

East Dorset District Council - Hackney Carriage & Private Hire Licences COUNCIL POLICIES AND CONDITIONS



PREAMBLE

PURPOSE AND SCOPE

The purpose of this booklet is twofold:

- To clearly state the standards required to be issued with hackney carriage and private hire licences by East Dorset District Council;
- To clearly state the law, conditions, and standards attached to the issue of a licence.
- **Part 1** explains how to submit applications for licences.
- **Part 2** sets out the law and conditions attached to licences.

APPLICANTS

Applicants for new, renewed, and transferred licences should read and follow the procedures set out in Part 1 carefully. Failure to submit all the necessary documents may delay the consideration of your application.

LICENSEES

All licensees have been placed in a position of trust and have a responsibility to ensure the public are transported in a safe, comfortable and efficient manner. These responsibilities cover driver behaviour and vehicle and service reliability.

Part 2 sets out rules for licensees that, if complied with, should ensure the above aims are achieved. All of the rules are legally binding on licensees, and breach of those standards may result in prosecution and/or loss of licence.

It is important therefore that all licensees make it their duty to know the conditions and law governing their profession.

COUNCIL OFFICES

Correspondence should be addressed to:

Licensing team, Dorset Council, PO Box 9148, Christchurch, BH23 9JQ

Email enquiries should be sent to licensingteamc@dorsetcouncil.gov.uk

Please telephone to confirm the officers' availability before attending the offices.

Telephone: **01202 795133**

Index

PREAMBLE	1
PURPOSE AND SCOPE	1
APPLICANTS	1
LICENSEES	1
COUNCIL OFFICES	1
PART 1 – Application Process	
1 Introduction	4
2 Legislation	4
3 Licences Required	4
4 General Law	5
4.1 Vehicle Licences	5
4.10 Drivers Licences.....	5
4.13 Operator Licences	6
4.19 Taxi Ranks.....	6
5 Application Fees	7
6 Drivers Licences – Processing an Application	8
6.1 General.....	8
6.9 Application Form	9
6.15 Disclosure and Barring Service Application	9
6.22 Current Driving Licence.....	10
6.25 Medical Examination Form	10
6.31 One Passport Sized Coloured Photograph	10
6.33 Topographical Knowledge/Conditions and Law Test – General.....	10
6.44 Knowledge and Regulations Test (Kart Certificate)	11
6.52 Driving Improvement Course.....	12
6.64 Versant English Language Test	13
6.74 Proof of Right to Work.....	13
6.83 Driver Licence Renewal	14
7 Vehicle Licences – Processing an Application	14
7.1 General.....	14
7.3 Application Form	14
7.6 Council’s Mechanical Test Certificate.....	15
7.15 Vehicle Registration Document	15

7.17	Certificate of Insurance	15
7.21	Age of Vehicles.....	16
7.24	Type of Vehicle	16
7.27	Taxi-Meters.....	16
7.31	Roof Signs/Wording on Vehicles/Plates/Plate Exemption	16
7.40	Planning Permission	17
7.42	Vehicle Licence Renewals.....	17
8	Operators Licences – Processing an Application	18
8.1	General.....	18
8.6	Application Form	18
8.10	Operator Renewals	18
9	Decision Making Process – All Licences	19
9.1	General.....	19
9.5	Licensing Sub-Committee.....	19
9.10	Refusal of Licences – Right of Appeal	19
 PART 2 – Conditions of Licences		
1	Introduction.....	20
2	The Law and Guidelines Relating to Hackney Carriage Drivers	20
2.18	All Ranks.....	23
2.22	Wimborne – Feeder Rank Systems.....	24
2.23	Ferndown – Feeder Rank Systems	24
3	Conditions Attached to Private Hire Vehicle Driver Licences (Section 51 (2)LGMPA)	24
4	Conditions Attached to Hackney Carriage And Private Hire Vehicle Licences (Sections 47 (1) and 48(2) LGMPA)	26
5	Conditions Attached to Vehicle Operator Licences (Section 55(3) LGMPA)	28
5.1	General.....	28
5.10	Records.....	29
5.15	Standard of Service.....	29
5.17	Operators – Complaints	29
5.19	Operators – Convictions.....	30
6	Suspensions and Revocations – All Licences	30
	Documents to establish eligibility to work in the UK	31
	Annexe A - Documents to establish eligibility to work in the UK	31
	Annexe B - Safeguarding, Disability and Dementia Awareness	34

PART 1 - Application Process

Council's policies with regard to the consideration of applications

1 Introduction

- 1.1 On 22nd December 1986 the East Dorset District Council resolved that pursuant to Article 7 of the Transport Act 1985 (Commencement No. 6) Order 1986, and pursuant to Section 45 of the Local Government (Miscellaneous Provisions) Act 1976, the Council do bring into force in the East Dorset District with effect from 1st April 1987 Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.2 Article 2 and Schedule 2 of the Transport Act 1985 (Commencement No. 6) Order 1986 brought into force in the East Dorset District Section 15 of the Transport Act 1985 relating to the licensing of hackney carriages and drivers.
- 1.3 The Council has had regard to the advice issued by the Department of Transport in Circular 8/86 dated 17th November 1986, copies of which may be obtained by HMSO, that any licensing arrangements should not be extensive or burdensome.
- 1.4 The Transport Act 1985 allows Councils to adopt a policy of derestricting the number of hackney carriage licences that it issues, without considering the question of demand. The Council follows this policy and therefore there is no numerical ceiling to the number of licences issued.
- 1.5 The Council is committed to ensuring equality for all applicants and as such retains the discretion to make alternative arrangements as individual circumstances may require.

2 Legislation

- 2.1 Where relevant, the source of the law is given in an abbreviation form, viz:
- 2.2 Town Police Clauses Act 1847 (TPCA)
- 2.3 Local Government (Miscellaneous Provisions) Act 1976 (LGMPA)
- 2.4 Transport Act 1985 (TA)

3 Licences Required

- 3.1 There are 5 types of licences governing the hackney carriage and private hire trade:
 - i. Hackney carriage licences;
 - ii. Private hire vehicle licences;
 - iii. Hackney carriage driver licences;
 - iv. Private hire vehicle driver licences;
 - v. Private Hire Vehicle operator licences.

The main purpose of all the above licences is to protect the public.

- 3.2 Vehicle licences are granted for 1 year, driver licences for 3 years and operator licences for 5 years, unless the Council imposes lesser periods as it considers appropriate in the circumstances of specific cases.

4 General Law

4.1 Vehicle Licences

- 4.2 A vehicle adapted to carry more than eight passengers that is used for hire and reward is a public service vehicle and consequently hackney carriages and private hire vehicles may have no more than eight passenger seats.
- 4.3 Once a vehicle has been licensed as a hackney carriage or private hire vehicle, the vehicle is legally classified as a licensed vehicle at all times, even if only used for private purposes. Therefore, the only persons able to drive licensed vehicles at any time are those in possession of a private hire or hackney carriage driver's licence.
- 4.4 All East Dorset licensed vehicles must operate wholly or mainly in the East Dorset District and not in adjoining Districts.
- 4.5 Private hire vehicles may not ply for hire on ranks or be hailed in a street. They may only respond to a booking following a pre-arranged contract, most commonly via the telephone.
- 4.6 Hackney carriages may ply for hire on an East Dorset rank and be hailed on an East Dorset street. They may not, however, ply for hire or be hailed in a street whilst within another District.
- 4.7 Hackney carriages, subject to restrictions (see Part 2, Paragraph 2.6) may respond to private hire bookings as well as plying for hire. However, Hackney carriages must be used to ply for hire and shall not be used predominantly for private hire purposes outside of East Dorset. Further, information, in addition to the requirements laid down in this Part of the policy may be required from applicants on this particular point.
- 4.8 The Council will grant a private hire vehicle licence to a vehicle already licensed by another Authority, subject to all requirements being met. However, such 'dual plating' is not permitted for hackney carriages.
- 4.9 'Dual plated' private hire vehicles would receive bookings from operators licensed by the authorities granting the vehicles licences. Whichever Authority's licensed operator accepted a booking would dictate which vehicle licence was in force for the duration of that journey, and shall only be driven by drivers from that same Authority.

4.10 Drivers Licences

- 4.11 A driver licensed by East Dorset District Council may drive for any East Dorset licensed Operator. Hackney carriage drivers may drive both hackney carriages and private hire vehicles. Private hire drivers may only drive private hire vehicles.
- 4.12 An East Dorset driver's licence does not permit licensees to drive vehicles licensed by other Local Authorities, to whom separate permission must be sought for such licences.

4.13 Operator Licences

- 4.14 An East Dorset Operator may only operate East Dorset licensed vehicles and drivers.
- 4.15 The operator licence controls the standard of service supplied by the company, as opposed to the behaviour of drivers, or fitness of vehicles etc.
- 4.16 A licensed East Dorset operator may arrange for other licensed operators to undertake the booking, by way of a sub-contract, whether licensed by the same authority or another.
- 4.17 However, in the case explained in 4.16 above, the East Dorset operator is legally responsible for ensuring that only licensed vehicles and drivers are used in response to any bookings so sub-contracted.
- 4.18 An East Dorset licensed private hire operator shall not be permitted to hold an operators licence issued by another Licensing Authority for the same premises unless all the following apply:
- i Different telephone numbers must be used for each operator licence;
 - ii Separate records for each operator licence shall be kept in accordance with condition 5.12 of Part 2;
 - iii Only drivers and vehicles licensed with the same authority as the operator undertaking the booking may be used to undertake the journey.

4.19 Taxi Ranks

- 4.20 Hackney carriage drivers may not ply for hire in public parking spaces. The Council has therefore introduced the following taxi ranks in its District from which hackney carriages may work:
- i. West Borough, Wimborne - 3 spaces
 - ii. High Street, Wimborne - 2 spaces
 - iii. East Street, Wimborne - 3 spaces (after 8pm)
 - iv. Outside Quarterjack Surgery, Leigh Road, Wimborne - 2 spaces
 - v. Victoria Road, Ferndown - 3 spaces
 - vi. Spinneys Lane, Ferndown - 3 spaces
 - vii. Princes Road, Ferndown - 2 spaces

5 Application Fees

5.1 Licence Fees

Licence	Fees from 1st Oct 2015
Vehicle Licence Issue (1 year licence)	340
Vehicle Licence Renewal (1 year licence)	130
Driver Licence Issue (3 year licence)	162
Driver Licence Renewal (3 year licence)	162
Operators Licence Issue (5 year licence)	216
Operator Licence Renewal (5 year licence)	216
Replacement ID card	10.50
Replacement vehicle plate	20
Vehicle Test Fee	63
English Language Test	30
KART Re-Test Fee (Initial test included in application fee)	21
Transfer of Ownership / Change of Vehicle (permanent)	50
Temporary Plate	15

5.2 All applicants for any licence should note that the fees are payable on application and requests for refunds will be considered on their own merits based upon the individual circumstances.

However, licensees surrendering a licence for reasons other than on medical grounds are unlikely to be refunded, as administrative costs would already have been incurred.

5.3 These fees have been fixed in accordance with Section 35 of the Transport Act 1981 which provides that the District Council may recover in the form of licensing fees the reasonable administrative and other costs incurred in connection with the licensing, control and supervision of hackney carriages and private hire vehicles.

6 Drivers Licences - Processing an Application

6.1 General

- 6.2 Before an application for a drivers licence can be considered, the following must be submitted:
- i Duly completed application form.
 - ii Disclosure and Barring Certificate
 - iii Current Driving Licence.
 - iv Medical Certificate.
 - v One passport size and type, colour photograph.
 - vi KART Certificate (See paragraph 6.42)
 - vii VERSANT English Language Test Pass (Hackney Applicants Only) (See Paragraph 6.61)
 - viii A Driver Improvement Scheme Certificate or DSA certificate.
 - ix Proof of Right to Work (see paragraph 6.71)
 - x The fee made payable to East Dorset District Council.
- 6.3 Applicants for driver licences must be 'fit and proper persons', at least 21 years of age who have held a full UK or European driving licence for at least 12 months.
- 6.4 The test of what constitutes a 'fit and proper person' is not a straight forward one as each application must be considered on its own merits taking into account individual circumstances. Therefore, the possession of a criminal record would not automatically be a bar from being granted a licence.
- 6.5 The processing of an application requires the collation of information on an applicant's character and physical fitness to be placed in a position of trust with members of the public.
- 6.6 At the end of the application process, the Council must be 'satisfied' that an applicant is a 'fit and proper person' before a licence may be issued.
- 6.7 If the information provided by the applicant is inadequate, or raises doubts as to their fitness to the point that the Council remains unsure about an application, a licence may not be issued.
- 6.8 The onus is therefore on the applicant to provide whatever information, in addition to the items listed in paragraph 6.2 above, that they feel may help satisfy the Council of their 'fitness'.

6.9 Application Form

- 6.10 All applicants must read and understand this booklet and sign to that effect at the bottom of the driver's application form. If you have any questions please contact the Licensing Officer.
- 6.11 Every question must be answered on the form before it can be accepted.
- 6.12 The appropriate fee must accompany each application.
- 6.13 Pending applications shall be kept for a rolling period of 12 months. If by the end of this period there is no contact from the applicant, or the application remains incomplete, it will be discarded, and persons will need to re-apply.
- 6.14 If, however, an application has been delayed for exceptional reasons, the licensing authority may keep the application beyond the 12 month period.

6.15 Disclosure and Barring Service Application (DBS)

- 6.16 The Council requires new applicants to obtain a certificate from the DBS before applications may be considered.
- 6.17 Subsequent certificates will be required by all licensees every 3 years from the date of the disclosure certificate.
- 6.18 If applicants have obtained certificates from the DBS for other purposes, the Council accepts those Disclosures for up to 6 months from the date of the search, subject to consultation with the initiating Registered Body.
- 6.19 If you have an Enhanced DBS Certificate dated within the last 6 months, please arrange for the original certificate to be viewed and copied at the Christchurch Civic Offices Customer Services Desk, or at East Dorset District Council, Allenview House, Allenview Road, Wimborne.

If there is data on your updated Certificate that you wish to be kept confidential, please make an appointment with a Licensing Officer who will deal with you direct.

If you do not have an Enhanced DBS Certificate you need to arrange to obtain one and submit as part of your application.

The Council is not authorised to process DBS applications. Instead, certificates can be obtained on line at <https://gbg.onlinedisclosures.co.uk>

If you are not already registered with GBG, you will need to click on the 'Register' button on that page. You will then be able to log in and follow the on-line procedure. When prompted, you will need to enter the Council's 'PIN' and 'Secret Word' which is as follows:- PIN 153205, Secret Word – Driver31

As part of the on-line process, you will need to print a page to take to a post office which is authorised to verify your selected documents. A list is on the web site, but participating Post Offices in Dorset are at Westbourne, Blandford, and Dorchester.

When taking your documents, and printed form, to the Post Office you will need to pay a fee (currently £60.80). The Council does not take the fee.

If you need help with the process, please contact GBG, not the Council, :-
Phone support - 0845 251 5000. Or onlinedisclosures@gbgplc.com

- 6.20 It would be unusual for 'spent' convictions to be taken into account when considering applications, but the Council does retain that discretion if it considers that it cannot do 'justice' to the application without considering such convictions (Rehabilitation of Offenders Act 1974).
- 6.21 Confirmation of previous convictions may delay the consideration of an application and the Public Health & Protection Manager may decide that the Council's Licensing Sub-committee, made up of elected Councillors, should consider the application (see Part 1, Paragraph 9).

6.22 Current Driving Licence

- 6.23 Applicants must enclose their D.V.L.A. licence with the application form. Copies will not be accepted.
- 6.24 If a driving licence has endorsements, the application may be delayed, and the Public Health & Protection Manager may decide that the Council's Licensing Sub-committee should consider the application (see paragraph Part 1, Paragraph 9)

6.25 Medical Examination Form

- 6.26 The medical examination form must be taken to the General Practitioner with whom the applicant is currently registered. The examination is to Group II Vocational driving standards, and any tick in the 'YES' column may delay the consideration of the application.
- 6.27 Medical examinations undertaken by persons other than applicant's GP will not be accepted unless it can be proved that the examining GP had access to the applicant's medical notes at the time of the examination.
- 6.28 Prior permission from the Community Protection Team Leader must be sought to allow an examination to take place other than at the applicant's Registered Medical Practice.
- 6.29 Examinations are undertaken every 5 years unless the applicant is over 65 when they are required annually. The Community Protection Team Leader may decide to impose a shorter period between examinations in individual cases if he considers it appropriate.
- 6.30 If applicants have obtained a Group II medical for other purposes, the Council will accept those certificates for up to 6 months from the date of the medical examination.

6.31 One Passport Sized Coloured Photograph

- 6.32 The photograph shall be used for the identification card.

6.33 Topographical Knowledge / Conditions and Law Test - General / Safeguarding

- 6.34 Persons applying for a hackney carriage vehicle driver's licence are required to pass a knowledge test of the area before a licence may be issued. This requirement should help safeguard the quality of the public service provided by hackney carriages on taxi ranks.
- 6.35 However, due to the nature of work undertaken by private hire drivers, the Council does not consider it necessary for such applicants to pass a knowledge test of the area before a licence may be issued.
- 6.36 It is also considered that drivers need to have a good knowledge of all aspects governing their proposed work. On occasions, they will need to be capable of making decisions on whether it is safe to drive vehicles etc, and therefore a wide range of knowledge is expected before a licence may be granted.
- 6.37 Good knowledge of the law and conditions should also limit breach of conditions, which can undermine public confidence, as well as lead to disputes between licensees
- 6.38 The Council therefore requires all applicants, including applicants for private hire driver licences, to pass a test on Part 2 of this booklet, as well as on the highway code.
- 6.39 In conclusion, Council Policy in respect of local topographical knowledge, as well as knowledge of licence conditions and basic related law, is that applicants of hackney carriage driver licences must pass a test on all aspects, whilst private hire applicants must pass a test on conditions and basic law only.
- 6.40 The test will therefore be divided into two parts:-
- i **Part A** - Knowledge of the Area; (Hackney Only).
 - ii **Part B** - Regulations Test (Private Hire and Hackney).
- 6.41 Applicants will also be required to answer some questions based on safeguarding matters, as shown in Annexe B to this booklet
- 6.42 Applicants are expected to answer all of the safeguarding questions correctly given the importance of the subject
- 6.43 Successful applicants will be issued with a certificate known as the KART Certificate.
- 6.44 Knowledge and Regulations Test** (KART Certificate)
- 6.45 Applicants must make an appointment with the Licensing Section to take the test. Tests will last approximately 1 hour, although extra time would be given to persons with proven reading difficulties.
- 6.46 The test will be in English. If the applicant has reading difficulties, the test may be read out in English.
- 6.47 However, no translation either verbal or written will be provided. The Council considers that a basic understanding of the English language, either written or

spoken, is essential when dealing with fare paying passengers.

- 6.48 There is no limit on the amount of times an applicant may re-sit the test. However, if it takes more than 6 months, and a DBS certificate has already been obtained, it may be necessary to submit a new DBS certificate.
- 6.49 Any question answered incorrectly on the safeguarding module shown at Annexe B will require the applicant to be interviewed by a Licensing Officer to ensure the issues are properly understood
- 6.50 Re-sits shall be subject to a fee paid before the test commences.
- 6.51 Any person not giving more than 24 hours notice of failure to attend an arranged KART shall be subject to a re-test fee as if the test was failed.

6.52 Driving Improvement Course

- 6.53 Whilst the Council does not wish to repeat the D.V.L.A.'s 'ability to drive' test, it does consider it should provide some advanced public safety awareness training for all hackney carriage and private hire vehicle drivers.
- 6.54 First time applicants must successfully complete a training course before a licence is issued. This can be arranged through Dorset County Council's Driver Improvement Scheme.
- 6.55 This training is in recognition that national statistics show that vocational drivers have 70% more accidents than the average driver. This statistic simply reflects the extra time vocational drivers spend on the road and does not mean that they have any worse driving habits. However, the fact does remain that hackney carriage and private hire vehicle drivers are more exposed to road hazards than the average driver.
- 6.56 The Council therefore considers that licensees should reach higher standards of driving than other road users.
- 6.57 The ultimate aim of the driving assessment is to introduce improved driving techniques, although a licence will not be issued until Dorset County Council or the Driving Standards Agency have issued a 'Driver Improvement Scheme Certificate', and the applicant has presented it to the Licensing Section.
- 6.58 Such certificates remain valid for the period of a valid licence, subject to paragraphs 6.59 and 6.60
- 6.59 The cost of the training and assessment will depend on which course you choose to sit. The course run by Dorset County Council costs approximately £40 and is paid to the A.D.I. direct on the day of the assessment.
- 6.60 As far as the County Council scheme is concerned, the A.D.I. will meet the applicant or licensee at any reasonable time or place, but the applicant/licensee must provide the vehicle for the assessment which will last approximately 1 hour.
- 6.61 If you choose to do the County Council scheme you must contact one of the driving

instructors direct. A list of the approved instructors accompanies your application form.

- 6.62 The Community Protection Team Leader has the discretion to require licensees to undergo further training if, during the period of a licence, a person's driving record indicates that additional training is required. This may include compelling the licensee to attend the driving course not originally completed at the point of first applying. In such circumstances, the Community Protection Team Leader may suspend a licence until the chosen assessment has been successfully completed by the licensee.
- 6.63 Similarly, the Community Protection Team Leader may waive the requirement to undergo a driver improvement course if an applicant possesses suitable Advanced Driving Qualifications.

6.64 Versant English Language Test

- 6.65 Applicants for hackney carriage driver's licences will have to complete a professionally managed analysis of their English language.
- 6.66 The company that delivers the test is called 'Versant' www.versanttest.co.uk. The Versant English Test is a fifteen-minute spoken English test. The test is delivered over the telephone and is scored automatically.
- 6.67 During the test, the system presents a series of spoken prompts in English at a conversational pace and elicits oral responses in English.
- 6.68 The Versant English Test provides numeric scores and performance levels that describe the test taker's competence in spoken English – that is, the ability to understand spoken English on everyday topics and to respond appropriately at a native-like conversational pace in intelligible English.
- 6.69 The 'Overall Score' required to be issued with a licence is 69.
- 6.70 Any person having to take the test will be required to cover the cost, which at the moment is £30.00. Re-tests will be charged at the same amount.
- 6.71 The Versant test must be taken at the same time as the KART (see paragraph 6.42 above) at the Council Offices.
- 6.72 Please telephone 01202 795371 to make a test appointment. Please do not make appointments for the Versant Test until you are confident that you will pass the KART.
- 6.73 Test Guidance notes will be sent in writing when confirming your test appointment.

6.74 Proof of Right to Work

- 6.75 Your right to work in the UK will be checked as part of your licensing application, this could include the licensing authority checking your immigration status with the Home Office. You must therefore provide a document or document combination that is stipulated as being suitable for this check.

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances, the check will be repeated each time you apply to renew or extend your licence. If, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse and you must return it to the licensing authority, failure to do so is a criminal offence.

- 6.76 Currently, the necessary documents will fall into either List A or List B (shown at the back of this booklet).
- 6.77 In summary, the following will be required:-
- 6.78 One document from List A (A current UK passport for example) or if a document from List A cannot be produced
- 6.79 Relevant document(s) from List B
- 6.80 All documents must be original copies.
- 6.81 An application for a first grant of a taxi licence will be refused if the applicant fails to prove the right to work.
- 6.82 If an applicant submits documentation from List B sole responsibility for submitting a renewed document will rest with the licensee. Failure to produce a renewed document by the expiry date will result in immediate suspension of the licence.

6.83 Driver Licence Renewal

- 6.84 Responsibility of submitting renewal applications with the appropriate fee, one new coloured passport sized photograph, the licensee's DVLA driver ID card, within 28 days before the expiry date of a licence rests solely with licensees. Any application not received within 28 days of the expiry date may subsequently be treated as a first time application.
- 6.85 Renewal reminders will be sent to licensees but only as a courtesy service. The non-receipt of a reminder letter shall not be used as a defence for not submitting a renewal application.

7 Vehicle Licences - Processing an Application

7.1 General

- 7.2 Before a hackney carriage or private hire vehicle licence can be issued an applicant must submit each of the following:
 - i. Duly completed application form
 - ii. Council's mechanical test certificate
 - iii. Vehicle registration document
 - iv. Certificate of insurance for the vehicle
 - v. The appropriate fee

- vi. Any such further information required under 4.7 above

7.3 Application Form

- 7.4 All applicants must read and understand this booklet and sign to that effect at the bottom of the application form. If you have any questions please contact the Licensing Section.
- 7.5 Every question must be answered on the form before it can be accepted. The appropriate fee must accompany each application.

7.6 Council's Mechanical Test Certificate

- 7.7 All vehicles, whatever their age, must be tested to the Council's approved standards.
 - 7.8 When an application form is received the applicant will then be sent a Test Authorisation Form which will detail the testing procedure.
 - 7.9 The Test Authorisation Form must be taken to a Council Approved Testing Centre at the time of the test and handed to the receptionist.
 - 7.10 The vehicle application fee, paid to the Council, EXCLUDES the fee payable for the mechanical test which is paid to the Testing Centre direct, in line with the conditions relating to those tests shown on the Authorisation Form.
 - 7.11 The mechanical test is NOT a normal M.O.T. Whilst all the items tested in a M.O.T. are included in the Council's test, the standards for each item are higher.
 - 7.12 The basic differences between the two tests are as follows
 - i Unlike a normal M.O.T., the Council's test includes the discretion to fail a vehicle if it is considered that any part of a vehicle, whilst satisfactory on the day of the inspection, shows signs of possible unreasonable deterioration of standards over the following 12 months;
 - ii The vehicle's overall cleanliness, standard and appearance of bodywork and interior forms part of the Council's test;
 - 7.13 A Council's mechanical certificate (in the form of a normal M.O.T. certificate, but stamped with the Council's official approval) will usually be issued for one year unless the Community Protection Team Leader decides a shorter period should be imposed.
 - 7.14 The Licensing Section shall remind licensees of the expiry dates of test certificates, but licensees must ensure vehicles are tested prior to such dates.
- ### **7.15 Vehicle Registration Document**
- 7.16 The Vehicle Registration Document shall be submitted with the application form, showing the applicant as the registered owner.

7.17 Certificate of Insurance

- 7.18 Applicants for private hire vehicles shall submit valid insurance certificates or cover notes confirming proper 'private hire' cover.
- 7.19 Applicants for hackney carriages shall submit valid insurance certificates or cover notes confirming proper 'public hire' cover.
- 7.20 Responsibility rests solely with a licensee to ensure a current valid insurance certificate is always in force throughout the period of a licensed vehicle.

7.21 Age of Vehicles

- 7.22 The Council will not issue first time, renewed or transfer applications to vehicles of more than 10 years of age unless a vehicle is deemed to be, by the Community Protection Team Leader, in an exceptional condition that will remain suitable for the intended use throughout the period of the licence.

NB. If intending to license a vehicle older than 10 years of age it is strongly advised to first consult the Community Protection Team Leader before incurring expenditure.

- 7.23 Wheelchair accessible vehicles or those that can not be booked by members of the general public, may be issued a licence once having reached 10 years of age provided they have passed the Councils Mechanical Examination and are deemed, by the Community Protection Team Leader, to be in a suitable condition. Such vehicles may be required to undergo two mechanical examinations a year; the Councils Mechanical examination and an additional Vosa MOT.

7.24 Type of Vehicle

- 7.25 Applicants for first time or transfer of vehicle applications may be issued only in respect of right hand drive 5 door saloons or estate cars. Applicants wishing to license other vehicles would need to satisfy the licensing authority that the design of the vehicle enabled customers to exit quickly and easily should the need arise.
- 7.26 All seats shall have a minimum width of 16 inches per person.

7.27 Taxi-Meters

- 7.28 Applicants for hackney carriages must arrange for a taxi-meter to be installed in their vehicle.
- 7.29 Each meter shall be set to record fares based on the Council's current approved table of fares.
- 7.30 A member of the Licensing Section shall test meters in respect of first time and transfer applications. Testing Centres will test meters during the vehicle's annual mechanical test.

7.31 Roof Signs/ Wording on Vehicles/Plates/Plate Exemptions

- 7.32 A vehicle submitted for a hackney carriage licence shall display a roof sign exhibiting

the word 'TAXI' to a size and design approved by the Community Protection Team Leader.

- 7.33 A vehicle submitted for a private hire licence shall not exhibit any sign or wording which consists of or includes the words 'taxi', 'cab' or 'hire' or any word of a similar meaning or appearance to any of those words.
- 7.34 The Council does not preclude vehicle licensees from displaying advertisements on their vehicles. However, any wording or advertisements shall first be approved by the Community Protection Team Leader.
- 7.35 Applications may be made for an exemption from the requirement to display a licence plate on a private hire vehicle. Such a request is only likely to be granted if the vehicle is of an executive nature, and the Community Protection Team Leader is satisfied that the vehicle will, for the vast majority of work, be mainly used for contracts with companies lasting more than 7 days as opposed to being hired by members of the public.
- 7.36 When a licensed vehicle is temporarily required to be 'off the road', the licensee may contact the Licensing Section to arrange for a temporary plate to be issued.
- 7.37 Temporary plates may be issued only after the vehicle to be plated has first passed the Council's Mechanical Test, proof of appropriate insurance has been produced, and any meter recording the fares has been tested to ensure compliance with the Council's table of fares for the time being in force.
- 7.38 Temporary plates shall be issued for a one month period, unless circumstances indicate otherwise, and should be returned to East Dorset District Council immediately upon its expiry. Failure to return the plate may result in enforcement action or hinder any future requests for temporary plates.
- 7.39 If after having obtained a temporary plate, a licensee wishes to extend its duration, they should contact the Licensing Section, at least 3 days before the expiry of the current temporary plate so that another plate may be issued. Failure to provide the Licensing Section with sufficient notification may result in the issuing of another temporary plate being delayed or not granted.

7.40 Planning Permission

- 7.41 Planning permission is not required solely for the stationing, when not in use, of a single licensed vehicle at a dwelling house. In all other circumstances an application for a hackney carriage or private hire vehicle licence shall be accompanied by a letter or copy planning permission certificate from the Council's Planning Department confirming either that there is planning permission or that planning permission is not required for the proposed use.

7.42 Vehicle Licence Renewals

- 7.43 Responsibility of submitting renewal applications with the appropriate fee 28 days before the expiry date of a vehicle licence rests solely with licensees. Any application not received within 28 days of the expiry date may subsequently be

treated as a first time application.

- 7.44 Renewal reminders will be sent to licensees but only as a courtesy service. The non receipt of a reminder letter shall not be used as a defence for not submitting a renewal application.
- 7.45 Information as detailed in 4.7 above may be required for the consideration of hackney carriage renewals.

8 Operators Licences - Processing an Application

8.1 General

- 8.2 An application for an operator's licence must include:
 - i Duly completed application form
 - ii The fee made payable to East Dorset District Council
- 8.3 Applicants for an operator's licence must be fit and proper persons and the Public Health & Protection Manager may make such enquiries about an application as he/she thinks fit.
- 8.4 Applicants for an operator's licence shall have a base within the East Dorset District from where bookings shall normally be accepted.
- 8.5 The law states that only those persons wishing to operate private hire vehicles need to acquire an operator's licence. Persons wishing to operate hackney carriages only are not legally required to obtain an operator's licence.

8.6 Application Form

- 8.7 All applicants must read and understand this booklet and sign to that effect at the bottom of the operator's application form. If you have any queries please contact the Licensing Officer.
- 8.8 All vehicles listed on the application form as being operated must only be East Dorset Licensed vehicles.
- 8.9 An operator may operate vehicles not in his ownership.

8.10 Operator Renewals

- 8.11 Responsibility for submitting renewal application and the appropriate fee 28 days before the expiry date of a licence rests solely with licensees. Licences shall be valid for 5 years from the date of issue.
- 8.12 Renewal reminders will be sent to licensees but only as a courtesy service. The non receipt of a reminder letter shall not be used as a defence for not submitting a renewal application.

9 Decision Making Process - All Licences

9.1 General

- 9.2 The Public Health & Protection Manager has been delegated powers to consider every application received.
- 9.3 The majority of applications will therefore be considered by the Public Health & Protection Manager, although contentious applications may be referred to the Council's Licensing Sub-Committee in cases he/she considers appropriate.
- 9.4 Usually, the Licensing Sub-Committee is summoned when the Council has to exercise some form of discretion before a decision can be made on an application.

9.5 Licensing Sub-Committee

- 9.6 The Licensing Sub-Committee is made up of elected councillors and hears applications referred to it by the Public Health & Protection Manager.
- 9.7 It hears each application on its own merits and ensures that applicants have every opportunity to state their case, both verbally and in writing, before a decision is made.
- 9.8 Such hearings are conducted in accordance with the Rules of Natural Justice which ensure a fair hearing for every applicant.
- 9.9 An applicant may bring a legal representative, or any other person to speak on their behalf, to a Licensing Sub-committee hearing.

9.10 Refusal of Licences - Right of Appeal

- 9.11 Any applicant refused a licence may appeal against the Council's decision within 21 days from the date of the Refusal Notice to the following Courts:
 - i Driver licences - Magistrates

ii Private hire vehicles - Magistrates

iii Hackney carriages - Crown

9.12 All appeals to the Courts are by way of a complete re-hearing of the application.

PART 2 - Conditions of Licences

The law and guidelines relating to hackney carriage drivers and conditions attached to private hire drivers, licensed vehicles and operators

1 Introduction

- 1.1 Any licensee contravening a condition of a licence or failing to comply with the law renders him or herself liable to prosecution, suspension, revocation or refusal to renew their licence.
- 1.2 The fitness of private hire drivers, operators, hackney carriages and private hire vehicles are controlled by way of standard conditions which are attached to the licences and detailed in this Part of the booklet.
- 1.3 The fitness of hackney carriage drivers is controlled by way of primary legislation and Council guidelines advising licensees of procedures to follow to ensure compliance with that legislation. The main parts of the relevant law have been detailed in this Part of the booklet, but licensees are also bound by any other relevant laws not listed herewith.
- 1.4 The Public Health & Protection Manager reserves the right to attach additional special conditions not listed herewith to any licences in individual cases he/she considers appropriate.

2 The Law and Guidelines Relating To Hackney Carriage Drivers

- 2.1 No driver shall drive a hackney carriage without being in possession of a valid hackney carriage driver's licence. (Section 46 TPCA).
- 2.2 Every hackney carriage driver's licence shall be in force for three years only from the date of issue of such licence, but may be renewed upon the Council's receipt of a proper application within 28 days of the expiry date of such a licence. (Section 53(1) LGMPA).
- 2.3 A hackney carriage driver shall remain a fit and proper person throughout the period of the driver's licence. (Section 59(1) LGMPA).
- 2.4 The Council has set out some general rules as a guideline to the standards expected of a 'fit and proper person' to help define this part of the law. Non-compliance

with the following sub-paragraphs i – xviii may give ‘reasonable cause’ to suspend, revoke or refuse to renew a hackney carriage driver’s licence. However, this shortlist is not absolute, and the Council may be given ‘any other reasonable cause’ not listed to take that same action: (Section 61(1)(b) LGMPA).

- i A hackney carriage driver shall not be convicted of an offence involving dishonesty, indecency or violence;
- ii A hackney carriage driver shall comply with all other paragraphs of this Section entitled ‘The Law and Guidelines Relating to Hackney Carriage Drivers’, and to any other statutory requirements not listed in this booklet that are binding on hackney carriage drivers;
- iii A hackney carriage driver shall have applied to the DBS for a new certificate before the expiry of the certificate previously submitted to East Dorset District Council. These certificates are valid for 3 years from the date of the certificate;
- iv A hackney carriage driver shall always behave in a civil and orderly manner;
- v A hackney carriage driver under the age of 65 shall be required to undertake the Council’s current approved medical examination every 5 years from the date of the first examination unless the Public Health & Protection Manager determines otherwise and a shorter period is imposed;
- vi A hackney driver of 65 years and older shall be required to undertake the Council’s medical examination annually unless the Public Health & Protection Manager determines otherwise and a shorter period is imposed;
- vii A hackney carriage driver shall inform the Council within 7 days in the event that he succumbs to a medical condition which would adversely affect his ability, however slight, to drive a hackney carriage.
- viii A hackney carriage driver shall notify the Council of any criminal convictions or instant penalty notices imposed on him within 5 days of the offence;
- ix A hackney carriage driver shall notify the Council in writing of any change of address within 7 days of the change taking place;
- x Should a hackney carriage driver not wish to renew their licence they shall return their licence and identification card to the Council, once it has expired.
- xi A hackney carriage driver shall not at any time smoke inside a licensed vehicle.
- xii Hackney carriage drivers shall attend all pre-booked journeys on time, unless they have been delayed by some sufficient cause.

- xiii Hackney carriage drivers shall carry a reasonable amount of luggage and provide a reasonable amount of assistance in the loading and unloading of that luggage.
 - xiv A hackney carriage driver shall always be of a clean and tidy appearance;
 - xv A hackney carriage driver shall return any lost property left in his vehicle to the Licensing Officer within 24 hours of discovering the property;
 - xvi A hackney carriage driver when hired to drive any particular destination shall, unless the passenger shall otherwise direct, proceed to that destination by the shortest available route;
 - xvii A hackney carriage driver shall display their identification card in the holder provided by the Council. The holder shall be clearly located on the vehicle's windscreen.
 - xviii Hackney carriage drivers shall produce documentation to prove a right to work in the UK throughout the period of the licence.
- 2.5 No hackney carriage driver shall carry in a licensed hackney carriage a greater number of persons than is stated in the vehicle licence. (Section 51 TPCA).
- 2.6 A hackney carriage driver using a hackney carriage for a private hire contract within the District of East Dorset shall calculate the fare based on the Councils approved table of fares by means of a taxi-meter and shall engage such meter at the point of pick-up. (Section 67 LGMPA)
- 2.7 A hackney carriage driver shall not carry any other person(s) other than with the consent of the hirer. (Section 59 TPCA).
- 2.8 A hackney carriage driver shall not charge passengers separate fares unless:
- i All passengers carried on the occasion in question booked their journey in advance; and
 - ii Each of those passengers consented when booking the journey to sharing the use of the vehicle on that occasion with others, on the basis that a separate fare would be payable by each passenger for their own journey. (Section 11 TA)
- 2.9 No hackney carriage driver shall drive whilst intoxicated. (Section 61 TPCA)
- 2.10 No hackney carriage driver shall drive in a reckless, dangerous or careless manner. (Section 61 TPCA).
- 2.11 No hackney carriage driver shall alter any taxi-meter with intent to mislead. (Section 71(2) LGMPA).
- 2.12 No hackney carriage driver shall willfully obstruct an authorised officer or constable acting in pursuance of the LGMPA 1976 or TPCA 1847. (Section 73 LGMPA)
- 2.13 A hackney carriage driver shall produce their hackney carriage driver's licence [in the

form of an identification card] to any authorised officer or constable if requested to do so.

- 2.14 A hackney carriage driver can not refuse to carry a passenger with an assistance dog and no additional charge shall be made for the carrying of the assistance dog.
- 2.15 No hackney carriage driver shall use a mobile telephone whilst driving (Section 26 RTA 07).
- 2.16 No hackney carriage driver shall hinder or obstruct the driver of any carriage from taking up a position on a hackney carriage rank. (Section 64 TPCA).
- 2.17 The Council has approved the following rank procedures for drivers to follow to ensure that this part of the law (2.16 above) is not breached by licensees. Non-compliance with the following sub-paragraphs i - v may give 'reasonable cause' to suspend, revoke or refuse to renew a hackney carriage driver's licence, or to prosecute a driver under Section 64 of the TPCA: (Section 61(1)(b) LGMPA)

2.18 All Ranks

- i If a hackney carriage is the first vehicle on a hackney carriage rank, the driver shall place the hackney carriage at the front of the rank so as to enable other drivers to station their vehicles in an orderly manner behind that first vehicle.
 - ii If a hackney carriage is not the first vehicle on a hackney carriage rank the driver shall station the vehicle on the next available space unless the rank is full, in which case the driver shall remove his vehicle from the immediate vicinity of the rank and shall not wait in any parking place or on the street so as to be visible from the rank in any direction.
 - iii On the departure of the first vehicle stationed on a rank, any other driver of a hackney carriage on the rank shall immediately move forward one vehicle length in the same order as they are parked.
 - iv A hackney carriage driver plying for hire on a rank shall direct prospective customers to the first vehicle on the rank so as to operate on a 'first-on first-off' basis.
 - v If a prospective customer prefers to use a hackney carriage other than the first vehicle on the rank, the driver of the chosen vehicle shall explain the customer's preference to the front driver before commencing the journey.
- 2.19 No hackney carriage driver shall leave a hackney carriage unattended on a hackney carriage rank. (Section 62 TPCA).

2.20 No hackney carriage driver, whilst standing on a hackney carriage rank, shall refuse, without reasonable excuse, to undertake a journey at the request of a customer. (Section 53 TPCA).

2.21 Hackney carriage drivers, when hailed from the street or hired from a taxi rank, must charge that shown on the taxi-meter, which is based on the Councils approved fare chart (Section 54 TPCA).

2.22 Wimborne - Feeder Rank Systems into The Rank, The Square, Wimborne

i All days 0500hrs - 2000hrs

ii A hackney carriage driver wanting to ply for hire on either the West Borough or High Street before 8pm shall, without exception, first drive to The Feeder Rank, Allenview Car Park to ascertain if hackney carriages are parked in that area. Only if there are no vehicles in that area shall the driver then proceed directly to those ranks.

2.23 Ferndown - Feeder Rank System to The Rank, Victoria Road, Ferndown

i The rank in Princes Road, Ferndown shall be used as a feeder rank to the Victoria Road Rank, Ferndown at all times.

ii The feeder rank shall operate on a 'first on, first off basis'.

iii A hackney carriage driver wanting to ply for hire on the Victoria Road rank shall, without exception, first drive to the feeder rank, Princes Road to ascertain if hackney carriages are parked in that area. Only if there are no hackney carriages on the feeder rank shall the driver then proceed to the Victoria Road rank.

iv A hackney carriage driver who proceeds to or awaits on the Princes Road feeder rank with the knowledge that there is a space on the Victoria Road rank shall verbally inform the driver of the first hackney carriage on the feeder rank of that fact.

v When a space becomes available on the Victoria road rank all hackney carriage drivers on that rank, including the driver leaving, shall be responsible for attempting to contact, either directly or indirectly via whatever communication means available, drivers that may be waiting on the feeder rank to inform them of the vacancy.

3 Conditions Attached to Private Hire Vehicle Driver Licences (Section 51(2) LGMPA)

3.1 A private hire vehicle driver shall remain a fit and proper person throughout the period of his licence, and shall inform the Community Protection Team Leader in writing of any convictions, instant penalty notices, judgements or court cases pending against him, within 7 days of being notified of such proceedings.

- 3.2 A private hire vehicle driver under 65 years of age shall be required to undergo a renewal medical examination every 5 year period, unless the Public Health & Protection Manager determines otherwise and a shorter period is imposed.
- 3.3 A private hire vehicle driver 65 years and over must arrange for the submission of a medical certificate annually unless the Public Health & Protection Manager determines otherwise and a shorter period is imposed.
- 3.4 If a private hire driver is affected by any medical condition that could adversely affect their ability to drive, they must contact the Council within 7 days. Drivers are obliged to do this no matter how slight the medical condition.
- 3.5 The medical examination shall be carried out by the private hire vehicle driver's current registered General Practitioner.
- 3.6 A private hire vehicle driver shall have a good knowledge of the whole of the East Dorset District.
- 3.7 A private hire vehicle driver licence shall be issued for a period of 3 years and responsibility for making application for renewal of the licence 28 days before the expiry date lies with the licensee.
- 3.8 A private hire vehicle driver shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.
- 3.9 Should a private hire driver not wish to renew their licence they shall, return their licence and identification card to the Council, once it has expired.
- 3.10 A private hire vehicle driver shall display their identification card in the holder provided by the Council. The holder shall be clearly located on the vehicle's windscreen.
- 3.11 A private hire vehicle driver shall not smoke in a licensed vehicle at any time.
- 3.12 A private hire vehicle driver shall punctually attend any booking unless delayed by some sufficient cause.
- 3.13 Private hire vehicle drivers shall carry a reasonable amount of luggage and provide a reasonable amount of assistance in the loading and unloading of that luggage.
- 3.14 A private hire vehicle driver shall always be of a clean and tidy appearance.
- 3.15 A private hire vehicle driver shall return any lost property left in their vehicle to the Licensing Officer at the Council Offices within 24 hours of discovering the property.
- 3.16 A private hire vehicle driver shall comply with all other statutory requirements that are not listed in this booklet but that are binding on private hire vehicle drivers.
- 3.17 A private hire vehicle driver shall always behave in a civil and orderly manner.
- 3.18 No private hire vehicle driver shall carry in a licensed private hire vehicle a greater number of persons than is stated in the vehicle licence.

- 3.19 No private hire vehicle driver shall drive whilst intoxicated.
- 3.20 No private hire vehicle driver shall drive in a reckless, dangerous or careless manner.
- 3.21 No private hire driver shall use a mobile telephone whilst driving. (Section 26 RTA 07)
- 3.22 No private hire vehicle driver shall willfully obstruct an authorised officer or constable acting in pursuance of the LGMPA or TPCA.
- 3.23 A private hire vehicle driver shall produce his private hire identification card to any authorised officer or constable if requested to do so.
- 3.24 A private hire vehicle driver shall have applied to the DBS for a new certificate before the expiry of the certificate previously submitted to East Dorset District Council. These certificates are valid for 3 years from the date of the certificate.
- 3.25 A driver can not refuse to carry a passenger with an assistance dog and no additional charge shall be made for the carrying of the assistance dog.
- 3.26 Private hire vehicle drivers shall produce documentation to prove a right to work in the UK throughout the period of the licence.

4 Conditions Attached to Hackney Carriage and Private Hire Vehicle Licences

(Sections 47(1) and 48(2) LGMPA)

- 4.1 All licensed vehicles shall be kept, throughout the period of a licence, to the standard required to pass the Council's Mechanical Vehicle Test. It is the duty of the vehicle licence holder to ensure that the vehicle is maintained to this standard, and where the Community Protection Team Leader has doubts as to the vehicles roadworthiness, vehicles may be required to undergo a further mechanical examination.
- 4.2 All licensed vehicles shall be presented to the Council's approved testing centre every 12 months unless the Community Protection Team Leader considers otherwise and a shorter period is imposed.
- 4.3 All licensed vehicles, throughout the period of a licence, shall hold a valid Council's Mechanical Certificate and in the event of the expiry of such Certificate the vehicle shall not be used for hire until the vehicle has been re-inspected and been issued with a renewed Certificate.
- 4.4 The interior and external bodywork of a licensed vehicle shall always be kept in a clean and tidy condition.
- 4.5 Any damage to the bodywork of a licensed vehicle shall be reported to the Licensing Section within 48 hours of such damage being sustained, and such vehicles shall be presented to a member of the Licensing Section for inspection, at their discretion.
- 4.6 All hackney carriages shall have installed a taxi-meter set to record fares no greater than the Council's current approved table of fares and should not be capable of a tariff change once the vehicle has commenced its hire.

- 4.7 All installed taxi-meters shall be tested by an approved officer of the Council before they may be used.
- 4.8 All hackney carriages shall have displayed inside the carriage, in a conspicuous position, the current East Dorset District tariff card.
- 4.9 The appropriate plate identifying the vehicle as a private hire vehicle or hackney carriage shall be securely fixed to the rear of the vehicle in a conspicuous position and must not be displayed in a vehicles rear windscreen.
- 4.10 The Council shall be notified immediately of any transfer of ownership of the vehicle.
- 4.11 Vehicle licences shall be issued for a period of one year and responsibility for making application for renewal 28 days before the expiry date shall lie with the licence holder.
- 4.12 Where the owner of a vehicle licence chooses not to renew or no longer wishes to use the vehicle licence plate, the licence and plate shall be immediately returned to the Council.
- 4.13 The cost of a plate which is damaged or lost shall be paid to East Dorset District Council by the vehicle licensee.
- 4.14 The vehicle licensee shall ensure that the vehicle is insured for public hire purposes in respect of hackney carriages and private hire purposes in respect of private hire vehicles.
- 4.15 Any vehicle licensee shall produce their insurance documentation to any authorised officer if requested to do so.
- 4.16 A hackney carriage shall always display a roof sign exhibiting the word 'TAXI' to a size and design approved by the Licensing Officer. This roof sign must be displayed on the vehicles at all times and should not be removed even when the vehicle is not being used for 'work' purposes.
- 4.17 A private hire vehicle shall not exhibit any sign or wording which consist of or includes the words 'TAXI', 'HIRE' or 'CAB' or any word of similar meaning or appearance to any of those words.
- 4.18 No hackney carriage or private hire vehicle plate shall be transferred to another vehicle without first submitting the necessary vehicle application and fee to the Licensing Section.

- 4.19 It is unlawful for those persons providing hackney carriage and private hire vehicles to discriminate against a disabled person. Persons providing such a service should ensure the fair treatment of disabled persons and make their services user-friendly, by making reasonable adjustments, where necessary.
- 4.20 Any vehicle issued with a temporary plate shall under no circumstances be used as a licensed vehicle after the expiry of such temporary licence, and any person using a vehicle as such shall be liable to prosecution.
- 4.21 A hackney carriage shall be used to ply for hire on East Dorset taxi ranks on a regular basis.
- 4.22 A licensee of a hackney carriage shall keep records of every journey undertaken for that vehicle, whether pre-booked, hailed off a street or hired off a rank. The following information shall be the minimum to be kept:
- i. Time and date of the journey;
 - ii. Pick up point;
 - iii. Destination;
 - iv. Name of driver
 - v. Name of hirer (pre-booked journeys only)
- 4.23 All records shall be kept for a period of 12 months following the date of the last entry.
- 4.24 The records shall, on request, be inspected by an authorised officer of the Council or any Police Constable.

5 Conditions Attached to Vehicle Operator Licences (Section 55(3) LGMPA)

5.1 General

- 5.2 All licences will be issued for a period not exceeding 60 months. Application for renewal should be made 28 days before the expiry date unless previously revoked or suspended.
- 5.3 Apart from the specific conditions set out below, the grant of an operators licence is subject to the relevant provisions of the LGMPA, and to any other special conditions attached to the licences as the Public Health & Protection Manager considers appropriate.
- 5.4 An operator shall only advertise and respond to telephone bookings made on a telephone number previously approved by the Council.
- 5.5 An operator shall only operate East Dorset licensed vehicles and drivers.
- 5.6 A licensee shall first gain permission of the Council before he may change the premises used as the operator's base for the purpose of accepting bookings.

- 5.7 Operators can not refuse to take bookings made by assistance dog users and must not make an additional charge when such bookings are made.
- 5.8 Operators should ensure that any licensed vehicle used to undertake work on their behalf is adequately insured, and should the vehicle be working for the operator on a permanent basis, keep a copy of the vehicles' insurance details.
- 5.9 Licensed operators shall ensure that vehicles and drivers used to respond to bookings are licensed and this responsibility includes sub-contracted journeys.

5.10 Records

- 5.11 An operator shall keep the following records in a manner approved by the Licensing Officer, and the operator shall ensure that at the end of each day the required entries have been made:
 - i The time and date of the booking
 - ii The name of the hirer
 - iii The time of pick up
 - iv The point of pick up
 - v The destination
 - vi The licence number of the allocated vehicle
 - vii The name of the driver of the vehicle
 - viii Remarks (including details of sub contracts)
- 5.12 All records shall be kept for a period of 12 months following the date of the last entry.
- 5.13 The operator's records shall, on request, be inspected by an authorised officer of the Council or any Police Constable.
- 5.14 Operators shall keep a record of any drivers that undertake work on their behalf, which shall include a copy of their East Dorset District Councils drivers licence and any other information which enables an operator to identify the driver of a vehicle at a particular time.

5.15 Standard Of Service

- 5.16 An operator shall provide a prompt, efficient and reliable service to members of the public and for this purpose shall in particular:
 - i Ensure that when a licensed vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall punctually attend at that time and place
 - ii Keep clean, and adequately heated, ventilated and lit any licensed premises to which the public have access for the purposes of making bookings

- iii Ensure that any telephone or radio equipment provided are maintained in a sound condition

5.17 Operators - Complaints

- 5.18 An operator shall immediately inform the Licensing Officer of any complaints received relating to the standard of service concerning his licensed company or business. A record shall be kept of any complaints received, which shall be available for inspection, on request, of an authorised officer.

5.19 Operators - Convictions

- 5.20 An operator shall remain a 'fit and proper person' throughout the period of his licence and shall inform the Licensing Section of any convictions imposed on him during the period of the licence.

6 Suspensions and Revocations - All Licences

- 6.1 Non-compliance with any parts of the law, or conditions as detailed in Part 2 of this booklet, or any other reasonable cause may render a licence liable to suspension or revocation.
- 6.2 The Public Health & Protection Manager, Community Protection Team Leader and the Licensing Officer may suspend and revoke licences in accordance with the law.
- 6.3 In view of the nature of suspensions, it would be normal practice for such notices to be issued by the officers. However, it would be more usual for consideration of cases that may result in the revocation of licences to be referred to the Licensing Sub Committee.
- 6.4 Appeals to the Courts against decisions to suspend and revoke licences do exist and in such instances licensees would be informed of these rights at the appropriate time.

Annexe A

Documents to establish eligibility to work in the UK

You will fall into one of two categories:

- **List A** - an automatic and ongoing right to work in the UK without restrictions.
- **List B** - you do not have an automatic right to work in the UK but have gained permission to do so subject to restrictions, i.e. for a time limited period.

LIST 'A' DOCUMENTS

You have an ongoing right to work in the UK and are therefore not subject to immigration control (e.g. European Economic Area (EEA)/Swiss nationals). If you are in this category the Council needs to check your documents once only, before you commence employment.

Documents which provide evidence for this category:

- All documents must be originals. **One** of the following:
- A passport showing the holder is a British, or UK and Colonies citizen, having the right of abode in the UK
- A passport containing a certificate of entitlement to the right of abode in the UK
- A passport, national ID card, UK residence permit or other document certifying the holder as a EEA or Swiss national
- A permanent UK residence permit issued by the HO or BIA showing the holder is a family member of a EEA or Swiss national
- A Biometric Immigration Document certifying the holder has indefinite leave or no limit to their stay in the UK
- A passport or other travel document showing exemption from immigration control, indefinite leave to remain, right of abode in the UK or indicating no time limit on their stay in the UK

Or, **two** documents, as follows:

One of these:

- An official document containing the permanent National Insurance number and name of the

individual (e.g. P45, P60, NI Card). Please note that a permanent National Insurance number does not start with TN.

Plus **one** of these:

- An Immigration Status Document showing indefinite leave to stay
- A full* UK birth certificate, at least one parent's name
- A full* UK adoption certificate, at least one adoptive parent's name
- Channel Islands, Isle of Man or Ireland birth certificate
- Channel Islands, Isle of Man or Ireland adoption certificate
- Certificate of registration or naturalisation as British citizen
- Letter from HO or UKBA certifying indefinite leave to stay

** A short birth or short adoption certificate is not acceptable. To obtain full certificates, see the General Register Office website at:*

http://www.gro.gov.uk/gro/content/order_certificates/obtain_certificates/index.asp

If you have different surnames on documents you must also provide proof of name change, i.e. a marriage certificate.

Notes for EEA (European Economic Area) / Swiss nationals

The European Economic Area (EEA) consists of Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, the Republic of Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.

Although Iceland, Liechtenstein and Norway are not members of the European Union (EU), their citizens have the same rights as EU citizens to enter, live in and work in the UK.

Croatia

Croatia is also part of the EEA and you do not require leave to enter or reside in the UK. However, for most types of work you will still need permission to work in the UK, via the normal work permit/certificate of sponsorship arrangements. If this permission is granted, you will need to obtain an Accession Worker Card, and this must be done before you commence work.

LIST 'B' DOCUMENTS

You **do not** have automatic eligibility to live and work in the UK, but you have, or expect to be granted, approval to take employment in the UK for a limited period (e.g. work permit/certificate of sponsorship holders and their family members). If you are in this category the Council needs to check your documents before you commence employment, and then at least every 12 months during the duration of your employment, to ensure that your eligibility remains valid.

Documents which provide evidence for this category:

All documents must be originals.

One of the following:

- A passport or travel document endorsed to certify the holder is allowed to stay in the UK to do the kind of work being offered, provided that it does not require a work permit/certificate of sponsorship.
- A Biometric Immigration Document issued by UKBA giving permission to stay in the UK to do the work being offered.
- A residence card or document issued by UKBA to a EEA/Swiss national family member.

Or **two** documents, as follows:

One of these:

- A work permit/or other approval to take employment, issued by UKBA.

Plus **one** of these:

- A passport or other document (e.g. UK Residence Permit) certifying permission to stay in the

UK to do the work offered.

- A letter from the HO/UKBA confirming the above.

There are additional documents which can provide evidence of your entitlement to take employment in the UK, such as Certificates of Application and Application Registration Cards for EEA/Swiss national family members and asylum seekers. These documents are subject to further checking via the UKBA Employer Checking Service.

If you have different surnames on documents you must also provide proof of name change, i.e. a marriage certificate.

Annexe B

Safeguarding, Disability and Dementia Awareness

INDEX

1. Introduction
2. Safeguarding Children and Vulnerable Adults
3. Child Exploitation
4. Preventing Terrorism/Radicalism of Individuals
5. Disability Awareness
6. Dementia Awareness

INTRODUCTION

As part of your job you may have to transport young people, the disabled, visually impaired, and other vulnerable persons.

This guidance is aimed at providing some basic safeguarding advice and awareness of how you may help and protect these passengers from harm.

It is not intended to be a lengthy guide but a summary of the guidance and best practice.

As part of the requirements of obtaining and retaining a licence, you will have to correctly answer questions relating to this guidance.

SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

What is Safeguarding?

Safeguarding relates to the protection of a child or vulnerable adult

A child is any person under 18 years of age.

A vulnerable adult is someone over 18 years old who is in need by reason of disability, age or

illness;

Who is Responsible?

ALL of us.

Anybody that comes into contact with children or vulnerable adults has a role to play

Why Are Drivers Involved?

You are the eyes and ears of our towns

Your Employer

If you are an employee, the company you work for may have its own procedures on safeguarding. Ask them for a copy and make sure you read and understand them.

You

You must always maintain a strictly professional relationship with children and vulnerable adults that you transport

Don'ts

DON'T seek to find out personal information about a child or vulnerable adult or share any personal information.

DON'T exchange any personal contact details with a child or vulnerable adult

DON'T photograph a child or vulnerable adult, (including pictures using mobile phones).

DON'T hug, cuddle, or have any unnecessary contact with a child or vulnerable adult

DON'T discuss any information you may learn about a child or vulnerable adult with anyone, such as your family or friends.

DON'T engage in personal e-mail or telephone contact with a child or vulnerable adult (this includes instant messaging, text messaging and social network sites).

DON'T seek to have social contact with a child or a vulnerable adult passenger unless the reason for this contact has been established with the Licensing Authority

DON'T call any child or vulnerable adult by an endearment such as 'love', 'darling' etc.

DON'T use bad language (swearing), innuendos or sexual comments

Do's

DO report to the Licensing Authority as soon as possible if you feel that a child or vulnerable adult is becoming overly friendly with you.

DO stop the vehicle and call for assistance if a child or vulnerable adult is abusive and endangering you or him/herself,

Cause for Concern?

You may be concerned about a child or vulnerable adult if he or she:

- Is frequently dirty, hungry or inadequately dressed.
- Is constantly insulted, sworn at, humiliated or is constantly blamed for things that go wrong.
- Seems afraid of their parents or carers.
- Has illnesses which haven't been treated.
- Is not properly supervised.
- Wants inappropriate attention and affection.
- Is growing up in, or being cared for, in an environment where there is domestic abuse, drug or alcohol abuse.
- Is being encouraged to be secretive about their relationship with an adult or carer.
- Is a baby with an injury too young to get on their own.
- Has burns, scalds or bruises with clear outlines.
- A child displays sexual knowledge or behaviour which doesn't seem appropriate for their age.

These are not the only signs to look for, and some may not be caused by abuse.

What is important is that you trust your judgement and take action if you are worried about a child or vulnerable adult.

If you have concerns about the safety of a child or vulnerable adult, it is your responsibility to report it.

If you have any doubt about reporting your concerns, please remember that we can only take action if we know something is wrong.

If you do have concerns about the safeguarding of a child or vulnerable adult you should call the Multi Agency Safeguarding Hub (MASH)

Tel: 01202 228866

Email: MASH@dorsetcc.gcsx.gov.uk

PLEASE ACT PROMPTLY - IT CAN BE VERY DIFFICULT TO INVESTIGATE CONCERNS IF THERE IS A DELAY, AS SOME SIGNS OF ABUSE CAN DISAPPEAR VERY QUICKLY.

CHILD EXPLOITATION

What Is Child Sexual Exploitation?

Young people under the age of 18 who are encouraged/forced into a sexual relationship or situation by an adult.

It often involves young people being offered something in return for performing sexual acts, for example:

Alcohol, Cigarettes, Mobile Phones, Gifts, Money, Drugs, Love

Where does it happen?

Young people can be groomed and sexually exploited at a variety of premises and locations such as:

Parks, Shopping Centres, Taxi Ranks, Restaurants, Takeaways, Gyms, Leisure centres, Hotels, Hostels, Pubs/Bars/Clubs.

What is Trafficking?

Children and young people who are victims of sexual exploitation are also vulnerable to trafficking across cities and counties within the UK, and also international trafficking into and out of the UK for the purposes of sexual exploitation. Trafficking involves the illegal trade in human beings for the purposes of sexual exploitation.

Trafficking is an offence

Say Something If You See Something!! Signs to look out for and what to do

- Taking/collecting young people (girls and boys) from hotels/B&Bs/house parties
- Picking up young people from other cars
- Young people who look distressed or intimidated
- Observing suspicious activity in hot-spot areas
- Young people involved are often under the influence of drugs and/or alcohol
- Attempts by young women to avoid paying fares in return for sexual favours
- Regular males requesting taxi rides to and from locations - taking young people with them
- Taking young people to A&E, without their parents
- Young people with injuries such as bruising or blood stains

What to do:

- Make notes about the information you know
- Call the police non-emergency number 101 to report your concerns about possible sexual exploitation

Information to share:

- Names
- Locations and addresses of concerns
- Descriptions of people
- Car registration plates, makes and models of vehicles
- Description of concerning activity

PREVENTING TERRORISM / RADICALISM OF INDIVIDUALS

What is Terrorism?

Types of terrorism range from religious, political or any use or threat to cause harm to bring about change

How Can I Help Prevent Radicalism?

This is about taking an early intervention and preventative approach toward persons that may be vulnerable to being drawn into extremism and the use of terrorism.

What Can You Do?

How Do I Report?

Be vigilant and report suspicious behaviour

You will know instinctively if something is out of the norm – so report it

Suspicious Behaviour?

- Make notes about the information you know
- Call the police non-emergency number 101 to report your concerns

DISABILITY AWARENESS

General Advice When Transporting Disabled Persons

- Communication is key
- Be patient

Communicating with passengers with a visual impairment

- Don't assume that assistance is needed, ask the person first and what would be most useful for them.
- Identify yourself as the taxi driver and let the customer know that you are speaking to them.
- When you talk to someone who uses a guide dog, speak directly to the person.
- Speak to the person in a normal tone and normal volume.
- Be patient when the person is paying the fare; remember she or he may take longer due to having to identify coins and notes quickly.
- Drive as smoothly as possible.
- Don't ask a blind or partially sighted passenger to give directions, as they may not be able to do this.

- When you arrive to pick up the passenger, instead of beeping the horn, go in for them and walk to the taxi with them.

Communicating With a Passenger Who is Deaf Or Hearing Impaired

- Ensure you approach the person from the front and that you have the person's attention.
- Look directly at the person - don't cover your face or turn away when you talk.
- Facial expressions and gestures are important when communicating with a deaf person.
- Shadows or strong sunlight on the taxi driver's face can make lip reading more difficult.
- Use facial expression when communicating.
- Point at destinations etc.
- Take care to speak clearly but without exaggerating your sounds or lip movements, and preferably without having chewing gum or a cigarette in your mouth.

Passengers with a Mobility Impairment

Mobility impaired passengers include those who have difficulty bending, reaching, standing for long periods, walking without resting and carrying heavy objects.

Mobility impairment may also include those who are pregnant, carrying heavy luggage or pushing a pram.

Some people feel embarrassed to approach people with disabilities, but it is best just to talk to your customer and ask them if they need any help or support.

Sometimes it will be obvious that the passenger is mobility impaired, and the passenger will have clear difficulty in movement or be using some type of walking stick or other aid.

Sometimes, however, disabilities may be "hidden". For example, a passenger may have a heart condition or breathing difficulties.

Some passengers who look fit and healthy may, in fact, have very painful joints and/or limbs with very little muscle strength or grip.

If required, help with the passenger's luggage and with securing the seat belt.

If asked to give physical support, do not grab the passenger by the elbow and apply a vice-like grip, as this can be very painful. Instead offer your arm for the passenger to hold. Effectively, this makes you into a mobile grab rail.

Passengers with disabilities affecting their hands may take longer to pay their fare because of difficulty in handling coins and notes quickly. Be patient.

Wheelchair User Passengers

You should not carry passengers in wheelchairs unless you have received appropriate training

You must **always** use ramps to help get a wheelchair user into the cab.

You should know:

- How to use the ramp or ramps fitted to the taxi. How exactly this is done varies between vehicles.
- When to use ramp extension. If the passenger is on pavement level, shorter ramp can be ok, but if on a flat surface the ramp can be too steep with the extension
- How to handle a manual wheelchair up the ramp
- How to handle a manual wheelchair off and onto a kerb
- Some cabs have folding back seats - on these vehicles the seat needs to be folded out of the way to allow room to manoeuvre inside.
- There is a lip on the ramp when you are getting into the taxi and it can catch - you need to go back a bit then push back up.
- Ask an electric wheelchair user if she or he wants to drive up the ramp, or if they'd like assistance.
- Taxi driver should assist manual wheelchair user up the ramp, as far forward as the wheelchair can go.
- Fold up or remove the ramp before putting the wheelchair in place and fitting the belts and restraints, as in some cabs you can't do it afterwards
- Wheelchair user then reverses and turns into position inside the taxi. Note that when turning the chair round the footplates can catch and get jammed, and the taxi driver may have to help free them.
- Help passenger into place.
- Fit the restraints or belts. Again different taxis have different fixings and all can be awkward but for the passenger's safety they must be used on every journey.
- Ensure that the wheelchair's brakes are securely applied.

During The Journey

- Drive gently, remember that the passenger is facing backwards so can't anticipate changes in speed or direction.
- Don't accelerate hard.
- Don't corner suddenly hard.
- Remember that the passenger is facing backwards so can't give directions.

At The End Of The Journey

The procedure is essentially the same as that at the beginning of the journey, but here are a few extra notes:

- Switch off the meter before setting up the ramps
- Driver must make sure that the ramps are in the right place for the chair to get out again
- Ensure wheelchair is positioned on ramp properly - particularly that all the wheels are in the

ridges of the ramps

- Wheelchair user will come backwards down the ramp

DEMENTIA AWARENESS

What is Dementia?

Dementia is a progressive condition of the brain; it often begins with mild symptoms that deteriorate over time.

There are many types of dementia, but the most common symptoms include problems with:

- memory
- everyday tasks such as handling money
- communication
- perception

Why Do I need to know this?

Lots of your passengers may already have dementia. Lots more will develop dementia at some point in the future and will want to carry on using your service.

Some people will express the difficulty they are having, and tell you how you can help. Others may be carrying a card which explains their most common problems.

Other may say nothing but you may notice that they:

- Look as if lost or confused
- Seem to be searching for something they can't find
- Have problems with bank cards or money
- Have trouble with speech
- Look distressed by their environment
- Might forget to pay

What can I do?

Do's:

- Approach them in a friendly open manner and ask 'can I help?'
- Reassure them that they can take their time
- If they are distressed, it might help to take them to a quiet area where they can sit or stand and take their time to tell you what their difficulty is
- Ask if they have a help card, or if they would like you to contact someone on their behalf
- Offer a coin chart to recognise coins