



**East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT**

Licensing Committee

Members:

Councillor Colin Hedgley (Chairman)
Councillor Mark Newton (Vice-Chairman)
Councillor Paul Ashdown
Councillor Edward Back
Councillor Linda Coulam
Councillor Janet Craig
Councillor John Fisher
Councillor Tony Goldson
Councillor Frank Mortimer
Councillor Trish Mortimer
Councillor Keith Patience
Councillor Russ Rainger
Councillor Keith Robinson
Councillor Rachel Smith-Lyte
Councillor Steve Wiles

Members are invited to a **Meeting** of the **Licensing Committee** to be held in the Deben Conference Room, East Suffolk House, on **Monday, 14 February 2022** at **6.30pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at https://youtu.be/2o2UmVW_D8U

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to democraticservices@eastsoffolk.gov.uk, of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

Part One – Open to the Public

	Pages
1 Apologies for Absence and Substitutions	
2 Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3 Minutes To confirm as a correct record the Minutes of the Meeting held on 18 October 2021.	1 - 3
4 Street Trading at Lowestoft Seafront ES/1046 Report of the Cabinet Member with responsibility for Community Health	4 - 84
5 Department for Transport Statutory Taxi and Private Hire Vehicle Standards and Review of Existing Policy ES/1047 Report of the Cabinet Member with responsibility for Community Health	85 - 129
6 Issued Licences in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - October to September 2021 ES/1048 Report of the Cabinet Member with responsibility for Community Health	130 - 138

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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democraticservices@eastsoffolk.gov.uk



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Unconfirmed



Minutes of a Meeting of the **Licensing Committee** held in the Conference Room, Riverside, Lowestoft, on **Monday, 18 October 2021** at **6.30pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Edward Back, Councillor Linda Coulam, Councillor Janet Craig, Councillor John Fisher, Councillor Colin Hedgley, Councillor Mark Newton, Councillor Keith Patience, Councillor Keith Robinson

Other Members present:

Councillor Mary Rudd, Councillor Ed Thompson

Officers present: Teresa Bailey (Senior Licensing Officer), Sarah Carter (Democratic Services Officer), Martin Clarke (Acting Legal and Licensing Services Manager), Matt Makin (Democratic Services Officer)

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Goldson, F Mortimer, T Mortimer, Smith-Lyte and Wiles.

Councillor Thompson attended the meeting as a Substitute for Councillor Smith-Lyte.

2 Declarations of Interest

There were no Declarations of Interest.

3 Minutes

RESOLVED

That the Minutes of the Meeting held on 19 July 2021 be confirmed as a correct record and signed by the Chairman.

4 Review of Gambling Act 2005 Statement of Principles

The Cabinet Member with responsibility for Community Health introduced report ES/0921 which presented to the Committee the responses to the consultation on the draft Gambling Statement of Principles. The Committee was being requested to consider the responses and approve the revised edition of the Gambling Statement of Principles.

Members were reminded that local authorities had responsibility for publishing a three year Statement of Principles. The Council's last consultation and review was in 2018 and the current Statement had been published in January 2019 covering the period up to 31 January 2022. Since that time, the Statement had been updated as set out in Appendix A to the report and approved for a four week consultation. During that consultation period, one response had been received from GambleAware which was contained in Appendix B.

The Senior Licensing Officer advised that the revised Statement had come back to Committee for its approval so that the document could be put forward to Council for adoption.

In response to a question relating to the three year review, the Senior Licensing Officer advised that it was the Government's decision that a review should be undertaken every three years and the Council was following that guidance.

Members supported the content of the document and could see no issues with adopting the Statement of Principles. There being no further debate, it was

RESOLVED

That the revised edition of the Gambling Statement of Principles be approved in order that Full Council can adopt the Statement at its meeting in November, ready for publication on 31 January 2022.

5 Issued Licenses in East Suffolk and an Overview of the Work of the Licensing Sub-Committees - July to September 2021

The Cabinet Member with responsibility for Community Health introduced report ES/0922 which provided Members with information relating to issued licenses in east Suffolk and gave an overview of the work of the Licensing Sub-Committees during the period July to September 2021. The Cabinet Member advised that it was really helpful to see what the Licensing Sub-Committees had been considering and sought clarification that the Committee wished to continue receiving such a report.

The Acting Legal and Licensing Services Manager advised that the report was in addition to the monthly updates provided to Members. He drew particular attention to paragraph 1.2 and the appeal to the Magistrates' Court on the Hog Hotel, Lowestoft, application. The next appeal due to be heard on 10 December. In paragraph 1.3 of the report, the new premises Licence for Skye Lounge, Felixstowe, had been granted on 5 October subject to conditions. Overall, there had been an increase of seven licenced premises.

In relation to Taxi and Private Hire licences, the Acting Legal and Licensing Services Manager further advised that overall there had been a decrease in the number of hackney carriage vehicles and drivers and an increase in private hire vehicles and drivers. There had been a reduction of one Private Hire Operators since the 1 July report.

In response to a question relating to the Hog Hotel appeal, the Acting Legal and Licensing Services Manager advised the Directions had been issued and the next hearing was scheduled for 10 December. However, it was hoped to resolve the matter before that date.

Members welcomed receiving such a detailed and an informative report and

RESOLVED

That the overview of the work of the Licensing Team and the Licensing Sub-Committees during the third quarter of 2021 be noted.

The meeting concluded at 6.42pm.

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Chairman



LICENSING COMMITTEE
Monday, 14 February 2022

Subject	STREET TRADING AT LOWESTOFT SEAFRONT
Report by	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer Martin.clarke@eastsoffolk.gov.uk 07442 412422

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not Applicable
Wards Affected:	Kirkley & Pakefield

Purpose and high-level overview

Purpose of Report:

Licensing Committee is asked to review the Council's Street Trading Policy at Lowestoft Sea Front, in order to support the Council's project for the redevelopment of the East Point Pavilion.

Options:

1. Do nothing and retain the status quo
 2. Increase the number of licences available on Lowestoft Sea Front between East Point Pavilion and Claremont Pier.
 3. Lowestoft Sea Front is re-designated as a Consent Street between East Point Pavilion and Claremont Pier
 4. Lowestoft Sea Front between East Point Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of the Royal Green Car Park, and the portion of Royal Green Car Park within 20 metres of the East Point Pavilion Project Area be undesignated from the Street Trading Policy.
- Options 2, 3 and 4 will all require consultation before they can be implemented.

Recommendation/s:

It is recommended that the Council commence the consultation process to un-designate from the Street Trading Policy, Lowestoft Sea Front between East Point Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of the Royal Green Car Park and the portion of Royal Green Car Park within 20 metres of the East Point Pavilion Project Area.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

Cabinet has approved investment in the East Point Pavilion, however licensing policy including the Street Trading Policy is a function of the Licensing Committee and the Council's licensing policy is not within the remit of the Cabinet.

ESC policies and strategies that directly apply to the proposal:

Licensing Street Trading Policy

Asset Management Strategic Plan

Lowestoft town Investment Plan

Lowestoft Cultural Strategy

East Suffolk Economic Growth Plan

Environmental:

If the East Point Pavilion project is successful there will be a positive impact on the immediate area. The amended Street Trading Policy will facilitate this. The area surrounding the Pavilion has been allocated a portion of the Town's Fund monies, concept designs are due to go Cabinet shortly.

Equalities and Diversity:

No impact

Financial:

The Council has committed investment of in excess £1,000,000 into the redevelopment of the East Point Pavilion. If the recommendation is not approved, then the Council's Street Trading Policy will be a risk factor to the Pavilion Project. This may risk a loss of income that would be generated by full use of the Pavilion. Neither Licensing nor Asset Management currently receive any street trading income from Lowestoft Sea Front.

Human Resources:

If the recommendation is not approved but another of the proposed options is followed and the East Point Pavilion Project goes ahead then individual licences will need to be issued for each stall at each of the proposed 46 events, this will result in additional Human Resource requirements for the Licensing Team.

ICT:

No impact

Legal:

The Council has adopted a Street Trading Policy in accordance with Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 to control street trading. Any changes to the Policy would need to go through a statutory consultation process and would then need to be approved by the Licensing Committee.

Risk:

The Council has Committed investment in excess of £1,000,000 into the East Point Pavilion project (£720,000 allocated by the Department of Levelling up Communities and Housing as part of the Towns Deal).

External Consultees:	<p>We are required by statute to consult</p> <ol style="list-style-type: none"> 1. Suffolk County Council. 2. Suffolk Constabulary <p>There may be additional consultees as the Council considers necessary.</p>
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>

P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>

How does this proposal support the priorities selected?

Licensing plays an important role in the themes in the Council’s Strategic Plan of growing our economy and enabling our communities. The Street Trading Policy is an important part of regulating trading in our community.

The East Point Pavilion Project is an important project for the Lowestoft Sea Front Area and the proposal minimises the licensing risks to the Project.

Background and Justification for Recommendation

1	Background facts
1.1	East Point Pavilion (“the Pavilion”) is a building owned by East Suffolk Council (“the Council”). It was constructed in the early 90s but has in recent years fallen into disuse. It is located within the ward of Kirkley and Pakefield which includes deprived areas. The Council’s Cabinet approved in April 2020 a new Project to bring the

	Pavilion back into use, further funding was approved by Full Council in November 2021. The Pavilion Project Area ("the Project Area") is shown edged red on the plan attached to this report as Appendix A.
1.2	The regeneration of the Pavilion is a priority for the Council and significant funds have been sourced and committed to the Project.
1.3	The Pavilion will be leased to the First Light Festival ("First Light") and as part of their business case they have highlighted 46 events per year that will raise income by £39,000 but will also drive footfall and spend to Lowestoft seafront and town centre. The Project Area is located within the area covered by this report. These events form a key part of the Pavilion Project and there are KPI's in relation to these events. External advisors have been appointed to assist with the Project, these external advisors made a recommendation that an events driven food and beverage offer would be the most likely to succeed.
1.4	East Suffolk's tourism visitor economy is identified as a key sector within the East Suffolk Economic Growth Plan and plays a huge role in our economic wealth and stability of the district. The value of the tourism visitor economy in East Suffolk is estimated at £695m (2019 Volume and Value Study by Destination Research), and it supports approx. 11,000 FTE jobs (15% of employment) in East Suffolk. There is also an estimated visitor spend of £525m within the district in 2019. East Suffolk's estimated tourism visitor economy value is higher than any other district in Suffolk and plays a major role in attracting new and returning visitors to the county.
1.5	East Suffolk's coastal resorts are a huge draw to visitors and the development of the Pavilion and Project Area will support the seafront offer at Lowestoft.
1.6	The Council has adopted a Street Trading Policy ("the Policy") in accordance with Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act") to control street trading.
1.7	All Streets in the former Waveney District that are not listed in the Policy as "Prohibited Streets" or "Licence Streets" in the attached Appendix B are designated as "Consent Streets". For the purposes of this designation, "Streets" includes any road footway, promenade, pavement, public car parks and all other areas adjacent to the said streets for a distance of twenty metres to which the public have access. This means that, under the terms of the 1982 Act, street trading is prohibited without a Licence or Consent issued by the Council.
1.8	The Policy was further changed in 2007 and approved in 2008 and three stalls are permitted on Lowestoft Sea Front between the Pavilion and Claremont Pier to operate each year. However, this is also subject to obtaining a Land Licence from the Council which is currently limited to the period Easter to October. Asset management have granted no licences since 2019 and the ones before were issued for the area to the South of Claremont pier.
1.9	The Pavilion is on Lowestoft Sea Front, as it is within 20 metres of a street it is covered by the Policy. Lowestoft Sea Front is a Licence Street with a maximum of 3 licences. Marine Parade and Royal Green Car Park are currently prohibited streets and part of the land proposed to be used for the Pavilion Project is within 20 metres of Marine Parade and Royal Green Car Park.
1.10	In order to trade on Lowestoft Sea Front the licence holders pay a yearly fee of £394 and a daily fee of £26 for every day traded. This licence only allows the trader to trade on the individual named street. The licence holder may need a Land Licence and/or further permissions from the Council. However, no licences have been granted in this location for the past 3 years and no licence income has been received either for the Licensing Team or the Asset Management Team.

1.11	A current street trader's consent costs a yearly fee of £394. However, this consent only permits a street trader to trade on a named consent street and this cannot be a Licence Street. The consent will specify the location. If the Consent Street is owned the by the Council, then they may need a Land Licence and/or further permissions from the Council.
1.12	It has been identified that the current Policy as described in this report is a factor which inhibits the delivery of events portion of the Pavilion Project which is an integral portion of the Project and without amendments the Project may not be viable. This report seeks to amend the Policy to enable events to go ahead.

2 Current position

2.1	The Sea Front between the Pavilion and Claremont Pier is designated as Licence Street. Therefore, a licence is required. Under the Policy only 3 licences can be issued, these are no Licenses currently issued. The Council currently receives no income for this area. Marine Parade and Royal Green Car Park are currently Prohibited Streets.
2.2	It is an offence under Paragraph 10(1) of Schedule 4 to the 1982 Act to engage in street trading on a Licence Street without being authorised to do so. The maximum penalty is a fine of £1,000.
2.3	Therefore, unless the Policy is further varied the proposed events at the Pavilion would be severely limited as the number of outside stalls would be restricted to 3 and each one would have to obtain a licence at a cost of £394 per stall plus a daily fee of £26 per day traded plus any Land Licence fee. Also, the licences cannot be transferred, and it would to be the same stall holders at every event. Any proposed stalls within 20 metres of Marine Parade and Royal Green Car Park would be prohibited.

3 How to address current situation

3.1	There are 4 options whilst the Council retains a Street Trading Policy in accordance with the 1982 Act and ensuring that any solution is limited to the specified area.
3.2	The first option is to do nothing and retain the status quo. The impact on this is that the proposed events at the Pavilion would be unlawful and will therefore not be able to happen.
3.3	The second option is to increase the number of licences available on Lowestoft Sea Front. This will allow a limited increase in the number of Street traders allowed on Lowestoft Sea Front. Each licence holder will have to pay a yearly fee. Although technically this will allow greater flexibility regarding events at the Pavilion, in reality the events would be uneconomical as each stall holder would have to pay licence fees of £394 per year and £26 day traded. The Council will retain control over who is allowed to trade on Lowestoft Sea Front. However, this option is undesirable as the number of events planned and the nature of these events, where stall holders can decide at short notice whether or not they want to attend means that this option would not be viable for First Light. In addition, the fees would be prohibitive, and it would place a administrative and enforcement burden on the Licensing Team. Any proposed stalls within 20 metres of Marine Parade and Royal Green Car Park would remain prohibited which would include a large portion of the Project Area.
3.4	The third option is to designate Lowestoft Sea Front as a Consent Street, the impact on this is that anybody who obtains a street trader's consent for Lowestoft Sea Front

	<p>and whom has the land-owner's permission will be able to trade from Lowestoft Sea Front. Each holder of a street trader's consent will have to pay a yearly fee. This will allow the Pavilion's events to take place as there is no limit on numbers. Each stall holder will have to pay a yearly consent fee of £394 and any Land Licence fee. The Council still has control over the street as consents can have conditions and can be revoked if conditions are breached. This would bring the sea front in line with the area from Claremont Pier to the Jolly Sailors the upper and lower promenades of which are designated a Consent Street and there is no limit on the number of traders. However, this option is undesirable as the number of events planned and the nature of these events, where stall holders can decide at short notice whether or not they want to attend mean that this option would not be viable for First Light. In addition, the fees would be prohibitive, and it would place an administrative and enforcement burden on the Licensing Team. Any proposed stalls within 20 metres of Marine Parade and Royal Green Car Park would remain prohibited which would include a large portion of the Project Area.</p>
3.5	<p>The fourth option is for Lowestoft Sea Front, between the Pavilion and Claremont Pier, Royal Terrace, Royal Plain, Parade Road North, Marine Parade between Parade Road North and the first junction of the Royal Green Car Park, and the portion of Royal Green Car Park within 20 metres of the Project Area be undesignated from the Street Trading Policy be undesignated from the Policy. This will allow street trading in the area to take place without any licensing fees or restrictions. The traders would still need consent from the Council as landowner which would ensure that any undesirable traders are excluded from Lowestoft Sea Front, or any other land owned by the Council. Trading will remain prohibited from Royal Green Car Park by Virtue of the East Suffolk Council (Off Street Parking Places) Order 2020 attached as Appendix C. The Licensing Team would not lose any income as there are currently no street trading licences issued for Lowestoft Sea Front. This proposal would minimise licensing risks to the Pavilion Project.</p>
3.6	<p>Any change to the status quo will need to go to consultation. The Council would need to publish their intentions to amend the Policy and the draft of the resolution in the local newspaper and state that representations may be made to the Council within 28 days of the Notice. Notice will also need to be given to the Chief Constable of Suffolk Police and Suffolk County Council as the highway authority as well as any other consultees that the Council considers appropriate. Any responses would need to be considered. If an order amending the Policy is made then this order will need to be advertised in the local newspaper on at least 2 occasions with the first advertisement going in at least 28 days prior to the resolution comes into force.</p>

4 Reason/s for recommendation

4.1	<p>The recommendation will allow street trading in the area to take place without any licensing fees or restrictions. The traders on Lowestoft Sea Front would still need consent from the Council as landowner which would ensure that any undesirable traders are excluded. The Licensing Team would not lose any income as there are currently no street trading licences issued for Lowestoft Sea Front. This proposal would minimise licensing risks to the Pavilion Project.</p>
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Appendices

Appendices:	
Appendix A	East Point Pavilion Project Area
Appendix B	Street Trading Policy
Appendix C	East Suffolk Council (Off Street Parking Places) Order 2020

Background reference papers:	
	None

East Suffolk Council

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East Point Pavilion, Royal Plain, Lowestoft

Agenda Item 4

05/10/21



STREET TRADING INFORMATION FOR EAST SUFFOLK COUNCIL

These guidelines have been produced to help people who want to trade in a street (Street Trading). Street Trading is controlled only in the geographical area formerly known as Waveney and not the rest of the East Suffolk district. Any reference to the 'Council' means East Suffolk Council.

These guidelines are not intended to cover every aspect. If after reading them you are still not clear about something, either contact the Council's Licensing Team (the address and telephone number is set out at the end of this note) or seek your own further advice.

The General Position

The law defines "Street Trading" as "the selling or exposing or offering for sale of any article (including a living thing) in a street".

There are certain exceptions from this definition but generally the definition is wide and covers most forms of trading.

The Council has designated some Streets within the area formerly known as Waveney District Council area as **Prohibited** Streets and some as **Licensed** Streets. The remaining Streets are **Consent** Streets. Please see the following explanation and refer to the lists of Prohibited and Licensed Streets attached.

A "street" is also given a wide definition. For the purposes of this designation, "Streets" includes any road, footway, promenade, pavement, public car parks and all other areas adjacent to the said streets for a distance of 20 metres to which the public have access without paying.

A Licence/Consent cannot be issued to anyone under the age of 17.

A licence or consent will last at the most for one year. It is your responsibility to ensure you make a renewal application in good time before the expiry of your Licence/Consent, if you wish to continue trading.

When issuing a Licence/Consent the Council may apply such conditions as it considers reasonably necessary. Conditions will obviously vary according to the circumstances of each case.

The Council will **not** grant a Licence/Consent if: -

- It is not satisfied about arrangements for clearing away and disposing of any refuse created by the trading taking place.
- The trading is likely to disturb or annoy people living in the immediate area.

An application will take a **minimum** of 28 days, as we must consult with Police, Environmental Services, Planning, all District Councillors, Town Councils and Highways at Suffolk County Council. We will not begin to consider an application unless **all** the relevant documentation is sent in with the application form.

If you are trading in food (including ice cream) please contact our Environmental Health section for further information regarding details of food safety regulations and the registration of a food business (this is a legal requirement). The vehicle/stall will be subject to an inspection to determine its suitability and to check compliance with food and safety regulations.

For trading in any of the **market towns (Beccles, Bungay, Halesworth, Lowestoft and Southwold)** you must contact the appropriate Town Council before applying to us.

Beccles	Tel: 01502 712109	Email: admin@becclestowncouncil.gov.uk
Bungay	Tel: 01986 894236	Email: clerk@bungaytowncouncil.gov.uk
Halesworth	Tel: 01986 874517	Email: clerk@halesworthtowncouncil.org.uk
Lowestoft	Tel: 033 0053 6019	Email: admin@lowestofttowncouncil.gov.uk
Southwold	Tel: 01502 722576	Email: townclerk@southwoldtowncouncil.com

We will not accept an application for trading in the market towns unless it is accompanied by the approval of the appropriate Town Council. Once you have the approval of the Town Council you may make your application to us.

Applications must include:

- the name, address and date of birth of the applicant. An applicant must be an individual of at least 17 years of age
- details of the street(s) and location of the pitch or the areas the applicant wishes to trade
- the days and times they wish to trade
- descriptions of articles or things intended to be traded and any item that will be used in connection with the trading
- storage arrangements for the vehicle/trailer
- the fee (there is also a fee due on annual renewal)
- a copy of your public liability insurance for a minimum of £5,000,000
- a photograph of the vehicle/stall and a plan map showing your chosen location.

In addition, if you are planning to use a motorised catering unit you will also need to provide

- Vehicle registration certificate
- Proof of MOT
- Proof of vehicle insurance – specifically business use
- Driving licence for all prospective drivers

Applications will not be considered without this evidence.

Application procedure

Once a full and complete application has been received a consultation period will commence when your application details are circulated to:

- Environmental Services
- Planning
- All District Councillors
- The Police. For self-contained vehicles (e.g. ice cream vans) they may require you to produce original documentation for the vehicle and any drivers
- The Highways Authority
- Town Council (if required)

A Consent or Licence may not be granted when adverse comments are received from the consultees, or where there is a possible risk to road safety or possibility of a nuisance being created.

A council will grant an application unless there are grounds for refusal.

PROHIBITED, LICENSED AND CONSENT STREETS

If the Council has designated a street as a **prohibited street** it means that **no Street Trading at all can take place**, this includes all other adjacent areas to a distance of 20 metres. In these streets there is no point in applying for a Licence because the Council will not issue one. See attached list.

The Council has designated the remainder of streets within the area formerly known as Waveney District Council area as either **Licensed or Consent Streets**. The licensed streets are identified on the attached list. All remaining streets, if they are not prohibited or licensed are consent streets.

A Street Trading Licence or consent when granted will be subject to various conditions, which will be attached to the Licence.

LIST OF PROHIBITED & LICENSED STREETS

PROHIBITED STREETS

For the purposes of paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the following streets within the area formerly known as Waveney District Council administrative area be designated as Prohibited Streets for the purposes of Street Trading, the effect of such designation being to prohibit any street trading in any of the streets so designated:

General

All of the A12 Trunk Road within the area formerly known as Waveney District, including service roads and lay-bys excluding the lay-by at Frostenden

All of the A146 within the area formerly known as Waveney District, including service roads and lay-bys

All of the A1117 within the area formerly known as Waveney District, including service roads and lay-bys

All parts of car parks owned and/or operated by the former Waveney District Council, whilst being operated as public car parks

All of the B1375 within the area formerly known as Waveney District, including service roads and lay-bys

Lowestoft

Swimming Pool Road (entire length, both sides)

Whapload Road (entire length, both sides)

Leisure Way (from A12 junction to entrance to Pleasurewood Hills (both sides)

London Road South (entire length, both sides)

Marine Parade (entire length, both sides)

Kensington Road (entire length, both sides)

Kirkley Cliff Road (entire length, both sides)

Claremont Road (entire length, both sides)

Waterloo Road (entire length, both sides)

London Road Pakefield (entire length, both sides)

The Boulevard Oulton Broad (entire length)
Victoria Terrace (entire length, both sides)
Wellington Esplanade (entire length, both sides)

Beccles

Blyburgate (entire length, both sides)
Newgate (entire length, both sides)
The Walk (entire length, both sides)
Ballygate (entire length, both sides)
St Mary's Road (entire length, both sides)
Peddars Lane (entire length, both sides)
Fen Lane (entire length, both sides)

Southwold

Ferry Road (entire length, both sides)
Southwold Harbour (from the junction with Ferry Road to the junction with Blackshore Road, both sides)
High Street (entire length, both sides)
North Parade (entire length, both sides)
East Street (entire length, both sides)
Parts of the cliff top path from junction with North Parade to junction with Gun Hill (including promenade)
Gun Hill
Godyll Road and Blackshore Road (entire length, both sides)

Halesworth

Market Place (entire length, both sides)
London Road (entire length, both sides)
Saxons Way (entire length, both sides)
Norwich Road (entire length, both sides)

LICENSED STREETS

For the purposes of paragraph 2 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, the following streets within the area formerly known as Waveney District Council administrative area be designated as Licensed Streets for the purpose of Street Trading, the effect of such designation being to permit street trading in any of the streets so designated upon the issue of a Street Trading Licence by the Council and any street trading thereafter permitted being subject to the terms and conditions of the issued Licence:

Lowestoft High Street (both sides, from the junction with Camden Street to its southernmost extent)
London Road North, Lowestoft (from Milton Road East to Station Square). 2 Stalls in total
Lowestoft Sea Front (from East Point Pavilion to Claremont Pier). 3 stalls in total

The Thoroughfare, Halesworth (entire length, both sides)
Bridge Street, Halesworth (entire length, both sides)

Newmarket Beccles (entire length, both sides)
Old Market Beccles (entire length, both sides)
Exchange Square Beccles (entire length, both sides)
Sheepgate Beccles (entire length, both sides)
The Quay Beccles

All applications for licences for London Road North will go to a Licensing Sub-Committee for decision. All **licences** issued will be subject to a daily fee in addition to the annual fee.

CONSENT STREETS

All remaining streets within the area formerly known as Waveney District administrative area which have not been expressly designated as Prohibited Streets or Licensed Streets be designated as Consent Streets for the purpose of Street Trading, the effect of such designation being to permit street trading in any of the streets so designated upon the issue of a Street Trading Consent by the Council and any street trading thereafter permitted being subject to the terms and conditions of the issued Consent.

SCALE OF CHARGES FOR STREET TRADING WITHIN THE AREA FORMERLY KNOWN AS WAVENEY DISTRICT COUNCIL AREA

Please note the fee applies to each stall/vehicle being operated and is subject to review.

CONSENT STREETS

The application and annual fee payable in respect of trading in streets which are designated as Consent Streets is currently £394.

LICENSED STREETS

The application and annual fee payable in respect of trading in Streets which are designated as Licensed Streets is currently £394.

The following daily charges also apply: -

The current charge is £26 per day

This will be collected by way of invoice in advance on a monthly basis for all days on the licence.

This is applicable to all Licensed Streets, which are listed on the List of Prohibited and Licensed Streets for every day on your licence **whether you trade or not**. The only exceptions are for holidays advised to us in advance, or periods of sickness lasting more than one week advised to us as soon as is practicable.

Once a licence/consent is issued it is your responsibility to ensure you make a renewal application in good time before the expiry date if you wish to continue trading.

If you have any queries please do not hesitate to contact the Licensing Team on 01394 444802 or at licensing@eastsoffolk.gov.uk or write to us at:

Licensing Team, East Suffolk Council
Riverside, 4 Canning Road
LOWESTOFT, NR33 0EQ

EAST SUFFOLK COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020

Agenda Item 4

ES/1046

East Suffolk Council, in exercise of its powers under sections 32, 34, 35, 39(3), 124 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984, and of all other enabling powers, and with the consent of the Suffolk County Council given under Section 39 of the Act, hereby make the following Order:-

Citations, Commencement and Revocations

This Order shall come into operation on the 20th day of August 2020 and may be cited as the East Suffolk Council (Off-Street Parking Places) Order 2020.

The Suffolk Coastal District Council (Off-street Parking Places) Order 2008 and its variations including, Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2010, Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2012, Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2013, Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2013#2, Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2015 and Suffolk Coastal District Council (Off-street Parking Places) (Variation) Order 2018; and The District of Waveney (Off Street Parking Places) Order 2016 and its variation including Waveney District Council (Off-street Parking Places) (Variation) Order 2018, are superseded by the provisions of this Order.

The Suffolk Coastal District Council (Off-street Parking Places) Order 2008 and The District of Waveney (Off Street Parking Places) Order 2016 and their variations are hereby revoked in their entireties from the 31st October 2020.

Given under the Seal of East Suffolk Council.

This 18th day of August 2020.

THE COMMON SEAL OF THE
EAST SUFFOLK COUNCIL was

hereunto affixed in the
presence of: -



Authorised Signatory *Burles*

Authorised Signatory *[Signature]* *[Signature]*

**EAST SUFFOLK COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020**

Interpretation (Definitions)

In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -

"the RTRA 1984"	means the Road Traffic Regulation Act 1984
"the TMA 2004"	means the Traffic Management Act 2004
"District Council"	means East Suffolk Council
"Annual Ticket"	means an annual ticket issued by the District Council
"Annual Ticket holder"	means a person to whom an annual ticket has been issued
"authorised representative"	includes "Civil Enforcement Officer", "CEO" and "Parking Attendant" which have the same meanings as in section 63A of the Road Traffic Regulation Act 1984 and by virtue of Section 76 of the Traffic Management Act 2004, where a parking attendant appointed under section 63A of the Road Traffic Regulation Act 1984 is a Civil Enforcement Officer (CEO) in relation to parking contraventions
"bus" and "coach"	has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016 (and subsequent legislation), and "buses" shall be construed accordingly; and includes vehicles used for local and scheduled services, as well as those used for leisure and tourism purposes; with Vehicle Certification Agency type approval M2 and M3
"caravan"	means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed or by being transported on a motor vehicle or trailer)
"cashless parking"	means a method of payment whereby the charge levied under the District Council's Tariff of Charges (and any appropriate administration charge) is collected by a District Council appointed third party, via an arranged account, with payment being made over the telephone or by other electronic system (including via the internet) by credit or debit card or other means of secure authorised payment

**EAST SUFFOLK COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020**

"charge certificate"	means a certificate issued by the District Council stating that payment has not been received or an appeal or a representation lodged following the serving of a Penalty Charge Notice
"charged parking place"	means a parking place to which a charge for parking applies in accordance with the Tariff of Charges in this Order
"chargeable hours"	means the times of regulation relating to charged parking places specified within the schedules of this Order
"Civil Enforcement Area"	Means an area where Civil Enforcement of highway regulations can be carried out, as defined in the TMA 2004, and provided by Statutory Instrument '2020 No. 14 - The Civil Enforcement of Parking Contraventions Designation Order 2020'
"commercial vehicle"	means any mechanically propelled vehicle which is constructed or adapted for the carriage of goods; with Vehicle Certification Agency type approval N1, N2 and N3
"contravention"	means any breach of the provisions herein contained
"current"	in relation to a vehicle licence, Blue Badge, or permit, or exemption, or parking place suspension, means valid on the relevant date
"disabled person" and "disabled person's badge"	have the same meaning as in the Disabled Persons' (Badges for Motor Vehicles) (England) Regulations 2000
"disabled person's vehicle"	means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an Order under the RTRA 1984, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers

**EAST SUFFOLK COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020**

"driver" (in relation to a vehicle waiting in a parking place)	means the person driving the vehicle at the time it was left in the parking place
"heavy commercial vehicle"	has the same meaning as in Section 138 of the RTRA 1984 and relating provisions
"heavy motor car"	has the same meaning as in Section 136 of the RTRA 1984 and relating provisions
"invalid carriage"	has the same meaning as in Section 136 of the RTRA 1984 and relating provisions and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical default or disability and is used solely by such a person
"minibus"	means a small passenger carrying motor vehicle not exceeding 5.5m in length capable of carrying more than 8 but not more than 16 passengers whether or not the same is either a motor car or a heavy motor as the case may be
"Monthly Ticket"	means a monthly ticket issued by the District Council
"Monthly Ticket holder"	means a person to whom a monthly ticket has been issued
"motor car"	has the same meaning as in Section 136 of the RTRA 1984 and relating provisions
"motor caravan"	means a motor vehicle not exceeding 5.5m in length which provides fixed sleeping arrangements whether or not the same is either a motor car or a heavy motor car as the case may be; and with Vehicle Certification Agency type approval M1
"motorcycle"	has the same meaning as in Section 136 of the RTRA 1984 and relating provisions
"motorcycle bay"	means a parking bay marked out on the surface of an off-street parking place that is reserved for the parking of solo motorcycles only

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(OFF-STREET PARKING PLACES) ORDER 2020**

"owner" (in relation to a vehicle)	means the person by whom such vehicle is kept and used, and/or registered as such with the DVLA
"parking adjudicator"	has the same meaning as in Section 81 of the Act of 2004
"Parking Attendant" and "Civil Enforcement Officer"	have the same meanings as in section 63A of the Road Traffic Regulation Act 1984 and by virtue of Section 76 Traffic Management Act 2004, where a parking attendant appointed under section 63A of the Road Traffic Regulation Act 1984 is a Civil Enforcement Officer in relation to parking contraventions
"parking bay"	means any part of a parking place marked out, by means of white or yellow lines or different coloured blocks where the surface is block-paved, for the leaving of a vehicle, which may be signed for use by specific users
"parking charge"	for a vehicle left in a charged parking place shall be determined by reference to the Tariff of Charges within this Order
"parking disc" or "parking clock" or "blue badge clock"	means a device which- <ul style="list-style-type: none"> (a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000 or orange, if issued before that date; (b) has been issued by a local authority and has not ceased to be valid; and (c) is capable of showing the quarter hour period during which a period of waiting has begun.
"parking event" or "parking period" (for a vehicle left in a charged parking place)	shall be determined by reference to schedules to this Order pertaining to charged parking
"permit"	means a parking permit of the types described within this Order for specific users for which the payment of the appropriate charge specified in the Tariff of Charges in this Order (or amended by 'notice') is made
"parking place"	means an area off a highway designated or authorised and

**EAST SUFFOLK COUNCIL
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	described as a parking place by any of the various Articles or Schedules of this Order, the extents and effects of which are indicated via appropriate signing, markings and boundary.
"parking service"	means the service established by the District Council to carry out parking activities under the Suffolk Highways partnership agreement between Suffolk County Council, as traffic authority, and East Suffolk Council; and provided by Statutory Instrument '2020 No. 14 - The Civil Enforcement of Parking Contraventions Designation Order 2020'
"parking bay" or "parking space"	means a space within a parking place which is provided for the leaving of a motor car or motorcycle, and where so signed, may be designated for a specific user type
"parking ticket"	means a ticket issued by a ticket machine operated by the District Council and relating to a parking place obtained for the purpose of showing proof of payment (according to the published tariff of charges) for parking, showing information including: <ul style="list-style-type: none"> (i) the time of purchase (ii) the amount paid (iii) the date of purchase (iv) the time of expiry (v) a reference to the issuing machine
"pay and display" or "P&D"	means to purchase a P&D ticket from a pay and display machine run by the District Council for payment of parking charges and to display the ticket within the vehicle, with time and date information clearly visible at all times whilst in a parking place
"penalty charge"	means an amount of money payable in the circumstances set out in Articles within this Order and supporting legislation
"Penalty Charge Notice"	means a Notice indicating a penalty charge has been incurred served by either attaching it to the vehicle or by first class post to the DVLA registered keeper of the motor car or motorcycle observed in contravention of the parking

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	place's regulations
"road"	means the full width - including any footway or verge - of any length of highway or of any other road to which the public has access, and includes bridges over which a road passes
"ticket machine"	means apparatus operated by the District Council designed to indicate the time and to issue parking tickets indicating the payment of a charge and the period in respect of which it has been paid
"trailer"	has the same meaning as in Section 136 of the RTRA 1984 and relating provisions
"vehicle of the permitted class"	means a motor car, a motorcycle or an invalid carriage
"relevant position" (in the case of a disabled person's badge)	<p>A vehicle displays a disabled person's badge in the relevant position if:-</p> <ul style="list-style-type: none"> (i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or (ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.
"relevant position" (in the case of a parking disc)	<p>A vehicle displays a parking disc in the relevant position if: -</p> <ul style="list-style-type: none"> (i) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or (ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle
"relevant position" (in the case of any other	A vehicle displays any other badge or permit in the relevant position if: -

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badge or permit)	(i) in the case of a vehicle fitted with a front windscreen, the item is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen; or (ii) in the case of a vehicle not fitted with a front windscreen, the item is exhibited in a conspicuous position on the front or near side of the vehicle with the obverse side legible
"relevant position" (in the case of a parking ticket)	A vehicle displays a parking ticket in the relevant position if the item is exhibited in a conspicuous position viewable from the front or front side windows of the vehicle with the obverse side legible.
"sign"	means a sign of any size, colour and type prescribed or authorised by the District Council

(2) In this Order, except where the context otherwise requires: -

- (a) any reference to a numbered Article or a numbered Schedule is a reference to the Article or Schedule bearing that number in this Order; and
- (b) any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the Article or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs; and
- (c) any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the Article or Schedule in which that reference occurs.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(4) The regulations imposed by this Order shall be in addition to and not in derogation of any regulation or requirement imposed by any regulations made under or having effect as if made under the Road Traffic Regulation Act 1984 or by or under any other enactment.

(5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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Articles

General

Conditions of use for parking places

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user and/or designated vehicle type such as an electric vehicle, unless the parking charge has been paid where parking charges apply.
2. No vehicle shall park in a parking place such that it is not wholly within a parking bay or parked on any yellow line that does not form part of a parking bay within a parking place nor cause any obstruction.
3. No vehicle shall use a parking place unless there is, in relation to the use of that vehicle by any person who drives it within that parking place, such a policy of insurance as complies with the requirements of the Road Traffic Act 1988.
4. The engine of a motor car or motorcycle using a parking place shall be stopped as soon as the vehicle is in position in a parking bay and the engine shall not be started except when the position of the vehicle in the parking place is about to be changed or the vehicle is about to depart from the parking place.
5. No horn or other similar instrument may be sounded on a vehicle using a parking place except when the position of the vehicle in the parking place is about to be changed or the vehicle is about to depart from the parking place.
6. No vehicle shall be used while it is in a parking place in connection with the sale of any thing to persons in or near the parking place or in connection with the selling or offering for hire of the skill or services of any person PROVIDED ALWAYS that this Article shall not be deemed to prohibit the use of any vehicle in a parking place for or in connection with the sale of any thing or commodity in any case where the written consent of the District Council has been obtained.
7. No vehicle shall be sold, offered or exhibited for sale whilst it is in a parking place.
8. No work of building, construction, cleaning, engineering, maintenance or repair of any nature shall be carried out in a parking place, except such as

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may be necessary to enable a vehicle to be moved from the parking place, nor shall any plant, equipment or materials be deposited in a parking place other than with the written consent of the District Council and payment of the appropriate fee to redress any loss of income to the District Council.

9. No vehicle left in a parking place may be used for the purposes of cooking, camping or overnight sleeping.
10. No person shall use any part of a parking place or any vehicle left in a parking place for the purpose of servicing, washing, cleaning, constructing, maintaining or repairing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place unless the prior written consent of the District Council has been obtained.
11. No person shall distribute or affix or cause to be distributed or affixed to any vehicle left in a parking place any literature or leaflet of any nature unless the prior written consent of the District Council has been obtained. The District Council may seek to recharge to the person responsible any costs incurred in connection with the clearing up and disposal of such literature or leaflets.
12. No caravan shall use a parking place, unless otherwise stated.
13. No trailer shall use a parking place, unless otherwise stated.
14. No minibus or motor caravan shall use a parking place unless otherwise stated, or with prior written consent of the parking event from the District Council.
15. Users of any parking place are to abide by any additional terms or conditions displayed on the notice boards within the parking place.
16. The enforcement activities by the District Council, or of parties acting on its behalf, are authorised for the parking places specified within this Order, and shall be administered in accordance with Part 6 of the Traffic Management Act and of other enabling powers, and as provided by Statutory Instrument '2020 No. 14 - The Civil Enforcement of Parking Contraventions Designation Order 2020'.

Ticket machines at parking places

17. There shall be a ticket machine within in the vicinity of each parking place referred to in the Schedules to this Order where parking charges apply.
18. No parking charge shall be payable in respect of any vehicle parking in a designated parking place during the chargeable hours if:
 - (a) at the time the vehicle was left in that parking place there was on the ticket machine relating to that parking place a notice placed by any

**EAST SUFFOLK COUNCIL
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person duly authorised by the District Council indicating that the ticket machine relating to that parking place is out of order; and

- (b) there is no other ticket machine available to be used for that parking place; and
- (c) the cashless parking payment service is not available; and
- (d) if there is a maximum period of stay specified for that parking place, the vehicle is then removed within that period during the time of the ticket machine defect and/or the cashless parking service being unavailable.

19. PROVIDED ALWAYS that if any such vehicle is not removed within that period the parking charge shall be treated as having been incurred and paid at the time when the vehicle was left in the parking place and all the provisions of this Order shall apply accordingly.

Monthly and annual tickets

20. The District Council may issue monthly and annual tickets to anyone upon application and subject to availability. Such tickets shall be valid for only the parking place specified unless otherwise confirmed by the District Council in writing.

21. Monthly and annual tickets are provided by the District Council's appointed cashless parking service provider with valid tickets being virtual in type. In the case where a paper ticket is provided by the District Council, it must be displayed inside the windscreen of the vehicle so that the vehicle registration number and other particulars shown are clearly and visible from outside of the vehicle at all times.

22. Monthly and annual tickets shall not entitle the owner of the vehicle to the reservation of an individual parking bay. If restricted in use to certain parking bays, tickets shall be used only in accordance with such restriction.

23. Monthly and annual tickets shall be valid for only the parking place, the vehicle (vehicle registration number) and/or parking bays specified thereon and during the period for which it is issued and shall not be transferable to another vehicle or to another parking place.

24. No person shall alter the information given on that monthly or annual ticket whilst the vehicle to which it relates remains in the parking place, or knowingly display on a vehicle a monthly or annual ticket which has been altered, defaced, mutilated or added to, or upon which the figures or particulars have become illegible.

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25. A vehicle that exhibits an expired monthly or annual ticket shall be subject to the normal regulations and Articles referred to within this Order.
26. The issue and availability of monthly or annual ticket shall be at the discretion of the District Council and on such terms as the District Council may from time to time decree.
27. In the event of any owner wishing to transfer a monthly or annual ticket from one vehicle to another in their ownership or seeking a replacement of the same following its loss or destruction, an application may be made to the District Council and such transfer or replacement will be effected for which the District Council may apply an administration charge and any monthly or annual ticket previously issued to such owner shall thereupon be deemed to be surrendered and not valid.
28. The District Council shall be entitled to terminate all rights granted by the issue of any monthly or annual ticket if at any time the ticket holder is in contravention of any of the provisions contained within this Order and in any such circumstances the ticket holder shall not be entitled to any refund whatsoever without prejudice to any other right of action the District Council may have whether under this Order or otherwise.

Payment of parking charge

29. A parking charge shall be payable on the leaving of a motor car in a parking place referred to in the Schedules of this Order, by either:
 - a) the insertion of coins or 'tapping' of payment card to the value of the parking charge in the parking place's ticket machine; or
 - b) the registering of the parking event via the District Council's cashless parking service; or
 - c) the purchase of a valid monthly or annual ticket via the District Council's cashless parking service or from the District Council by application should this option be available.
30. Payment of the parking charge for any vehicle left during the chargeable hours in a parking place referred to in the Schedules of this Order shall be indicated by either:
 - a) the correct displaying in the relevant position of a numbered parking ticket from the parking place's ticket machine indicating:
 - o the amount of parking charge which has been paid;
 - o the expiry date and time of the parking event; and
 - o the vehicle's registration number.

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- a) the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
 - b) or by displaying in the relevant position a valid monthly or annual ticket issued by the District Council should this option be available.
31. No parking charge shall be payable in respect of a solo motorcycle provided it is parked in a designated motorcycle parking bay during the chargeable hours of that parking place.
32. No parking charge shall be payable in respect of any vehicle parking in a designated parking place during the chargeable hours in accordance with the provisions of 'Exemptions from prohibitions and restrictions' of this Order.
33. The parking charges specified within the Tariff of Charges are inclusive of Value Added Tax (VAT) at the current rate applicable.

Indication of expiry of parking period

34. The expiry of the parking period for which the parking charge has been paid for a vehicle left in a parking place referred to in the Schedules within this Order shall be indicated when there is either:
- a) displayed on the motor car a parking ticket issued by the ticket machine relating to the parking place in which the vehicle is left showing the date and time of payment of the charge and the time shown on the clock on the said ticket machine is more than the duration of the parking period and later than the time shown on that parking ticket; or
 - b) the District Council's cashless parking service does not return the motor car's vehicle registration number for that parking place; or the motor car has 'returned to the parking place within the prohibited time; or
 - c) the monthly or annual ticket has expired.

Indications by ticket machines and parking tickets as evidence

35. It shall be presumed unless the contrary is proved that the parking charge has not been duly paid if at any time when a vehicle is left in a parking place during the permitted hours;
- a) no ticket is correctly displayed in the relevant position and no record has been made of the parking event via the cashless parking service operated by or on behalf of the District Council; and/or
 - b) the indication of the vehicle's registration on the ticket does not accord with the vehicle on which the ticket is exhibited; and/or

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- c) the parking period for which payment was made by the parking charge has already expired.

Insertion of additional coins

- 36. No person shall insert in the ticket machine relating to the parking place in which the vehicle is left any coins additional to those inserted by way of payment of the parking charge in respect of that vehicle when a maximum stay applies.
- 37. No person shall display on any vehicle left in a parking place referred to in the Schedules within this Order during the chargeable hours any parking ticket subsequent to the parking ticket that was displayed at the time the vehicle was first left in the parking place, or register a parking event on the District Council's cashless parking services when a maximum stay applies unless the vehicle has been taken away from that parking place during the chargeable hours, and has not returned until the expiration of the specified no return period.

Designation of parking places

- 38. Each area described in the Schedules within this Order and, unless otherwise so described, bounded by either fences, railings, walls and/or other types of divide, is designated as a parking place.

Lining and signing of parking bays

- 39. Surface markings may be laid for the purpose of indicating the entrance to or exit from a parking place; or indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place. And no vehicle may be driven so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated; or in a direction other than that specified, as the case may be.
- 40. The limits of each parking place and the limits of any parking bay shall be indicated by a marking appropriate to the position in which a vehicle may park.
- 41. The operational conditions of use and the applicable tariff for each parking place shall be indicated by appropriate signing.

**EAST SUFFOLK COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020**

Suspension of parking places

42. The District Council may, by Notice or by Order, suspend the use of any parking place or any part thereof, subject to such conditions or exceptions as considered necessary:
- a) if it is satisfied that use of that parking place should be restricted or prohibited by reason that works are being or are proposed to be executed on or near the road, or by reason of the likelihood of danger to the public or of serious damage to the highway, or
 - b) in order to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic, in consequence of extraordinary circumstances; or
 - c) for preventing obstruction of the parking place on the occasion of any public procession, rejoicing or illumination or when the parking place are thronged or liable to be obstructed.
43. PROVIDED ALWAYS that any person suspending the use of a parking place in accordance with the provisions of this Order shall place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended such (traffic) signs as are necessary to indicate that parking by vehicles is prohibited.

Movement and removal of vehicles

44. When a vehicle is left in a parking place in contravention of or non-compliance with any of the provisions of this Order a police officer or a person authorised in that behalf by the District Council may remove the vehicle or arrange for it to be removed from that parking place.
45. In case of an emergency a police officer or a person authorised in that behalf by the District Council may alter the position of that vehicle in the parking place; or remove the vehicle or arrange for it to be removed from that parking place to any place thought appropriate.
46. Any person altering the position of a vehicle in, or removing a vehicle from, a parking place by virtue of the last preceding paragraph of this Order may do so by towing or driving the vehicle or in such other manner as thought necessary and may take such measures in relation to the vehicle as thought necessary to enable its removal or alter its position, as the case may be.

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Safe custody of vehicles removed from parking places

47. When a police officer or a person authorised by the District Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of the Articles of this Order arrangements shall be made as may be reasonably necessary for the safe custody of the vehicle

Powers to inspect a disabled person's badge

48. In accordance with the provisions of Section 94 of the Traffic Management Act 2004 a Civil Enforcement Officer employed by the District Council or a District Council appointed third party, has the power to inspect a disabled person's badge where it is suspected that the badge is being misused, has been stolen or fraudulently altered or created. Where appropriate, a Civil Enforcement Officer may issue a Penalty Charge Notice or seize the badge with the assistance of a police office where required.

Restrictions on Removal of Tickets and Notices

49. Where a pre-paid ticket has been exhibited on a vehicle in accordance with the provisions of this Order, no person, not being the owner or driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the owner or driver or a Civil Enforcement Officer.
50. Where a Penalty Charge Notice has been attached to a vehicle in accordance with the Articles of this Order, no person, not being the owner or driver of the vehicle or a Civil Enforcement Officer, shall remove the Penalty Charge Notice from the vehicle unless authorised to do so by the owner or driver or a Civil Enforcement Officer.

Disposal of Vehicles abandoned in a parking place

51. The District Council, as respects any vehicle which has been or could at any time be removed from a parking place in pursuance of the Articles of this Order if it appears to them to have been abandoned, may sell or otherwise dispose of the vehicle and may recover any expenses and charges reasonably incurred from any person responsible.

Rights to refuse entry to a parking place

52. The District Council via any person authorised in that behalf by the District Council may refuse entry to any parking place, to any person or to any vehicle.

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Powers to change or amend errors etc.

Power to change schedule entries following geographical changes

53. Where road names or property names have been changed following reclassification, renaming or renumbering, the descriptive names within this Order may be changed without changing the effect of the Order.

Power to amend errors and omissions

54. Where parts of this Order (and any subsequent Amendment or Consolidation Orders) have been mis-quoted, mis-transposed, omitted or are subject to typographical errors during the compilation process, the text of the Order may be amended without changing the effect of the Order and without need for re-advertisement. The errors, omissions and other alterations covered in this item should be listed in an errata sheet and be appended to the Order.

Exemptions from prohibitions and restrictions

Exemption for emergency services

55. Nothing in this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.

Disabled persons' vehicles

56. Nothing in this Order shall render it unlawful to cause or permit a disabled persons vehicle (which displays correctly in the relevant position a disabled persons badge) to wait in any of the parking places referred to in this Order for a period not exceeding the expiry time provided by the payment of a parking charge, unless the effect of the restriction is:

- a) To provide parking for Permit holders only.
- b) To provide parking for permitted class and/or designated vehicle types only such as motorcycles and electric vehicles.

Penalty charge

57. If there is any contravention of any of the provisions within this Order, and in any such case, a penalty charge where appropriate shall be payable to the District Council under and subject to the provisions of this Order, the amount

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of the penalty charge being any amount recommended by the Secretary of State.

58. In the case of a vehicle in respect of which a penalty charge may have been incurred it shall be the duty of a Civil Enforcement Officer, employed by the District Council or a District Council appointed third party, to attach to the vehicle in a conspicuous position a Regulation 9, or serve a Regulation 10 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 via First Class post, a Penalty Charge Notice which shall include the following particulars:
- a) the vehicle registration number and make;
 - b) the date of the contravention;
 - c) the date and time of issue of the Penalty Charge Notice;
 - d) the name of the parking place;
 - e) a description of the contravention;
 - f) a statement that a penalty charge in the amount specified is incurred; and
 - g) the manner in which and the time within which the penalty charge should be paid.
59. The penalty charge shall be paid to the District Council within 28 days of the day on which the penalty charge was incurred by one of the methods stated on the penalty charge notice.
60. In the event of a payment being received by the District Council within a payment period (including the discount period) and it falls upon a day on which the District Council is closed, the period within which payment of the penalty charge as provided herein shall be extended until 17:00 on the next full day on which the District Council is open; the said payment shall be accepted in full settlement of the penalty charge payable under the terms hereof.
61. Payment of the penalty charge (whether or not the same is reduced under the provisions of paragraph 60 hereof) will not exonerate any person from payment of any expenses recoverable in respect of the removal and disposal of the vehicle pursuant to the provisions of Articles within this Order and any statutory provisions for the time being in force or from any claim to damages which the District Council may have in respect of damage incurred in relation to the parking of the vehicle howsoever arising.
62. If the penalty charge is not paid after a minimum of 56 days a Charge Certificate is issued at which stage the penalty charge payable is increased to an amount recommended by the Secretary of State for the time being.

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63. The Civil Enforcement of Parking Contraventions (England) Representations of Appeals Regulations 2007 Number 3482, and the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 Number 3483, shall apply to this Order with regard to the procedures for processing appeals to the District Council and to a Parking Adjudicator appointed by the Joint Committee and the collection of valid Penalty Charge Notices.
64. No person who has an outstanding penalty charge shall be granted a permit of any kind including a monthly or annual ticket for use in the District Council's off-street parking places, or on-street parking places administered on behalf of the Enforcement Authority, unless an appeal has been submitted in respect to the penalty charge and it is subject to the on-going parking appeals process at the time a permit or ticket application is received.

Article 0

Effect	No charge for use
Days of operation	At any time
Times of operation	At any time
Duration of stay	Not more than 24 continuous hours No return within 2 hours
Designated user: Blue Badge holders	Not more than 24 continuous hours No return within 2 hours
Designated user: Motorcycles	Not more than 24 continuous hours No return within 2 hours
Tariff	T0

Effect – No charge for use

1. SAVE as provided in ‘Exemptions from prohibitions and restrictions’ of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 0).
2. PROVIDED ALWAYS, where available, the payment of the parking charge shall be indicated by the driver of the vehicle by the purchasing of a Resident Permit effecting the ‘return’ of the motor car’s vehicle registration number for that parking place from the District Council’s permit management system
3. The proof of a valid payment charge is not transferable to any other vehicle.

Requirement not to exceed the duration of stay permitted

4. SAVE as provided in ‘Exemptions from prohibitions and restrictions’ of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park in a parking bay for longer than the parking period permitted.

‘No return’ requirement

5. No vehicle which has been taken away from a parking bay, shall, until the expiration of the specified ‘no return’ time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
6. Nothing in this Article shall apply in respect of:
 - (a) any vehicle which is parking in a charged parking place in accordance with a provision of ‘Exemptions from prohibitions and restrictions’ of this Order; or
 - (b) the purchasing of a Resident Permit effecting the ‘return’ of the motor car’s vehicle registration number for that parking place from the District Council’s permit management system.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 0 are as set out in Item T0 described in the “Tariff of Charges”.

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in ‘Suspension of parking places’.

Article 1

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display; or the registered parking event
Designated user: Blue Badge holders	As indicated by a valid ticket on display; or the registered parking event
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T1

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 1) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service; and where available
 - the purchasing of a monthly or annual ticket effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall, until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 1 are as set out in Item T1 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 2

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Blue Badge holders	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T2

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 2) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall,

until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.

6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 2 are as set out in Item T2 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 3

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display; or the registered parking event
Designated user: Blue Badge holders	As indicated by a valid ticket on display; or the registered parking event
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T3

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 3) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service; and where available
 - the purchasing of a monthly or annual ticket effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall, until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 3 are as set out in Item T3 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 4

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Blue Badge holders	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T4

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 4) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall,

until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.

6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 4 are as set out in Item T4 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 5

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display; or the registered parking event
Designated user: Blue Badge holders	As indicated by a valid ticket on display; or the registered parking event
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T5

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 5) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service; and where available
 - the purchasing of a monthly or annual ticket effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall, until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 5 are as set out in Item T5 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 6

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display; or the registered parking event
Designated user: Blue Badge holders	As indicated by a valid ticket on display; or the registered parking event
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T6

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 6) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service; and where available
 - the purchasing of a monthly or annual ticket effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall, until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 6 are as set out in Item T6 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 7

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Blue Badge holders	As indicated by a valid ticket on display or the registered parking event and not exceeding 4 hours; No return within 2 hours
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T7

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 7) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall,

until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.

6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 7 are as set out in Item T7 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 8

Effect	Pay-and-display and cashless parking services
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	As indicated by a valid ticket on display or the registered parking event and not exceeding 2 hours; No return within 2 hours
Designated user: Blue Badge holders	As indicated by a valid ticket on display or the registered parking event and not exceeding 2 hours; No return within 2 hours
Designated user: Motorcycles	Not more than 24 continuous hours
Tariff	T8

Effect - Pay-and-display and cashless parking services

1. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 8) and unless the parking charge has been paid.
2. PROVIDED ALWAYS the payment of the parking charge shall be indicated by the driver of the vehicle either:
 - displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left; or
 - the registering of the parking event effecting the 'return' of the motor car's vehicle registration number for that parking place from the District Council's cashless parking service.
3. None of the proofs of a valid payment charge are transferable to any other vehicle.

Requirement not to exceed time period paid for

4. SAVE as provided in 'Exemptions from prohibitions and restrictions' of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park during the chargeable hours in a charged parking place for longer than the parking period paid for.

'No return' requirement

5. No vehicle which has been taken away from a parking space in a charged parking place during the chargeable hours after a parking charge has been incurred, shall,

until the expiration of the specified 'no return' time in the above table (from the time of its removal to the time of its return) again be left in that parking place.

6. Nothing in this Article shall apply in respect of any vehicle which is parking in a charged parking place in accordance with a provision of 'Exemptions from prohibitions and restrictions' of this Order.

Parking charges

7. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 8 are as set out in Item T8 described in the "Tariff of Charges".

Powers to suspend parking

8. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in 'Suspension of parking places'.

Article 9

Effect	No charge for use
Days of operation	Monday to Sunday
Times of operation	8.00 am to 6.00 pm
Duration of stay	1 hour No return within 2 hours
Designated user: Blue Badge holders	1 hour No return within 2 hours
Designated user: Motorcycles	1 hour No return within 2 hours
Tariff	T9

Effect – No charge for use

1. SAVE as provided in ‘Exemptions from prohibitions and restrictions’ of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park unless it is a vehicle of the permitted class and/or designated user (as specified within Schedule 9).

Requirement not to exceed the duration of stay permitted

2. SAVE as provided in ‘Exemptions from prohibitions and restrictions’ of this Order no person shall, except upon the direction or with the permission of an authorised representative of East Suffolk Council, cause or permit any vehicle to park in a parking bay for longer than the parking period permitted.

‘No return’ requirement

3. No vehicle which has been taken away from a parking bay, shall, until the expiration of the specified ‘no return’ time in the above table (from the time of its removal to the time of its return) again be left in that parking place.
4. Nothing in this Article shall apply in respect of any vehicle which is parking in a parking place in accordance with a provision of ‘Exemptions from prohibitions and restrictions’ of this Order.

Parking charges

5. The parking charge and corresponding parking periods for a vehicle left in a designated parking place referred to in Schedule 9 are as set out in Item T9 described in the “Tariff of Charges”.

Powers to suspend parking

6. Nothing in this Article shall restrict the power of the District Council to suspend any parking place or any part thereof in accordance with the provisions set out in ‘Suspension of parking places’.

Tariff of Charges

Tariff T0

Parking charges for parking are as follows:

£0.00 up to 24 hours

Resident Permits at £30 per annum issued at the District Council's discretion for residential properties within Pound Lane, Pound Road, Ravensmere, and Ravensmere East.

No stays longer than 24 hours.

Tariff T1*

Parking charges for off-street parking are as follows:

£1.50 up to 2 hours

£3.00 up to 4 hours

£4.00 for more than 4 hours

£65 per calendar month (in intervals of one month up to ten months) issued at the District Council's discretion

£650 per annum for an Annual Ticket issued at the District Council's discretion

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Parking fees do not apply for Electric Vehicles (EVs) for 1 hour whilst parked in a designated EV bay connected to a Chargepoint and recharging. However, the recharge tariff is 33ppkWh including VAT and a maximum recharge time of 1 hour applies and an overstay fee may apply for EVs still connected after one hour.

Tariff T2*

Parking charges for off-street parking are as follows:

£1.50 up to 2 hours

£3.00 up to 4 hours

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T3*

Parking charges for off-street parking are as follows:

£0.00 up to 30 minutes

£1.50 up to 2 hours

£3.00 up to 4 hours

£4.00 for more than 4 hours

£65 per calendar month (in intervals of one month up to ten months) issued at the District Council's discretion

£650 per annum for an Annual Ticket issued at the District Council's discretion

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T4*

Parking charges for off-street parking are as follows:

£0.00 up to 30 minutes

£1.50 up to 2 hours

£3.00 up to 4 hours

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T5*

Parking charges for off-street parking are as follows:

£1.00 up to 2 hours

£2.00 up to 4 hours

£4.00 for more than 4 hours

£65 per calendar month (in intervals of one month up to ten months) issued at the District Council's discretion

£650 per annum for an Annual Ticket issued at the District Council's discretion

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Parking fees do not apply for Electric Vehicles (EVs) for 1 hour whilst parked in a designated EV bay connected to a Chargepoint and recharging. However, the recharge tariff is 33ppkWh including VAT and a maximum recharge time of 2 hours applies and an overstay fee may apply for EVs still connected after two hours.

Tariff T6*

Parking charges for off-street parking are as follows:

£0.00 up to 30 minutes

£1.00 up to 2 hours

£2.00 up to 4 hours

£4.00 for more than 4 hours

£65 per calendar month (in intervals of one month up to ten months) issued at the District Council's discretion

£650 per annum for an Annual Ticket issued at the District Council's discretion

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T7*

Parking charges for off-street parking are as follows:

£0.00 up to 30 minutes

£1.00 up to 2 hours

£2.00 up to 4 hours

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T8*

Parking charges for off-street parking are as follows:

£0.00 up to 30 minutes

£1.00 up to 2 hours

Charges do not apply for solo motorcycles when parked in the designated motorcycle bays.

Tariff T9

Parking charges for parking are as follows:

£0.00 up to 1 hour

No stays longer than 1 hour

*Cashless parking services may attract additional charges, payable by the registered user to cover the administration of the operator and costs incurred during the transaction process. Additional service charges are publicised during the transaction process.

LIST OF SCHEDULES

0. At any time not more than 24 continuous hours No return within 2 hours
1. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm: Higher tariff
2. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm 4 hours No return within 2 hours: Higher tariff
3. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm with a 30-minute tariff: Higher tariff
4. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm 4 hours No return within 2 hours with a 30-minute tariff: Higher tariff
5. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm: Lower tariff
6. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm with a 30-minute tariff: Lower tariff
7. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm 4 hours No return within 2 hours with a 30-minute tariff: Lower tariff
8. Pay-and-display and cashless parking service Mondays to Sundays 8.00 am to 6.00 pm 2 hours No return within 2 hours with a 30-minute tariff: Lower tariff
9. Mondays to Sundays 8.00 am to 6.00 pm 1 hour No return within 2 hours

SCHEDULE 0

1 Name and location of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Slaughden Sea Wall Slaughden Road Aldeburgh IP15 5DE	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Bawdsey Quay Ferry Road Bawdsey IP12 3AX	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Kilbrack Kilbrack Beccles NR34 9SH	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Ravensmere East Ravensmere East Beccles NR34 9DG	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Resident Permit holders Motorcycles	Article 0	Article 0	Article 0	T0
Boyscott Lane Boyscott Lane Bungay NR35 1DG	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
The Grove	Wholly within a	Motor cars (3050kg,	Blue Badge	Article 0	Article 0	Article 0	T0

1 Name and location of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Grove Road Felixstowe IP11 9GA	parking bay where so defined.	3500kg or 2540kg as applicable) and motorcycles and motor caravans.	holders Motorcycles Motor caravans				
Iken Cliff Unnamed Road Iken IP12 2EN	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 0	Article 0	Article 0	T0
All Saints All Saints' Road Kirkley NR33 0JN	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Pakefield Cliffs Pakefield Road Kirkley NR33 0HX	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Valley Road Valley Road Leiston IP16 4AQ	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Christ Church Christ Church Square Lowestoft NR32 1XD	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0

1 Name and location of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Mariners Street Mariners Street Lowestoft NR32 1JT	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Waveney Sports Centre Water Lane Lowestoft NR32 2NH	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Melton Riverside Wilford Bridge Road Melton IP12 2PA	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Melton Street The Street Melton IP12 1QZ	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Nacton Shore Shore Lane Nacton IP10 0ES	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Ferry Road North Ferry Road Southwold IP18 6HQ	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Sutton Heath Picnic	Wholly within a	Motor cars (3050kg,	Blue Badge	Article 0	Article 0	Article 0	T0

1 Name and location of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Area B1083 Sutton Heath IP12 3TG	parking bay where so defined.	3500kg or 2540kg as applicable) and motorcycles and motor caravans.	holders Motorcycles Motor caravans				
Sutton Heath Woodland Heath Road Sutton Heath IP12 3TA	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 0	Article 0	Article 0	T0
Upper Hollesley Common Heath Road Upper Hollesley Common IP12 3HU	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 0	Article 0	Article 0	T0
Broomheath Broomheath Woodbridge IP12 4DL	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0
Wrentham Southwold Road Wrentham NR34 7HJ	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 0	Article 0	Article 0	T0

SCHEDULE 1

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Fort Green Slaughden Road Aldeburgh IP15 5DE 4414	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Slaughden Slaughden Road IP15 5DE 4463	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 1	Article 1	Article 1	T1*
Thorpe Road Thorpe Road Aldeburgh IP16 4NR 4409	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 1	Article 1	Article 1	T1*
Arwela Road Arwela Road Felixstowe IP11 2DG 4419	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Beach Station Sea Road	Wholly within a parking bay	Motor cars (3050kg, 3500kg or	Blue Badge holders	Article 1	Article 1	Article 1	T1*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Felixstowe IP11 2DH 4427	where so defined.	2540kg as applicable) and motorcycles.	Motorcycles				
Garrison Lane Garrison Lane Felixstowe IP11 7SH 4393	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and coaches.	Blue Badge holders Motorcycles Coaches	Article 1	Article 1	Article 1	T1*
Golf Road Golf Road Felixstowe IP11 7NB 4429	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Martello Park North Orford Road Felixstowe IP11 2DZ 4411	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles Electric vehicles	Article 1	Article 1	Article 1	T1*
Martello Park South Manor Terrace Felixstowe IP11 2EL 4413	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Ranelagh Road Brownlow Road	Wholly within a	Motor cars	Blue Badge	Article 1	Article 1	Article 1	T1*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Felixstowe IP11 7EX 4418	parking bay where so defined.	(3050kg, 3500kg or 2540kg as applicable) and motorcycles.	holders Motorcycles				
The Promenade Sea Road Felixstowe IP11 2AU 4424	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Adrian Road Adrian Road Lowestoft NR32 1SE 4430	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Alexandra Road Alexandra Road Lowestoft NR32 1PL 4432	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Belvedere Road Belvedere Road Lowestoft NR33 OPR 4433	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans and coaches.	Blue Badge holders Motorcycles Motor caravans Coaches	Article 1	Article 1	Article 1	T1*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Claremont Pier Claremont Pier Lowestoft NR33 0BS 4436	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1
Regent Road Regent Road Lowestoft NR32 1PA 4441	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*
Whapload Road Whapload Road Lowestoft NR32 1UL 4445	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 1	Article 1	Article 1	T1*

* Monthly and annual tickets available

SCHEDULE 2

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
King Street King Street Aldeburgh IP15 5BY 4394	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Oakley Square Oakley Square Aldeburgh IP15 5BX 4410	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Crescent Road Crescent Road Felixstowe IP11 7PB 4416	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Highfield Road Car Park Highfield Road Felixstowe IP11 7BZ 4417	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Spa Pavilion Undercliff Road West Felixstowe IP11 2DX	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
4428							
Undercliff Undercliff Road West Felixstowe IP11 2AG 4425	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Battery Green Battery Green Road Lowestoft NR32 1DL 4555	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
Clapham Road Clapham Road South Lowestoft NR32 1DR 4435	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2
St Peters Street St Peters Street Lowestoft NR32 1QA 4443	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 2	Article 2	Article 2	T2

SCHEDULE 3

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Brackenbury Fort Cliff Road Felixstowe IP11 9PJ 4420	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*
Clifflands Cliff Road Felixstowe IP11 9SJ 4421	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 3	Article 3	Article 3	T3*
Convalescent Hill Undercliff Road West Felixstowe IP11 2AG 4422	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*
Landguard View Point Road Felixstowe IP11 3TW 4450	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 3	Article 3	Article 3	T3*
Manor Terrace Manor Terrace Felixstowe IP11 2EN	Wholly within a parking bay where so	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
4551	defined.	motor caravans.	Motor caravans				
Britten Centre Surrey Street Lowestoft NR32 1LJ 4434	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3
Kirkley Cliff Kirkley Cliff Road Lowestoft NR33 0DB 4438	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*
Royal Green Royal Green Lowestoft NR33 0QQ 4442	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*
Tennyson Road Tennyson Road Lowestoft NR32 1PS 4444	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*
Ferry Road Ferry Road Southwold IP18 6HQ 4460	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Harbour Quay East Southwold Harbour Southwold IP18 6TA 4461	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans.	Blue Badge holders Motorcycles Motor caravans	Article 3	Article 3	Article 3	T3*
Southwold Pier North Parade Southwold IP18 6BN 4462	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and motor caravans and coaches.	Blue Badge holders Motorcycles Motor caravans Coaches	Article 3	Article 3	Article 3	T3*
Thorpeness Beach Aldeburgh Road Thorpeness IP16 4NW 4408	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 3	Article 3	Article 3	T3*

* Monthly and annual tickets available

SCHEDULE 4

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Felixstowe Pier Undercliff Road West Felixstowe IP11 2AG 4426	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 4	Article 4	Article 4	T4

SCHEDULE 5

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Nethergate Nethergate Street Bungay NR35 1HE 4459	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Scales Street Scales Street Bungay NR35 1DT 4453	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Clifton Road Clifton Road Kirkley NR33 ORJ 4437	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Pakefield Road Pakefield Road Kirkley NR33 OHX 4439	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Pakefield Street Pakefield Street Kirkley NR33 OJS 4440	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
High Street High Street Leiston IP16 4BX 4399	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Sizewell Road Sizewell Road Leiston IP16 4AB 4406	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
The Boulevard Bridge Street Oulton Broad NR33 9JS 4446	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Market Place Market Place Saxmundham IP17 1AG 4398	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
The Percy Mason High Street Wickham market IP13 0QS 4396	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Deben Station Road Woodbridge	Wholly within a parking bay where so	Motor cars (3050kg, 3500kg or 2540kg as applicable) and	Blue Badge holders	Article 5	Article 5	Article 5	T5*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
IP124AU 4404	defined.	motorcycles.	Motorcycles Electric vehicles				
Lime Kiln Quay Deben Road Woodbridge IP12 1BD 4402	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*
Theatre Street Theatre Street Woodbridge IP124NE 4405	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 5	Article 5	Article 5	T5*

* Monthly and annual tickets available

SCHEDULE 6

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Blyburgate Blyburgate Beccles NR34 9TF 4450	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Priory Lane Priory Lane Bungay NR35 1DB 4452	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Wharton Street Wharton Street Bungay NR35 1EL 4451	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Fore Street Fore Street Framlingham IP13 9DQ 4397	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
The Elms Car Park New Road Framlingham IP13 9EH 4553	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Angel North Angel Link Halesworth IP19 8SW 4454	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Angel South Angel Link Halesworth IP19 8SW 4455	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Bridge Street Car Park Bridge Street Halesworth IP19 8AB 4456	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Station Road Station Road Halesworth IP19 8BZ 4457	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*
Nicholas Everitt Park Bridge Street Oulton Broad NR33 9JT 4447	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and coaches.	Blue Badge holders Motorcycles Coaches	Article 6	Article 6	Article 6	T6*
Sizewell Beach Sizewell Beach	Wholly within a parking bay	Motor cars (3050kg, 3500kg or 2540kg as	Blue Badge holders	Article 6	Article 6	Article 6	T6*

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Sizewell IP16 4UH 4407	where so defined.	applicable) and motorcycles.	Motorcycles Motor caravans				
The Station Station Road Woodbridge IP124AU 4415	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 6	Article 6	Article 6	T6*

* Monthly and annual tickets available

SCHEDULE 7

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Hungate Hungate Beccles NR34 9TN 4448	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
Newgate Newgate Beccles NR34 9QD 4449	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
Thoroughfare Saxons Way Halesworth IP19 8BF 4458	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
The Hill High Street Wickham Market IP13 0QU 4395	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
Hamblin Road 1 Hamblin Road Woodbridge IP12 1BG 4401	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Hamblin Road 2 Hamblin Road Woodbridge IP12 1BG 4412	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
Hamblin Road 3 Hamblin Road Woodbridge IP12 1BG 4423	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7
Oak Lane New Street Woodbridge IP12 1DT 4403	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 7	Article 7	Article 7	T7

SCHEDULE 8

1 Name, location and cashless parking zone code of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Market Hill Market Hill Framlingham IP13 9AY 4552	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 8	Article 8	Article 8	T8
Chapel Lane Chapel Lane Wickham Market IP13 0SB 4392	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 8	Article 8	Article 8	T8

SCHEDULE 9

1 Name and location of parking place	2 Position in which vehicle may park	3 Class of vehicle permitted to park	4 Designated users	5 Hours when parking place is available	6 Hours of operation of parking charges	7 Maximum period vehicles may wait	8 Scale of parking charges
Main Street Main Street Leiston IP16 4ER	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles.	Blue Badge holders Motorcycles	Article 9	Article 9	Article 9	T9
Nicholas Everitt Crescent Bridge Street Oulton Broad NR33 9JT	Wholly within a parking bay where so defined.	Motor cars (3050kg, 3500kg or 2540kg as applicable) and motorcycles and coaches.	Blue Badge holders Motorcycles	Article 9	Article 9	Article 9	T9



LICENSING COMMITTEE

Monday, 14 February 2022

Subject	DEPARTMENT FOR TRANSPORT STATUTORY TAXI & PRIVATE HIRE VEHICLE STANDARDS AND REVIEW OF EXISTING POLICY
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Health
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

For the Licensing Committee to clarify and approve the Safeguarding training required for Private Hire Operators following the review in 2021 of the Council's Hackney Carriage and Private Hire Licensing policies, guidance and conditions as a result of the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards published in July 2020.

Options:

- 1) To approve the proposal for Safeguarding training for Private Hire Operators.
- 2) Not to approve the proposal for Safeguarding training for Private Hire Operators.

Recommendation/s:

That the Committee :

- 1) Considers the new updated Safeguarding training for Private Hire Operators
AND
- 2) Approves the new updated Safeguarding training for Private Hire Operators.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Taxi and private hire licensing policy

Safeguarding policy

Criminal convictions policy

Environmental:

No impact

Equalities and Diversity:

No impact

Financial:

The safety of the travelling public and drivers must always be prioritised but the imposition of standards to address the identified risk should be proportionate to the level and nature of the identified risk and the costs which would be incurred in complying with the standard is a relevant consideration here. There is a cost to the Safeguarding training.

Human Resources:

No impact

ICT:

No impact
Legal: No impact
Risk: The licensing authority needs appropriate standards and conditions for taxi and private hire drivers, vehicles and operators to protect the public and drivers.

External Consultees:	None
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>

P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>

How does this proposal support the priorities selected?

Licensing plays an important role in the themes in the Council’s Strategic Plan of growing our economy and enabling our communities. The proposal in this report seeks to clarify and, where appropriate, raise the standards to which private hire operators are subject. Hackney carriage and private hire vehicles are a key part of the public transport system, enabling people without their own private transport or without easy access to other means of public transport to travel for education, employment, and entertainment, to shop and to attend medical appointments or deliver/receive care.

Background and Justification for Recommendation

1 Background facts	
1.1	The Council is responsible for licensing hackney carriage and private hire drivers and vehicles, and private hire operators. In undertaking those responsibilities, the Council has regard to the legislation in place including case law, relevant guidance, best practice documentation and its own policies and procedures.
1.2	On 21 July 2020 the DfT published ‘Statutory Taxi and Private Hire Vehicle Standards’. The Standards are applied to local authorities having regard to the Policing and Crime Act 2017 which enables the Secretary of State for Transport to issue statutory guidance to local authorities as to how taxi (hackney carriage) and private hire licensing should be undertaken to protect children and vulnerable adults when using taxis and private hire vehicles. Attached as Appendix A .
1.3	The new DfT Standards were presented to the Licensing Committee on 25 January 2021 where it was agreed to consider all of the DfT proposals and look at the Council’s existing policies, guidance and conditions regarding hackney carriage and private hire licensing.
1.4	At its meeting in April 2021 the Committee considered proposed actions to amend, update and improve a Hackney Carriage and Private Hire Licensing Policy and agreed to undertake a consultation with the trade and other stakeholders. At its meeting in October 2021 the Committee considered responses to the consultation and agreed to implement the proposed actions.
1.5	The new DfTLi Standards very much focus on protecting children and vulnerable adults and many recommendations were made with regard to licensing drivers, vehicles and private hire operators. However, there were no

	specific details regarding Safeguarding training for private hire operators or what form that should take.
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2 Current position

2.1	Currently, the Council requires private hire operators to undertake the online Barnardos Safeguarding module, the same as hackney carriage and private hire drivers. Under the new policy which the Committee has approved and is due to be published in March 2022, new driver applicants will be required to undertake a two day college course 'Introduction to the Role of the Professional Taxi and Private Hire Driver' (Level 2) and existing drivers will be required to undertake a half day refresher course (based on the two day course). An important part of this course is safeguarding and disability awareness.
2.2	The new policy does not include an update to specify what form Safeguarding training will take for private hire operators.

3 How to address current situation

3.1	In order that the Council can maintain the requirement for private hire operators to undertake safeguarding training, the new policy should state what form this will take.
3.2	It is proposed that private hire operators will be required to undertake a half day college course which will be based on the two day course, at their own cost, which will cover safeguarding of children and vulnerable adults. The Council should not go backwards and not include safeguarding training for private hire operators and since the online Barnardos training will cease, a new training course should be approved.

4 Reason/s for recommendation

4.1	It is important to maintain high standards in the district for hackney carriage and private hire vehicles, drivers and operators to protect the travelling public and drivers.
4.2	To ensure that private hire operators are subject to safeguarding and awareness training.

Appendices

Appendices:	
Appendix A	DfT Statutory Taxi and Private Hire Vehicle Standards

Background reference papers:		
Date	Type	Available From



Department
for Transport

Agenda Item 5

ES/1047

Statutory Taxi & Private Hire Vehicle Standards

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1. Introduction

- 1.1 There is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers; data from [Greater Manchester](#) and [Merseyside](#) suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported. These figures do not however account for the under reporting of crime which is estimated to be as high as 83 percent in the [Crime Survey for England and Wales](#).
- 1.2 The Policing and Crime Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services. For the purposes of this document, a child is defined as anyone who has not yet reached their 18th birthday; and the term “vulnerable individual” has the same meaning as the definition of a ‘vulnerable adult’ for the purpose of section 42 of the [Care Act 2014](#), which applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- 1.3 Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.**
- 1.4 It should be noted that as policing and criminal justice is not a devolved matter, the Statutory Taxi and Private Hire Vehicle Standards issued under the Policing and Crime Act 2017 will continue to have effect in Wales although responsibility for taxi and private hire vehicle policy was devolved to the Welsh Assembly in April 2018. Should the Welsh Government introduce legislation to regulate on these issues, the standards in this document would, cease to apply.

- 1.5 All local authorities and district councils that provide children's and other types of services, including licensing authorities, have a statutory duty to make arrangements to ensure that their functions and any services that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children. This means that licensing authorities should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children. This includes clear whistleblowing procedures, safe recruitment practices and clear policies for dealing with allegations against people who work with children, as set out in the [Working Together to Safeguard Children](#) statutory guidance.
- 1.6 The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department's Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed; safeguarding children and vulnerable adults; the Immigration Act 2016 and Common Law Police Disclosure (which replaced the Notifiable Occupations Scheme).
- 1.7 The standards in this document replace relevant sections of the Best Practice Guidance issued by the Department in 2010, where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance the Department issue on taxi and private hire vehicle licensing, the standards in this document take precedence.

Terminology

Taxis are referred to in legislation, regulation and common language as 'hackney carriages', 'black cabs' and 'cabs'. The term '**taxi**' is used throughout this document and refers to all such vehicles. Taxis can be hired immediately by hailing on the street or at a rank.

Private hire vehicles include a range of vehicles including minicabs, executive cars, chauffeur services, limousines and some school and day centre transport services. All private hire vehicle journeys must be pre-booked via a licensed private hire vehicle operator and are subject to a 'triple licensing lock' i.e. the operator fulfilling the booking must use vehicles and drivers licensed by the same authority as that which granted its licence. The term 'private hire vehicle' is used throughout this document to refer to all such vehicles.

2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards

- 2.1 The past failings of licensing regimes must never be repeated. The Department has carefully considered the measures contained in the Statutory Taxi and Private Hire Vehicle Standards and recommend that these should be put in to practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards is to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.
- 2.2 The Government set out in the [Modern Crime Prevention Strategy](#) the evidence that where Government, law enforcement, businesses and the public work together on prevention, this can deliver significant and sustained cuts in certain crimes. That is good news for victims and communities and it makes clear economic sense too. Educating the public on the risks of using unlicensed drivers and vehicles, how to identify the licensed trade and appropriate measure to take when using these services will protect help all passengers, more information is annexed to this document (Annex - Staying safe: guidance for passengers).
- 2.3 The Strategy committed to protect children and young people from the risk of child sexual abuse and exploitation (CSAE), by working with local authorities to introduce rigorous taxi and private hire vehicle licensing regimes. Both the [Jay](#) and [Casey](#) reports on CSAE highlighted examples of taxi/private hire vehicle drivers being directly linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited.
- 2.4 The Casey Report made clear that weak and ineffective arrangements for taxi and private hire vehicle licensing had left the children and public at risk. The Department for Transport has worked with the Home Office, Local Government Association (LGA), personal safety charities, trade unions and trade bodies,

holding workshops, forums, and sharing evidence and good practice with local authorities to assist in the setting of the standards.

- 2.5 This document is published by the Secretary of State for Transport under section 177(1) of the Policing and Crime Act 2017 following consultation in accordance with section 177(5).
- 2.6 The document sets out a framework of policies that, under section 177(4), licensing authorities “**must have regard**” to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. “Having regard” is more than having a cursory glance at a document before arriving at a preconceived conclusion.
- 2.7 “Having regard” to these standards requires public authorities, in formulating a policy, to give considerations the weight which is proportionate in the circumstances. **Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.** It is not a question of box ticking; the standards must be considered rigorously and with an open mind.
- 2.8 Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority’s practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).
- 2.9 The Statutory Taxi and Private Hire Vehicle Standards does not purport to give a definitive statement of the law and any decisions made by a licensing authority remain a matter for that authority.

3. Administering the Licensing Regime

Licensing policies

- 3.1 The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a 'fit and proper' person test, licence conditions and vehicle standards.
- 3.2 When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated. This was highlighted in the [report by Dame Louise Casey CB](#) of February 2015 on safeguarding failings.

“It will be evident from this report that in many cases the activities of perpetrators take place in spheres which are regulated by the Council – taxis have been the focus of particular concern. Persistent and rigorous enforcement of the regulatory functions available to the council, including the placing of conditions on private hire taxi operator licences where appropriate, would send a strong signal that the trade is being monitored and would curtail the activities of opportunistic perpetrators whereby taxi drivers have solicited children to provide sex in return for cigarettes, alcohol or a fare free ride.”

- 3.3 The long-term devastation caused by CSAE was summarised in the same report:

“Victims suffer from suicidal feelings and often self-harm. Many become pregnant. Some have to manage the emotional consequences of miscarriages and abortions while others have children that they are unable to parent appropriately. The abuse and violence continues to affect victims into adulthood. Many enter violent and abusive relationships. Many suffer poor mental health and addiction.”

- 3.4 Rotherham Metropolitan Borough Council ('Rotherham Council') provides an example of how the systematic review of policies and procedures and the implementation of a plan to drive improvements in practice can result in a well-functioning taxi and private hire vehicle sector that is rebuilding local confidence in the industry. The history of past failings here and elsewhere is well known, but it is the transparency and resolution that Rotherham Council has demonstrated and the high standards they now require that are rebuilding public confidence.
- 3.5 One of the key lessons learned is that it is vital to review policies and reflect changes in the industry both locally and nationally. **Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.**

Duration of licences

- 3.6 A previous argument against issuing licences for more than a year was that a criminal offence might be committed, and not notified, during this period; this can of course also be the case during the duration of a shorter licence. This risk can be mitigated for drivers by authorities to undertaking regular interim checks. To help authorities monitor licensees' suitability, licensing authorities should engage with their police force to ensure that when the police believe a licensee presents a risk to the travelling public they use their Common Law Police Disclosure powers (see paragraphs 4.9 - 4.11) to advise them.
- 3.7 The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and private hire vehicle drivers and five 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, if a licensee has requested one or where required (e.g. when the licence holder's leave to remain in the UK is time-limited) or when the licence is only required to meet a short-term demand; they should not be issued on a 'probationary' basis.

Whistleblowing

- 3.8 It is in the application of licensing authority's policies (and the training and raising of awareness among those applying them) that protection will be provided. Where there are concerns that policies are not being applied correctly, it is vital that these can be raised, investigated and remedial action taken if required. **Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly.**

A report into the licensing of drivers by South Ribble Borough Council highlights the implications of not applying the agreed policies. In early August 2015, concerns were raised regarding decisions to renew the licences of drivers where there were potential incidents of child sexual exploitation. An internal review concluded that there had been failings in local investigatory procedures which might have affected the ability of the General Licensing Committee to make proper decisions, and information sharing with the police and data recording was not satisfactory.

- 3.9 The external investigation in South Ribble concluded “that there had been a lack of awareness and priority given to safeguarding and the safety of taxi [and private hire vehicle] passengers in the manner in which licensing issues were addressed”. We are pleased to note that the [report](#) concludes, “The Council have been active at every stage in responding to issues and concerns identified. It has taken steps to address operational issues in the licensing function and has engaged fully with other agencies in so doing. In the light of the above, it is not necessary to make any further recommendations.”
- 3.10 It is hoped that all licensing authorities will have learnt from these mistakes but to prevent a repeat, **local authorities should ensure they have an effective ‘whistleblowing’ policy and that all staff are aware of it.** If a worker is aware of, and has access to, effective internal procedures for raising concerns then ‘whistleblowing’ is unlikely to be needed.
- 3.11 The Public Interest Disclosure Act 1998 (PIDA), commonly referred to as whistleblowing legislation, provides protection for those that have a reasonable belief of serious wrongdoing, including failure to comply with professional standards, council policies or codes of practice/conduct. The PIDA is part of employment law. In the normal course of events, if a worker reveals information that his employer does not want revealed it may be a disciplinary offence. If someone leaked their employer’s confidential information to the press, they might expect to be dismissed for that. The PIDA enables workers who ‘blow the whistle’ about wrongdoing to complain to an employment tribunal if they are dismissed or suffer any other form of detriment for doing so. It is a qualified protection and certain conditions would have to be met for the worker to be protected. More information is available online for [employees](#) and [employers](#):

Consultation at the local level

- 3.12 Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades’ customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women’s groups, local traders, and the local multi-agency safeguarding arrangements. It may also be helpful to consult with night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy’s activities.
- 3.13 Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas; and **licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.** Many areas convene regional officer consultation groups or, more formally, councillor liaison meetings; this should be adopted by all authorities.

Changing licensing policy and requirements

- 3.14 **Any changes in licensing requirements should be followed by a review of the licences already issued.** If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not however to suggest that licences should be automatically revoked overnight, for example if a vehicle specification is changed it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle. The same pragmatic approach should be taken to driver licence changes - if requirements are changed to include a training course or qualification, a reasonable time should be allowed for this to be undertaken or gained. The implementation schedule of any changes that affect current licence holders must be transparent and communicated promptly and clearly.
- 3.15 Where a more subjective change has been introduced, for example an amended policy on previous convictions, a licensing authority must consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, licensing authorities should consider doing so. Licensing authorities should record the reasons for any deviation from the policies in place.

4. Gathering and Sharing Information

- 4.1 Licensing authorities must consider as full a range of information available to them when making a decision whether to grant a licence and to meet their ongoing obligation to ensure a licensee remains suitable to hold a licence.

The Disclosure and Barring Service

- 4.2 The Disclosure and Barring Service (DBS) provides access to criminal record information through its disclosure service for England and Wales. The DBS also maintains the lists of individuals barred from working in regulated activity with children or adults. The DBS makes independent barring decisions about people who have harmed, or where they are considered to pose a risk of harm to a child or vulnerable person within the workplace. The DBS enables organisations in the public, private and voluntary sectors to make safer employment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves vulnerable groups including children.
- 4.3 Enhanced certificates with a check of the barred lists include details of spent and unspent convictions recorded on the Police National Computer (PNC), any additional information which a chief officer of police believes to be relevant and ought to be disclosed, as well as indicating whether the individual is barred from working in regulated activity with children or adults. Spent convictions and cautions are disclosed on standard and enhanced certificates according to rules set out in legislation. Convictions which resulted in a custodial sentence, and convictions or cautions for a specified serious offence such as those involving child sexual abuse will always be disclosed on a standard or enhanced certificate. Full details of the disclosure rules, and those offences which will always be disclosed, are available from the [DBS](#). As well as convictions and cautions, an enhanced certificate may include additional information which a chief police officer reasonably believes is relevant and ought to be disclosed. Chief police officers must have regard to the [statutory guidance](#) issued by the Home Office when considering disclosure. A summary of the information provided at each level of DBS checks is annexed to this document (Annex – Disclosure and Barring Service information).
- 4.4 It should be noted that licensing authorities must not circumvent the DBS process and seek to obtain details of previous criminal convictions and other information that may not otherwise be disclosed on a DBS certificate. Whilst data protection legislation (not just the Data Protection Act 2018 or General Data Protection Regulation (GDPR)) gives individuals (or data subjects) a 'right of access' to the personal data that an organisation holds about them, it is a criminal offence to require an individual to exercise their subject access rights so as to gain information about any convictions and cautions. This could potentially lead to the authority receiving information to which it is not entitled. The appropriate way of accessing an individual's criminal records is through an enhanced DBS and barred lists check.

The Disclosure and Barring Service Update Service

- 4.5 Subscription to the DBS Update Service allows those with standard and enhanced certificates to keep these up to date online and, with the individual's consent, allows nominees to check the status of a certificate online at any time. Subscription to the service removes the need for new certificates to be requested, reduces the administrative burden and mitigates potential delays in relicensing.
- 4.6 The DBS will search regularly to see if any relevant new information has been received since the certificate was issued. The frequency varies depending on the type of information; for criminal conviction and barring information, the DBS will search for updates on a weekly basis. For non-conviction information, the DBS will search for updates every nine months.
- 4.7 Licensing authorities are able to request large numbers of status checks on a daily basis. The DBS has developed a Multiple Status Check Facility (MSCF) that can be accessed via a web service. The MSCF enables organisations to make an almost unlimited number of Status Checks simultaneously. Further information on the MSCF is available from the [DBS](#).
- 4.8 Should the MSCF advise that new information is available the DBS certificate should no longer be relied upon and a new DBS certificate requested.

Common Law Police Disclosure

- 4.9 The DBS is not the only source of information that should be considered as part of a fit and proper assessment for the licensing of taxi and private hire vehicle drivers. Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.
- 4.10 Common Law Police Disclosure replaced the Notifiable Occupations Scheme (NOS) in March 2015 and focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately.
- 4.11 This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. **Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.**

Licensee self-reporting

- 4.12 Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. This must not

however be seen as a direction that a licence should be withdrawn; it is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities. Should an authority place an obligation on licensees to notify under these circumstances, authorities should also ensure appropriate procedures are in place to enable them to act in a suitable timeframe if and when needed.

- 4.13 Importantly, a failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

Referrals to the Disclosure and Barring Service and the Police

- 4.14 In some circumstances it may be appropriate under the Safeguarding Vulnerable Groups Act 2006 for licensing authorities to make referrals to the DBS. **A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS.** The power for the licensing authority to make a referral in this context arises from the undertaking of a safeguarding role. Further guidance has been provided by the [DBS](#).

- 4.15 The Department recommends that licensing authorities should make a referral to the DBS when it is thought that:

- an individual has harmed or poses a risk of harm to a child or vulnerable adult;
- an individual has satisfied the '[harm test](#)'; or
- received a caution or conviction for a relevant offence and;
- the person they are referring is, has or might in future be working in regulated activity;

if the above conditions are satisfied, the DBS may consider it appropriate for the person to be added to a barred list.

- 4.16 These referrals may result in the person being added to a barred list and enable other licensing authorities to consider this should further applications to other authorities be made. Further information on referrals to DBS is [available](#).

Working with the Police

- 4.17 The police are an invaluable source of intelligence when assessing whether a licensing applicant is a 'fit and proper' person. It is vital that licensing authorities have a partnership with the police service to ensure that appropriate information is shared as quickly as possible. As part of building an effective working relationship between the licensing authority and the police, **action taken by the licensing authority as a result of information received should be fed-back to the police.** Increasing the awareness among police forces of the value licensing authorities place on the information received, particularly on non-conviction intelligence, will assist furthering these relationships and reinforce the benefits of greater sharing of information.
- 4.18 This relationship can be mutually beneficial, assisting the police to prevent crime. The police can gain valuable intelligence from drivers and operators, for example, the identification of establishments that are selling alcohol to minors or drunks, or the frequent transportation of substance abusers to premises.
- 4.19 To aid further the quality of the information available to all parties that have a safeguarding duty, a revocation or refusal on public safety grounds should also be advised to the police.

Sharing licensing information with other licensing authorities

- 4.20 As has been stated elsewhere in this document, obtaining the fullest information minimises the doubt as to whether an applicant or licensee is 'fit and proper'. An obvious source of relevant information is any previous licensing history. **Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.** Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.
- 4.21 The LGA's Councillors' [Handbook on taxi and private hire vehicle licensing](#) advises that those responsible for licensing should "*communicate regularly with licensing committees and officers in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.*". While this approach may aid consistency and robustness in decision-making within regions, it has obvious inherent limitations as it is unlikely such protocols could be established between all licensing authorities. The LGA commissioned the National Anti-Fraud Network to develop a national register of taxi and private hire vehicle driver licence refusals and revocations (the register is known as 'NR3'). **Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.**

- 4.22 For these processes to be beneficial, all licensing authorities must keep a complete and accurate record as to the reasons for refusal, suspension or revocation of a licence in order that this might be shared if requested and appropriate to do so.
- 4.23 Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This includes taxi and private hire vehicle licensing. The exemption applies only to information processed for the core regulatory activities of appropriate organisations; it may not be used in a blanket manner. The exemption applies only to the extent that the application of the rights of data subjects to the information in question would be likely to prejudice the proper discharge of the regulatory functions. The Information Commissioner's Office has published [guidance](#) to assist organisations to fully understand their obligations and suggest good practice.
- 4.24 If notification under paragraph 4.20 or 4.21 of a refused or revoked licence is disclosed, the relevant licensing authority should be contacted to establish when the licence was refused, suspended or revoked and the reasons why. In those circumstances, the relevant licensing authority must consider whether it should disclose any information in relation to the previous decision, consistent with its obligations under data protection legislation. If information is disclosed, it can then be taken into account in determining the applicant's fitness to be licensed. The relevance of the reason for refusing/revoking a licence must be considered. For example, if any individual was refused a licence for failing a local knowledge test, it does not have any safeguarding implications. Conversely, a revocation or refusal connected to indecency would. Licensing authorities should not simply replicate a previous decision, authorities must consider each application on its own merits and with regard to its own policies.
- 4.25 Should a licensing authority receive information that a licence holder did not disclose the information referred to in paragraph 4.20, for example by checking the NR3 register, the authority should consider whether the non-disclosure represents dishonesty and should review whether the licence holder remains 'fit and proper'.

Multi-agency Safeguarding Hub (MASH)

- 4.26 Multi-Agency Safeguarding Hubs are a way to improve the safeguarding response for children and vulnerable adults through better information sharing and high quality and timely safeguarding responses. MASHs (or similar models) should operate on three common principles: information sharing, joint decision making and coordinated intervention.
- 4.27 The Home Office report on [Multi Agency Working and Information Sharing](#) recommended that effective multi-agency working still needs to become more widespread. The Children's Commissioner's 2013 [Inquiry into Child Sexual Exploitation in Gangs and Groups](#) found that both police and local authorities still identified the inability to share information as a key barrier to safeguarding children from sexual abuse and exploitation.

4.28 All licensing authorities should operate or establish a means to facilitate the objectives of a MASH (i.e. the sharing of necessary and relevant information between stakeholders). As has been emphasised throughout this document, one of the most effective ways to minimise the risk to children and vulnerable adults when using taxis and private hire vehicles is to ensure that decisions on licensing individuals are made with the fullest knowledge possible.

Complaints against licensees

4.29 Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence. **All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.** Such a system will help authorities to build a fuller picture of the potential risks an individual may pose and may tip the 'balance of probabilities' assessment that licensing authorities must take.

4.30 Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.

4.31 To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles. This is likely to result in additional work for the licensing authority but has the advantage of ensuring consistency in the handling of complaints. Currently, it is more likely that a complaint against a taxi driver would be made directly to the licensing authority whereas a complaint against a private hire vehicle driver is more likely to be made to the operator. An effective partnership in which operators can share concerns regarding drivers is also encouraged.

4.32 Importantly, this approach will assist in the directing of complaints and information regarding the behaviour of drivers who may be carrying a passenger outside of the area in which the driver is licensed to the authority that issued the licence. In order for this to be effective licensing authorities must ensure that drivers are aware of a requirement to display information on how to complain and take appropriate sanctions against those that do not comply with this requirement.

4.33 In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an 'independent witness' to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.12.

Overseas convictions

- 4.34 The DBS cannot access criminal records held overseas, only foreign convictions that are held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, a DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas; the same applies when an applicant has previously spent an extended period (three or more continuous months) outside the UK. It should however be noted that some countries will not provide an 'Certificate of Good Character' unless the individual has been resident for six months or more
- 4.35 Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character' from overseas in this circumstance to properly assess risk and support the decision-making process (. It is the character of the applicant as an adult that is of particular interest, therefore an extended period outside the UK before the age of 18 may be less relevant. As with all licensing decisions, each case must be considered on its own merits. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office [guidance](#).
- 4.36 Where an individual is aware that they have committed an offence overseas which may be equivalent to those listed in the annex to this document (Annex – Assessment of previous convictions), licensing authorities should advise the applicant to seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

5. Decision Making

Administration of the licensing framework

- 5.1 A policy is only effective if it is administered properly. The taxi and private hire vehicle licensing functions of local councils are non-executive functions i.e. they are functions of the council rather than the executive (such as the Cabinet). The functions include the determination of licence applications, reviews and renewals, along with the attachment of conditions when considered appropriate. The function may be delegated to a committee, a sub-committee or an officer – which should be set out within a clear scheme of delegation. In London the taxi and private hire vehicle licensing function is undertaken by Transport for London.
- 5.2 Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly.

Training decision makers

- 5.3 **All individuals that determine whether a licence is issued should be required to undertake sufficient training.** As a minimum, training for a member of a licensing committee should include: licensing procedures, natural justice, understanding the risks of CSAE, disability and equality awareness and the making of difficult and potentially controversial decisions. Training should not simply relate to procedures, but should include the use of case study material to provide context and real scenarios. All training should be formally recorded by the licensing authority and require a signature from the person that has received the training. Training is available from a number of organisations including the Institute of Licensing and Lawyers in Local Government; the LGA may also be able to assist in the development of training packages.
- 5.4 Public safety is the paramount consideration but the discharge of licensing functions must be undertaken in accordance with the following general principles:
- policies should be used as internal guidance, and should be supported by a member/officer code of conduct.
 - any implications of the Human Rights Act should be considered.
 - the rules of natural justice should be observed.
 - decisions must be reasonable and proportionate.
 - where a hearing is required it should be fairly conducted and allow for appropriate consideration of all relevant factors.
 - decision makers must avoid bias (or even the appearance of bias) and predetermination.
 - data protection legislation.

5.5 When a decision maker has a prejudicial interest in a case, whether it be financial or a personal relationship with those involved they should declare their interest at the earliest opportunity; this must be prior to any discussions or votes and, once declared, they must leave the room for the duration of the discussion or vote.

The regulatory structure

5.6 It is recommended that councils operate with a Regulatory Committee or Board that is convened at periodic intervals to determine licensing matters, with individual cases being considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board. This model is similar to that frequently adopted in relation to other licensing matters. To facilitate the effective discharge of the functions, less contentious matters can be delegated to appropriately authorised council officers via a transparent scheme of delegation.

5.7 It is considered that this approach also ensures the appropriate level of separation between decision makers and those that investigate complaints against licensees, and is the most effective method in allowing the discharge of the functions in accordance with the general principles referred to in 5.4. In particular, the Committee/Board model allows for:

- Each case to be considered on its own merits. It is rare for the same councillors to be involved in frequent hearings – therefore the councillors involved in the decision making process will have less knowledge of previous decisions and therefore are less likely to be influenced by them. Oversight and scrutiny can be provided in relation to the licensing service generally, which can provide independent and impartial oversight of the way that the functions are being discharged within the authority.
- Clear separation between investigator and the decision maker – this demonstrates independence, and ensures that senior officers can attempt to resolve disputes in relation to service actions without the perception that this involvement will affect their judgement in relation to decisions made at a later date.

5.8 Avoidance of bias or even the appearance of bias is vital to ensuring good decisions are made and instilling and/or maintaining confidence in the licensing regime by passengers and licensees.

5.9 Unlike officers, elected members are not usually involved in the day to day operation of the service and as such do not have relationships with licence holders that may give the impression that the discharge of a function is affected by the relationship between the decision maker and the licence holder.

5.10 Some licensing authorities may decide to operate a system whereby all matters are delegated to a panel of officers; however, this approach is not recommended and caution should be exercised. Decisions must be, and be seen to be, made objectively, avoiding any bias. In addition, it may be more difficult to demonstrate compliance with the principles referred to above due to the close

connection between the officers on the panel, and those involved in the operational discharge of the licensing functions.

- 5.11 Whether the structure proposed is introduced or an alternative model is more appropriate in local circumstances, the objective should remain the same - to separate the investigation of licensing concerns and the management of the licence process. Regardless of which approach is adopted, **all licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.** It is recommended that this role is delegated to a senior officer/manager with responsibility for the licensing service.

Fit and proper test

- 5.12 Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper 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 day or night?

- 5.13 If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.
- 5.14 Licensing authorities have to make difficult decisions but (subject to the points made in paragraph 5.4) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Criminal convictions and rehabilitation

- 5.15 In considering an individual's criminal record, licensing authorities must consider each case on its merits, but they should take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime. In order to achieve consistency, and to mitigate the risk of successful legal challenge, licensing authorities should have a clear policy for the consideration of criminal records. This should include, for example, which offences would prevent an applicant from being licenced regardless of the period elapsed in all but truly exceptional circumstances. In the case of lesser offences, a policy should consider the number of years the authority will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

- 5.16 Annexed to this document are the Department's recommendations on the assessment of previous convictions (Annex – Assessment of previous convictions). This draws on the work of the Institute of Licensing, in partnership with the LGA, the National Association of Licensing Enforcement Officers (NALEO) and Lawyers in Local Government, in publishing its guidance on determining the suitability of taxi and private hire vehicle licensees.
- 5.17 These periods should be taken as a starting point in considering whether a licence should be granted or renewed in all cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain a licence. Authorities are however reminded that applicants are entitled to a fair and impartial consideration of their application.

6. Driver Licensing

Criminality checks for drivers

- 6.1 Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants. The DfT's 2019 [survey of taxi and private hire vehicle licensing authorities](#) shows that all licensing authorities in England and Wales have a requirement that an enhanced DBS check is undertaken at first application or renewal.
- 6.2 All individuals applying for or renewing a taxi or private hire vehicle drivers licence licensing authorities should carry out a check of the children and adult Barred Lists in addition to being subject to an enhanced DBS check (in section x61 of the DBS application 'Other Workforce' should be entered in line 1 and 'Taxi Licensing' should be entered at line 2). All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.
- 6.3 Driving a taxi or private hire vehicle is not, in itself, a regulated activity for the purposes of the barred list. This means that an individual subject to barring would not be legally prevented from being a taxi or private hire vehicle driver but the licensing authority should take an individual's barred status into account alongside other information available. **In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.** Should a licensing authority consider there to be exceptional circumstances which means that, based on the balance of probabilities they consider an individual named on a barred list to be 'fit and proper', the reasons for reaching this conclusion should be recorded.
- 6.4 Drivers working under an arrangement to transport children may be working in 'regulated activity' as defined by the [Safeguarding Vulnerable Groups Act 2006](#). It is an offence to knowingly allow a barred individual to work in regulated activity. The [guidance on home-to-school travel and transport](#) issued by the Department for Education should be considered alongside this document. Please see [guidance](#) on driver DBS eligibility and how to apply.

Safeguarding awareness

- 6.5 Licensing authorities should consider the role that those in the taxi and private hire vehicle industry can play in spotting and reporting the abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults. However, this is only the case if they are aware of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger.

6.6 All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable; and
- understand how to respond, including how to report safeguarding concerns and where to get advice.

6.7 Since 2015, the Department for Education (DfE) has run a nationwide campaign – *‘Together, we can tackle child abuse’* which aims to increase public understanding of how to recognise the signs to spot and encourage them to report child abuse and neglect. The DfE continues to promote and raise awareness of the campaign materials through its [online toolkit](#), for local authorities, charities and organisations for use on their social media channels.

‘County lines’ exploitation

6.8 County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

6.9 Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to transport (and store) drugs and money between locations. Children aged between 15-17 make up the majority of the vulnerable people involved in county lines, but they may also be much younger. We know that both girls and boys are groomed and exploited and offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children exploited by county lines gangs may have vulnerabilities besides their age, such as broader mental health issues, disrupted or chaotic homes, substance misuse issues, being excluded from school or frequently going missing.

6.10 The National Crime Agency’s 2018 county lines threat assessment set out that the national road network is key to the transportation of county lines victims, drugs and cash; with hire vehicles being one of the methods used for transportation between locations.

6.11 Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation. Firstly, they should be aware of the following warning signs:

- Children and young people travelling in taxis or private hire vehicles alone;

- travelling at unusual hours (during school time, early in the morning or late at night);
- travelling long distances;
- unfamiliar with the local area or do not have a local accent;
- paying for journeys in cash or prepaid.

6.12 The Home Office is working with partners to raise awareness of county lines and has provided [material](#) to help taxi and private vehicle hire staff to identify victims and report concerns to protect those exploited through this criminal activity.

6.13 Drivers (or any person) should be aware of what to do if they believe a child or vulnerable person is at risk of harm. If the risk is immediate they should contact the police otherwise they should:

- use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority;
- call Crime Stoppers on 0800 555 111.

Language proficiency

6.14 A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

6.15 A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.

7. Vehicle Licensing

7.1 As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime.

Criminality checks for vehicle proprietors

7.2 Enhanced DBS and barred list checks are not available for vehicle licensing. **Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.

7.3 However, it is important that authorities acknowledge that in many cases individuals that license a vehicle may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking to licence a vehicle to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately.

7.4 A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

7.5 Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the ‘fit and proper’ test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.

7.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas so other checks must be considered where and applicant has lived or worked overseas (see paragraph 4.34 - 4.36).

In-vehicle visual and audio recording – CCTV

7.7 Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.

7.8 The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime;
- reducing the fear of crime;
- assisting the police in investigating incidents of crime;
- assisting insurance companies in investigating motor vehicle accidents.

7.9 All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

7.10 While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the [Crime Survey for England and Wales](#) only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.

7.11 The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.

7.12 CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or

drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

- 7.13 Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).

Stretched Limousines

- 7.14 Licensing authorities are sometimes asked to license small (those constructed or adapted to carry fewer than nine passengers) limousines as private hire vehicles, these vehicles may be used for transport to 'school proms' as well as for adult bookings. It is suggested that licensing authorities should approach such requests on the basis that these vehicles – where they have fewer than nine passenger seats - have a legitimate role to play in the private hire trade, meeting a public demand. It is the Department's view that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle thereby excluding these services from the scope of the private hire vehicle regime and the safety benefits this provides. A blanket policy of excluding limousines may create an unacceptable risk to the travelling public, as it may lead to higher levels of unsupervised operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators.
- 7.15 Stretched large limousines which clearly seat more than eight passengers should not be licensed as private hire vehicles because they are outside the licensing regime for private hire vehicles. However, in some circumstances a vehicle with space for more than eight passengers can be licensed as a private hire vehicle where the precise number of passenger seats is hard to determine. In these circumstances, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than eight passengers, bearing in mind that refusal may encourage illegal private hire operation.

8. Private Hire Vehicle Operator Licensing

8.1 As with driver licensing, the objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those that are granted a private hire vehicle operator licence also pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the driver licensing regime.

Criminality checks for private hire vehicle operators

8.2 Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. **Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the 'fit and proper' threshold.

8.3 However, it is important that authorities acknowledge that in many cases individuals that license as a private hire vehicle operator may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking a private hire vehicle operator licence to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately

8.4 Refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence; this decision must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

8.5 A private hire vehicle operator licence may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective

private hire vehicle operators should be required to advise the licensing authority of any change in directors or partners.

- 8.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas. Further information on assessing the suitability of those that have spent extended periods in overseas is provided in paragraphs 4.34 - 4.36.

Booking and dispatch staff

- 8.7 Private hire vehicle drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff, for example a person taking bookings (be it by phone or in person). A vehicle dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults.
- 8.8 Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. **Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.**
- 8.9 Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a '[responsible organisation](#)' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.
- 8.10 The register should be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.
- 8.11 Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

8.12 Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

Record keeping

8.13 Section 56 of the [Local Government \(Miscellaneous Provisions\) Act 1976](#) requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. **Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking:**

- the name of the passenger;
- the time of the request;
- the pick-up point;
- the destination;
- the name of the driver;
- the driver's licence number;
- the vehicle registration number of the vehicle;
- the name of any individual that responded to the booking request;
- the name of any individual that dispatched the vehicle.

8.14 This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that booking records should be retained for a minimum of six months.

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

Use of passenger carrying vehicles (PCV) licensed drivers

8.16 PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. **The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such**

as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

- 8.17 Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a PSV is necessary, and that a PCV licenced driver will be used who is subject to different checks and not required to have an enhanced DBS check.

9. Enforcing the Licensing Regime

9.1 Implementing an effective framework for licensing authorities to ensure that as full a range of information made available to suitably trained decision makers that are supported by well-resourced officials is essential to a well-functioning taxi and private hire vehicle sector. These steps will help prevent the licensing of those that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.

Joint authorisation of enforcement officers

9.2 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. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence. This will mitigate the opportunities for drivers to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the [LGA Councillors' handbook](#).

Setting expectations and monitoring

9.3 Licensing authorities should ensure that drivers are aware of the policies that they must adhere and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.

9.4 The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity (see paragraphs 4.29 - 4.33). This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Suspension and revocation of driver licences

9.5 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides a licensing authority with the ability to suspend or revoke a driver's licence on the following grounds: -

(a) that he has since the grant of the licence—

- (i) been convicted of an offence involving dishonesty, indecency or violence; or
- (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
- (aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or
- (b) any other reasonable cause

9.6 Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. [Guidance for licensing authorities](#) to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.

9.7 Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.

9.8 A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.

9.9 New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.

9.10 A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

Annex – Assessment of Previous Convictions

Legislation specifically identifies offences involving dishonesty, indecency or violence as a concern when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence. The following recommendations to licensing authorities on previous convictions reflect this.

Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application. Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.

Crimes resulting in death

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

Exploitation

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

Offences involving violence against the person

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

Possession of a weapon

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

Sexual offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Dishonesty

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

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Discrimination

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

Motoring convictions

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

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

Drink driving/driving under the influence of drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Using a hand-held device whilst driving

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

Annex – Disclosure and Barring Service information

Table 1: Information included in criminal record checks

Information included	Type of check			
	Basic check	Standard DBS check	Enhanced DBS check	Enhanced DBS (including barred list) check
Unspent convictions	Yes	Yes	Yes	Yes
Unspent cautions ¹	Yes	Yes	Yes	Yes
Spent convictions ²	No	Yes	Yes	Yes
Spent cautions ^{1 & 2}	No	Yes	Yes	Yes
Additional police Information ³	No	No	Yes	Yes
Barred list(s) Information ⁴	No	No	No	Yes

1. Does not include fixed penalty notices, penalty notices for disorder or any other police or other out-of-court disposals.
2. Spent convictions and cautions that have become protected under the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, as amended, are not automatically disclosed on any level of certificate. Further guidance is available [the DBS filtering guide](#).
3. This is any additional information held by the police which a chief police officer reasonably believes to be relevant and considers ought to be disclosed.
4. This is information as to whether the individual concerned is included in the children's or adults' barred lists maintained by the Disclosure and Barring Service (DBS).

Annex – CCTV Guidance

It is important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data – the data controller. It is important that data controllers fully consider concerns regarding privacy and licensing authorities should consider how systems are configured, should they mandate CCTV (with or without audio recording). For example, vehicles may not be exclusively used for business, also serving as a car for personal use - it should therefore be possible to manually switch the system off (both audio and visual recording) when not being used for hire. Authorities should consider the Information Commissioner's view on this matter that, in most cases, a requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

The Home Office '[Surveillance Camera Code of Practice](#)' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and;
- compliant with any relevant legal obligations

The Code also sets out 12 guiding principles which, as a 'relevant authority' under section 33(5) of the [Protection of Freedoms Act 2012](#), licensing authorities must have regard to. It must be noted that, where a licence is granted subject to CCTV system conditions, the licensing authority assumes the role and responsibility of 'System Operator'. The role requires consideration of all guiding principles in this code. The failure to comply with these principles may be detrimental to the use of CCTV evidence in court as this may be raised within disclosure to the Crown Prosecution Service and may be taken into account.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its '[Passport to Compliance](#)' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a [code of practice](#) which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a [self-assessment tool](#) to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a [certification scheme](#); authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The [Data Protection Act 2018](#) regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Licensing authorities, as data controllers, must comply with all relevant aspects of data protection law. Particular attention should be paid to the rights of individuals which include the right to be informed, of access

and to erasure. The ICO has provided detailed [guidance](#) on how data controllers can ensure compliance with these.

It is a further requirement of data protection law that before implementing a proposal that is likely to result in a high risk to the rights and freedoms of people, an impact assessment on the protection of personal data shall be carried out. The ICO recommends in [guidance](#) that if there is any doubt as to whether a Data Protection Impact Assessment (DPIA) is required one should be conducted to ensure compliance and encourage best practice. A DPIA will also help to assess properly the anticipated benefits of installing CCTV (to passengers and drivers) and the associated privacy risks; these risks might be mitigated by having appropriate privacy information and signage, secure storage and access controls, retention policies, training for staff how to use the system, etc.

It is essential to ensure that all recordings made are secure and can only be accessed by those with legitimate grounds to do so. This would normally be the police if investigating an alleged crime or the licensing authority if investigating a complaint or data access request. Encryption of the recording to which the licensing authority, acting as the data controller, holds the key, mitigates this issue and protects against theft of the vehicle or device. It is one of the guiding principles of data protection legislation, that personal data (including in this context, CCTV recordings and other potentially sensitive passenger information) is handled securely in a way that 'ensures appropriate security', including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

Annex - Staying Safe: Guidance for Passengers

Licensing authorities should provide guidance to assist passengers in identifying licensed vehicles and the increased risks of using unlicensed vehicles. The guidance might include advice on:

- how to tell if a taxi or private hire vehicle is licensed.

Educate the public in the differences between taxis and private hire vehicles e.g.:

- a taxi can be flagged down or pre-booked.
- a private hire vehicle that has not been pre-booked should not be used as it will not be insured and may not be licensed.
- what a private hire vehicle should look like e.g. colour, signage, licence plates etc.
- the benefit of pre-booking a return vehicle before going out.
- arrange to be picked up from a safe meeting point.
- requesting at the time of booking what the fare is likely to be.

When using a private hire vehicle, passengers should always:

- book with a licensed operator.
- confirm their booking with the driver when s/he arrives.
- note the licence number.
- sit in the back, behind the driver.
- let a third party know details of their journey.

When using a taxi, passengers should where possible:

- use a taxi rank and choose one staffed by taxi marshals if available.



LICENSING COMMITTEE

Monday, 17 January 2022

Subject	ISSUED LICENCES IN EAST SUFFOLK AND AN OVERVIEW OF THE WORK OF THE LICENSING SUB-COMMITTEES OCTOBER - DECEMBER 2021
Report by	Councillor Mary Rudd – Cabinet Member with responsibility for Community Safety
Supporting Officer	Martin Clarke Licensing Manager and Housing Lead Lawyer 01502 523226 Martin.clarke@east Suffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

This report provides an overview of the current number and type of licences issued by East Suffolk Council. The report also summarises the applications received and the work of the Licensing Sub-Committees from October to December 2021.

Options:

Not applicable. This is an update report for noting.

Recommendation/s:

That the Committee:

- 1) Notes the overview of the work of the Licensing Team and the Licensing Sub-committees during the fourth quarter of 2021.

Corporate Impact Assessment

Governance:

Licensing is a Council function exercised by Licensing Committee and Licensing Sub-Committees.

ESC policies and strategies that directly apply to the proposal:

Not applicable. This is an update report for noting.

Environmental:

Not applicable. This is an update report for noting.

Equalities and Diversity:

Not applicable. This is an update report for noting.

Financial:

Not applicable. This is an update report for noting.

Human Resources:

Not applicable. This is an update report for noting.

ICT:

Not applicable. This is an update report for noting.

Legal: Not applicable. This is an update report for noting.
Risk: Not applicable. This is an update report for noting.

External Consultees:	Not applicable. This is an update report for noting.
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>

T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected?			
Not applicable. This is an update report for noting.			

Background and Justification for Recommendation

1 Background facts				
1.1	Applications determined during October -December 2021			
Premises and type of application	Address	Hearing / Mediated	Date of Hearing	Outcome and date of issue
The Old Dairy NEW WPREM2569	111 Bridge Road, Oulton Broad, Lowestoft, NR33 9JU	None	N/A	Cons end 21.6.21 Issued 7.10.21
Skye Lounge NEW PREM2225	55-57 Undercliff Road West, Felixstowe, IP11 2AD	Yes	5.10.21	Cons end 13.9.21 Issued 7.10.21
Bungay Community Centre NEW WPREM2571	Old Grammar Lane, Bungay, NR35 1PU	Yes	21.10.21	Cons end 30.9.21 Granted at hearing. Issued 22.10.21
Co-op VARIATION WPREM2078	2 Market Place, Southwold, IP18 6EE	None	N/A	Cons end 1.10.21 Issued 5.10.21
Seckford Hills NEW -No Alcohol PREM2226	Seckford Road, Great Bealings, IP13 6NU	None	N/A	Cons end 8.10.21 Issued 13.10.21
Central VARIATION WPREM2534	Unit 8 18-32 Station Square, Lowestoft, NR32 1BA	None	N/A	Cons end 12.10.21 Issued 17.10.21

Next NEW PREM2227	Unit 1-3 Beardmore Park, Martlesham Heath, IP5 3RX	None	N/A	Cons end 15.10.21 Issued 17.10.21
Crown Lounge NEW WPREM2570	10 Bevan Street East, Lowestoft, NR32 2AA	None	N/A	Cons end 18.10.21 Issued 19.10.21
Central England Co- operative SURRENDER WPREM2081	57 Westwood Avenue, Lowestoft, NR33 9RW	N/A	N/A	Surrendered 21.9.21 Completed 20.10.21
Saltpeter Wines & New Street VARIATION PREM2193	72 New Street, Woodbridge, IP12 1DX	None	N/A	Cons end 29.10.21 Issued 5.11.21
Saltwater Fish & Chips VARIATION PREM2186	The Forum, Sea Road, Felixstowe, IP11 2QN	None	N/A	Cons end 1.11.21 Issued 09.11.21
Sole Bay Inn SUMMARY REVIEW WPREM2344	7 East Green, Southwold, IP18 6JN	None	12.11.21	Interim – 20.10.21 Hearing – 12.11.21 Issued 6.12.21
The Wood Yard NEW	Unit 3a Deben Wharf, Whisstocks Boat Yard, Ferry Quay, Woodbridge, IP12 1FP	Yes	14.1.22	Cons end 16.11.21 Hearing 14.1.22
TK Stores NEW WPREM2575	39 London Road North, Lowestoft, NR32 1BH	None	N/A	Cons end 16.11.21 Resubmission Cons end 16.12.21 Issued 17.12.21
The Old Bank Tea Rooms NEW WPREM2572	8 Market Place, Bungay, NR35 1AR	None	N/A	Cons end 17.11.21 Issued 23.11.21
Grange Fish Bar NEW PREM2232	1 & 2 Ropes Drive, Kesgrave, Ipswich, IP5 2ET	None	N/A	Cons end 17.11.21 Resubmission Cons end 20.12.21 Issued 21.12.21

Nisa Local Coop NEW WPREM2573	123 Bridge Road, Oulton Broad, NR33 9JU	None	N/A	Cons end 18.11.21 Issued 1.12.21
Angela Cobbold Hall NEW PREM2228	The Street, Little Bealings, Woodbridge, IP13 6LN	None	N/A	Cons end 22.11.21 Issued 23.11.21
Aldi VARIATION WPREM2004	Millennium Way, Lowestoft, NR32 4GG	Yes	N/A	Cons end 23.11.21 Withdrawn 16.12.21
Gunhill Beach Kiosk NEW WPREM2574	Promenade, Ferry Road, Southwold, IP18 6HF	None	N/A	Cons end 30.11.21 Issued 1.12.21
Fieldy's REVIEW WPREM2446	72 Love Road, Lowestoft, NR32 3NZ	Yes	6.1.22	Cons end 6.12.21 Hearing 6.1.22
Yoxford Rocket SURRENDER PREM0591	Blythburgh House High Street, Yoxford, Saxmundham, IP17 3EU	N/A	N/A	Surrendered 21.11.21 Completed 9.12.21
J.J's NEW PREM2229	17 The Thoroughfare, Woodbridge, IP12 1AA	None	N/A	Cons end 15.12.21 Issued 17.12.21
Saxon Brewery Co NEW PREM2231	Unit j Bristol Court, Betts Avenue, Martlesham Industrial Estate, Martlesham, IP5 3RY	None	N/A	Cons end 16.12.21 Issued 20.12.21
Delphine's Diner NEW PREM2230	78 High Street, Aldeburgh, IP15 5AB	None	N/A	Cons end 16.12.21 Issued 17.12.21
Broadlands Sands Holiday Park Variation WGAM0001 – Bingo Prem Licence	Coast Road, Corton, Lowestoft, NR32 5LQ			Cons end 30.12.21
Broadlands Sands Holiday Park Variation WPREM2047	Coast Road, Corton, Lowestoft, NR32 5LQ			Cons end 31.12.21
St Michaels Church NEW	New Market, Beccles, NR34 9HD			Cons end 31.12.21

Ninedeli VARIATION WPREM2542	9 Pinkneys Lane, Southwold, IP18 6EW			Cons end 6.1.22
The Little Wine Bar NEW	2228 High Street, Walton, Felixstowe, IP11 9DS			Cons end 14.1.22
Prince of Bengal SURRENDER PREM0380	14 High Street, Saxmundham, IP17 1DD	N/A	N/A	Surrendered 22.12.21
1.2	<p>Appeals to Magistrates Court</p> <p>There are currently no appeals to the Magistrates Court.</p>			
1.3	<p>28 day consultation period has passed, and application is still to be determined</p> <p>There are currently two applications waiting to be considered by the Licensing Sub-committee:</p> <p>Review of Premises Licence for Fieldy's, Lowestoft – the hearing is on 6 January 2022.</p> <p>New Premises Licence for The Wood Yard, Woodbridge – the hearing is on 14 January 2022.</p>			
1.4	<p>In consultation</p> <p>Variation of Premises Licence – Ninedeli, Southwold. Consultation period ends on 6 January 2022.</p> <p>New Premises Licence – The Little Wine Bar, Walton. Consultation period ends on 14 January 2022.</p>			
1.5	<p>There have been 4 Sub-committee hearings regarding licensed or gambling premises, or personal licences during the period October to December 2021:</p> <p>05/10/2021 – 55-57 Undercliff Road West, Felixstowe – new application</p> <p>21/10/2021 – Bungay Community Centre – new application</p> <p>12/11/2021 – Sole Bay Inn, Southwold - summary review</p> <p>16/11/2021 – Personal licence – new application</p>			

2 Current position

2.1	<p>Licensing Act Premises</p> <p>On the 30 September 2021 there were 1028 Premises Licences and 883 of these include alcohol on the licence.</p> <p>There were 65 Club Premises Licences.</p> <p>15 new Premises Licences were granted between 1 October 2021 and 31 December 2021.</p> <p>2 Premises Licences were surrendered.</p> <p>No Club Premises Certificates were surrendered.</p> <p>On 31 December 2021 there were 1041 Premises Licences and 895 of these include alcohol on the licence.</p> <p>There are 65 Club Premises Licences.</p> <p>In summary, on 1 October 2021 there were 1093 Premises Licences and Club Premises Licences, and on 31 December 2021, there were 1106.</p>
2.2	<p>Gambling Act Premises</p> <p>On 30 September 2021 there were 38 Gambling Premises licences in total.</p> <p>One application to vary an existing Bingo Premises Licence was received on 3 December 2021. The consultation period ended on the 30 December 2021.</p> <p>On 31 December 2021 there were 38 Gambling Premises Licences in total.</p> <p>There were 10 Bingo Premises Licences.</p> <p>There were 11 Adult Gaming Centre Premises Licences.</p> <p>There was 1 Family Entertainment Centre Premises Licence.</p> <p>There was 1 Betting Premises Licence (in respect of a track)</p> <p>There were 15 Betting Premises licences (in respect of a premises other than a track).</p>
2.3	<p>Taxi and Private Hire Licences</p> <p>On 30 September 2021, East Suffolk Council licensed:</p> <p>98 hackney carriage vehicles and 196 hackney carriage/private drivers 312 private hire vehicles and 307 private hire drivers 78 private hire operators</p> <p>On 31 December 2021, there were:</p> <p>73 hackney carriage vehicles and 194 hackney carriage/private drivers 350 private hire vehicles and 321 private hire drivers 81 private hire operators</p>

	<p>Since the last Licensing Committee in October 2021, the taxi and private hire licence activity is as follows: October to December 2021</p> <table border="1"> <thead> <tr> <th><u>Type of Licence</u></th> <th><u>Renewed</u></th> <th><u>Did not renew</u></th> <th><u>New</u></th> <th><u>Change of Veh</u></th> </tr> </thead> <tbody> <tr> <td>Private Hire Vehicle</td> <td>71</td> <td>6</td> <td>25</td> <td>8</td> </tr> <tr> <td>Hackney Carriage</td> <td>15</td> <td>1</td> <td>1</td> <td>5</td> </tr> <tr> <td>Private Hire Driver</td> <td>17</td> <td>4</td> <td>30</td> <td>n/a</td> </tr> <tr> <td>Hackney Carriage Driver</td> <td>9</td> <td>1</td> <td>1</td> <td>n/a</td> </tr> <tr> <td>Private Hire Operator</td> <td>1</td> <td>0</td> <td>3</td> <td>n/a</td> </tr> <tr> <td>Rickshaws</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p>There are currently 25 new applications for drivers in progress.</p>	<u>Type of Licence</u>	<u>Renewed</u>	<u>Did not renew</u>	<u>New</u>	<u>Change of Veh</u>	Private Hire Vehicle	71	6	25	8	Hackney Carriage	15	1	1	5	Private Hire Driver	17	4	30	n/a	Hackney Carriage Driver	9	1	1	n/a	Private Hire Operator	1	0	3	n/a	Rickshaws	0	0	0	0
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2.4	<p>There have been 3 Sub-Committee hearings regarding a taxi/private hire licences during the period October to December 2021:</p> <p>13/10/2021 – Private Hire Driver – new application</p> <p>25/10/2021 – Private Hire Driver – review of existing licence</p> <p>15/11/2021 – Private Hire Driver – new application</p>																																			

3 How to address current situation

3.1 Not applicable. This is an update report for noting.

4 Reason/s for recommendation

4.1 To keep Licensing Committee members updated as to the work of the Licensing Sub-Committee and Licensing Services.

Appendices

Appendices:

None

Background reference papers:

Date	Type	Available From
	None	