
	Transformation Programme	Non	Cabinet	Leader Chief Executive		Public
	Budget Monitoring Reports	Key	Cabinet	Finance Asst Dir M Drewery		Public
	Members Allowances 2024/25	Non	Council	Leader		Public
	Council Tax Discounts Resolution for 2025/26	Key	Council	Leader Asst Dir – M Drewery		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
4 February 2025 (Budget items)						
	Budget 2025-28	Key	Council	Finance Asst Dir – M Drewery		Public

	Treasury Management Strategy	Key	Council	Finance Asst Dir – M Drewery		Public
	Capital and Revenue Programme	Key	Council	Finance Asst Dir – M Drewery		Public
	Independent Review of Members Allowances	Non	Council	Leader		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
5 February 2025 (non budget items)						
	Local Plan	Key	Council	Planning & Licensing Asst Dir – S Ashworth		Public
	Annual Plan 2025-26	Key	Council	Leader Chief Executive		Public
∞	King's Lynn Cultural & Heritage Strategy		Council	Business Asst Dir D Hall		Public
	King's Lynn Town Football Club	Non	Cabinet	Property Asst Dir – M Henry		Private- Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Conservation Areas Advisory Panel	Non	Cabinet	Planning & Licensing Asst Dir S Ashworth		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
4 th March 2025						
	2024-25 Q3 Performance Management	Non	Cabinet	Leader Chief Executive		Public
	Appointments Board/IDC Terms of Reference	Non	Council	Leader Asst Dir – A Baker		Public
	Planning Member Code of Good Practice	Non	Cabinet	Development and Licensing Asst Dir – S Ashworth		Public
	Debt Recovery and Enforcement Policies	Non	Council	Finance Asst Dir – A Baker		Public
	Review of Appointments to Outside Bodies	Non	Cabinet	Leader Chief Executive		Public
	West Norfolk Share Prosperity Fund	Key	Council	Business and Culture		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
19 th March 2025						
	Redundancy Policy and revised Pay Policy	Non	Council	Chief Executive Leader		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
15 th April 2025						

	Local Nature Recovery Strategy	Key	Council	Climate Change and Bio Diversity Ass Dir- S Ashworth		Public
	CIL Governance	Non	Cabinet	Planning and Licensing Asst Dir – S Ashworth		Public
	St George's Guildhall and Creative Hub	Key	Council	Business and Culture		Part Public and Part Private Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Long-Term Plan for Towns	Key	Cabinet	Leader Asst Dir – D Hall		Public
	Equality and Diversity Inclusion Policy	Non	Council	Leader Asst Dir B Box		Public

10

Items to be scheduled

	Notice of Motion 7-21 – Councillor Kemp – Equalities	Non	Council	People & Communities Asst Dir B Box		Public
	Custom and Self Build Site – Stoke Ferry	Non	Cabinet	Regeneration and Development Assistant Director - D Hall		Public
	Overnight Campervan parking in Hunstanton	Non	Cabinet	Leader Asst Director – M Chisholm		Public
	Florence Fields – Tenure Mix	Non	Council	Deputy Leader Exec Director – O Judges		Part Public and part Private- Contains exempt Information under para 3 – information relating to the

						business affairs of any person (including the authority)
	Article 4 Direction	Non	Cabinet	Regeneration and Development Assistant Director – S Ashworth		Public
	Empty Homes Strategy Review	Key	Council	People and Communities Asst Dir M Whitmore		Public

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Operational	Be entirely within Cabinet's powers to decide		YES/NO	
		Need to be recommendations to Council		YES/NO	
		Is it a Key Decision		YES/NO	
Lead Member: Cllr Alistair Beales, Leader E-mail: cllr.alistair.beales@west-norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted: Corporate Performance Panel			
Lead Officer: Kate Blakemore, Chief Executive Officer E-mail: kate.blakemore@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Management Team Transformation Board			
Financial Implications YES/NO	Policy/ Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO	Environmental Considerations YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 14th January 2025

TRANSFORMATION PROGRAMME

<p>Summary</p> <p>The council currently has a collection of programmes of work, projects and specific actions which have been mapped under the definition of transformation. A review has been undertaken to provide clarity and a clear purpose for transformation going forwards. This report is to update Cabinet with the proposals for implementing a structured framework and clear purpose for transformation, along with clearly defined outcomes.</p> <p>Recommendation</p> <p><u>Cabinet Resolves:</u></p> <ul style="list-style-type: none"> To note the contents of the report and the emerging Transformation Programme To establish a politically balanced member representation on the Transformation Programme Board to be chaired by the Chief Executive <p>Reason for Decision</p> <p>To establish a formal governance framework for the delivery of the Transformation Programme, delivering defined outcomes through effective management and oversight.</p>

1 Background

- 1.1 Over the last 18 months the council has had to respond to multiple priorities and pressures, including supporting a new administration and creation of a strategic plan, moving forwards with the recommendations made as part of the LGA peer review in 2023, addressing significant financial pressures outlined within the council's Medium Term Financial Plan (MTFP) and more recently respond to feedback from much improved internal and external engagement.
- 1.2 As a result, there is a collection of programmes of work, projects and specific actions that have been developed and mapped under the definition of a Transformation Programme. More recently a review has been undertaken with the aim of providing clarity about the council's Transformation Programme.

2 Introduction

- 2.1 This paper, therefore, seeks to clarify the council's Transformation Programme, including its purpose and emerging work programme. It also outlines proposals of how this Transformation Programme should be governed moving forwards.
- 2.2 The programme itself has been established to enable the council to be the best possible council it can be, ensuring that the council is effective and operates efficiently so that it can deliver the council's strategic ambitions.
- 2.3 The programme will ensure we are a modern workforce, one which is agile and focussed on achieving all that we can for our residents and communities.
- 2.4 The aims of this programme are to:
 - **Empower** the workforce, by allowing officers to have autonomy about how they do their jobs. This requires an organisational culture that fosters trust, open communication and a shared commitment to the council's vision and corporate plan.
 - **Modernise** the council, from how we support the work we do through improving our digital infrastructure to the way we operationally do our jobs, there is a huge opportunity to learn from what others are doing well (or not so well).
 - Improve the way we **engage** with officers and Members, residents, partners and stakeholders to ensure we better hear feedback about how we are doing and what we could do to continuously improve the way we operate.
 - Become an **agile** workforce, where we can respond quickly to challenges or opportunities without destabilising our day-to-day delivery of services.

- Make sure we are **efficient** in all that we do, ensuring we deliver best value for our residents alongside ongoing financial sustainability for the council.
- That we **deliver**, whether it's getting spades in the ground for our capital projects or delivering a project supporting our most vulnerable residents, we have a good track record of delivery but there are opportunities to accelerate what we already do for the benefit of our residents.

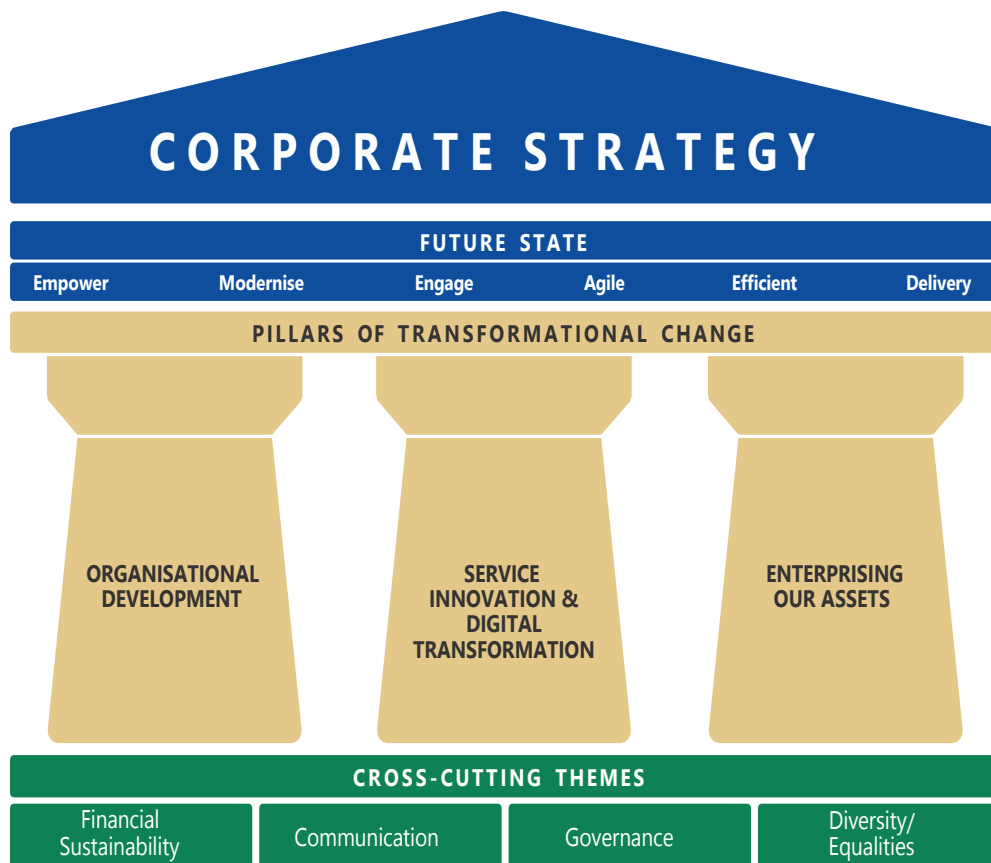
3 Programmes of Work

- 3.1 The Transformation Programme is made up of three key pillars of activity. The first pillar focusses on organisational development and looks to move forwards with developing our workforce strategy, organisational behaviours, and values. It will see the development of how we use data to enable more informed decision making. It will also ensure that our procedures and processes are streamlined and enable the organisation to better focus on delivery.
- 3.2 The second pillar is focused on service innovation and digital transformation. This pillar will look at how we use technology to deliver efficient and effective services for our residents, e.g. Artificial Intelligence (AI), digital technology and business process re-engineering. It will consider the outcomes from our Marmot Place work and how we can innovate better to improve the life chances of our disadvantaged communities.
- 3.3 The final pillar considers how we enterprise our assets. It will focus on delivering against our emerging asset management strategy, but much wider than this, it will consider future investments, maximising the utilisation of our asset base with the aim of contributing financially to support the council and its residents into the future.

4 Cross Cutting Themes

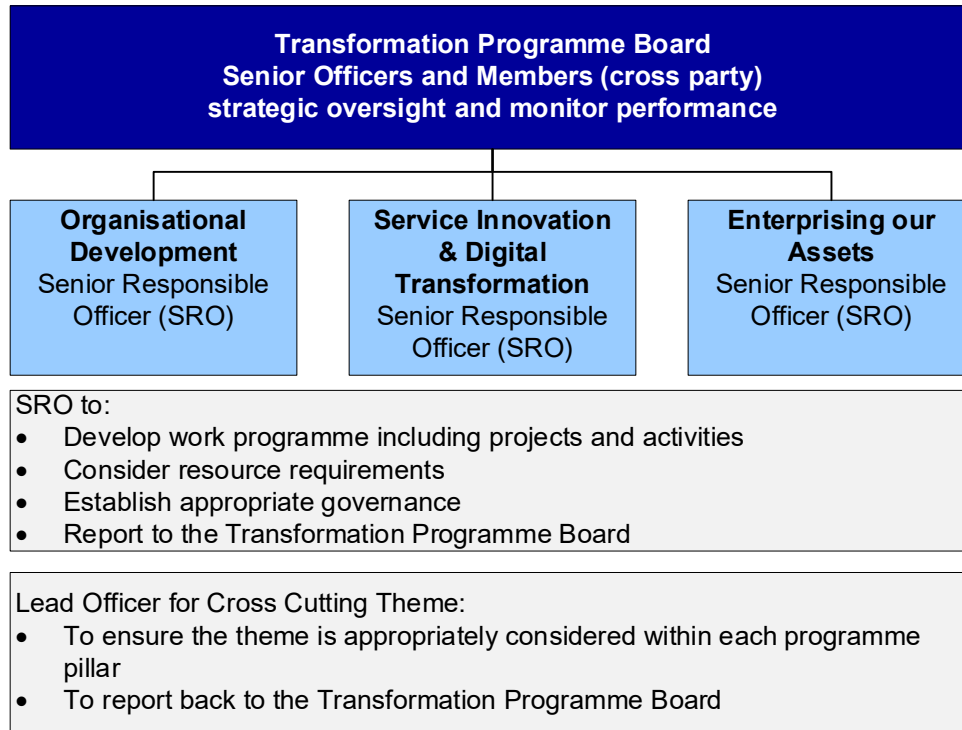
- 4.1 In addition to these three key programmes of work there are four cross cutting themes. These themes will need to be considered within each programme of work, and each theme will be led by a member of Management Team. The first theme, and arguably the most important one, is financial sustainability - without ongoing financial stability the council will not be able to deliver its strategic priorities. Each programme of work will need to consider the impact of any activity within that programme in line with the council's MTFP.
- 4.2 The second theme is communication and engagement. It is essential we continue to build on how we communicate both internally and externally by actively engaging, listening, and responding to feedback from staff, stakeholders, and partners.

- 4.3 The third theme is governance. In delivering this Transformation Programme, effective governance will enable clear and concise accountability and responsibility for the delivery of the programme, giving assurance to Members and Management Team.
- 4.4 The final theme is diversity, equalities, and inclusion. We are fully committed to equality, diversity, and inclusion in all that we do and therefore, the impact of any activity within our Transformation Programme must be considered.
- 4.5 The diagram below outlines how these programmes of work and themes come together under the council's Transformation Programme. It should be noted that the overarching Corporate Strategy underpins the entire transformation programme. The councils four key priorities are:
- Promote growth and prosperity to benefit West Norfolk
 - Protect our Environment
 - Efficient and effective delivery of our services
 - Support our communities



5 Governance Framework

- 5.1 Good governance is essential to ensure the Transformation Programme will deliver on the clear objectives and outcomes we have identified. Oversight of the programme will be through the Transformation Programme Board, which will include members and senior officers.



- 5.2 It is suggested that a workshop will be held in February with the programme board to finalise the boards terms of reference and allow the board to explore the Transformation Programme in more detail.
- 5.3 A Senior Responsible Officer (and deputy) will have overall responsibility for the delivery of the projects identified under each pillar and will co-ordinate their own team in line with their priorities. They will also update the Board with progress. The Senior Responsible Officer and deputy will be a member of the council's senior leadership team.
- 5.4 A lead officer will be allocated to each cross-cutting theme, they will be responsible for ensuring that theme is considered within each pillar, and for the delivery of any specific projects that sit specifically within their theme.
- 5.5 The Transformation Programme will be co-ordinated by the Project Management Office which will oversee the delivery of these projects within recognised standards, bringing together robust monitoring, oversight and reporting frameworks.

- 5.6 It should be noted that any projects or programmes of work requiring specific decisions such as funding, will be dealt with in the normal way such as going to Cabinet and or Council if required. This programme simply aligns several projects and programmes to a clearly defined Transformation programme.

6 Conclusions and Next Steps

- 6.1 The council has undergone a period of substantial change over the past few years, for the council to move forward and deliver against its priorities, it must continue to grow and evolve, work efficiently, meeting our residents needs as well as focusing on growth and a thriving economy. To do this, we need to modernise our workforce to accelerate change, invest in our staff, and harness technology to ensure we continue to deliver the service our residents need and deserve. This Transformation Programme aims to deliver exactly this.
- 6.2 A communication plan will be established to communicate the Transformation Programme to all staff. It is essential that staff have buy-in to the process. The plan will build on staff engagement sessions held earlier in the year.
- 6.3 It is envisioned that this Transformation Programme will span over the next two years, formally commencing from the 1st April 2025. Work needs to take place to further finalise where various programmes and projects will sit in terms of each pillar and or cross cutting theme.

7 Options Considered

- 7.1 The organisation faces significant challenges in producing a balanced budget in future years. It is, therefore, not an option to continue as we are without implementing significant changes which will result in cost savings. This Transformation Programme will address and facilitate the ongoing work to reduce spend across the organisation.

8 Policy Implications

- 8.1 There are no direct policy implications associated with this report.

9 Financial Implications

- 9.1 There are no initial financial implications. However, to deliver on transformation, there will be significant investment required on an invest to save basis. Business cases will be prepared when required.

10 Personnel Implications

- 10.1 The Project Management Office (PMO) is currently being reviewed to create resource capacity to oversee the Transformation Programme.

11 Environmental Considerations

11.1 There are no environmental considerations.

12 Statutory Considerations

12.1 There are no statutory considerations.

13 Equality Impact Assessment (EqIA)

(Pre-screening report template attached)

14 Risk Management Implications

14.1 No risks identified arising from this report. All projects will be the subject of business cases, project plans and associated risk assessment and management.

15 Declarations of Interest / Dispensations Granted

15.1 None.

16 Background Papers

16.1 None.

Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Transformation Programme				
Is this a new or existing policy/service/function? (tick as appropriate)	New	X	Existing		
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	<p>Formal programme of service transformation across the council with a focus on organisational development, innovation and Asset Management.</p> <p>Some services are statutory services.</p>				
Who has been consulted as part of the development of the policy/service/function? – new only (identify stakeholders consulted with)	Transformation Board, Members and all council staff through consultation in early 2024.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Sex			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Armed forces community			X	
	Care leavers			X	
	Other (eg low income, caring responsibilities)			X	

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes/ No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions: Actions agreed by EWG member:
If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
Assessment completed by: Name	Honor Howell	
Job title	Corporate Governance Manager	
Date completed	13.11.24	
Reviewed by EWG member		Date

Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)

REPORT TO CABINET

Open		Would any decisions proposed:			
Any especially affected Wards All – Northern Parishes for 2 nd Homes	Discretionary	Be entirely within Cabinet’s powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		YES	
Lead Members: cllr.chris.morley@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Alistair Beales			
		Other Members consulted: Corporate Performance Panel			
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial: 6349		Other Officers consulted: Michelle Drewery, s151 Officer and Assistant Director, Resources Alexa Baker, Assistant Director, Legal, Governance and Licensing			
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s): NA					

Date of meeting: 14 January 2025

COUNCIL TAX DISCOUNTS AND PREMIUMS FOR EMPTY PROPERTIES AND SECOND HOMES: RESOLUTION FOR 2025/2026

Summary

Councils have discretionary powers to vary the discounts for empty properties, uninhabitable properties and second homes, and to charge additional premiums (levies) for long-term empty properties and second homes. This report summarises the current position and makes recommendations for the discounts and premiums for these types of property for 2025/2026.

Recommendations

The following discounts and premiums are recommended to Council for 2025/2026:

Class A Second Homes Discount for 2025/2026:

- No reduction, i.e. a 0% discount;

Class B Second Homes Discount for 2025/2026:

- No reduction i.e. a 0% discount, plus
- An additional premium of 100%

Class C Empty / Unfurnished Discount 2025/2026:

- 0% for both the initial and follow on periods

Long-Term Empty Property Premiums (Levy):

- 100% for properties empty between one and five years,
- 200% for properties empty longer than five years, and
- 300% for properties empty longer than ten years.

Class D Uninhabitable Properties:

- 25% for 12 months starting on the day the property becomes uninhabitable; then:
- 0% once the 12 month period has expired;

Cabinet recommends to Council that the Exceptions Policy as summarised below and detailed at Appendix 3 is agreed.

Cabinet and Council to note the government guidance of November 2024 as included at Appendix D.

Reason for Decision

To ensure the discounts, premiums and exceptions policy for Second Homes and Long-Term Empty properties are agreed for 2025/2026.

1. Background

- 1.1. Councils have powers to vary the nationally set council tax discounts for second homes, long-term empty properties and uninhabitable properties, and to charge premiums (levies) for long-term empty properties. From 2025 we are now also able to charge a premium for second homes. These powers are discretionary and decisions in respect of these discounts and premiums must be ratified annually by full Council. The discount levels for all are included at Appendix B.
- 1.2. Allowing councils to vary the discounts and charge premiums for empty homes is intended to allow councils an incentive to bring empty properties back into use by increasing the council tax charge for empty properties. Allowing a higher charge for second homes is aimed at local councils whose income (and ability to deliver services) is affected by the number of second homes in their area.
- 1.3. These powers do not include changing the reduction for any property which is exempt from payment of council tax, for example where a resident has gone into care or where the owner has passed away and probate has not yet been granted. These properties continue to benefit from a full council tax reduction.
- 1.4. Section 2 of this paper sets out the recommended levels of council tax discounts and premiums for 2025/2026. Many of these are continuations of the 2024/2025 levels of discount and premiums. They also ratify the recommendation made by Cabinet on 15 January 2024 and the decision of full Council on 31 January 2024 to charge an additional 100% council tax premium for furnished properties which are only occupied periodically, known as Second Homes, coming into effect from 1 April 2025
- 1.5. The decision to charge a premium for Second Homes for the first time must be made by Council at least a year in advance of it coming into effect. This has meant an extended period of time between the initial decision to charge the premium being made in January 2024, and the Council Tax Resolution for 2025/2026 being agreed.

This requirement only applies the first time the decision is made so in future years it will be possible to present the reports on a much shorter meeting cycle.

- 1.6. In November 2024 the government produced guidance on the implementation of the second homes premium included at Appendix D. This includes details of the statutory exceptions to the premium, but also suggests some factors councils may want to consider when considering the discounts and premiums.
- 1.7. The guidance states councils may want to consider the following when making a decision on the second homes and long-term empty premiums:
 - Numbers and proportion of long-term empty dwellings and second homes in the area,
 - Circumstances which may affect whether the dwelling can be used as a main residence,
 - Potential impact on local economies and the tourism industry,
 - Potential impact on the local community,
 - Potential impact on local services, and
 - Other measures that are available to councils to help bring empty dwellings back into use.
- 1.8. The guidance was only published in November 2024, whilst the decision to charge the second homes premium had to be made before March 2024 in order for it to be implemented from April 2025. The decision to charge the premium and its impact were debated by the Corporate Performance Panel, Cabinet and Council in January 2024.
- 1.9. Section 3 and Appendix C set out the Policy for Exceptions to the premiums for long-term empty properties and second homes.
- 1.10. Section 5 considers the financial implications of charging the premiums and the impact on the council's taxbase.

2. Council Tax Discounts for Second Homes, Long-Term Empty Properties and Uninhabitable Properties

As a council we have powers to vary certain council tax discounts from the nationally set discount level, and to charge a premium for certain types of properties. The Levelling-Up and Regeneration Act 2023 extends these powers. Details of all the discounts and premiums we have the discretion to amend are listed below and a table of the current and historic discount levels is included at Appendix B.

2.1. Furnished Properties which are unoccupied or only occupied periodically (Second Homes)

2.1.1. Definition:

These properties are commonly referred to as second homes, however this category includes any property which is furnished but is unoccupied or only occupied periodically because it is no-one's main home.

There are two classes of property in this category:

Class A Second Homes:

These are properties with occupancy restrictions covering at least 28 days a year, usually due to the risk of flooding. These properties pay the full council tax charge apart from the days when they cannot be occupied, when they are exempt from payment.

Class B Second Homes:

These are properties where there is no occupancy restriction. These properties pay the full council tax charge all year.

This category also includes properties which are a second home because the council tax payer is required to live elsewhere as a condition of their employment and these receive a 50% discount.

2.1.2. Current Position:

There are 311 Class A second homes in the borough, mainly in Heacham, Snettisham and Hunstanton.

There are 3,119 Class B second homes in the borough plus a further 20 job related second homes which receive a 50% discount.

The nationally set discount for second homes is 50%, and we have gradually reduced this since 2004, removing it completely in 2016. Since then second homes pay the full council tax charge.

2.1.3. Proposal:

To continue with the ongoing removal of the discount for Class A and Class B second homes and to implement the premium for all qualifying Class B second homes in our area from 1 April 2025, as agreed by full Council on 31 January 2024.

From 1 April 2025 we can charge an additional premium of up to 100% for Class B second homes in all or part of our area, provided we make the initial decision at least a year in advance.

The decision to charge a second homes premium was considered by the Corporate Performance Panel on 4 January 2024, Cabinet on 15 January 2024 and agreed by Council on 31 January 2024. The premium for Class B second homes applies for all properties in our area from 1 April 2025.

2.1.4. Exceptions:

The full Exceptions Policy is included at section 3 and Appendix C and the following properties will not be charged the premium:

- Those with an occupancy restriction,
- Those where the council tax payer lives elsewhere in Armed Forces accommodation, or in property they have to occupy as a condition of their employment,
- Annexes used as part of a main property which is someone's main home,

- Those actively marketed for sale or let (for 12 months since they are first marketed),
- Those where probate has been granted in the past 12 months (until 12 months after probate has been granted),
- Those which are furnished lets and let for use a someone's main home, but are unoccupied between tenants, and
- Caravan pitches and boat moorings

The decision to charge the premium for a financial year can be revoked at any time before it comes into effect. If the decision of full Council on 31 January 2024 to charge the premium from 2025/2026 is to be reversed this would have to be agreed by full Council by 31 March 2025.

2.1.5. **Recommendations:**

The following discounts and premiums are recommended to Council for 2025/2026:

Class A Second Homes Discount for 2025/2026:

- **No reduction, i.e. a 0% discount;**

Class B Second Homes Discount for 2025/2026:

- **No reduction i.e. a 0% discount, plus**
- **An additional premium of 100%.**

2.2. **Empty and Unfurnished Properties – Class C**

2.2.1. Definition:

These are properties where there is no occupier and no furniture in the property. They exclude any empty property which qualifies for an exemption from payment of council tax, including those where the resident is now in a care home or where the council tax payer has passed away and probate has not yet been granted.

2.2.2. Current Position:

There are 1,256 empty and unfurnished properties in the borough.

The nationally set discount for these properties is 100% for a maximum of six months, followed by a maximum of 50% for an indefinite follow-on period. We have amended these discounts since 2008 and t we do not award a reduction for empty and unfurnished properties.

2.2.3. Proposal:

To continue the ongoing removal of all discounts for empty and unfurnished properties and to note that properties remaining empty for more than 12 months are classed as long-term empty properties.

2.2.4. **Recommendation**

The following discounts and premiums are recommended to Council for 2025/2026:

Class C Empty / Unfurnished Discount 2025/2026:

- **0% for both the initial and follow on periods**

2.3. Long Term Empty Properties

2.3.1. Definition:

These are empty and unfurnished properties which have been empty for more than a year. We can charge an additional premium (levy) of up to 100% for these properties.

2.3.2. Current Position:

There are 610 properties empty for between one and five years paying an extra 100% premium, 69 properties empty for between five and ten years paying an extra 200% premium, and 22 properties empty over ten years paying a 300% premium. A total of 701 properties pay the additional premium.

Following the council meeting on 31 January 2024 start date of the levy was reduced from two years to one year.

2.3.3. Exceptions:

The full Exceptions Policy is included at section 3 and Appendix C and the following properties will not be charged the premium:

- Those where the council taxpayer lives elsewhere in Armed Forces Accommodation,
- Annexes used as part of a main property and as someone's main home,
- Those actively marketed for sale or let (for 12 months since they are first marketed),
- Those where probate has been granted in the past 12 months (until 12 months after probate has been granted), and
- Uninhabitable dwellings (for 12 months since they became uninhabitable).

2.3.4. Proposal:

To continue to charge the maximum levy for long term empty properties.

2.3.5. Recommendation:

The following premium (levy) rates are recommended to Council for 2025/2026:

Long-Term Empty Property Premiums (Levy):

- **100% for properties empty between one and five years,**
- **200% for properties empty longer than five years, and**
- **300% for properties empty longer than ten years.**

2.4. Uninhabitable Properties

2.4.1. Definition:

These are properties which are uninhabitable as they require, or are undergoing, work to their structure such as the roof, walls, floors, ceilings and foundations.

2.4.2. Current Position:

There are 68 properties in the borough receiving the uninhabitable discount.

The nationally set discount is 100% for a maximum of 12 months. We reduced this to 50% from 2009 then to 25% from 2013. Once the 12 months expires these properties are treated as empty and unfurnished properties.

2.4.3. Proposal:

To continue the 12 month, 25% discount for uninhabitable properties and to note that properties remaining for 12 months after the uninhabitable discount ends are classed as long-term empty properties.

2.4.4. Recommendation:

The following discount for uninhabitable properties is recommended to Council for 2025/2026:

Class D Uninhabitable Properties:

- **25% for 12 months starting on the day the property becomes uninhabitable; then:**
- **0% once the 12 month period has expired;**

3. Exceptions Policy

3.1. Government published the regulations, guidance and further information relating the exceptions to the premiums at the start of November 2024. Delegated authority for the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to agree the technical guidelines for any exceptions to the premiums imposed by central government has already been agreed by Council on 31 January 2024. However, as 2025/2026 is the first year of the Exceptions Policy it is included as part of the recommendations in this report, and any future amendments will be dealt with as a delegated decision.

3.2. The Exceptions Policy is included at Appendix C and comes into force from 1 April 2025. The policy includes the following statutory and local exceptions:

Exception	Details
Second homes with an occupancy restriction:	These do not have to pay the second home premium.
Properties where probate has been granted but the property remains empty:	These properties will benefit from a six month exemption after probate is granted and the second home or long-term empty premium will not apply until 12 months after probate is granted.

Properties for sale or let:	These do not have to pay the second home or long-term empty premium for 12 months from the date they are first marketed for sale or let.
Certain Annexes:	These do not have to pay the second home or long-term empty premium provided they are being used as part of another property which is someone's main home.
Certain Job Related properties including Armed Forces accommodation:	These do not have to pay the second home or long-term empty premium if they are a second home because the council tax payer is living in Armed Forces accommodation. They also do not pay the second home premium if the council tax payer is required to live in another property as a condition of their employment contract.
Uninhabitable properties:	These do not pay the long-term empty premium for 12 months from the date they become uninhabitable.
Furnished properties being let for someone to live in as their main home:	These fall under the definition of a second home, but do not have to pay the second home premium whilst they are unoccupied between tenants.

3.3. Recommendation – Cabinet recommends to Council that the Exceptions Policy as summarised above and detailed at Appendix 3 is agreed.

4. Hardship Applications

4.1. We can consider reducing or remitting a council tax bill on the grounds of hardship and delegated authority already exists to deal with these applications under our existing Council Tax Discretionary Relief Policy:

Delegated authority be given for individual hardship applications made under s13a Local Government Finance Act 1992 be determined by the Revenues and Benefits Manager in consultation with the Council Leader and the relevant Ward Member/s where appropriate.

4.2. Any customer experiencing hardship as a result of our decisions to vary the council tax discounts or charge a premium can make an application for their council tax charge to be reviewed.

5. Other Statutory Requirements:

5.1. The following statutory requirements are also noted as part of the Council Tax Discounts Resolution:

5.1.1. That any period of occupation of fewer than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of a premium – this is a statutory requirement and prevents a fresh discount being claimed or the premium being removed if a property is only occupied for a short period of time.

5.1.2. In accordance with Section 11A(6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations. This is a statutory requirement for us to publish a Public Notice once the decision is made. The notice for the 2024/2025 Discounts Resolution was published in Your Local Paper on 9 February 2024, and the notice for the 2025/2026 resolution will be published within 21 days of the full Council meeting.

6. Policy Implications

6.1. This is a variation of an existing policy and confirms the existing levels of discount and premiums for second homes and long-term empty properties, and ratifies the decision made by full Council on 31 January 2024 to charge the additional premium for second homes from 1 April 2025.

7. Financial Implications

7.1. Council Tax Base and Budget

7.1.1. The taxbase is a measure of how much council tax can be raised in our area and forms part of the budget setting process. Our taxbase includes the taxbases for the Parish and Town Councils, and forms part of the taxbase for Norfolk County Council and Norfolk Police.

7.1.2. The levels of council tax discounts and premiums affect our taxbase calculation. Any council tax discounts reduce our taxbase, as less council tax is being charged. The premiums increase our taxbase as more council tax is raised. The taxbase cannot be finalised until the discounts and premiums for the coming year, including the Council Tax Support scheme, have been agreed. Changes to the proposed taxbase will impact on the Financial Plan and the certainty of the budget setting process.

7.2. The impact of the Discount Changes

7.2.1. There are no new financial impacts from the decisions to continue with the existing removal and reduction of the discounts for second homes, long-term empty properties and uninhabitable properties. These have been in place for a number of years (as shown at Appendix B) and are already incorporated into the taxbase calculations and Financial Plan estimates.

7.3. The Impact of the Premiums

7.4. Long-term Empty Property Premium:

There are 701 properties liable to pay the long-term empty premium (levy), of which approximately 350 now pay the premium due to the time limit for the start date being reduced to one year from 1 April 2024.

The premium adds 543 band D equivalent properties to the taxbase, 352 of which are due to the reduction in the time limit.

The additional council tax income from the long-term empty levy for 2024/2025 is £1.2m (our share £ 0.08m). £0.48m (our share £0.03m) of this is due to

reducing the time limit before the premium applies. Norfolk County Council are the largest preceptor so they receive the biggest share of the additional income:

01-Nov-24		Total Income from the long-term empty premium	Of which is additional Income due to April 2024 changes;
Norfolk County Council	75.5%	£ 907,398	£ 365,901
Norfolk Police	14.3%	£ 171,428	£ 68,429
BCKLWN	6.7%	£ 80,515	£ 31,600
Parishes	3.6%	£ 43,033	£ 17,693
Total		£ 1,202,376	£ 483,622

7.4.1. Second Homes:

There are 3,119 Second Homes which may be liable to pay the second homes premium from 1 April 2025. This is a maximum figure and does not account for any properties which qualify for an exception (as in Section 3).

A 30% sensitivity reduction has been built into the taxbase calculations to allow for any reductions for the Exceptions, changes in circumstance and changes in customer behaviours due to the second home premium being introduced.

The second homes premium adds an estimated maximum 3,087 Band D properties to the taxbase. This is reduced by 30%, or 926 Band D properties, to allow for the sensitivity reductions as detailed above. This results in a net estimated figure of 2,161 additional Band D properties.

The estimated additional income from the second homes premium after the sensitivity reduction is applied, is £4.8m (our share £0.32m). Again, as Norfolk County Council are the largest preceptor they receive the biggest share of the additional income. Work will progress with other District Councils and the County Council to ensure the maximum amount of the money raised through the second homes premium is returned to those districts whose communities are most affected by second home ownership.

01-Nov-24		Estimated income from the Second Homes Premium
Norfolk County Council	75.5%	£ 3,618,855
Norfolk Police	14.3%	£ 683,685
BCKLWN	6.7%	£ 321,109
Parish / Town Councils	3.6%	£ 171,625
		£ 4,795,273

7.4.2 The impact of the second homes premium and the changes to the taxbase will be monitored closely during 2025/2026. A report will be prepared for Members at the end of the financial year end with an update on the numbers of second homes that were due to pay the premium, the number paid, the number of changes and the additional council tax raised per Preceptor.

8. Personnel Implications

8.1. None

9. Environmental Considerations

9.1. None

10. Statutory Considerations

10.1. The powers to reduce and remove the nationally set discounts for long-term empty properties, second homes and uninhabitable properties are laid out in the Regulations, however any decision is at the discretion of the Council. Any decision to vary these discounts must be ratified annual by full Council.

10.2. The powers are contained in the following Legislation and Regulations:

- Sections 79 and 80 of the Levelling-Up and Regeneration Act 2023,
- The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018,
- The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003, the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012,
- Sections 11A, 11B, 11C and 11D of the Local Government Finance Act 1992, and
- Section 75 of the Local Government Act 2003

11. Equality Impact Assessment (EIA)

11.1. The Pre screening Equality Impact Assessment is attached at Appendix A.

12. Risk Management Implications

12.1. None

13. Declarations of Interest / Dispensations Granted

13.1. None



14. Background Papers

14.1. None.

Appendix A: Pre-Screening Equality Impact Assessment



Name of policy	Council Tax Discounts and Premiums For Empty Properties And Second Homes: Resolution For 2025/2026				
Is this a new or existing policy/ service/function?	Amendment of an Existing Policy				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The policy sets the level of discounts and premiums (levies) for empty properties and second homes for 2025/2026.</p> <p>The powers to vary the discount are contained in regulations, but the decision to do so is at the discretion of the council.</p>				
Question	Answer				
<p>5. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
	Other (eg low income)			√	
Question	Answer	Comments			
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	No	The policy will not affect equality communities			

3. Could this policy/service be perceived as impacting on communities differently?	Yes	It will apply more to communities where there are higher numbers of empty properties and second homes but will not impact communities because of any equality issues.
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes	<p>Actions: There is no impact on any equality community or any specific group with a protected characteristic. The council has a Discretionary Relief Policy and can reduce a council tax charge in exceptional circumstances or if a person is suffering financial hardship.</p> <p>Actions agreed by EWG member:</p> <p> Alison Demonty</p>
<p>If 'yes' to questions 2 – 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>The policy is intended to encourage owners to bring empty properties back into use and will affect communities more where there are significant numbers of second home and empty properties.</p> <p>The policy will therefore impact on communities, rather than individuals, and is not linked to any equality issues or protected characteristics.</p> <p>Decision agreed by EWG member:  Alison Demonty</p>		
Assessment completed by: Name	Jo Stanton	
Job title	Revenues and Benefits Manager	
Date	2 December 2024	

Appendix B

Council Tax Discounts where local decisions on discounts apply

Class	Start	End	Discount / (Premium)	Council Tax Charge	Time Limit
Second Homes	Nationally set discount		50%	50%	None
	01/04/1993	31/03/2004	50%	50%	None
	01/04/2004	31/03/2013	10%	90%	None
	01/04/2013	31/03/2016	5%	95%	None
	01/04/2016	31/03/2025	0%	100%	None
	01/04/2025*		(100%)	200%	None
Empty and Unfurnished properties	Initial Empty Period				
	Nationally set discount		100%	0%	6 months
	01/04/1993	31/03/2013	100%	0%	6 months
	01/04/2013	31/03/2017	100%	0%	3 months
	01/04/2017	31/03/2019	100%	0%	1 month
	01/04/2019		0%	100%	None
	Follow On Period				
	Nationally set discount		50%	50%	Ongoing
	01/04/1993	31/03/2008	50%	50%	Ongoing
	01/04/2008	31/03/2009	10%	90%	Ongoing
	01/04/2009	31/03/2013	50%	50%	Ongoing
01/04/2013		0%	100%	Until LT Empty	
Uninhabitable Properties	Nationally set discount		100%	0%	12 months
	01/04/1993	31/03/2013	100%	0%	12 months
	01/04/2013	31/03/2017	50%	50%	12 months
	01/04/2017		25%	75%	12 months
Long Term Empty Properties	Nationally set discount		NA	NA	-
	01/04/2013	31/03/2019	(50%)	150%	After 2 years
	01/04/2019	31/03/2024	(100%)	200%	After 2 years
	01/04/2024		(100%)	200%	After 1 year
	01/04/2020		(200%)	300%	After 5 years
	01/04/2021		(300%)	400%	After 10 years

*Excluding certain classes of property where the premium does not apply



**Policy for Exceptions to the
Council Tax Premiums for
Second Homes and Long-Term
Empty Dwellings
Coming into force 1 April 2025**

1. Executive Summary

The Levelling-Up and Regeneration Act 2023 gives councils powers to charge a council tax premium (or levy) for certain types of property (dwelling) in its area. The properties are those which are furnished but no-one's main home, commonly referred to as Second Homes, and properties which are unfurnished and unoccupied, known as Empty Properties.

The government has also introduced regulations laying out certain circumstances where the premium or levy does not apply. This Policy includes these statutory exceptions along with further locally agreed exceptions.

The exceptions apply from 1 April 2025.

The power to decide the guidelines for the exceptions to the premiums is given under Delegated Authority as below:

CAB89 – Cabinet 15 Jan 2024, Council 31 Jan 2024

Cabinet Report para 4.1.5:

Delegate authority to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to agree the technical guidelines for any exceptions to the premiums imposed by central government.

2. Definitions

Dwelling	Residential property which is the subject of the council tax charge
Empty Dwelling	<p>Any dwelling shown in the Council Tax Valuation List which is unfurnished and unoccupied.</p> <p>A Long-Term Empty Dwelling is one which is unfurnished and unoccupied for six months or more.</p> <p>A Long-Term Empty Dwelling will pay the additional Levy once it has been unfurnished and unoccupied for 12 months or more.</p>
Exempt Dwelling	Any dwelling which qualifies for an exemption from payment of council tax under the provisions of the Council Tax (Exempt Dwellings) Order 1992 (as amended)
Liable Person	The person(s) who is responsible for paying the council tax under the council tax regulations; normally the person(s) whose name appears on the council tax bill
Long Term Empty Dwelling Levy	An additional charge of 100%, 200% or 300% of the amount of council tax payable for the period where the property meets the definition of a Long-Term Empty Dwelling and has been unoccupied for 12 months or more. The actual amount of the Levy depends on how long the dwelling has remained empty.
Relevant Transaction	Transfer on sale of the freehold, or of the leasehold for a term of seven years or more
Second Home	Any dwelling shown in the Council Tax Valuation List which is furnished but is unoccupied and no-one's main home
Second Home Premium	An additional charge of 100% of the amount of council tax payable for the period where the dwelling meets the definition of a Second Home.

3. Exceptions to the Council Tax Second Homes Premium and Long-Term Empty Dwelling Levy

The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024 include the circumstances in which the second home premium or empty dwelling levy does not apply.

The premium and levy will not apply to any dwelling which is classed as an Exempt Dwelling.

The exceptions are summarised below and the table should be read in conjunction with the detailed criteria in the regulations.

Class	Reason	Premium this Applies To	Period of Exception	Qualifying Conditions	Evidence Required
E	The liable person lives elsewhere in Armed Forces Accommodation	Second Homes Empty Dwellings	Whilst the qualifying conditions are met	The dwelling would be the sole or main residence of the liable person if they did not live elsewhere in Armed Forces accommodation.	Proof of address and residence in Armed Forces Accommodation
F	The dwelling is an annexe which forms part of a single dwelling, and is used by the resident as part of their sole or main residence	Second Homes Empty Dwellings	Whilst the qualifying conditions are met	The dwelling is an annexe which forms part of the liable person's sole or main residence and is being used as part of their main residence. This does not include any annexe used a second home, or where the other part of the property is a second home.	Proof of use and site visit if necessary.
G	The dwelling is being actively marketed for Sale	Second Homes Empty Dwellings	12 months from the date the dwelling is first placed on the market	The dwelling must be marketed for sale at a price that is reasonable for the sale of the dwelling, or an offer has been accepted and the sale is awaiting completion. A further exception will not apply unless there has been a Relevant Transaction.	A current contract with an Estate Agent for the sale of the dwelling. Marketing information, including Sales Particulars and online listings. A current Energy Performance Certificate (or

					<p>proof of a recent application for one).</p> <p>Details of any viewings or offers in respect of the dwelling.</p> <p>Comparable sales prices achieved for similar properties to demonstrate the asking price is reasonable.</p> <p>Information regarding any sale agreed for the dwelling.</p>
H	The dwelling is being actively marketed for Let	Second Homes Empty Dwellings	12 months from the date the dwelling is first marketed for let	<p>The tenancy terms, conditions and rent must be reasonable for the letting of the dwelling, or an offer to rent has been accepted but the tenancy has not yet started.</p> <p>A further exception will not apply unless the dwelling has been let on a tenancy granted for a term of six months or more.</p>	<p>A current contract with a Lettings Agent for arranging the rental of the dwelling.</p> <p>Details of the type of tenancy the dwelling will be let under.</p> <p>Comparable rental prices for similar properties to demonstrate the rent is reasonable.</p> <p>Details of where the dwelling is advertised for</p>

					let. Information regarding any agreed letting to a tenant.
I	Probate has been granted but the dwelling remains empty	Second Homes Empty Dwellings	12 months from the date probate is granted	The dwelling fell into exemption Class F (Empty Awaiting Probate), remains empty after a grant of probate has been made, and the estate remains the liable party for council tax. The dwelling will receive an exemption from payment of council tax for six months after probate is granted. A further exception will not apply unless there has been a Relevant Transaction.	Copy of the grant of Probate. Confirmation that the estate is the liable party for council tax and that the property has not been assented or passed over to another person.
J	The dwelling is a Job-Related Dwelling	Second Homes	Whilst the qualifying conditions are met.	The liable party must also be liable for council tax at the occupied rate for another dwelling, and be required to occupy that property as a condition of their employment.	Address of second property. Contract of employment confirming the requirement to live elsewhere.
K	The dwelling is a Caravan Pitch or a Boat Mooring	Second Homes	Whilst the qualifying conditions are met	The dwelling is a pitch occupied by a caravan, or a mooring occupied by a boat.	Site visit if required
L	The dwelling is subject to a Planning Condition preventing	Second Homes	Whilst the qualifying conditions are met	The dwelling must have an occupancy restriction imposed by a planning condition for one of the following reasons:	Copy of the Planning Permission containing the restriction on occupancy or specifying the dwelling

	occupancy			<ul style="list-style-type: none"> • Preventing occupancy for a continuous period of at least 28 days in one year, • Specifying it may only be used as a holiday let, or • Preventing it being occupied as someone's sole or main residence. 	cannot be used as a main home or must be used as a holiday let.
M	Uninhabitable Dwellings	Empty Dwellings	12 months from the date the property becomes uninhabitable	<p>The dwelling is one which falls in Class D – i.e. it is one which qualifies for a reduction as it is uninhabitable.</p> <p><i>Note – this council currently awards a 25% discount for 12 months to uninhabitable dwellings and they will not be subject to the long-term empty property levy during the qualifying period.</i></p>	Evidence that the dwelling requires or is undergoing work to its structure to render it habitable, including work to the walls, floors, ceilings, foundations or roof.
Z	Unoccupied Furnished Residential Lets	Second Homes	Whilst the qualifying conditions are met	The dwelling is one which is furnished and is let on an assured shorthold tenancy (or equivalent) to occupants who occupy the dwelling as their main home. The exception applies for the days when the property is unoccupied.	Evidence that the former tenant used the property as their main home, and proof that the property is being marketed for let on an assured shorthold tenancy (or equivalent).

- 4. Other Circumstances**

The discretionary powers to reduce or remit council tax liability under s13(a) Local Government Act 1992 still apply and are contained in the council's Council Tax Discretionary Relief Policy.
- 5. Applications**

The liable person may be required to complete an application form to apply for an exception to the premium or levy, unless we decide we are able to apply the exception without one.
- 6. Evidence**

We may ask for any reasonable evidence to support an application for an exception to the premium or levy. Failure to provide this is likely to result in an application being unsuccessful.
- 7. False Information and Fraudulent Applications**

Any attempts to commit fraud through false statements and fraudulent applications for an exception are taken extremely serious and we may take further action against anyone attempting to defraud the council tax system.

Sanctions include a penalty of £70 for first offence, and £280 for each second and subsequent offence, and prosecution under the Fraud Act 2006.
- 8. Appeals**

The decision not to apply an exception can be appealed. In the first instance an appeal should be made in writing or by email to the Revenues and Benefits Manager, clearly stating why the appeal is being made, and providing evidence.
- 9. Equalities Implications**

A Pre-Screening Equalities Impact Assessment is included at Appendix A.
- 10. Reference Documents**

The Levelling-Up and Regeneration Act 2023

The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments)(England) Regulations 2024 (Statutory Instrument 2024/1007)



Cabinet Report of 15 January 2024 and minutes of the Council Meeting 31 January 2024

11. Version Control

Policy name	Second Homes Premiums and Long-Term Empty Levies– Policy for Exceptions			
Policy description	Policy detailing the exceptions to the additional premiums for certain council tax properties			
Responsible Officer	Jo Stanton, Revenues and Benefits Manager			
Version number	Date formally approved	Reason for update	Author	Review date
1.0		Policy Creation	Jo Stanton	1 January 2026

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Pre-Screening Equality Impact Assessment		Borough Council of King's Lynn & West Norfolk			
Name of policy	Policy for Exceptions to the council tax Second Homes Premium and Long-Term Empty Levy				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened.	The policy details the circumstances in which the additional council tax charges for long term empty properties and second homes will not apply.				
Please state if this policy/service is rigidly constrained by statutory obligations	This is a new policy and includes the statutory exceptions to the premiums and levies.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
Other (eg low income) – Armed Forces	√				

Question	Answer	Comments
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	No	
<p>3. Could this policy/service be perceived as impacting on communities differently?</p>	No	
<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	No	
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	<p>Actions:</p>
		<p>Actions agreed by EWG member:</p>  <p>Alison Demonty</p>
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>The policy reflects the statutory exceptions to the second homes premiums and long term empty property levies, meaning those who qualify will not be required to pay the additional council tax charge.</p> <p>There is a positive impact on the Armed Forces community who live elsewhere in accommodation provided by the MOD as they are excepted from paying the additional premiums. This also supports our Armed Forces Covenant.</p> <p>The council has a Council Tax Discretionary Reliefs policy and any individual who is affected by the increased charges but who doesn't qualify for an exception is able to apply for a reduction.</p> <p style="text-align: center;"></p> <p>Decision agreed by EWG member: Alison Demonty</p>		
<p>Assessment completed by:</p> <p>Name</p>	<p>Jo Stanton</p>	
<p>Job title</p>	<p>Revenues and Benefits Manager</p>	

Date	13 November 2024
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Appendix D: Government Guidance on the implementation of the Premiums

(attached as a separate document for Dem Services to insert)



Ministry of Housing,
Communities &
Local Government

Guidance

Guidance on the implementation of the council tax premiums on long-term empty homes and second homes

Published 1 November 2024

Applies to England

Contents

Introduction

1. Implementation of the council tax premiums on long-term empty homes and second homes
2. Exceptions to the council tax premiums for long-term empty homes and second homes
3. Monitoring and appeals



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This publication is available at <https://www.gov.uk/government/publications/long-term-empty-homes-and-second-homes-council-tax-premiums-and-exceptions/guidance-on-the-implementation-of-the-council-tax-premiums-on-long-term-empty-homes-and-second-homes>

Introduction

Since 2013, councils^[footnote 1] in England have had the power to charge additional council tax on long-term empty homes. For the purpose of council tax, long-term empty homes are dwellings which have been unoccupied and substantially unfurnished for a period. In April 2024, the empty homes council tax premium was strengthened so that councils can charge the premium on homes that have been empty for 1 or more years (rather than the previous 2 years).

Additionally, from April 2025, councils will be able to use new powers to charge a premium of up to 100% additional council tax on second homes in their area, or parts of their area. For the purpose of council tax, second homes are dwellings which are substantially furnished but have no resident (i.e. it is not someone's sole or main residence).

The powers to charge the empty homes or second homes premium (or both) is discretionary, and it is for councils to decide whether to charge the premiums in their local area and at what rate, up to the statutory maximum.

This guidance has been published to set out the circumstances where a premium can be charged, the discretion available to councils in doing this, the administration of premiums and the application of the exceptions. This guidance is also intended to enable taxpayers to identify the circumstances where their dwelling may be excepted from a premium.

This guidance is issued under powers in section 11B(1D) and 11C (4) of the Local Government Finance Act 1992 (<https://www.legislation.gov.uk/ukpga/1992/14/contents>) ("the 1992 Act") as inserted by the Levelling-up and Regeneration Act 2023. It applies to all councils in England. This does not apply to councils in Wales, Scotland or Northern Ireland.

This guidance should not be treated as an interpretation of the legislation. Councils should make their decisions based on the legislation and their specific local circumstances.

1. Implementation of the council tax premiums on long-term empty homes and second homes

Legal framework for the council tax premiums

Sections 11B and 11C of the 1992 Act

(<https://www.legislation.gov.uk/ukpga/1992/14/contents>) enables councils in England to disapply the section 11(2)(a) discount which may otherwise apply to long-term empty homes and second homes and apply additional council tax (commonly called a premium).

The 1992 Act was amended through the Levelling-up and Regeneration Act 2023 (“the 2023 Act”) so that councils can apply a premium on homes which have been empty for 1 or more years from 1 April 2024. The 2023 Act also introduced new powers for councils to charge premiums on second homes from 1 April 2025 (provided that the conditions set out in section 11C of the 1992 Act apply).

Councils have the discretion to decide whether to introduce a premium in their local area or parts of the area on long-term empty homes and second homes. They also have the discretion to decide on the level of the premium, up to the maximum statutory threshold.

A council must make its first determination to charge a second homes premium at least 1 year before the financial year to which it will apply. This is to provide owners of these dwellings sufficient notice to make any appropriate changes. Councils may vary or revoke a determination under these same powers but only before the beginning of the financial year to which this will apply. When using these powers, councils can determine the long-term empty homes or second homes to which they will apply a premium. This enables each council to tailor its determination to local circumstances.

Where a determination to charge a premium is made, councils must publish a notice of the determination in at least 1 newspaper circulating in its area within 21 days of the date of the determination^[footnote 2].

The Secretary of State has powers under section 11B(2)-(3) and 11D(1)-(2) of the 1992 Act to prescribe through regulations certain classes of dwelling which may not be made subject to a premium. The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024 (<https://www.legislation.gov.uk/uksi/2024/1007/contents/made>) prescribe these exceptions, and these are detailed later in this guidance.

The council tax system already provides a number of specific exemptions from council tax. The exempt classes are set out in the Council Tax (Exempt Dwellings) Order 1992 (<https://www.legislation.gov.uk/uksi/1992/558/contents/made>). There are a number of exemptions in place for unoccupied dwellings, including:

- where the resident has died for up to 6 months after grant of probate or letters of administration)

- where the resident is in long-term residential care or hospital
- where the resident is living elsewhere to provide personal care

A dwelling that is exempt from council tax is not liable for a premium. Where a dwelling is no longer eligible for an exemption but remains no one's sole or main residence, it may become liable for a premium. In the case of an empty home, it may become liable for a premium after it has been empty for a continuous period of 1 year. This time frame begins when the dwelling first becomes empty rather than when an exemption ends. A second home may become liable for the premium as soon as the exemption ends.

Section 11B: Higher amount for long-term empty dwellings

A long-term empty home is defined as a home which is both unoccupied and substantially unfurnished for a continuous period of at least 1 year. The dwelling must be occupied, or substantially furnished, for a continuous period of at least 6 weeks in order for it to reset the length of time it has been empty for, and its liability for a premium.

Where a council makes a determination to charge a premium on long-term empty dwellings, it may specify different percentages for dwellings based on the length of time for which they have been empty. This enables councils to take a stepped approach, with increases over time. These include:

- up to 100% for homes empty between 1 and 5 years
- up to 200% for homes empty between 5 and 10 years
- up to 300% for homes empty for over 10 years

Councils are able to choose the level of the premium, up to the applicable statutory maximum. For example, they may apply a 50% premium for dwellings empty between 1 and 2 years and a premium of 100% of dwellings empty for 2 to 5 years.

Section 11C and 11D: Higher amount for dwellings occupied periodically

Dwellings occupied periodically (commonly referred to as "second homes") are defined as dwellings which are substantially furnished and have no resident (i.e., not a person's sole or main home).

When introducing the premium in the local area or parts of the area for the first time, a council must make its first determination under section 11C at least 1 year before the beginning of the financial year to which the determination to apply the premium relates.

Where individuals own multiple homes, but the homes are let out or occupied by someone as their main home, it will not be considered as a “second home” for the purposes of the premiums and as such will not be liable for the premium. It is for councils to determine whether a dwelling is a “second home” in accordance with the legislation and their local statutory determination to apply the premium.

Making a determination to charge the council tax premiums on long-term empty homes and/or second homes

Councils have the discretion whether to apply the premium in their local areas and will determine how best to use this in combination with other measures to bring dwellings back into use or how the additional flexibilities may be used to improve the sustainability of local services.

The decision to make a determination under section 11B and 11C of the Local Government Finance Act 1992 is for councils to make. However, the government expects councils to have due consideration of local circumstances. Councils can choose to apply either or both of the council tax premiums; they can also choose to apply the premium to parts of the local area rather than to the whole of their local area. This flexibility allows councils to tailor the premiums to best address local concerns or priorities.

Councils should carefully consider whether to charge a premium and make an assessment of possible impacts, including on the local population, its communities, and the local economy. Examples of factors that councils may wish to consider are set out below. Whilst some factors will be specific to either long-term empty dwellings or second homes, others will be common to both. The list is not exhaustive, and councils will want to consider all factors they think are relevant before making a decision.

- numbers and proportion of long-term empty dwellings and/or second homes in the local area
- circumstances which may affect whether the dwelling can be used as a main residence
- potential impact on local economies and the tourism industry
- potential impact on the local community
- potential impact on local services 53

- other measures that are available to councils to help bring empty dwellings back into use

Councils should consider the reasons why dwellings are unoccupied in deciding whether they want such dwellings to be included in their determination. Examples of issues councils may want to take account of in making their determination include:

- on average, how long dwellings in their area are available for sale or rent before completion/occupation
- the average price/rent in the local area
- whether there are circumstances which make the dwelling unsuitable for use as main residence
- whether there are circumstances which make the dwelling difficult to sell/let
- whether the dwelling is empty so that improvements can be made between sale/let

Any decision to vary or revoke a determination to apply a premium must be made before the beginning of the financial year to which it applies. This enables councils to take any changes into account when calculating their taxbase for the following year as well as giving local taxpayers advance notice of the changes.

Councils should consider how it might engage and consult with key stakeholders, including the local electorate and second homeowners, before taking a decision to charge a premium. If councils decide to introduce or vary a premium, they should consider how this is communicated, particularly to those who might be directly affected. For instance, through publication of press notices, providing information on website pages or direct communication with council taxpayers who are likely to be liable for the premium. Councils should also consider how they advise or inform those who may be affected but may reside outside the local area.

2. Exceptions to the council tax premiums for long-term empty homes and second homes

The government recognises that there may be instances where it may be inappropriate for the council tax premiums to apply. Section 11B and 11D of the 1992 Act enables the government to make regulations to prescribe classes of dwellings in relation to which councils may not make a determination to apply a premium.

The government has made regulations to provide exceptions to these premiums, in line with the published [consultation response](https://www.gov.uk/government/consultations/proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums/outcome/summary-of-responses-and-governments-response-to-the-consultation-on-proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums-in-eng) (<https://www.gov.uk/government/consultations/proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums/outcome/summary-of-responses-and-governments-response-to-the-consultation-on-proposals-to-exempt-categories-of-dwellings-from-the-council-tax-premiums-in-eng>). These exceptions to the premium are mandatory and councils may not disapply any exceptions. These exceptions will come into effect from 1 April 2025.

The regulations prescribe 9 classes of dwellings which are excluded from the council tax premiums. Classes E, F, G, H and I apply to both long-term empty homes and second homes. Classes J, K and L only apply to second homes. Class M only applies to long-term empty homes.

The classes of dwelling are outlined in the table below and are detailed further in the guidance. These exceptions only exclude these dwellings from premiums, these do not affect the standard rate of council tax they may be liable for. Exceptions may apply in succession where the dwelling meets the necessary criteria. Councils may add extensions to exceptions as a part of their determination or may provide support through discretionary reductions using powers under [section 13A of the Local Government Finance Act 1992](https://www.legislation.gov.uk/ukpga/1992/14/section/13A) (<https://www.legislation.gov.uk/ukpga/1992/14/section/13A>).

Where a person believes they may meet the criteria for an exception from the premium they may wish to contact their council directly. The council will be best placed to assess whether an exception would apply in these circumstances. Furthermore, councils have discretionary powers to provide additional exceptions from premiums where they consider this appropriate.

Classes of Dwellings	Application	Definition
Class E	Long-term empty homes and second homes	Dwelling which is or would be someone's sole or main residence if they were not residing in job-related armed forces accommodation
Class F	Long-term empty homes and second homes	Annexes forming part of, or being treated as part of, the main dwelling
Class G	Long-term empty homes and second homes	Dwellings being actively marketed for sale (12 months limit)

Classes of Dwellings	Application	Definition
Class H	Long-term empty homes and second homes	Dwellings being actively marketed for let (12 months limit)
Class I	Long-term empty homes and second homes	Unoccupied dwellings which fell within exempt Class F and where probate has recently been granted (12 months from grant of probate/letters of administration)
Class J	Second homes only	Job-related dwellings
Class K	Second homes only	Occupied caravan pitches and boat moorings.
Class L	Second homes only	Seasonal homes where year-round, permanent occupation is prohibited, specified for use as holiday accommodation or planning condition preventing occupancy for more than 28 days continuously
Class M	Long-term empty home only	Empty dwellings requiring or undergoing major repairs or structural alterations (12 months limit)

Annexes and military accommodation (Class E and Class F)

Two mandatory exceptions from the empty home premium already exist:

- a dwelling which is or would be the sole or main residence of a member of the armed services, who has been provided with a dwelling as a result of such service
- a dwelling which forms part of a single property with one or more other dwellings that is being used by a resident of one of the other dwellings as part of their sole or main residence

These exceptions will continue to apply for empty homes and will also be applied in the case of the second homes premium.

Job related dwellings and caravan pitches/boat moorings (Class K and Class L)

The council tax system already contains provisions which ensure that in certain circumstances these dwellings receive a 50% council tax discount. The government does not intend to change the discounts which these dwellings receive. The exceptions mirror the provisions of these discounts to ensure these dwellings continue to receive these discounts.

Generally, a dwelling would be classed as a job-related dwelling where it is a dwelling provided by a person's employer for the purposes of performing their work. The definition of a job-related dwelling for the purposes of this exception is set out in the Schedule to the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (<https://www.legislation.gov.uk/ukxi/2003/3011/schedule/made>). Examples include headteachers for boarding schools who are required to live in school accommodation, or certain care workers who need to live on site to carry out their role.

Certain households may fall outside the definition of a job-related dwelling; however, the council may determine that it would still not be appropriate for the premium to apply. Councils have the discretionary power to exclude any dwellings from the premium where they consider this appropriate.

Probate (Class I)

There is an existing Class F council tax exemption for dwellings undergoing probate. When a dwelling has been left empty following the death of its owner or occupant, it is exempt from council tax for as long as it remains unoccupied and until probate is granted. Following a grant of probate (or the issue of letters of administration), a further 6 months exemption is possible, so long as the dwelling remains unoccupied and has not been transferred by the executors or administrators to the beneficiaries or sold to anyone else.

Following a grant of probate the owners of the dwelling may require further time to decide how they will manage the home or sell it. The Regulations provide for a 12-month exception to the premium for both second and empty homes. The 12-month period begins from the point probate is granted or letters of administration have been issued. This runs concurrently with the 6-month exemption.

This exception will run for 12 months or until the dwelling has changed owner by being sold. Councils may wish to consider the specific

circumstances of the dwelling's owners at the end of the period and whether to use their discretionary power to extend this exception.

Actively marketed for sale or let (Class G and Class H)

The government has been clear that its intention is not to penalise those who are genuinely trying to bring their dwelling back into use as a sole/main residence.

This exception can apply for up to 12 months from the point from which the dwelling has first been marketed for sale or let. The exception will end either when the 12-month period has ended, when the dwelling has been sold or let or when the dwelling is no longer actively marketed for sale or let. The following conditions will apply to this exception:

- the same owner may only make use of the exception for a particular dwelling marketed for sale once
- the exception may be used again for the same dwelling if it has been sold and has a new owner
- the same owner may make use of the exception for dwellings marketed for let multiple times, however, only after the dwellings has been let for a continuous period of at least 6 months since the exception last applied

There are a number of factors which councils may take into consideration when assessing whether a dwelling is being actively marketed for sale or let. These may include:

- whether the dwelling is clearly advertised for sale or let
- whether the dwelling is being marketed at a fair market value
- whether there are any artificial barriers on the dwelling preventing sale/let
- whether the dwelling has an Energy Performance Certificate (EPC)
[\[footnote 3\]](#)
- whether the owner is taking any other reasonable steps to market the dwelling for sale or let

When considering whether a second or empty home is actively marketed, councils should consider these factors holistically. Whether a home may not meet one of the described factors it may still overall be considered to be actively marketed. Councils may wish to consider further factors in determining whether a dwelling is actively marketed for sale or let.

At the end of the 12-month period, councils may wish to consider the specific circumstances of the owners and whether to use their discretionary powers to extend the exception.

Major repairs (Class M)

The government appreciates in some cases a dwelling may require major repair work before it can be occupied. Where a dwelling requires or is undergoing major repairs or is undergoing structural alteration it may be excepted from the empty home premium for up to 12 months. Where major repairs are completed in less than 12 months, the exception will still apply to the dwelling for up to 6 months or until the end of the 12 months whichever is sooner.

This exception only applies on empty homes. This exception cannot apply again unless the dwelling has been sold. If the dwelling is substantially furnished and becomes a second home without a resident, then this exception will end.

Councils may wish to consider the specific circumstances of the dwelling at the end of this 12 months and whether to use their discretionary power to extend this exception in certain scenarios.

Seasonal homes (Class L)

The government recognises in some cases certain dwellings may have restrictions on them which means that the dwelling could not reasonably be occupied as a permanent residence. The government's position is that it is right that these dwellings should not be subject to a premium when these dwellings could not be used as a permanent residence.

In applying this exception, councils should consider whether there are any planning restrictions which explicitly set out that the dwelling cannot be used as a main residence. For example, where this is purpose-built holiday accommodation which can only be used as holiday accommodation.

In addition, this exception provides for dwellings which have planning restrictions whereby they cannot be occupied for at least 28 continuous days in a year. In some cases, a council may assess a dwelling with this restriction as being a person's sole or main residence. Where this is the case, the dwelling would not be liable for the premium since this cannot apply to a main residence.

Powers to identify and exclude certain dwellings

The government recognises there may be specific local issues relating to second homes and empty homes which are not covered by mandatory exceptions. Councils have discretionary powers to exclude dwellings from the premium in their area through their determination. The government encourages councils to make use of their local expertise to consider which other dwellings should not be charged a premium.

There may be cases where despite best endeavours, an owner may not have the ability to bring an empty or second home back to productive use in a reasonable time. An example of this is where occupation of a dwelling is restricted to a specific group of people and cannot be used in any other way. Where a dwelling has been actively marketed for sale or let but there are mitigating circumstances which mean the dwelling may take longer to sell or let, the council may wish to consider using their discretionary powers.

In some cases, there may be no specific planning restriction preventing dwellings from being used as a main residence but conditions around the dwelling may make it impractical to be used as a main residence. For example, where the dwelling may be located on land which cannot be accessed for significant parts of the year. Councils should consider whether any dwellings in their area could not be used for any purpose other than as a second home when making their determinations.

The scenarios set out above are not exhaustive and there may be specific local circumstances which impact the exceptions a council may apply. Ultimately councils should rely on their expertise of their local area when deciding which exceptions may apply.

Councils cannot amend their determinations in year to include further exceptions. However, councils do have powers under [section 13A of the Local Government Finance Act 1992](#) (<https://www.legislation.gov.uk/ukpga/1992/14/section/13A>) to offer a discretionary discount for households where they consider this appropriate.

3. Monitoring and appeals

As with all council tax income, income received by council tax premiums is fully retained by councils and their precepting authorities. This income is unringfenced and it is for local councils to determine how best to use the income raised to address issues within their local areas.

The government trusts council to apply premiums taking into account their local circumstances. The government encourages councils to be transparent in how they apply the premium, making the following information available for residents:

- the level of premium charged by the council
- which areas this applies to
- the number of dwellings charged the premium
- the amount which has been raised by the premium
- how funding from the premium has been used locally

If an individual believes they have been inappropriately charged a premium on their dwelling, they should in the first instance contact their council. Councils are best placed to advise how they have determined a premium should apply in these circumstances. Additionally, they will be able to make any necessary amendments where there is evidence to show a premium should not be applied.

If the individuals have discussed the issue with their local council, but they are not satisfied with the council's response, they may be able to appeal to the Valuation Tribunal (<https://valuationtribunal.gov.uk/council-tax-appeals/>).

1. Specifically, it is for billing authorities to make a determination whether to charge a premium. Billing authorities are responsible for the billing and collection of council tax.
2. A determination will not be invalid where this has not been done.
3. A valid EPC is necessary to be able to sell or let any dwelling - Selling a home: Energy Performance Certificates (<https://www.gov.uk/selling-a-home/energy-performance-certificates>).

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REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet’s powers to decide		NO	
	Discretionary /	Need to be recommendations to Council		YES	
	Operational	Is it a Key Decision		YES	
Lead Member: Cllr James Moriarty E-mail: cllr.james.moriarty@west-norfolk.gov.uk Assistant Director/Service Area: Legal, Governance & Licensing; Alexa Baker Email: alexa.baker@west-norfolk.gov.uk			Other Cabinet Members consulted: All Cabinet Members		
			Other Members consulted: All Councillors		
Lead Officers: Marie Malt (Licensing Service Manager) E-mail: marie.malt@west-norfolk.gov.uk Direct Dial:01553 616786			Other Officers consulted: Craig Pease (Senior Licensing Officer) E-mail: craig.pease@west-norfolk.gov.uk Direct Dial: 01553 616332		
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES Full Assessment	Risk Management Implications NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 14th January 2025

REVIEW OF HACKNEY CARRIAGE & PRIVATE HIRE LICENSING FEE LEVELS

<p>Summary</p> <p>Members are requested to consider a revised table of Hackney Carriage and Private Hire licensing fee levels.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1.The Council approves the new fee structure for drivers of hackney carriages and private hire vehicles. 2.The Council approves the new fee structure for private hire operators. 3.The Council approves the new fee structure for vehicles and other sundry matters attached in the fee structure. <p>Reason for Decision</p> <p>The recommendation is put forward to ensure that the costs of delivering the taxi licensing service can be fully met directly from the relevant licence fees.</p>

1 Background

1.1 The licensing of hackney carriages, private hire vehicles, their drivers, and operators aims to ensure that the travelling public in West Norfolk receive a safe and reliable service, free from illegal activities. The costs of administering and regulating this service can be

recovered through fees as outlined in legislation and case law. The legislation allows the Council to recoup all or part of the costs associated with providing the taxi licensing service, including administration, enforcement, and supervision. However, it does not allow the Council to profit from these fees and charges, ensuring that all income is dedicated solely to the taxi licensing service.

- 1.2 Managing and regulating hackney carriages, private hire vehicles, and their drivers and operators is a time-consuming and costly task. It is therefore legitimate for a local authority to recover as much of these costs as possible. Since those in the hackney carriage and private hire trade are running a business, it would be unjustifiable for a local authority to subsidise private enterprise by not recovering the full costs associated with its statutory duties.
- 1.3 There is no set timeframe for reviewing hackney carriage and private hire fee levels. The current fees and charges were last revised and approved by the Full Council on 26th November 2015, taking effect from 1st December 2015. Planned revisions in early 2020 were postponed due to the significant impact of the coronavirus pandemic on the licensed trade.
- 1.4 Until recently, compliance and enforcement costs could not be factored into the calculation of fees for driver licenses. However, the Court of Appeal's judgment in the case of R (app Rehman) v Wakefield City Council [2020] R.T.R. 11 (2019) determined that "administration" can include the costs of compliance and enforcement against licensed drivers. These principles already apply to the enforcement of vehicles and operators.
- 1.5 Over the past year, licensing officers have established new fee levels by assessing the time spent on each aspect of the specific licensing functions. The proposed fees have been calculated to ensure full cost recovery in compliance with legislation, case law and LGA fee setting guidance. A table comparing the proposed fees with the current levels, along with a detailed breakdown of the calculations for each type of licence are attached as Appendix 1.
- 1.6 On 6th September 2024, officers met with the Cabinet members for Finance and Licensing and the Chair of the Licensing and Appeals Board to explain how the calculations had been made and gain approval before consulting.
- 1.7 A benchmarking exercise has been carried out to offer Members a comparison of fees from both neighbouring licensing authorities and comparable authorities recognised by CIPFA. Where available, comparable data is presented in the graphs with average fee lines shown in Appendix 2.
- 1.8 Consultation has been carried out with all members of the licensed trade from 25th September 2024 through to 18th December 2024. Members of the licensed trade were also invited to attend meetings with officers and the Cabinet member for licensing to discuss the proposed changes. On Monday 18th November meetings were held with the licensed trade, officers and Cllr Moriarty. Officers have also met with members of the licensed trade to discuss the proposed changes, when requested to do so. Representations (and questions) received to the consultation are attached to this report as Appendix 3.
- 1.9 In accordance with section 70 of The Local Government (Miscellaneous Provisions) Act 1976, an advert was also placed in Your Local Paper on 25th September 2024.

2 Options Considered

The cost calculations are based on what it costs the Council to run the taxi licensing regime now. No deficits have been included in these calculations. However, given the financial implications and current economic climate, Council may decide to implement the new fee levels as a phased introduction over a specific time period. This would require the Council and local taxpayers to subsidise aspects of the Licensing Service for longer and would impact on the revision of fee levels in 3 years time. Alternatively, the Council could decide to increase Licensing fees and charges to full cost recovery at the earliest opportunity.

3 Policy Implications

Legislation requires fees to be agreed by Full Council in accordance with Regulation 2(6)(e) of the Local Authority (Functions and Responsibilities) (England) Regulations 2000 which states it must be a non-executive function.

4 Financial Implications

Failure to set fees to a level that ensures full cost recovery could result in a deficit of funds for services provided. Whilst it is both necessary and lawful to fully recover the costs of administering and enforcing the taxi licensing regime, members of the trade may choose to apply for licenses from neighbouring authorities with different regulation and lower licence fees.

5 Personnel Implications

None

6 Environmental Considerations

None

7 Statutory Considerations

Fees must be correctly calculated and agreed by Full Council, failure to do so could result in a legal challenge.

8 Equality Impact Assessment (EIA)

Pre screening and full EIA attached

9 Risk Management Implications

None

10 Declarations of Interest / Dispensations Granted

None

11 Background Papers

Local Government (Miscellaneous Provisions) Act 1976

Local Authority (Functions and Responsibilities) (England) Regulations 2000

LGA Guidance on locally set licence fees dated 14th December 2023.

<https://www.local.gov.uk/publications/lga-guidance-locally-set-licensing-fees>

Proposed Fees and Calculation Summaries

	Proposed New Fee			Existing Fee				
	Fee	One-Year Licence	Three-Year Licence	Five-Year Licence	Fee	One-Year Licence	Three-Year Licence	Five-Year Licence
Combined Driver								
Grant		£ 192.00	£ 382.00			£ 74.00	£ 125.00	
Renewal		£ 154.00	£ 347.00			£ 67.00	£ 118.00	
Hackney Carriage Saloon (Plates 1-52)								
Grant		£ 159.00				£ 124.00		
Renewal		£ 149.00				£ 109.00		
Temporary Replacement (max 3-months)		£ 79.50				£ 62.00		
Hackney Carriage WAV								
Grant		£ 191.00				£ 133.00		
Renewal		£ 149.00				£ 115.00		
Temporary Replacement (max 3-months)		£ 95.50				£ 66.50		
Private Hire Vehicle								
Grant		£ 148.00				£ 118.00		
Renewal		£ 133.00				£ 104.00		
Temporary Replacement (max 3-months)		£ 74.00				£ 59.00		
Special Event Vehicle (SEV)								
Grant		£ 153.00				£ 123.00		
Renewal		£ 133.00				£ 104.00		
Temporary Replacement		£ 76.00				£ 61.50		
Private Hire Operator (1 vehicle)								
Grant		£ 110.00		£ 304.00		£ 97.00		£ 180.00
Renewal		£ 93.00		£ 288.00		£ 87.00		£ 175.00
Private Hire Operator (2-10 Vehicles)								
Grant		£ 125.00		£ 407.00		£ 123.00		£ 265.00
Renewal		£ 108.00		£ 391.00		£ 113.00		£ 260.00
Private Hire Operator (11-20 Vehicles)								
Grant		£ 148.00		£ 585.00		£ 138.00		£ 405.00
Renewal		£ 132.00		£ 569.00		£ 131.00		£ 400.00
Private Hire Operator (Over 20 Vehicles)								
Grant		£ 217.00		£ 995.00		£ 159.00		£ 777.00
Renewal		£ 200.00		£ 979.00		£ 152.00		£ 772.00
Miscellaneous								
Copy of Combined Driver Licence:								
Paper Part:	£ 5.50				£ 5.50			
Card Part:	£ 10.50				£ 5.50			
Both Paper and Card:	£ 16.00				£ 11.00			
Copy of Vehicle Licence:								
Paper Part:	£ 5.50				£ 5.50			
Window Sticker:	£ 10.50				£ 5.00			
Both Paper and Window Sticker:	£ 16.00				£ 10.50			
Copy of Private Hire Operator's Licence								
Private Hire Door Stickers	£ 22.00				£ 19.00			
Change of Details Admin Fee per Licence*	£ 3.00							
DBS	£ 57.00				£ 55.00			
Knowledge Test	£ 53.00				£ 36.00			
Vehicle Transfer	£ 39.00				£ 27.50			
Licence Plate	£ 20.00				£ 15.00			
* Plus print costs for licence copies as required								

3 Year Combined Driver's Licence – Fee Calculation

<u>Function</u>	<u>Cost</u>	<u>Cost split per year (3yr licence)</u>	
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it costs the Borough Council to employ that person. The process of the application has been mapped using an average of the actual times taken to process applications up to and including printing the licence.	£79.46	£26.49	
<u>On-Going Administration</u> Ongoing administration costs include six monthly DBS checks, DVLA and medical checks along with reminder letters and following up on information. This does not include any compliance or enforcement costs from matters arising.	£65.68	£21.90	
<u>Policy Setting & Research</u> Time spent by staff researching changes in legislation and guidance. Policy and condition updates and fee setting.	£41.69	£13.90	
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings	£35.47	£11.82	
<u>Compliance & Enforcement</u> Ongoing compliance and enforcement including complaints relative to Combined Driver's Licence holders and reports to Licensing and Appeals board. This includes time spent by staff writing report and attending the hearing and support costs for the hearing to take place.	£62.06	£20.68	
<u>Enquiries</u> Driver related enquiries made to the licensing team and admin officers.	£97.69	£32.56	
<u>Totals</u>	£382.05	£127.35	
New Combined Driver Licence 3 year licence	£382.05	Proposed Fee	£382.00
New Combined Driver Licence 1 year licence The one year licence fee includes a lot of the same administration costs and a proportion of others.	£192.74	Proposed Fee	£192.00
<u>Renewal</u> The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Renewal Combined Driver Licence 3 years	£347.72	Proposed Fee	£347.00
Renewal Combined Driver Licence 1 year	£154.58	Proposed Fee	£154.00

1 Year Hackney Carriage Vehicle Licence – Fee Calculations

<u>Function</u>	<u>Cost</u>		
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it costs the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence. It does not include the plate which is paid for separately.	£44.80		
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on the processing of accident notification forms, sending reminder letters for insurance documents and 6-monthly compliance test and processing of these documents, testing stations visits and meetings, hackney carriage fare calculations /advertising and general maintenance of the licence.	£42.37		
<u>Policy Setting & Research</u> Time spent by staff researching changes in legislation and guidance. Policy and condition updates and fee setting.	£10.96		
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£11.82		
<u>Hackney Carriage Ranks</u> Includes a contribution to the time spent by staff on the administration and inspection of hackney carriage ranks.	£12.24		
<u>Compliance & Enforcement</u> A contribution to the time spent by staff on routine inspection of vehicles, dealing with complaints and reports to Licensing and Appeals Board in relation to private hire vehicles. This includes time spent by staff writing reports and attending hearings and support costs for hearings to take place.	£13.62		
<u>Enquiries</u> A contribution to the time spent by officers and staff answering vehicle related enquiries.	£23.65		
Totals			
New Hackney Carriage Licence	£159.47	Proposed Fee	£159.00
<u>Renewal</u>			
The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Renewal Hackney Carriage Licence	£149.47	Proposed Fee	£149.00
Additional fee for WAV at first Licence for additional test	£32.27	Proposed Fee	£32.00

1 Year Private Hire Vehicle – Fee Calculations

<u>Function</u>	<u>Cost</u>		
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it costs the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence. It does not include the plate which is paid for separately.	£44.80		
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on the processing of accident notification forms, sending reminder letters for insurance documents and 6-monthly compliance test and processing of these documents, testing stations visits and meetings, and general maintenance of the licence.	£38.89		
<u>Policy Setting & Research</u> Time spent by staff researching changes in legislation and guidance. Policy and condition updates and fee setting.	£10.96		
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£11.82		
<u>Compliance & Enforcement</u> A contribution to the time spent by staff on routine inspection of vehicles, dealing with complaints and reports to Licensing and Appeals Board in relation to private hire vehicles. This includes time spent by staff writing reports and attending hearings and support costs for hearings to take place.	£18.86		
<u>Enquiries</u> A contribution to the time spent by officers and staff answering vehicle related enquiries.	£23.65		
Totals			
New Private Hire Vehicle Licence	£148.99	Proposed Fee	£148.00
<u>Renewal</u>			
The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Renewal Private Hire Vehicle Licence	£133.51	Proposed Fee	£133.00

5 Year Private Hire Operator (1 vehicle) – Fee Calculations

<u>Function</u>	<u>Cost</u>	<u>Cost split per year (5yr licence)</u>	
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence.	£60.83	£12.16	
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees,	£83.29	£16.65	
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£59.11	£11.82	
<u>Compliance</u> A contribution to the time spent by staff on routine inspection of operator records, along with dealing with complaints and investigations and reports to Licensing & Appeals Board.	£82.85	£16.57	
<u>Enquiries</u> Operator related enquiries made to the licensing team and admin officers.	£18.90	£3.78	
Totals	£304.98	£61.00	
Total for New 5 year Private Hire Operator (1 Vehicle)	£304.98	Proposed Fee	£304.00
Total for New 1 year Private Hire Operator (1 Vehicle) The one year licence fee includes a lot of the same administration costs and a proportion of others.	£110.45	Proposed Fee	£110.00
<u>Renewal and one year licences</u>			
The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Total for Renewal of 5 year Private Hire Operator (1 Vehicle)	£288.53	Proposed Fee	£288.00
Total for Renewal of 1 year Private Hire Operator (1 Vehicle)	£93.86	Proposed Fee	£93.00

5 Year Private Hire Operator (2-10 vehicles) – Fee Calculations

<u>Function</u>	<u>Cost</u>	<u>Cost split per year (5yr licence)</u>	
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence.	£75.59	£15.11	
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees,	£83.29	£16.65	
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£59.11	£11.82	
<u>Compliance</u> A contribution to the time spent by staff on routine inspection of operator records, along with dealing with complaints and investigations and reports to Licensing & Appeals Board.	£170.79	£34.15	
<u>Enquiries</u> Operator related enquiries made to the licensing team and admin officers.	£18.90	£3.78	
Totals	£407.68	£81.53	
Total for New 5 year Private Hire Operator (2-10 Vehicles)	£407.68	Proposed Fee	£407.00
Total for New 1 year Private Hire Operator (2-10 Vehicles) The one year licence fee includes a lot of the same administration costs and a proportion of others.	£125.20	Proposed Fee	£125.00
<u>Renewal and one year licences</u> The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Total for Renewal of 5 year Private Hire Operator (2-10 Vehicles)	£391.24	Proposed Fee	£391.00
Total for Renewal of 1 year Private Hire Operator (2-10 Vehicles)	£108.61	Proposed Fee	£108.00

5 Year Private Hire Operator (11-20 vehicles) – Fee Calculations

<u>Function</u>	<u>Cost</u>	<u>Cost split per year (5yr licence)</u>	
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence.	£99.19	£19.84	
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees,	£83.29	£16.66	
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£59.11	£11.82	
<u>Compliance</u> A contribution to the time spent by staff on routine inspection of operator records, along with dealing with complaints and investigations and reports to Licensing & Appeals Board.	£324.96	£64.99	
<u>Enquiries</u> Operator related enquiries made to the licensing team and admin officers.	£18.90	£3.78	
Totals	£585.45	£117.09	
Total for New 5 year Private Hire Operator (11-20 Vehicles)	£585.45	Proposed Fee	£585.00
Total for New 1 year Private Hire Operator (11-20 Vehicles) The one year licence fee includes a lot of the same administration costs and a proportion of others.	£148.80	Proposed Fee	£148.00
<u>Renewal and one year licences</u> The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Total for Renewal of 5 year Private Hire Operator (11-20 Vehicles)	£569.00	Proposed Fee	£569.00
Total for Renewal of 1 year Private Hire Operator (11-20 Vehicles)	£132.21	Proposed Fee	£132.00

5 Year Private Hire Operator (20+ vehicles) – Fee Calculations

<u>Function</u>	<u>Cost</u>	<u>Cost split per year (5yr licence)</u>	
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The process of the application has been mapped using an average time it takes to process the application to printing the licence.	£167.77	£33.55	
<u>On-Going Administration</u> Includes a contribution to the time spent by staff on maintaining and updating the Conditions & Procedures booklet, conducting research into taxi legislation, time spent calculating fees,	£83.29	£16.66	
<u>Training & Meetings</u> A contribution to the time spent by staff attending taxi related training and meetings.	£59.11	£11.82	
<u>Compliance</u> A contribution to the time spent by staff on routine inspection of operator records, along with dealing with complaints and investigations and reports to Licensing & Appeals Board.	£666.47	£133.29	
<u>Enquiries</u> Operator related enquiries made to the licensing team and admin officers.	£18.90	£3.78	
Totals	£995.54	£199.10	
Total for New 5 year Private Hire Operator (20+ Vehicles)	£995.54	Proposed Fee	£995.00
Total for New 1 year Private Hire Operator (20+ Vehicles) The one year licence fee includes a lot of the same administration costs and a proportion of others.	£217.38	Proposed Fee	£217.00
<u>Renewal and one year licences</u>			
The renewal fee is the 'grant' fee with an adjustment for the process, as some of the details remain the same.			
Total for Renewal of 5 year Private Hire Operator (20+ Vehicles)	£979.10	Proposed Fee	£979.00
Total for Renewal of 1 year Private Hire Operator (20+ Vehicles)	£200.80	Proposed Fee	£200.00

Miscellaneous Items

Copy of Combined Drivers Licence or Vehicle licence

<u>Function</u>	Cost
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the average time it takes, including the cost of the badge, printing etc.	£16.23
Total:	£16.23
Proposed Fee:	£16.00

Vehicle Plate

<u>Function</u>	Cost
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the average time it takes, including the cost of the plate etc.	£20.36
Total:	£20.36
Proposed Fee:	£20.00

Private Hire Door Stickers

<u>Function</u>	Cost
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the average time it takes, including the cost of the door stickers etc.	£22.11
Total:	£22.11
Proposed Fee:	£22.00

Cost of Knowledge Test

<u>Function</u>	<u>Cost</u>
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. Costs included are: Process Payment Arrange Test / Organise Venue Pre-test administration (per candidate) Invigilate Mark Papers Notify Candidate Update database	£53.84
Total:	£53.84
Proposed Fee:	£53.00

Change of Name and or Address (per licence)

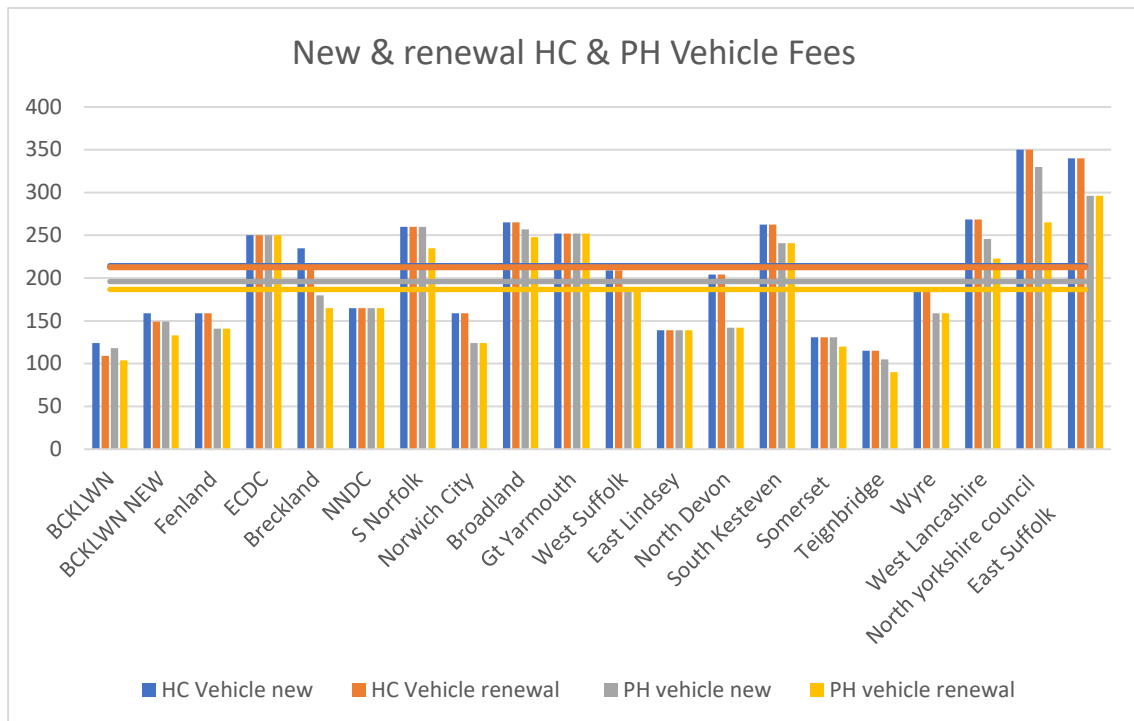
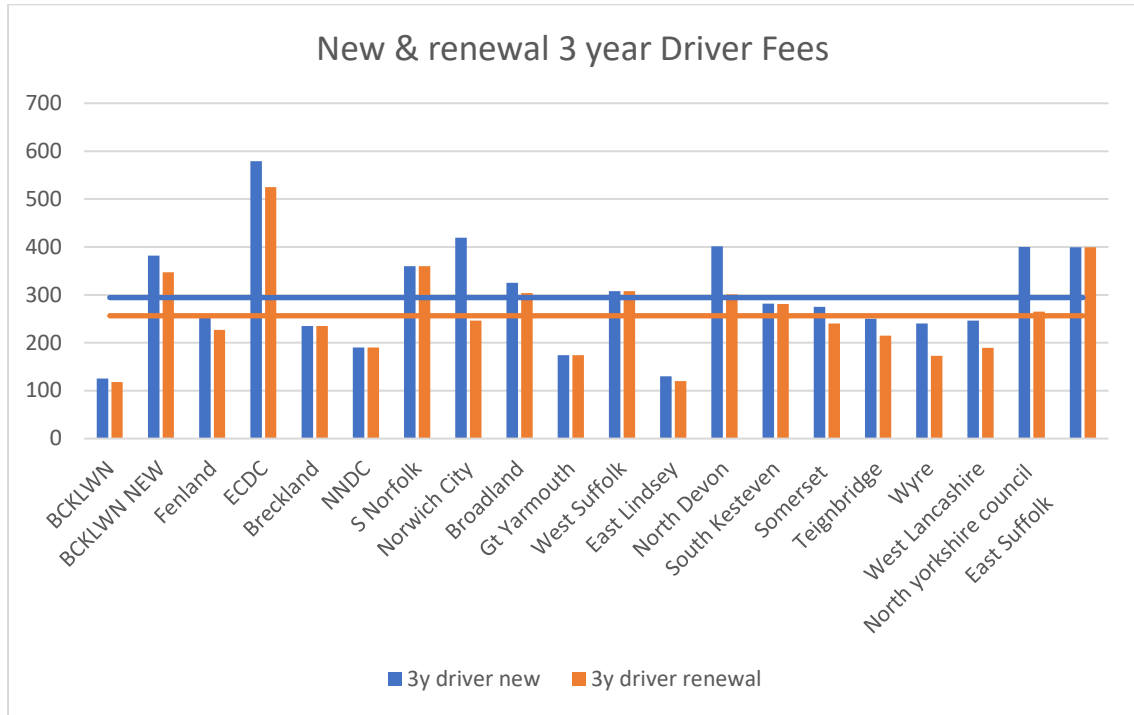
<u>Function</u>	<u>Cost</u>
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the additional time taken to process the necessary changes into the licensing systems, it does not include the cost of printing the new licence which will be in addition to the admin fee.	£3.69
Total:	£3.69
Proposed Fee:	£3.00

DBS Application

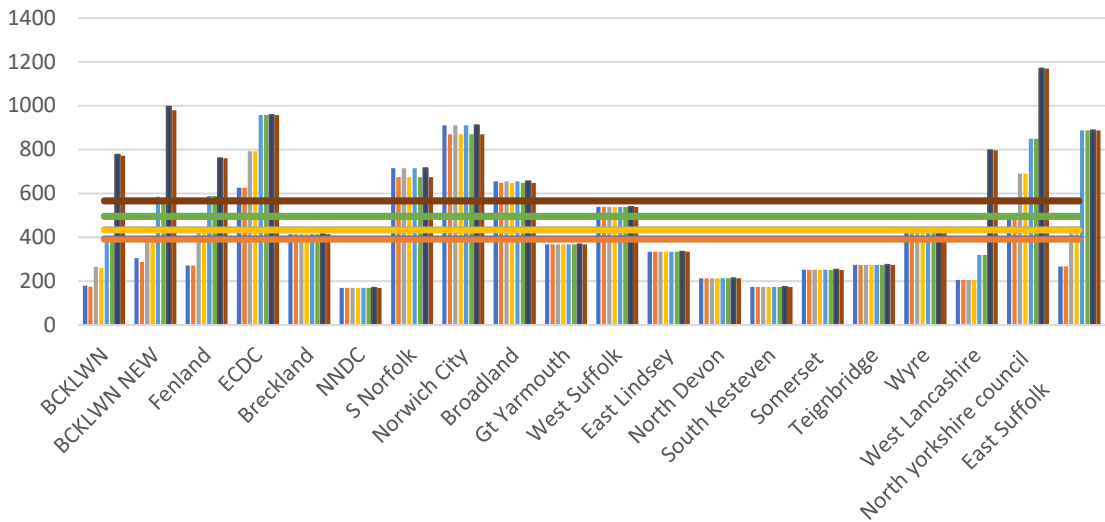
<u>Function</u>	<u>Cost</u>
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the average time it takes, including the cost paid to the Disclosure Barring Service.	£57.72
Total:	£57.72
Proposed Fee:	£57.00

Vehicle Transfer

<u>Function</u>	<u>Cost</u>
<u>Process Application</u> Includes staff salaries and support costs (i.e. other council departments such as IT, Council Information Centre, accountancy etc.). It should be noted that 'staff' salaries are not what individuals are paid but what it cost the Borough Council to employ that person. The application process has been mapped using the average time it takes, including the cost of the new licence etc.	£39.09
Total:	£39.09
Proposed Fee:	£39.00



New & renewal 5 year Operator Fees



- 5 yr Operator New 1 vehicle
- 5 yr Operator Renewal 1 vehicle
- 5 yr Operator new 2- 10 vehicles
- 5 yr Operator renewal 2- 10 vehicles
- 5 yr Operator new 11- 20 vehicles
- 5 yr Operator renewal 11-20 vehicles
- 5 yr Operator new 20+ vehicles
- 5 yr Operator renewal 20+ vehicles

Questions / Representations received on new Lice

[REDACTED]

Subject: License fees

In response to your license fees proposal I understand The Council need to put the fees up It does seem a big jump from the current charges, but I realise you haven't put the fees up for 9 years I believe you held the price increase off just after Covid So I suppose I have to agree in the fee charges Although I would like to point one thing out I have noticed that on the proposal and I believe this may be the case now How come a renewal of a private hire vehicle is cheaper than a renewal of a Hackney carriage vehicle?

When you do the renewal? Is there any difference in the time spent on doing it?

As I can't see why this wouldn't be the same price Kind regards [REDACTED]

Sent from my iPhone

[REDACTED]

Subject: Re: Hackney carriage and private hire licensing fee levels and conditions – proposed changes

Hello Craig,

I have a query regarding the vehicle license fees.

How come it costs less to license a Private Hire Vehicle compared to a hackney carriage?

As currently it costs

£124 - Hackney grant - proposal £159

£109 - Hackney renewal - proposal £149

£118 - Private Hire - proposal £148

£109 - Private Hire - renewal - proposal £133

Aren't they the same licences/plates just in different colours?

Do you have to do any extra work to process a Hackney Vehicle license compared to a Private Hire Vehicle license?

I understand the extra cost on a wheelchair vehicle license grant as you come down & check a wheelchair being loaded into the vehicle.

Kind regards

[REDACTED]

Subject: proposed changes

Having read the proposed changes I understand why fees need to go up. but I am concerned about the amount of increase. covid was bad for everybody and our trade got hit harder than most and has still not recovered fully, that along with overheads increasing and the cost of living crisis i believe these increases will be detrimental to the trade and drivers. It is easy to think of fare increases to help cover but we could price ourselves out as other ways of subsidised transport are on the increase. From a trade point of view I accept the vehicle standards but why can other borough councils in the county have a lot lower standards?

[REDACTED]

Subject: Hackney carriage and private hire conditions

Hi Marie

...With regard to licensing fee increases i understand that they have not been put up for 9 years and obviously need some adjustment but some of them maybe need readjusting as I think they are way overinflated, for example, the 193% increase to a 3 year drivers badge, as previously stated I understand they need to go up, but find this a bit excessive as most of our neighbouring districts don't have fees as high as this...

Regards [REDACTED]
Hackney owner driver

[REDACTED]

Morning Marie .

Please can u cancel our meeting .

In due respect of this matter.

I personally think that desions have been made , I think on the whole people are not going to pay this money and drop out of the trade .

Which I think will have an effect of all local pubs , clubs , venues ,Train station , as people won't come to our town due to no taxi .

Kind regards

[REDACTED]

[REDACTED]

Subject: Re: Meeting for license holders

Thanks Marie

Unfortunately I cannot attend today's meeting as I am working then . I would like to pass on our disappointment at the increases of the numerous licensing charges. With these in mind and as a small company we have very small profit margins if any and this has come as a blow . We have decided not to renew one of our daisy cars license so our fleet goes to 3 .All our car insurances have increased too and so we will also sadly be losing a Daisy companion driver too due to increased overheads . This will impact our service we can offer, many people rely on us for wheelchair transport or companionship due to their vulnerability.

Kind regards

[REDACTED]

[REDACTED]

Subject: Re: Hackney carriage and private hire licensing fee levels and conditions – proposed changes

Hi Marie

I really only have a couple of questions. To be honest, I don't feel like the price increases are that crazy considering they haven't been adjusted since 2015. I appreciate it is a big jump but had the increase have happened when they should have done they would have been paying these prices regardless. Nothing runs for free.

My question revolves around the ranks. With being at the bar a lot I notice that taxis struggle to get onto the rank down Norfolk Street with other vehicles (mainly police cars) being parked on the rank. Is there any way the ranks could be monitored for this kind of thing to make the price hikes less of a hit? I know a lot of the drivers complain that the ranks aren't monitored and thought it might be worth asking if they're going to be spending more on licence fees.

I hope this makes sense

Thanks

[REDACTED]

[REDACTED]

Subject: Fee increases and proposed conditions

Good morning

I'm writing in as part of the consultation and with reference to the topics discussed during the meeting on Monday 18th November regarding your proposals and also putting my own proposals forward to yourselves for consideration moving forward.

Your proposals.

1. Fee increases.

Although we appreciate that costs do go up, i strongly object to your proposals which are excessive and disproportionate to every other rise, your proposed 200% rises are far too high for our businesses to sustain at a time when the trade has not only recently suffered massive financial hardship due to covid, then just coming through the other side of that and starting to recover where we encountered over inflated vehicle replacement costs where many drivers are still paying a high price for vehicles that are now in negative equity because they had to be replaced during that period, only to then be hit by, and having to bear the brunt of the cost of living crisis, not only are we suffering a severe downturn in trade due to the fact that the general public are also suffering the same cost of living crisis, tightening their belts and simply not using taxis like they did as they simply cant afford them, people are just not moving around or going out socialising like they did therefore not requiring a taxi, not only has every other related cost to our trade increased massively but our already high insurance premiums have increased by around 50%, we have had to take the hit on all this already as well as our own personal costs of living crisis at home with no uplift of our fares, we have no choice but to take the hit and work for less and less or go out of business but with the general public already not using our services like they did we dont even have the luxury of being able to pass the cost on with fare increases that realistically we desperately need because we would then suffer a loss of even more custom as even more people would stop using us unable to afford our services, we are in between a rock and a hard place and to cap it all we have also had to take a loss in trade due to the ridiculously cheap £2 bus fares that are in direct competition with us...

...At this present time when custom is scarce, money is tight and in such an uncertain economic climate and especially as we are now seeing the emergence of the apps like Uber with cross border drivers coming in from other areas and taking our work, we need the freedom from ridiculous restrictions that serve no purpose and be able to run our businesses as efficiently and as profitable as we can which we are not able to do at present.

Regards

[REDACTED]

[REDACTED]

Subject: Re: Hackney carriage and private hire licensing fee levels and conditions – proposed changes

Dear Sirs

With regard to the proposals of change to the Licensing conditions and fees, we would like to have our comments below included for the consultation. Generally, we can see that the council need to increase fees to cover costs but it would be helpful if maybe the costs were broken down to an increase every year for the next three years as opposed to one large increase to help the struggling trade and many sole operators....

...Yours sincerely

[REDACTED]

[REDACTED]

Subject: Consultation on proposed changes

to whom it may concern

Although I don't have any major concerns with proposed changes

I do have some thoughts

firstly, when considering Licensing costs would it be good to compare with other Local Boroughs Like with the meter prices?...

...As I said, these are only my thoughts and I'm always happy to discuss

Best regards

[REDACTED]

Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Licensing - Hackney Carriage and Private Hire Schedule of Fees				
Is this a new or existing policy/service/function? (<i>tick as appropriate</i>)	New		Existing	✓	
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	<p>Increase current licence fee levels for all areas of Hackney Carriage and Private Hire licensing.</p> <p>Fees are regulated by the Local Government (Miscellaneous Provisions) Act 1976.</p>				
Who has been consulted as part of the development of the policy/service/function? – new only (<i>identify stakeholders consulted with</i>)	<p>Current Licence Holders</p> <p>Neighbouring local authority licensing departments</p> <p>All Borough Councillors</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Sex			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
	Armed forces community			✓	
	Care leavers			✓	
Other, Hackney Carriage and Private Hire Licence holders		✓			

Question	Answer	Comments	
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No		
3. Could this policy/service be perceived as impacting on communities differently?	No		
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No		
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions:	
		Actions agreed by EWG member:	
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Decision agreed by EWG member:</p>			
Assessment completed by: Name	Craig Pease		
Job title	Senior Licensing Officer		
Date completed	21 st November 2024		
Reviewed by EWG member		Date	

Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)

Stage 2 - Full Equality Impact Assessment Form

Hackney Carriage and Private Hire Fees

1. What is the service area(s) and who is the lead officer?

Legal Services, Governance & Licensing

- Executive Director - Alexa Baker
- Lead Officers Licensing Service Manager Marie Malt & Senior Licensing Officer Craig Pease

2. What change are you proposing?

To increase hackney carriage and private hire licensing fee levels.

3. How will this change help the council achieve its Corporate Strategy priorities (and therefore your Directorate/service objectives)?

To provide cost-effective, efficient services that meet the needs of our local communities, promote good governance, and provide sustainable financial planning and appropriate staffing

4. What is your evidence of need for change?

Fee setting is statutory and must be calculated to ensure cost recovery.

Fee levels were last increased in 2015 when costs were much lower.

New levels have been calculated by using the time spent on each process. Comparing these calculations with current fee levels shows that the increase is necessary.

5. Does this change deliver improved value for money and/or release efficiency savings?

No. The change will ensure proper cost recovery for the service being provided.

6. What geographical area does this proposal cover?

The whole of the Borough Council of King's Lynn & West Norfolk's area, and potentially residents within surrounding areas should applicants outside the area apply.

7. What is the impact of your proposal?

Full cost recovery will ensure the service is properly maintained without subsidy.

Licence holders will have to pay substantially more in licence fees.

Licence holders will see no change in the service they receive.

Note - It is proposed that fee levels are reviewed every 3 years in future to reduce the significance of any increases.

8. What data have you used to support your assessment of the impact of your proposal?

Current fee levels are not covering the cost of supplying the service to licence holders.

New fee levels have been properly calculated.

Licence holders have been consulted regarding the new levels, and although the consensus is that the increase is large, it has also been acknowledged that no increase has been made for 9 years.

9. What consultation has been undertaken/will need to be undertaken with stakeholders/ groups directly or indirectly impacted by the proposals and how do you intend to use this information to inform the decision?

All licence holders were consulted on the new fee levels from 25th September 2024 to 18th December 2024.

10. Are there any implications for other service areas?

There is no implication that other service areas will be affected by the proposal.

11. What impact (either positive or negative) will this change have on different groups of the population?

No impact has been identified on any group with a protected characteristic. The only negative impact identified is to Licence holders and future licence applicants as the fee for their licences will have a higher financial impact.

12. Other Staff Involved in Assessment (including Corporate Equality Group Representatives), and comments from Equality Work Group Reps

Amy Pearce, for advice.

Full EIA Action Plan

Risk/adverse impact identified (Q11)	Action to be taken to mitigate	By who <i>Include a lead officer for implementing the actions</i>	By when <i>Deadlines/timescales for implementing the actions</i>	Monitoring mechanism <i>What indicators will you use to track the impact of the change when implemented?</i> <i>How will you review its implementation?</i> <i>How do you intend to monitor service take-up?</i>

Assessment Completed By: Craig Pease

Job Title: Senior Licensing Officer

Date: 21/11/2024

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	None	Be entirely within Cabinet's powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		YES	
Lead Member: Cllr James Moriarty E-mail: cllr.james.moriarty@west-norfolk.gov.uk Assistant Director/Service Area: Legal, Governance & Licensing: Alexa Baker Email: alexa.baker@west-norfolk.gov.uk			Other Cabinet Members consulted: All Cabinet		
			Other Members consulted: All Councillors		
Lead Officer: Marie Malt (Licensing Service Manager) E-mail: marie.malt@west-norfolk.gov.uk Direct Dial: 01553 616786			Other Officers consulted: Craig Pease (Senior Licensing Officer) E-mail: craig.pease@west-norfolk.gov.uk Direct Dial: 01553 616332		
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES Pre-screening	Risk Management Implications NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 14th January 2025

REVISION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS

<p>Summary Changes to the hackney carriage and private hire licensing procedures and conditions have been identified since the publication of new Department for Transport Best Practice Guidance issued in November 2023, and through the monitoring of the current document.</p> <p>Recommendation That Council approves the new hackney carriage and private hire procedures and conditions document.</p> <p>Reason for Decision Procedures and conditions ensure that public safety is maintained and are necessary in addition to legislation as new guidance and standards are issued.</p>

1 Background

1.1 The current Borough Council Hackney Carriage Licensing Procedures and Conditions were approved by Full Council on 25th April 2022, incorporating the Department for Transport's Statutory Standards issued in July 2020.

1.2 The Department for Transport has since published new Best Practice Guidance, in November 2023, to complement the statutory standards issued in July 2020. This guidance has been reviewed by officers and although it remains guidance and is not statutory, several additions or alterations to the current procedures and conditions document have been identified.

1.3 In addition, several amendments to the existing document have been identified whilst handling ongoing compliance and enforcement issues. To address these, we propose several additional changes, alongside incorporating the amendments in line with the new Best Practice Guidance.

1.4 Cabinet Member for Licensing, Councillor James Moriarty and Chair of the Licensing and Appeals board, Councillor Ben Jones, were presented a report by officers explaining the decision making process for the proposed changes. Changes were agreed before full consultation was carried out. The report, along with a summary of the proposed changes and a draft of the new Procedures and Conditions, is attached to this report as Appendix 1.

1.5 Consultation was carried out between 25th September 2024 and 18th December 2024 with all members of the licensed trade and local disability groups. Members of the licensed trade were also invited to attend meetings with officers and Councillor Moriarty to discuss the proposed changes. On Monday 18th November meetings were held with the licensed trade, officers and Councillor Moriarty. After these meetings some conditions have been altered in addition to those originally proposed, at the trade's suggestion with the portfolio holders agreement. Officers have also met with members of the licensed trade to discuss the proposed changes, when requested to do so. Representations (and questions) received to the consultation are attached to this report as Appendix 2.

2 Options Considered

None – The Council should ensure that the latest standards are adopted to ensure public safety is maintained.

3 Policy Implications

None.

4 Financial Implications

None.

5 Personnel Implications

None.

6 Environmental Considerations

None.

7 Statutory Considerations

Whilst the publication is guidance and not statutory, best practice dictates it is considered and followed where appropriate.

8 Equality Impact Assessment (EIA)

Yes, pre-screening identified no negative impact and positive impact to one group.

9 Risk Management Implications

None.

10 Declarations of Interest / Dispensations Granted

None.

11 Background Papers

Department for Transport - Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - Updated 17 November 2023

Borough Council of King's Lynn and West Norfolk Hackney Carriage and Private Hire Licensing Procedures and Conditions – Approved by Full Council 25th April 2022

LICENSING AND APPEALS BOA

REPORT TO:	Cabinet Member for Licensing Cllr J Moriarty & Chair of Licensing & Appeals Board Cllr B Jones
DATE:	6 th September 2024
TITLE:	Department for Transport Taxi & Private Hire Vehicle Licensing Best Practice Guidance
CHAIR:	Cllr B. Jones
PORTFOLIO(S):	Cllr J Moriarty
REPORT AUTHOR:	Marie Malt/Craig Pease – Licensing Service Manager/ Senior Licensing Officer
ASSISTANT DIRECTOR:	Alexa Baker – Legal Governance and Licensing
DIRECTOR:	Lorraine Gore – Chief Executive

SUMMARY:

In November 2023, The Department for Transport published Best Practice Guidance to assist local authorities that have a responsibility for the regulation of the taxi and private hire vehicle trades.

Whilst the document is guidance designed to complement the statutory standards issued in July 2020 it should be considered alongside policy as it covers a range of issues outside the remit of the Statutory Standards.

RECOMMENDATIONS:

- (1) Members consider the content of the best practice guidance.
- (2) Members agree the recommendations within the report and approve that the current taxi conditions and procedures be updated to reflect the changes prior to consultation with the taxi trade and subsequent adoption by Full Council.

Introduction/Background

- 1.0 On 17th November 2023 the Department for Transport issued Taxi and Private Hire Vehicle Licensing best practice guidance designed to complement the Statutory Standards which were issued on 21 July 2020. Previous to this, Best Practice Guidance was last issued in 2010.
- 1.1 Information detailing the reasoning for the recommendations is contained within the Department for Transport’s Best Practice document which is attached to this report as Appendix 1.
- 1.2 The guidance does not purport to give a definitive statement of the law and any decision made by a licensing authority remains a matter for that authority. The guidance states that authorities will need to seek their own legal advice on issues that are particularly relevant to them.

- 1.3 Full Council approved our existing hackney carriage and private hire licensing procedures and conditions on 25th April 2022, a copy of which is attached to this report as Appendix 2.

New Guidance

2.0 Introduction

The points below relate to each of the recommendations contained within the Department for Transport's document and are followed by Officer recommendations and comments for the consideration of Members.

2.1 The role of licensing authorities

(a) The Regulators Role

3.1 Sets out that the basis for any licensing policy is public safety and that regulation must not be overly burdensome. This section also points out the need for fair competition and consistency of enforcement along with promoting inclusivity and equality through monitoring of complaints and consultation.

Recommendations/Comments – This Authority's procedures and conditions are based on public safety as required. Complaints are monitored and action taken is proportionate to the circumstances. No action is deemed necessary.

(b) The objective of regulation and consideration of policies

3.2 When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. Licensing Authorities should not only adopt provisions contained with the Statutory standards, but also give consideration to policies not being onerous and consider the competition and markets authority four tests to ensure they do not limit competition. Authorities should ensure that the public can distinguish between a Taxi and a Private Hire and the differences in how their services are engaged.

Recommendations/Comments – DfT Statutory Standards have already been adopted within the authority's current procedures and conditions. The four tests should be considered when deciding policy and/ or conditions. Taxis are already required to be distinct from Private Hire Vehicles through licence conditions. No action is deemed necessary.

(c) Delivering licensing services

3.3 The licensing service should ensure it is adaptable in circumstances such as a pandemic. It should ensure that services are applied in a timely manner and different options are available to the trade for contact.

Recommendations/Comments – To ensure no disruption of service, officers worked with representatives from the trade during the recent pandemic and several procedures were implemented to ensure disruption to services was minimal. No action is deemed necessary.

(d) Licensing Fees

3.4 It is essential to a well-functioning taxi and private hire vehicle sector that those administering and enforcing the regime are well-resourced. The licensing model is intended to be self-funding through licensing fees and it is expected that licensing authorities seek to provide a well-resourced system at the lowest cost to licensees. Licensing authorities should regularly review their fees to reflect changes to costs, both increases and reductions.

Recommendation/Comments – A review of fees should be carried out every 3 years.

(e) Licensing Policy

3.5 The department recommends that all licensing authorities make publicly available a cohesive policy document or single online page which complies with current accessibility guidance. This should provide key guidance to the trade and public in an accessible format.

Recommendation/Comments – The Council's website provides all the information relative to the standards stated. No action is deemed necessary.

(f) Consultation at local level

3.6 States that licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. It suggests that consultation should be widened to include other groups and neighbouring authorities.

Recommendation/Comments – A three month consultation is carried out with all members of the taxi trade, including neighbouring authorities and other groups before any proposed changes take effect. No action is deemed necessary.

(g) Changing Licensing Policy Requirements

3.7 Any changes in licensing requirements should be followed by a review of the licenses already issued. Licensing authorities should be pragmatic in their approach and allow time for changes to be implemented by licence holders where appropriate. Cases should be considered individually on their own merits. Any schedule of change should be clear and transparent.

Recommendation/Comments – Once any changes to conditions are adopted, a timeframe for introduction is then produced and implemented.

This is communicated to all trade members to avoid any doubt, and individual circumstances considered, ensuring fairness and consistency. No action is deemed necessary.

2.2 Accessibility

(a) Accessibility barriers

4.1 Barriers to disabled customers should be reviewed. These could include inadequate spacing on hackney carriage stands for wheelchair ramps, steps or lack of seating and shelter. Disabled groups should be consulted when assessing customer experience/barriers in the authority's area. Authorities may wish to consider increasing specifications for wheelchair accessible vehicles above the reference size to accommodate larger wheelchairs.

Recommendation/Comments – All hackney carriage stands adopted by this authority are accessible to disabled people. Numbers of hackney carriage saloon vehicles are limited to increase uptake of wheelchair accessible vehicles which meet the reference size wheelchair. Consultation is carried out when alterations to policy are proposed. No action is deemed necessary.

(b) Communication Barriers

4.2 Communication barriers experienced by disabled passengers booking taxis or private hire vehicles should be mitigated by vehicle proprietors/operators providing multiple booking methods. Information provided in hard copy in vehicles or public buildings should be available in alternative accessible formats. Authority websites should comply with current accessibility guidance.

Recommendation/Comments – Offering a range of booking methods is in a Private Hire Operator and the passenger's best interest, however regulating that a single person/vehicle operator offers all the methods mentioned would be unduly burdensome. No action is deemed necessary.

(c) Barriers relating to the carriage of assistance dogs

4.3 Assistance dog owners using licensed vehicles have reported longer waits, higher fares or additional fees and a failure of authorities to prosecute when evidence exists that passenger's rights have not been upheld.

Recommendation/Comments – This authority has not received any complaints whatsoever relative to the carriage of assistance dogs. The legislation is clear and the requirements will now be duplicated within the licensing procedures and conditions. Change to be agreed.

(d) Confidence barriers

4.4 Many disabled people lack confidence to use public transport services including taxis and private hire vehicles. This may be due to negative personal experiences or from reading stories shared on social media. There may be a lack of confidence in the authority that any complaints will be taken seriously and dealt with fairly.

Recommendation/Comments –Customers are advised that complaints are taken seriously and dealt with, however full details of any action taken is not divulged due to confidentiality. No action is deemed necessary.

(e) Supporting an inclusive service

4.5 Licensing authorities should ensure that taxi and private hire vehicle services promote equality and independence for disabled people. Action should be taken to ensure there are sufficient numbers of wheelchair vehicles available to satisfy demand. Wheelchair users should not have to structure their lives around times and locations when vehicles are available.

Recommendations/Comments – This authority limits the number of non-wheelchair friendly taxis which are licensed. The authority cannot demand that drivers work in particular areas or at certain times of day so it is unclear how the Department expects more wheelchair accessible taxis to be available in certain areas or at particular times. No action is deemed necessary.

(f) Inclusive service plan

4.6 All licensing authorities should develop and maintain an inclusive service plan (ISP), either as a standalone document or as an integral element of a wider strategy. It should include an assessment of demand for accessible services, strategy for making transport more inclusive, steps planned and timescales, training/assessment for applicants. This should be consulted on regularly and updated every 5 years.

Recommendations/Comments – There is currently an Equalities Policy in place but not a specific inclusive service plan. Given that no complaints have been received relative to accessibility in the past 5 years, the requirement to create a specific inclusive service plan is a low priority but work which can be carried out when time permits. No immediate action is deemed necessary.

(g) Assistance for all passengers

4.7 Drivers and operators have specific duties not to discriminate against passengers generally, and passengers in wheelchairs or who are accompanied by assistance dogs specifically. Drivers must provide assistance to disabled passengers and authorities should take action

against those who do not. Action should be taken against drivers not complying with the law.

Recommendations/Comments – The ‘fit and proper’ person test ensures that all licensed drivers are safe and suitable to fulfil their roles. Specific legislation and guidance is in place and officers investigate every complaint received, taking action where appropriate. No action is deemed necessary.

(h) Assistance Dogs

4.8 Authorities should remind drivers of their responsibilities regarding the carriage of assistance dogs. They should encourage meetings between assistance dog owners and organisations such as Guide Dogs for the Blind with vehicle proprietors and private hire operators. They should also consider mandating other categories of assistance dogs to be carried outside of those prescribed by S173 of The Equalities Act.

Recommendations/Comments – This authority has not received any complaints whatsoever relative to the carriage of assistance dogs. Mandating other types of assistance dogs outside of those specified by legislation could cause a disproportionate amount of work. No action is deemed necessary (see 2.2 above).

2.3 Enforcing the licensing regime.

(a) Setting expectations and monitoring

5.1 Licensing authorities should ensure that license holders are aware of the policies to which they must adhere, are properly informed of what is expected of them, and the repercussions for failing to do so. The complaints process should be straightforward and well publicised. Prosecutions should be brought where evidence is sufficient, and complainants encouraged to give evidence where necessary. Offences under The Equalities Act should be prosecuted rather than licensing sanctions if possible. Enforcement should also take place where there is a nighttime economy.

Recommendation/Comments – All new licenced drivers must undertake and pass a knowledge test which including questions relative to conditions and procedures. In addition, an officer meets with all new drivers to ensure expectations of conduct and compliance with conditions are known. All complaints are investigated, and action is taken in accordance with the Council’s enforcement Policy. Licensing officers work out of hours shifts frequently to monitor activity during the nighttime economy. No action is deemed necessary.

(b) Test Purchasing

5.2 Test purchasing can be a powerful tool in identifying drivers and operators that are not complying with the requirements and standards an authority expects of its licensees; and those that are unlicensed, uninsured and unvetted who are seeking to illegally carry passengers.

Authorities should have regard to RIPA when carrying out test purchases.

Recommendation/Comments – Test purchase operations are carried out by officers investigating reports of non-compliant/unlicensed activity. Officers are conversant and abide by the legislation and the Council's RIPA policy. No action is deemed necessary.

(c) Joint Authorisation of enforcement officers

5.3 Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area.

Recommendation/Comments – This condition would be relevant where cross boundary enforcement is required. This has not yet been the case and can be implemented should the need arise without the necessity to change the licensing conditions and procedures. No action is deemed necessary.

(d) The Community Safety Accreditation Scheme

5.4 Authorities should consider accrediting licensing officers under the community safety accreditation scheme to increase uniformed presence on streets and reduce pressure on police resources.

Recommendation/Comments – Licensing officers work with the Police and other organisations as and when required. No action is deemed necessary.

(e) Points-based enforcement systems

5.5 Where a points-based enforcement system is in operation points incurred should remain on the record for a fixed period. The usual duration of a driver and private hire vehicle operator licence is 3 and 5 years respectively. To ensure that all past behaviour is taken into account when considering whether to grant a new licence, the department recommends that points should remain on the record from the date of the incident for a minimum of 3 years for drivers and a minimum of 5 years for private hire vehicle operators.

Recommendation/Comments – This authority currently has a council penalty points scheme in place, but all points expire after 12 months. A change to conditions would bring policy into line with this recommendation. Points awarded to drivers or operators should remain current for 3 and 5 years respectively. Change to be agreed.

(f) Suspension and Revocation of Licences

5.6, 5.7 and 5.8 deal with the suspension and revocation of driver, vehicle and operator licences and the respective legislation. No guidance is offered other than authorities should ensure they comply with legislation and take case law into account.

Recommendations/Comments – Officers can only suspend driver and vehicle licences in accordance with the conditions. Any decisions to suspend or revoke outside of the conditions must be made by training Members of the Licensing & Appeals Board. Legislative provisions, councillor guidance and relevant case law are quoted in officer reports to ensure Members are fully informed. No action is deemed necessary.

2.4 Driver Licensing

(a) Duration of Drivers Licences

6.1 Legislation sets a standard length of 3 years for taxi and private hire vehicle driver licences. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case. For example, where the licence holder's leave to remain in the UK is time-limited, the licensee has requested a shorter duration or the licence is only required to meet a short-term demand. Taxi and private hire vehicle licences should not be issued on a 'probationary' basis.

Recommendations/Comments – This information is already included within the licence conditions, and fee levels are published for shorter term licence periods.

No action is deemed necessary.

(b) Fit and Proper Test

6.2 This section sets out the approach authorities should take to ensure licensed drivers are fit and proper. This includes the requirement to assess medical fitness and to use the NR3S register.

Recommendations/Comments – All of the recommended requirements are included within current conditions. No action is deemed necessary.

(c) Disability Awareness

6.3 Drivers should be trained in disability awareness and/or have their knowledge and skills assessed. Drivers should also be encouraged, through targeted and general communications, to uphold the highest standards of customer service. It also suggests that licensing authorities should encourage drivers to learn British Sign Language and contribute to the related costs of this learning.

Recommendation/Comments – There is currently no requirement for licence holders to complete a disability awareness course / assessment. Officers are exploring available training courses and means of

assessments with a view to introducing a requirement. Any disability awareness training / assessment will attract a fee which would be met by the licence holder. Change to be agreed.

(d) Driver Proficiency

6.4 Licensing authorities should require taxi and private hire vehicle drivers to undertake training and/or assessment focused on attitudes and behaviours, such as those provided by IAM Roadsmart and the Royal Society for the Prevention of Accidents (RoSPA), at first application and renewal (typically every 3 years).

Recommendation/Comments – Existing Conditions require drivers to pass a Driving Standards Assessment when first licenced. A requirement to resit this assessment or another type of assessment as recommended at each renewal could place an undue burden on drivers when no concerns have been raised. The Licensing and Appeals Board may instruct drivers to resit the Driving Standards Assessment or take a different assessment when specific concerns are raised. No action is deemed necessary.

(e) Acceptance of non-UK driving licences

6.5 Individuals can drive legally in the UK with non-UK car and motorcycle licences for up to 12 months. Some individuals will then be required to (or may wish to) exchange a licence issued by another country.

Recommendation/Comments – This authority accepts UK licence holders as well as those issued by an EEA or EU states providing they have been held for 12 months. No action is deemed necessary.

(f) Medical and vision assessment

6.6 Licensing authorities should apply the Group 2 medical standards and use the D4 form when doing so. Medical practitioners carrying out assessments should have access to the applicant's full medical records. Decisions on medical fitness should be carried out by the licensing authority not the assessor.

Recommendation/Comments – This authority already requires licence holders meet Group 2 medical standards which includes a vision assessment, to be completed on a prescribed form. Medical practitioners declare applicants fit to DVLA group 2 standards which is then further checked by officers upon receipt. We cannot use the DVLA D4 form as suggested as this would require a medical professional to be employed by the council to assess every form received. The final decision on medical fitness remains with licensing officers/Members who always refer to the quoted DVLA guidance. No action is deemed necessary.

(g) Immigration Checks

6.7 Licensing authorities are prohibited from issuing licences to anyone disqualified by reason of their immigration status. Immigration checks must be carried out on all applicants in line with home office guidance.

Recommendation/Comments – Immigration checks are currently carried out as prescribed. No action is deemed necessary.

(h) Age Limits

6.8 This section states that age limits should not be set for licensed drivers, and that medical fitness should be regularly assessed.

Recommendation/Comments – No age limits for drivers are set by this authority and medical fitness is assessed regularly in line with DVLA guidance for Group 2 medical standards. No action is deemed necessary.

(i) Language proficiency

6.9 The Statutory Taxi and Private Hire Vehicle Standards recommend that a licensing authority's test of a driver's proficiency should cover both oral and written English language skills.

Recommendation/Comments – New drivers are required to undertake a knowledge test which includes both written and oral English language skills. No action is deemed necessary.

(j) Vocational training and assessment

6.10 Authorities should ensure that they are compliant with the requirements for training in areas such as safeguarding and disability awareness. However, authorities should not place undue burdens of additional vocational training on applicants.

Recommendation/Comments – New drivers are required to undertake a knowledge test which includes safeguarding training. See point 6.3 above regarding disability awareness training. No action is deemed necessary other than that of 6.3 above.

(k) Topographical Knowledge

6.11 Taxi drivers should have to pass a topographical test proving local knowledge whilst private hire drivers do not need to do so.

Recommendation/Comments – We do not differentiate between Taxi or Private Hire drivers as all are licensed for both disciplines under their Combined Drivers Licence. The knowledge test includes a section entitled, 'Places of interest', which satisfies the requirement for local knowledge. No action is deemed necessary.

(l) Intended use policies in respect of taxi drivers.

6.12 Holders of taxi licences can carry pre-booked fares anywhere in England and Wales. A number of licensing authorities have introduced a taxi 'intended use' policy when considering licence applications aimed at reducing the number of taxis working predominantly to carry prebooked fares in other areas rather than plying for hire in their licensed area. Guidance suggests that drivers be required to sign a declaration stating they intend to work predominantly within the authority's area.

Recommendation/Comments – Introduce an intended use condition and add an additional declaration to application form. Change to be agreed.

(m) Vehicle condition check

6.13 A driver should undertake a walkaround check before a vehicle is used. Where more than one driver will use the vehicle during the day's running, the driver taking charge of a vehicle should make sure it is roadworthy and safe to drive by carrying out their own walkaround check.

Recommendations/Comments –The model checklist provided within the guidance should be adapted to meet this authority's requirements. New conditions to be introduced to ensure completion of same and require records to be kept for a set period. Change to be agreed.

2.5 Private hire vehicle operator licensing

(a) Sources of information

7.1 Additional checks other than those mandated should be carried out using companies house or other open source information to cross check applicants suitability.

Recommendation/Comments – Conditions currently require a basic DBS disclosure for any person named on an operator licence. All operator licenses are issued to individuals and not companies. No action is deemed necessary.

(b) Disability Awareness

7.2 The licensee and all staff in customer facing roles and people managing service delivery should be trained in disability awareness, or have their knowledge and skills assessed, and be encouraged through targeted and general communications to uphold the highest standards of customer service. Licensing authorities should require operators to ensure that any digital booking platforms comply with the WCAG 2.1 accessibility standard to Level AA and with the principles of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 as a minimum.

Recommendation/Comments – Private hire operators can employ unlicensed staff in many capacities. Conditions currently require that customer facing staff and those taking bookings hold a basic DBS. Operators must also have a policy for employing persons with convictions. Currently there are no conditions relative to digital booking platforms. Further conditions could be introduced regarding vocational training for customer facing staff and digital booking platforms. However, the large majority of licensed operators are sole traders with no staff. No action is deemed necessary.

(c) Private hire vehicle operators – duration of licences

7.3 The Local Government (Miscellaneous Provisions) Act 1976 sets a standard length of licence of 5 years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case. For example, the licence holder's leave to remain in the UK is time-limited, the licensee has requested a shorter duration, or the licence is only required to meet a short-term demand. Private hire vehicle operator licences should not be issued on a 'probationary' basis.

Recommendation/Comments – This information is already included within the licence conditions, and fee levels are published for shorter term licence periods.

No action is deemed necessary

(d) Insurance

7.4 It is appropriate for a licensing authority to check that appropriate public liability insurance has been obtained.

Recommendation/Comments – Whilst there is no legal requirement for private hire operators to obtain public liability insurance, the requirement to hold £5m public liability insurance should be mandated within the conditions in the interests of public safety. Contracts issued by Norfolk County Council Passenger Transport unit require Public liability Insurance to be held in the amount of £10m. Change to be agreed.

(e) Health and Safety responsibilities

7.5 Health and safety law creates duties on businesses where requirements apply to workers in the same way as they do for employees. Guidance from the Health and Safety Executive (HSE) outlines the different type of workers and what is expected of businesses who use their services. The guidance goes on to suggest several agencies and organisations that can help operators with worker safety.

Recommendation/Comments – The guidance points out that it is not the role of licensing authorities to enforce health and safety legislation, but that consideration should be given for any breaches within the fit and proper person test. No action is deemed necessary.

(f) Compliance with employment law

7.6 This section discusses whether drivers under the control of a private hire operator are self-employed or employees and states that it is not for licensing authorities to decide this. It goes on to state that authorities should consider whether operators are complying with judgements handed to an operator regarding employment status under the fit and proper test.

Recommendation/Comments –Breaches of any judgements or court orders are already taken into consideration when considering the applicant is a fit and proper person. No action is deemed necessary.

2.6 Vehicle licensing

(a) Specification of vehicle types that may be licensed.

8.1 Authorities should licence a wide range of vehicles and only limit vehicle types as necessary. They should not limit to purpose built vehicles only and should allow vehicle alterations, such as to provide wheelchair accessibility. Alteration should be made before testing not after.

Recommendation/Comments – Current conditions allow a wide range of vehicle types to be licensed. Vehicle type is limited only by vehicle category, allowing only passenger carrying vehicles with up to 8 passenger seats. The conditions also include testing requirements for altered vehicles. No action is deemed necessary.

(b) Motorcycles

8.2 It is recognised that some licensing authorities may wish to license motorcycles as private hire vehicles. To assist those authorities the department has published guidance which outlines the standards and conditions which the department considers to represent best practice when licensing motorcycles as private hire vehicles.

Recommendation/Comments – Licence conditions do not currently cover the licensing of motorcycles as private hire vehicles. Should an application be received, Members can be presented with the best practice standards and conditions to determine whether a licence should be granted. No action is deemed necessary.

(c) Pedicabs

8.3 Pedicabs or rickshaws are pedal-powered vehicles in combination with a trailer designed to carry passengers. They include electrically assisted pedal cycles. Pedicabs offer short-distance, zero emission journeys. Outside London, pedicabs can be regulated as taxis. Where there is local interest in providing pedicab services, licensing authorities should make appropriate adjustments to their licensing requirements for drivers and vehicles to accommodate these requests.

Recommendation/Comments – Licence conditions do not currently cover the licensing of pedicabs as taxis. Should an application be received, Members can be presented with the relevant information to determine whether a licence should be granted. No action is deemed necessary.

(d) Vehicle age limits

8.4 The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.

Recommendation/Comments – Current conditions do impose age limits on new licenses and an upper age limit. However these limits are adjusted to enable the use of used vehicles and encourage the uptake of zero emission options. Current limits ensure that any new vehicle entering the fleet is Euro6 compliant, and the upper age limit ensures older, more polluting vehicles are not able to continue indefinitely. No action is deemed necessary.

(e) Vehicle Safety Ratings

8.5 Authorities should consider the safety benefits of introducing minimum standards for safety of vehicles using the Euro NCAP star rating scheme and possibly by limiting licensed vehicles to be those with higher ratings.

Recommendation/Comments – Currently no conditions are in place regarding NCAP star ratings for vehicles. All licensed vehicles must have a European Community Whole Vehicle Type Approval and be Category M1 passenger carrying vehicles (not commercial). Upper age limits ensure rotation of the fleet of licensed vehicles forcing those with older safety systems to be replaced. No recommendation is made in the guidance as to what star rating should be viewed as acceptable, just higher. A review of the current licensed fleet has been carried out and, with the exception of 3 commercial based vehicles, all are rated 3 stars or above. Commercial vehicles are not subjected to the same tests as

passenger vehicles so may not have a safety rating before conversion. All vehicles over 5 years old are required to have a 6 monthly MOT and compliance test. If minimum standards were introduced, this would add the requirement for an additional check /cost into the system. Given our strict age mileage policy and rigorous testing schedule we do not believe that introducing this would improve vehicle standards. No action is deemed necessary.

(f) Environmental Considerations

8.6 The UK is committed to a 2050 net zero target. Authorities should encourage the uptake of cleaner alternatives to internal combustion engines. Licensed vehicles operating in predominantly urban areas significantly increase air pollution. Flexibility in age limits can result in more rapid improvement rather than mandating new ICE vehicles.

Recommendation/Comments – Current age limits will ensure that all vehicles will be zero emissions at the tailpipe by 2050 as the oldest vehicle in the fleet would be a 2035 model. Age limits are extended for Electric zero emission vehicles to encourage the uptake although we are unable to offer financial incentives. This authority's area is predominantly rural rather than the urban areas referred to and although it is improving, the infrastructure for fully electric vehicles is still lacking and not necessarily suitable for a licensed vehicle, which is losing money whilst stationary charging, placing more strain on proprietors. No action is deemed necessary.

(g) Imported Vehicles: Type Approval

8.7 Licensing of privately imported vehicles which may meet the authority's criteria but not immediately carry GB type approval. Authorities should look at conditions regarding these vehicles.

Recommendation/Comments – Currently this authority does not licence any privately imported vehicles. Any request to do so would be subject to an IVA test as per conditions and approval would be required from panel in order to depart from conditions regarding the GB type approval. No action is deemed necessary.

(h) Tinted Windows

8.8 Authorities should review policies which insist proprietors replace manufacturers windows due to tinting which still meet UK requirements. Insisting windows remain clear of all tint, places unnecessary financial strain on the proprietor.

Recommendation/Comments – Current conditions state that tinted windows must comply with the legal limits prescribed. No action is deemed necessary.

(i) An accessible fleet

8.9 Licensing authorities should understand the need for mixed fleets with suitable numbers of wheelchair accessible vehicles. Demand should be assessed every 5 years and the results published. If demand is not met then an explanation should be made as to how it plans to meet the demand. Licensing authorities should consider ways to incentivise wheelchair accessible vehicles such as licence fee rebates and relaxation of other licensing requirements to aid sourcing appropriate vehicles.

Recommendation/Comments – We currently mandate that aside from licence plate numbers one to fifty two, all Taxis must be wheelchair accessible. Licence fee rebates would affect cost recovery calculations and be unfair to other licence holders. We cannot subsidise a particular type of vehicle by charging others extra. Other licensing requirements should not be relaxed as they exist to ensure public safety. No action is deemed necessary.

(j) Inclusive vehicle specifications

8.10 The design of non-wheelchair accessible vehicles licensed for use as taxis or private hire vehicles should still take accessibility into account. Wheelchair space specifications should at minimum meet the standards of a reference wheelchair. Authorities should consider increasing minimum standards to carry wheelchairs larger than the reference sized wheelchair. Licensing Authorities should assess demand for wheelchair accessible vehicles every 5 years and publish results. These should be included in the authority's inclusive service plan.

Recommendation/Comments – Current conditions require that wheelchair accessible vehicles meet the reference standards set, with the width requirement 50mm in excess of the reference size. Non wheelchair accessible vehicles also have to meet standards with seat width, door openings and luggage compartments. Should an inclusive service plan be created, assessment of demand for wheelchair accessible vehicles will be included. No immediate action is deemed necessary.

(k) Accessibility Equipment

8.11 Authorities should consider the benefits of requiring additional accessibility equipment to be provided in vehicles. Authorities should, as a minimum, require the installation of hearing loops in vehicles where an internal screen is fitted, to support passengers who are deaf or hard of hearing to communicate with drivers. Whilst not widely used in the UK, 'talking' meters are used in other countries, and some payment card readers are more accessible than others.

Recommendation/Comments – No licensed vehicles currently have screens fitted and items such as talking meters are not widely in use in

this country. To make this a requirement would be place additional burden on vehicle proprietors. No action is deemed necessary.

(l) Vehicle identification and signage

8.12 Members of the public can often confuse private hire vehicles with taxis. Authorities should ensure differences between the two are apparent to the public and make clear the differences in hire types. Roof signs of any type should not be permitted on private hire vehicles. Private hire signage requirements should be limited to the authority licence plate or disc and a pre booked only door sign. Private hire drivers are free to work for more than one operator and should not be required to display the name of their operator on the vehicle or required to advise the authority of who they are working for in advance of any change.

Recommendation/Comments –Current conditions require that private hire vehicles display signage stating pre booked only and must not have roof signs. Taxis must have illuminated roof signs as suggested to differentiate. No action is deemed necessary.

(m) Passenger Capacity

8.13 Licensing authorities should consider safety risks of licensing a third row of seats in standard cars which requires the movement of other seats for access. If these seats are to be included, operators should be required to advise passengers of limited access to these seats. Passenger capacity should not exceed the number of fitted seatbelts. Dedicated wheelchair seats should be included in the passenger capacity.

Recommendation/Comment – Conditions currently in place meet the recommendations made. No action is deemed necessary.

(n) Carrying Children

8.14 Drivers and operators should be made aware of the guidance on the carriage of children safely in taxis and private hire vehicles by the Royal Society on the Prevention of Accidents.

Recommendation/Comments – The guidance quoted is widely available and may be subject to change. There is no need to duplicate the guidance within licence conditions. No action is deemed necessary.

(o) Personal Security

8.15 The personal security of taxi and private hire vehicle drivers and staff must be considered. Authorities should ensure that security adaptations (for example, partitions in vehicles) do not prevent drivers from fulfilling their legal obligations towards disabled passengers. Licensing authorities should make available signs or notices which set out not only what passengers can expect from drivers, but also what drivers can expect from passengers who use their service. Licensing

authorities should seek to build good links between the taxi and private hire vehicle trades and the local police force, including participation in any community safety partnerships. The HSE list installation of CCTV with visible signage as a successful measure to improve safety.

Recommendation/Comments – Signs regarding the safe use of licensed vehicles and promoting respect of licensed trade are in circulation in operator premises and some licensed venues. Mandating CCTV has been explored previously and guidance was that it should only be mandated if there was a need identified which has not been the case thus far. Licence holders can already fit CCTV / Dashcams to their vehicles with council approval, whereas mandating it must be fitted, would need regulation by an external body and increase financial burden to licensees. No action is deemed necessary.

(p) Partitions in vehicles

8.16 The fitting of in-vehicle partitions must not cause the vehicle to be a danger to anyone in the vehicle or on the road, in compliance with regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986. If a partition is fitted, then the front seat should not be included in the seating capacity.

Recommendation/Comments – No vehicles licensed by this authority are currently fitted with removable partitions, and approval would need to be sought from the licensing department in order to have one fitted. No action is deemed necessary.

(q) In vehicle visual and audio recording – CCTV

8.17 CCTV can provide additional deterrence to prevent crime and investigative value when it occurs. Mandating the use of CCTV can provide a safer environment for the benefit of taxi and private hire vehicle passengers and drivers. Authorities should consult to identify if local circumstances indicate whether installation would have a positive or negative effect.

Recommendation/Comments – Vehicle proprietors can apply to the licensing team to allow CCTV or Dash Cameras to be fitted in licensed vehicles. Mandating that all vehicles must have this could place undue financial burden on those licensees who do not wish to have these systems. No action is deemed necessary.

(r) Emergency Equipment

8.18 The Highway Code advises that should a vehicle catch fire, the occupants should get out of the vehicle quickly and to a safe place and not to attempt to extinguish a fire in the engine compartment, as opening the bonnet will make the fire flare. The National Fire Chief Council (NFCC) recommends that licensing authorities that require fire extinguishers to be provided in vehicles, should ensure that suitable and sufficient training is received by the drivers. The NFCC's advice is that if

a licensing authority elects not to require drivers to undertake training on the safe way to tackle a vehicle fire, vehicles should not be required to carry fire extinguishers and drivers advised to get out and stay out of the vehicle and call 999, rather than attempting to firefight.

Recommendation/Comments – The conditions currently include a requirement for all licensed vehicles to carry a fire extinguisher. Norfolk County Council Passenger Transport unit also require contracted vehicles to carry an extinguisher. Contact has been made with Norfolk Fire and Rescue, Fenland Fire and our own Health and safety team and their responses are attached as Appendix X. Conditions should be changed to remove the mandatory requirement to carry a fire extinguisher but, should retain a set standard for any extinguisher carried within a licensed vehicle. Change to be agreed.

(s) Vehicle Testing

8.19 This section sets out the minimum testing criteria that authorities should carry out on licensed vehicles including MOT test frequency and suggesting increased frequency for older vehicles.

Recommendation/Comments – Current conditions meet the requirements listed in this section. Council approved testing stations are appointed to perform both MOT and compliance tests on licensed vehicles to ensure the same standards are maintained. No action is deemed necessary.

2.7 Quantity restrictions of taxi licences outside London

(a) Sections 9.1 through to 9.5

The above sections discuss the negative impact of restricting licence numbers within a borough and the steps an authority should follow if numbers are restricted.

Recommendations/Comments – This authority does not restrict numbers of licensed vehicles or drivers and has not reached a level where it should be considered. The only restriction applied by this authority is on the number of non-wheelchair accessible taxis, which by way of demand increases the number of wheelchair accessible vehicles licensed.

2.8 Taxi Fare Rates

(a) Legal Powers

10.1 Licensing authorities have the power to set maximum taxi fares for journeys within their area, and most do so. There is no power to set fares for private hire vehicles. Unlike most licensing functions, the setting of fares is an executive function, not a council function.

Recommendation/Comments – The current process of setting taxi fares is dealt with lawfully by Member delegated decision. No action is deemed necessary.

(b) Setting taxi fare rates

10.2 Maximum fare rates should be designed with a view to practicality and reviewed regularly, including any variability of the fare rates dependent on time of day or day of the week. Authorities should consider adopting a simple formula for deciding on fare changes as this will increase understanding and improve the transparency of the process for passengers.

Recommendation/Comments – The current process of setting taxi fares is dealt with lawfully and by consultation with both the licensed trade and the public. No action is deemed necessary.

(c) Price competition in taxi fares

10.3 Taxi fare tariffs are a maximum, and in principle are open to downward negotiation between passenger and driver. It is not good practice to encourage such negotiations at ranks, or for on-street hailing; there would be risks of confusion and security problems. However, it should be made clear that these fares are the maximum and downward negotiation is possible.

Recommendation/Comments – Conditions require that the hackney carriage fare charge card must be on display in each licensed taxi. The charge card states that the fares in the table are the maximum permitted. No action is deemed necessary.

2.9 Taxi ranks and roadside infrastructure

11.0 Taxi ranks can provide a useful interchange between modes of transport and a focal point for taxis and passengers at peak periods. There are a number of aspects that should be considered when assessing the number and location of taxi ranks, including how ranks contribute to a wider transport policy and its success in delivering accessible transport as disabled users are less able to seek alternatives.

Recommendation/Comments – Officers are in regular contact with members of the trade at the taxi ranks and any comments made are considered. Locations of ranks are limited by infrastructure in place. Future plans include reviews of existing ranks and possible locations of new ranks. Ranks controlled by the Railway Stations in King's Lynn & Downham Market are not adopted by the Council. Locations are subject to constant review. No action is deemed necessary.

2.10 Taxi Zones

12.0 The areas of some licensing authorities are divided into two or more zones for taxi licensing purposes. Drivers may be licensed to ply for hire

in one zone only. Zones exist for historical reasons, due to local authority boundary changes.

Recommendation/Comments – This Borough does not have separate zones. No action is deemed necessary.

2.11 Flexible transport services

13.0 The department encourages licensing authorities, as a matter of best practice, to play their part in promoting flexible services to increase the availability of transport to the travelling public. This can be done partly by drawing the possibilities to the attention of the taxi and private hire vehicle trade. These include shared taxis and private hire vehicles available for pre booking, shared taxis for immediate hiring and taxi / private hire vehicle buses.

Recommendation/Comments – The licensed trade are aware of the flexible services stated and a range of services are already operating within the Borough. No action is deemed necessary.

2.12 Local transport plans and strategy

14.0 Licensing authorities have a part to play in deciding local transport Plans and should be included in their production.

Recommendation/Comments – Norfolk County Council consult officers of the licensing authority in future local transport plans, who then consult the licensed trade and provide feedback to them. No action is deemed necessary.

2.13 Tax checks in taxi and private hire licensing

15.0 Checks should be completed on renewal of Drivers licences to ensure licence holders are correctly registered with HMRC using the new check service.

Recommendation/Comments – Conditions currently require that the relevant checks are made. No action is deemed necessary.

3.0 Conclusion

Members are requested to consider the new Guidance and recommended changes. Further reports will be presented in order to implement changes to current conditions and procedures after wider consultation.

Summary of proposed changes – DfT Best Practice	
Section/s	Change
Equalities Act	<p>Addition of a condition regarding carriage of assistance dogs. Not previously conditioned as this is already in legislation but now included in line with guidance.</p> <p>7.44 Section 168 of the equality act sets out the duties placed on all drivers of hackney carriage and private hire vehicles in respect of assistance dogs. The duties are:</p> <p>7.44.1 To carry the disabled person's dog and allow it to remain with that person,</p> <p>7.44.2 Not to make any additional charge for doing so</p>
Penalty Points System	<p>Adjustment to length of time Penalty Points remain current on a licence in accordance with guidance.</p> <p>10.2 Council penalty points will remain current for the following periods:</p> <ul style="list-style-type: none"> • 12 months for a vehicle proprietor licence • 3 years for a Combined Driver's Licence • 5 years for a Private Hire Operators Licence <p>10.3 If an individual concerned accrues a total of 12 current penalty points, then he/she will automatically be referred to a Panel of the Licensing & Appeals Board with a request that the Panel review the individual's continued suitability to hold a licence</p>
Disability Awareness Training	<p>Addition of condition to include Disability awareness training in the application process.</p> <p>2.15 All applicants must complete a disability awareness course and assessment as part of the application process</p>
Intended use Policy	<p>Addition of condition 4.3 to cover intended use policy</p> <p>4.3 Applicants for new and renewal hackney carriage vehicle licences will be required to demonstrate a bona fide intention to ply for hire predominantly in the Borough Council of King's Lynn and West Norfolk area. Applicants who do not intend to a material extent to ply for hire within the Borough Council of King's Lynn and West Norfolk area may not be granted a hackney carriage vehicle licence.</p>
Vehicle Checklist	<p>Introduction of a daily walkaround check for vehicles. Onus on driver to ensure this is completed daily.</p> <p>7.13 Each driver must carry out a daily walkaround check of the vehicle before first use, based on the vehicle checklist form available at Annex E.</p>
Vehicle Checklist	Addition of Annex E With vehicle checklist.
Public Liability Insurance	Addition of condition for Operators to carry £10m of public liability insurance

	8.30 Operators are required to hold Public Liability insurance of £5m.
Fire equipment and First Aid	Removal of the requirement to carry a fire extinguisher.
Provisions regulating how hackney carriages are to be furnished or provided	Removal of requirement to provide a fire extinguisher.
Fire equipment and First Aid	Condition setting standard for any fire extinguisher fitted. 3.46 Fire extinguishers carried by licensed vehicles must be either a 1kg dry powder or a 2 litre AFFF. Fire extinguishers must be maintained in accordance with BS5306 Part 3

Summary of other proposed changes

Section/s	Change
All	General tidy up of existing conditions and wording.
Revocation of Licence	Additional conditions added to prevent licence holders re-applying immediately after revocation. 1.31 In the event of a Combined Driver's Licence or Private Hire Operator's Licence being revoked by the Borough Council the holder will be barred from re-applying for a period of 12 months from the date of the decision. Each case will be decided upon its individual merits. 1.32 In the event of a vehicle licence being revoked by the Borough Council, any further application to licence the vehicle will be treated as a new application.
Driver Application Disclosure and Barring service	Alteration of wording of conditions 2.3, 2.4 and 2.7 to ensure compliance with regulations, to ensure drivers sign up to the update service prior to being licensed and clarify conditions.
Driver Application Driver's Medical	Alteration of wording of condition 2.11 for clarification regarding the Medical Report.
Driver Application Knowledge & Safeguarding Test	Addition of Condition to limit applicants to three attempts at the knowledge test per application and set a limit before re-applying. This is already employed by some authorities (East Suffolk and Cambridge City are local examples) and avoids a driver simply repeating the knowledge test multiple times in the hope of passing by chance. 2.16 Applicant's may attempt the knowledge test up to three times. After a third failed attempt the application will be rejected, and the applicant will not be able to re-apply for six months from the date of the last failed attempt.
Refund of fees	Condition 2.27 altered wording to include driver refunds and set criteria.

Surrender of a licence	<p>Addition of condition 2.28 to comply with legislation. There is no pre-requisite in law for a licence to be surrendered although it is recognised that there is a need for such action. This condition not only enables the authority to accept the surrender of a licence, but also prevents a licence holder from surrendering a licence to avoid any potential disciplinary action.</p> <p>2.28 Surrender of a Driver, Vehicle or Operator licence may be refused in the event of an ongoing investigation, or pending disciplinary action against the licence holder.</p>
Age/Mileage Requirement	Alteration of condition 3.11 to increase maximum age at first licence
Age/Mileage Requirement	Removal of conditions 3.12 and 3.13 relating to exceptional standards requirements.
Renewal of Vehicle Licences	Alteration of condition 3.14 due to removal of exceptional standards requirements.
Exceptions to Age Requirement	Alteration to condition 3.16 to ensure continuity across vehicle types
Vehicle Specifications	Condition 3.21 altered wording to include new GB type approval
Vehicle Testing	Condition 3.30 correction of wording to include vehicles under one year old in exemption from DVSA MOT test and clarify 6 monthly test schedule
Vehicle Testing	Condition 3.34 altered timing of repairs to advisory items to align with compliance failure items. Addition of Minor MOT items to the Advisory repair requirement.
Altered Vehicles	Condition 3.37 altered to remove requirement for Cat N vehicles
Altered Vehicles	<p>Addition of condition 3.41 for clarity that vehicles converted to be wheelchair accessible require a DVSA IVA or VIVA test</p> <p>3.41 All vehicles converted or altered to be Wheelchair Accessible will only be considered for licensing upon production of a satisfactory IVA or VIVA test (engineers report) from the Driver and Vehicle Standards Agency (DVSA).</p>
First Aid	Altered wording of condition 3.47 to update list of first aid equipment to current recommendations of H&S officer
Advertising on outside of vehicles	Condition 3.66 addition of wording to ensure media is permanently fixed and not removable.
Change of use	Condition 3.76 alteration of wording in line with condition 1.32 above
Wheelchair accessible vehicle specifications	<p>Addition of condition 4.5 to ensure that Wheelchair accessible vehicles remain so at all times. This is to ensure that vehicles licensed as Wheelchair accessible remain as such.</p> <p>4.5 Any vehicle licensed as wheelchair accessible must remain so at all times while licensed. Additional seats which cannot be stowed to allow immediate carriage of a wheelchair passenger must not be fitted.</p>
Ramps	Condition 4.8 additional wording regarding ramp design

Lifts	Condition 4.9 correction of wording
Roof Signs	Revision of wording in conditions 4.25 and 4.27 to revert to previous standards required for roof signs taken from Hackney Carriage By laws. To be re-inserted to set a standard due to recent complaints.
Roof Signs	<p>Addition of condition 4.28 to enable licensing of purpose built vehicles with built in roof signs</p> <p>4.28 Proprietors of purpose built vehicles with built in roof signs may apply in writing to the Borough Council to request a departure from conditions 4.24 and 4.26 above.</p>
Combined Hackney Carriage & Private Hire Driver's Licences	<p>Addition of condition 7.13 due to previous omission</p> <p>7.1.3 Any changes to an applicant's health between the date of the medical certificate and issue of the licence must be notified to the Borough Council</p>
Combined Hackney Carriage & Private Hire Driver's Licences	Condition 7.1.5 altered wording to ensure compliance with requirements
Combined Hackney Carriage & Private Hire Driver's Licences	<p>Addition of condition 7.1.7 due to previous omission.</p> <p>7.1.7 Any convictions received by or notified to the applicant between the point of application and issue of the licence, must be disclosed to the Borough Council in accordance with condition 7.16</p>



Hackney Carriage And Private Hire

Licensing Procedures & Conditions

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Definitions

- **“Borough Council”** means the Borough Council of King's Lynn & West Norfolk.
- **“Authorised officer”** means an officer of the Borough Council authorised in writing;
- **“Driver's licence”** means, in relation to the driver of a hackney carriage, a licence under section 46 of the Town Police Clauses Act 1847 and, in relation to the driver of a private hire vehicle, a licence under section 51 of Local Government (Miscellaneous Provisions) Act 1976;
- **“Hackney carriage”** or **“Taxi”** means a carriage exposed for hire to the public, whether standing in the public street or a private yard. The name is derived from an old French word denoting an ambling horse or mare: Oxford English Dictionary;
- **“Hackney carriage byelaws”** means the byelaws for the time being in force in the controlled district of the Borough Council relating to hackney carriages;
- **“Private Hire Vehicle”** is a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle which is provided for hire with the services of a driver for the purpose of carrying passengers. Private hire vehicles cannot ply for hire on a rank or be hailed in the street and must be pre-booked through a private hire operator licensed by the Borough Council.
- **“Operate”** means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle;
- **“Operator's licence”** means a licence issued by the Borough Council under section 55 of the Local Government (Miscellaneous Provisions) Act 1976;
- **“Taximeter”** means any device for calculating the fare to be charged in respect of any journey in a hackney carriage by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both;
- **“Vehicle licence”** means in relation to a hackney carriage a licence under sections 37 to 45 of the Town Police Clauses Act 1847 and in relation to a private hire vehicle means a licence under section 48 of Local Government (Miscellaneous Provisions) Act 1976.
-
- **“Special Event Vehicle”** means a private hire vehicle exclusively used for special occasions. For further information see Section 6.
- **“Hackney Rank/Stand”** A designated place adopted by the Borough Council where hackney carriages can wait the arrival of a hirer.
- **“Notify the Borough Council”** means notify the Licensing Team at the Borough Council in writing.
- **“Home Address”** – is the address at which the licence holder/applicant lives, being their place of residence to which utility bills and their DVLA driving licence is registered to.

The Purpose of Licensing / Licensing Objectives

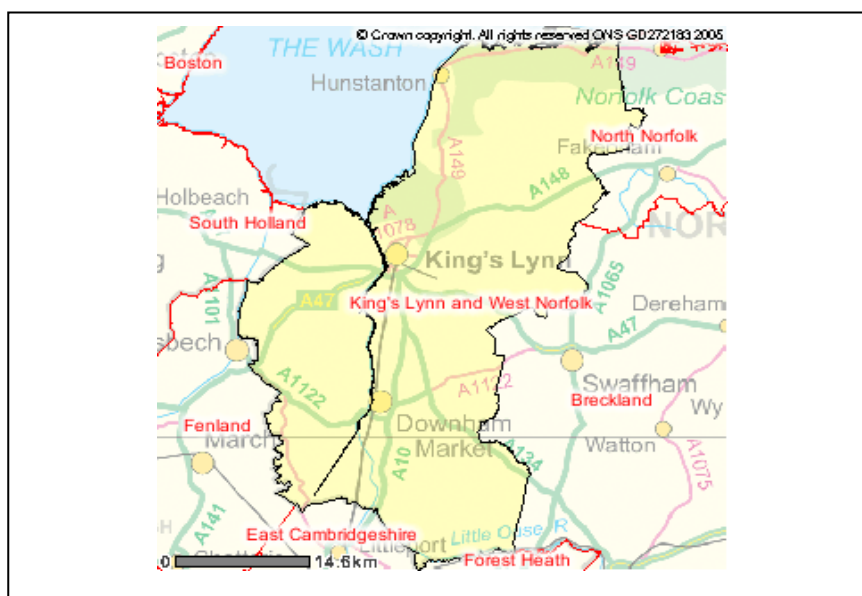
Drivers. The aim of the licensing regime is to ensure that, so far as possible, those licensed to drive either a Hackney Carriage or Private Hire vehicle are suitable persons to do so. Suitable means that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit. They also should be honest individuals who would not take advantage of their position to abuse, assault or defraud customers. The general term used in taxi licensing to describe this person is 'fit and proper'. The test when considering whether an applicant/licence holder is 'fit and proper' is to pose oneself the following question, 'Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?'

Vehicles. The Borough Council expects all licensed vehicles to be maintained to the highest standard at all times. The Borough Council also expects all licensed Hackney Carriages to work predominantly within the district of the Borough Council.

Operators. The Borough Council expects licensed operators to provide a first class customer service in order to promote a high standard to those who live in, work in, or visit the area.

1.0 Introduction

1.1 The Borough Council of King's Lynn & West Norfolk is situated in the County of Norfolk. The Council area has a population of 154,325 (Norfolk Insight 2021). In terms of area it is also the largest, covering 1428.76 square kilometres (551 square miles). The Borough area is mainly rural with urban areas of King's Lynn, Downham Market and Hunstanton. These areas are shown on the following map:



The Borough Council's Role in Taxi Licensing

- 1.2 The Borough Council is responsible for the licensing of all hire vehicles which operate within the district, which are provided with a driver and operated with less than nine passenger seats.
- 1.3 There are two types of vehicle: public hire vehicles (**Hackney Carriages**) and vehicles which are only available by prior booking arrangement (**Private Hire Vehicles**). Although the description 'taxi' should only be applied to a Hackney Carriage any hire vehicle is usually known as a 'taxi' by the public.
- 1.4 Before any vehicle is licensed it must be tested at one of the Borough Council's approved garages. The test covers the vehicle's mechanics and general appearance, which includes the comfort for passengers and the reliability of any meter fitted.
- 1.5 Private Hire vehicles may only undertake journeys in response to advance bookings. The Borough Council is also responsible for granting Private Hire Operators licences for the premises at which these bookings are made.
- 1.6 The Borough Council is responsible for the licensing of the drivers of both classes of vehicle. Within the scope of legislation the Borough Council ensures that all licence holders are 'fit and proper persons' to be licensed by carrying out checks on an applicant's background.
- 1.7 The Borough Council issue dual driver's licences to all successful applicants, which enables the holder to drive either a Hackney Carriage vehicle or a Private Hire vehicle provided that these vehicles are licensed by this authority.
- 1.8 As part of ensuring drivers are suitable for the role, the Borough Council carries out enhanced Disclosure and Barring Service checks. For more information, visit the Disclosure and Barring Service (DBS) website at www.gov.uk/government/.../disclosure-and-barring-service.
- 1.9 The Borough Council also has a responsibility as the 'Enforcement Agency' of the drivers, vehicles and operators it has licensed. Enforcement covers offences related to 'taxi' legislation, driver's behaviour, the condition of the vehicles and the investigation of complaints made against any licence holder.
- 1.10 As well as granting and issuing licences the Borough Council also has the power to suspend or revoke licences and take relevant enforcement action if necessary against any offending licence holder.
- 1.11 Licensing and enforcement is carried out by Borough Council of King's Lynn & West Norfolk's appointed 'Authorised Officers' for that purpose and they have been issued with written authority to do so as well as having a Borough Council identity badge.

Wheelchair Accessible Vehicles (WAV)

- 1.12** There are a number of wheelchair accessible vehicles available in West Norfolk which are licensed by the Borough Council. All new Hackney Carriage Vehicles (plates 53 onwards) registered with the Borough Council must be wheelchair accessible.
- 1.13** The Borough Council welcomes views and information from the public regarding their needs for wheelchair accessible vehicles, the availability of currently licensed vehicles or what would help to provide an efficient 'taxi' service for people with physical disabilities.

Hackney Carriage/Private Hire Licences

- 1.14** In considering applications for Hackney Carriage/Private Hire Licences and also any breaches during the currency of a licence, the Borough Council must be satisfied that drivers are fit and proper persons to hold a Licence. Any matter can be taken into consideration when determining 'fit and proper'.
- 1.15** The Borough Council will have regard to all convictions, police cautions, charges, driving convictions, complaints of unacceptable conduct or behaviour, breach of licence conditions and other convictions obtained, during the course of a Licence, in accordance with the convictions policy (see Annex B).
- 1.16** When such circumstances occur the application may be referred to a panel of the Licensing & Appeals Board for determination.

Referral to Panel of Licensing & Appeals Board

- 1.17** Where an applicant or a driver is referred to a panel for consideration, they will be notified in writing of the reason and the date, time and venue of the panel hearing.
- 1.18** They will be advised that they may bring a representative to the hearing. The representative may be a friend, legal representative or a representative from the trade whom they wish to assist them in addressing the panel in support of their application/disciplinary hearing. But please note that any consultation with a representative should take place in advance of the hearing date and not just prior to the meeting. This will ensure that their case is well prepared for panel consideration.

The Licensing & Appeals Panel

- 1.19** The panel will consist of three members made up of Borough Councillors who are members of the Licensing & Appeals Board. A Chairman is appointed to manage the hearing process. The Committee may be advised by a legal representative.
- 1.20** A number of Borough Council Officers may also attend the hearing, in an advisory capacity. However, they do not take part in the decision making process.

The Hearing

- 1.21** A number of applications and disciplinary matters could be considered on the day, including any historic matters. Each matter will be considered on its own merits and the public will be excluded to protect confidentiality where appropriate. In these circumstances the public will not have access to the meeting unless the applicant requests that they should.
- 1.22** When a person is called to appear before the panel they and their representative and any complainants will be guided to their seats. They will be asked if they have received a copy of the report regarding the circumstances surrounding their case. The panel will already have a copy of the report. Where the case arises from a complaint, the complainant, if present, will be asked to explain their complaint to the panel. There will be an opportunity to question the complainant.
- 1.23** The Licence Holder/New Applicant will be asked to describe the circumstances surrounding the convictions or incident concerned and asked to demonstrate to the panel why they think they are a fit and proper person to hold a Hackney Carriage/ Private Hire Drivers Licence or why they feel disciplinary action should not be taken.

The Decision

- 1.24** When considering convictions, the panel will have regard to the 'Guidance relating to the relevance of convictions and cautions' a copy of which is attached at Annex B.
- 1.25** After hearing the evidence and representations from all parties, the panel will retire to make their decision. Any person present not involved in the decision making process will be asked to leave the room.
- 1.26** As soon as the panel have come to a decision they will recall the persons who have left the room and read out their decision. The person will also be advised of the decision in writing together with their rights of appeal. The panel have a number of options which include the following:
- Grant or refuse application
 - Take no action
 - Issue a verbal warning
 - Suspend or revoke the licence
 - Apply conditions to the licence
 - Require driver to complete driving assessment and/or sit Borough Council's Knowledge Test, or any other action deemed appropriate.

Right of Appeal

- 1.27** If the Borough Council refuses the grant of a Vehicle, Operator or Drivers Licence, or in the case of a disciplinary hearing, decide to suspend or revoke a Drivers Licence or any other formal action, the person will have the right of appeal to a Magistrates' Court. In the case of refusal to grant a Hackney Carriage Proprietors Licence, appeal will be to the Crown Court.

General Advice

- 1.28** The Licensing & Appeals Panel is a formal meeting where members sit in a quasi-judicial manner. This means that the panel has to act in a similar fashion to a Court or Tribunal. It is therefore important that persons appearing before Committee should behave and dress in an appropriate manner and be present in good time before the hearing is due to commence.
- 1.29** If a person appears before the panel following a complaint about their conduct, they should not attempt to speak to the complainants / witnesses prior to the meeting as this could be deemed to be harassment.

Serving of Notices

- 1.30** Sub-sections (2) to (5) of S233 of the Local Government Act 1972 shall have effect and are incorporated in the conditions for vehicles, operators and drivers in relation to any notices required or authorised by the conditions to be given or served on the licensee by or on behalf of the Borough Council or any authorised officer.

Revocation of Licence

- 1.31** In the event of a Combined Driver's Licence or Private Hire Operator's Licence being revoked by the Borough Council the holder will be barred from re-applying for a period of 12 months from the date of the decision. Each case will be decided upon its individual merits.
- 1.32** In the event of a vehicle licence being revoked by the Borough Council, any further application to licence the vehicle will be treated as a new application.

2.0 Application Process

Driver Application

- 2.1** In addition to the application form, all applications for the grant of new driver licences must be accompanied by the following:
- 2.1.1 Disclosure and Barring Service (DBS) form;
 - 2.1.2 Medical Certificate;
 - 2.1.3 DVLA Driving Licence – (photocard or paper licence);
 - 2.1.4 DVLA check code;
 - 2.1.5 Fees;
 - 2.1.6 Passport Size Photograph certified as being a true likeness;
 - 2.1.7 Driver Assessment (to the former DSA standard) pass report;
 - 2.1.8 Additional documents may be required such as to ensure that the applicant has the right to work in the UK.
- 2.2** An application for a Combined Driver licence must be fully completed within a 6 month period otherwise the application will be rejected. In circumstances where documentation (such as DBS) is submitted before the application, the 6-month period will be calculated from the date the DBS (or other document) is received.

Disclosure and Barring Service form (DBS)

- 2.3** The application process requires the applicant to obtain a Disclosure and Barring Service (DBS) disclosure certificate to 'enhanced' standard. **The certificate must be issued showing the occupation of "Other workforce Taxi/Private Hire Driver", other occupations will not be accepted.** The Borough Council is a 'registered' body with the DBS and as such, applications for disclosures **must** be made via this Authority on one of the pre-printed forms. Applicants that already have a disclosure **showing the correct occupation** and are signed up to the online update service, must provide their original disclosure certificate and any information required by the Borough Council to access their record online.
- 2.4** For applicants who have not signed up to the online update service the DBS Disclosure certificate must be dated within 6-months of the date a licence is issued and a new DBS **application with sign up to the update service will be required before the licence will be issued.**
- 2.5** Although the Borough Council submits the application form, the DBS Disclosure is sent directly to the applicant. The original disclosure document must therefore be produced to the Borough Council who will take a copy. Once the DBS certificate is received, the applicant must sign up to the DBS online update service within 28 days. A Disclosure that reveals conviction(s) may mean that an application will have to be considered by Members of the Licensing & Appeals Board.
- 2.6** If an applicant has been resident in any other Country than the UK over the age of 10 years old, preceding an application, a certificate of good conduct from an overseas embassy, or each overseas embassy where the applicant has lived, will be required in addition to the DBS Disclosure.
- 2.7** Usage. Information revealed on a DBS Disclosure will only be used for the

purpose of determining whether an applicant is 'fit & proper' or in the case of a review whether they continue to remain 'fit & proper' when assessing the continued suitability to hold a ~~hackney carriage or private hire~~ licence.

- 2.8** Retention. The Borough Council will retain a copy of the DBS Disclosure in accordance with the Council's retention policy.

Right to Work Check

- 2.9** The Borough Council will not issue a Hackney Carriage or Private Hire licence unless the individual has a right to work in the UK. All applicants must therefore provide documentation to prove that they have the right to work in the United Kingdom. The Borough Council will use a right to licence check sheet which is based upon the Home Office - A 'Right to work Checklist' providing a list of valid documentation. An application from a person who cannot provide the necessary documentation will be refused by officers under delegated authority.

Rehabilitation of Offenders Act 1974

- 2.10** Applicants for Hackney Carriage and Private Hire licensing are exempt from the Rehabilitation of Offenders Act 1974. Therefore all convictions, regardless of how long ago may be taken into consideration when determining applications. However, in determining the relevance of convictions the panel will take into account the type of offence, the age of the applicant at the time of the offence and the apparent seriousness of the offence, and in accordance with the conviction policy at Annex B.

Driver's Medical

- 2.11** A medical assessment report will be required upon initial application and must be carried out by a registered Medical Practitioner to group 2 DVLA standards ~~using the Borough Council's approved form~~. Subsequent medicals will be required at age 45, then every five years after the age of 45 and then annually from the age of 65 years. A driver under the age of 65 with a controlled medical condition may also be required to undergo a full medical assessment annually. Medical forms produced with the initial application must be dated by the medical practitioner no longer than 6-months before the date a determination for a licence is made. It is important to ensure medical assessment reports are current and failure to produce a new report when requested may lead to the suspension of a combined licence. Where a doctor provides specific guidance this may be included as an additional condition on a licence.

DVLA Driving Licence & Check Code

- 2.12** All applicants must provide a current copy of their DVLA driving licence showing their current home address. There is also a requirement to provide a DVLA check code, which is valid for 21 days, allowing the Council to obtain the applicant's driving licence history from the DVLA. There is also a requirement to complete an Annual Update Check (DVLA and disclosure) throughout the licensed period.

Please note: If an applicant has 9 or more current penalty points and/or any previous convictions appear on their DVLA driving licence the application may be referred to a Panel of the Licensing & Appeals Board to ascertain whether they are a 'fit and proper' person to hold a licence.

Fees

- 2.13** Applications will not be accepted without the appropriate fee. It should be noted that the Borough Council only accepts payment made by either cheque or credit/debit card. Any licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

Knowledge Test

- 2.14** All applicants must complete and pass the Borough Council's Knowledge & Safeguarding Test which contains multiple-choice questions on Licensing Conditions, the Highway Code, safeguarding, knowledge of the area and literacy and numeracy. The test will be supervised by a member of staff from the Borough Council.

- 2.15** All applicants must complete a disability awareness course and assessment as part of the application process.

- 2.16** Applicant's may attempt the Knowledge, Safeguarding and Disability Awareness tests up to three times. After a third failed attempt the application will be rejected and the applicant will not be able to re-apply for six months from the date of the last failed attempt.

NR3S Check

- 2.17** The Borough Council has signed up to the National Register of Refusals and Revocations (NR3S register). This means that when an application for a taxi driver's licence is refused, or when an existing taxi driver's licence is revoked, that information will be placed on the register. The details of all new applicants will also be checked against the information held on the register.

Operators Application

- 2.18** Any person who receives bookings or has contracts for the hire and reward for a private hire vehicle is required to hold an Operator Licence. The application must be accompanied with a list of vehicles and drivers used by the operator. An operator must be a 'fit and proper person' and is therefore required to provide a basic DBS disclosure certificate upon initial application and annually thereafter. Note: This is not required where a driver's licence is already held and a current DBS has been provided to enhanced level.

Vehicle Application

- 2.19** A vehicle application can be processed within 3 days if all the relevant information has been supplied as below and the vehicle meets current conditions (i.e. age/mileage).

- 2.20** **Registration Document or Bill of Sale.** For initial applications only an original V5C (vehicle registration document) must be provided. A bill of sale for that vehicle may be produced if the V5C is not available but this must include the date of first registration and the original V5C document must be

produced within a calendar month.

- 2.21 Insurance Certificate.** A valid insurance policy and schedule or cover note covering the vehicle for Private Hire and/or Hackney Carriage work may be produced and the full insurance certificate provided within one calendar month thereafter. Emailed copies of insurance documents are acceptable provided that the insurance company's original email is forwarded to the licensing team (ehlicensing@west-norfolk.gov.uk).

Note: Any driver insured to drive a licensed vehicle must hold a Combined Drivers Licence.

- 2.22 Vehicle Inspection/MOT.** All vehicles licensed by this Authority require inspection at an approved testing station (a list of approved garages can be found on the vehicle application form).
- 2.23 Disclosure & Barring Service (DBS).** A vehicle licence applicant is required to provide a basic DBS disclosure certificate upon initial application and annually thereafter whilst a vehicle licence is held. Note: This is not required where a driver's licence is already held and a current DBS has been provided to enhanced level.

Vehicle Licence Renewals

- 2.24** Vehicle renewal applications will be accepted up to one calendar month before they are due to expire providing the MOT certificate/Compliance Test Certificate is no more than one calendar month older than the renewal date. Vehicle licences will not be granted an earlier renewal date than their current expiry date. Vehicle Registration documents (V5C) are not required to be produced upon renewal of a vehicle licence, providing there has been no material changes to that vehicle/document during the preceding licence period. Once a licence has expired it cannot be renewed and any application received after the expiry date will be treated as a new application, unless there are exceptional circumstances.

Combined Driver Licence & Private Hire Operator Renewals

- 2.25** Combined Driver Licence and Private Hire Operator's Licence renewals will be accepted up to one calendar month before they are due to expire. Any application received after a licence has expired will be treated as a new application; unless there are exceptional circumstances.

Refund of Licence Fees – (not applicable to Insurance/lease vehicles)

- 2.26** In the event that a driver, vehicle or operator licence is not granted then the Borough Council will refund the licence application fee. This does not apply to the other fees e.g. knowledge test and DBS disclosure application.
- 2.27** Should a **driver**, vehicle or operator licence be surrendered during the life of the licence then a pro-rata refund (**excluding original costs of processing the application** minus an admin fee) will be given for the unexpired portion of the licence. The date will be calculated from the date the licence is returned to the Borough Council. Refunds will not be given for licences that are suspended or revoked.

Surrender of a Licence

2.28 Surrender of a Driver, Vehicle or Operator licence may be refused in the event of an ongoing investigation or pending disciplinary action against the licence holder.

Death of Licence Holder

2.29 A licence will immediately lapse in the event of death of the licence holder. In the case of a vehicle licence, a licence may be transferred using the normal procedure within 3 calendar months. A private hire operator's licence cannot be transferred into another person's name.

3.0 All Vehicles

- 3.1** The Borough Council will not grant or renew a vehicle licence unless they are satisfied that the vehicle to be licensed, is in a suitable mechanical condition, safe, clean and comfortable. Applications to renew licences will only be accepted up to the expiry date of the previous licence and any submissions received after that date will be treated as a new application.

Duration of Licence

- 3.2** A vehicle licence will be issued for a maximum period of one year, except in the case of a vehicle replacement; see Condition 3.4 (below).

Vehicle Replacement

- 3.3** Where a vehicle is off the road due to accident damage, the Borough Council may allow a replacement vehicle that meets the full criteria for the Hackney Carriage/ or Private Hire Vehicle being replaced. In the case of a Hackney Carriage replacement for plate number 53 onwards the replacement vehicle must be a wheelchair accessible vehicle (e.g. not a saloon car).
- 3.4** The vehicle will be licensed as a replacement for the accident damaged vehicle for a period not exceeding 3 months. A 50% reduction to the normal application fee and a full licence plate fee will be required.
- 3.5** Whilst being repaired, the vehicle licence number will be temporarily transferred to the lease vehicle (for Hackney) or suspended in which case the licence plate must be returned to the authority. Once repaired, a new vehicle inspection report may be required and the suspended licence may be re-instated. The licence holder may transfer the Fire Extinguisher and First Aid kit to the replacement vehicle whilst in use but must remember to transfer it back before the vehicle is returned.

Insurance

- 3.6** A vehicle must have a current certificate of insurance or cover note which clearly covers the use to which the vehicle is to be put.
- 3.7** It shall be the responsibility of the proprietor of a licensed vehicle to produce proof of continuous insurance cover. The insurance schedule must also be provided with the certificate. The insurance proof is to be received and reviewed by the licensing authority within seven days of the expiry of the preceding certificate or cover note.
- 3.8** If the proprietor fails to produce the required proof of insurance cover on request they must produce it forthwith or within seven clear days of the request to an authorised officer of the Borough Council. Failure to comply may result in the immediate suspension of the vehicle licence by authorised officers using delegated authority. The suspension will remain in place until a satisfactory certificate and schedule of insurance is produced.

Excise Duty (Road Tax) & Vehicle Registration Document (V5C)

- 3.9** There must be a valid excise duty for the vehicle at all times.
- 3.10** A full vehicle registration document must be produced at the grant of a new vehicle licence. If this is unavailable a V5 slip or proof of purchase providing the date of first registration can be accepted followed by the full V5 within one month of the application being submitted - and following any change to the original document.

Age/Mileage Requirement

- 3.11** All hackney carriage and private hire vehicles will not normally be considered for licensing unless they are under ~~5~~ **7** years of age from date of first registration (date as shown on DVLA registration document) and accrued less than ~~100,000~~ **120,000** miles. ~~Vehicles presented for licensing outside these criteria will be dealt with as follows:~~

~~3.12~~ Vehicles that are:

- ~~• over 5 but less than 6 years old with 90,000 miles or less; or~~
- ~~• less than 4 years old with 110,000 miles or less;~~

~~may be considered by authorised officers of the Borough Council using delegated authority who may grant the licence if the vehicle is considered 'exceptional'.~~

~~3.13~~ In the following list are factors that will be taken into consideration in determining 'exceptional', but it is not exhaustive:

- ~~• Condition of bodywork (e.g. no dents, scratches, stone chips or rust around wheel arches);~~
- ~~• Original manufacturer's colour and trim combination;~~
- ~~• Clean and immaculate interior, in original condition, free of damage and with only minor wear and tear;~~
- ~~• Full service history showing regular service dates;~~
- ~~• Full documentation (i.e. garage receipts showing schedule of works carried out);~~

Renewal of Vehicle Licences

- 3.14** Once a licence has expired the licence cannot be renewed and any subsequent application will be treated as a new application, unless there are exceptional circumstances. If a licence holder believes there are exceptional circumstances, they must put a request in writing to the licensing team, who will consider whether a renewal will be accepted.

Renewal applications for Hackney Carriages and Private Hire Vehicles will only be granted ~~up prior~~ **up prior** to the ~~12th-15th~~ anniversary of date of first vehicle registration (date as shown on DVLA V5 registration document) ~~regardless of mileage with less than 500,000 miles on the date the licence is renewed. Vehicles that are:~~

- ~~• Over 12 years but less than 13 years with 360,000 miles or less; or~~
- ~~• Over 13 years but less than 14 years with 390,000 miles or less; or~~

- ~~• Over 14 years but less than 15 with less than 400,000 miles~~

~~may be granted by authorised officers of the Borough Council using delegated authority provided the vehicle is considered 'exceptional' (see Condition 3.13 above).~~

Vehicles will only be considered for renewal no earlier than one calendar month before the relevant anniversary of the date of first registration of the vehicle. Vehicles past their 15th Anniversary will not be renewed.

- 3.15** Any vehicles presented for licensing that do not meet the above criteria will be refused by authorised officers using delegated powers. Applicants may appeal these decisions to the Magistrates' Court, or in the case of a hackney carriage appeal to the Crown Court.

Exceptions to Age Requirement

- 3.16** ~~Fully Electric and~~ Special Event Vehicles are exempt from the general age/mileage policy and fall into the following categories:

3.16.1 Executive Vehicles presented for licensing for the first time must not be older than ~~5~~ 7 years on the day the application is received.

3.16.2 American Stretch Limousines presented for licensing for the first time must not be older than 7 years on the day the application is received.

3.16.3 Historic Vehicles presented for licensing for the first time must be constructed over 40 years ago. Note: In accordance with DVLA taxation class for Historic Vehicles. Proof of the year the vehicle was built must be provided.

~~3.16.4 Fully Electric Vehicles will not normally be considered for licensing unless they are under 7 years of age from date of first registration (date as shown on DVLA registration document) and accrued less than 100,000 miles. Vehicles presented for licensing outside these criteria will be dealt with as follows:~~

~~Vehicles that are:~~

- ~~• over 7 but less than 8 years old with 90,000 miles or less; or~~
- ~~• less than 6 years old with 110,000 miles or less;~~

~~may be considered by authorised officers of the Borough Council using delegated authority who may grant the licence if the vehicle is considered 'exceptional'.~~

~~Renewal applications will only be granted up to the 13th anniversary of the date of first vehicle registration (date as shown on DVLA V5 registration document) regardless of mileage or the date the licence is renewed. Vehicles that are:~~

- ~~• Over 13 years but less than 14 years with 390,000 miles or less; or~~
- ~~• Over 14 years but less than 15 with less than 400,000 miles~~

~~may be granted by authorised officers of the Borough Council using delegated authority provided the vehicle is considered 'exceptional' (see Condition 3.13 above).~~

~~Fully Electric Vehicles will only be considered for renewal no earlier than one calendar month before the relevant anniversary of the date of first registration of the vehicle. Vehicles past their 15th Anniversary will not be renewed.~~

Vehicle Specifications

- 3.18 The vehicle shall have four side opening doors (designed for the purpose of permitting persons access to/from the interior) - any lift-up tailgate shall not be included; or a vehicle shall have three side opening doors (designed for the purpose of permitting persons access to/from the interior) and two rear opening doors (designed for the purpose of permitting persons access to/from the interior).
- 3.19 Any vehicle's suitability for licensing will also be determined by the positioning of its seating, fittings and fixtures for the ingress and egress of passengers and their safety.
- 3.20 Other than a vehicle classed as a special event vehicle the vehicle must be right-hand drive.
- 3.21 The vehicle must have European Community Whole Vehicle Type Approval (ECWVTA), **GB Type Approval or UK(NI) Type approval** and must show category M1 on the V5C/logbook.
- 3.22 If the requirements in Condition 3.21 above cannot be satisfied, or if the vehicle has been altered from the original manufacturers specification, then a Driver and Vehicle Standards Agency (DVSA) Individual Vehicle approval (IVA) or Voluntary Individual Vehicle Approval (VIVA) inspection must be undertaken and a satisfactory report produced.
- 3.23 In the case of a Private Hire vehicle its appearance must not lead people to believe it is a Hackney Carriage Vehicle.
- 3.24 No vehicle will be licensed unless it can accommodate at least four passengers.
- 3.25 The vehicle must have seats with a minimum width of not less than 400mm per person.
- 3.26 The vehicle shall be fitted with appropriate seatbelts to the front and rear seats of the vehicle.
- 3.27 Estate versions of saloon vehicles fitted with seats in the rear luggage compartment will be licensed for a maximum of 4 passengers.

Roof / Boot Racks & Bullbars

- 3.28 No roof racks, boot racks or bullbars may be fitted to licensed vehicles during the currency of the licence.

Carriage of Portable Oxygen Tanks

- 3.29 Hackney carriage/private hire vehicle drivers will accept the carriage of portable oxygen tanks for passengers that require their usage for medical purposes.

Vehicle Testing

- 3.30 No vehicle shall be first licensed or re-licensed unless the vehicle has passed the vehicle inspection at one of the Borough Council's approved testing stations. Each vehicle inspection shall consist of a DVSA MOT Test and Licensing Authority Compliance Test. The only exceptions to this **are for new vehicles under 1 year old** or if a valid DVSA MOT certificate has been issued within 14 days of the initial new vehicle licence application.

From **the initial issue or first** renewal after a vehicle is 5 years old, it will be required to be inspected to the above standards at six monthly intervals.

- 3.31 The Borough Council will not consider a grant or renewal of a vehicle licence unless it has been examined in accordance with the Borough Council's Hackney Carriage & Private Hire Vehicle Compliance Testing Standards Code of Practice (See Annex D). The Inspection Report must be dated within one calendar month on the day the application is received for a new grant or date of expiry of existing licence for renewal applications.
- 3.32 Costs of such testing is payable by the person wishing to licence the vehicle. In addition, the history of the vehicle may be taken into consideration when determining whether the vehicle should be licensed.
- 3.33 Copies of all compliance test certificates required for vehicles over 5 years old (see 3.30 above) are emailed directly to the Licensing Team by the inspector at the testing station. The vehicle proprietor must provide the DVSA MOT certificate to the Licensing team within 72 hours of the test. Tests can be carried out by an approved testing station up to one calendar month before the due date. Failure to have an appropriate test carried out, and/or provide the MOT certificate in accordance with this requirement, may lead to suspension or revocation of the vehicle licence.
- 3.34 A vehicle which fails an inspection/safety check during the currency of a licence will have the fault(s) rectified and the vehicle re-inspected at the same testing station within 2 months of the original inspection. **Minor Failure and** Advisory items from the DVSA MOT test (with the exception of windscreen chips and corrosion) must be rectified within **28-days 2 months** of the original test, and the vehicle re-presented to the same testing station. Failure to comply with the above may lead to the automatic suspension or revocation of the vehicle licence.
- 3.35 A vehicle may be inspected by an authorised officer of the Borough Council or a Police Officer, at any reasonable time. If the person inspecting the

vehicle is not satisfied as to the fitness of the vehicle they may give written notice to the proprietor/operator to make the vehicle available for further inspection and testing at such reasonable time and place as may be specified and the vehicle licence may be suspended until the authorised officer or police officer is so satisfied. If the authorised officer or police officer is not satisfied within two months of the issue of the written notice the Vehicle licence shall be deemed revoked. An authorised officer or police officer may permit other persons to examine the vehicle on their behalf (e.g. DVSA).

Altered Vehicles

3.36 An altered vehicle is any vehicle which has been altered from the original manufacturers specification, re-registered or has been an insurance loss (specified within current government guidelines) and categorised as follows:-

Category A. A vehicle cannot be repaired. Entire vehicle has to be crushed. Category B. A vehicle cannot be repaired. Body shell has to be crushed, but you can salvage other parts from it.

Category C. Can be repaired, but it would cost more than the vehicle's worth. You can use the vehicle again if it's repaired to a roadworthy condition.

Category D. Can be repaired and would cost less than the vehicle's worth, but other costs (such as transporting your vehicle) take it over the vehicle's value. You can use the vehicle again if it's repaired to a roadworthy condition.

Category N. Can be repaired following non-structural damage. You can use the vehicle again if it's repaired to a roadworthy condition.

Category S. Can be repaired following structural damage. You can use the vehicle again if it's repaired to a roadworthy condition.

3.37 Categories C, D, ~~N~~ and S only will be considered for licensing if the vehicle has been subjected to a satisfactory IVA or VIVA test (engineers report) from the Driver and Vehicle Standards Agency (DVSA).

3.38 Vehicles without a DVSA engineers report will only be considered for licensing if they have been built to the manufacturer's original specification.

3.39 The IVA test is appropriate for vehicles not previously registered in the UK, and a VIVA for vehicles registered in the UK to prove compliance.

3.40 Category A and B (as defined by the Code of Practice for the Disposal of Motor Vehicle Salvage) write offs will not be considered fit for licensing.

3.41 **All vehicles converted or altered to be Wheelchair Accessible will only be considered for licensing upon production of a satisfactory IVA or VIVA test (engineers report) from the Driver and Vehicle Standards Agency (DVSA).**

Vehicle Inspections

- 3.42 All vehicles being presented for testing at the approved Borough Council testing station shall be in a clean condition to allow the tester to inspect the vehicle. The tester may refuse to test a vehicle that does not conform to this requirement.

Exterior Bodywork and Wheel trims

- 3.43 The bodywork of the vehicle shall be in good condition and shall be as originally fitted by the manufacturer. Wheel trims must be fitted to all road wheels where part of the manufacturer's original specification.

Vehicle Accidents / Damage to Vehicle

- 3.44 The proprietor of a private hire/hackney carriage vehicle must report to the Borough Council (by way of a prescribed accident notification and vehicle damage form) as soon as possible or in any event within 72 hours, any accident or incident which has caused damage to the vehicle or to any other property (i.e. other vehicle, fence post etc). An example of the accident notification and vehicle damage form is attached at Annex A, is also available in hardcopy upon request or can be completed online from the Borough Council's website.

- 3.45 It is not necessary to report a stone chip or other similar very minor damage to a licensed vehicle providing no damage has been caused to a person or property, and the damage would pass a compliance test.

Fire Equipment and First Aid

- 3.46 Where a fire extinguisher is carried in a licensed vehicle, it must be either a 1kg dry powder or a 2 litre AFFF. Fire extinguishers must be maintained in accordance with BS5306 Part 3

- 3.47 All licensed vehicles must carry a first aid kit The first-aid kit is for self-administration only. The following contents must be presented in a suitable container marked 'First Aid' positioned so that it is readily available for use:

- 20 Sterile Washproof Plasters
- 2 Sterile Dressings
- 2 Triangular bandages
- 10 Moist Wipes
- 2 Sterile Eye wash Pods
- 2.5cm Microporous tape
- 6 Assorted safety pins
- 2 Self Seal waste bags
- 1 Pair disposable gloves

Change of Address

- 3.48 The holder of a hackney carriage or private hire vehicle licence shall notify the Borough Council, in writing, of any change in address within 7 days of the change occurring. Failure to do so may result in the issue of penalty points or the matter being referred to a panel of the Licensing & Appeals Board.

Radio devices

- 3.49 No citizen band radios may be fitted in any licensed hackney carriage or private hire vehicle.
- 3.50 No radio scanning devices of whatsoever type or sort may be fitted to, carried in or used in or in the vicinity of any hackney carriage or private hire vehicle during the currency of the licence.

CCTV Cameras

- 3.51 The holder of a hackney carriage or private hire vehicle licence may, subject to the written approval of the Borough Council, install and use a visible closed circuit TV surveillance camera in their vehicles which faces outwards and/or inwards and are for insurance purposes only. The camera must not record audio sound within the vehicle.
- 3.52 There is no requirement to display signage where outward only facing cameras are fitted. Where inward facing cameras are installed written approval will be required from the Licensing Team and the vehicle proprietor will need to be registered with the Information Commissioners Office. Proof of that registration will be required by the Licensing Team. Signage will be required where an inward facing camera has been approved.

Ventilation

- 3.53 All vehicles shall have suitable and adequate ventilation.

Interior

- 3.54 All upholstery shall be clean and in a well maintained condition. No tear, crack, hole or burn will be acceptable other than 'fair, wear & tear'. Upholstery includes seats, headrests, armrests, carpets and other trim. Failure to maintain the interior of a vehicle to these standards may result in the issue of penalty points or referral to a Panel of the Licensing & Appeals Board.
- 3.55 All fittings shall be properly maintained and in good working order. Fittings include clocks, interior lights, sun blinds, door surrounds, grab handles, other equipment provided for passenger comfort and any equipment in, on or forming part of the vehicle including wheelchair ramps and securing fitments where the vehicle is to be licensed to carry wheelchair bound passengers. Failure to maintain these fittings in a good clean working order may result in the issue of penalty points of a referral to a Panel of the Licensing & Appeals Board.
- 3.56 Internal roof and floor coverings must be kept clean and in good condition, with no tears or other damage.

LPG Conversions for existing licensed vehicles

- 3.57 Any vehicle proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Borough Council of such change and comply with the following conditions.
- LPG systems must be fitted in accordance with LPGA Code of Practice 11.
 - That the vehicle displays on the front and rear screens, a sticker stating that the vehicle has been fitted with a LPG tank for the purpose of alerting the emergency services in the event of an accident.
 - If a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely placed in a position not obstructing the entire luggage space.
 - The proprietor of the vehicle must notify DVLA Swansea of the change in fuel from petrol to both LPG and petrol.
 - The vehicle must be annually serviced by a person competent in LPG powered vehicles.

New applicants - Vehicles Powered by Liquid Petroleum Gas (LPG)

- 3.58 An applicant for a licence involving a vehicle which has been converted to run on LPG will be required to produce, prior to a licence being issued, a certificate stating that the LPG system has been fitted in accordance with LPGA Code of Practice 11.
- 3.59 The vehicle will be required to undergo an annual service by a person competent in LPG powered vehicles in addition to the Borough Council's Compliance Testing Standards.
- 3.60 If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that an amount of space shall remain free for the storage of a reasonable amount of luggage and any spare wheel displaced as a result must be stored in a location that does not impinge on the passenger carrying area of a vehicle.

Tinted Windows

- 3.61 Tinted windows must comply with the Road Vehicles (Construction & Use) Regulations which specify the minimum levels of light that must pass through the windscreen and front side windows. The limits are:
- The light transmitted through the windscreen must be at least 75%; and
 - The front side windows must allow at least 70% of light to be transmitted through them.

Unfit Vehicle Notices

- 3.62 Unfit Vehicle notices can be issued by Authorised Officers and Police Officers where vehicle defects give cause for concern.
- 3.63 Immediate Unfit Notices will be given if the vehicle appears to be unsafe to carry members of the public. Once a Notice is issued the vehicle must not be used for hire with immediate effect. The vehicle must be presented to either an officer or the Borough Councils approved testing station with the

faults rectified. Only after this will the Notice be lifted and the vehicle can then be used for hire.

- 3.64 If the Notice is not lifted within two-months, the vehicle licence will be deemed revoked.
- 3.65 Deferred Notices can be issued which means the vehicle can continue to be used for the time specified and the faults rectified within a specified time. When the faults are rectified the vehicle must be presented to a Borough Council approved testing station for inspection.

Advertising on outside of vehicle

- 3.66 The Borough Council will allow advertisements to be placed upon a vehicle subject to the following:
- The proprietor of a licensed vehicle shall not display or permit to be displayed on the vehicle any sign or advertisement whatsoever unless written permission has been obtained from the Borough Council.
 - Advertising is to be limited to the back door panels of licensed vehicles only. Advertising on parts of the vehicle in addition to the back door panels may be considered but only after prior written approval of the Borough Council has been given. However, no advertising will be permitted on the windows of the vehicle.
 - All advertisements shall comply with the British Code of Advertising Practice and shall be in a form acceptable to the Advertising Standards Authority. The Borough Council reserves the right to require the licensee to withdraw from display any advertisement that may be considered inaccurate, misleading, unlawful, defamatory, in bad taste or of an unacceptable standard.
 - No advertisement will be permitted that relates to or advertises alcohol, nudity, gambling, smoking materials or others of a political nature.
 - The same advertising must be displayed on the nearside and offside doors of vehicles.
 - **Advertising must be permanently fixed to the vehicle, magnetic and other removable medias are not permitted.**
 - Any advertising may cover both back doors.
 - Advertising may not be stuck over door trims. Door trims may not be removed to accommodate advertising.
- 3.67 In the case of Private Hire Vehicles advertising is subject to the specific exclusion of the words "taxi", "cab" or "hire" the use of which will not be permitted. The Borough Council reserves the right to withdraw from display any advertisement that may be considered inaccurate, misleading, unlawful, defamatory, in bad taste or of an unacceptable standard.

Vehicle Identification

External Licence Plate

- 3.68 The vehicle licence plate shall be securely fixed and displayed outside and on the rear of the vehicle and shall be clearly visible during daylight hours from a distance of not less than 5 metres. The licence plate must not obstruct any signage prescribed by the Borough Council or any lights or the vehicles registration mark. Any items, such as towbars must not obstruct the licence plate. The plate must be maintained in a good, clean condition

at all times. If there is any deterioration to the licence plate, the driver must report it immediately to the Vehicle Proprietor and the Licensing Team.

- 3.69 The licence plate shall be displayed in a vertical position and firmly fixed to the outside of the vehicle at the rear. The plate must be prominently displayed as to be readily visible to members of the public and that the figures and numbers endorsed thereon are distinct and legible.
- 3.70 The licence plate is the property of The Borough Council to whom it must be returned within 7 days of demand if the licence is suspended, revoked, not renewed for any reason or following the sale of the vehicle. Authorised officers are entitled to physically remove the plate from the vehicle and retain it where necessary.

Internal Licence

- 3.71 The internal vehicle licence shall be fixed and displayed inside the front windscreen on the passenger side of the vehicle in the bottom corner and must not be obstructed.

Reporting a Lost, Damaged or Stolen Licence Plate

- 3.72 The vehicle proprietor/licensee shall inform the Borough Council within 72 hours should the licence plate become lost, damaged or stolen. If lost or stolen, the matter shall be reported to the police and a relevant reference number shall be required (i.e. Crime Number or Lost Property reference).

List of drivers to be maintained

- 3.73 The vehicle proprietor/licensee shall maintain a list of names and addresses of all persons that have use of that licensed vehicle. The list shall be made available to authorised officers upon request.

Trailers attached to Licensed Vehicles

- 3.74 The proprietor of a licensed vehicle may attach a trailer for carrying luggage when required, subject to the completion of the relevant application, and providing that an external trailer licence plate is affixed to the rear of the trailer. The licence plate must be the same as the vehicle licence plate, with the addition of a trailer identification mark.

3.74.1 Trailers cannot be used by Hackney Carriage vehicles when plying for hire on a Hackney Carriage Stand.

3.74.2 The trailer must at all times comply with all Road Traffic legislation requirements, in particular those laid down in the Road Vehicles (Construction and use) Regulations 1986

- 3.75 Trailers must comply with the following standards:

- Unbraked trailers shall be less than 750kg gross weight;
- Trailers over 750kg gross weight shall be braked acting on at least 2 road wheels;
- The towing vehicle must have a kerb weight at least twice the gross weight of the trailer;
- A suitable lid or other approved means of enclosure shall be fitted to secure the contents within the trailer whenever in use;
- The maximum permissible length of the trailer shall be 7 metres including the drawbar and coupling;
- The width 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 axle trailers is 5.54 metres.

Change of Use

- 3.76 Once a Hackney Carriage or Private Hire vehicle has been licensed it will not be considered as a new application if a change of use between hackney carriage and private hire is requested, or if the licence has previously lapsed and is being re-instated. This is conditional that on the date the licence is issued the vehicle held a vehicle licence issued by this authority in the preceding 3 months **which has not been revoked**. This does not apply to special event vehicles.

Transfer of Vehicle

- 3.77 If a proprietor of a licensed hackney carriage vehicle or holder of a private hire vehicle licence transfers his interest, in whole or in part, in the vehicle to any other person not specified in the vehicle licence he must notify the Borough Council within 14 days using the appropriate transfer form. The form must be accompanied by the fee and supporting documents.

Alteration of Vehicle

- 3.78 During the currency of the licence, no material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the prior written approval of the Borough Council. All vehicles must have four doors with the exception of purpose built vehicles.

Passengers

- 3.79 The proprietor or owner of a licensed hackney carriage or licence holder of a private hire vehicle shall not permit to be conveyed in the vehicle a greater number of persons than prescribed on the licence for the vehicle.
- 3.80 The driver of a licensed hackney carriage or private hire vehicle shall not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in the vehicle.
- 3.81 A driver shall not refuse to carry fewer persons than the number marked on the licence plate.

4.0 Hackney Carriage Vehicles

- 4.1** The following are conditions attached to the hackney carriage vehicle licence. These conditions are additional to the requirements imposed upon proprietors by the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution. These conditions are equally applicable when the hackney carriage is being used for private hire purposes.

Restriction on Numbers of Licensed Vehicles

- 4.2** The Borough Council does not restrict the number of hackney carriage licences that it issues. Licence numbers 1 to 52 may be saloon vehicles but any additional hackney licenses issued, i.e. plate 53 onwards must be wheelchair accessible and meet the Borough Council's age/mileage policies.

Intended Use

- 4.3** Applicants for new and renewal hackney carriage vehicle licences will be required to demonstrate a bona fide intention to ply for hire predominantly in the Borough Council of King's Lynn and West Norfolk area. Applicants who do not intend to a material extent to ply for hire within the Borough Council of King's Lynn and West Norfolk area may not be granted a hackney carriage vehicle licence.

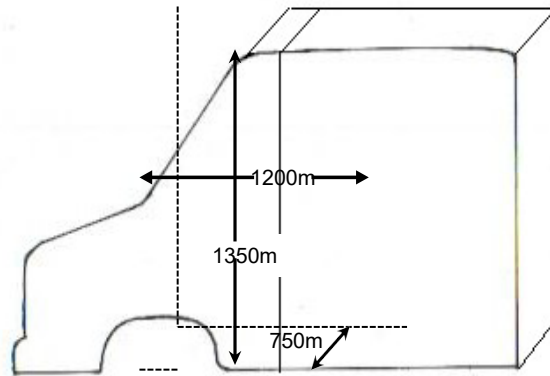
Wheelchair Accessible Vehicle Specifications

- 4.4** All wheelchair accessible vehicles shall be properly equipped with properly mounted fittings for the safe securing of a wheelchair and a passenger seated in it, when carried in the vehicle.
- 4.5** If a mechanical hoist is fitted to the vehicle this will be required to be inspected annually by the manufacturer or his approved agent and a certificate produced to that effect.
- 4.6** Any vehicle licensed as wheelchair accessible must remain so at all times while licensed. Additional seats which cannot be stowed to allow immediate carriage of a wheelchair passenger must not be fitted.

Wheelchair Occupant Space

- 4.7 A wheelchair space shall not be less than:
- 1200mm measured in the longitudinal plane of the vehicle;
 - 750mm measured in the transverse plane of the vehicle;
 - 1350mm measured vertically from any part of the floor of the wheelchair space;

A wheelchair space shall allow the carriage of a wheelchair and a wheelchair user.



Lifts/Ramps

- 4.8 Access to the vehicle must be possible from the road or pavement either by a lift or ramp. Any power-operated device must be capable of manual operation in the event of a power failure. The boarding device must have a safe working load of 300kg and operate under normal loading conditions without undue deflection.

Ramps

- 4.9 A ramp should be of slip resistance material and at least 750mm in width. **Dual channel ramp designs are not accepted.** The ramp should be capable of being deployed both onto the road and onto a 125mm high kerb. The ramp when deployed should be securely located at the point of entry to the vehicle. For side loading the ramp when deployed to the pavement should not exceed a slope of 1:4. For rear loading the ramp when deployed to the road should not exceed 1:4. When not in use the ramp should be securely stored in such a manner as not to block any of the vehicle doors and not to present a hazard to the vehicle occupants.

Lifts

- 4.10 The lift platform must be not less than 750mm in width and not less than 1200mm in length. The **ramp platform** should be equipped with a device to prevent the wheelchair rolling off and should operate at a vertical speed of less than 0.15m/s.

Wheelchair securing mechanism anchorage

- 4.11 A 4 point anchorage system must be fitted, comprising two for attachment at the front of the wheelchair and two at the rear of the wheelchair, in accordance with ISO 10542-2.

Wheelchair securing mechanism

- 4.12** A suitable securing mechanism must be provided to secure the wheelchair in position and the wheelchair should be locked in place before the journey commences. The occupant of the wheelchair must be provided with an occupant restraining system (seatbelt).

Taximeters

- 4.13** All Hackney Carriage vehicles licensed or to be licensed shall have a taximeter fitted. Each taximeter shall be tested by one of the Borough Council's approved testing stations in order to establish that the meter reflects the current fares as prescribed in the Hackney Carriage Fare Tariff approved by the Borough Council.
- 4.14** The taximeter shall be placed in a safe position and so far as possible so that all letters and figures on the face thereof shall be at all times plainly visible to any persons being conveyed in the carriage. For that purpose, the letter and figures shall be capable of being suitably illuminated during the period of hiring.
- 4.15** The driver of a hackney carriage shall, at the commencement of the journey, activate the meter so that the word 'Hired' is clearly visible and shall keep the meter operating until the termination of the hiring – 'Commencement of the journey' means:
- When the hirer enters the vehicle.
 - In the case of a wheelchair bound passenger, when the wheelchair & passenger have been securely loaded into the vehicle.
 - When the driver has attended at an appointed place, and has made his presence known to the hirer.
 - When the driver has presented themselves at an appointed place at a specified time.
- 4.16** The driver of a Hackney Carriage Vehicle shall, when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate a sign, which shall bare the words 'For Hire' in clear legible letters.
- 4.17** Any taximeter fitted to a Hackney Carriage Vehicle, which has been adjusted or repaired shall have the taximeter retested by one of the Borough Council's approved testing stations.
- 4.18** The taximeter shall clearly display a fare not exceeding the rate or fare approved by the Borough Council.
- 4.19** The taximeter and all the fitting thereof shall be affixed to the carriage with security seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently disabling the security seals.
- 4.20** The taximeter must not be running whilst carrying out any of the duties described in Condition 7.40 (Equalities Act 2010).

Inspection of Taxi Meter

- 4.21** A taxi meter fitted to a licensed vehicle may be inspected by an authorised

officer of the Borough Council or by a Police Officer at all reasonable times.

- 4.22** If the officer or constable inspecting the vehicle is not satisfied as to the accuracy of the meter, he may without prejudice to the taxi meter condition, give written notice to the proprietor to make the taxi meter available for further inspection and testing at such reasonable time and place as may be specified, and the vehicle licence may be suspended until the officer or constable is satisfied as to the vehicles fitness or as to the accuracy of the taxi meter.
- 4.23** If the officer or constable is not so satisfied within two months of the initial inspection, the Hackney Carriage Licence shall be deemed revoked.

Roof Signs

- 4.24** All Hackney Carriage vehicles must be fitted with a roof-mounted sign.
- 4.25** Roof signs fitted upon a Hackney Carriage Vehicle must be white in colour and shall be securely fitted to the vehicle. **The sign shall be of a uniform height of not less than 110mm and not more than 228mm. The length of the roof sign must not be less than 240mm or greater than 482mm. Roof signs must be of a design and shape approved by the Borough Council.**
- 4.26** All Hackney Carriage Vehicle roof signs shall display the wording 'TAXI' on the front. The sign shall be capable of being illuminated internally in such a manner that the word 'TAXI' is illuminated at all times when the vehicle is plying for hire, but not otherwise.
- 4.27** All wording shall be black in colour and the word 'TAXI' ~~must be readable from a distance of 20 metres.~~ **must not be less than 65mm in height.**
- 4.28** ~~Proprietors of purpose built vehicles with built in roof signs may apply in writing to the Borough Council to request a departure from conditions 4.24 and 4.26 above.~~

Unattended Taxis

- 4.29** No Hackney Carriage may be left on a taxi rank designated by Section 64 of the Local Government (Miscellaneous Provisions) Act 1976 or a Local Traffic Order without a licensed driver in attendance to take care of it whilst plying for hire.

5.0 Private Hire Vehicles

Vehicle Signage

- 5.1** The private hire vehicle shall not display any sign, which consists of or includes the word 'Taxi' or 'Cab' whether singular or plural, or 'Hire', or any word of a similar meaning or appearance to any of those words, whether alone or as part of another word. The only exceptions are:
- 5.1.1 The word 'Hire' displayed on a private hire vehicle is when the word is used in conjunction with the word 'Private' to form the term 'Private Hire'.
- 5.1.2 To meet the requirements of Condition 5.3 below.
- 5.2** A sign must be displayed in a prominent position on each front side door of the vehicle displaying either:
- 5.2.1 Borough Council logo with the wording 'Pre-Booked Only insurance invalid unless booked with an operator', or
- 5.2.2 Borough Council logo and specifying the operator name, telephone number for bookings, with the wording 'Pre-Booked Only'
- 5.3** The sign must be in either of the prescribed formats (see example 'A' and 'B' below) and must be affixed to the vehicle by a Borough Council authorised sign maker. Removable signs e.g. magnetic will not be permitted. The signage is only obtainable via the licensing team and must be fitted within 14 days of the date the signage is ready and available with the signage company. Examples of permitted private hire signage:

Example A



Example B



- 5.4** In the event that a private hire vehicle changes private hire operator and the vehicle bears signage in the form of 'Example B' above then new signage will be required. This must be ordered through the Borough Council within 7 days of the change taking place. As 'Example A' does not identify the operator then no change of signage will be required on change of operator.

Roof Signs

- 5.5** Under no circumstances will the Borough Council permit a private hire vehicle to be fitted with a roof-mounted sign of any kind.

6.0 Special Event Vehicles

Application in Writing

6.1 Any person wishing to apply for a special event vehicle licence will be required to apply in writing to the Environmental Health Manager (Commercial) stating the type of vehicle, and age, which they intend to use and the reasons why they believe that they should be considered for this vehicle category. Vehicles issued with a special event licence shall only be used for special occasions and executive business contracts. Vehicles licensed within this category shall not be used for everyday private hire use, e.g. 'school contracts' but must work under the control of a private hire operator.

Sale of Alcohol

6.2 The licensee shall not facilitate the sale of alcohol unless there is in force an appropriate authorisation under the Licensing Act 2003 (either a premises licence or temporary event notice) permitting the sale of alcohol.

Types of Vehicle

6.3 Special event vehicles are a type of private hire vehicle and fall into one of the following categories:

- Executive Vehicles;
- Novelty Vehicles
- Stretched Limousines;
- Historic Vehicles

Age Requirements

6.4 Executive Vehicles presented for licensing for the first time should not normally be older than 5 years on the day the application is received.

6.5 Stretch Limousines presented for licensing for the first time should not normally be older than 7 years on the day the application is received.

6.6 Historic Vehicles presented for licensing for the first time must be constructed over 40 years ago. Note: In accordance with DVLA taxation class for Historic Vehicles.

Licence Plate

6.7 The vehicle licence plate will be required to be fixed to the inside of the boot lid on the vehicle.

Communication Equipment

6.8 No vehicle shall be fitted with a two-way radio system.

Dress Code

6.9 Drivers of special event vehicles will be required to observe a 'smart casual' dress code e.g. no jeans, no t-shirts, no sportswear etc.

Minimum Booking Fee

- 6.10** Vehicles shall not be offered for hire for less than a £30 minimum- booking fee. A receipt must be given to the customer in all cases, unless covered by a contract and receipts and contracts should be available to authorised officers of the Borough Council for inspection;

Stretched Limousines

- 6.11** A “stretched limousine”, is a saloon type vehicle that has undergone an increase in length by extending the wheelbase after manufacture. An “American stretched limousine” is a stretched limousine imported from the USA and typically will have been manufactured originally by Lincoln (Ford) or Cadillac.

- 6.12** The purpose of this Policy and subsequent conditions is to protect public safety. The conditions will apply in addition to the Borough Council’s standard conditions for private hire vehicles and take account of the fact that stretched limousines will:

- travel generally at slower speeds than normal taxis;
- not normally overtake other vehicles;
- be easily recognisable by the hirer;
- be heavier and considerably longer than standard cars;
- be adapted or converted by someone other than the original manufacturer.

- 6.13** For the purposes of calculating the seating capacity of a vehicle the minimum width of a passenger seat is 400mm (16 inches). In the case of an ‘L’ shaped seat, sufficient space must be made available in the corner to prevent the passenger on one side of the corner encroaching on the passenger on the other side.

- 6.14** In the case of a stretched limousine, or an American stretched limousine, where the vehicle has been constructed or adapted to seat up to 8 passengers, originals of the following documentation will be required by the Borough Council before an initial application for a vehicle licence can be considered:

- Completed importation documentation where applicable and individual vehicle approval (IVA) or Voluntary Individual Vehicle Approval (VIVA) certificate.
- Proof the ‘stretch’ was performed by the manufacturer or by a Coachbuilder approved by the vehicle manufacturer i.e. American Limousines must have been built by an approved coachbuilder under the QVM programme for Ford Vehicles or the CMC programme for Cadillac Vehicles.
- DVLA Registration Document (V5).
- Valid Certificate of Insurance, with cover for hire and reward.
- Current MOT certificate issued by an approved Testing Station.
- Where applicable, an installation certificate from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.
- Valid Road Vehicle Excise licence.

Replacement Parts

- 6.15** Any replacement parts fitted to stretch limousine vehicles must meet the approved standards of the stretched specifications i.e. tyres will not only have to meet the size specifications, but must also meet the weight specification.

Private Hire Operator – Additional Requirement

- 6.16** Special event vehicles must be specifically requested by the customer and it is not for the operator to determine which class of vehicle should be assigned to the booking. In addition to the private hire operator records required under paragraph 8, operators of special event vehicles are to maintain a record of the nature of the special event i.e. why the customer requested a special event vehicle.

7.0 Combined Hackney Carriage & Private Hire Driver's Licences

7.1 The grant or renewal of a combined driver's licence shall meet the following requirements:

7.1.1 All applicants/Drivers must be in possession of a full driving licence issued by the DVLA or a licence from an EEA or EU state and that licence must have been in place, for at least, the preceding 12 months.

7.1.2 A medical will be required upon initial application and must be carried out by a registered Medical Practitioner to group 2 DVLA standards. Subsequent medicals will be required at age 45, then every five years after the age of 45 and then annually from the age of 65 years. A driver under the age of 65 with a controlled medical condition may also be required to undergo a full medical annually.

7.1.3 Any changes to an applicant's health between the date of the medical certificate and issue of the licence must be notified to the Borough Council.

7.1.4 A DVLA Check code will be required with a new application and annually thereafter. This allows the Borough Council to access your driving record online from the DVLA's website.

7.1.5 A DBS Disclosure to enhanced level showing the occupation as "Other workforce Taxi/Private Hire Driver" shall be required on first grant and licence holders are required to subscribe to the DBS online 'Update Service'. A DBS check will be carried out by the Borough Council every six months via the DBS 'Update Service'. A new DBS disclosure will be required if the 'Update Service' revealed additional matters or the subscription to the update service has lapsed.

7.1.6 Any applicant must make a declaration (by means of a form or questionnaire provided for the purpose) as to any criminal or motoring convictions recorded or pending against them in order to confirm that the applicant is a fit and proper person to hold a licence.

7.1.7 Any convictions received by or notified to the applicant between the date of application and issue of the licence, must be disclosed to the Borough Council in accordance with condition 7.16.

7.1.8 The applicant must have a right to work in the UK.

7.1.9 All applicants are required to pass a driving standards assessment set to the former DSA standard. Evidence of this must be supplied to the Borough Council.

7.1.10 Applicants for renewal must supply a valid HMRC check code to show they are registered for income tax.

7.2 The DVLA driving licence must cover the appropriate category for the vehicle being driven.

7.3 An authorised officer of the Borough Council may, upon reasonable request ask for a driver to undergo a medical at any time.

- 7.4** If a medical certificate is not produced when requested, the Borough Council may consider suspension/revocation of a Drivers licence. If a licensed driver is diagnosed with any medical condition that requires treatment or regular medication, they must notify the Licensing Team as soon as possible or no longer than 72 hours after the change in circumstances.
- 7.5** In relation to the consideration of convictions and cautions recorded against persons the Borough Council has adopted the policy set out in Annex B (Guidelines relating to the relevance of convictions).
- 7.6** A Combined Driver's Licence shall be valid for a maximum term of three years (unless a shorter period is appropriate). Applicants requiring a shorter licence period must apply in writing stating full reasons why a lesser period is appropriate.
- 7.7** Notwithstanding Condition 7.6 the expiry date of a combined driver's licence will not be later than the expiry date of the photograph on a DVLA licence.
- 7.8** If a driver accrues 9 or more points in a 3 year period on their DVLA driving licence, they will be required to appear before a panel of the Licensing & Appeals Board in order for their continued suitability to hold a driver's licence to be assessed.
- 7.9** Any driver who receives, during the currency of their licence, a conviction for drink driving will automatically have their suitability to hold a licence referred before a Panel of the Licensing & Appeals Board for consideration of revocation of their licence.
- 7.10** The driver of a private hire vehicle while driving or in charge of such a vehicle shall not:
- 7.10.1 tout or solicit or cause or procure any other person to tout or solicit on a road or other public place any person to hire or to be carried for hire in any vehicle;
 - 7.10.2 ply for hire by offering a vehicle for immediate hire while they or that vehicle are on a road or other public place;
 - 7.10.3 accept an offer for the immediate hire of a vehicle while they or that vehicle are on a road or other public place except where the offer is first communicated to the driver in person by telephone or vehicle radio without him / her in any way procuring the offer.
 - 7.10.4 In this condition "road" means any highway and any other road to which the public has access and includes bridges over which a road passes.
- 7.11** When hired to drive to a particular destination, a driver shall (subject to any directions given by the hirer) proceed to that destination by the shortest available route.

Conduct of Driver

- 7.12** The driver shall at all times:
- 7.12.1 carry a reasonable quantity of luggage when requested by any person hiring or seeking to hire a vehicle, and afford all reasonable assistance in loading and unloading passengers' luggage.
 - 7.12.2 be clean and respectable in his/her dress and person and behave in a civil and orderly manner.

- 7.12.3 take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- 7.12.4 not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- 7.12.5 not cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- 7.12.6 when collecting passengers, the driver will not sound the vehicle's horn but shall make their arrival known in person.

Vehicle Checklist

7.13 Each driver must carry out a daily walkaround check of the vehicle before first use. The check should include all of the items on the vehicle checklist form at Annex E.

Change of Address

7.14 The driver shall notify the Borough Council in writing of any change of his/her address during the period of the licence within seven days of the change taking place.

Change of Operator

7.15 The driver shall notify the Borough Council in writing of any change in the private hire operator he/she is working under the control of within 7 days of the change taking place. If the change requires new private hire vehicle signage then please refer to Condition 5.1.

Convictions, Cautions, Driving Offences, Arrests & Charges etc.

7.16 The driver shall notify the Borough Council in writing if he/she is arrested, released on bail, receives any summons, charge, conviction, caution, formal or informal notice, County Court Judgement or fixed penalty notice within 48 hours of receiving such. The written notification should include the following details:

- Offence / alleged offence;
- Date, place & time of offence/alleged offence;
- Whether acting as a hackney/private hire;
- If motoring offence:
 - whether paying passengers carried;
 - speed or alleged speed;
 - speed limit for road;
 - Punishment e.g. amount of fine, number of penalty points issued etc.
 - whether speed awareness course undertaken

7.17 Depending on the circumstances or the number of penalty points accrued on their DVLA driver's licence, drivers may be referred to a Panel of the Licensing & Appeals Board. In doing so, the Panel must have regard to all convictions, police cautions, charges, driving convictions, complaints of unacceptable conduct/behaviour, breach of licence conditions and other

convictions obtained during the course of a Licence.

- 7.18 Drivers should be aware that if they fail to comply with this requirement, it may prevent the Borough Council from renewing their driver's licence under delegated authority.
- 7.19 In the event of a disqualification from driving, a driver shall immediately inform the Borough Council and return their driver's badge.

Badges

- 7.20 The driver shall at all times, whilst in charge of a licensed vehicle, wear their badge on their person where it is clearly visible.
- 7.21 A driver shall not damage or deface a driver's badge nor allow any other person to do so.

DVLA Driving licence

- 7.22 A driver shall produce their DVLA driving licence for inspection by an authorised officer as part of an application for the grant or renewal of a combined drivers licence or at any other time upon request (within 7 days of request).

Prompt Attendance

- 7.23 The driver of a vehicle shall, if they are aware that the vehicle has been hired to be in attendance at an appointed time and place or they have otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place (unless delayed or prevented by sufficient cause) punctually attend at that appointed time and place.

Passengers

- 7.24 The driver shall not convey or permit to be conveyed in a vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- 7.25 The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.
- 7.26 The driver, who shall knowingly convey in a vehicle the dead body of any person, shall immediately thereafter notify the fact to the Licensing Team.
- 7.27 No driver without reasonable excuse shall refuse to carry or refuse assistance to any person with a disability or refuse to carry an assistance dog (without the appropriate exemption certificate).
- 7.28 No extra fee may be charged for carrying an assistance dog or wheelchair.

Lost Property / Misplaced Articles

- 7.29 The driver shall immediately after the termination of any hiring of a vehicle or as soon as practicable thereafter carefully search the vehicle for any property which may have been accidentally left there.
- 7.30 If any property accidentally left in a vehicle by any person who may have been conveyed therein is found by or handed to the driver, it shall be taken as soon as possible and in any event within twenty-four hours (if not claimed by or on behalf of its owner) to a convenient police station and left in the custody of the officer in charge after obtaining a receipt for it.

Animals

- 7.31 The driver shall not convey in a vehicle any animal belonging to or in the

custody of himself or the proprietor or operator of the vehicle.

- 7.32** The driver shall ensure that any animal belonging to or in the custody of any passenger is conveyed in the rear of the vehicle except that an assistance dog accompanying a disabled person may sit in the front of the vehicle provided that the animal is properly trained to sit in the foot well of the vehicle with the disabled passenger.

Breakdowns

- 7.33** In the event of a breakdown during a hiring, the driver shall ensure that alternative arrangements are made for passengers to continue their journey.

Fare to be demanded

- 7.34** The driver shall not demand from any hirer of a vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator.

Written Receipts

- 7.35** The driver shall if requested by the hirer of a vehicle provide him with a written receipt for the fare paid.

Passenger Transport Badge Holders

- 7.36** If a licensed driver holds a badge with a County Council to carry passengers on school or other contracts, and that badge is suspended or revoked by the County Council, the driver shall notify the Borough Council, in writing, within 72 hours.

Smoking and Electronic Cigarettes

- 7.37** ~~The driver must not smoke in a licensed vehicle at any time.~~ **It is an offence to smoke or permit a person to smoke in a licensed vehicle at any time, even when being used for purposes other than a paid hiring.**

- 7.38** The use of Electronic Cigarettes (e-cigs), Personal Vaporizers (PV) and Electronic Nicotine Delivery Systems (ENDS) is prohibited whilst carrying fare-paying passengers.

Failure to provide Information

- 7.39** It is the driver's responsibility to provide the following information throughout the term of their licence:

- DBS check every 6 months in accordance with condition 7.1.4; (unless prescribed to the online update service)
- Annual DVLA check in accordance with conditions 2.12 & 7.1.3;
- Medical Certificate in accordance with condition 2.11;
- Annual disclosure of convictions.

Failure to provide this information throughout the term of the licence may result in the suspension of the driver's licence by officers under delegated authority.

Safeguarding Training

- 7.40** All existing licensed drivers and new combined driver applicants will be required to undertake Safeguarding Training as prescribed by The Borough Council.

Equalities Act 2010

- 7.41** Section 164A of the Equality Act sets out the duties placed on all drivers of hackney carriage and private hire vehicles. The duties are:

- 7.41.1 if the passenger is in or has with them a wheelchair, to carry the wheelchair;
- 7.41.2 if the passenger has with them any mobility aids, to carry the mobility aids;
- 7.41.3 to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- 7.41.4 to give the passenger such mobility assistance as is reasonably required; and
- 7.41.5 Not to make, or propose to make, any additional charge for complying with a duty mentioned in conditions 7.41.1 to 7.41.4.

- 7.42** Section 165 of the Equality Act sets out additional duties placed on drivers of designated wheelchair accessible hackney carriage and private hire vehicles. The duties are:

- 7.42.1 to carry the passenger while in the wheelchair;
- 7.42.2 not to make any additional charge for doing so;
- 7.42.3 if the passenger chooses to sit in a passenger seat to carry the wheelchair;
- 7.42.4 to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- 7.42.5 to give the passenger such mobility assistance as is reasonably required.

- 7.43** For the purpose of Condition 7.41.4 and 7.42.5 mobility assistance is defined as assistance:

- 7.43.1 To enable the passenger to get into or out of the vehicle;
- 7.43.2 If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair **where applicable**;
- 7.43.3 To load the passenger's luggage into or out of the vehicle;
- 7.43.4 If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

- 7.44** Section 168 of the equality act sets out the duties placed on all drivers of hackney carriage and private hire vehicles in respect of assistance dogs. The duties are:

- 7.44.1 To carry the disabled person's dog and allow it to remain with that person,

7.44.2 Not to make any additional charge for doing so

- 7.45** In the case of hackney carriages, the taximeter must not be running whilst carrying out any of the duties described above.

8.0 Private Hire Operators

- 8.1** A Private Hire Operators Licence shall be valid for a maximum period of five years (unless a shorter period is appropriate). Applicants requiring a shorter licence period must apply in writing stating full reasons why a lesser period is appropriate. The Borough Council will only grant operators licences to operators operating from an address within the area of the Borough Council's District.
- 8.2** The applicant for the grant of a new licence will need to obtain a DBS disclosure to basic level as an aid to establishing if an applicant is a suitable person to hold an operator's licence. Note: This is not required where a driver's licence is already held and a DBS has been provided to enhanced level.
- 8.3** The applicant must make a declaration (by means of a form or questionnaire provided for the purpose) as to any criminal or motoring convictions recorded or pending against him/her in order to confirm that the applicant is a fit and proper person to hold a licence.
- 8.4** An Operator must not include in his trading title any reference to "taxi" or "cab" unless he/she is also the proprietor of a hackney carriage vehicle.
- 8.5** An Operator must ensure that all vehicles and drivers working for them are licensed by the Borough Council.
- 8.6** When a new driver begins to work under the control of an operator, and when an existing driver leaves, the operator must inform the Borough Council in writing of that change within 7 days.
- 8.7** An Operator must keep records of bookings and produce these to an authorised officer or police officer on request. The content of these will be as prescribed by the Borough Council.
- 8.8** The Operator's licence must be produced on request of an authorised officer or police officer on request.
- 8.9** An operator must, if possible, accept a booking for a Private Hire vehicle if the booking is requested by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him/her.
- 8.10** An operator cannot make an additional charge for the carriage of an assistance dog.
- 8.11** An Operator shall record details of every private hire booking made by them. The following information shall be recorded in an easily retrievable method (e.g. computer database or page numbered log) before the commencement of each journey, and shall include the following:
- the date and time of each booking;
 - how the booking was received, i.e. telephone or personal call;
 - the time of pick-up;
 - where journey was from and to;
 - the name, address and contact telephone number of the hirer;

- the private hire vehicle licence plate and vehicle registration number of the vehicle allocated the booking;
 - the name of the driver allocated the booking;
 - the name of the individual that responded to the booking request;
 - the name of the individual that despatched the vehicle;
- 8.12** In addition to the requirement of Condition 8.11 above, an operator of a special event vehicle must also record the nature of the special event i.e. why was a special event vehicle booked
- 8.13** The records shall be kept for a period of six months, or such longer period as is required by an Authorised Officer of the Borough Council.
- 8.14** The records shall be produced, on request, to any Police Officer or Authorised Officer of the Borough Council.
- 8.15** An Operator shall maintain at his premises details of all vehicles operated by him, which shall include the following:
- the Private Hire licence plate number;
 - the vehicle registration number;
 - the name and address of the proprietor of the vehicle;
 - the name(s) and address(es) of the driver(s) of the vehicles(s);
 - the badge number(s) of the driver(s).

The above records shall be produced on request to any authorised officer of the Borough Council or Police Officer.

- 8.16** No operator shall invite or accept a private hire vehicle booking or control or arrange a journey to be undertaken by a private hire vehicle without first making available the charge for the hire of the vehicle to the person making the booking. The charge can be notified in writing or verbally.
- 8.17** The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times. This includes the following:
- 8.17.1 Ensure that when a private hire vehicle has been hired to attend at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, attend punctually at the appointed time and place.
- 8.17.2 Keep clean, adequately heated, ventilated and lit any premises which the operator provides to which the public have access, whether for the purpose of booking or waiting.
- 8.17.3 Ensure that any waiting area provided by the operator has adequate seating facilities.
- 8.17.4 Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.
- 8.18** An Operator shall undertake to ensure that all drivers and vehicles owned, controlled or operated by them shall be licensed and comply with all the conditions of their driver's licence and / or Private Hire Vehicle licence.

- 8.19** The Equality Act 2010 makes it an offence for a private hire operator to fail or refuse to take a booking for a private hire vehicle;
- if the booking is requested by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him; and
 - the reason for the failure or refusal is that the disabled person will be accompanied by his assistance dog.

This is subject to medical exemption certificates and it is also an offence for the operator to make any additional charge as a result of the need to carry an assistance dog.

Complaints

- 8.20** An Operator shall maintain a log detailing any complaints received from customers. This shall be available for inspection by any authorised officer or police officer upon request. The log must provide the complainants name/address/complaint details & any action taken against driver/vehicle proprietor.

Change of Address

- 8.21** The operator shall notify the Borough Council in writing of any change of his address (including any address from which he operates or otherwise conducts his business as an operator) during the period of the licence within seven days of such change taking place.

Convictions, Cautions, Driving Offences & Charges etc.

- 8.22** The holder of an operator's licence shall notify the Borough Council in writing if he/she is arrested, released on bail, receives any summons, charge, conviction, caution, formal or informal notice, County Court Judgement or fixed penalty notice within 48 hours of receiving such. The written notification should include the following details:

- Offence / alleged offence;
- Date, place & time of offence/alleged offence;
- Whether acting as a hackney/private hire;
- If motoring offence:
 - whether paying passengers carried;
 - speed or alleged speed;
 - speed limit for road;
 - Punishment e.g. amount of fine, number of penalty points issued etc.
 - whether speed awareness course undertaken

- 8.23** Depending on the circumstances or the number of penalty points accrued on their DVLA driver's licence (if held), operators may be referred to a Panel of the Licensing & Appeals Board. In doing so, the Panel must have regard to all convictions, police cautions, charges, driving convictions, complaints of unacceptable conduct/behaviour, breach of licence conditions and other convictions obtained during the course of a Licence.

- 8.24** Operators should be aware that if they fail to comply with condition 8.22 above, it may prevent the Borough Council from renewing their licence under delegated authority.

- 8.25** The Operator shall provide a suitable number of parking spaces for vehicles awaiting allocation for the conveyance of passengers. These parking

spaces must be notified to the Licensing Team at the time of any application or at any time there is a change in these arrangements. The Operator shall ensure that no vehicle, being operated by him, shall at any time park in a position where parking restrictions are in place, at that time, any breach of this condition will be contrary to Section 55 (3) of the Act.

- 8.26** Operators must ensure that non-licensed staff, i.e. controllers, cleaners etc. behave in a civilised and appropriate manner when involved in the operation of the business. This includes discussion on social media sites.
- 8.27** Operators must maintain a register of all non-licensed staff that will take bookings or despatch vehicles. The register must include a record that the Operator has had sight of a basic DBS disclosure check for each staff member.
- 8.28** Operators must have a written process in place to assess previous convictions on employing ex-offenders for non-licensed staff.

Use of Passenger Carrying Vehicles (PCV)

- 8.29** The use of a driver who holds a PCV (over 8 passenger seats) licence and the use of a PSV such as a minibus to undertake a private hire vehicle booking is only permitted with the informed consent of the hirer. Where a PCV is required, the operator must inform the booker that the driver of the PCV is subject to different checks to that of a driver of a private hire vehicle.

Public liability insurance

- 8.30** Operators are required to hold Public Liability insurance of £5m.

9.0 Hackney Carriage Byelaws

Byelaws made under Section 68 of the Town Police Clauses Act, 1847 and Section 171 of the Public Health Act, 1875 by the Borough Council of King's Lynn & West Norfolk with respect to Hackney Carriages.

Interpretation

9.1 Throughout these byelaws "the Borough Council" means the Borough Council of King's Lynn & West Norfolk and "the district" means the Borough Council of King's Lynn & West Norfolk.

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

9.2 The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside respectively of the carriage, or on plates affixed thereto.

9.3 A proprietor or driver of a hackney carriage shall:-

- not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
- not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

9.4 The proprietor of a hackney carriage shall:-

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

9.5 The proprietor of a hackney carriage, except in the case of London Style taxis, shall cause the same to be provided with a sign safely affixed on the roof of the said hackney carriage and so constructed, attached and maintained as to comply with the following requirements, that is to say:

- the said sign shall clearly display to the front of the hackney carriage the word 'TAXI' and shall be kept illuminated during the hours of

darkness; these being the hours between half-an-hour after sunset and half-an-hour before sunrise,.

- 9.6** The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached, and maintained as to comply with the following requirements, that is to say:
- the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
 - the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking damaging or permanently displaying the seals or other appliances.

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

- 9.7** The driver of a hackney carriage provided with a taximeter shall:-
- when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
 - before beginning a journey for which a fare is charged for distance and time bring the machinery of the taximeter into action by moving the said key, flag or other device so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
 - cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act, 1972 and also at any other time at the request of the hirer.
- 9.8** A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
- 9.9** Every proprietor or driver of a hackney carriage shall, at all times, when standing, plying, or driving for hire, conduct himself in an orderly manner, and with civility and propriety towards every person seeking to hire, or hiring, or being conveyed in such a carriage shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.

- 9.10** The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:
- proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
 - if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
- 9.11** A proprietor or driver of a hackney carriage, when standing or plying for hire shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
- 9.12** The driver of a hackney carriage shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 9.13** The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 9.14** The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
- 9.15** A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage, any greater number of persons than the number of persons specified on the licence for such carriage issued by the Borough Council.
- 9.16** If a badge has been provided by the Borough Council and delivered to the driver of a hackney carriage, he shall when standing, plying or driving for hire wear that badge in such position and manner as to be plainly and distinctly visible.
- 9.17** The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage:
- convey a reasonable quantity of luggage;
 - afford reasonable assistance in loading and unloading;
 - afford reasonable assistance in removing it to or from the entrance of any house, station or place at which he may take up or set down such person.
- 9.18** Every proprietor or driver of a hackney carriage, who shall knowingly convey in the carriage the dead body of any person shall, immediately notify the fact to the Assistant Director, Legal Services and Licensing.

Provisions fixing the rate of fare to be paid for hackney carriages within the district and securing the due publication of fares

- 9.19** The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Borough Council, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time.
- 9.20** Provided always that where a hackney carriage shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorized by the Borough Council which it may not be possible to record on the face of the taximeter.
- 9.21** the proprietor of a hackney carriage shall cause a statement of the fares fixed by the Borough Council resolution in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- 9.22** The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

- 9.23** The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
- 9.24** The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
- carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the Borough Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it.
 - be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound for its estimated value (or the fare for the distance from the place of finding to the office of the Borough Council whichever be the greater) but not more than five pounds.

Penalties

- 9.25** Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

Repeal of Byelaws

- 9.26** The byelaws relating to hackney carriages which were made by the Borough Council of King's Lynn & West Norfolk on the 7th day of March 1983 and confirmed by the Secretary of State on the 16th day of September 1983, are hereby repealed. Given under the common seal of the King's Lynn and West Norfolk Borough Council Mayor (T.C.R Legge) & on

Borough Secretary (J.H Carr) the 21st day of May 1985. The foregoing byelaw was confirmed by the Secretary of State and came into force on the 1st day of September 1985, signed by P.E Pickering, an assistant secretary in the department of transport on behalf of the secretary of state for transport, 12th August 1985.

10.0 Penalty Points System

10.1 Authorised Officers of the Borough Council can impose penalty points on drivers of private hire vehicles and hackney carriages, proprietors of vehicles and operators of private hire vehicles as shown below. This system is designed for the interest of the public as an aid to ensure continued public safety and to give the individual concerned a chance to rectify any relatively minor breaches of licence conditions without the need to resort to suspension, revocation or prosecution.

10.2 Council penalty points will remain current for the following periods:

- 12 months for a vehicle proprietor licence
- 3 years for a Combined Driver's Licence
- 5 years for a Private Hire Operator's Licence

10.3 If an individual concerned accrues a total of 12 current penalty points then he/she will automatically be referred to a Panel of the Licensing & Appeals Board with a request that the Panel review the individual's continued suitability to hold a licence.

10.4 The following list, whilst not exhaustive, details the circumstances in which a licence holder will be directly referred to a Panel of the Licensing & Appeals Board:

- Providing false or misleading information on licence application form, or failing to provide relevant information including any convictions imposed;
- Authorised officer refused access to operator/driver records;
- Carrying excess passengers;
- Abusive or obstructive behaviour (verbal or physical) to authorised officers of the Borough Council or Police Officers;
- Using a vehicle for which the licence has been suspended or revoked;
- Carrying an offensive weapon in the vehicle;
- Driver not holding a current DVLA licence;
- Nine or more penalty points on a DVLA driving licence;
- Convictions including motoring convictions for:
 - Drinking/drugs and driving;
 - Causing death by careless driving;
 - Reckless/dangerous driving;
 - Offences resulting in disqualification;
 - Disqualified from holding a licence until driving test passed.

10.5 The following list, whilst not exhaustive, details the number of penalty points that will be awarded for the infringements shown:

BC Code	Infringement	Penalty Points
PP1	Failing to notify the Licensing team, in writing of charges, summons, penalty points etc	4
PP2	Displaying any feature on a private hire vehicle which would suggest it is a taxi	4
PP3	Failure to attend the Council Offices when directed by an authorised officer.	6
PP4	Failure to carry an assistance dog without requisite exemption	6
PP5	Failure to notify the Licensing Office of any change in medical fitness to drive.	4
PP6	Failure to notify transfer of vehicle within prescribed time limit	4
PP7	Failure to produce a valid insurance certificate/cover note within 7 days of request.	6
PP8	Failure to produce the 6 monthly MOT/Compliance check	4
PP9	Failure to report to the authority the transfer of a private hire vehicle licence or a hackney carriage proprietor's licence within 14 days of transfer.	4
PP10	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspension of such licence	4
PP11	Leaving a vehicle unattended on the rank.	4
PP12	Licensed vehicle not carrying a spare wheel, space saver or tyre weld that is capable of being used.	4
PP13	Private hire drivers touting	6
PP14	Private Hire Operator failing to maintain their records in the correct format.	6
PP15	Failing to notify Licensing Team of a change in private hire operator.	4
PP16	Wheelchair accessible hackney carriage not suitably equipped to load disabled person in wheelchair	6
PP17	Conviction for minor traffic offences e.g. obstruction, waiting in a restricted street, speeding etc.	3
PP18	Driver smoking, or permitting smoking, in the vehicle	3
PP19	Failing to deal with lost property in the correct manner.	3
PP20	Failing to display fare card (hackney carriage)	3
PP21	Failing to wear a combined driver's licence badge whilst working as a licensed driver.	3
PP22	Failing to notify the Licensing Office in writing, of being involved in an accident or damage being caused by or to a licensed vehicle within 72 hours of the accident occurring.	3
PP23	Failing to notify the Licensing team, in writing, of a change of address within 7 days.	3

PP24	Failure to display any plates, signs or notices required by the Borough Council	3
PP25	Failure to display official 'no smoking' sign in vehicle	3
PP26	Licensed vehicle displaying unauthorised markings (inside or out)	3
PP27	Not having an appropriate fire extinguisher and/or first aid kit in the vehicle.	3
PP28	Parking/stopping contrary to authorised road markings	3
PP29	Parking/stopping with one or more wheels on the pavement	3
PP30	Sounding the vehicle horn to announce arrival or tout for business	3
PP31	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	3
PP32	Using a mobile phone, radio hand set, eating or drinking whilst the vehicle is in motion	3
PP33	Failure to conform with the Road Traffic Act	3
PP34	Defective vehicle, i.e. bald tyre, headlight not working	4
PP35	Failure to comply with legislation pertaining to hackney carriage and private hire licensing.	3-6

11.0 Summary of Offences

Town Police Clauses Act 1847

<u>Section</u>	<u>Offence</u>
40	Giving false information on application for hackney carriage proprietor's licence
44	Failure to notify change of address of hackney carriage proprietor
45	Plying for hire without a hackney carriage proprietor's licence
47	Hackney driver acting without licence, or proprietors employing unlicensed drivers
52	Failure to display hackney carriage plate
53	Refusal to take a fare
54	Charging more than the agreed fare
55	Obtaining more than the legal fare
56	Travelling less than the lawful distance for an agreed fare
57	Failing to wait after a deposit to wait has been paid
58	Charging more than the legal fare
59	Carrying other person than the hirer without consent
60	Driving a hackney carriage without proprietor's consent
60	Person allowing another to drive a hackney carriage without proprietor's consent
61	Penalty for drunkenness, furious driving, etc. of hackney carriage.
62	Driver leaving hackney carriage unattended
64	Hackney carriage driver obstructing other hackney carriages

Local Government (Miscellaneous Provisions) Act 1976


Hackney Carriage Provisions

49	Failure to notify transfer of hackney carriage proprietor's licence
50(1)	Failure to present hackney carriage for inspection as required
50(2)	Failure to inform Local Authority where hackney carriage is stored if requested
50(3)	Failure to report an accident to Local Authority
50(4)	Failure to produce hackney carriage proprietor's licence and insurance certificate
53(3)	Failure to produce hackney carriage driver's licence
57	Making false statement or withholding information to obtain hackney carriage driver's licence
58(2)	Failure to return plate after notice given after expiry, revocation or suspension of hackney carriage proprietor's licence
61(2)	Failure to surrender driver's licence after suspension, revocation or refusal to renew
64	Permitting any vehicle other than hackney carriage to wait on a hackney carriage stand
66	Charging more than the meter fare for a journey ending outside the district, without prior agreement

67		Charging more than the meter fare when hackney carriage used as private hire vehicle
69		Unnecessarily prolonging a journey
71		Interfering with a taximeter
73(1)(a)		Obstruction of authorised officer or constable
73(1)(b)		Failure to comply with requirement of authorised officer or constable
73(1)(c)		Failure to give information or assistance to authorised officer or constable

Local Government (Miscellaneous Provisions) Act 1976
Private Hire Provisions

46(1)(b)		Driving a private hire vehicle without a private hire driver's licence
46(1)(c)		Proprietor of a private hire vehicle using an unlicensed driver
46(1)(d)		Operating a Private Hire vehicle without a private hire operator's licence
46(1)(e)		Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle
46(1)(e)		Operating a private hire vehicle when the driver is not licensed as a private hire driver
48(6)		Failure to display private hire vehicle plate
49		Failure to notify transfer of private hire vehicle licence
50(1)		Failure to present private hire vehicle for inspection as required
50(2)		Failure to inform local authority where private hire vehicle is stored if requested
50(3)		Failure to report an accident to local authority
50(4)		Failure to produce a private Hire vehicle licence and insurance certificate
53(3)		Failure to produce a private hire driver's licence
54(2)		Failure to wear a private hire driver's badge
56(2)		Failure by a private hire operator to keep records of bookings
56(3)		Failure by a private hire operator to keep records of private hire vehicles operated by him
56(4)		Failure to produce a private hire operator's licence on request
57		Making false statement or withholding information to obtain a private hire driver's or operator's licence
58(2)		Failure to return a plate after notice given after expiry, revocation or suspension of private hire vehicle licence
61(2)		Failure to surrender a driver's licence after suspension, revocation or refusal to renew
67		Charging more than the meter fare when hackney carriage used as private hire vehicle
69		Unnecessarily prolonging a journey
71		Interfering with a taximeter
73(1)(a)		Obstruction of authorised officer or constable
73(1)(b)		Failure to comply with requirement of authorised officer or constable
73(1)(c)		Failure to give information or assistance to authorised officer or constable

<p>Legal Services & Licensing – Licensing King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX Tel: (01553) 616200</p>	<p>Borough Council of King's Lynn & West Norfolk</p>	
<p>Accident & Vehicle Damage Notification Form Local Government (Miscellaneous Provisions) Act 1976 Section 50 (3) Notification</p>		

Note: This notification must be made by the vehicle licence holder/proprietor.

1. PERSON DRIVING THE VEHICLE

Forename/s:		Surname:	
Address: (inc postcode)			
Telephone No:	Home:	Mobile:	
Date of Birth:		Sex (M/F):	

2. THE VEHICLE

Hackney Carriage or Private Hire?	
Licence Plate Number:	
Registration Number:	
Operator (if Private Hire):	

3. THE ACCIDENT / INCIDENT CAUSING DAMAGE TO VEHICLE

What was the location of the accident?	
What date did the accident take place?	
At what time?	
Who or what was the accident caused by?	
Is the vehicle considered unroadworthy and not being driven at this present time?	
<p>*Please provide a description of how the accident happened:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	

*You will be asked to draw a diagram of the accident on the next page.

4. SCENE OF THE ACCIDENT / INCIDENT

Please draw a diagram of the scene of the accident. Indicate where your vehicle was, where the other vehicle or object was. Show traffic lights or other road signs and any other vehicles or objects that you remember.

5. VEHICLE DAMAGE / HUMAN INJURY / DAMAGE TO PROPERTY

Please give a full description of the damage to the vehicle and any injury incurred to the driver or other person/s:

.....

.....

.....

.....

6. WHO HAVE YOU INFORMED?

The Police?		If so, give reference number	
Insurance Company?		If so, give claim number	
Operator?		If so, who did you inform?	

In making this notification I confirm the information given is true to the best of my knowledge and I understand it is a criminal offence to provide false information. I also provide consent for an authorised officer of the Borough Council to contact any third party, including my insurance company regarding this accident

Signed by vehicle licence holder:.....

Date.....

Legal Services & Licensing– Licensing
King's Court, Chapel Street, King's Lynn,
Norfolk, PE30 1EX
Tel: (01553) 616200

Borough Council of
**King's Lynn &
West Norfolk**



Guidelines Relating to the Relevance of Convictions Hackney Carriage & Private Hire Licensing

1.0 Introduction

1.1 The purpose of these guidelines is to provide guidance on the criteria taken into account by the Council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver, vehicle or operator licence. The test when considering whether an applicant/licence holder is 'fit and proper' is to pose oneself the following question, 'Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?'

1.2 The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:

- That a person is a fit and proper and safe and suitable person;
- That the person does not pose a threat to the public;
- That the public are safeguarded from dishonest persons;
- The safeguarding of children, vulnerable adults and young persons.

1.3 This document provides guidance to any person with an interest in hackney carriage and private hire licensing. In particular, but not exclusively:

- Applicants for Drivers' licences;
- Existing Licensed Drivers whose licences are being reviewed;
- Applicants for Private Hire Operator licenses;
- Applicants for Vehicle Licences;
- Existing vehicle licence holders whose licences are being reviewed;
- Licensing Officers;
- Members of the Licensing Panel;
- Magistrates hearing appeals against Local Authority decisions.

1.4 Where Licensing Officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the Licensing Panel. Whilst Officers and the Panel will have regard to the guidelines contained in the policy, **each case will be considered on its individual merits and, where the circumstances demand, the Panel/Officer may depart from the guidelines.**

2.0 General guidelines

- 2.1** There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness. This authority will consider each case on its own merits and applicants/licence holders are entitled to fair and impartial consideration.
- 2.2** A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:
- 2.2.1 Remain free of conviction for an appropriate period; and
 - 2.2.2 Show adequate evidence that they are a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.
- 2.3** Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)].
- 3.0 Appeals**
- 3.1** Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he/she is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of receipt of the notice of refusal [Local Government Miscellaneous Provisions Act 1976, s 77 (1)].
- 4.0 Powers**
- 4.1** Sections 61 and 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the applicant/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 4.2** The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.
- 4.3** In this policy the term "disqualification" refers to the period served. In order to take account of the fact that a court may reduce the period of disqualification from driving, an applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
- 4.4** It should be noted that "any reasonable cause" includes conduct falling short of a criminal conviction(s).

5.0 Consideration of Disclosed Criminal History

5.1 Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operator's licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:

- How relevant the offence(s) are to the licence being applied for;
- How serious the offence(s) were;
- When the offence(s) were committed;
- The date of conviction;
- Circumstances of the individual concerned;
- Sentence imposed by the court;
- The applicant's age at the time of conviction;
- Whether they form part of a pattern of offending;
- Any other character check considered reasonable (e.g. personal references);
- Any other factors that might be relevant.

5.2 Existing holders of driver licences are required to notify the licensing authority in writing within 48 hours of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).

5.3 Applicants can discuss further what effect a caution/conviction may have on any application by contacting the Licensing Team in confidence for advice.

5.4 The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police or other agencies.

5.5 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

5.6 It should be noted that the determination of whether an applicant is "fit and proper" or safe and suitable includes consideration of conduct falling short of a criminal conviction.

6.0 Offences involving Loss of Life, Violence, Disorder and Damage to Property

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

6.2 Anyone with a conviction for an offence involving violence, disorder or damage to property will normally be expected to remain free of such convictions for a period

of at least 5-10 years. However, given the range of the offences, consideration must be given to the nature of the conviction. A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence involving violence or disorder.

- 6.3 In the most serious cases, an application will be refused unless there are exceptional circumstances. A licence will not normally be granted where the applicant has a conviction for an offence such as:
- Murder;
 - Manslaughter;
 - Manslaughter or culpable homicide while driving;
 - Terrorism offences;
 - Or any similar offences (including attempted or conspiracy to commit) or any offences which replace the above.
- 6.4 An application will normally be refused if the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 10 years prior to the date on which the application is determined by the authority:
- Arson;
 - Malicious wounding or grievous bodily harm;
 - Actual bodily harm;
 - Grievous bodily harm with intent;
 - Robbery;
 - Possession of firearm;
 - Riot;
 - Violent disorder;
 - Any similar offences (including attempted or conspiracy to commit) or any offences which replace the above.
- 6.5 An application will normally be refused if the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 10 years prior to the date on which the application is determined by the authority:
- Common assault;
 - Assault occasioning actual bodily harm;
 - Affray;
 - Aggravated criminal damage;
 - Any racially aggravated offence;
 - Resisting arrest;
 - Assault police;
 - Or any similar offences (including attempted or conspiracy to commit) or any offences which replace the above.
- 6.6 An application will normally be refused if an applicant has a conviction for an offence or similar offences(s) which replace the offences below and the conviction is less than 3 years prior to the date on which the application is determined by the authority:
- S.5 Public Order Act 1986 offence (harassment, alarm or distress);

- S.4 Public Order Act 1986 offence (fear of provocation of violence);
 - S.4A Public Order Act 1986 offence (intentional harassment, alarm or distress);
 - Obstruction;
 - Criminal damage;
 - Or any similar offences (including attempted or conspiracy to commit) or any offences which replace the above.
- 6.7 A person bound over to keep the peace or be of good behaviour will not normally be granted a licence within the period of the recognisance e.g. where a person is bound over for 6 months, they will not normally be licensed within that 6 month period.
- 6.8 In the event of a licence being granted, a strict warning both verbally and in writing should be administered.
- 7.0 Possession of a Weapon & Discrimination**
- 7.1 A conviction for possession of a weapon or any other weapon related offence will raise serious concerns as to the fitness of the applicant to carry the public. Depending on the circumstances of the offence, an applicant should be free of conviction for 7 years (or at least 7 years must have passed since the completion of the sentence, whichever is longer), before a licence is granted.
- 7.2 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will normally be refused unless a period of 7 years has elapsed since the completion of any sentence imposed.
- 8.0 Sex, Indecency Offences & Exploitation**
- 8.1 As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. Those with convictions sexual offences will normally be refused.
- 8.2 Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as:
- Rape;
 - Assault by penetration;
 - Offences involving children or vulnerable adults;
 - Sexual assault;
 - Indecent assault;
 - Slavery;
 - Exploitation;
 - Grooming;
 - Psychological, emotional or financial abuse;
 - Possession of indecent photographs, child pornography etc;
 - Exploitation of prostitution;
 - Trafficking for sexual exploitation;
 - Indecent exposure;
 - Soliciting (kerb crawling);
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

8.3 In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

9.0 Dishonesty

9.1 A licensed private hire vehicle or hackney carriage driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

9.2 In general, a minimum period of 7 years free of conviction Offences involving dishonesty include:

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

10.0 Drugs

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

10.2 An application will normally be refused where the applicant has a conviction for an offence related to the **supply of drugs or possession with the intent to supply drugs** and has not been free of such conviction for 10 years.

10.3 An application will normally be refused where the applicant has more than one conviction for offences related to the **possession of drugs** and has not been free of conviction for 5 years.

10.4 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs (with no intent to supply) within the last 5 years will not normally be granted a licence. Consideration should be given to the nature and quantity of the drugs.

10.5 If there is evidence of persistent drugs use, misuse or dependency, a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment. In addition, any applicant with a conviction for possession of drugs may also have to undergo drugs testing for a period, at their expense to demonstrate that they are not using controlled drugs.

11.0 Minor and Major Traffic Offences

Minor

11.1 Convictions for minor traffic offences e.g. obstruction, waiting in a restricted street, speeding etc. may prevent a person from being granted a hackney carriage or private hire drivers licence if they have received more than 2 motoring convictions within the last 2 years. Where there is a conviction for the offence of driving without due consideration or reasonable care, the matter may be referred to Member's of the Licensing & Appeals Panel to consider the suitability of the person to hold a combined driver's licence.

11.2 The accumulation of 9 or more penalty points will cast grave doubts on the suitability of the applicant and could lead to the refusal of the application.

Major

11.3 A serious view will be taken of any conviction for a major traffic offence, this includes:

- Causing death by dangerous driving;
- Dangerous driving;
- Causing death by careless driving whilst under the influence of drink or drugs;
- Causing death by careless or inconsiderate driving;
- Careless and inconsiderate driving;
- Driving under the influence of drink or drugs etc;
- Driving whilst disqualified;
- Using a vehicle without insurance;
- Offences contrary to the taxi licensing legislation;
- Or any similar offences (including attempted or conspiracy to commit) or an offence that replaces the above.

11.4 These guidelines make specific provision for certain types of major traffic offences to reflect the seriousness of those convictions. In the case of major traffic offences where no such specific provision is made and paragraph 14 (Disqualification) does not apply, an application will normally be refused unless a period of at least 3 years free from conviction of such offences has elapsed.

12.0 Driving Offences involving the Loss of Life

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

- Causing death by dangerous driving;
- Causing death by careless driving whilst under the influence of drink or drugs;

- Or any similar offences (including attempted or conspiracy to commit) or any offences which replace the above.

13.0 Drink Driving/Driving under the Influence of Drugs

- 13.1** As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs.
- 13.2** An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending and he must comply with the rehabilitation period below.
- 13.3** More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public.
- 13.4** At least 7 years free of conviction, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided (at their own expense) before the application can be allowed to proceed.

14.0 Disqualification

- 14.1** Where an applicant has been disqualified from driving following a conviction for a major traffic offence and no specific provision is made above regarding the appropriate rehabilitation period, the application will generally be refused unless a period of between 3 and 5 years free from conviction has elapsed from the restoration of the DVLA licence.
- 14.2** Where convictions for a number of minor traffic offences have resulted in the applicant being disqualified from driving for a period of time this will normally be taken as reflecting seriously on the applicant's driving standard. Generally, a period of 12 months free from conviction must have elapsed from the restoration of the DVLA licence.
- 14.3** In "totting-up" cases where disqualification is considered by the court, even if the court does not disqualify (e.g. because of exceptional circumstances) a driver, the Council is likely to refuse a hackney carriage or private hire driver's licence because different criteria apply and an applicant will normally be expected to show a period of 12 months free from conviction from the date the court made its finding of exceptional circumstances justifying the non-disqualification.
- 14.4** Any period of disqualification will lead to the suspension/ revocation of a licence.

15.0 Insurance Offences

- 15.1** A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily prevent a licence being granted provided he/she has been free of such conviction for 3 years; however a strict warning should be given as to future behaviour. More than

one conviction for these offences would normally prevent a licence being granted or renewed.

- 15.2** An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will have his operators' licence revoked immediately and prevented from holding a licence for 3 years.

16.0 Using a hand-held device whilst driving

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

17.0 Cautions

- 17.1** Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

- 17.2** If an applicant has received a caution for a traffic offence, given the nature of the offence and the profession of a taxi driver, the applicant may be given a warning as to his/her future conduct.

- 17.3** Cautions for more serious offences could lead to refusal of an application or the suspension or revocation of a licence.

18.0 Outstanding Charges or Summonses

- 18.1** If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings.

- 18.2** If the outstanding charge or summons involves a serious offence, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.

- 18.3** A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver. [Road Safety Act 2006, s 52, 2A&2B]

19.0 Licensing Offences

- 19.1** Convictions for offences contrary to taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed unless the applicant has been free of such convictions for a period of at least 3 years.

20.0 Licences issued by other Licensing Authorities

20.1 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will always be decided on its own merits.

21.0 Summary

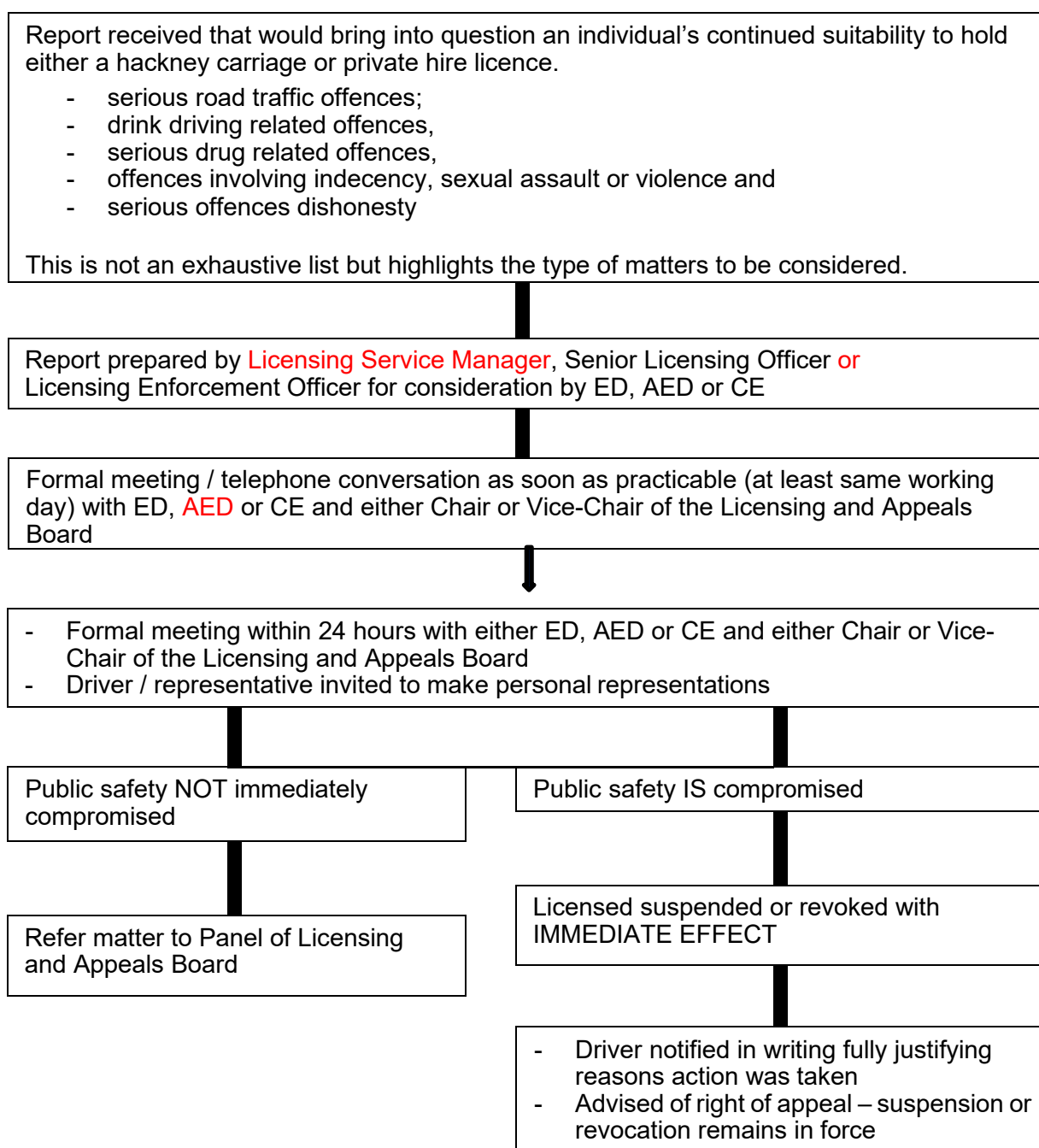
21.1 To summarise, a motoring/criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 15 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.

21.2 Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.

21.3 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Immediate revocation and suspension of Hackney Carriage and Private Hire Drivers licenses

1. The Borough Council has adopted a procedure to suspend or revoke a driver's licence with immediate effect where the interests of public safety require such course of action. The power under Section 52 of The Road Safety Act 2006 has been delegated to the Assistant Director of Legal Services and Licensing and the Chief Executive of the Borough Council. The below flowchart sets out the procedure adopted:
2. Delegation to; **Any** Executive Director (ED) or Assistant Director (AED) **or** Chief Executive (CE) in relation to S52 of the Road Safety Act 2006



Borough Council of
**King's Lynn &
West Norfolk**



Hackney Carriage &
Private Hire Vehicle

Compliance Testing Standards

Code of Practice

**Standards of vehicle test to be applied in addition to
the statutory requirements of the MOT testing**

Introduction

1. This document is intended to provide practical guidance to vehicle testers charged with assessing vehicles being issued with a certificate of compliance. It will also give a general insight into the type of examination the vehicle will be subjected to before it can be issued with a certificate of compliance.
2. It is the responsibility of owners, operators and drivers to ensure that their vehicles comply with the current rules and regulations of the appropriate Road Traffic Act and current Construction and Use Regulations at all times.
3. Where a vehicle is found not to conform to the requirements of the MOT test and/or compliance test standards, that vehicle may have its licence suspended until the Borough Councils authorised officers are satisfied that the vehicle is fit to be licensed.

Guidance

4. No adaptations, alterations, modifications, additional equipment, optional extras with the exception of tow bars fitted to a professional standard, are to be fitted to the vehicles without the prior approval of the Borough Council. Any owner wishing to alter or modify the vehicle, including the fitting of extras or alternative parts to those supplied by the manufacturer must seek prior permission from the Borough Council. Certain modifications may require special inspection by the Borough Council's authorised officer or his nominee before approval is given. (A fee may be applicable)
5. When a vehicle presented for compliance test fails on more than twelve items, that vehicle will have to be re-submitted for a full compliance test and a re-test fee will be charged. The vehicle proprietor will be issued with a failure sheet from the testing station, and the testing station will supply a copy of the failure sheet to The Licensing Team at the Borough Council.
6. Both MOT and compliance tests must be completed by the same examiner at the same test station at the same time of day (obviously MOT testing is completed without avoidable distraction etc so compliance testing may be carried out before or after the MOT inspection). Compliance failure items must be resolved with the same garage at a later date.
7. The Borough Council recognises the need for approved MOT vehicle station examiners to test drive Hackney Carriage and Private Hire vehicles as part of the compliance inspection process.
8. All vehicles (hackney carriages and private hire) require a compliance test before first licence, however they do not require a standard DVSA MOT test unless they are over 1 year from the date of first registration or have a valid DVSA MOT certificate issued within 14 days of the initial new vehicle licence application.
9. **Failure of the DVSA MOT test will automatically result in failure of the Borough Council Compliance test.**

Contents

- 1. Exterior of the Vehicle**
- 2. Boot**
- 3. Engine Compartment**
- 4. Tyres & Spare Wheels**
- 5. Interior of Vehicle**
- 6. Fire Extinguishers & First Aid**
- 7. Vehicle Signage**
- 8. Underside of Vehicle**
- 9. Wheelchair Facilities**

1.0 EXTERIOR OF THE VEHICLE		
Method of Inspection		Principal Reason for Failure
1.1	The exterior of the bodywork, the underside of vehicle is to be in a clean condition so as to facilitate full inspection of these areas.	Contamination preventing full or proper inspection.
1.2	Check operation of all external locks and catches, ensuring all doors can be securely closed locked and easily opened.	Defective external door catches or locks which prevent a door opening or closing properly.
1.3	Check all doors to ensure that they are aligned properly will open and close easily, and all gaps around doors are reasonably equal. Ensure boot lid opens/closes, and locks correctly and that all hinges and opening mechanisms adequately support the lid when it is in the open position	Poorly fitting doors to the vehicle. Worn locks, hinges or defective boot opening device.
1.4	Check to ensure all door hinges are in good condition, allowing free movement of door.	Door hinges defective
1.5	Check all wind check positions to ensure that doors are held in place when opened.	Wind checks fail to hold doors in place when opened
1.6	Examine the external body panels and structures for any evidence of corrosion, damage, or unsatisfactory repairs.	Corrosion or damage to the vehicle body or structure that adversely affects the appearance and/or safety of the vehicle. Replacement panels fitted that alter the effect of impact zones. Gaps reasonably unequal around panels.
1.7	Examine the external body and paintwork for damage, which adversely affects the appearance of the vehicle.	Generally poor or damaged body or paintwork, dull, not in uniform in colour, and appearance, repairs visible, paint work of poor standard, overspray to any other part of the vehicle.
1.8	Check nearside and offside door/wing mirrors are fitted in a secure manner and that they function correctly. Ensure aerial is securely fixed.	Missing or defective exterior mirrors. Aerial not securely fixed.
1.9	Ensure front and rear bumpers are in good order (without any damage) and are securely fixed to the vehicle.	Damaged or inadequately secured front or rear bumpers, angled dents and end caps.
1.10	Ensure number plates are in good condition and are free of damage, and legible. White reflective at front and yellow reflective at rear.	Damage to front or rear number plates.

	Method of Inspection	Principal Reason for Failure
1.11	Examine rubber seals to doors and windows for damage, looseness or absence affecting performance of seals.	Damage or missing, or loose door seals which may cause draught, rainwater ingress unreasonable road noise or trip hazard.
1.12	Vehicles must be fitted with a key locking fuel cap or an internal means of lock or release.	Vehicle not having a method of securing fuel cap.
1.13	Reversing lights must be operable when fitted.	Reverse lights not operable.
1.14	All windows to be free of cracks and excessive marking.	Cracks in windscreen or rear window. Cracks in side windows or excessive marking on any window.
1.15	Tinted windows must comply with the Road Vehicles (Construction & Use) Regulations that specify the minimum levels of light that must pass through the windscreen and front side windows. The limits are: <ul style="list-style-type: none"> • The light transmitted through the windscreen must be at least 75%; and • The front side windows must allow at least 70% of light to be transmitted through them. 	Windscreen and/or front side window do not meet legal requirements.

2.0 BOOT		
Method of Inspection		Principal Reason for Failure
2.1	Examine the boot interior for evidence of damage, corrosion or water penetration.	Damage to the floor of the boot, inner wing panels or lid.
2.2	Examine the boot floor to ensure that it is in good condition and offers adequate protection to passenger's luggage stored in boot.	Excessive wear, damage or staining to the boot floor.
2.3	Examine interior of boot to ensure it is clean and free of dirt, dust, grease, litter etc.	Accumulation of dirt, grease, dust, litters or rubbish in the boot that could soil or damage luggage stored within. Note: A five litre bottle of engine oil and water will be permitted.
2.4	Check boot for presence of any containers of any flammable or corrosive material (e.g. oil, petrol or diesel).	Containers for the storage of petrol, diesel, or any corrosive material shall not be carried in the vehicle.
2.5	Ensure that boot can be secured by a locking mechanism.	

3.0 ENGINE COMPARTMENT		
Method of Inspection		Principal Reason for Failure
3.1	Carry out visual inspection of engine compartment for signs of fuel, oil or water leaks.	Excessive oil, fuel or water leaks
3.2	Check to ensure that the battery is properly secured in its correct position.	Battery not adequately secured.
3.3	Examine all plastic/rubber or metal hoses for signs of deterioration or damage.	Worn or deteriorated hoses or pipes.
3.4	Check drive belt for correct adjustment and for signs of deterioration or damage.	Incorrectly adjusted or damaged drive belt
3.5	Check security of radiator and check hoses for leaks.	Leaking or insecure radiator.
3.6	Examine engine/transmission mounts for signs of deterioration or wear.	Insecure or deteriorated engine / transmission mountings.
3.7	Check clutch mechanisms for correct operation.	Leakages of fluid or mechanical wear in the clutch mechanisms.
3.8	Check operation of bonnet release/s catches.	Defective bonnet release catch or mechanisms.
3.9	Run engine to normal operational temperature to ensure the engine is not breathing out any excess fumes.	Engine breathing excess fumes.
3.10	Fuel cut off switch to be operable and present where known to be fitted as standard	Switch inoperable or removed.

4.0 TYRES AND SPARE WHEEL		
Method of Inspection		Principal Reason for Failure
4.1	Ensure that spare tyre is of same size and construction as those fitted to the road wheels or manufacturers supplied space saver wheel. Vehicles manufactured without a spare wheel/space saver are allowed a tyre weld.	A spare wheel not provided with the vehicle. A tyre that is of a different size or construction or a non-manufactured supplied space saver wheel. No tyre weld provided
4.2	Examine tyres for signs of damage or excessive uneven wear ensure spare tyre complies with all legal requirements for tyres when fitted to the vehicle.	Damaged, worn, substandard or otherwise illegal tyre.
4.3	Check to ensure all tyres are inflated to correct pressure for the vehicle.	Under inflated tyre.
4.4	Examine the wheel brace and jack provided to ensure they are in good working order.	Failure to provide a suitable jack/wheel brace.
4.5	Check to ensure the spare wheel fixing bracket (or similar device) will hold spare securely in position.	Spare wheel and tools not secured properly.
4.6	Check spare wheel rim for any signs of distortion or damage.	A seriously damaged or distorted rim that impairs the ability to hold the tyre.
4.7	All tyres to have a minimum tread depth of 1.6mm across 75% centre tread width with the remaining 25% to have tread pattern showing, including spare.	Tyres not showing the required tread depth.
4.8	If vehicle fitted with wheel trims as standard for that type of vehicle all must be present and in good repair.	Wheel trims missing, badly scuffed or damaged.
<p>Notes:</p> <ul style="list-style-type: none"> • A mix of steel and cord radials will not be accepted. • Re-cut tyres are not acceptable. • Remould tyres are NOT be acceptable. 		

5.0 INTERIOR OF VEHICLE		
Method of Inspection		Principal Reason for Failure
5.1	Examine all floor and upholstery inside the vehicle for any damage, accumulation of dirt, dust, litter, general debris, cigarette ash, staining, or excessive wear. Examine roof lining for excessive staining and any damage.	A vehicle which is in a dirty condition with accumulations of dust, dirt, litter, debris, damage or staining (including roof lining).
5.2	Remove any mats from floor and examine carpeting for signs of leakage of water into the vehicle.	Evidence of leakage of water into vehicle.
5.3	Examine any mats to ensure they are not worn, damaged or a tripping hazard.	Upholstery including trims and panels which are damaged, excessively worn or holed/torn.
5.4	Sit in each of the seats within the vehicle to ensure that all seat cushions are in good condition and offer proper support.	Seat cushions or back rests which are in poor condition and/or offer poor support.
5.5	The vehicle must have seats with a minimum width of not less than 400mm per person.	Seat width with less than 400mm per person.
5.6	Examine all seats to ensure they are properly secured to the vehicle including fixed seat cushions.	Seats that are not adequately secured to the vehicle.
5.7	Check operation of interior lights, checking both manual and door operated switches. (Note: All doors to have switches fitted if fitted as standard by manufacturer).	Faulty interior light fitting/s or switch/es.
5.8	Examine rear view mirrors to ensure they are securely fixed.	A loose, cracked, damaged or missing rear mirror or one that impairs vision.
5.9	Check operation of the heater and demisters to ensure they work correctly.	Defective heater or demisters.
5.10	Check operation of clutch and also condition of pedal rubbers.	Defective clutch operation, worn or missing pedal rubbers.
5.11	Check operation of rear screen heater to ensure it is functioning correctly.	Defective rear screen heater.
5.12	Check operation of all window winders and door locks ensuring they open and close easily.	Window winders that do not allow windows to be lowered/raised easily. Defective window locks or associated fittings.
5.13	Check the operation of all door release catches including motion door locks to ensure that doors can be opened easily from within the vehicle.	Defective interior door release catches. Defective motion locks, motion locks fitted with override. Warning lamps inoperative, warning labels damaged or defaced.

	Method of Inspection	Principal Reason for Failure
5.14	Ensure childproof locks function correctly where fitted.	Defective childproof locks.
5.15	Check all door handles, and grab rails for condition and security. Ensure childproof protection covers are in place and free of damage and held in place securely.	Door handles, interior trims, mouldings, damaged, worn or not secured properly.
5.16	Check for unpleasant odours within the vehicle.	Unacceptable smells.
5.17	If metal grill is fitted ensure it has no sharp edges or exposed parts that may lead to injury of passengers or driver, ensure grill is firmly secured. (Metal grill must not prevent operation of privacy partition).	Loose or incorrectly fitted grill or exposed parts that may cause injury. Privacy partition obstructed.
5.18	Check that a luggage grill/cover is fitted to estate cars and MPVs.	Luggage grill/cover not fitted.
5.19	Check that intercom systems (where fitted) are capable of being switched off within passenger compartment and that there are signs clearly visible explaining their use and how to switch them off. Check that a light is visible when intercom is on.	Intercom system not clearly marked. No means of passenger isolating system easily. Warning light not working.
5.20	Check condition of all electrical wiring to ensure it's routed correctly and poses no risk or hazard to passengers.	Wiring not routed correctly, insecure, damaged, poses a hazard or risk to passengers.
5.21	CCTV shall be firmly affixed where fitted.	Loose camera or screen fitted
5.22	Ensure gate around lever is present and not split.	Split or missing gaiter can allow debris to fall into gear linkage.
<p><u>Notes:</u></p> <ul style="list-style-type: none"> • 5.1. Vehicles presented in a dirty untidy condition should not be tested. • 5.2. Where interior trims or roof lining have one rip or tear of not more than 75mm a good quality stitched repair is acceptable (patches not allowed). • 5.4. Patching is not acceptable on any interior upholstery • Advice may be given that a roof lining will be required to be renewed at the next test. • 5.17. If a glass partition is fitted this must to British Standards • 5.18. All trims, mouldings, door handles, grab handles to be free of damage. • 5.20 All electrical wiring to be in good order and securely routed. When going through panels the wiring must be protected by rubber grommets. 		

6.0 FIRE EXTINGUISHERS & FIRST AID		
Method of Inspection		Principal Reason for Failure
<u>EXTINGUISHER</u> <u>(IF FITTED)</u>		
6.1	Check to ensure that the fire extinguisher is a 1-litre (3a) rated AFFF (aqueous film foam) type or 1kg dry powder.	Fire extinguisher not of approved type or rating.
6.2	Ensure that the vehicle registration number is clearly marked on the identification tag attached to the extinguisher.	Vehicle registration number is not clearly attached to identification tag on extinguisher.
6.2	Ensure that seal is in place and has not been tampered with and is intact.	Approved seal is not in place, or is damaged.
6.3	Visibly check extinguisher for signs of damage.	Visible signs of damage that would impair its use.
6.4	Extinguishers to be affixed within the driving compartment or in boot compartment in readily accessible position.	Extinguisher is not mounted securely, not readily accessible, and not mounted in approved position.
<u>FIRST AID</u>		
6.5	<p>A secure and clearly identifiable first aid container must be provided, to contain not less than:</p> <ul style="list-style-type: none"> • 20 Sterile Washproof Plasters • 2 Sterile Dressings • 2 Triangular bandages • 10 Moist Wipes • 2 Sterile Eye wash Pods • 2.5cm Microporous tape • 6 Assorted safety pins • 2 Self Seal waste bags • 1 Pair disposable gloves 	The first aid container is not secure or clearly identifiable. The first aid box does not contain all the items listed opposite.
<p><u>Notes:</u></p> <ul style="list-style-type: none"> • BAFE (British Approvals for Fire Equipment) is the only approved certification and maintenance scheme acceptable to the Authority. • Only persons approved by BAFE may maintain and certify extinguishers fitted to hackney carriage and private hire vehicles. All information concerning the standards for extinguishers is contained within BS EN2. 		

7.0 VEHICLE SIGNAGE		
Method of Inspection		Principal Reason for Failure
<u>HACKNEY CARRIAGE ONLY</u>		
7.1	Roof signs to be white in colour and securely fitted to the vehicle. Minimum Height of 110mm and length of 240mm	Roof sign are not white in colour or securely fitted to vehicle. The roof sign does not comply with specified sizes
7.2	Check that signage is displayed on the roof with the word "TAXI" on the front and lettering is not less than 65mm in height	The specified wording is not displayed on the roof sign or it is below the minimum size.
7.3	Check that the sign shall be capable of being illuminated internally in such a manner that the word "TAXI" is illuminated at all times when the vehicle is plying for hire, but not otherwise.	The roof sign is not capable of being illuminated internally.
<u>PRIVATE HIRE ONLY</u>		
7.5	The private hire vehicle shall not have a roof mounted sign of any kind.	The private hire vehicle has a roof mounted sign.
7.6	The private hire vehicle shall not display any sign, which consists of or includes the word 'Taxi' or 'Cab' whether singular or plural, or 'Hire', or any word of a similar meaning or appearance to any of those words, whether alone or as part of another word. The only exception for use of the word 'Hire' displayed on a private hire vehicle is when the word is used in conjunction with the word 'Private' to form the word 'Private Hire'.	The private hire vehicle has the wording 'taxi' or 'cab' or words of a similar meaning.
7.7	A sign must be displayed on each side of the vehicle that meets the requirements of Conditions 5.5 and 5.6.	There is no signage prominently displayed on each side of the vehicle that meets Conditions 5.5 and 5.6.

8.0 UNDERSIDE OF VEHICLE		
Method of Inspection		Principal Reason for Failure
8.1	Check to ensure the vehicle is free of any leakage of Water, Fuel and Oil.	The vehicle has an excessive fuel, oil or water leakage.
8.2	Check for security/wear in any drive shafts.	Insecure or worn drive shaft components or mounting.
8.3	Check for excess corrosion/damage/ that does not fall within the prescribed area as set out in the MOT tester's manual.	Evidence of excess corrosion/damage to underside of vehicle.
8.4	Check for wear of any engine or transmission mounting that does not fall within the scope of the MOT tester's manual.	Worn or damaged mountings
8.5	Ball joint rubbers to be free of damage.	Missing, torn or damaged mountings.
8.6	Damaged, torn or insecure inner drive shaft gaiters	Release of lubrication from joint.
<p><u>Notes:</u></p> <ul style="list-style-type: none"> When a vehicle fails on fuel, oil, water leaks, on re-test it will be left running for no less than five minutes prior to inspection. 		

9.0 WHEELCHAIR FACILITIES¹		
Method of Inspection		Principal Reason for Failure
9.1	Check condition of wheelchair restraints and equipment	Wheelchair restraints or equipment worn damaged or missing.
9.2	Check operation of wheelchair restraints.	Wheelchair restraints not functioning correctly.
9.3	Check operation and condition of disabled person's seatbelt.	Seatbelt worn, frayed, damaged or cut.
9.4	Check that appropriate approved ramps are securely installed in the boot of the vehicle.	Ramps not of an approved type, fitting or insecure.
9.5	Examine the ramps for any damage, sharp edges or corners.	Ramps in poor condition or damaged or sharp edges showing.
9.6	Check as applicable the non-slip provision and locating dowel pins are free of any damage.	Non slip provision worn or damaged, locating dowels damaged, worn or missing.
9.7	A wheelchair space shall not be less than: <ul style="list-style-type: none"> • 1200mm measured in the longitudinal plane of the vehicle • 750mm measured in the transverse plane of the vehicle • 1350mm measured vertically from any part of the floor of the wheelchair space. 	Wheelchair space is less than: <ul style="list-style-type: none"> • 1200mm measured in the longitudinal plane of the vehicle • 750mm measured in the transverse plane of the vehicle • 1350mm measured vertically from any part of the floor of the wheelchair space
9.8	A wheelchair space shall allow the carriage of a wheelchair and a wheelchair user facing the front of the vehicle.	Wheelchair space does not allow carriage of wheelchair user facing frontwards.
9.9	Access to the vehicle must be possible from the road or pavement either by a lift or ramp. Any power-operated device must be capable of manual operation in the event of a power failure.	Access to vehicle is not possible from road or pavement by lift or ramp. Lifting device not capable of operating with no power.
9.10	A ramp should be of slip resistance material and at least 750mm in width. The ramp should be capable of being deployed both onto the road and onto a 125mm high kerb. The ramp when deployed should be securely located at the point of entry to the vehicle. For side & rear loading the ramp when deployed to the pavement should not exceed a slope of 1:4.	Ramp not slip resistant material. Width less than 750mm and not capable of being deployed onto 125mm high kerb. Ramp not securely located at entry point of vehicle. Slope exceeds 1:4.
9.11	The lift platform must be not less than 750mm in width and not less than 1200mm in length. The ramp platform should be equipped with a device to prevent the wheelchair rolling off and should operate at a vertical speed of less than 0.15m/s.	Lift platform less than 750mm in width or 1200mm in length. No device to prevent wheelchair rolling off ramp platform .
9.12	A 4 point anchorage system must be fitted, comprising two for attachment at the front of the wheelchair and two at the rear of the wheelchair, in accordance with ISO 10542-2.	No 4 point anchorage system installed in accordance with ISO 10542-2.

¹ Any additional Hackney Carriage Vehicle licenses issued must be wheelchair accessible (i.e. plate 53 onwards).

Legal Services and Licensing – Licensing
King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Tel: (01553) 616200

Borough Council of
**King's Lynn &
West Norfolk**



Vehicle Checklist.

Engine Compartment

Check all fluids are at the correct level, Brake fluid, coolant, Oil and Power Steering (Where applicable).

Check there are no apparent leaks visible in engine compartment or under the vehicle

Check the Battery is Secure and free from corrosion.

Drivers Seat

Check the Foot Brake works correctly without excessive travel.

Check the Hand Brake / E-Brake work correctly.

Check the Steering does not have excessive play.

Check all Mirrors are fitted and are clean and free from damage, providing good visibility.

Check Dashboard warning lamps work correctly, and no warnings remain once engine is started.

Washers and wipers are working correctly and free from damage. clearing the screen without issue.

Check all controls work correctly as designed including the horn. Note the horn must not be checked between the hours of 23:00 and 07:00 and should be checked in a non-residential area. When not possible to check at initial startup this should be checked at the first suitable opportunity.

Interior General

Check all seats are secure and in good clean condition.

Check all Seatbelts work correctly and are free from damage.

Check all doors and windows open and close correctly and door handles work from both inside and outside the vehicle.

Check all interior fittings are in good condition.

Check interior licence correctly displayed and valid.

Check fare Chart displayed and meter correct and working (Hackney Carriage)

Exterior of vehicle

Check all Lights including indicator side repeaters are working correctly, are clean, correct colour and free from damage.

Check all bodywork including bumpers, is in good condition with no damage and all panels are secure.

Check all wheels and tyres are correct size, free from damage, no missing wheel nuts with no cord visible on any tyre.

Check all Tyres have minimum tread depth of 1.6mm across the centre 75% of tyre width.

Check exhaust is secure and free from leaks.

Check that the Rear Licence plate and both number plates are displayed correctly, are clean and free from damage.

Check the Roof Light is secure and illumination is working correctly (Hackney Carriage).

Check both Door Signs are in good condition, free from damage and not faded (Private Hire)

Questions / Representations received on new

Subject: Re: Hackney carriage and private hire licensing fee levels and conditions – proposed changes

Good Morning,

I have a couple of questions regarding the intended use policy 4.3.
Does it mean that the hackneys can continue to work out if the offices in King's Lynn & West Norfolk?

Or are you trying to stop for example some one licensing in King's Lynn & West Norfolk but working from an office in Peterborough?

Also a few drivers would like the fare increase form to be sent out again to us, would that be possible please?

Kind regards

Subject: Re: Hackney carriage and private hire licensing fee levels and conditions – proposed changes

Hello Craig,

Thanks for your reply yesterday and thank you for agreeing to resend the fare survey out again.

Hypothetically how easy or even if it's possible, would it be to have an automatic fare increase every year?

For example

2026 - £2.10 per mile (10 mile journey = £23.90)

2027 - £2.15 per mile (10 miles = £24.35)

2028 - £2.20 per mile (10 miles = £28.80)

2029 - £2.25 per mile (10 miles = £25.25)

2030 - £2.30 per mile (10 miles = £27.70)

Kind regards

Subject: Taxi age limits

To Marie,

Would it be possible to talk about the possibility of increasing the age limits for Taxis/private hire? My reasoning behind this are

- The cost of buying new vehicles have dramatically increased. For example my mini bus in 2019 cost £29k new, today the same vehicle is £60-£70k.

- I believe with the cost of wheel chair vehicles as they are eventually there will be none left in the fleet.

- Will give drivers more time to to put money aside to replace their vehicles as our vehicles are deemed worthless & can't be "traded in" against the new vehicle

- Vehicle's over 5 years old are having a MOT every six months, as long as they keep passing it shouldn't be a problem

- I believe the Taxi and Private hire licensing best practice guidance for licensing authorities says that licensing authorities should not impose age limits.

But have more targeted requirements to meet objectives on emissions,safety & increasing wheelchair accessible provision.

Taking these points into consideration I would like to propose in removing the age limit completely as long as the vehicle keeps on passing the two MOT's a year. If the vehicle continues to pass the two MOT's a year this also removes the need for yourselves to inspect the vehicles as this would be done by the MOT test station.

Kind regards

██████

[REDACTED]

Subject: Update to rulebook

I would like to take this opportunity to ask when we currently license a vehicle Hackney carriage or private hire has to be under five years old with 100,000 miles But on the other end of that you can drive until 12 years old and then year 13 14 and 15, we can get it through an exceptional grounds With full service history, exceptional paint work, ect ect Of course the extra work taken up by offices making this decision comes to a cost in our license and fees so maybe Could we look at just driving the cars until they're 15 years old as we do have 2 mots a year? And two compliance test.

and not have to do the exceptional and full service history part of the handbook as it stands today North Norfolk District Council have a policy of License a vehicle under 10 years old and drivers as long as you like Fenland district Council Although I have looked I can't seem to find a minimum age for licensing but I believe they also have no maximum age limit Kind regards [REDACTED]
Sent from my iPhone

Subject: Handbook proposal changes

With reference to wheelchair accessible vehicles All Qs relate to this

If you pass the VIVA/IVA rule

Q1 All current wheelchair accessible vehicles licensed Will they have to go for a VIVA or IVA

Q2 All wheelchair accessible vehicles Even if brought from Ex mobility They may say that they have presented one vehicle and then copied it, which is disagreeable. It must be each individual vehicle not something that somebody's presented one of and then Massed produced because it can be altered from the first addition

Q3 I take it that the rules will be across the board for Hackney carriages and private hires if they have the restraints and anchor points in the floor and a altered vehicle like some VW caddy and mini buses driving round on a private hire license these must also be inspected

Q4 any vehicles that has the capability to take a wheelchair Hackney or private hire For example, if a hackney carriage has a normal plate on it number 1 to 52 if somebody chooses to take wheelchairs and don't have a wheelchair accessible vehicle license plate these also must be tested Also, for example if somebody was to buy a vehicle with restraints in the floor and say they're not gonna do wheelchairs The restraints and the anchor points in the floor should be removed from the vehicle. This can be easily inspected when the vehicle goes for a taxi MOT.

Kind regards

[REDACTED]
Sent from my iPhone

Subject: Age limits

Good evening Craig

I've been busy doing a little bit of homework regarding age limits on TAXIS/private hires Please see below Although I know you don't have to incorporate this into your policy, I believe it makes a lot of sense And I am sure you've already read it

Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK (www.gov.uk)

'8.4 Vehicle age limits

The frequency of testing required (see frequency of vehicle tests) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle.

The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.

Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.'

I think, if you now look at the cost of vehicles Especially wheelchair accessible ones and mini buses I think moving forward in time people will no longer be able to afford to run these type of vehicles under the current age limit The age limit was originally brought in when the Council had to deregulate in 2004 When the office are fair trading told all councils across the country that they had to deregulate Kings Lynn and West Norfolk chose to regulate but bring the rule of only wheelchair accessible vehicles would be given a Hackney plate over number 52 Of course there is a need for wheelchair accessible vehicle within the trade But when the derestriction was then met with a financial restriction And of course, all the other vehicles had to follow suit Back in 2004 and beyond up until the days of Covid I would say the trade was fairly good financially rewarding I've been a taxi driver for some 25 years and I've never found it so hard to make a living at the present time Although I haven't got a vehicle licensed in Kings Lynn at the moment if I chose to, I would have to spend some £30,000 minimum for a minibus because that's what I choose to drive for my custom base requirements Make no mistake, not my personal requirements In the handbook, you give seven years first license for electric cars I personally can't see any reason why you can't start normal hackney carriages and private hires off at seven years to be first licensed I also believe there's no need to have a mileage limit as when buying a taxi of course we always try to buy the lowest mileage vehicle we can Now moving on to the age limit when that vehicle becomes too old for use as a taxi For example TAXIS and private hires can be licensed up to 15 years old but Years 12,13,14 The license is granted under delegated powers with a condition at the vehicle must have a full service history exceptional condition But are they not exceptional condition up to years 12?

I don't think it's necessary to have the exceptional ruling in force Because we have to have two ministry of transport MOTs And two compliance tests with any advisories Haven to be fixed within 28 days I believe if you change the rules from say up to 7 years to be first licensed no mileage limit With the 2MOT rule after the vehicle, it's five years old and then just drive straight through until 15 years old I believe that drivers that can't change their cars now and try to stretch them out to 15 years old You would actually get a better class of Car across-the-board For example, they would buy a car at say 7years old And just drive it for four or five years and then change it Instead of buying it at five years and stretching it out to 15 years Hope this all makes sense if you have any questions, please do not hesitate to email or call. Kind regards, Martin Allen.

This is what I would like to see if you could put this in the new handbook rule changes

Sent from my iPhone

Subject: Amendment to previous email

Good morning Craig

After sending my previous email

Regarding age mileage rules

I did say, for example, could we go from?

Five years to 7 years like the electric vehicles After giving it some thought I would like to change that suggestion to No age mileage limit in But the requirement must be have a Euro six engine vehicle Also within the next 10 years, I can see all cars being electric so as an incentive I think for those who want to get electric cars earlier and I'll prepare to spend the money I think you should give them the first 3 years of the vehicle license fee for free Many thanks

Sent from my iPhone

Subject: IVAs

Good morning Craig

Writing this email regarding IVAs

For Cars on the insurance register with reference to category S being structural And category N meaning non structural For example Category S is structurally damaged and I do believe that you allow these to go back on the road as TAXIS as long as they have an IVA I totally agree with that

As for category N That just means a non-structural and a non economical repair for the insurance company With the cost of parts and labour they soon write them off and put them on to a category N I believe that you should allow these back on the road as TAXIS as long as they pass the ministry of transport MOT and the Council compliance test it is no different to any other car really And a category N is perfectly safe to be used as a taxi once repaired For example, a category N Can be a crack in the front bumper, and a dent in the wing and I can put it on a category N Kind regards, [REDACTED]

Sent from my iPhone

Good morning Craig Just writing this email regarding the need to have a IVA and wheelchair accessible vehicles I think in the handbook, you phrase it as vehicles being altered And yes, I do agree to a degree For example

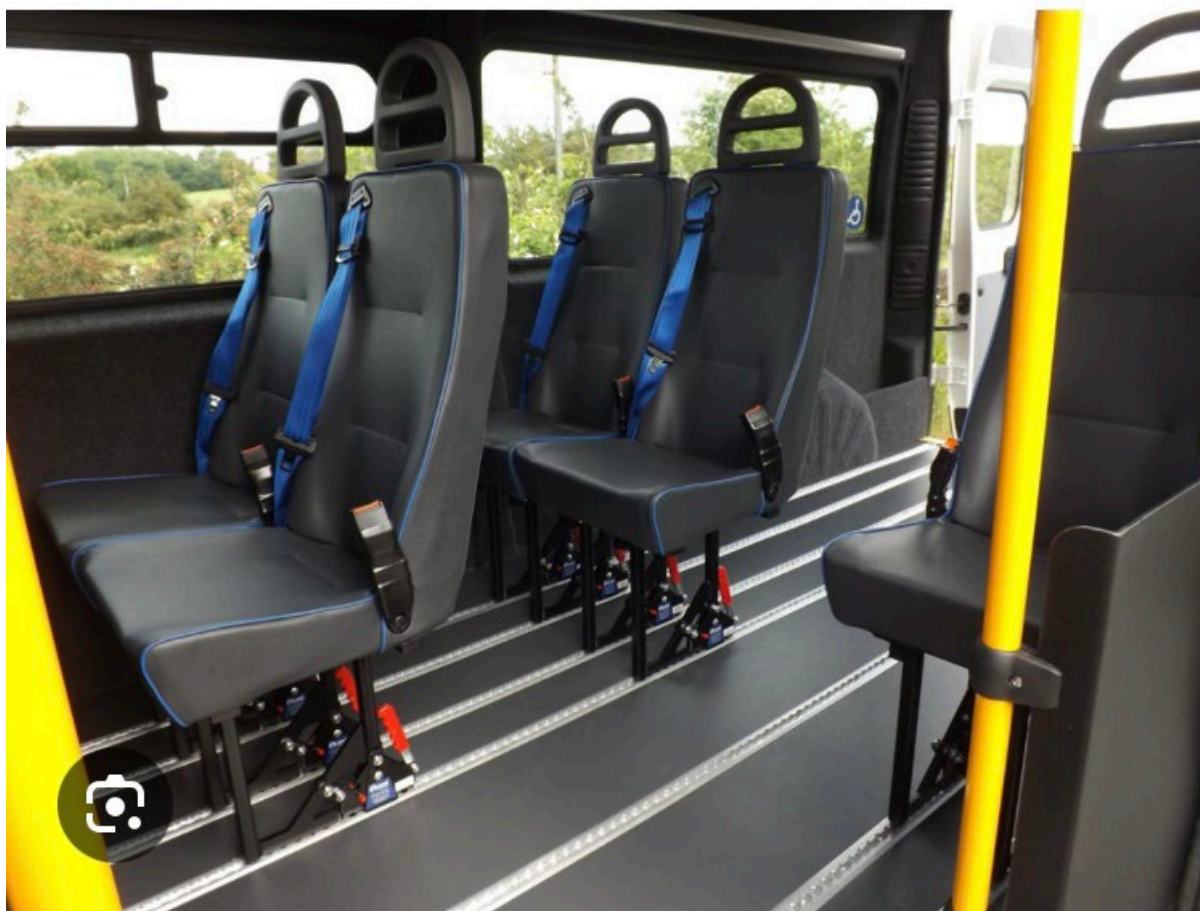


If the vehicle has been altered like this, yes it should have a IVA

Sent from my iPhone

This is a follow on for my first email regarding WAV Can you please attach it to it? As I didn't want to include too many photos and it won't send

Again, when you are fitting tracking into a floor and you physically put the seats that the passenger sits in in the tracking again, I believe the vehicle should have an IVA please see picture alone for example many thanks, [REDACTED]



Sent from my iPhone

Follow on to my previous two emails This is regarding the anchor points that go through the floor for the wheelchair restraints I don't believe this system needs an IVA Because you're not changing the structural stability of the vehicle Like in my previous two emails and the solo anchor system is designed exactly for what we're using it for No IVA required I can't see any reason why when we take the vehicle for an MOT and it's got the anchor points fitted why the MOT man cannot check that the correct washers have been used and the number on the bolt reflects That is the right bolt being used as recommended in the fitting instructions Because of the nature of their job of vehicle safety and can clearly see it goes through the floor And if the owner of the vehicle presents the fitting instructions They will be able to see at the correct size washer has been used so it cannot pull through the floor All manufactures Of the solo anchor point Equipment they have had the equipment tested and complies to all safety regulations and as long as it is fitted as the per there instructions they will standby it I have personally fitted 8 of these systems in vehicles and never had a problem With fitting them And always had the safety of the wheelchair user in mind You may well say how can somebody tell other than on an IVA inspection? Tell if this is fitted correctly and safe Well I could look at them and tell you within 20 seconds yes 20 seconds if the equipment has been installed correctly I understand why you want the TAXIS to have an IVA And I do agree with you when the vehicle has been structurally altered But with the solo restraints, it's not been altered One thing I do know and I think not too many of the other drivers know that

when loading a wheelchair they should check that the wheelchair is compatible to be strapped down in a vehicle. It's quite a simple check it will have stickers on it telling you that it's okay And that has also been safety checked, but I wonder, how many people would know that? Please see two pictures below of the solo restraint systems and you will see the size of the washer, ect ect

s10 5

EN
Fit and use

- Do not make any alterations to the Solo floor anchors.
- Do not install the floor anchors to unsound metal, wood, or plastic structures without additional and suitable reinforcement.
- These floor anchors meet the requirements of ISO 10542 & SAE J2249. Testing was conducted to the same configuration to that recommended by this guide, any deviation from the recommendation is the responsibility of the installer.
- The installer is responsible for ensuring that the fitting meets all applicable regulations. If in doubt about the method of installation or use please contact BraunAbility.

SA - Standard Floor Anchor

HVSAL - Long High Viz Floor anchor

SAS - Short Floor Anchor

Sent from my iPhone

West Norfolk Deaf Association

Good morning

thank you for sending us this proposal

we note that there is provision for assistance dogs, and hope that this will also be acknowledged that Hearing Assistance dogs are now much more commonplace

Some, if not most, London Black Cab taxis do have an internal hearing induction loop system, but we know that Kings Lynn cars are mostly private hire so this might not be a feasible suggestion for all, but we would appreciate the Council suggesting to companies that including enhanced communication technology could be an additional or extra feature.

There are issues with contacting and hiring private taxi companies as Deaf people cannot use the telephone, and a text number or app would certainly be more accessible.

Apps which alert hirers to the estimated arrival pick up time (such as that used by companies like Uber) can support Deaf people to feel safer when waiting on street corners or outside buildings for taxis, and will help to know who the taxi driver is and which car they are expecting.

Many thanks



Consultant Hearing Therapist Audiologist

Manager

West Norfolk Deaf Association

32b Railway Road, King's Lynn

Norfolk PE30 1NF

Telephone: 01553 773399

Supporting deaf children, adults and elders in West Norfolk for 25 years

Registered Charity Number: 1064118



[REDACTED]

Subject: Hackney carriage and private hire conditions

Hi Marie

With regard to the age limit for vehicles, the cost of newer vehicles has escalated somewhat in recent years, and has made purchasing newer vehicles a big financial burden for old and new drivers, could we possibly ask for a change to first registration of vehicles to 7 or 8 years old and have no mileage restriction and be allowed to use them until 15 years old without the exceptional condition policy, as some of us drivers have discussed the vehicles are compliance tested and mot'd twice a year, with all minor faults and advisories repaired for continuation of license, which essentially means they are in good order more so than the average drivers vehicle on the road, some of our neighbouring districts don't have such strict conditions on vehicle age limits like we do...

...Also with regard to bus lanes in Kings Lynn, if cameras are installed could Hackney carriages be allowed to use them as well as buses, as with ANPR it would be easy to identify compliant vehicles, I would also like to point out that in 24 years as a taxi driver in Kings Lynn we as a trade have never been consulted about using them before like in other towns and cities

Regards [REDACTED]
Hackney owner driver

Subject: Fee increases and proposed conditions

Good morning

I'm writing in as part of the consultation and with reference to the topics discussed during the meeting on Monday 18th November regarding your proposals and also putting my own proposals forward to yourselves for consideration moving forward.

Your proposals.

1. Fee increases...

...2. Roof lights,

Firstly...reverting back to the old specification size of the 1980s/1990s which may have been ok on the big boxy cars of that era is not an acceptable size to many of the trade of today, Secondly...many of us like myself have had a 10" wide 4" high roof light for the past 20 years or so, during which time it has passed in excess of 20 compliance tests and has been deemed as an acceptable size for all that time,

secondly... cars of today being more streamlined this size is more suited to the modern vehicles,

Thirdly... with the cost of fuel these days fitting big clunky roof lights cause more coefficient drag and reduce fuel consumption for ourselves causing an unnecessary burden of costs to our businesses and that in turn is also worse for the environment,

Fourthly... the cost to replace what is already a perfectly acceptable sized roof light is in excess of £100 which in view of all our other increased overheads and your proposed extortionate fee increases it is also just another unnecessary burden of cost on our businesses that we can ill afford, not to mention the extra carbon foot print this also leaves, so im not alone in proposing the minimum size should be no smaller than 10" wide by 4" high with no maximum size which should be down to the drivers preference should they choose a large one to compliment a large vehicle such as a minibus.

My proposals.

1. Vehicle age limits.

With reference to the best practice guide which says that age limits should not necessarily be imposed and can be counter productive and that emissions may be a much better way to do it, I and many others in the trade absolutely agree with that sentiment, a more modern and favourable approach with absolutely no compromise to your main objective of safety of the general public which is covered in the two stringent vosa mot tests and two compliance tests per year to your required standards would be an emissions based system where as long as a vehicle passes those tests and meets Euro 6 standards it should be acceptable for licencing, so I see absolutely no reason especially if as you claim you are not just drip feeding us the reduction of the age/milage limit why you still need to impose this restriction on the trade at all.

However based on the traditional drip fed reduction of the age/milage system you seem to favour at present, at the very least the ridiculous condition where a vehicle in years 12, 13 and 14 has to be in better condition than it was in years 9, 10 and 11 needs to be scrapped altogether, we are talking about working vehicles which realistically are entering their twilight years of service so logic dictates that they are not going to be in better condition after their 12th birthday

than they were in the previous year and to have to waste money we don't have at present bringing them up to an exceptional condition equal to a vehicle many years newer that has covered many miles less is uneconomical and doesn't make sound business sense, especially at a time in the vehicles life when for example, a major problem like a turbo, gearbox or clutch needing replacing or slight panel damage in an accident where an insurance claim is made would render it an uneconomical repair and most would just replace the vehicle altogether anyway, as long as it passes it's relevant vosa mot tests for roadworthiness and the council compliance test for its condition, after its 12th year it should be as acceptable as it was before its 12th year without an extra financial burden being imposed on our businesses.

Secondly...at the very least the 5 year/100k miles entry barrier for vehicles should be raised to 10 years with no milage restrictions in line with our nearest competitor North Norfolk as we are in direct competition for custom with them and this restriction puts North Norfolk licenced drivers at an unfair advantage, especially when tendering for NCC contracts, with our restrictive entry barrier we can't afford to be as competitive on price as they can because we have to buy a more expensive vehicle, this in turn costs NCC as an authority at a time when they are as cash strapped as everyone else more in the long run as we here in West Norfolk have to tender and charge more because of the 5 year entry barrier, again because we have to buy more expensive vehicles, this would also somewhat deter drivers in West Norfolk licencing themselves in North Norfolk to get around your restrictive 5 year vehicle entry barrier, although with your proposed fee increases it may still be more attractive for many of us to licence there or somewhere else cheaper as apart from the appalling bus station daytime taxi rank and the night time rank on Norfolk street which most of the time is out of action due to cars parking on it you offer nothing worth the extra money it is going to cost us to licence here should your proposed fee increases go ahead.

To put this into context and from the perspective of a small business owner and licence holder who has been in the trade and licenced for 27 years i know the day to day running of the business inside out,

The trade is not a one size fits all business model and apart from the differences between Hackney and private hire and although we all do a similar job the trade is made up of a whole plethora of different variations on how we run our own particular business model, drivers work differing hours covering differing annual milages using differing sizes of vehicles etc so there shouldnt be a very limited one size fits all restriction on the choice and age/milage of vehicles that we are able to choose to suit our own particular business model, whilst private hire tends to cover higher milages per year and Hackneys tend to cover less both have other different requirements meaning a broader spectrum of choice should be available to cater for the trade as a whole not just the higher milage drivers that require newer vehicles, for example the requirements for a driver that chooses to use a mini bus and covers 50k to 60k miles a year is very different to the requirements of someone like myself that uses a saloon car and covers less than 20k miles a year, choosing and finding a mini bus with an age milage restriction for a start is very different to choosing a car as a mini bus has been set to work from day one where as a car hasn't, so two very different scenario examples, equally someone choosing to work long hours, covering longer distances like airports etc and earning more and wanting a bigger newer vehicle is different to someone who like myself chooses to work locally doing shorter journeys and working less hours and earning less therefore maybe wanting a

slightly older cheaper vehicle, the best practice guide says age limits should not necessarily be imposed and can be counter productive, this is very true as all the age/milage restrictions do is restrict how we choose to run our businesses, for example it just encourages someone like myself to keep a vehicle as long as they can as the financial burden of replacing it because they do less miles and work less hours with something in your newer lower milage bracket is too restrictive, it just reduces choice and is too expensive to upgrade, someone like myself would choose the right car at an age to suit the business model that they work and would almost certainly upgrade it to a newer, lower milage vehicle more often rather than squeezing every last drop out of an ageing vehicle, if we are having to replace a 12 year old vehicle with something less than 5 years old we'll be looking at spending around £17k to £20k plus for a car and approx double for a minibus for something decent, and unless we purchase an electric vehicle (which are not suitable or affordable for many of us at present) where we can claim the full 18% of its value against our tax liability, we are only able to claim 6% on a petrol or diesel vehicle meaning we are having to cover higher depreciation costs than we are able to claim back against our tax liability out of our own pockets meaning we have to then work longer hours and more days a week than we would choose to just to pay for it, and thats before we turn a profit, this then impacts and has a knock on effect on the other drivers all competing for the small amount of work out there at this present time, who then in turn also have to work longer hours and more days etc because we are taking work away from them as we are having to work more hours than we want to. At this present time when custom is scarce, money is tight and in such an uncertain economic climate and especially as we are now seeing the emergence of the apps like Uber with cross border drivers coming in from other areas and taking our work, we need the freedom from ridiculous restrictions that serve no purpose and be able to run our businesses as efficiently and as profitable as we can which we are not able to do at present.

Regards

[REDACTED]

[REDACTED]

Subject:

Good morning Craig

I've been busy doing a little bit of homework regarding age limits on TAXIS/private hires Please see below Although I know you don't have to incorporate this into your policy, I believe it makes a lot of sense And I am sure you've already read it Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK (www.gov.uk) '8.4 Vehicle age limits The frequency of testing required (see frequency of vehicle tests) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle. The setting of an arbitrary age limit may be inappropriate, counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences. A 5-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality. Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.' I think, if you now look at the cost of vehicles Especially wheelchair accessible ones and mini buses and all vehicles I think moving forward in time people will no longer be able to afford to run these type of vehicles under the current age limit The age limit was originally brought in when the Council had to deregulate in 2004 When the office are fair trading told all councils across the country that they had to deregulate Kings Lynn and West Norfolk chose to regulate but bring the rule of only wheelchair accessible vehicles would be given a Hackney plate over number 52 Of course there is a need for wheelchair accessible vehicle within the trade But when the derestriction was then met with a financial restriction And of course, all the other vehicles had to follow suit Back in 2004 and beyond up until the days of Covid I would say the trade was fairly good financially rewarding I've been a taxi driver for some years and I've never found it so hard to make a living at the present time I would have to spend between £20,000 -£30,000 minimum for a vehicle.

In the handbook, you give seven years first license for electric cars I personally can't see any reason why you can't start normal hackney carriages and private hires off at seven years to be first licensed I also believe there's no need to have a mileage limit as when buying a taxi of course we always try to buy the lowest mileage vehicle we can .Now moving on to the age limit when that vehicle becomes too old for use as a taxi For example TAXIS and private hires can be licensed up to 15 years old but Years 12,13,14 The license is granted under delegated powers with a condition at the vehicle must have a full service history exceptional condition But are they not exceptional condition up to years 12? I don't think it's necessary to have the exceptional ruling in force Because we have to have two ministry of transport MOTs And two compliance tests with any advisories Haven to be fixed within 28 days I believe if you change the rules from say up to 7 years to be first licensed no mileage limit With the 2 MOT rule after the vehicle, it's five years old and then just drive straight through until 15

years old I believe that drivers that can't change their cars now and try to stretch them out to 15 years old You would actually get a better class of Car across-the-board For example, they would buy a car at say 7years old And just drive it for four or five years and then change it Instead of buying it at five years and stretching it out to 15 years Hope this all makes sense This is what I would like to see if you could put this in the new handbook rule changes.


And I would like to see an incentive for drivers if they purchase an electric vehicle they should get 3 years free license on that vehicle.

Also the top lights on vehicles the size of 240 mm x 110 mm is big enough to see from 20 meters in my opinion.

And the bigger lights will give the car more drag so being not environmentally friendly

le .using more fuel.

Also every year at a set time is it possible to have an increase of say 5% as Norfolk county council gives us an increase every April on the school contracts.

Regards 

[REDACTED]

Dear Sirs

With regard to the proposals of change to the Licensing conditions and fees, we would like to have our comments below included for the consultation.

Generally, we can see that the council need to increase fees to cover costs but it would be helpful if maybe the costs were broken down to an increase every year for the next three years as opposed to one large increase to help the struggling trade and many sole operators.

With regard to the proposed condition changes there are a couple of points we would like to comment on and wonder if these conditions will be replicated in all counties?

Firstly - Equalities Act 2010 - The duties of all drivers Section 7.41 if the passenger is in or has with them a wheelchair, to carry the wheelchair. We would also like to refer to Section 9 on the Driver Medical formcapable of lifting heavy luggage.

We feel that there should be a safety for driver limit to lifting. For our own vehicles a wheelchair would first have to be lifted to almost waist height to achieve accessing the aperture of the boot. Health and Safety suggests a safe weight a person can lift should be 25kg for men and 16kg for women, however there is not a specific legal limit. Our experience of wheelchairs, which include battery operated and self-drive is that a wheelchair is too heavy for one person to lift. Ultra light is about 18kg progressing upwards with an average weight of 68kg. We are living in an ever growing obese world and this is likely to increase the weight of even a lightweight standard folding wheelchair. Under no circumstances could my wife who also has a hackney vehicle or even on occasions myself lift some of these wheelchairs on our own.

Secondly - Roof signs

You refer to recent complaints in plural. Obviously, this was a trade rallied and discriminative complaint aimed at our own business and our roof lights. As you are aware we visited your office and it was confirmed that our light could be read from a distance of 20 metres. This is not something that would really have been complained about by the public as they would not be aware of legislation on size of signage and generally any sign when lit at night can be seen. We could not find the size wording in the best practice guidance for licensing and also feel this guidance is very urban loaded not taking into consideration rural locations.

4.25 The sign shall127mm and 406mm in size. We have been registered for 15 years and have over time purchased different roof signs and not one of them would be suitable for your new sizing. Having to purchase new signs will be costly for every driver, we feel this is unnecessary and costly a change for the industry.

We also have an issue with the height of the signs as our large vehicle, which we purchased due to it being one of the lowest in height is 1.957m high. By adding your smallest sign this would make our vehicle 2.084m high. For us this means we would not be able to access the majority of car parks, which we currently do in and around cities due to our vehicle being too high. Furthermore, many car parks are in the process of adding height restrictions, even as close as Norwich City, due to the increase of weight for large and electric vehicles(1.55) which is why we sourced a smaller roof sign to enable us to

access the average of 2m. (Some car parks in London are also already limited to 1.84). Our business model involves travelling to many city destinations on a wait and return basis and underground multi storey car parks are one of the only options in city centres. As we have a corporate image both vehicles have the same signage.

Thirdly - Annex E

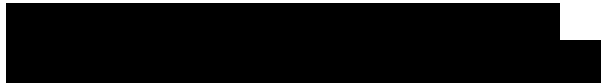
We could spend hours going through this checklist and make numerous reasons why this is unacceptable and pointless as a daily checklist.

We are not MOT inspectors and this checklist is clearly out of the MOT checklist for requirements. Many items on this list you would require a ramp to check, unless you expect us to crawl on the floor under the car, which is obviously unacceptable. We currently have to comply with your 6 monthly MOT/inspections and everything on this list should have been addressed at this point.

The checklist is out of date before going to print particularly with more people purchasing fully electric cars.

Generally drivers would obviously check tyres and fluid levels although our vehicles and we are sure many other operators vehicles tell you when to fill your fluids. No one aims to break down either on route to a customer or with a customer in their car. How would you plan to implement and monitor this checklist with the number of vehicles you have registered? Particularly as we are moving towards a paperless society.

Yours sincerely

A large black rectangular redaction box covering the signature area.

[REDACTED]

to whom it may concern

Although I don't have any major concerns with proposed changes

I do have some thoughts

firstly, when considering Licensing costs would it be good to compare with other Local Boroughs Like with the meter prices?

Second If you were going to remove Hackney carriage licenses this may result in reduction of the number of wheelchair accessible vehicles available in the borough. As a lot were bought within mind of getting a Hackney Licence.

Thirdly Before reducing the local Hackney fleet, you might want to consider the growing number of cross boarder Hackneys County operating in the Hunstanton area.

Surely its best to be licensed locally?

As I said, these are only my thoughts and I'm always happy to discuss

Best regards

[REDACTED]

[REDACTED]

Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Licensing, Hackney Carriage and Private Hire Conditions				
Is this a new or existing policy/service/function? <i>(tick as appropriate)</i>	New		Existing	✓	
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	Changes to current Hackney Carriage and Private Hire Licensing Procedures and Conditions Changes are in response to the publication of DfT Best Practice Guidance and in accordance with legislation including the Local Government (Miscellaneous Provisions) Act 1976				
Who has been consulted as part of the development of the policy/service/function? – new only <i>(identify stakeholders consulted with)</i>	Current Licence holders Neighbouring local authority licensing departments All Borough Councillors Local Disability groups				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability	✓			
	Sex			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
	Armed forces community			✓	
	Care leavers			✓	
Other, Hackney Carriage and Private Hire Licence holders			✓		



Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	
3. Could this policy/service be perceived as impacting on communities differently?	No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions: Actions agreed by EWG member:
If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
Assessment completed by: Name	Craig Pease	
Job title	Senior Licensing Officer	
Date completed	21st November 2024	
Reviewed by EWG member		Date

Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)

Housing Support Services Tender – Report to Cabinet

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet’s powers to decide		YES	
	Discretionary /	Need to be recommendations to Council		NO	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Jo Rust E-mail:		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Andy King – Senior Housing Manager E-mail: andy.king@west-norfolk.gov.uk Direct Dial: 01553 616422		Other Officers consulted: Nikki Patton – Housing Services Manager Ross Hefford – Housing Strategy Delivery Officer Duncan Hall – Assistant Director, Regeneration, Housing and Place			
Financial Implications NO – see notes	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 8th January 2025 (E&C); 14th January 2025 (Cabinet)

HOUSING SUPPORT SERVICES

<p>Summary</p> <p>The Council has recently adopted its Homelessness and Rough Sleeping Strategy, “Ending Homelessness, Person by Person” for 2024-2029. To help towards the delivery of this strategy, we are procuring two services for a minimum three-year period:</p> <ul style="list-style-type: none"> • An Intensive Support Service to meet the needs of people whose housing needs have not yet been sustainably met (including people sleeping rough, ‘sofa surfing’ or otherwise vulnerably housed) • An Early Intervention Service to provide targeted support to people at risk of losing their homes (including families within the Private Rented Sector, and people at risk of being evicted by family members) <p>The first of these services is currently funding by the Ministry for Housing, Communities and Local Government (MHCLG) under its Rough Sleeping Initiative programme. The council will receive a central government grant for rough sleeping prevention and recovery for 2025/26 but has received no confirmation beyond this date. In the event that there is no further funding extension, we intend to use reserve funds, which have previously been ringfenced for homelessness services, to commission and deliver this service.</p> <p>The total value is as follows:</p> <table> <tr> <td>2025/26</td> <td>£240,000</td> </tr> <tr> <td>2026/27</td> <td>£252,000</td> </tr> </table>	2025/26	£240,000	2026/27	£252,000
2025/26	£240,000			
2026/27	£252,000			

2027/28 £264,600

Due to the size of the contract, we are required under Contract Standing Orders to present our recommendation to Cabinet.

Recommendation

Cabinet Resolves:

1. to agree that £756,600 of funding, ringfenced for homelessness services, should be spent on the procurement of an Intensive Support Service and an Early Intervention Service.
2. to agree that the spending on this service should be derived from ringfenced government grants in the first instance and ringfenced reserves to make up any shortfall.

Reason for Decision

To support the implementation of the council's Homelessness and Rough Sleeping Strategy 2024-2029.

1. Background

- 1.1. The council has recently adopted, and launched, its 2024-2029 Homelessness and Rough Sleeping Strategy, "Ending Homelessness, Person by Person"¹. This followed a Homelessness Review², evaluating the provision of accommodation and support for people who are homeless or at risk. Based on the evidence gathered during the Homelessness Review, the Strategy proposes that two services are commissioned, targeted towards areas of greatest need.

Intensive Support Service

- 1.2. The strategy identified a need to provide targeted support to people who have already experienced homelessness and may be struggling to find and sustain permanent accommodation due to past traumas, substance use, poor mental health and so on. "*The Homelessness Review identified a cohort of people who are the furthest away from having their accommodation needs met permanently and sustainably*"³.
- 1.3. Since April 2022, the council has commissioned The Purfleet Trust to provide an Intensive Support Service for people who are sleeping rough, in temporary accommodation or otherwise vulnerably housed. The service has been funded directly by a ringfenced grant under the previous government's Rough Sleeping Initiative programme (RSI)⁴. This service has been effective – in some cases, life-saving – in

¹ [Full strategy document | Homelessness and Rough Sleeping Strategy 2024 - 2029 | Borough Council of King's Lynn & West Norfolk](#)

² [BCKLWN Homelessness Review 2024 - final.pdf](#)

³ KLWN Homelessness and Rough Sleeping Strategy (link above), p.22

⁴ [Rough Sleeping Initiative: 2022 to 2025 funding allocations - GOV.UK](#)

- identifying and supporting people sleeping rough to move into accommodation as quickly as possible and has had a positive impact on minimising the number of people sleeping rough in the borough.
- 1.4. Following the change of government in July 2024, the council has been awaiting guidance and clarification from MHCLG regarding any extension of the RSI programme. On 18th December, the council was advised by MHCLG that it will receive £139,728 towards rough sleeping prevention and recovery, but has received no assurances regarding future years' funding.
 - 1.5. To preserve the safety of people sleeping rough, it is essential that we provide continuity of service. Therefore, we have carried out a procurement exercise for the delivery of an Intensive Support Service from 1 April 2025 – the day after the expiry of the RSI contract – for a minimum of three years.
 - 1.6. The council currently holds reserves from previous years of central government funding that are ringfenced for the prevention and relief of homelessness. If the council receives no further RSI funding (or insufficient RSI funding), we propose using some of these reserves to commission the service.
 - 1.7. This approach enables us to proceed without having to wait for a funding announcement from MHCLG. It ensures continuity of an essential service. A three-year contract provides a degree of 'job security' to frontline workers who support people sleeping rough, at a time when the sector is struggling to recruit and retain staff.

Early Intervention Service

- 1.8. The prevention of homelessness is at the heart of this strategy. *“To end homelessness, we need to prevent it happening in the first place”*⁵. Data from the Homeless Review identified two 'target groups' at particular risk of homelessness:
 - Private Rented Sector Tenants (with families particularly affected)
 - People currently living with friends or family, whose living arrangements may be fragile.
- 1.9. To address the needs of these target groups, and in line with the aims of the Homelessness and Rough Sleeping Strategy, we propose the creation of an Early Intervention Service. We have carried out a procurement exercise for its delivery. The service is due to commence on 1 April 2025 for a minimum of three years.
- 1.10. This service is intended to provide low to medium-level support to households including families, childless couples and single people to assist them in accessing and/or maintaining accommodation by providing short term support typically between 3-6 months. This will, in turn, reduce the number of people approaching the council at the point of crisis, and reduce the volume of people requiring costly emergency accommodation.
- 1.11. Whilst this service is not subject to the same continuity pressures at the Intensive Support Service, it made good sense to procure the two services at the same time, as:

⁵ KLWN Homelessness and Rough Sleeping Strategy (link above), p.14

- It attracted bidders interested in delivering both services
 - It ensures that the service is operational at the earliest possible opportunity, delivering against the aims of the Strategy.
- 1.12. The council receives an annual ringfenced Homelessness Prevention Grant (HPG)⁶ from MHCLG. As per paras 1.4-1.6 above: we expect to receive HPG funding from 2025/26 onwards but we are yet to learn of the level of funding. If HPG funding is insufficient to cover the value of this contract, we intend to use some ringfenced reserves (1.6) to commission the service.

Procurement Exercise

- 1.13. For information: the Invitation to Tender for both lots closed on 25 November. We are in the process of evaluating the bids and should be able to confirm our preferred bidder(s), subject to contract, by the date of the Environment and Communities Committee.

2. Options Considered

- 2.1. **In-house delivery:** theoretically, the above services could be delivered internally – other local authorities such as Peterborough City Council deliver similar services ‘in-house’. However, we have strong relationships with local service delivery providers, who in turn have excellent relationships with people who are experiencing homelessness, who may have a mistrust of statutory services.
- 2.2. **Delayed delivery:** we could have waited for MHCLG to announce funding for 2025/26; however we have been provided with no clear timescales. In the meantime, we risk losing frontline staff to other services, which would be at the detriment of people sleeping rough or otherwise vulnerably housed.
- 2.3. **Procurement via tender:** therefore, the proposal laid out in section 1 is our recommended option.

3. Policy Implications

- 3.1. **Homelessness and Rough Sleeping Strategy:** the proposals address several key strategic aims, including:
- Reinstating a home visiting function aimed at preventing family evictions (aim 1.7)
 - Redesigning and recommissioning the existing Intensive Support Service (1.8)
 - Ensuring that prevention activities have a specific remit towards families, based in the community (1.11)
 - Developing a “by name” meeting / partnership to resolve the homelessness of those who are furthest away from having their housing needs met (2.8)
 - Improving access to mainstream health services for homeless people (4.1)

⁶ [Homelessness Prevention Grant: 2023 to 2025 - GOV.UK](https://www.gov.uk/government/topics/homelessness)

- 3.2. **Corporate Strategy:** the proposals fit with the council's wider Corporate Strategy (2023-27) including:
- Reducing isolation, improving health and wellbeing
 - Tackling social and health inequalities
 - Helping prevent homelessness, assisting people with access to benefits advice and ensuring there is equal access to opportunities.
- 3.3. **Marmot Places:** the proposals fit with the council's overall ambitions to become a Marmot Place, including:
- Enabling [...] adults to maximise their capabilities and have control over their lives.
 - Ensuring a healthy standard of living for all.

4. Financial Implications

- 4.1. As outlined in section 1, we will fund the services through:
- Any extension (or equivalent replacement) of MHCLG's Rough Sleeping Initiative funding
 - Any extension (or equivalent replacement) of MHCLG's Homeless Prevention Grant funding
 - Existing reserves, which derived from previous central government grants, which were ringfenced by central government for the prevention and relief of homelessness⁷.
- 4.2. Therefore, there are no direct financial implications for the council.

5. Personnel Implications

- 5.1. As outlined in section 2, the services will be most effective (and cost-effective) when delivered by external agencies who specialise in supporting people within the target groups identified. Therefore, no additional posts will be created because of this proposal.
- 5.2. The services will be subject to a robust contract monitoring process, led by the council's Senior Housing Manager. This work falls within the postholder's usual duties and has been identified as a current priority.

6. Environmental Considerations.

- 6.1. Although instances of rough sleeping in the borough are relatively rare, behaviours associated with rough sleeping can occasionally have a negative impact on the local environment, including:
- Discarded bedding and tents
 - Public urination / defecation (where no toilets are available locally)
 - Unsafe disposal of needles or other drug paraphernalia
- 6.2. Whilst the Intensive Support Service's priority is towards the safety and welfare of those sleeping rough, the service will have a knock-on positive effect on the local environment, street scene and so on.

7. Statutory Considerations

⁷ NB: in previous years, central government funding was not required to be spent within the financial year of allocation. Therefore, local authorities retained underspent funding for the purpose of future years' homelessness services.

- 7.1. The council holds a statutory duty to prevent and relieve homelessness under the Homelessness Reduction Act 2017. It is required to provide support to all applicants, not just those who are in 'priority need' of assistance.
- 7.2. Whilst the council is free to choose how it discharges its duties, the Homelessness Code of Guidance (Chapter 3) explains that the council could provide such services in-house, commission services externally or deliver in partnership.
- 7.3. Both services proposed support the council's legal duty to provide advice and assistance, whilst ensuring that it is delivered in a meaningful, trauma-informed and accessible manner.

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

9 Risk Management Implications

None identified

10 Declarations of Interest / Dispensations Granted

None identified

11 Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

See footnotes for references.



Stage 1 - Pre-Screening Equality Impact Assessment

Name of policy/service/function	<p>Housing Services</p> <p>Commissioning of:</p> <ol style="list-style-type: none"> 1. Intensive Support Service 2. Early Intervention Service 			
Is this a new or existing policy/service/function? <i>(tick as appropriate)</i>	New	Early int.	Existing	Int. support
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.</p>	<ol style="list-style-type: none"> 1. The Intensive Support Service is designed for people who are currently homeless (whether rough sleeping, sofa surfing or otherwise vulnerably housed) and who may have multiple and complex support needs. It will provide support to help identify such individuals and support them to find and sustain accommodation. 2. The Early Intervention Service is designed to provide short-term, targeted help to people who may be at risk of homelessness but who may not have reached the point of crisis yet. This could include families in Private Sector accommodation, individuals staying with friends/family or others. <p>The services support the council in discharging its duties under the Homelessness Reduction Act 2017. Legislation allows the council to design services flexibly to provide advice and assistance to people who are homeless or at risk – but there is a statutory duty for advice and assistance to be available to all (see ch.3 of Homelessness Code of Guidance)</p>			
Who has been consulted as part of the development of the policy/service/function? – new only <i>(identify stakeholders consulted with)</i>	<p>The services form part of the council's wider Homelessness and Rough Sleeping Strategy, which was endorsed by councillors in October 2024 and launched in November 2024. The strategy was developed from a large consultation and co-production process taking into account over 100 voices, including over 25 people with lived experience of homelessness.</p> <p>Consultees included:</p> <ol style="list-style-type: none"> 1. Elected members 2. Other council departments 3. Other statutory bodies (police, DWP, NHS etc) 4. Commissioned services (Shelter, Purfleet Trust etc) 5. Voluntary sector services (King's Lynn Night Shelter, King's Lynn Foodbank etc) 6. Members of the public 7. People with lived experience of homelessness 			
Question	Answer			

<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability	X			
	Sex	X			
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
Other (eg low income, caring responsibilities)	X				

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	The service will be funding through monies that are exclusively for the prevention and relief of homelessness, but that are accessible to all who need them.
3. Could this policy/service be perceived as impacting on communities differently?	No	As above
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes	Service is intended to tackle the disadvantage that stems from homelessness, as well as helping service users address underlying areas of disadvantage (e.g. poor mental health)
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	Actions:
		Actions agreed by EWG member:

If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:

The service falls under the overarching aims of the Homelessness and Rough Sleeping Strategy, which has already been subject to a full EIA. The service will only deliver positive impacts for some of the borough's most vulnerable residents. 235

Decision agreed by EWG member:C Marriott.....

Assessment completed by:	
Name	Andy King
Date completed	4 December 2024

Complete EIA Pre-screening Form to be shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet’s powers to decide		YES	
	Discretionary /	Need to be recommendations to Council		NO	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Chris Morley E-mail: <i>cllr.chris.morley@west-norfolk.gov.uk</i>		Other Cabinet Members consulted: All			
		Other Members consulted: All members previously provided with the information			
Lead Officer: Michelle Drewery, Assistant Director Resources E-mail: <i>michelle.drewery@west-norfolk.gov.uk</i> Direct Dial: 01553 616432		Other Officers consulted: Management Team and Senior Leadership Team			
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES	Environmental Considerations NO

Date of meeting: 14 January 2025

BUDGET MONITORING REPORT – PERIOD UP TO 30 SEPTMEBER 2024

<p>Summary The attached report sets out the financial position for the Council for the period up to 30 September 2024 and includes key risks.</p> <p>Recommendation</p> <p><u>Cabinet Resolves:</u> <u>To note the contents of the report for the period</u></p> <p><u>Recommendations to Full Council:</u> <u>None</u></p> <p>Reason for Decision To ensure Cabinet are informed of the Council’s financial position and can take corrective action where needed if necessary.</p>
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- 1 Background**
 - 1.1 Details are set out in the report.
- 2 Options Considered**

2.1 Details are set out in the report.

3 Policy Implications

3.1 None at this time.

4 Financial Implications

4.1 The purpose of the report is to provide Members with information on the Council's budget monitoring position for 2024/2025. Details are set out in the report.

5 Personnel Implications

5.1 The report is setting out financial information. There are no implications for personnel.

6 Environmental Considerations

6.1 The report is setting out financial information. There are no direct environmental considerations.

7 Statutory Considerations

7.1 Under section 25 of the Local Government Act 2003, the Chief Finance Officer of an authority is required to report on the following matters:

- the robustness of the estimates made for the purposes of determining its budget requirement for the forthcoming year; and
- the adequacy of the proposed financial reserves.

7.2 There is also a requirement for the authority to have regard to the report of the Chief Finance Officer when making decisions on its budget requirement and level of financial reserves.

7.3 The Council must set and deliver a balanced budget. However, a budget will not be balanced where it reduces reserves to unacceptably low levels and regard must be had to any report of the Chief Finance Officer on the required level of reserves under section 25 of the Local Government Act 2003, which sets obligations of adequacy on controlled reserves. The report sets out the forecast position on the general fund reserve balance.

8 Equality Impact Assessment (EIA)

8.1 This report is setting out financial information only. There are no direct equality implications arising from this report. It is expected that equality impact assessments will be undertaken to support the development of budget proposals each year.

9 Risk Management Implications

9.1 Details are set out in the report.

10 Declarations of Interest / Dispensations Granted

11 Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function					
Is this a new or existing policy/service/function? (<i>tick as appropriate</i>)	New		Existing		
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.					
Who has been consulted as part of the development of the policy/service/function? – new only (<i>identify stakeholders consulted with</i>)					
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> <p><i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i></p>		Positive	Negative	Neutral	Unsure
	Age				
	Disability				
	Sex				
	Gender Re-assignment				
	Marriage/civil partnership				
	Pregnancy & maternity				
	Race				
	Religion or belief				
	Sexual orientation				
	Armed forces community				
	Care leavers				
Other (eg low income, caring responsibilities)					

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No	
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:
		Actions agreed by EWG member:
If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
Assessment completed by: Name		
Job title		
Date completed		
Reviewed by EWG member		Date

Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)



The Budget 2024/2025

Monitoring Report

30 September 2024 – Quarter 2

Michelle Drewery
Assistant Director Resources
Section 151 Officer

The Budget Monitoring Report 2024/2025: 30 September 2024 – Quarter 2

1. Introduction and Summary

This report provides an assessment of the council's financial performance against its 2024/2025 approved budget, incorporating key financial risks, issues, and opportunities since 1 April 2024 for revenue and capital items. The year-end forecasts take into consideration emerging data from service managers along with actual income and expenditure from 1 April 2024 to 30 September 2024.

The key sections of the report are laid out as follows:

- General Fund (Revenue) – Section 2 and Appendix A
- Capital – Section 3 and Appendix B
- Reserves – Section 4

Risks and Key Items

Following a change in Government in July, uncertainty continues surrounding the impact this may have on the Council, in terms of funding allocations and direction of financial settlements going forward. The Council continue to monitor briefings from Government and review the impact and opportunities of any announcements.

As of September 2024, inflation is at 1.7%, which is marginally under the target level of 2% set by Government. The lasting effect from inflation on individuals and businesses is being monitored in terms of impacts from increasing revenue costs and demand for the Council's services, risk to recovery of monies collected by the Council and risk that could delay and/or increase the cost of capital projects.

At the end of quarter 2 the Bank of England base rate remained at 5% following a reduction from 5.25% in August 2024. On 7th November, the base rate was reduced by 0.25% to 4.75%.

The Council set its original budget for Revenue and Capital at its meeting of 22 February 2024. The following table shows a summary of the forecast revenue position for the year based on information arising from the period to 30 September 2024:

Revenue

Table 1 below shows a summary of the forecast revenue position for the year based on information arising from the period to 30 September 2024:

Table 1

Revenue	Approved budget 2024/2025	Forecast budget position 2024/2025	Forecast Variance 2024/2025
	£	£	£
Borough Spend	26,930,950	27,525,496	594,546
Financing	(24,731,820)	(25,017,420)	(285,600)
Contributions to/(from) General Fund Reserve	(2,199,130)	(2,508,076)	(308,946)

The council budgeted for a contribution from the General Fund Reserve of £2,199,130 to fund the net budget required this year. However, the current forecast position is estimating that the requirement will be £2,508,076, an adverse movement of £308,946 against the original budget.

The council have also committed to contributing £1,810,000 to the General Fund Reserve, to replenish funds used to pay the Pension Lump Sum. Taking the above into consideration, the estimated balance in the General Fund Reserve, as at 31 March 2025 is £7,899,630.

Capital

The Capital Programme 2023/2028 was approved at Council on 22nd February 2024. Work is being undertaken to review and rephrase the capital programme following the capital outturn report for 2023/2024, which was reported to Cabinet on 30th July 2024. This work is still under review. An update will be provided in Quarter 3 monitoring report.

If further information is required regarding this report, please do not hesitate to contact Michelle Drewery.

2. Revenue Budget 2024/2025

The budget for 2024/2025 was presented to Cabinet on 7th February 2024 and approved by Council on 22nd February 2024 in accordance with the process for approving the Medium-Term Financial Plan 2023/2028.

A summary of the budget position as at 30 September 2024 is shown below in Table 3. Further detail of the movements can be seen in Appendix A.

Table 3

Q2 Forecast Outturn Position	Approved budget 2024/2025	Forecast budget position 2024/2025	Forecast Variance 2024/2025
Service	£	£	£
Central Services	3,713,440	3,748,440	35,000
Chief Executive	55,000	55,000	-
Environment and Planning	2,285,260	2,595,260	310,000
Health Wellbeing and Public Protection	1,120,410	1,126,050	5,640
Legal, Governance and Licensing	978,140	978,140	-
Leisure and Community Facilities	2,428,740	2,449,740	21,000
Operations and Commercial	2,484,690	2,566,980	82,290
Programme and Project Delivery	(195,370)	(191,870)	3,500
Property and Projects	(1,366,970)	(1,366,970)	-
Regeneration Housing & Place	1,501,480	1,452,060	(49,420)
Resources	8,493,860	8,680,396	186,536
Financing Adjustment	1,929,380	1,929,380	-
Internal Drainage Boards	3,502,890	3,502,890	-
Borough Spend	26,930,950	27,525,496	594,546
Contributions to/(from) General Fund Balance	(2,199,130)	(2,508,076)	(308,946)
Borough Requirement	24,731,820	25,017,420	285,600
Revenue Support Grant	(1,015,160)	(1,015,160)	-
Rural Service Delivery Grant	(628,540)	(628,540)	-
New Homes Bonus	(338,620)	(338,620)	-
Other Government Grants	(710,460)	(964,460)	(254,000)
Business Rates	(14,064,600)	(14,064,600)	-
Council Tax	(7,974,440)	(8,006,040)	(31,600)
Total Funding	(24,731,820)	(25,017,420)	(285,600)
Funding Position	0	0	0

The following revenue budget virements have been identified in the period:

Table 4

Service	Amount	Reason for Virement
Health Wellbeing and Public Protection	(74,930)	It was identified that some staffing budgets were not being reflected under the appropriate service area. These virements re-align the staffing budgets to correct these errors.
Legal, Governance and Licensing	129,560	
Environment and Planning	32,460	
Resources	(87,090)	
Total	-	

Turnover savings

The turnover saving target is the savings anticipated from a service's ability to hold a position vacant for a short time following an employee leaving. Savings in some posts cannot be achieved due to the critical need to have that post filled promptly to maintain timely service provision. As a result, savings are offset by cost of temporary/agency staff, overtime, and costs of recruitment.

The budgeted turnover savings for 2024/2025 are £1,000,000. At the date of preparing this report the 2024/2025 cost of Living pay award has been approved, but is still awaiting payment, so an estimate has been built into the turnover savings calculation.

A high-level turnover savings calculation has been prepared and summarised below in table 5. A more detailed calculation will be prepared and presented in the Quarter 3 monitoring report, following the payment of the 2024/2025 cost of living pay award.

Table 5

Direct employee costs	£
Estimated cost for filled posts as at September 2024	22,409,710
Actual cost of recruitment, agency and consultants April to September	674,970
Estimated cost of recruitment, agency and consultants October to March	401,060
Total estimated costs for year	23,485,740
2024/2025 budget	25,323,790
Turnover Savings target	(1,000,000)
Savings over target	838,049

At this stage of the year assumptions for recruitment to vacant posts is estimated for the final half of the year along with the impact for reliance on costs of backfilling those vacant posts.

In consideration of the estimating of those costs, it is anticipated that the Council will meet the turnover savings target and be in a surplus position. As set out above, a more detailed and robust overview of the turnover savings will be provided in the Quarter 3 monitoring report and any surplus achievement of the turnover savings will be reflected in the forecast outturn position.

Opportunities/Risks

With the 2024/2025 Cost of Living award still outstanding for payment, it has proven difficult to accurately calculate the anticipated turnover saving position. The cost of living award has been agreed and payment, backdated from April 2024, will be paid in December. Work is being undertaken to update base salaries, so once this information is received a more accurate savings position can be calculated.

A review of contracts has been undertaken as part of the base budget assumptions for 2025-2029 estimates. Several contract price increases have been identified and further action may be required to contain these increases within current budgets. This will be reviewed closely and reported on accordingly.

During the ongoing estimates 2025-2029 process, various savings proposals have been put forward. Some of these proposals may materialise in the current financial year, generating in year savings against budgets. This will be closely monitored going forward and any savings reported when realised.

3. Reserves

The main reasons the Council holds reserves are to :

- Manage known financial risks.
- Hold funding as one-off contributions to expenditure, allowing ongoing revenue budget reductions.
- Manage timing difference between the receipt of funding and actual spend.
- Hold ring-fenced funds such as specific grants.

As reported to Council in February 2024, the budget set out an estimated contribution from the General Fund Reserve of £2,199,130. Table 6 below shows the estimated impact to the General Fund Reserve balance based on the current forecast position:

Table 6

Projected Movements in General Fund Reserve Balance	2024/2025 £
Revised balance brought forward 1 April 2024 (following 23/24 audit)	8,597,706
Estimated contribution to/(from) General Fund Reserve	(2,508,076)
Pension lump sum replenishment	1,810,000
Projected General Fund Balance 31 March 2025	7,899,630

The General Fund Reserve Balance is used to support the revenue budget as set out in the Medium-Term Financial Plan. However, the council also holds various earmarked reserves which are held for specific purposes. The following table (Table 7) shows the budgeted movements to/(from) earmarked reserves and provides notes in respect of any in year movements against these reserves for the period to 30 September 2024.

Table 7

Reserves	Opening balance 1 April 2024	Budgeted movements To/(From) Revenue	Capital Transfers	In year movements To/(From) Revenue	Note	Forecast Outturn Balance 31 March 2025
Ring Fenced Reserves						
Amenity Areas	(37,740)	-		(12,000)	1	(49,740)
Capital Programme Resources	(811,688)	520		(17,952)	2	(829,120)
Collection Fund Adjustment Reserve	(4,846,972)	-		-		(4,846,972)
Grants Reserves	(1,804,883)	133,860		40,172	3	(1,630,851)
Holding Accounts	(429,097)	-		-		(429,097)
Other	(113,853)	(130,000)		-		(243,853)
Planning Reserves	(377,560)	(41,370)		40,000	4	(378,930)
Repairs and Renewal Reserves	(544,290)	(17,940)		-		(562,230)

Reserves	Opening balance 1 April 2024	Budgeted movements To/(From) Revenue	Capital Transfers	In year movements To/(From) Revenue	Note	Forecast Outturn Balance 31 March 2025
Ring Fenced Reserves	(5,981,802)	(267,310)		63,349	5	(6,185,763)
Educational Skills Attainment	-	80,000		-		80,000
Sub Total	(14,947,885)	(242,240)	-	113,569		(15,076,556)
Risk Management						
Capital Programme	(64,413)	-		-		(64,413)
Holding Accounts	(30,003)	-		-		(30,003)
Insurance	(156,869)	(61,470)		-		(218,339)
Planning Reserves	(22,947)	-		-		(22,947)
Ring Fenced Reserves	(45,155)	-		-		(45,155)
Sub Total	(319,386)	(61,470)	-	-		(380,856)
Service Delivery						
Capital Programme Resources	(3,987,562)	201,430		(713,332)	6	(4,499,465)
Climate Change Strategy	(716,696)	202,000		-		(514,696)
Grants Reserves	(1,827,523)	(42,000)		2,669	7	(1,866,854)
Holding Accounts	(2,348,444)	57,000		5,140	8	(2,286,304)
Planning Reserves	-	36,180		-		36,180
Project Reserves	(4,457,012)	-		22,785	9	(4,434,227)
Repairs and Renewal Reserves	(1,280,074)	(16,640)		(15,704)	10	(1,312,419)
Restructuring Reserve	(270,928)	-		-		(270,928)
Ring Fenced Reserves	(139,908)	100,000		-		(39,908)
Sub Total	(15,028,149)	537,970	-	(698,443)		(15,188,621)
Grand Total	(30,295,420)	234,260	-	(584,874)		(30,646,034)

The above table shows various movements to the reserves in year:

Budgeted Movements to/from reserves total £234,260: Movements to/from reserves which were included within the approved budget

Capital transfers total £nil: This is where funds have been transferred to capital projects in year.

In year movements to/from revenue total £584,874: This balance accounts for other movements to and from reserves which were not included within the approved budget of £58,657 as well as additional transfers to reserves following the presentation and approval of the outturn report for 2023/24 to Cabinet on 30 July 2024 of £643,531. Further detail on these is set out below.

Notes to Reserves movements

Ring Fenced Reserves:

Note 1 – Amenity Areas

(£12,000) additional transfer to reserves following 2023/24 outturn position to fund future maintenance of Play Areas.

Note 2 – Capital Programme Resources

(£17,952) transfer to reserves due to a discrepancy in the historic rent deposits reconciliation – this reserve will be drawn upon if any further discrepancies are identified

Note 3 – Grant Reserves

(£34,140) correction to budgeted reserves transfer for Homes for Ukraine. Excess grant income was advanced at year end into revenue, opposed to being transferred to reserves. Therefore there is no reserve balance to draw down on for 24/25 as the income is already within revenue under the relevant cost centre.

(£18,240) forecast reduction to budgeted transfer from reserves for Housing staff due to Homelessness Prevention Grant being utilised

£50,000 transfer from reserves to cover the 24-25 MARMOT initiative project cost

£42,552 transfer from reserves of remaining COMF funding to cover funded staff posts

Note 4 - Planning Reserves

£40,000 reduction to budgeted transfer to reserves for planning fees (20%), due to fewer/smaller planning applications being submitted.

Note 5 – Ring Fenced Reserves

£47,040 transfer from Tourism reserve to cover the cost of delayed marketing campaigns, due to capacity issues within the department – amounts were set aside in 2023/24 to enable these campaigns to be delivered in 2024/25.

£4,000 transfer from reserve to cover the cost of Your Local Paper Local Heroes Awards.

£12,309 transfer from Pelicans reserve due to credit notes being issued in year for works done, which were previously transferred to reserves

Service Delivery:

Note 6 – Capital Programme

(£186,536) reduction to budgeted transfer to reserves for ICT, following review of cabinet report regarding funding.

(£300,000) additional transfer to reserves following 2023/24 outturn position to fund condition surveys for Councils commercial properties.

(£100,000) additional transfer to reserves following 2023/24 outturn position to cover additional resurfacing costs of the current 3G pitch at Lynnsport.

(£50,000) additional transfer to reserves following 2023/24 outturn position to fund technological, mobile communications and working solutions for non office based staff at the Depot.

(£100,000) additional transfer to reserves following 2023/24 outturn position to increase Disabled Facilities capital fund. This fund will help reduce the waiting list for assessments and keep residents safe within their homes by providing necessary facilities and adaptations.

(£748) transfer to cover debit balance on reserve following Year end 31 March 2024 close down

£23,952 transfer from reserve to cover the cost of Agency staff within Property Services

Note 7 – Grants Reserves

(£6,531) additional transfer to reserves following 2023/24 outturn position to transfer residual Department for Work and Pensions grant funding for future use.

£9,200 transfer from reserve to cover the cost of Ascendant Software renewal

Note 8 – Holding Accounts

£12,000 transfer from reserve to cover additional training costs which were initially planned for 2023/24.

£13,000 transfer from reserve to cover the cost of the Cultural Strategy – amount was put to reserves in 2023/24 to cover cost in 2024/25.

(£30,000) additional transfer to reserves following 2023/24 outturn position to fund planning guidance for waste collection services on new developments.

£4,140 transfer to cover the cost of the Housing Needs Strategy incurred to date

£6,000 transfer from reserves to cover the cost of Hunstanton Bus Station development strategy

Note 9 - Project Reserves

£22,785 transfer from reserve to cover the cost of the Leisure facility review

Note 10 – Repairs and Renewals

(£45,000) additional transfer to reserves following 2023/24 outturn position to fund pathway drainage and cremator repairs at the Crematorium.

(£704) transfer to cover debit balance on Pools repair reserve following Year end 31 March 2024 close down

£30,000 transfer from resort reserve to fund the resurfacing and fencing work required to the hard courts in Hunstanton

4. Age Debt Analysis

The effective management and collection of debt is an essential contributor to the councils' financial resources. Debt recovery levels can be volatile and at risk especially when there is economic financial instability. This was heightened originally under the pandemic but also the inflationary and other wider cost of living impacts that have emerged since then continue to impact livelihoods and businesses. However, current monitoring is not indicating a material impact for the council on debts in arrears.

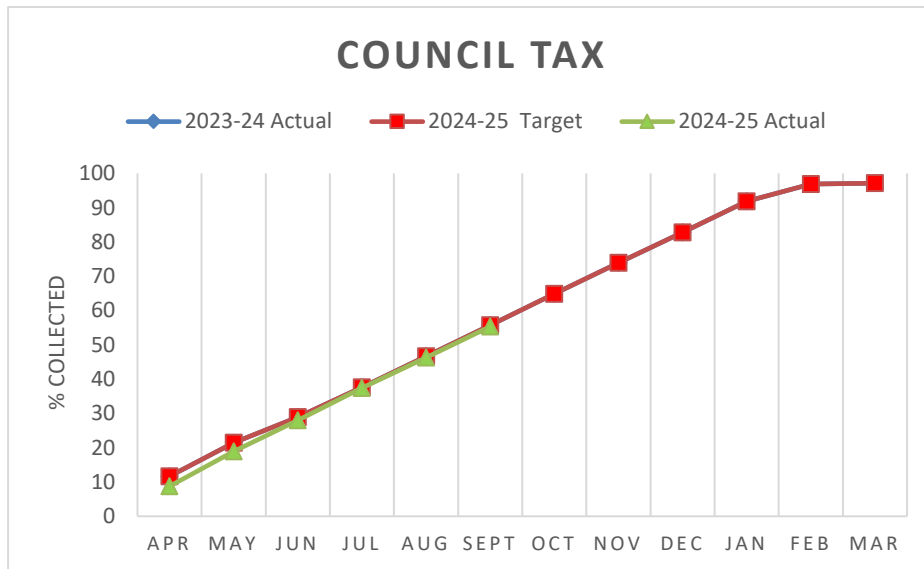
The following information can be found in Appendix C

- Age debt comparison for 2023/2024 to 2024/2025 as at 30 September 2024
- Housing Benefit Recovery Payments

5. Council Tax and Business Rates

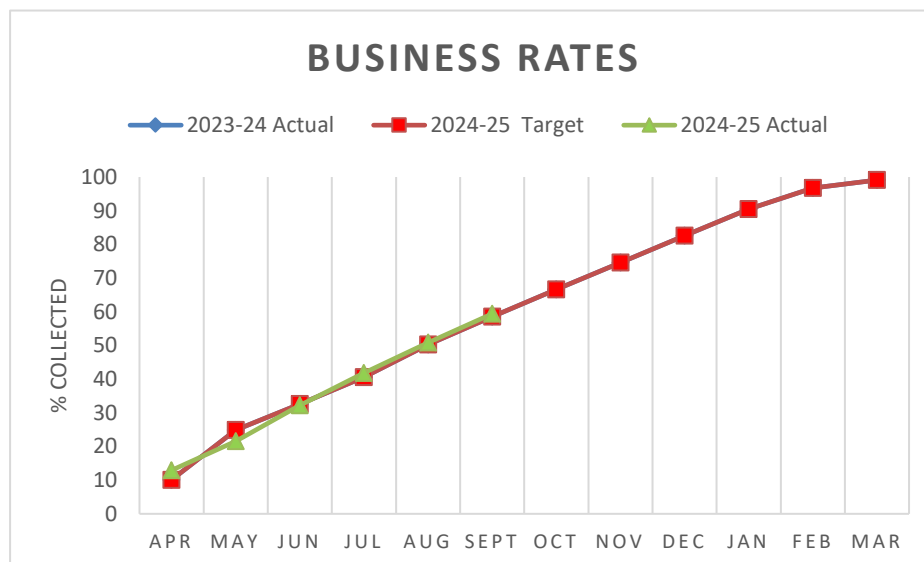
As of 30 September 2024, 55.33% of council tax has been collected against the target of 55.69% which was the percentage the same time last year. See Chart below with comparison.

Table 8



59.39% of business rates has been collected against the target of 58.56%, which was the percentage the same time last year. See chart below with comparison.

Table 9

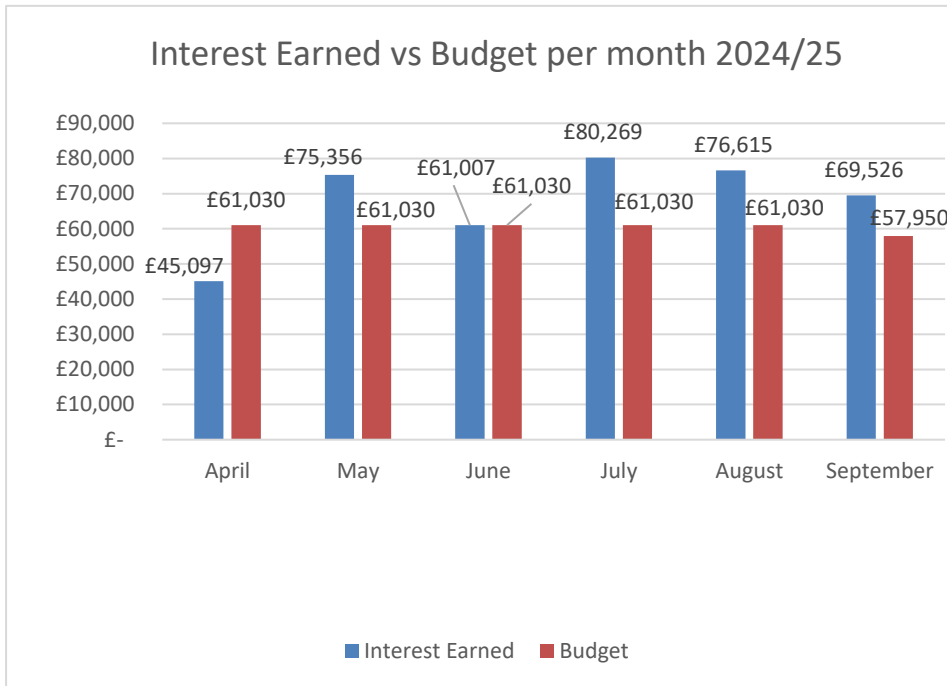


6. Treasury management 2024/2025

The “Treasury Management Strategy Statement and Annual Investment Strategy 2024/2025” was approved by Council on 22 February 2024. The Council’s Treasury Management Strategy will be updated as appropriate for any changes made to the code of practice by CIPFA.

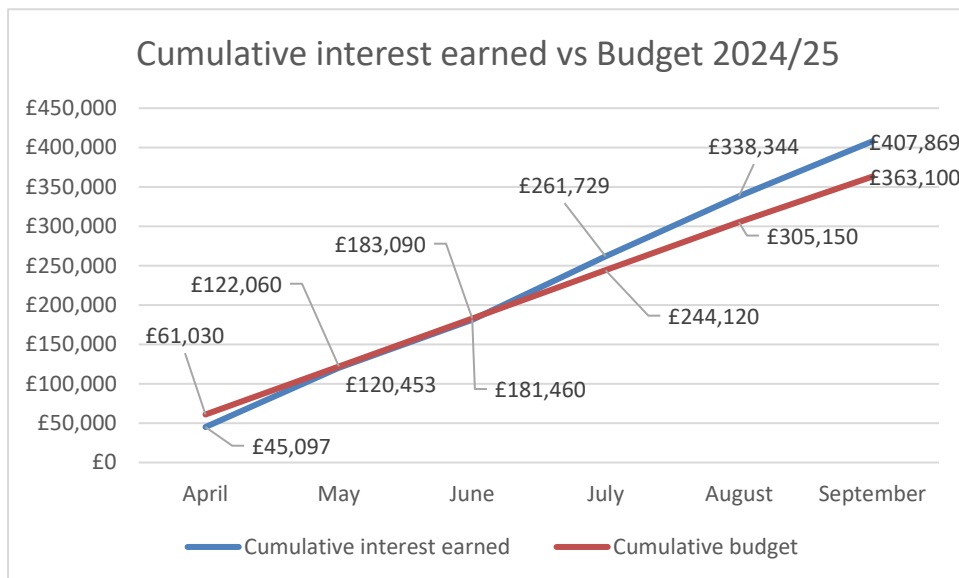
The graph below compares the interest earned each month to the forecasted budget:

Table 10



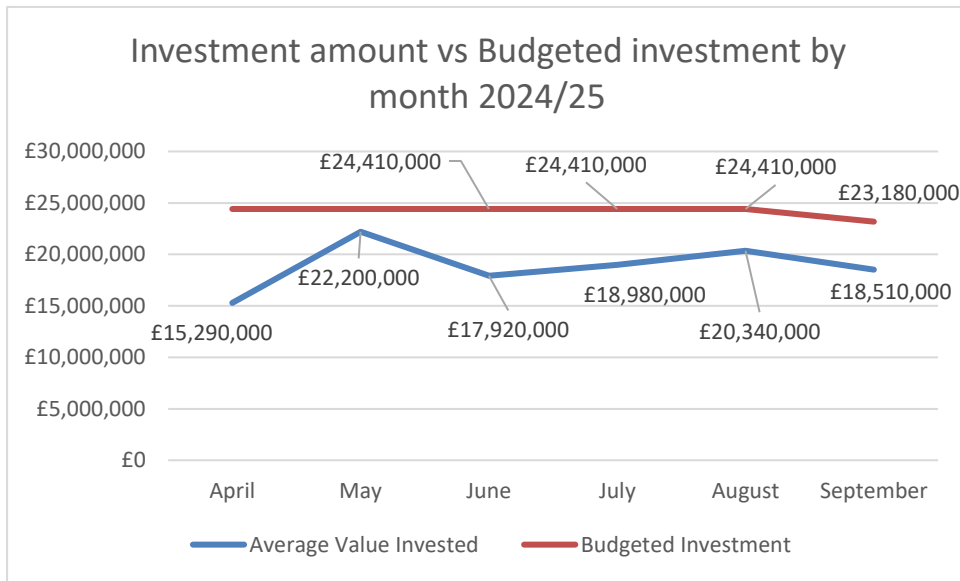
The graph below compares the cumulative interest earned and forecasted budget:

Table 11



The graph below compares the average value invested each month to the forecasted budget:

Table 12



The below tables update on movements in borrowing and investments during the period:

Loans

Table 13

Institution	Principal £	Rate %
Short Term borrowing	0	
Total Short Term	0	
Barclays	5,000,000	3.810%
Barclays	5,000,000	3.810%
Total Long Term	10,000,000	
Total Borrowing	10,000,000	

Investments

Table 14

Institution	Principal £	Rate %
HSBC Liquidity - MMF	2,730,000	4.961%
BNP (Banque Nationale de Paris) – MMF	4,000,000	4.960%
Federated PR – MMF	220,000	4.981%
LGIM - MMF	4,000,000	4.996%
Total Money Market Fund Investment	10,950,000	
South Ayrshire Council	4,000,000	5.650%
Total Other Investments	4,000,000	
Overall Investments	14,950,000	

7. Conclusion

The primary objective of this report is to monitor service area performance against allocated budgets and to consider variances to the budget figure in the light of current circumstances.

Careful budgetary control throughout the year ensures that resources are applied as planned, fulfilling the goal to secure the long-term economic future of the borough. Budgetary control is applied in a consistent manner across all budgets, and individual decisions to be taken during the financial year are reviewed for impact on a case-by-case basis before they are taken, so that any identified impact can be considered and taken into account at the appropriate time.

The content of this budget monitoring report is designed to enable councillors and senior officers to see the financial position of the Council as a whole, as required by the Local Government Act.

	Full year Approved budget 24/25 £	Approved budget to 30 September 2024 £	Actual to 30 September 2024 £	Cumulative Forecast variance £	Full year Forecast budget position 24/25 £	Forecast budget position 24/25 - Prior Period £	Impact on financial planning	Reason for Forecast movement
Central Services:								
Communications:								
50/500 Year Anniversaries	-	-	2,600		-	-		
Corporate Communications	264,590	128,320	93,483	35,000	299,590	299,590	Yes	Correction to approved budget - To factor in previous cabinet decision to allocate additional £35k for expertise/advice
Graphics	97,180	44,080	45,368		97,180	97,180		
Printing&Copying-Floor Copiers	14,920	7,620	5,461		14,920	14,920		
Printroom	124,870	82,230	58,281		124,870	124,870		
Corporate Policy:								
Apprenticeship Scheme	200,690	131,280	101,153		200,690	200,690		
Community Information Points	4,000	1,980	1,681		4,000	4,000		
Corporate Policy	53,680	66,700	30,076		53,680	53,680		
Equal Opportunities	4,660	2,340	2,750		4,660	4,660		
Improving Attainment	-	-	3,699		-	-		
Policy & Partnership Support Service	9,170	-	-		9,170	9,170		
Councillors:								
Cllr Allowance & Expenses	710,430	310,100	286,861		710,430	710,430		
Customer Information Centre:								
Customer information Centre	785,960	408,800	335,537		785,960	785,960		
Democratic Process & Events:								
Adv Comm	1,300	600	-		1,300	1,300		
At Homes	1,450	720	-		1,450	1,450		
Chief Executive - Member services	36,010	3,240	2,154		36,010	36,010		
Civic Function Expenses	73,190	39,000	37,584		73,190	73,190		
Democratic Process Support	311,360	155,640	133,425		311,360	311,360		
Design Awards	590	300	-		590	590		
Festival	250	120	223		250	250		
Freedom of the Borough	1,970	960	1,460		1,970	1,970		
Honorary Alderman	-	-	214		-	-		
Mart	690	360	-		690	690		
Mayor making	1,500	780	1,327		1,500	1,500		
Remembrance Day	1,500	720	-		1,500	1,500		
Special Events	3,380	1,680	241		3,380	3,380		
Elections:								
County Council Elections	540	300	77,062		540	540		
Elections	-	-	95,145		-	-		
Electoral Integrity Programme	-	-	(96,503)		-	-		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
North West Parliamentary Election	-	-	347,434		-	-		
Parish and Borough Council Elections	39,250	38,500	20,108		39,250	39,250		
Register of Electors	347,240	173,640	94,877		347,240	347,240		
South West Parliamentary Election	-	-	254,312		-	-		
Mayoral Allowances:								
Mayoral Allowance & Expenses	12,220	6,060	5,035		12,220	12,220		
Mayoral Transport	32,870	16,380	10,528		32,870	32,870		
Personnel Services:								
Personnel Services	319,090	152,950	174,768		319,090	319,090		
Personnel Welfare	92,420	42,590	46,706		92,420	92,420		
R & D Holding Account	7,270	3,380	237		7,270	7,270		
Recruitment Portal	250	130	-		250	250		
Training Holding Account	158,950	79,440	43,964		158,950	158,950		
Total	3,713,440	1,900,940	2,217,251	35,000	3,748,440	3,748,440		

Chief Executive:								
COMF Phase 3	-	20,880	6,938		-	-		
Councillor Community Grant	55,000	27,480	20,574		55,000	55,000		
Total	55,000	48,360	27,512	-	55,000	55,000		

Environment and Planning:								
Back Office:								
Corporate Scanning Team	253,030	121,660	125,986		253,030	253,030		
Postage Services Kings Court	70	140	1,464		70	70		
Community Infrastructure Levy:								
Community Infrastructure Levy	-	457,120	(1,490,619)		-	-		
Development Control:								
Building Control Non Fee	56,570	31,050	31,201		56,570	56,570		
Development Control	141,920	70,980	17,356	310,000	451,920	451,920	No	There is uncertainty whether planning income will reach budgeted targets due to fewer major planning applications. At Q1 the forecast position is anticipated to be £310k under budget - this will be subject to ongoing review over the remainder of the financial year and amended accordingly in line with actuals
Enforcement	253,420	126,260	159,805		253,420	253,420		
Extra planning Income - 20%	-	(19,210)	227,239		-	-		
Major Planning Appeals	92,150	46,080	45,103		92,150	92,150		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£			
Planning Control	219,280	101,840	57,919		219,280	219,280		
Section 106 Contributions	(22,800)	(8,620)	(120,890)		(22,800)	(22,800)		
Emergency Planning:								
Emergency Planning	33,220	13,680	13,062		33,220	22,400		
Home Defence	75,030	36,880	32,961		75,030	75,030		
Radio Phones	10,440	4,680	(2,276)		10,440	10,440		
Flood Defence:								
Coast Defence/Protection	144,400	74,560	65,634		144,400	133,580		
Wash East Coast - CIC	5,000	5,350	(21,080)		5,000	5,000		
Local Land Charges:								
Local Land Charges	1,410	41,870	(15,567)		1,410	1,410		
Planning Policy:								
Conservation & Heritage	256,840	128,400	74,847		256,840	256,840		
Habitat Regulations	-	(91,980)	(294,731)		-	-		
Neighbhd Planning Grant	-	18,800	42,262		-	-		
Planning Policy	115,000	69,820	100,642		115,000	115,000		
Planning Policy - Support	285,310	127,500	117,988		285,310	285,310		
Pollution Monitoring:								
Air Quality	79,250	35,740	23,664		79,250	78,400		
Contaminated Land Act	183,330	91,330	87,700		183,330	184,180		
Enviro Quality-Water Mg	77,610	38,640	36,193		77,610	66,790		
Pollution monitoring - Salaries and Support	-	-	179		-	-		
Street Naming & Numbering:								
Local Land and Property Gazetteer	11,370	5,620	6,252		11,370	11,370		
Street Naming & Numbering	13,410	3,630	556		13,410	13,410		
Total	2,285,260	1,531,820	(677,150)	310,000	2,595,260	2,562,800		

Health, Wellbeing and Public Protection:								
Care & Repair:								
Care & Repair - Fenland Agency	(10,000)	-	(23,594)		(10,000)	(10,000)		
Handyperson Scheme K Lynn	22,820	111,720	76,217		22,820	22,820		
Home Improvements Agency	425,720	371,950	74,795		425,720	425,670		
Housing Grants REFCUS	(1,774,840)	(887,040)	(1,944,598)		(1,774,840)	(1,774,840)		
Careline:								
Assistive Technology	30,780	15,360	(1,359)		30,780	30,780		
Careline	(191,080)	(384,500)	(403,468)		(191,080)	(188,820)		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
DWP Household Support	-	-	(20,918)		-	-		
Food For Thought (LILY)	50,000	25,020	(13,920)		50,000	50,000		
Homes for Ukraine	-	17,040	(333,732)		-	-		
LILY 5	42,380	(1,660)	(51,222)		42,380	41,140		
Ukraine Community Support	-	-	62		-	-		
Community Safety & Nuisance:								
Community Safety & Nuisance	22,740	1,080	2,135		22,740	22,740		
Community Safety	107,850	53,820	45,041		107,850	130,860		
Environmental Investigations	2,000	1,020	(80)		2,000	2,000		
Environmental Protection	674,960	326,460	236,685		674,960	674,960		
Health & Wellbeing Fund	-	-	(134,784)		-	-		
MARMOT Initiative	-	-	(250,000)		-	-		
Noise Control	6,170	2,450	6,322		6,170	6,170		
Out of Hours payments	52,180	26,100	20,588		52,180	52,180		
P Health- BJJ Outreach	-	-	5,000		-	-		
Community Transport:								
Community Transport	115,890	59,110	59,002		115,890	115,890		
Corporate Health & Safety:								
Corporate Health & Safety	4,710	1,730	2,010		4,710	4,710		
Financial Assistance:								
Community Projects	33,030	16,500	-		33,030	33,030		
Community Projects CRS	179,310	89,580	62,984		179,310	179,310		
Community Projects CS	110,090	55,020	16,000	5,640	115,730	115,730	Yes	Increase in contract price for Information and Advice services following award of tender
westnorfolkwins	3,960	(10,420)	(594)		3,960	3,960		
Food Hygiene:								
Chrg Priv Water Supplies	-	-	7,164		-	-		
Food Hygiene General	3,120	2,110	(7,315)		3,120	3,120		
Food Hygiene & Health and Safety - Support	637,220	311,420	324,882		637,220	689,410		
Occupational Health & Safety	(1,900)	(960)	(1,114)		(1,900)	(1,900)		
Port Health - Environmental Protection	160	20	287		160	160		
Housing Standards:								
Healthy Homes Project	-	-	(43,251)		-	-		
Housing standards	565,480	281,010	173,050		565,480	564,240		
Housing Standards - Supp	7,660	(1,860)	(1,920)		7,660	7,660		
IMO 27 Lowfield	-	-	(894)		-	-		
Total	1,120,410	482,080	(2,120,539)	5,640	1,126,050	1,200,980		

	Full year Approved budget 24/25 £	Approved budget to 30 September 2024 £	Actual to 30 September 2024 £	Cumulative Forecast variance £	Full year Forecast budget position 24/25 £	Forecast budget position 24/25 - Prior Period £	Impact on financial planning	Reason for Forecast movement
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Legal, Governance and Licensing:

Legal Services:								
Climate Change	122,480	61,200	64,921		122,480	82,880		
Corporate Governance	245,070	117,240	109,380		245,070	117,060		
Head of Legal Services	552,070	225,720	268,622		552,070	642,040		
Licensing:					-	-		
Licensing	58,520	51,610	20,896		58,520	6,600		
Total	978,140	455,770	463,819	-	978,140	848,580		

Leisure and Community Facilities:

Community Centres:								
Fairstead Community Centre	-	5,390	(16,331)	(24,000)	(24,000)	-	Yes	Eye Screening hire has continued for 24/25 - there was no certainty at budget setting that the hire would continue therefore it was not built into the original budget
Highgate Community Centre	860	410	2,890	2,000	2,860	860	No	Removal and disposal of asbestos floor tiles - cost is in excess of the general repairs and maintenance budget
South Lynn Community Centre	-	21,480	28,849	24,000	24,000	-	No	March 23-24 electricity usage has been invoiced in May 24 - this follows a credit note for the same period in the prior financial year
KL Arts Centre:								
KL Arts Centre	105,580	60,870	134,483		105,580	105,580		
Leisure:								
Corn Exchange	199,240	83,910	64,317		199,240	199,240		
Downham Market Sports Centre	307,160	117,820	94,043	5,000	312,160	307,160	Yes	Technogym 5 year maintenance contract cost for new gym equipment - this was not built into the original budget as it had been incorrectly categorised as capital expenditure
Leisure Administration	-	-	397		-	-		
Lynnsport & Leisure Park	290	120	(119)		290	290		
Lynnsport General Account	606,950	246,630	205,379	9,000	615,950	606,950	Yes	Technogym 5 year maintenance contract cost for new gym equipment - this was not built into the original budget as it had been incorrectly categorised as capital expenditure
Oasis General Account	360,910	151,880	104,783	3,000	363,910	360,910	Yes	Technogym 5 year maintenance contract cost for new gym equipment - this was not built into the original budget as it had been incorrectly categorised as capital expenditure
St James General Account	267,870	112,980	104,218	2,000	269,870	267,870	Yes	Technogym 5 year maintenance contract cost for new gym equipment - this was not built into the original budget as it had been incorrectly categorised as capital expenditure

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Management fees:					-	-		
Leisure Management Costs	170,590	10,020	31,608		170,590	170,590		
Pavillions & Grounds:								
DuttonSports Pavillion	-	14,880	10,085		-	-		
Kingsway Sports Pavillion	-	8,910	4,104		-	-		
River Lane Bowls Club	2,810	1,400	540		2,810	2,810		
West Lynn Sports Pavillion	350	120	264		350	350		
Town Hall, Stories of Lynn and Custom House:								
Custom House	33,280	17,570	19,978		33,280	33,280		
Kings Lynn Gaol House	200	100	82		200	200		
Stories of Lynn	95,390	47,760	92		95,390	95,390		
Town Hall Kings Lynn	277,260	136,460	46,557		277,260	277,260		
Total	2,428,740	1,038,710	836,219	21,000	2,449,740	2,428,740		

Operations and Commercial:								
Allotments:								
Allotments	(2,230)	(1,120)	(2,274)		(2,230)	(2,230)		
Allotments Directly Managed	(5,900)	2,360	(10,283)		(5,900)	(5,900)		
Carparking King's Lynn & West Norfolk:								
Adhoc Events	-	-	10,513		-	-		
Burnham Market Car Park	(24,050)	(11,080)	(29,681)		(24,050)	(24,050)		
Bus Shelters	-	4,400	3,202		-	-		
Car Park Promotions Hunstanton	30,000	15,000	24,349		30,000	30,000		
Car Park Promotions KL	95,000	47,460	-	30,000	125,000	95,000	Yes	Error identified in the original budget as Kings Lynn events budget was previously agreed to be £125k
Car Parks - BCKLWN	500	150	(7,062)		500	500		
Car Parks Excess Charges	-	-	-		-	-		
Cashless Pk KZ (KLWN Carparks)	-	6,380	(2,058)		-	-		
Classic Car Show	-	-	5,304		-	-		
Event / Trailer / Stage / Gen Equip	-	-	22,427		-	-		
Festival Too -Sunday	-	-	269		-	-		
Folk Festival	-	-	6,139		-	-		
Hanse	-	-	5,311		-	-		
International Hanseatic Day	1,000	320	-		1,000	1,000		
Kings Lynn Bus Station	119,540	67,710	97,895		119,540	119,540		
Kings Lynn Christmas Lights	-	-	400		-	-		
Kings Lynn Mart	(7,870)	(4,140)	638		(7,870)	(7,870)		
Mini meet	-	-	3,775		-	-		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Mods and Rockers		-	6,189		-	-		
Parking Operations - Brgh	(2,797,410)	(1,842,150)	(1,255,729)	6,140	(2,791,270)	(2,797,410)	Yes	Reduction due to no longer receiving income for advertising on car park tickets
Projections		-	54		-	-		
Soulful Sunday		-	1,840		-	-		
Special Events / Bowls Tournaments	27,880	13,700	198		27,880	27,880		
Urban Open Spaces	6,490	-	-		6,490	6,490		
VJ Day 2020	-	-	14,732		-	-		
Water Ski	-	-	16,901		-	-		
Carparking Shared Services:								
Breckland Carpark operation	-	-	(7,505)		-	-		
Car Park - Great Yarmouth	(16,000)	(11,580)	(21,987)		(16,000)	(16,000)		
Car Parks - South Norfolk	(6,600)	(4,020)	(8,013)		(6,600)	(6,600)		
Car Parks- Norwich City (Off Street)	-	-	(74,214)		-	-		
Car Parks- Norwich City (on street)	(150,000)	(102,000)	(619,628)		(150,000)	(150,000)		
Cashless Pk JC (SN Carparks)	-	-	(26,450)		-	-		
Cashless Pk JC (SN on street)	-	-	(945)		-	-		
Cashless Pk JE (NN Carparks)	(6,000)	(44,800)	(56,448)		(6,000)	(6,000)		
Cashless Pk JE (NN on street)	(350)	(240)	(2,817)		(350)	(350)		
Cashless Pk JG (Bk on street)	(600)	(300)	(585)		(600)	(600)		
Cashless Pk JI (GY Carparks)	2,000	(52,060)	(107,177)		2,000	2,000		
Cashless Pk JI (GY on street)	(500)	18,180	(310,291)		(500)	(500)		
Cashless Pk JT (Brd on street)	(2,000)	(1,020)	(60)		(2,000)	(2,000)		
Cashless Pk KZ (KLWN on street)	32,700	19,920	(30,518)		32,700	32,700		
Decrim - Operational	(173,200)	(14,180)	94,517		(173,200)	(173,200)		
Decrim - Other	-	(35,190)	(609,901)		-	-		
Hospital Parking- Agency	-	-	(50,948)		-	-		
NNDC Carpark Operation	(37,710)	(61,280)	31,973		(37,710)	(37,710)		
NNDC Penalty Notice	(40,000)	(28,170)	(85,650)		(40,000)	(40,000)		
On Street Pay and Display	-	1,800	(12,290)		-	-		
Resident Parking Permits	-	820	(14,470)		-	-		
CCTV:								
CCTV	(166,140)	(127,790)	(260,063)		(166,140)	(166,140)		
CCTV Breckland	(161,680)	(103,370)	(156,914)		(161,680)	(161,680)		
Network Hardware holding	102,480	37,900	481		102,480	102,480		
Radios	(3,610)	(4,500)	(4,432)		(3,610)	(3,610)		
Cleansing & Street Sweeping:								
Disposal of Abandoned Vehicles	860	420	276		860	860		
Dog Warden and Services	43,430	12,060	20,380		43,430	43,430		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Neighbourhood Teams	409,430	224,400	202,957		409,430	409,430		
Public Cleansing & Street Sweeping - Support	40,610	19,080	18,328		40,610	40,610		
Public Cleansing	310,190	98,600	15,814		310,190	310,190		
Street Sweeping	1,241,760	612,510	628,310	9,000	1,250,760	1,241,760	Yes	Continual updating of waste bins - it is anticipated that 30 more will be required this financial year. This will be reviewed to identify if this cost can be absorbed within any budget underspends.
Tech/Officers/Repairs	117,490	45,650	45,792		117,490	117,490		
Vehicle Recharge on account	-	-	16,880		-	-		
Crematorium & Cemeteries:								
Closed Churchyards	21,210	27,490	20,902		21,210	21,210		
Crematorium Trading Account	-	(64,980)	(119,951)		-	-		
Mintlyn Crematorium	(1,157,280)	(532,150)	(101,950)		(1,157,280)	(1,157,280)		
National Assistance Act - Burials	10,000	4,980	8,902		10,000	10,000		
Open Cemeteries	41,050	24,090	16,379		41,050	41,050		
Public Health Act	2,510	1,260	1,140		2,510	2,510		
St Edmunds, Downham Market	(990)	(530)	-		(990)	(990)		
Depots:								
Heacham Depot	3,370	4,050	10,893		3,370	3,370		
NEWSD Depot	110,350	105,790	151,055		110,350	110,350		
Events:								
Fairies and Legends	-	-	2,961		-	-		
Halloween Town Centre Event	-	-	1,167		-	-		
Plant Fair	-	-	2,339		-	-		
General Markets:								
Kings Lynn Market - Support costs	1,400	720	720		1,400	1,400		
Kings Lynn Saturday Market	(700)	(360)	-		(700)	(700)		
Markets	(11,060)	(5,520)	(2,392)		(11,060)	(11,060)		
Sunday Market	3,790	1,920	3,229		3,790	3,790		
Parks,Sport Grounds & Open Spaces:								
Boston Square	12,960	6,430	6,546		12,960	12,960		
Cafe in the Park	(3,330)	(2,790)	1,430		(3,330)	(3,330)		
DSO Grounds Maint Support	22,080	9,480	9,095		22,080	22,080		
GM Central Area	145,080	34,640	(32,134)		145,080	145,080		
Grounds Northern Area	(10,850)	4,280	(5,355)		(10,850)	(10,850)		
Grounds Southern Area	(12,660)	1,910	2,789		(12,660)	(12,660)		
Public & Open Spaces	67,470	33,780	18,346		67,470	67,470		
North Sea Haven	19,760	9,410	9,865		19,760	19,760		
Nursery	13,350	14,850	65,635		13,350	13,350		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Parks - Other Support	115,310	57,360	37,546		115,310	115,310		
Parks & Open Spaces	359,670	473,980	486,030	30,000	389,670	359,670	Yes	Forecast for tree surgery costs for 24/25 projected to be £93k
Public Clocks	6,960	3,600	4,735		6,960	6,960		
Sports Grounds - Support Costs	3,680	9,660	9,233		3,680	3,680		
Sports Grounds Central	39,710	31,760	28,512		39,710	39,710		
Sports Grounds South	35,770	25,970	24,563		35,770	35,770		
The Walks	261,570	137,250	105,803		261,570	261,570		
Willows Park & Nature Reserve	3,840	1,960	1,140		3,840	3,840		
Play Areas:								
Play Areas	(11,560)	25,050	20,052		(11,560)	(11,560)		
Play Areas - Support Services	16,390	8,220	7,855		16,390	16,390		
Playareas Downham Market	-	180	(840)		-	-		
Playareas Kings Lynn	-	90	8,550		-	-		
Playareas Hunstanton Town	-	40	436		-	-		
Playareas Snettisham	-	40	-		-	-		
Pontoons:								
Pontoons at South Quay	25,840	18,460	23,219		25,840	25,840		
Public Conveniences:								
Public conveniences	373,740	189,720	255,323		373,740	373,740		
The Walks Public Convenience	1,450	580	385		1,450	1,450		
Refuse & Recycling:								
Domestic Refuse	1,355,120	196,910	580,521		1,355,120	1,355,120		
Dry Box Collection Scheme	877,660	72,440	595,773		877,660	877,660		
Fly Tipping	205,020	102,480	42,088		205,020	205,020		
Food Waste	835,760	15,740	452,088		835,760	835,760		
Recycling - Clothing Bank	(13,000)	(6,480)	(8,088)	(7,000)	(20,000)	(13,000)	Yes	There has been an increase in clothing stock value so a provisional increase based on last year volumes has been forecast
Recycling - Commercial	(256,990)	(300,560)	(330,549)		(256,990)	(256,990)		
Recycling - Composting	(1,345,090)	(1,469,820)	(2,061,453)		(1,345,090)	(1,345,090)		
Recycling Paper	(800)	(410)	(649)		(800)	(800)		
Refuse & Recycling Management	1,602,700	182,170	401,062		1,602,700	1,602,700		
Trade Refuse	(485,920)	(773,200)	(873,674)		(485,920)	(485,920)		
Resort:								
Caravan Park & Beach Huts	(69,910)	(59,430)	(30,081)		(69,910)	(69,910)		
Heacham Beach	(58,180)	(57,930)	(59,388)	4,150	(54,030)	(58,180)	Yes	Error in original budget as service charge income is no longer receivable

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Resort Seafront	208,820	58,290	91,589		208,820	208,820		
Resort Trading Operations	(10,320)	(32,620)	(34,492)		(10,320)	(10,320)		
Resorts - Support	5,290	2,640	2,640		5,290	5,290		
Sports Grounds North	66,550	43,740	55,930	10,000	76,550	66,550	No	Resurfacing and fencing works to Hunstanton Hard courts
Resort Investment Properties:								
Investment Properties Resort	(6,650)	(5,730)	(5,058)		(6,650)	(6,650)		
Section 106:								
Beechy Close, Denver 22-23	-	0	-		-	-		
Bishops Park, Fairstead 26-27	-	(4,440)	-		-	-		
Civray Ave DMkt C D & E 26-27	-	(3,660)	-		-	-		
Coriander Rd DMkt 25-26	-	50	-		-	-		
Gap Farm, Sth Wootton 20-21	-	140	-		-	-		
Kings Chase A&B DMkt 23-24	-	(1,990)	-		-	-		
King's Reach, Fairstead	-	(6,720)	-		-	-		
Land at Lynn Rd/Bexwell Rd DMK	-	100	-		-	-		
Lette Way, West Winch	-	50	-		-	-		
Micklefields, Stoke Ferry 22-23	-	50	-		-	-		
Nursery Drive, Hunst 24-25	-	50	-		-	-		
Park Meadows DMkt 24-25	-	(3,420)	-		-	-		
Sparrow Lane, Walsoken 22-23	-	-	-		-	-		
Springfields, DMkt 23-24	-	10	-		-	-		
Strickland Ave, Snettisham 25-26	-	(3,900)	-		-	-		
Templemead, Reffley 24-25	-	60	-		-	-		
The Howards, S Wootton 24-25	-	0	-		-	-		
The Willows Gayton 22-23	-	40	-		-	-		
Town Street, Upwell 25-26	-	-	-		-	-		
Wheatfields, Watlington 19-20	-	50	-		-	-		
Town Centre Operations:								
Town Centre Manager	85,240	28,350	18,739		85,240	85,240		
Total	2,484,690	(2,564,450)	(2,551,398)	82,290	2,566,980	2,484,690		

Programme and Project Delivery:								
Corporate Projects:								
Active & Clean Connectivity (Travel Plans)	-	-	(37,760)		-	-		
Corporate Project Manager	255,440	124,050	201,662	(28,500)	226,940	255,440	Yes	Uplift of staff capitalisation budget due to higher % of staff time being spent on capital projects
Procurement	138,970	68,360	82,488		138,970	138,970		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		
Housing Subsidiaries:								
RSL (W N Housing)	-	-	251		-	-		
West Norfolk Housing Co Ltd	(26,400)	(14,580)	2,239		(26,400)	(26,400)		
West Norfolk Property Ltd	(563,380)	(27,660)	-	32,000	(531,380)	(563,380)	No	Solicitor cost of preparing revised leases for properties leased to WNP
Total	(195,370)	150,170	248,880	3,500	(191,870)	(195,370)		

Property and Projects:								
General Properties:								
Bridge Inspections	-	5,280	-		-	-		
General Property	(173,690)	(77,540)	(154,870)		(173,690)	(173,690)		
Marriotts Warehouse	2,710	1,360	1,118		2,710	2,710		
Mintlyn Bungalow	(3,130)	(1,620)	(1,750)		(3,130)	(3,130)		
Princess Theatre Main	6,410	3,410	(1,040)		6,410	6,410		
Sewerage	8,020	6,240	5,998		8,020	8,020		
Upwell Community Carpark	-	(820)	(2,744)		-	-		
General Properties Investments:								
General Properties Investment	(1,960)	(1,920)	(3,600)		(1,960)	(1,960)		
Industrial Units:								
Austin Fields Industrial Estate	(8,890)	(4,540)	(1,930)		(8,890)	(8,890)		
Flitcham Workshops	(17,720)	(10,870)	(13,510)		(17,720)	(17,720)		
Hardwick Industrial Estate	(720,130)	(367,430)	(343,732)		(720,130)	(720,130)		
Hardwick Narrows Industrial Estate	(116,630)	(59,220)	(74,504)		(116,630)	(116,630)		
Heacham Depot	(14,700)	(7,320)	40		(14,700)	(14,700)		
Heacham Workshops	(21,070)	(11,250)	(15,381)		(21,070)	(21,070)		
Horsleys Fields Industrial Estate	620	300	300		620	620		
Industrial Estates- General	51,770	51,770	10,273		51,770	51,770		
Lower Canada Industrial Estate	(6,750)	(3,460)	(3,375)		(6,750)	(6,750)		
Nar Ouse Business Park	7,140	2,860	(80)		7,140	7,140		
North Lynn Industrial Estate	(399,570)	(204,750)	(189,473)		(399,570)	(399,570)		
North Lynn Managed Workshops	29,370	23,230	36,203		29,370	29,370		
Regis Place	33,910	16,100	3,221		33,910	33,910		
Regis Place Unit 2	(12,500)	(6,770)	(6,550)		(12,500)	(12,500)		
Regis Place Unit1	(9,000)	1,340	15,108		(9,000)	(9,000)		
Saddlebow Industrial Estate	(47,730)	(24,300)	(25,828)		(47,730)	(47,730)		
Saddlebow Waste Disposal Site	(34,970)	(17,840)	(36,453)		(34,970)	(34,970)		
St Johns Business Park	(47,730)	(26,160)	(24,897)		(47,730)	(47,730)		
Trafalgar Industrial Estate	(76,710)	(39,100)	(36,717)		(76,710)	(76,710)		
KLAC Rentals:								
KLAC Complex Rentals	8,560	4,210	3,661		8,560	8,560		

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KLIC:								
KL Innovation Centre	(205,200)	(132,530)	(116,427)		(205,200)	(205,200)		
Offices:								
DWP at Kings Court	-	-	1,012		-	-		
ICB at Kings Court	-	-	607		-	-		
KC Office accom rental	(196,910)	(239,510)	(271,758)		(196,910)	(196,910)		
Kings Court Kings Lynn	(155,670)	(55,300)	248,317		(155,670)	(155,670)		
Kings Court Service Charges	600	240	62,854		600	600		
Offices - Support Service	3,670	-	-		3,670	3,670		
Priory Road D Market	(580)	(520)	(46,870)		(580)	(580)		
Valentine Road Hunstanton	54,650	34,730	42,367		54,650	54,650		
Property Services:								
Property Services	809,640	394,970	304,779		809,640	809,640		
Shops and Offices:								
Phase 5 Town Centre KL	(218,310)	(113,560)	(88,038)		(218,310)	(218,310)		
Town Centre Development	(14,690)	(8,340)	17,660		(14,690)	(14,690)		
Street Lighting:								
Street Lighting	120,200	46,380	47,138		120,200	120,200		
Total	(1,366,970)	(822,250)	(658,871)	-	(1,366,970)	(1,366,970)		

Regeneration, Housing and Place:								
Conservation & Heritage:								
Greyfriars Tower	21,350	7,010	5,677		21,350	21,350		
Red Mount Chapel	3,500	1,880	60		3,500	3,500		
Economic Regeneration:								
Economic Development - Operational	106,400	51,360	(75,283)		106,400	106,400		
Economic Partnership Working	14,350	9,900	1,099		14,350	14,350		
Heritage Action Zone	-	-	(489)		-	-		
Investment & Place	10,250	5,090	355		10,250	10,250		
Shared Prosperity Grant Fund	-	22,320	70,339		-	-		
Towns Fund Capacity	-	-	90,283		-	-		
Guildhall & Arts								
Arts Initiatives	25,940	12,900	(12,550)		25,940	25,940		
Guildhall and Arts - Support	159,880	79,920	98,660		159,880	159,880		
Housing Options:								
Homechoice	124,380	54,940	45,339	(26,380)	98,000	124,380	Yes	Anticipated increase in income from 3rd party advertisements on Homechoice - this budget was previously reduced due to fewer properties being available. This will be monitored over the remainder of the year and the forecast revised where necessary
Housing Options - Support	9,980	-	-		9,980	9,980		

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	£	£	£	£	£	£		
Housing Options Programme	463,760	207,320	77,111		463,760	463,760		
Next Steps Accommodation Programme	-	-	(80,917)		-	-		
Rough Sleeper Initiative	-	(43,330)	38,241		-	-		
Housing Strategy:								
Custom Build - Housing	300	80	-		300	300		
Domestic Abuse Funding	50,000	25,020	(27,158)		50,000	50,000		
Enabler Role	219,270	76,540	159,526		219,270	219,270		
Homelessness Prevention Grant	60	600	(552,800)		60	60		
Rough Sleeper Fund	60	-	29,239		60	60		
Strategic Housing	-	-	661		-	-		
Vulnerable Person Resettlement		4,320	-					
West Winch Growth Area	-	-	378,928		-	-		
King's Lynn & Downham Market:								
Custom House & Tourist information centre	10	-	-		10	10		
Museums:								
Museums	35,950	18,000	2,460		35,950	35,950		
Trued Yard	350	180	318		350	350		
Regeneration Projects:								
Regeneration Projects	81,670	41,980	71,078		81,670	81,670		
UK Shared Prosperity Fund - Business	-	-	169,144		-	-		
UK Shared Prosperity Fund - Communities	-	-	48,010		-	-		
UK Shared Prosperity Fund - People	-	-	43,005		-	-		
UK Shared Prosperity Fund - Grant	-	-	(800,380)		-	-		
Tourism:								
Brochure and lead generation	14,610	7,320	(5,103)		14,610	14,610		
Communications	2,900	1,440	-		2,900	2,900		
Cultural and other activities	1,550	420	1,550		1,550	1,550		
Day visitor awareness	21,500	11,600	(9,296)	(15,000)	6,500	21,500	No	Promotional activities were delayed at the end of 23/24 due to staff vacancies within the team. Budget was allocated so these activities could take place, however not all cost has been utilised to date therefore an underspend is forecast
Discover KL Distribution	22,300	11,160	(8,546)	(6,700)	15,600	22,300	No	
Downham Market	1,340	660	(1,334)	(1,340)	-	1,340	No	
Explore West Norfolk	6,000	3,000	201		6,000	6,000		
Hunstanton Marketing	2,540	1,260	100		2,540	2,540		
Hunstanton TIC	20	-	-		20	20		
KL Maritime Trail	10	-	(216)		10	10		
Signposting maintenance	1,500	720	(1,132)		1,500	1,500		
Partnerships	7,660	3,840	-		7,660	7,660		
Tourism charges	710	360	295		710	710		
Tourism Salaries and support	80,980	38,760	33,003		80,980	80,980		
Research	900	420	-		900	900		
Special Events	3,000	1,430	-		3,000	3,000		
Website & Social Media marketing	6,500	3,240	-		6,500	6,500		
Total	1,501,480	661,660	(210,522)	(49,420)	1,452,060	1,501,480		

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Resources:

Corporate Costs & Provisions:								
Corporate	2,561,950	448,680	(88,704)		2,561,950	2,561,950		
Estab Proc & Comcl rvw	158,050	-	-		158,050	158,050		
General Fund write offs	-	-	22,077		-	-		
Subscriptions	40,230	10,870	22,484		40,230	40,230		
Corporate Initiatives:								
One Vu Project	45,000	-	-		45,000	45,000		
Corporate Insurance:								
Corporate Insurance	(10,000)	267,410	359,006		(10,000)	(10,000)		
Lease Car	5,570	-	-		5,570	5,570		
Corporate Management Team:								
Assistant Directors	1,348,100	664,890	593,860		1,348,100	1,441,190		
Chief Executive & Secretary	209,970	102,240	117,594		209,970	209,970		
Central & Community Service	-	-	99		-	-		
Commercial Services	-	-	-		-	17,010		
Environment & Planning	9,270	2,760	-		9,270	9,270		
Financial Services:								
Financial Services	979,690	466,180	573,039		979,690	956,680		
ICT:								
ICT	1,358,030	547,670	1,155,929	186,536	1,544,566	1,544,566	No	Correction to initial budget - Reduction to budgeted contribution from reserves to value agreed by Cabinet in October 2022
Internal Audit & Fraud:								
Internal Audit	135,910	42,650	40,711		135,910	135,910		
Revenues & Benefits:								
Benefit Administration	499,580	181,200	193,613		499,580	499,580		
Benefit Payments	500,000	249,900	(192,060)		500,000	500,000		
Cost of Collection - Council Tax	671,560	287,850	471,265		671,560	671,560		
Cost of Collection - Non Domestic Rates	40,270	(45,820)	21,141		40,270	40,270		
Council Tax Support Admin	71,930	(9,780)	-		71,930	71,930		
Covid 19 Grants	-	-	6,713		-	-		
Housing Benefit Overpayments	(250,000)	(149,940)	-		(250,000)	(250,000)		
Kings Lynn Bid	-	13,110	166,736		-	-		
Welfare Reform Funding	-	(15,400)	(6,963)		-	-		
Special Expenses:								
Special Expenses	107,190	-	-		107,190	107,190		
Treasury Management:								
Treasury Management	11,560	5,760	-		11,560	11,560		
Total	8,493,860	3,070,230	3,456,540	186,536	8,680,396	8,767,486		

	Full year Approved budget 24/25	Approved budget to 30 September 2024	Actual to 30 September 2024	Cumulative Forecast variance	Full year Forecast budget position 24/25	Forecast budget position 24/25 - Prior Period	Impact on financial planning	Reason for Forecast movement
	£	£	£	£	£	£		

Financing requirement:

Interest Payable on Balances	10,000	-	-		10,000	10,000		
Interest Payable on Borrowing	382,000	-	134,775		382,000	382,000		
Interest Receivable - Capital Loans	(177,580)	-	(144,015)		(177,580)	(177,580)		
Interest Receivable -Other	(9,060)	-	(2,947)		(9,060)	(9,060)		
Interest Receivable -Treasury Investments	(679,930)	-	(191,120)		(679,930)	(679,930)		
Minimum Revenue Provision	937,820	-	-		937,820	937,820		
REFCUS	1,774,840	-	-		1,774,840	1,774,840		
Unsupported Borrowing	(308,710)	-	-		(308,710)	(308,710)		
Total	1,929,380	-	(203,307)	-	1,929,380	1,929,380		

Internal Drainage Boards:

Drainage Boards	3,502,890	1,750,740	1,755,552		3,502,890	3,502,890		
Total	3,502,890	1,750,740	1,755,552	-	3,502,890	3,502,890		

Grand Total	26,930,950	7,703,780	2,583,986	594,546	27,525,496	27,468,126		
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Impact on Financial Planning

Yes	53,050
No	541,496

REPORT TO CABINET

Open		Would any decisions proposed:			
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide		NO	
	Operational	Need to be recommendations to Council		YES	
		Is it a Key Decision		NO	
Lead Member: Cllr Alistair Beales E-mail: <i>Cllr.Alistair.Beaales@west-norfolk.gov.uk</i>			Other Cabinet Members consulted: Cabinet		
			Other Members consulted:		
Lead Officer: Becky Box E-mail: <i>becky.box@west-norfolk.gov.uk</i> Direct Dial: 01553 616502			Other Officers consulted: Chief Executive, Monitoring Officer, Section 151 Officer, Democratic Services Manager		
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment Yes If YES: Pre-screening	Risk Management Implications NO	Environmental Considerations NO

Date of meeting: 14th January 2025

MEMBERS ALLOWANCES

Summary

To agree the cost of living increase applied to Member's allowances for the 24/25 year.

Recommendation

Recommendations to Full Council:

That Council agrees an increase of 4.1% for all Member allowances for the year 2024/25 with effect from 1st April 2024.

Reason for Decision

The Council's Members Allowance Scheme provides for allowances to be updated annually in line with the Officer's cost of living pay award.

1 Background

The Council's Member allowances are reviewed annually.

In February 2022, Cabinet recommended to Council that allowances for a maximum period of 3 years commencing 2022/23 should continue to be increased in line with the officers' pay award. This recommendation was agreed by Council on 23rd March 2022.

For 2023-2024, the Officer's cost of living pay award, as approved by Full Council on 24th August 2023, was either £1925 or 5% (whichever was greater) rather than a flat rate increase across all pay grades. This represented a 10.38% increase to staff on the lowest pay point, reducing as pay points increase through to a 5% increase for higher paid staff. The median % increase for staff in 2023/24 was 7.04%.

As the Officers cost of living award was not a single flat rate increase it was necessary for Members to determine the % increase applicable for the cost of living update to Member allowances. The Monitoring Officer assessed the situation and advised that a sensible interpretation of "indexed in line with the Officer's pay award" would be permissible. Following consideration of a number of options Cabinet recommended to Council that the basic Members allowance be increased by 10.38% and to increase special responsibility allowances by 5%. This was agreed by Full Council on 19th October 2023.

In 2024, the Officer's cost of living pay award for the 2024/25 year, as agreed by Cabinet on 5th November 2024 was:

1. That with effect from 1st April 2024 an annual pay award of £1,290 (pro rata for part time employees) be paid as a consolidated, permanent addition to salaries for all staff earning less than or equal to the equivalent of National Joint Council pay point 43 (equivalent to £51,515 per annum).*
2. That with effect from 1st April 2024 a permanent salary increase of 2.5% be paid to all staff earning the above NJC spine point 43 (equivalent to £51,515 or more per annum).

(* the figure of £1,290 represents an increase of 5.78% for staff on the lowest pay point).

As a result of there not being a flat rate increase across all staff pay grades it is again necessary for Members to determine the percentage increase that will be applied to Member allowances with effect from 1st April 2024.

2 Options Considered

The Council's budget for 24/25 has allowed for a 3.5% for member allowances and a 2.5% increase to the Members IT allowance.

In considering options to increase member allowances for the 2024/25 year the net impact of this year's staff pay increase as a percentage of the total staff pay budget has been considered. This represents a 4.1% increase to the total staff pay budget and therefore it is proposed to increase Member allowances by 4.1%.

3 Policy Implications

The proposal is within existing policy, as outlined in the Members Allowance Scheme.

Members will be aware that Member allowances have been subject to review by an Independent Review Panel (IRP) during 2024. The findings of this review will be reported to Cabinet and Full Council in early 2025, to enable a revised scheme to be approved by Council and come into effect on 1st April 2025. It is intended to establish an approach for dealing with annual increases to Member allowances in the scenario that there is not a one flat rate percentage increase to the staff pay award in the revised scheme, to prevent the need for the matter to be reported to Cabinet and Full Council in the future.

4 Financial Implications

The total cost of the uplift to member allowances against the current cost is £23,400 equating to a total cost of £581,770. The budget for the current year is £580,270. This results in a small pressure of £1,500. This additional cost can be met from identified turnover savings.

There will also be an impact on future years which will need to be reflected in the base budget from 2025/2026 onwards.

5 Personnel Implications

None.

6 Environmental Considerations

None.

7 Statutory Considerations

It is a statutory requirement for the Council to adopt a Members Allowance Scheme.

8 Equality Impact Assessment (EIA)

Completed pre-screening form attached.

9 Risk Management Implications

The Council must provide a Members Allowance Scheme in accordance with the Local Authorities (Members' Allowances

(England)) Regulations 2023. The independent review has been called in Autumn 2024 and the findings of this will be reported in early 2025, so that a revised scheme can be implemented by 1st April 2025.

10 Declarations of Interest / Dispensations Granted

11 Background Papers

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

REPORT TO CABINET

Open/Exempt		Would any decisions proposed:			
Any especially affected Wards	Mandatory/ Discretionary/ Operational	Be entirely within Cabinet's powers to decide		YES /NO	
		Need to be recommendations to Council		YES/ NO	
		Is it a Key Decision		YES /NO	
Lead Member: Chris Morley, Portfolio Holder for Finance E-mail: cllr.chris.morley@west-norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Alexa Baker, Monitoring Officer E-mail: alexa.baker@west-norfolk.gov.uk Direct Dial: 01553 616270		Other Officers consulted:			
		Procurement and Contracts Manager Assistant Director Regeneration, Housing & Place Assistant Director Health, Wellbeing & Public Protection Head of Leisure, Alive West Norfolk			
Financial Implications YES /NO	Policy/ Personnel Implications YES/ NO	Statutory Implications YES/ NO	Equal Impact Assessment YES/ NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ NO	Environmental Considerations YES/ NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 14 January 2025

Subject: Adoption of a Social Value Policy

Summary

This report proposes the adoption of a Social Value Policy, attached as Appendix 1, to codify the Council's approach to meeting legislative requirements under the Public Services (Social Value) Act 2012 and the Procurement Act 2023 and commence the journey towards the introduction of a 'Social Value and Sustainability Outcomes and Implementation Framework', to support strategic decision-making on social value considerations within procurement processes and other Council functions.

Recommendation

Cabinet recommends to Full Council:

1. The adoption of the Social Value Policy attached as Appendix 1.
2. Authority be delegated to the Monitoring Officer in consultation with the Portfolio Holder for Finance to make revisions to the Social Value Policy to reflect updates within the National Procurement Policy Statement issued under section 13(3)(c) of the Procurement Act 2023.

Reason for Decision

Adopting the Social Value Policy supports compliance with current legislative requirements while establishing a foundation to embed social value into the Council strategic decision-making. This approach positions the Council to develop a broader framework in 2025/26, integrating social value into procurement and other functions to drive economic, social, and environmental benefits for the community.

1 Background

- 1.1 The concept of social value focuses on maximising public expenditure to achieve broader economic, social, and environmental outcomes. There is no statutory definition of what 'social value' is, but it can be distilled down to the following question: "*In delivering our functions, can the public funds used to deliver those functions also produce a wider benefit to the community?*"
- 1.2 The concept of social value was first brought into the legislative arena via the Public Services (Social Value) Act 2012, which requires local authorities to consider how the services procured in 'above threshold' procurements (i.e. above statutory contract value thresholds) might improve the economic, social and environmental wellbeing of the area and to consider the way that the procurement process might secure these benefits.
- 1.3 The Council's practice is to consider social value as part of *all* above threshold procurements; not just services. But the Council has no strategic framework in which this consideration is undertaken; meaning it takes place on an adhoc basis with no wider joined up corporate approach.
- 1.4 The new procurement regime being introduced by the Procurement Act 2023 will further the profile and prominence of social value, by requiring Councils to have regard to the National Procurement Policy Statement (NPPS) issued by central Government when undertaking procurement activity. The NPPS is a statutory statement which allows the Government to set and communicate wider policy objectives towards which it expects public procurement to contribute.
- 1.5 The draft NPPS was withdrawn by the new Labour Government on the basis that they wished to reconsider the content, the draft having been prepared under the previous Government. A 'stakeholder survey' exercise was undertaken by the Cabinet Office during October and closed on 4 November. The outcome and/or new draft of the NPPS has not yet been shared.
- 1.6 For reference, however, this is what the now withdrawn iteration of the NPPS said on social value and Small and Medium Sized Enterprises which also links into social value:

Social Value

10. All contracting authorities should have regard to the following outcomes in their procurement activities, alongside any additional local priorities, where it is relevant to the subject matter of the contract and proportionate to do so:
 - Creating resilient businesses and opportunities for quality employment and skills development.
 - Improving innovation, supply chain resilience and security of supply.
 - Tackling climate change and reducing waste.
11. There are a number of ways that contracting authorities can implement these outcomes, for example, changes to the way the procurement is structured or the process carried out, the specification of the goods, services or works to be purchased, or the award criteria which will determine the most advantageous tender.
12. Whilst it can be beneficial to consider such additional benefits, achieving them without overburdening suppliers is crucial. Contracting authorities should ensure that they do not place onerous requirements on suppliers, or use disproportionate clauses in tenders and contracts. For example, contracting authorities should not 'gold-plate' the Equality Act 2010 by setting unnecessary diversity reporting or 'equality, diversity and inclusion' requirements for the private and voluntary sectors.

Small and Medium-sized Enterprises

13. Small and medium-sized enterprises (SMEs) are the backbone of our economy. It is vital contracting authorities support businesses to achieve sustainable growth and open up public procurement opportunities to more SMEs, voluntary, community and social enterprises (VCSEs) creating a thriving, competitive marketplace. SMEs not only play a key role in communities by providing a local service and employment but can also offer innovative solutions to public service delivery.
 14. Contracting authorities should ensure that they level the playing field for SMEs, VCSEs and start-ups to compete in public procurement by reducing and removing barriers in the procurement process.
-
- 1.7 Some examples of social value outcomes are attached as Appendix 2 for Members' reference, to illustrate the types of outcomes that can be sought strategically to deliver against the Council's Corporate Strategy.
 - 1.8 Whilst the legislative focus on social value is emanating from the Procurement arena, this is not the only aspect of the Council's work that delivers social value. Services such as Lily, the projects being delivered by Shared Prosperity Funding and the workstreams delivered by Alive West Norfolk are all examples of where the Council is delivering social value outside of procurement.
 - 1.9 The Council does not currently proactively measure the social value of its functions and services, however this can be a very powerful tool in communicating the story of the value for money the Council delivers to its residents and in designing and decision-making on functions and services to be delivered.
 - 1.10 The Council is currently partaking in the 'Collaborative Responsible Procurement Project' with a number of other regional Councils through the East of England Regional Climate Change Forum. The work of this

project is intrinsically linked to social value and sustainable procurement, and it is intended that the outputs from this project can be incorporated into the Council's ongoing workstreams on social value and sustainable procurement.

2. Key Issues

- 2.1 The draft Social Value Policy is attached as Appendix 1.
- 2.2 **Demonstrating commitment to compliance with legislative requirements:** The policy is intended to demonstrate our position on compliance with statutory obligations and to align with the National Procurement Policy Statement under the Procurement Act 2023 once issued. The draft Policy codifies the position that the Council will consider social value on all procurements; not just services contracts. The Framework to be developed will address how social value is considered with regards to 'below threshold' procurements.
- 2.3 **Development of a strategic Framework:** Adoption of the policy marks the first phase of a journey towards the adoption of a Social Value and Sustainability Outcomes and Implementation Framework that will provide parameters within which social value can be driven strategically to achieve corporate priorities set out within the Corporate Strategy. This will be developed in 2025/26 and will focus on procurement and other functions, incorporating a matrix for measuring and reporting social value.
- 2.4 **Integration:** The draft Social Value Policy signposts the need for alignment between other policies of the Council such as the West Norfolk Economic Strategy and the Climate Change Strategy and Action Plan. There is an operational workstream underway to explore a BCKLWN Decision Impact Assessment Tool which enables the impact of decisions to be assessed before they are taken, for example on climate change, biodiversity, equalities, etc., and this Social Value Policy and the resulting Framework will be a key part of such a tool.

3 Options Considered

- 3.1 **Option 1:** Adopt the draft Social Value Policy attached as Appendix 1, with or without proposed amendments. This is recommended as it is timely to introduce this Policy at the same time as the implementation of the new procurement regime in February 2025 and it complements the Procurement Strategy and new Contract Standing Orders. It codifies the Council's approach to social value to demonstrate its approach to legislative requirements, but also sets out the commitment to developing a strategic framework to delivering social value.
- 3.2 **Option 2:** Defer adoption until the Social Value and Sustainability Outcomes and Implementation Framework is developed. This is possible. The statutory requirements will be complied with in any event; however given the direction of the NPPS, it is considered that it would be prudent

to provide a policy framework now within which these decisions can be embedded.

- 3.3 **Option 3:** Take no action. Not recommended, as it would miss the opportunity to promote, develop and embed social value benefits.

4 Policy Implications

The Social Value Policy and resulting Social Value and Sustainability Outcomes and Implementation Framework is intended to be intrinsically linked to supporting the delivery of priorities set out Corporate Strategy and other Council policies and projects, such as the West Norfolk Economic Strategy, the Climate Change Strategy and Action Plan, the 'Marmot Place' project, etc. This promotes good governance in creating strategic link between the Council's policy framework.

5 Financial Implications

- 5.1 Adoption of the Social Value Policy itself does not have any financial implications.
- 5.2 The Social Value policy poses the question: "*In delivering our functions, can the public funds used to deliver those functions also produce a wider benefit to the community?*". In assessing this question, this may result in more public funds being applied towards a decision because of the social value it delivers, for example a higher value tender may be accepted because it has offered to create local apprenticeships in an identified growth area industry. These decisions will be taken on a case-by-case basis using the Social Value Policy and going forwards, the developed Framework.

6 Personnel Implications

- 6.1 The development of the Social Value and Sustainability Outcomes and Implementation Framework will be a cross cutting project bringing in the various service areas directly involved with social value.
- 6.2 The promotion of social value also forms part of the Procurement and Contract Management Transformation Project underway and the development of the Framework will also be supported by this project group.
- 6.3 Upskilling and training of officers responsible for procuring and contract management will be required on social value.
- 6.4 We do not have a dedicated officer qualified or experienced in undertaking social value calculations. There are a plethora of tools available to support this, and part of the Social Value Policy and Transformation project will be to develop a matrix for measuring and reporting on the Social Value that we deliver. The personnel requirement to support this will be assessed once the extent of this workstream is quantified.

7 Environmental Considerations

- 7.1 In line with what we know was included within the previous NPPS, it is fully expected that the Social Value Policy and resulting Framework will actively support addressing the Council's Climate Change Strategy and Action Plan.

8 Statutory Considerations

The Social Value Policy addresses the Council's obligations under the Public Services (Social Value) Act 2012 and the Procurement Act 2023.

9 Equality Impact Assessment (EIA)

(Pre-screening report template attached)

Positive impact as part of social value can be delivering against the Council's Public Sector Equality Duty.

10 Risk Management Implications

"Risk 13 – Contract/Supply failure" which concerns the failure to manage contracts with key suppliers to ensure the continued delivery of an effective service and *ensure delivery of the Council's priorities and objectives*. The adoption of the Social Value Policy and the introduction of a Social Value and Sustainability Outcomes and Implementation Framework will support the mitigation of this risk by linking delivered outcomes to the Council's wider policy framework.

11 Declarations of Interest / Dispensations Granted

None

12 Background Papers

None



Social Value Policy

[DATE ADOPTED]

1. Purpose

- 1.1 This Policy outlines our approach to ensuring that our resources are used strategically in achieving Social Value.

2 What is Social Value?

- 2.1 Social Value is about maximising the impact of public expenditure to get the best possible outcomes. Those outcomes can be set by us, subject to prescribed outcomes set by legislation.
- 2.2 Common examples of Social Value are creation of local jobs and apprenticeships, promoting environmental sustainability, encouraging community engagement and investment and addressing health and wellbeing challenges.
- 2.3 The Public Services (Social Value) Act 2012 requires us to consider how the services we procure in 'above threshold'¹ procurements might improve the economic, social and environmental wellbeing of our Council area and to consider the way that the procurement process might secure these benefits.
- 2.4 The new procurement regime introduced by the Procurement Act 2023 will be bringing in greater focus and obligations in considering Social Value and how it is delivered through procurement processes.
- 2.5 We intend to approach Social Value in a manner that goes wider than the legislative requirement, asking the question:

"In delivering our functions, can the public funds used to deliver those functions also produce a wider benefit to the community?"

3 Delivering Social Value

We shall do as follows:

- 3.1 Consider how all above threshold procurements (i.e. for goods, services and works contracts) undertaken by us might improve the economic, social and

¹ Above threshold has the same meaning as set out in the Council's Contract Standing Orders, meaning the estimated contract values above which the full statutory procurement regime must be applied to the procurement of that contract

environmental wellbeing of our Council area and to consider the way that the procurement process might secure these benefits, having regard to relevance and proportionality;

- 3.2 Integrate the requirements of the National Procurement Policy Statement issued pursuant to section 13(3)(c) of the Procurement Act 2023 into the Council's procurement processes;
- 3.3 Develop and adopt a Social Value and Sustainability Outcomes and Implementation Framework (to be adopted within 2025/2025) which we apply to strategically consider how public funds can be used to deliver our functions in a manner that produce a wider benefit to our community; and
- 3.4 Develop a matrix for measuring and reporting on the Social Value that we deliver.

4 Objectives

Our objectives in delivering Social Value and developing a Social Value and Sustainability Outcomes and Implementation Framework are as follows:

- 4.1 Help support the delivery of the priorities within our Corporate Strategy including promoting economic growth, protecting our environment and supporting our communities;
- 4.2 Interlink with other Council policies, services and projects to drive and support their aims and objectives, including the West Norfolk Economic Strategy, the Climate Change Strategy and Action Plan, the 'Marmot Place' project and our leisure and cultural services;
- 4.3 Involve local people, organisations and beneficiaries in how we meet the needs of communities via the delivery of our functions and the procurement and management of relevant contracts;
- 4.4 Raise the profile and understanding of Social Value within the Council, the marketplace and local communities; and
- 4.5 Take account of the social and economic benefits of buying locally, particularly through local supply chains, such as reducing unemployment and raising the skill level of the local workforce, and the need for positive action in the development of local small and micro businesses, voluntary groups and social enterprises.

NEED TO SORT FORMATTING OUT

DRAFT

5 Principles of the Policy

The following principles underpin our Policy:

Leadership

- 5.1 To ensure key messages are effectively communicated and progress is monitored with strong leadership, guidance and co-ordination, making sure we deliver Social Value in a way that is straightforward and simple to understand.

Creativity

- 5.2 To use Social Value as a platform to encourage innovation, both within and external to the Council. Also to recognise that that anybody, or any organisation, has the potential to add Social Value no matter their size or make up.

Flexibility

- 5.3 To embed flexibility and a 'can do' approach to Social Value to secure the best possible outcomes by opening up the procurement process to a broader range of organisations and businesses.

Collaboration

- 5.4 To develop a shared vision for Social Value between internal stakeholders within the Council and externally between the Council, local communities, external stakeholders and other local organisations and businesses.

Equality

- 5.5 To ensure that groups with protected characteristics participate in shaping, delivering and monitoring our Social Value Policy.

Sustainability

- 5.6 To recognise longer-term sustainability outcomes may prove more advantageous than simply seeking immediate benefits.

6 Reviewing our Social Value Policy

- 6.1 We will review this Social Value Policy when we have developed the Social Value and Sustainability Outcomes and Implementation Framework.

7 Version Control

This table should be included at the end of the policy, on a separate page.

Policy name				
Policy description				
Responsible Officer				
Version number	Date formally approved	Reason for update	Author	Review date

DRAFT



Appendix 2

Examples of Social Value Outcomes

1. Local Employment Opportunities:

Embedding evaluation criteria into Council tenders regarding local job opportunities, leading to increased local employment through targeted procurement practices.

2. Apprenticeships and Training:

Embedding evaluation criteria in Council tenders for creating apprenticeships and training programs, enhancing skills within the community.

3. Environmental Sustainability:

- a. Using the Social Value framework to quantify the impact of environmental conservation projects, promoting sustainability;
- b. Require contractors to deliver active travel outputs as part of the awarded contract.

4. Health and Well-being:

Require bids for Council contracts to propose ideas for enhancing community well-being through strategic initiatives in line with the Council's policies and projects, which will then be assessed and scored as part of the evaluation process for awarding the contract.

5. Equality and Diversity:

Promoting delivery of inclusive practices that support equality and celebrate diversity within the community.

6. Digital Inclusion:

Develop initiatives to bridge the digital divide to inter-weave into Council's services and functions.



7. Volunteerism:

Promoting volunteer opportunities at all relevant junctures to strengthen community bonds.

8. Local Supply Chains:

Work with partner agencies to develop local supply chains to boost the regional economy.

9. Cultural Enrichment:

Focus on deliverables and outcomes for arts and cultural activities that enhance community heritage.

Examples of Social Value TOMS (Themes, Outcomes and Measures) published by the Social Value Portal:

- Supply Chain Carbon Certification (Carbon Trust Standard for Supply Chain or equivalent independently verified) - achieved or to achieve for current year

- Requirements or support (for Micro or Small enterprises) for suppliers to demonstrate climate change and carbon reduction training for all staff - e.g. SDGs Academy courses (NTs) or (e.g. RE) Supply Chain Sustainability School bronze or higher or equivalent

- Innovative measures to promote local skills and employment to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.

- Innovative measures to promote and support responsible business be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.

- Innovative measures to enable healthier, safer and more resilient communities to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.

- Innovative measures to safeguard the environment and respond to the climate emergency to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.

Meaningful work placements that pay Minimum or National Living wage according to eligibility - 6 weeks or more (internships)

Total amount (£) spent with VCSEs within your supply chain

Provision of expert business advice to VCSEs and MSMEs (e.g. financial advice / legal advice / HR advice/HSE)

Equipment or resources donated to VCSEs (£ equivalent value)

Number of voluntary hours donated to support VCSEs (excludes expert business advice)

Total amount (£) spent in LOCAL supply chain through the contract.

Total amount (£) spent through the contract in specified sub-localities (e.g. high deprivation areas) - please refer to list NT18a for the qualifying areas

Total amount (£) spent through contract with LOCAL micro, small and medium enterprises (MSMEs)



Stage 1 - Pre-Screening Equality Impact Assessment

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Social Value Policy				
Is this a new or existing policy/service/function? <i>(tick as appropriate)</i>	New	<input checked="" type="checkbox"/>	Existing	<input type="checkbox"/>	
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	<p>Social Value Policy is a key step in fulfilling legislative requirements under the Public Services (Social Value) Act 2012 and the Procurement Act 2023.</p> <p>It also lays the groundwork for the introduction of a 'Social Value and Sustainability Outcomes and Implementation Framework' to support strategic decision-making on social value considerations within procurement processes and other Council functions.</p> <p>There is no statutory definition of what 'social value' is, but the Policy sets out that the question the Council should ask itself is: "In delivering our functions, can the public funds used to deliver those functions also produce a wider benefit to the community?"</p>				
Who has been consulted as part of the development of the policy/service/function? – new only <i>(identify stakeholders consulted with)</i>	<p>Procurement and Contracts Manager Assistant Director Regeneration, Housing & Place Assistant Director Health, Wellbeing & Public Protection Head of Leisure, Alive West Norfolk</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Gender Re-assignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Marriage/civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Pregnancy & maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



<i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i>	Religion or belief			✓	
	Sexual orientation			✓	
	Armed forces community	✓			
	Care leavers	✓			
	Other (eg low income, caring responsibilities)	✓			
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	Could be if that is a strategic direction of the Council			
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:			
		Actions agreed by EWG member:			
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>A further EIA will be conducted on the sustainability outcomes and implementation framework.</p> <p>A requirement for EIAs to be conducted for specific projects and social value outcomes connected with our operational activities will be embedded within our processes.</p> <p>Decision agreed by EWG member: ...C. Marriott</p>					
Assessment completed by: Name					



Job title			
Date completed			
Reviewed by EWG member	C Marriott	Date	10.12.24

✓ **Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)**

REPORT TO CABINET

Open/Exempt		Would any decisions proposed:			
Any especially affected Wards	Mandatory/ Discretionary/ Operational	Be entirely within Cabinet's powers to decide		YES /NO	
		Need to be recommendations to Council		YES/ NO	
		Is it a Key Decision		YES /NO	
Lead Member: Chris Morley, Portfolio Holder for Finance E-mail: clr.chris.morley@west-norfolk.gov.uk		Other Cabinet Members consulted: Portfolio Holder for Finance			
		Other Members consulted:			
Lead Officer: Alexa Baker, Monitoring Officer E-mail: alexa.baker@west-norfolk.gov.uk Direct Dial: 01553 616270		Other Officers consulted: Procurement and Contracts Manager			
Financial Implications YES /NO	Policy/ Personnel Implications YES/ NO	Statutory Implications YES/ NO	Equal Impact Assessment YES /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ NO	Environmental Considerations YES /NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 14 January 2025

Subject: Adoption of new Contract Standing Orders and Procurement and Contract Management Strategy

Summary

This report introduces a new set of Contract Standing Orders (CSOs) for Cabinet's approval to recommend to Full Council for adoption into the Constitution. The CSOs capture the recommendations from the ongoing Procurement Transformation project and changes introduced by the Procurement Act 2023 which comes into effect on 24 February 2025. A new Procurement and Contract Management Strategy is also attached for approval within Cabinet's powers, which sets out the strategic direction for the delivery of the Procurement and Contract Management function between 2025-2027.

These two documents are brought for consideration together as they compliment one another and each capture the objectives and principles required by the new procurement regime.

Recommendation

Cabinet recommends to Full Council:

1. The adoption of the Contract Standing Orders attached as Appendix 1 into the Constitution from and including 24 February 2025 as a replacement to the current Contract Standing Orders.

Cabinet resolves:

2. To approve the Procurement and Contract Management Strategy attached as Appendix 2.
3. Authority be delegated to the Monitoring Officer in consultation with the Portfolio Holder for Finance to make revisions to the Procurement and Contract Management Strategy to reflect relevant changes within the revised National Procurement Policy Statement issued under section 13(3)(c) of the Procurement Act 2023

Reason for Decision

To modernise the Council's processes for procuring and entering contracts, to update the Council's strategic approach to procurement to ensure alignment with corporate priorities and to ensure compliance with the new statutory regime.

1. Executive Summary of Changes

- 1.1 *Increasing use of technology and modernising system processes* for example through the introduction of a web based 'Quick-call' system to conduct a multiple quotes process, the introduction of an electronic signature provider to complete contracts and raising the sealing threshold to £500,000.
- 1.2 *Updating Thresholds* for below threshold procurements to bring them into line with standard practice in local government.
- 1.3 *Introduction of Proportionate Procedures* to promote a flexible, relevant and proportionate approach to procurement requirements, removing unnecessary checks and delays and removing barriers to SMEs and micro businesses.
- 1.4 *Separating Regulatory, Strategic and Operational content*, so that the CSOs set out the higher level regulatory and legislative content whilst stripping out operational detail. The CSOs will be supplemented by an operational 'Procurement Officer Handbook' which will be extrapolated into the new Intranet for access by officers and Members. The Procurement and Contract Management Strategy sets out the strategic approach to delivering against the CSOs, in particular the principles and objectives.
- 1.5 *Increased profile of Contract Management*. It has been routinely observed amongst commentators that the Procurement Act 2023 could have been called the 'Procurement and Contract Management Act 2023', such is the direction of the legislative content. Procurement under the new legislation is now defined to include the whole lifecycle

of the contract. KPIs and performance against them will now need to be published for contracts over £5m and notices must be published where contracts are modified. Operational content for contract management is a key theme of delivery for the Procurement Transformation Project.

- 1.6 *Introduction of a Central Digital Platform* will replace the Find a Tender Service and Contracts Finder. Suppliers will be able to register and upload core information which can be drawn on by contracting authorities automatically so that suppliers do not have to continually upload the same information.
- 1.7 *Notices* to improve transparency and understanding of contract and procurement processes. There are around 8 new notices that will need to be administered by the Procurement and Contract Management team, including Contract Performance Notices and Contract Termination Notices.
- 1.8 *Increased focus on exclusion and debarment* of unsuitable suppliers to include a centralised 'Debarment List' maintained by central Government to prevent a contractor being able to perform extremely poorly on a public contract and then cross the border to win a new contract where the new contracting authority has no way of knowing or being able to take the previous poor performance into account.
- 1.9 *Increased focus on social value and sustainable procurement* via the National Procurement Policy Statement which we must have regard to. A new Social Value policy is proposed to be introduced by the Council to address this increased focus.
- 1.10 *Building local supplier contract and SME spend* via the approach set out in the Procurement Strategy to support the Corporate Strategy.

2. Background

- 2.1 Under section 135 of the Local Government Act 1972 a local authority is required to make standing orders for contracting of goods, works and services.
- 2.2 The procurement regulatory regime can be described as two tiered. Contract Standing Orders apply to both tiers.
- 2.3 The first tier is for those contracts that are above the statutory contract value thresholds. In these cases, the full statutory regime must be applied. That statutory regime is about to change with the commencement of the Procurement Act 2023 and associated secondary legislation on 24 February 2025.
- 2.4 The second tier is for those contracts below statutory contract value thresholds. In these cases, the Council has far more discretion as to how competition should be secured and which methods for procurement are adopted.

- 2.5 There is an ongoing Procurement Transformation project underway within the Council, which builds on the 'healthcheck' work undertaken by the East of England Local Government Association since 2023 in conjunction with the Procurement and Contract Management team.
- 2.6 There have been a number of workshops involving procuring officers over the last 18 months, and presentations have been delivered internally to the Senior Leadership Team, Cabinet and a pre-Council briefing was held in July 2024 to share information on the upcoming changes, to include the adoption of a new set of Contract Standing Orders.
- 2.7 The purpose of the revised set of Contract Standing Orders and Procurement and Contract Management Strategy is to capture the requirements of the incoming legislation, but also to implement the recommendations identified within the Procurement Transformation project.
- 2.8 The new Government is still considering revisions to the proposed National Procurement Policy Statement which we are required to have regard to under the Procurement Act 2023 hence the delegation included in the recommendations to update the Procurement and Contract Management Strategy once the revised content of the National Procurement Policy Statement is known.

3. Key Issues

- 3.1 Appendix 1 is the proposed new set of Contract Standing Orders.
- 3.2 Appendix 2 is the proposed new Procurement and Contract Management Strategy.
- 3.3 Appendix 3 provides an overview of the significant changes brought about by new statutory regime.
- 3.4 Appendix 4 sets out a list of 'key issues' that draws out the significant changes to proposed new Contract Standing Orders from the current version within the Council's Constitution.
- 3.5 Appendix 5 sets out Norfolk District authority benchmarking on procurement thresholds (below statutory thresholds).

4 Options Considered

- 4.1 It is a statutory requirement for the Council to adopt Contract Standing Orders. There are elements of the Contract Standing Orders that are required in compliance with the statutory regime and there are elements that are at the Council's discretion to determine.

4.2 There is no statutory requirement to have a Procurement and Contract Management Strategy, but given the significant governance and compliance role played by the Procurement and Contract Management function for protecting public funds, it is recommended that a Procurement and Contract Management Strategy be approved by Cabinet.

4.3 The Procurement and Contract Management Strategy is also the vehicle through which some of the themes, principles and objectives of the new procurement regime are captured, furthering our commitment to compliance with the legislative framework.

4.4 Options available are:

No	Option	Impact
1.	Do nothing	<p>We have already been awaiting the new statutory regime before updating the Council's Contract Standing Orders and Procurement and Contract Management Strategy which are out of date. This has been identified by an internal audit and Audit Committee has been keeping a watching brief on the statutory developments. Doing nothing would perpetuate the non-compliance with audit recommendations and reportable to our external auditors and to Full Council by the Monitoring Officer.</p> <p>Doing nothing would also perpetuate the very out of step processes we have around thresholds and contract completion, whereas the drive is to transform and modernise processes to support efficiencies and effectiveness for officers and the Council's contractors.</p>
2.	Change only the legislative requirements and not update the 'healthcheck' transformation recommendations	<p>As above.</p> <p>The diagnostics and workshops undertaken in conjunction with the EELGA have demonstrated a dire need for the Council's systems and processes to be modernised to support officers delivering the Council's services.</p>
3.	Introduce legislative requirements and 'healthcheck' transformation recommendations to progress and deliver the Procurement Transformation	Recommended option

	project	
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5 Policy Implications

The revised Contract Standing Orders and Procurement and Contract Management Strategy align procurement processes with corporate priorities and statutory requirements.

Key policy links include:

Corporate Strategy: Efficient and effective delivery of Services
Social Value Policy
Climate Change Strategy and Action Plan
West Norfolk Economic Strategy

6 Financial Implications

There are no direct financial implications as a result of adopting the attached Contract Standing Orders. There will be short term financial implications in terms of cost of training for officers and Members on the new procurement regime.

The wider strategic aim of the Contract Standing Orders and Procurement and Contract Management Strategy is to provide value for money for the public pound spent by the Council and driving efficiencies within the Council.

7 Personnel Implications

Officer training will be essential to ensure successful implementation of the new procurement regime. This includes:

- Workshops to scenario model with officers with revised processes.
- Updated e-learning
- Deep dive training into identified areas of interest, for example contract management.
- One on one support from the Procurement and Contract Management team to support the transition period.

The tender caseload of the Procurement and Contract Management team will change by increasing the thresholds, meaning that the team's resource can be more strategically applied to supporting the high-value/high-risk tenders and contracts and providing a more personal 'business partner' approach to supporting service areas across the Council.

8 Environmental Considerations

The new procurement regime will have a refined focus on aligning with strategic policy objectives around climate change and using the procurement regime as the means to support the Council's net zero ambition.

9 Statutory Considerations

- 9.1 The regulatory regime currently governing local government procurements is largely set out in the Public Contracts Regulations 2015 (PCR 2015).
- 9.2 The Procurement Act 2023 and supporting regulations comes into effect on 24 February 2025. Once implemented, the Act will replace the current Public Contracts Regulations 2015, the Concessions Contracts Regulations 2016 and the Utilities Contracts Regulations 2016 to become the applicable regulatory regime for local government procurements.
- 9.3 There will be a transition period where some tenders, contracts and frameworks are still caught by the PCR 2015 after 24 February 2025. The Procurement and Contracts Management team will monitor these transitional tenders and contracts to ensure the correct regulatory regime is applied.

10 Equality Impact Assessment (EIA)

(Pre-screening report template attached)

No direct impact.

11 Risk Management Implications

- 11.1 The Council's corporate risk register includes several related risks. Firstly, "Risk 11 – Statutory compliance" which concerns the failure to implement and maintain statutory compliance management systems and secondly, "Risk 13 – Contract/Supply failure" which concerns the failure to manage contracts with key suppliers. The proposed adoption of revised Contract Standing Orders and a new Procurement and Contract Management Strategy mitigate against the occurrence of Risks 11 and 13.
- 11.2 The new procurement arrangements will also support activities that reduce the Council's carbon emissions arising from the procurement of goods and services. Such activities will be a valuable mitigation for "Risk 10 – Climate change mitigation and adaptation" given the contribution to reducing the council's scope 3 emissions and its pathway to net zero carbon emissions by 2035.
- 11.3 More specific risks related to the implementation of the revised Contract Standing Orders and Procurement and Contract Management Strategy include:
 - 11.3.1 Non-compliance with statutory requirements: Mitigated through adoption of revised Contract Standing Orders.

- 11.3.2 Implementation challenges: Addressed through ongoing Procurement Transformation project, effective communication, training and phased rollout.
- 11.3.2 Resistance to change: Overcome through engagement with officers and stakeholders.

12 Declarations of Interest / Dispensations Granted

None

13 Background Papers

None

Borough Council of
**King's Lynn &
West Norfolk**



CONTRACT STANDING ORDERS

Under Section 135, Local Government Act 1972

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Part 1 - Application

Interpretation

1. Cross reference should be made to the definitions table at Schedule 1 where required.
2. These Contract Standing Orders (“CSOs”) have been purposefully drafted so that detailed content is set out in the Schedules rather than the main body of the CSOs. Cross reference should therefore be made to the Schedules where directed.
3. References to “the Council” means the Borough Council of King’s Lynn and West Norfolk.
4. Reference is made throughout these CSOs to Above Threshold and Below Threshold procurements. This denotes above or below the WTO GPA Thresholds set out in Schedule 5. Above Threshold procurements require adherence with the full legislative regime and these CSOs. Below Threshold procurements are not so heavily regulated by the legislation but must be undertaken in accordance with these CSOs.

Purpose

5. The purpose of these CSOs is to set out the framework which applies to the carrying out of a procurement process and then subsequently awarding and managing a within scope contract for the supply of goods, services or for the execution of works.
6. These CSOs apply and must be complied with whenever the Council intends to spend money (or provide other benefits in kind) under contracts that are within scope for the supply of goods or services or for the execution of works.
7. These CSOs also satisfy section 135 of the Local Government Act 1972 which requires the Council to make standing orders in respect of contracts for the supply of goods, services and for the execution of works to secure competition and regulate the manner in which tenders are invited.
8. The Council must follow the relevant procurement legislation when undertaking a procurement process and subsequently awarding a contract for the supply of goods, services or for the execution of works. Most of the Council’s procurement and contract management activity will fall under either the PCR2015 or, from the Commencement Date, the PA23.
9. Procurements that commence (i.e. via the issue of a tender notice in Schedule 10) after the entry into force of the PA23 on the Commencement Date must be conducted by reference to the PA23 only, whilst those that were commenced under PCR2015 must continue to be procured and managed under those regulations. Any contracts awarded under the PCR2015 will continue to be managed under the PCR2015 until such a time as the contract or commercial tool (i.e. Framework, DPS) ceases to exist.

Governance Framework

10. These CSOs are part of the Council's Constitution and form an essential part of the Council's Governance Framework. They are an internal control which serve to support the Council's Best Value duty, the protection of public funds, compliance with relevant legislation and delivery of Social Value. Schedule 2 sets out a list of other parts of the Governance Framework relevant to these CSOs.

Procurement General Principles and Objectives

11. PCR 2015 procurements – principles

For all Above Threshold procurements and contracts (awarded under a Framework or DPS) commenced under and subject to the PCR2015, the Council must continue to comply with the procurement principles that underpin that legislation until such time as the contract, or commercial tool (i.e. Framework, DPS) ceases to exist, in particular the principles of equal treatment, non-discrimination, transparency, and proportionality. This includes for any modifications and requirements for subsequent notices to be published on the relevant platform.

12. PA 23 procurements – objectives

For all Above Threshold procurements and contracts (under a Framework or DM) that commence on or after the Commencement Date, the Council must:

- 12.1 not discriminate against suppliers and shall treat suppliers the same unless a difference between the suppliers justifies different treatment (in which case the Council must take all reasonable steps to ensure it does not put a supplier at an unfair advantage or disadvantage);
- 12.2 have regard to the fact that small and medium-sized enterprises may face particular barriers to participation and consider whether such barriers can be removed or reduced;
- 12.3 have regard to the National Procurement Policy Statement;
- 12.4 have regard to the importance of:
 - 12.4.1 delivering value for money;
 - 12.4.2 maximising public benefit;
 - 12.4.3 sharing information for the purpose of allowing suppliers and others to understand the Council's procurement policies and decisions; and
 - 12.4.4 acting, and being seen to act, with integrity.

13. General Principles and Objectives

Whilst the statutory principles and objectives set out at CSOs 11 & 12 apply to Above Threshold procurements only, the Council will seek to apply relevant and proportionate objectives and principles via its Procurement and Contract Management Strategy to Below

Threshold procurements as well. For all procurements and contracts irrespective of their value, the Council will also ensure they:

- 13.1 support the Council's Best Value duty;
 - 13.2 support the delivery of the Corporate Strategy;
 - 13.3 comply with all legal requirements;
 - 13.4 where relevant and proportionate, deliver Social Value.
14. These CSOs should be read in conjunction with the Council's Procurement and Contract Management Strategy for additional information on how the Council will seek to meet these principles and objectives.

Part 2 - Procurements

Contract Types

15. The contract types the Council usually procures are for goods, services or works.
16. Different procedures apply under the PA23 for the following types of contract and the P&CMT must always be consulted in relation to these prior to commencing a procurement:
- 16.1 Light-touch contracts – i.e. a contract for the supply of certain social, health, education and other public services and subject to more flexible rules under the PA23 and associated regulations.
 - 16.2 Concession contracts – i.e. a contract where the supplier receives at least part of their remuneration from users of the works or services they are providing and the contract complies with the other legal aspects of being a public concession contract.
17. Those contracts that fall within the Out of Scope Arrangements at Schedule 3 will not be covered by these CSOs but such contracts must still support the Council's Best Value duty, support the delivery of the Corporate Strategy and comply with all legal requirements.

Estimating the Contract Value and Lots

18. The contract value must be estimated before commencing a procurement to determine whether the contract is Above Threshold or Below Threshold and in turn determine which procurement method in Schedule 7 to follow. If the contract value is underestimated there is a risk of non-compliance with these CSOs and the legislative regime.
19. The contract value must be estimated in accordance with this CSO, Schedule 4 and Schedule 5. Where the estimated contract value is within 10% of a threshold set out in Schedule 5, the P&CMT must be consulted prior to commencing a procurement to determine the most appropriate procurement method.

20. If one or more quotes are returned after following the Multiple Quotes Procurement Method that exceed the relevant Internal Control Thresholds, the P&CMT must be consulted before any quote is accepted.
21. Where a contract value is unknown or cannot be estimated then the contract is to be treated as being Above Threshold and the applicable rules under these CSOs and the legislative regime must be followed.
22. The Council must not provide an unfair advantage to potential suppliers when estimating the contract value. Preliminary market engagement must be considered where the estimated contract value is not readily identifiable.
23. Once a contract value has been estimated it is necessary to determine which threshold and rules apply in accordance with WTO GPA Thresholds set out in Schedule 5 and the Internal Control Thresholds set out in Schedule 6.

Preliminary Market Engagement

24. Where relevant and proportionate to do so, preliminary market engagement is permitted and encouraged with the intention of informing the procurement process and potential suppliers.
25. Preliminary market engagement brings the contract opportunity to the attention of the market prior to the commencement of a formal procurement process and can help:
 - 25.1 develop the Council's requirements and approach to the procurement;
 - 25.2 design a procedure, conditions of participation or award criteria;
 - 25.3 prepare the tender documents;
 - 25.4 identify suppliers that may be able to supply the goods, services or works required;
 - 25.5 identify likely contractual terms; and
 - 25.6 build capacity among suppliers in relation to the contract being awarded
26. When carrying out preliminary market engagement, the Council must take steps to ensure that suppliers participating are not put an unfair advantage or disadvantage and competition in relation to the award of the contract is not otherwise distorted.
27. Preliminary market engagement must be undertaken in conjunction with the P&CMT.
28. Prior to any preliminary market engagement for an Above Threshold procurement, a pre-market engagement notice must be published.
29. Preliminary market engagement may include, events, consultations with suppliers and other forms of market research, but must not:
 - 29.1 use this phase to shortlist or pre-qualify suppliers; it is only an engagement exercise;
 - 29.2 base any specification on one supplier's capability or offering such as to distort competition;
 - 29.3 make any indication or commitment to suppliers that their capability or offering may be preferred by the Council;
 - 29.4 provide any of the Council's information to one supplier that is not available to every other supplier; or
 - 29.5 enter into negotiations about any form of delivery or price where a competitive procurement process has yet to take place.

30. Any preliminary market engagement carried out, including discussions with the market, is to be undertaken in accordance with the relevant principles and objectives set out in CSOs 11-13 above and be fully documented on file and relevant information shared as appropriate.

Authorisation

31. The appropriate authorisation and approved budget to commence the procurement, enter into a contract or extend or vary a contract must be in place under the Governance Framework.

Procurement Method

32. Different procurement methods apply depending on the estimated contract value. The different methods are as follows: Minimum Quote Process, Multiple Quote Process, Below Threshold Tender and Above Threshold Tender.
33. Full details of each procurement method are set out in Schedule 7.
34. A procurement method can be used that would apply to a higher estimated contract value where this is preferred.

Frameworks

35. Frameworks can be used to procure the supply of goods, services or for the execution of works, particularly where the Council anticipates need over a period of time but has no certainty as to the extent it may require.
36. The Council may set up its own Framework in accordance with the relevant procurement legislation.
37. Contracts based on Frameworks established under the PCR2015 need to be awarded in accordance with the rules in the PCR 2015 and the specific requirements of the relevant Framework.
38. Contracts based on Frameworks established under the PA23 need to be awarded in accordance with the rules in the PA23 and the specific requirements of the relevant Framework. The PA23 provides for both:
- 38.1 public sector closed frameworks with a standard maximum period of 4 years; and
 - 38.2 open frameworks with a maximum period 8 years which can be opened for new suppliers to join at defined points in time.
39. The use of a Framework set up by a third party may be used where the Council is permitted to use the third party Framework and where the use of the third party Framework has been approved by the P&CMT.
40. All call-offs from a Framework must be in accordance with the terms of that Framework, and must be properly completed and recorded on the Contracts Register.

Dynamic Markets

41. DMs have been introduced under the PA23. A DM functions as a standalone qualification tool, which creates a pre-qualified pool of suppliers, that meet the specified conditions for membership for that particular DM (or part of it).
42. The Council is permitted to award an Above Threshold contract by reference to suppliers' participation in an appropriate DM when using the competitive flexible procedure. By doing so, the Council limits participation in the procurement procedure to members of that specific DM. As a DM is only relevant when awarding a contract using a competitive flexible procedure, the contract must be awarded by way of competitive tender. A DM can only be used for the award of an Above Threshold contract.
43. The P&CMT must be consulted prior to setting up a DM or seeking to procure a contract by reference to a DM.

Dynamic Purchasing Systems

44. DPSs were introduced by the PCR2015. Any DPS established under the PCR2015 must come to an end as set out when they were established, or by 23 February 2029 whichever is earlier.
45. A DPS is a procedure available for contracts for works, services and goods commonly available on the market. As a procurement tool, it has some aspects that are similar to an electronic framework agreement, but where new suppliers can join at any time. It is to be run as a completely electronic process and must be set up using the restricted procedure and some other conditions (as set out in Regulation 34, PCR 2015).
46. From the Commencement Date, a DPS cannot be used but current contracts awarded under them will continue until their expiry. The P&CMT must be consulted prior to using a DPS.

Direct Award (Exemptions)

47. Direct awards to a single supplier means there has been an absence of competition. Accordingly, they must only occur in accordance with these CSOs and where applicable, as permitted under the relevant legislative regime.
48. Direct awards can only be made in accordance with Schedule 8 (Direct Awards for Above Threshold Contracts) or Schedule 9 (Direct Awards for Below Threshold Contracts).
49. All Direct Awards must be approved by the Procurement and Contracts Manager, the relevant non-statutory Chief Officer, the Monitoring Officer and the Chief Finance Officer.

TUPE

50. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may apply when an employee of the Council or of a supplier providing a service to the Council may be affected because of a change in the service provider. Where TUPE may apply, the Monitoring Officer must be consulted with a response provided before the procurement is commenced.

Specification

51. Every Multiple Quote Process and tender must have a written specification setting out a comprehensive description of the requirements of the contract including the timings of when deliverables must be met.
52. The Council must ensure the specification for contracts in Above Threshold tenders, including all references to standards and qualifications, complies with the relevant legislation on technical specifications.

Award Criteria

53. Every Multiple Quote Process and Tender will be evaluated in accordance with the award criteria set out in the procurement documents.
54. The contract award criteria may include a price-quality ratio, assessed on the basis of qualitative, environmental and/or social value aspects, linked to the subject matter of the contract in question.
55. The key requirements of the award criteria are that they:
 - 55.1 relate to the subject-matter of the contract;
 - 55.2 are sufficiently clear, measurable and specific;
 - 55.3 link with the statutory rules on technical specifications where relevant; and
 - 55.4 are a proportionate means of assessing quotes/tenders having regard to the nature, complexity and cost of the contract.
56. The P&CMT will provide recommendations on inclusion of Social Value award criteria in tenders, where this is relevant and proportionate to the nature of the contract.

Evaluating Bids and Contract Award

57. Above Threshold contracts must be awarded as follows:
 - 57.1 if procured under the PA23, then on the basis of the most advantageous tender;
 - 57.2 if procured under the PCR2015, then on the basis of the most economically advantageous tender; and
 - 57.3 if procured under the PSR23, then in consultation with the P&CMT who will advise on the legislative basis for award.
58. Below Threshold contracts and Multiple Quotes Process contracts shall be awarded on the basis of the most advantageous tender.
59. The Council will follow the framework set out in section 19 of the Procurement Act 2023 with regards to disregarding any quote or tender.
60. Any due diligence checks must be undertaken in accordance with Part 3 – Due Diligence before awarding the contract.
61. Decisions on evaluating tender bids shall be recorded, to include the identity of the decision-maker, the scores and rationale of how the evaluation criteria was applied, the reasons for the decision and any declared conflicts of interest.

62. The Council is not obliged to accept any quote or tender and may terminate any procurement process it has commenced at its own discretion and at any time before a contract is entered.
63. If a tender is submitted after the deadline for receiving tenders has passed, the Council must not accept this tender unless it can justify why it should provide different treatment to that bidder and this is approved by the Procurement and Contracts Manger, the relevant non-statutory Chief Officer and the Monitoring Officer. Any decision to accept a late tender can only be made before evaluation of the other tenders has commenced and cannot be taken where any prejudice has been caused to the other bidders over and above the additional time permitted.
64. If it is considered that a bidder has made a genuine typographical error in their tender, the Council may afford that bidder an opportunity to correct their error. However, this decision must be approved by the Procurement and Contracts Manger, the relevant non-statutory Chief Officer and the Monitoring Officer and in accordance with the principles and objectives at CSOs 11-13.

Part 3 – Due Diligence

Conflicts of Interest

65. The Council must ensure that duties relating to Conflicts of Interest under the applicable procurement legislation are met for all procurements. Specifically, for Above Threshold procurements subject to the PA23, the Council must:
 - 65.1 take all reasonable steps to identify, and keep under review any actual or potential conflicts of interest;
 - 65.2 take all reasonable steps to ensure that a conflict of interest does not put a supplier at an unfair advantage or disadvantage in relation to the procurement;
 - 65.3 where any such unfair advantage cannot be avoided or the supplier will not take steps that the Council considers are necessary in order to ensure it is not put at an unfair advantage, exclude the supplier from the procurement; and
 - 65.4 before publishing a tender notice or transparency notice for the procurement, prepare a conflicts assessment in relation to the procurement and keep this under review and revise the assessment as necessary.
66. For Above Threshold procurements and contracts subject to the PA23, the Council must also comply with the requirements in relation to conflicts assessments, namely:
 - 66.1 a conflicts assessment must be prepared prior to publishing a tender or transparency notice;
 - 66.2 a conflicts assessment must include details of the actual or potential conflict identified and any steps the Council has or will take to mitigate that conflict;
 - 66.3 where the Council is aware of circumstances that it considers are likely to cause a reasonable person to wrongly believe there to be a conflict or potential conflict, the conflicts assessment must include details of any steps the Council has taken or will take to demonstrate no such conflict or potential conflict exists;
 - 66.4 the Council must keep any conflict assessments under review and revise as necessary; and
 - 66.5 the Council must when publishing any Relevant Notice confirm that a conflicts assessment has been prepared and revised in accordance with section 83 of the PA23.

Exclusion and Debarment

67. Bidders invited to participate or those bidders that have submitted bids for tenders will be reviewed against the Debarment List after the Commencement Date.
68. An individual assessment will be made on whether the bidder must be excluded on a mandatory basis or could be excluded on a discretionary basis.
69. All decisions made in relation to exclusion & debarment are to be taken by an officer in the P&CMT.
70. If the Council decides to exclude a supplier from a procurement in accordance with the PA23, this will be notified to the appropriate authority which could result in the supplier's name being included on the publicly available Debarment List.

Due Diligence Checks

71. It is a requirement that for Above Threshold procurements, a contract award is made subject to the supplier satisfying a Financial Due Diligence Assessment. The Chief Finance Officer determines whether the supplier has satisfied the Financial Due Diligence Assessment. The Financial Due Diligence Assessment will include an appraisal of the supplier's financial capacity to perform the contract and whether appropriate risk mitigations can be put in place to address any identified issues with suppliers' financial capacity.
72. As part of due diligence checks for Above Threshold procurements, the Council may set conditions of participation but in doing so must ensure they:
 - 72.1 only relate to the supplier's legal and financial capacity and/or technical ability to perform the contract;
 - 72.2 are a relevant and proportionate means of ensuring the supplier's relevant capacity or ability, having regard to the nature, complexity and cost of the contract to be delivered; and
 - 72.3 for Above Threshold contracts, they comply with section 22 of the PA23 or regulation 58 of the PCR2015.
73. Consideration must be taken as to the necessity or otherwise around seeking a bond or parent company guarantee based on strategic risk where the estimated contract value is over £1m. If one of these forms of security is deemed a requirement then this must be specified in the published procurement documents.
74. Insurance requirements shall be proportionate to the contract value but in no case shall provide cover of less than £500,000 for a single claim event unless authorised by the Chief Finance Officer. The Council is not permitted to require insurance relating to the performance of the contract to be in place before the award of the contract.
75. Other relevant and proportionate forms of due diligence can form part of the requirements for Below Threshold procurements before contract award so long as these are specified in the published procurement documents. These requirements will not serve to restrict the submission of tenders or quotes but will be taken into account on contract award.

76. In setting due diligence requirements regard must be had to the barriers SMEs may face to participation and the Council must consider if those barriers can be removed or reduced.

Part 4 - Contracts

Contract Completion

77. Contracts shall be completed in accordance with Schedule 7.

78. Contracts can be completed using an electronic signature but only through the Council's contracted e-signature provider and certificates of completion must be retained with the contract documents.

79. All contract formalities must be concluded before the supply of goods or services or the carrying out of works begin, bar in exceptional circumstances with the written approval of the Monitoring Officer. All related parent company guarantees and/or bonds must be completed and received before the contract commences bar in exceptional circumstances with the written approval of the Monitoring Officer.

80. The officer responsible for securing signature of the contract must ensure that the person signing for the other contracting party has authority to bind it. Cases where this is uncertain must be referred to the Monitoring Officer.

Contract Extensions and Variations

81. Above Threshold contracts can only be extended or modified in accordance with the relevant procurement legislation and Schedule 8. A request to extend, vary or modify must be referred to the Monitoring Officer and the P&CMT to be authorised.

82. Below Threshold contracts can only be extended if the original contract includes an option to extend the initial term or in accordance with category 4 of Schedule 9. Authorisation must also be in place under the Governance Framework. Confirmation of the extension must be kept with the contract documents. A written variation to the contract to enable the extension must be retained with the contract documents.

83. Below Threshold contracts can only be modified where this does not substantially alter the nature of the contract. Authorisation must also be in place under the Governance Framework. A written variation to the contract must be retained with the contract documents.

Contract Management Notices

84. The Council must ensure that all notices at Schedule 10 in relation to contract management under the PA23 are complied with.

Contract Management Procedures

85. Service areas of the Council are responsible for effective contract management of all contracts in their area and shall ensure that at least one officer is designated as the

officer responsible for the management of each ongoing contract.

86. Where a contract is a corporate contract, i.e. relates to more than one service area of the Council, then the P&CMT will confirm which service area shall take primary responsibility for the management of the contract in consultation with the Monitoring Officer and relevant non-statutory chief officer.

87. Contract management involves:

87.1 monitoring performance against the procurement documents (including specification and the bid/quote) plus the contract, to include monitoring KPIs where included in the contract

87.2 production and retention of performance data where relevant and proportionate

87.3 addressing poor performance where identified

87.4 monitoring spend and forecast spend against the contract price and/or approved budget

87.5 assessing and monitoring risks

87.6 ensuring Social Value is delivered where this forms part of the contract

87.7 repeating due diligence checks where necessary

87.8 monitoring for grounds of debarment and exclusion

87.9 developing, and maintaining an effective relationship with the supplier by way of regular minuted meetings, communication and provision of feedback

87.10 consideration of any other stakeholder engagement where relevant to managing the contract

87.11 ensuring the effective ongoing administration of the contract to ensure the required outputs/outcomes are achieved to maximise benefit for the Council

87.12 seeking to achieve Best Value throughout the term of the contract, including by way of agreed modifications to the contract

87.13 to escalate disputes at the appropriate stage to the P&CMT and the Monitoring Officer

87.14 compliance with these CSOs and the relevant legislation in relation to any extensions and/or variations to a contract, which must only be undertaken in consultation with the P&CMT for contracts over £25,000.

88. The Council will require adherence to a contract management plan by suppliers where relevant and proportionate.

Review and Amendment

89. These CSOs will be reviewed annually in January by the Monitoring Officer.

90. The Monitoring Officer may make technical amendments from time to time to make these CSOs consistent with changes to the legislative frameworks or the Governance Framework, after consulting with the Chief Finance Officer and the P&CMT.

SCHEDULE 1 – DEFINITIONS

<p>“Above Threshold”</p>	<p>means, as the context requires: procurements, tenders, contracts, procedures, methods and/or processes that apply where the procurement or contract in question is at or above the WTO GPA Threshold</p>
<p>“Above Threshold Tender”</p>	<p>means the procurement process of securing competition via a tender for Above Threshold contracts in accordance with Schedule 6 and 7 of these CSOs</p>
<p>“Advertised”</p>	<p>means:</p> <p>for Below Threshold tenders:</p> <ul style="list-style-type: none"> • Under PCR2015 tenders will be advertised on the Contracts Finder and the Council’s website • Under PA23 tenders will be advertised on the Central Digital Platform and the Council’s website <p>for Above Threshold tenders:</p> <ul style="list-style-type: none"> • Under PCR2015 tenders will be advertised on the Find a Tender Service, GOV.UK Contracts Finder and the Council’s website • Under PA23 tenders will be advertised on the Central Digital Platform and the Council’s website
<p>“Below Threshold”</p>	<p>means, as the context requires: procurements, contracts, procedures, methods and/or processes that apply where the procurement or contract in question is below the WTO GPA Threshold</p>
<p>“Below Threshold Tender”</p>	<p>means the procurement process of securing competition via a tender for Below Threshold contracts in accordance with Schedule 6 and 7 of these CSOs</p>
<p>“Best Value”</p>	<p>means the duty on the Council under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness</p>
<p>“Central Digital Platform”</p>	<p>The online system established by the UK Government Cabinet Office where tender opportunities are advertised, Notices are published and suppliers can submit core information for procurements and contracts that fall under the PA23.</p>
<p>“Chief Finance Officer”</p>	<p>Means the officer appointed by the Council under section</p>

	151 of the Local Government Act 1972 or their deputy
“Commencement Date”	means the commencement date for the new Procurement Act 2023; this being 24 February 2025 or such other extended date that central government sets;
“Conflicts of Interest”	means a situation where there is a conflict between the interests of a person acting in relation to a procurement and those of the procurement itself including the circumstances set out in Part 5 PA23;
“Constitution”	means the Council’s current constitution adopted under section 9P of the Local Government Act 2000
“Contracts Finder”	A publicly accessible online platform for the publication of procurement opportunities and awarded contracts over £25,000 established by the UK Government under PCR2015 (being replaced by the Central Digital Platform for procurements and contracts under the PA23)
“Contracts Register”	means the centralised record maintained by the Council of all contracts entered into over £5,000
“Debarment List”	means the list created by a Minister of the Crown providing details of suppliers which, following an investigation, are considered excluded or excludable suppliers;
“DM”	means a dynamic market as referred to in Part 2 of these CSOs
“DPS”	means a dynamic purchasing system as referred to in Part 2 of these CSOs
“Financial Due Diligence Assessment”	means the processes and tools used by the Council for objectively assessing evidence it requires for verifying conditions of participation for the financial capacity to perform the contract
“Find a Tender Service”	A publicly accessible online platform for the publication of Above Threshold procurement opportunities and awarded contracts established by the UK Government under PCR2015 (being replaced by the Central Digital Platform for procurements and contracts under the PA23)
“Framework”	means a contract between a contracting authority and one or more suppliers that provides for the future award of contracts by a contracting authority to the supplier or suppliers
Governance Framework	means, as the context requires, the parts of the Constitution

	and Council policies referred to at Schedule 2
“Internal Control Thresholds”	means the Council’s thresholds as set out in Schedule 6 of these CSOs
“Minimum Quote Process”	means the procurement process of obtaining at least one written quote in accordance with Schedule 6 and 7 of these CSOs
“Monitoring Officer”	means the officer appointed under section 5 of the Local Government and Housing Act 1989 or their deputy
“Multiple Quotes Process”	means the procurement process of obtaining quotes from multiple suppliers in accordance with Schedule 6 and 7 of these CSOs
“Notice(s)”	means the notices listed at Schedule 10
“P&CMT”	means the Council’s procurement and contract management team
“PA23”	means the Procurement Act 2023
“PCR2015”	means the Public Contracts Regulations 2015
“Procurement Method”	means the methods of procurement set out in Schedule 7
“PSR23”	means the Health Care Services (Provider Selection Regime) Regulations 2023
“Relevant Notice”	<p>means the notices set out in section 83 of the PA 23 in which the Council must confirm that a conflicts assessment has been prepared and revised, namely:</p> <p>(a) a tender notice,</p> <p>(b) a transparency notice,</p> <p>(c) a DM notice in relation to the establishment of a DM,</p> <p>(d) a contract details notice relating to an Above Threshold contract, or</p> <p>(e) a contract change notice;</p>
“Social Value”	means the duty under the Public Services (Social Value) Act 2012 and as set out in the Council’s Social Value Policy
“WTO GPA Threshold”	means the World Trade Organisation Government Procurement Agreement which governs the statutory thresholds for an Above Threshold contract as set out in

	Schedule 5
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SCHEDULE 2 – GOVERNANCE FRAMEWORK

These CSOs link with the following parts of the Council's published Governance Framework:

1. The approved budget
2. The Council's Annual Governance Statement issued under the Accounts and Audit Regulations 2015
3. Procurement and Contract Management Strategy
4. Financial regulations in the Constitution
5. Standing orders in the Constitution
6. Corporate Strategy
7. Anti-fraud and Corruption Strategy
8. Anti-Money Laundering Policy
9. Whistleblowing Policy
10. Risk Management Policy and Risk Management Strategy
11. Councillor's Code of Conduct
12. Officer Code of Conduct
13. Scheme of Delegation in the Constitution
14. Social Value Policy
15. Equality Policy

SCHEDULE 3 – OUT OF SCOPE ARRANGEMENTS

The following arrangements are exempted contracts and out of scope for the purposes of these CSOs except where specified:

Counterparty exempted contracts

- 1.1 Horizontal Arrangements (e.g. contracts between contracting authorities where the arrangement is intended to achieve common goals in connection with the exercise of their public functions, the arrangement is solely in the public interest and no more than 20% of the activities envisaged by the arrangement are intended to be carried out for reasons other than for the purpose of their public functions);
- 1.2 Vertical Arrangements (e.g. a contract between a contracting authority (or two or more contracting authorities acting together) with a person over which the contracting authority owner has a form of control);

Subject matter exempted contracts

- 1.3 acquisitions and disposals of land or buildings unless related to a contract for works, services or supplies;
- 1.4 a contract for the lending of money in any currency to the Council and for the provision or carrying out of an investment service or activity, or of an ancillary service, in relation to a financial instrument by an investment firm or a qualifying credit institution;
- 1.5 where the Council instructs external legal representatives to represent, advise or act on its behalf in relation to litigation, including alternative dispute resolution;
- 1.6 contracts for the purpose of research & development only;
- 1.7 contracts of employment; and
- 1.8 other exemptions referred to in Schedule 2 of the PA23 or Regulation 10 of the PCR2015.

Other contracts

In addition, the following arrangements are out of scope from these CSOs:

- 1.9 delegation of functions to another local authority under section 101 of the Local Government Act 1972
- 1.10 where the Council is providing a financial support payment to a resident or service user
- 1.11 grants the Council has awarded to third parties
- 1.12 where the Council is participating in a multi-authority procurement and another local authority is the lead partner

SCHEDULE 4 – ESTIMATING CONTRACT VALUE

These factors are to be taken into account when estimating the value of a contract:

- a. where estimating the value of two or more contracts and the goods, services or works to be supplied under those contracts could reasonably be supplied under a single contract then the Council must estimate the value of each of the contracts as including the value of all of the contracts, unless the Council has good reasons not to do so (also referred to as 'aggregation');
- b. estimate the maximum amount the Council could expect to pay under the contract including where applicable amounts already paid and which could be paid for the same nature and category of work over the foreseeable future. This could include:
 - i. the value of any goods, services or works provided by the Council under the contract other than for payment;
 - ii. amounts that would be payable if an option in the contract to supply additional goods, services or works were exercised;
 - iii. amounts that would be payable if an option in the contract to extend or renew the term of the contract were exercised;
 - iv. amounts representing premiums, fees, commissions or interest that could be payable under the contract;
 - v. amounts representing prizes or payments that could be payable to participants in the procurement.
- c. the P&CMT is to be consulted to assist in estimating future contract need in the same nature and category of the contract being valued where this is a factor in the calculation of the value of the contract (also referred to as aggregation);
- d. take into account all of the facts which are material to the estimate and available to the Council at the time it makes the estimate;
- e. treat the contract as being Above Threshold where it is not possible to estimate a contract value;
- f. calculations are to be exclusive of VAT save for contracts where the estimated value is above the WTO GPA Threshold which shall be inclusive of VAT;
- g. where the contract is one where no payment is made by the Council (e.g. a concession), estimate the value of a concession contract as the maximum amount the supplier could expect to receive under or in connection with the contract, including where applicable, amounts already received;
- h. where establishing a Framework, the Council must estimate the value of a Framework as the sum of the estimated values of all the contracts that have or may be awarded in accordance with that Framework;
- i. where the Council is the lead authority for a joint Procurement, the total value of the opportunity must also include the amount which relates to other participants;
- j. not calculate the estimated contract value in a way that is designed to avoid exceeding the WTO GPA Thresholds or Internal Control Thresholds;

Note, no contract can be 'rolling', i.e. no end date. The total length of a contract cannot exceed 10 years.

SCHEDULE 5 – WTO GPA THRESHOLDS

1. This Schedule contains the applicable WTO GPA Thresholds as of 1 January 2024. The WTO GPA Thresholds are updated every two years.
2. If VAT does not apply or a lower rate of VAT applies to the contract then this must be verified with the Chief Finance Officer before commencing the procurement.
3. WTO GPA Thresholds:

Category	Threshold Including VAT	Threshold Excluding VAT
Supplies and Services	£213,477	£177,897.50
Works Contract	£5,336,937	£4,447,447.50
Light Touch Regime	£663,540	£552,950.00
Concession Contracts	£5,336,937	£4,447,447.50
Health Care Services – PSR23	£0	£0

4. The WTO GPA Thresholds will be updated by the Monitoring Officer when there are statutory updates.

SCHEDULE 6 – INTERNAL CONTROL THRESHOLDS

ALL FIGURES ARE EXCLUDING VAT	Minimum Quote Process £	Multiple Quote Process £	Below Threshold Tender £	Above Threshold Tender £
Goods and Services	0.00 – 20,000	20,001-75,000	75,001 – up to Statutory Threshold	Statutory Threshold and above
Works Contract	0.00 - 35,000	35,001-250,000	250,001 – up to Statutory Threshold	Statutory Threshold and above
Light Touch Regime	0.00 - 35,000	35,001 – 100,000	100,001 – up to Statutory Threshold	Statutory Threshold and above
Concession Contracts	0.00 - 35,000	35,001-250,000	250,001 – up to Statutory Threshold	Statutory Threshold and above
Health Care Services - Provider Selection Regime	0.00 – 20,000	20,001-75,000	75,001 – up to 177,897.50	177,897.50 and above

SCHEDULE 7 – PROCUREMENT AND CONTRACT METHODS

	Procurement Method	Who carries out the Procurement	Who evaluates and takes decision	Record decision	Contract Options	Contract Completion	Contract Retention	Transparency
321	<p>Minimum Quote Process</p> <p>1. A minimum of one written quote</p> <p>Received digitally or in hardcopy (to be electronically recorded)</p> <p>2 A Framework or DPS (latter for old regime only)</p>	Procuring officer	Procuring officer	Procuring Officer choice	<p>Purchase order</p> <p>OR</p> <p>Council standard contract</p> <p>OR</p> <p>Professional contract (e.g. JCT, NEC)</p> <p>OR</p> <p>Supplier contract with Monitoring Officer approval</p> <p>OR</p> <p>Bespoke contract with Monitoring Officer approval</p> <p>OR</p> <p>If Framework used then a call-off contract under the Framework agreement</p>	<p>(where purchase order not used)</p> <p>Signed by Assistant Director (can be delegated for contracts £25,000 or below)</p> <p>Hardcopy or e-signature</p> <p>OR</p> <p>If a deed then by sealing through Legal services</p>	<p>In service area shared area</p> <p>AND</p> <p>By P&CMT and Legal services (procuring officer responsibility to send a copy of written contract)</p>	<p>Spend over £500 published online</p> <p>No Notices</p> <p>Contracts Register over £5,000</p>

	Procurement Method	Who carries out the Procurement	Who evaluates and takes decision	Record decision	Contract Options	Contract Completion	Contract Retention	Transparency
322	<p>Multiple Quote Process</p> <p>1. Request for Quotation (RFQ) At least 3 quotes sought</p> <p>RFQ to be issued by email or via the e-Procurement platform *</p> <p>2. A Framework or DPS (latter for old regime only)</p> <p>3. A Direct Award where expressly permitted under Schedule 9 of these CSOs</p>	Procuring officer with approval from a P&CMT officer of RFQ before issue where contract value over £25,001	Procuring officer with approval from a P&CMT officer before decision on successful bidder where contract value over £25,001 or where 3 quotes were not received (P&CMT may require further quotes to be obtained)	Yes	<p>Council standard contract</p> <p>OR</p> <p>Professional contract (e.g. JCT, NEC)</p> <p>OR</p> <p>Supplier contract with Monitoring Officer approval</p> <p>OR</p> <p>Bespoke contract with Monitoring Officer approval</p> <p>OR</p> <p>If Framework used then a call-off contract under the Framework agreement</p>	<p>Signed by Assistant Director (not to be delegated over £25,000)</p> <p>Hardcopy or e-signature</p> <p>OR</p> <p>If a deed then by sealing through Legal Services</p>	<p>In Service area shared area</p> <p>AND</p> <p>By P&CMT and Legal services (procuring officer responsibility to send a copy of written contract)</p>	<p>Spend over £500 published online</p> <p>Contracts Register</p> <p>No Notices</p>
	<p>Below Threshold Tender</p> <p>1. Advertised Tender through a competitive tendering procedure via the e-procurement</p>	A P&CMT officer in consultation with procuring officer	A P&CMT officer in consultation with procuring officer	Yes	<p>Council standard contract</p> <p>OR</p> <p>Professional contract</p>	<p>Signed by Executive Director <u>up to</u> £500,000 (can be delegated to</p>	<p>In Service area shared area</p> <p>AND</p> <p>By P&CMT and</p>	<p>Spend over £500 published online</p> <p>Contracts Register</p>

	Procurement Method	Who carries out the Procurement	Who evaluates and takes decision	Record decision	Contract Options	Contract Completion	Contract Retention	Transparency
323	<p>platform</p> <p>2. A Framework or DPS (latter for old regime only)</p> <p>3. A Direct Award where expressly permitted under Schedule 9 of these CSO</p>				<p>(e.g. JCT, NEC)</p> <p>OR</p> <p>Supplier contract with Monitoring Officer approval</p> <p>OR</p> <p>Bespoke contract with Monitoring Officer approval</p> <p>OR</p> <p>If Framework used then a Call-off Contract under the Framework agreement</p>	<p>an Assistant Director below £250,000)</p> <p>Hardcopy or e-signature</p> <p>OR</p> <p>Sealed if £500,000 or above through Legal Services</p> <p>OR</p> <p>If under £500,000 but a Deed then by sealing through Legal</p>	Legal services	Notices
Above Threshold Tender	<p>1. Advertised Tender through a competitive tendering procedure via the e-procurement platform</p> <p>2. A Framework, DM (new regime) or DPS (old regime)</p>	P&CMT officer in consultation with procuring officer	P&CMT officer in consultation with procuring officer and relevant Portfolio Holders	Yes	<p>Council Standard Contract</p> <p>OR</p> <p>Professional contract (e.g. JCT, NEC)</p> <p>OR</p> <p>Supplier contract with Monitoring Officer</p>	<p>Signed by Executive Director <u>up to</u> £500,000 (can be delegated to an Assistant Director below £250,000)</p> <p>Hardcopy or e-signature</p>	<p>In Service area shared area</p> <p>AND</p> <p>By P&CMT and Legal services</p>	<p>Spend over £500 published online</p> <p>Contracts Register</p> <p>Notices</p>

	Procurement Method	Who carries out the Procurement	Who evaluates and takes decision	Record decision	Contract Options	Contract Completion	Contract Retention	Transparency
324	3. A Direct Award where permitted under the PA23 and Schedule 8				approval OR Bespoke contract with Monitoring Officer approval OR If Framework used then a Call-off Contract under the Framework agreement	OR Sealed if £500,000 or above through Legal services OR If under £500,000 but a Deed then by sealing through Legal services		

* P&CMT will provide written certification to a service area that they are approved to use the e-Procurement platform without P&CMT's oversight. If any officer is unsure whether their service area is certified, contact P&CMT for confirmation

SCHEDULE 8 – DIRECT AWARD FOR ABOVE THRESHOLD CONTRACTS

1. Where a direct award is necessary and expressly permitted by the relevant legislation, the procurement and contract award may be undertaken without a competitive tendering procedure and must be undertaken with approval from the relevant non-statutory chief officer, Monitoring Officer, Chief Finance Officer and Procurement and Contracts Manager via an Exemption Form.
2. Under the PA23, unless otherwise stated that these notices are not required, the Council must publish the following mandatory notices when directly awarding a contract to a supplier, namely:
 - a **transparency notice** before a contract is directly awarded to inform the market that the Council intends to directly award a contract and ensure that there is transparency relating to this decision;
 - a **contract award notice** which initiates any mandatory or voluntary standstill period and must be published before the Council enters into contract; and
 - a **contract details notice** once the contract has been entered into.

No	Direct Award
1	Where a Minister of the Crown has issued published Regulations specifying identified public contracts that are to protect human, animal or plant life or health, or to protect public order or public safety.
2	The creation or acquisition of a unique work of art or artistic performance
3	Only one supplier can supply the goods, works or services due to the absence of competition for technical reasons and there are no reasonable alternatives
4	The extension or partial replacement of existing goods, services or works by the existing supplier where a change in supplier would result in receiving different or incompatible goods or services, resulting in disproportionate technical difficulties in operation or maintenance
5	Only one supplier can supply the goods, works or services because of intellectual property or other exclusive rights and there are no reasonable alternatives
6	The supply of similar goods, services or works by an existing supplier where the existing contract was awarded competitively to the existing supplier in the last five years and the tender notice for the award specifically mentioned the contracting authority's intention to use this direct award justification
7	A contract on particularly advantageous terms because the supplier is undergoing insolvency proceedings
8	The goods, services or works are strictly necessary because of extreme and unavoidable urgency and cannot be awarded in a competitive tendering procedure
9	Goods purchased on a commodity market
10	Where the contract is for the supply of user choice services, as designated by regulations and supplied for the benefit of the individual.
11	The supply of prototypes or the testing, viability research or development of other novel services
12	Switching to direct award where a competitive tendering procedure has been undertaken and no suitable tenders were received.

SCHEDULE 9 – DIRECT AWARD FOR BELOW THRESHOLD CONTRACTS

1. Direct awards for Below Threshold contracts can only be made with the approval of the relevant non-statutory chief officer, Monitoring Officer, Chief Finance Officer and Procurement and Contracts Manager via an Exemption Form.
2. The following categories of direct award apply to Below Threshold contracts:

No	Direct Award
1	<p>Where there is an immediate need to:</p> <ul style="list-style-type: none"> • protect human, animal or plant life or health • to protect public order or public safety • to protect property • to maintain the immediate functioning of a public service for which the Council is responsible. <p>In such cases the contract must only last as long as is reasonably necessary to deal with the specific immediate need</p>
2	The creation or acquisition of a unique work of art or artistic performance
3	Only one supplier can supply the goods, works or services due to the absence of competition for technical reasons and there are no reasonable alternatives
4	The extension or partial replacement of existing goods, services or works by the existing supplier where a change in supplier would result in receiving different or incompatible goods or services, resulting in disproportionate technical difficulties in operation or maintenance provided that the total estimated value of such an extension does not exceed the relevant WTO GPA Thresholds
5	Only one supplier can supply the goods, works or services because of intellectual property or other exclusive rights and there are no reasonable alternatives
6	The supply of similar goods, services or works by an existing supplier where the existing contract was awarded competitively to the existing supplier in the last five years and the tender notice for the award specifically mentioned the contracting authority's intention to use this direct award justification
7	A contract on particularly advantageous terms because the supplier is undergoing insolvency proceedings
8	The goods, services or works are strictly necessary because of extreme and unavoidable urgency and cannot be awarded in a competitive tendering procedure
9	Goods purchased on a commodity market
10	Where the contract is for the supply of user choice services, as designated by regulations and supplied for the benefit of the individual.
11	The supply of prototypes or the testing, viability research or development of other novel services
12	Switching to Direct Award where a competitive tendering procedure has been undertaken and no suitable tenders were received

Schedule 10	Notices under the PA23
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13	Special and evidenced circumstances exist that make it appropriate and beneficial to negotiate with a single firm or that a single tender be invited, for example quantifiable and significant cost and efficiency savings can be achieved through seeking an alternative route, which outweigh the legal risk of the waiver.
14	The Council would otherwise be exposed to immediate and significant financial, legal, or reputational risk that has been identified in the relevant risk register and is considered to outweigh the risk of the waiver. This must be evidenced.

Notice	Commentary
Pipeline Notice	<p>Purpose: This notice is compulsory if the Council considers it will pay more than £100 million (inclusive of VAT) under relevant contracts in the coming financial year. This notice sets out specified information about any Above Threshold contract with an estimated value of more than £2 million (inclusive of VAT), in respect of which the Council intends to publish a tender notice or transparency notice during the reporting period (18 months from the start of the financial year).</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Within 56 days of the start of the new financial year.</p>
Preliminary Market Engagement Notice	<p>Purpose: This notice must set out that you intend to engage in or already have engaged in preliminary market engagement. Where preliminary market engagement is undertaken, this notice is compulsory for an Above Threshold contract unless the Council provides a reason for not doing so in the tender Notice. It is optional for Below Threshold tendered contracts.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Prior to or during preliminary market engagement.</p>
Planned Procurement Notice	<p>Purpose: May be published to advertise intention of publishing a Tender Notice. This notice will constitute a “qualifying planned procurement notice” (for the purposes of reduced tendering periods) where the notice is published in accordance with the timescales below.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: At least 40 days but not more than 12 months before the day on which the tender Notice is published.</p>
Tender Notice	<p>Purpose: This Notice is compulsory where an Above Threshold contract is advertised as part of a competitive tendering exercise, “associated tender documents” must be provided alongside the tender Notice.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: On commencement of the procurement – i.e. publishing a request to participate or, in the case of any competitive flexible procedure where there is no request to participate, when tenderers are invited to submit their first tender.</p>
Transparency Notice	<p>Purpose: A notice setting out that the Council intends to award an Above Threshold contract directly to a supplier.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Before directly awarding a contract.</p>
Procurement Termination Notice	<p>Purpose: If, following a Tender Notice or Transparency Notice, the Council decides not to award the contract, the Council must publish a Procurement Termination Notice.</p> <p>Publication: Must be published on the Central Digital Platform.</p>

	<p>Timing: As soon as reasonably practicable after deciding not to award the contract.</p>
Contract Award Notice	<p>Purpose: Sets out the Council's intention to enter into an Above Threshold or Below Threshold tendered contract.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Before entering into an Above Threshold contract but after providing each supplier that submitted an assessed tender their "assessment summary".</p>
Contract Details Notice	<p>Purpose: Sets out that the Council has entered into an Above Threshold contract.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Within 30 days of entering into the contract (or within 120 days if entering into a light touch contract).</p>
Contract Change Notice	<p>Purpose: Sets out that an Above Threshold contract (or a contract which is now become an Above Threshold contract because of the modification – known as a convertible contract) has been modified.</p> <p>This notice is not required if (1) the modification increases/decreases the value by 10% or less for a goods or services contract or 15% or less for a works contract or (2) the modification increases/decreases the term of the contract by 10% or less of the maximum period provided for on award. This exception does not apply in the case of modifications relating to novation or assignment on corporate restructuring.</p> <p>Does not apply to light touch contracts.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Before modifying an Above Threshold or convertible contract. May contain a voluntary standstill period.</p>
Contract Performance Notice	<p>For contracts over £5million.</p> <p>Purpose: This notice applies in three scenarios:</p> <ul style="list-style-type: none"> • where the Council has set KPIs in accordance with section 52 of the PA 23. Notice will contain information assessing performance against the KPIs and certain other information specified in regulations; • where the supplier is in breach of an Above Threshold contract resulting in total/partial termination, award of damages or a settlement agreement; or • where the Council considers the supplier is not performing the Above Threshold contract to the Council's satisfaction, has been given proper opportunity to improve performance and has failed to do so. <p>In the latter two scenarios (which do not apply to light touch contracts),</p>

	<p>a Contract Performance Notice must be published stating that the relevant provision of the PA23 applies, the circumstances giving rise to it applying and other specified information.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Scenario 1 - at least once in every period of twelve months during the lifecycle of the contract and on termination. Scenarios 2 and 3 – before the end of the period of 30 days beginning with the day the relevant PA23 ground first applies.</p>
Payment Compliance Notice	<p>Purpose: This notice must be published if a payment has been made under a current Above Threshold contract, or that a sum owed under a Above Threshold becomes payable. This sets out specified information about the Council’s compliance with the payment obligations (i.e. to pay within 30 days) and other specified information.</p> <p>Publication: Must be published on the central digital platform.</p> <p>Timing: Within 30 days of the last reporting period (every six months ending 31 March and 30 September).</p> <p>Note in addition to the Payment Compliance Notice, the PA23 requires that specified information on any payment of more than £30,000 (inclusive of VAT) within 30 days of the end of the quarter in which the payment was made. This does not apply to concession contracts.</p> <p>Payment Compliance Notices and the additional information requirements above do not apply to concession contracts.</p>
Contract Termination Notice	<p>Purpose: This notice must be published when an Above Threshold or Below Threshold tendered contract is terminated (this includes discharge, expiry, termination by any party, rescission or being set aside).</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Within 30 days of the contract’s termination.</p>
Below Threshold Tender Notice	<p>Purpose: This notice sets out that the Council intends to award a notifiable Below Threshold contract (i.e. a contract with an estimated value of not less than £30,000 (inclusive of VAT)). Note, this notice is not required if the opportunity is only advertised to particular or pre-selected suppliers (i.e. quotation process).</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: Before the Council advertises to invite tenders for a notifiable below-threshold contract.</p>
Below Threshold Contract Details Notice	<p>Purpose: Sets out that the Council has entered into a notifiable below-threshold contract.</p> <p>Publication: Must be published on the Central Digital Platform.</p> <p>Timing: As soon as reasonably practicable after entering into a notifiable below-threshold contract.</p>



Procurement Strategy 2025 -2027

Introduction – why we need a Procurement Strategy

- A. Successful procurement is a key factor in allowing the Council to deliver its services to local residents in an efficient and effective manner. The works, goods and services we purchase can have a real and lasting effect on people and businesses of the Borough.
- B. We must act in accordance with the statutory best value duty which requires the Council to make arrangements to secure “*continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness*”.
- C. In addition, purchases are made against a background of pressures on budgets and often increasing demands on our services, and therefore the need to find more innovative ways of doing more with less remains ever present and ever pressing.
- D. The Council’s total third-party expenditure for 2023-2024 was nearly £64m, and of this 16% was spent within the Borough on revenue and 4% on capital (see Appendix 2), which is relatively low. This strategy is needed to set the direction for how the procurement function can increase local spend and thereby contribute to the overall financial wellbeing for the Council and the Borough.

- E. The legal landscape in which our procurement operates is changing with the introduction of the Procurement Act 2023 and Procurement Regulations 2024 (the “new Procurement regime”), which is intended to bring benefits of increased flexibility within our procurements, while also increasing transparency in the entire procurement cycle, from preliminary market engagement through to contract expiry.
- F. This strategy supports the Council’s Contract Sanding Orders, seeks to align our functions with the new Procurement regime and allows us to make the most of the opportunities offered within them. This Procurement Strategy supports the delivery of the Council’s Corporate Strategy, and will support its key priorities by increasing efficiencies, environmental awareness and introducing greater emphasis on supporting our local communities and businesses.

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We will create a modern and sustainable procurement function that makes optimum use of our officers’ expertise, working hand in hand with service areas throughout the entire procurement and contract lifecycle, to deliver best value and continuous improvement whilst supporting the Council’s Corporate Strategy.

Our Procurement and Contract Management Vision

Our Procurement and Contract Management Strategy

The table below sets out our main themes, giving the plans of how this vision can be achieved and how success can be measured:

Theme	How we will achieve this	What success will look like and will be measured
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<p>Upskilling officers by providing quality training in specification writing, contract and relationship management, supporting them to achieve ongoing value for money throughout the lives of all our contracts</p>	<ul style="list-style-type: none"> • Ensure training is provided for all new officers, to make them aware of Contract Standing Orders and the Procurement regime • Create an accessible live list of all public sector frameworks and dynamic markets available and creating understanding of when to use of these where they represent the most expedient route to market • Build on existing relationships to promote an approach to the Procurement and Contract Management team immediately when a need is identified, to allow for seamless and well-planned procurement exercises from beginning to end • Continue to empower client departments with training in specification writing and contract management including the introduction of contract management templates and a formal post-contract review process • Maximise the most of the Procurement and Contract Management team through on-going training and re-directing resource to support delivery and maximise value for money. • Ensuring all officers who are involved in purchasing have completed an internal training course on governance procedures, making them aware of the required procedures for all values of purchases. 	<ul style="list-style-type: none"> • A new e-learning module to be included in the Induction pack for all new officers and rolled out for current officers. • All officers involved in procurement, commissioning and contract management to be provided with enhanced training with numbers to be monitored and officers to be surveyed for their views on the training and how they benefitted. • Contract spend to be monitored against original contract value to show value for money obtained from all contracts.
<p>Modernising our governance procedures, ensuring our processes are robust yet proportionate, allowing for transparency and probity in all procurements, large or</p>	<ul style="list-style-type: none"> • Monitor all spend through the Council's payments system to highlight non-compliant spend and work with clients to reduce this • All procurement decisions to be evidence-based, tenders will be scored by a team of suitably qualified officers, reasons for award decisions recorded and detailed feedback given to unsuccessful bidders • Maintain accurate records to allow for Notices to be published and to be accountable for decisions and open to 	<ul style="list-style-type: none"> • Marked reductions in non-compliant spend will increase our best value and our ability to evidence this. • Regular and timely spending reports published on our website will continue to meet our transparency obligations • Reduction in the number of

small	<p>scrutiny and challenge</p> <ul style="list-style-type: none"> • Manage risk proactively by proportionate and relevant due diligence on suppliers before contract award • Consider potential conflicts of interest at the very start of all procurements and throughout the procurement cycle • Preserve the highest ethical standards at all times, in line with the Chartered Institute of Procurement and Supply Code of Ethics 	<p>procurements based on Exemptions from Contract Standing Orders will improve best practice</p> <ul style="list-style-type: none"> • Progress can be monitored from the starting point set by reports of current spend profile.
<p>Making the most of the resources and expertise within the Procurement and Contract Management team, working closely with service areas to form productive relationships which enable close communication and lead to optimum solutions.</p>	<ul style="list-style-type: none"> • Deploy a 'Business Partner' approach, to be piloted and rolled out as resource and demands permit • Seeking where possible the most advantageous procurement route with an aim for a streamlined process and delivery of the most effective solution • Make the most of the new flexible procedures to design procurements that attract suitable bidders and result in best fit solutions • Ensure all departments are upskilled on commencing tenders with preliminary market engagement, with the Procurement and Contract Management team on board from the outset to support consistency and provide expertise • Work with client departments, allowing them to use their expert knowledge, making sure this knowledge is reflected in carefully constructed specifications which will lead to most advantageous outcomes and solutions 	<ul style="list-style-type: none"> • Records of purchases and contracts set up without Procurement and Contract Management team's involvement can be a baseline for monitoring improvement in this area. • Feedback from service areas on their views on the 'Business Partner' approach • Data and feedback on preliminary market engagements
<p>Support the life of the Borough, local economy and social value by understanding our</p>	<ul style="list-style-type: none"> • Enhance social value within the Borough, including where appropriate questions on social value, sustainability, and support for the local economy within the tender criteria • Have regard for the needs of local and SME suppliers in all 	<ul style="list-style-type: none"> • With new access to spending reports from the finance system the Procurement and Contract Management team can monitor how much of our spend is with

<p>supplier base and encouraging local suppliers to bid for our work</p>	<p>procurements</p> <ul style="list-style-type: none"> • Consider when it might be in the Council's best interests to restrict procurement to the County of Norfolk to ensure local contractors are employed • Ensure we maintain communications with our internal clients, working to base all procurements on the client's requirements, gaining the best outcomes possible for the benefit of the community • Work to become more familiar with local markets, encouraging tender bids from local suppliers and supporting them in delivering optimum solutions • Find new and innovative ways to advertise our opportunities among local suppliers • Work to increase diversity of bids by removing barriers to local SMEs or new entrants to local markets • Develop a 'Selling to/open for business' campaign • Set out in all invitations to tender that we expect bidders to comply with government legislation around swift payments to their supply chain 	<p>local businesses and work with departments to increase this, thus increasing our spend within the Borough.</p> <ul style="list-style-type: none"> • Collect and calculate data on other social value metrics • Introduction of increased advertising options
<p>Maintaining a culture of continuous improvement, hearing all points of view and involving all officers in mutual learning and creative thinking around designing the best possible solutions</p>	<ul style="list-style-type: none"> • Noting where improvements can be made to streamline processes and create efficiency for the benefit of all • Ensure lessons learned from previous procurements are put into place for new tenders • Explore and be open to opportunities to share expertise and take part in collaborative procurements where these will bring better value or improved services • Maintain the Council's reputation as a buyer by treating all tenderers and suppliers with courtesy and respect 	<p>New KPIs to show:</p> <ul style="list-style-type: none"> % of influenceable spend with compliant/non-compliant contracts % contracts awarded to SMEs % of bids from local suppliers % of tenders including social value in scoring criteria % contracts that meet their performance targets
<p>Making best use of modern technology to</p>	<ul style="list-style-type: none"> • Client departments will be empowered to run their own requests for quote by use of a digital platform to be rolled 	<ul style="list-style-type: none"> • Plan to be put in place to ensure all officers in purchasing departments

<p>enable fast and efficient lower-value procurements while allowing officer resource to be directed at more strategic projects</p>	<p>out on a pilot scheme basis</p> <ul style="list-style-type: none"> • Procurement and Contract Management team will have access to all requests for quote on the digital platform to ensure compliance with Contract Standing Orders • Introduce the use of electronic signatures via the Council's digital signature provider • Procurement and Contract Management team will be on hand to support all officers, giving advice to form robust yet proportionate procedures to buy the best possible value while reducing officer time needed for more routine purchases • Modernise contract completion and retention procedures 	<p>have been suitably trained in running their own requests for quotation exercises on the new digital platform</p> <ul style="list-style-type: none"> • Monitor requests for quotations and measure how many are conducted in departments • Measure how many Exemptions from CSOs • Monitor the number of contracts completed via the Council's digital signature provider • Monitor the contract retention procedures being deployed by service areas to ensure centralised access for all relevant officers.
<p>Supporting the Council's Climate Change Strategy and helping all client departments in working towards the Council's Carbon Net Zero target of 2035</p>	<ul style="list-style-type: none"> • Design tenders, where relevant and proportionate, to include quality questions that place sufficient weighting on carbon reduction so as to have an impact on the outcome • Include the Council's Climate Change Strategy and Action Plan in all tender packs to send a clear message to bidders that we expect them to support our aims and objectives • For specific and identified higher value tenders, request bidders submit their own climate change and/or carbon reduction strategies with their bids • Ensure that, where relevant and proportionate, contracts include clauses on carbon reduction and scope 3 emissions • Manage contracts proactively and monitor supplier's performance in this area to ensure they deliver on any promises made in their tender submissions 	<ul style="list-style-type: none"> • Higher value contracts to include quantitative and relevant Key Performance Indicators that will monitor suppliers' performance on environmental issues • Measure how many contracts are let to local suppliers, reducing transport miles within our supply chain • Measure how many tender submissions include plans for carbon reduction within performance of the contract and how many deliver on their promises

Principles and Objectives

The Procurement and Contract Management will be the champion and guardian of promoting and applying the principles and objectives set out within Contract Standing Orders via its strategy set out above:

- The Council does not discriminate against suppliers and shall treat suppliers the same unless a difference between the suppliers justifies different treatment (in which case the Council must take all reasonable steps to ensure it does not put a supplier at an unfair advantage or disadvantage);
- the Council has regard to the fact that small and medium-sized enterprises may face particular barriers to participation and consider whether such barriers can be removed or reduced;
- the Council has regard to the National Procurement Policy Statement;
- delivering value for money;
- maximising public benefit;
- sharing information for the purpose of allowing suppliers and others to understand the Council's procurement policies and decisions;
- acting, and being seen to act, with integrity
- supports the Council's Best Value duty;
- supports the delivery of the Corporate Strategy;
- complies with all legal requirements; and
- where relevant and proportionate, delivers Social Value.

Contract Management

We will not 'let and forget' our contracts but will ensure all are monitored by the use of contract management plans and appropriate KPIs. We will do our best to ensure good supplier relationships are maintained to check that all services promised at tender stage are actually delivered.

To support purchasing officers in this we will offer regular contract management training, giving them the tools to do the job of maximising benefits from all supplier contracts. The Procurement and Contract Management team will be on hand to support with managing contracts when required.

We will comply with legislation in publishing contractor performance for contracts over £5m and ensure all spending transparency is up to date.

Conclusion

The above Strategy is designed for our more modern procurement function that will support delivery of the Council's key priorities. It shows how we can provide a service that is efficient and robust yet considerate of client needs, meets statutory requirements but also those of the Borough, and deliver optimum benefits and innovative solutions for the Borough's residents, businesses and visitors.

Appendix 1 Understanding our place in the macro environment

Appendix 2 Spend for 2023-2024



Appendix 1 – Understanding our place in the macro environment

The two models shown below can be used concurrently to gauge categories and current suppliers, thus being able to prepare for any potential difficulties and make the most of our resources by directing them where needed.

Supplier Positioning Model



Segmenting third party expenditure in the way shown below can help us develop sourcing strategies that identify risks and target resources where they would be most efficiently deployed.

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 Risk	Bottleneck low value specialist shortage of suppliers or market limitations monopoly suppliers or bespoke specifications Critical to ability to deliver services	Strategic high value specialist market more difficult market or restricted market critical to ability to deliver services can include capital purchases and construction contracts
	Routine low value low business exposure low risk no special quality, safety, reliability or environmental implications many alternative suppliers	Leverage high value many suppliers and healthy competition not likely to be critical to delivery of services
	Value 	

Supplier Prefrencing Model

Understanding how suppliers view us as buyers will help us identify which contracts need particular attention to avoid potential loss of supply or poor delivery. We will reduce these risks can by creating and maintaining constructive interpersonal relationships with these suppliers.

Attractiveness of our account to the supplier 	Development Good position Attractive to supplier despite low levels of business, but supplier may believe there is potential to develop business and will be willing to 'go the extra mile' to turn account into Core	Core Best position Supplier sees us as core to their business They will provide good service and be responsive to requests, wanting to establish long-term relationship
	Nuisance Least desirable position Account not valued by supplier Will receive little attention Poor service levels and quality, risk of supplier stopping service	Exploitable Undesirable position Many public sector organisations can be in this position, being regulated and lacking flexibility to use some approaches preferred by the commercial sector Supplier will fulfil contract but provide minimum service
Relative value of our business to the supplier 		

Appendix 2 – Spend for 2023-2024

Revenue Total Spend	£30,272,661.12
Revenue Local Spend	£4,844,438.35
Revenue Local Spend (%)	16%

Capital Total Spend	£33,406,118.00
Capital Local Spend	£1,435,010.00
Capital Local Spend (%)	4.30%

(Capital % is low due to the major development focus that that council currently has with c£25m being spent with Lovells Partnership Ltd and Norfolk County Council)

Executive Summary of new Procurement Act 2023

- The regulatory regime currently governing the way public procurements are undertaken is primarily the Public Contracts Regulations 2015 (PCR 2015). These rules are set to change in February 2025 with the implementation of the Procurement Act 2023 with its secondary legislation and statutory guidance.
- The aim of the Procurement Act 2023 is to reduce red tape and to support business by simplifying public sector procurement, encouraging innovation and improving transparency.
- Policy themes such as social value, increasing local supplier spend, removing barriers to SMEs and increasing sustainable procurement are all promoted via the new regime.

Introduction - Procurement Act 2023

- The Procurement Act 2023 will replace the Public Contract Regulations 2015, the Concessions Contracts Regulations 2016 and the Utilities Contracts Regulations 2016 to become the law that regulates public procurement
- The current commencement date is 24 February 2025 which was extended to allow the new Government to reconsider the National Procurement Policy Statement.
- Procurements that commence after the Procurement Act 2023 go live date must be conducted under the new Act
- The impact for the Council will be to conduct far more 'front-loading' when it comes to commencing procurements, including preliminary market engagement, considering impacts on local suppliers, SMEs, sustainably and considering how to deliver social value.

Aims of the Procurement Act 2023

- Transform public procurement
- Introduce flexibility in procurement processes
- Embed transparency throughout the commercial lifecycle so that the spending of taxpayers' money
- Open up public procurement to new entrants such as small businesses and social enterprises so that they can compete for and win more public contracts

Transparency Notices

- A new Central Digital Platform is to be launched by central government, which will replace the Find a Tender Service and Contracts Finder. Suppliers will be able to register and upload core information which can be drawn on by contracting authorities automatically so that suppliers do not have to continually upload the same information.
- There is a requirement for contracting authorities to publish a number of new notices throughout the procurement lifecycle as well as commercial data.

New Notices:

347 Plan –early notification of upcoming contract over £2million	Market Engagement notices	Procurement phase notices	Contract Management phase notices
<ul style="list-style-type: none">• Pipeline notices	<ul style="list-style-type: none">• Planned procurement notice• Preliminary market engagement notices	<ul style="list-style-type: none">• Tender notice• Contract award notice• Contract detail notice• Transparency notice• Procurement termination notice• Below threshold tender notice• Dynamic market notice	<ul style="list-style-type: none">• Contract performance notices• Contract change notices• Contract payment notice• Payment compliance notice• Contract termination notice

Debarment List

Supplier debarment list: The Act introduces the concept of a supplier debarment list requiring contracting authorities to exclude suppliers mentioned on the list. Suppliers are entered on this list by the Minister of the Crown if an investigation has found them to be unfit to tender and be awarded public contracts.

Procurement Procedures

³⁴⁸**Choice of Procedure:** Under the Procurement Act 2023, the current six (6) procedures which authorities can utilise for awarding public contracts have been replaced with three (3) procedures.

SMEs

There will now be a statutory duty that before inviting Below Threshold tenders we must have regard to the fact that small and medium-sized enterprises may face

particular barriers in competing for a contract and then we must consider whether such barriers can be removed or reduced. This can be achieved through implementing proportionality in tender requirements, streamlined procedures with simpler templates and standardized documents, engaging with and understanding the local economy, dividing contracts into lots and regular preliminary market engagements with local SMEs.

Social Value and Sustainable Procurement

The previous iteration of the National Procurement Policy Statement specifically addressed social value and climate change. We await to see the focus on these areas in the revised published version.

Contract Management

The Act sets out a new requirement for all authorities on contract management which includes;

- **KPIs:** At least 3 KPI's must be set for contracts with a total value of over £5m and at least every 12 months performance must be assessed and published (some exemptions apply)
- **Contract Details Notice:** specified details of contracts must be published for all Above Threshold and Below Threshold tendered contracts
- **Contract modification:**
Under the Act there is a requirement to publish a contract change notice before modifying an Above Threshold contract or a Below Threshold contract which becomes Above Threshold as a result of the modification
- **Contract termination notice** within 30 days of expiry (for both below and above threshold)



Appendix 4

LIST OF KEY AREAS ADDRESSING PROCURMENT TRANSFORMATION ACTIONS

No	Issue	Comments
1	<p><u>Use of Technology and Modernising System Processes</u></p> <p>Full adoption and roll out of the Delta e-Tendering system and its QuickCall module to streamline procurement and quotation management.</p> <p>Introduction of electronic signatures, replacing manual "wet" signatures and traditional paper-based processes to modernise in line with industry practice and promote good governance for having centralised and accessible contract record keeping.</p>	<ul style="list-style-type: none"> • The Council is already using the Delta system for tenders, which provides secure audit trails and automatic tender opening. Delta systems electronic quotation module (Quick Call) will now be rolled out for obtaining quotes to encourage departmental self-service, allowing the Procurement and Contract Management team to focus on high-value high-risk contracts. • There will be a transitional process of piloting the Delta Quick Call system with each service area until the Procurement and Contracts Manager signs off on them using it autonomously. In the meantime, RFQ's will continue to be used with RFQs for contracts over £25,000 being approved by the Procurement and Contract Management team before seeking quotes. • Additionally, the adoption of electronic signatures (e.g., DocuSign) will be introduced to support modern industry standard practices. • Raising the sealing threshold to £500,000.00 will streamline contract completion by removing an unnecessary layer from the contract completion process and empower officers to take more ownership and responsibility for the contracts in their service areas.
2	<p><u>Updating Thresholds</u></p> <p>The thresholds for procurement have been brought more into line with sector standard thresholds.</p>	<ul style="list-style-type: none"> • As can be seen from the benchmarking at Appendix 5, the Council is significantly out of step with all other Norfolk Districts. • The thresholds provide a framework for where competition needs to be escalated in order to achieve best value. It is widely recognised that applying significant officer time to securing extensive competition on lower value contracts is not best value – i.e. generally



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	<p>Norfolk Districts Benchmarking table is attached as Appendix 5 to the Cabinet report</p> <p>Introducing separate thresholds for Goods and Services, Works, Light-touch contracts and concession contracts reflects the legislative approach.</p>	<p>more cost is spent on officer time and Council resources in conducting the extensive competition than the contract cost savings that can be achieved - hence the escalating threshold system.</p> <ul style="list-style-type: none"> • The current thresholds create additional complexity without generating commensurate value and cause discord and frustration for officers when delivering services, which contributes to more instances of non-compliance. • Separate, higher thresholds for Works contracts have been introduced to reflect the higher legislative thresholds.
<p>3</p>	<p><u>Proportionate Procedures</u></p> <p>The CSOs promote a flexible, relevant and proportionate approach to procurement requirements, removing unnecessary checks and delays and removing barriers to SMEs and micro businesses.</p>	<p>The new CSOs adopt a more flexible approach which result in reserving detailed checks (e.g., Health & Safety, Equalities, Insurance) for high-value or high-risk contracts. Simplifying procedures will reduce delays, avoid wasting officer time, and encourage smaller businesses to participate in council contracts. This approach will ensure that checks are proportionate to the value and risk of the procurement.</p>
<p>4</p>	<p><u>Regulatory, Strategic and Operational Approach</u></p> <p>The current CSOs are lengthy and include redundant processes. The new CSOs have been streamlined to include the higher level regulatory and legislative content whilst stripping out operational detail.</p>	<p>There is a balance to be struck between the coverage of CSOs and their length and accessibility.</p> <p>The 'Procurement Officer Handbook' will be replicated out into the new Intranet content to improve accessibility and will be available for officers and Members to upskill and improve understanding of the operational approach to delivering effective procurement and contract management.</p> <p>The Procurement and Contract Management strategy sets out how the Procurement and</p>



	<p>The CSOs will be supplemented by an operational 'Procurement Officer Handbook'</p>	<p>Contract Management team intends to deliver against the new Contract Standing Orders, in particular the principles and objectives</p>
<p>5</p>	<p><u>Contract Management</u></p> <p>Procurement under the new legislation is now defined to include the whole lifecycle of the contract.</p> <p>Contract Management forms its own Part of the CSOs and the more operational content in the current CSOs will be retained and extrapolated into the new Procurement Officer Handbook.</p>	<p>Effective contract management is crucial for ensuring that contracts deliver the intended outcomes. The Procurement Officer Handbook will contain detailed guidance on contract management practices, including the introduction of contract management templates and a formal post-contract review process. This will help capture the outcomes and learning from high-profile, multi-year contracts, ensuring continuous improvement.</p>

NORFOLK DISTRICT PROCUREMENT THRESHOLD LEVELS

Norfolk				
Breckland	Up to £5,000 one quotation	Up to £25,000 three quotations	Up to £75,000 five quotations	Over £75,000 open tender, must include a Social Value clause
Broadland	Up to £20,000 one quotation		Up to £75,000 three quotations	Over £75,000 tender to min three suppliers or open tender
Great Yarmouth	Up to £25,000 one quotation		Up to £75,000 three quotations	Over £75,000 tender to min three suppliers or open tender
King's Lynn & West Norfolk	Up to £5,000 one quotation		Up to £25,000 three quotations	Over £25,000 full tender
North Norfolk	Up to £5,000 one quotation		Up to £75,000 three quotations	Over £75,000 three tenders
Norwich	Up to £25,000 direct award		Up to £100,000 three quotations or framework	Over £100,000 quotations or tenders (ideally open), at least three to be sought from preferred suppliers, or framework
South Norfolk	Up to £20,000 one quotation		Up to £75,000 three quotations	Over £75,000 tender to min three suppliers or open tender