



Taxi Licensing

Information for applicants,

proprietors, drivers and operators

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INTRODUCTION

This guide is intended to assist applicants and licence holders applying for licenses and with the law relating to the operation of taxis. The guide is not exhaustive and reference should also be made to the legislation and other documents that are quoted.

There are 5 types of licences governing the taxi trade.

- Hackney carriage licences
- Hackney carriage drivers licences
- Private hire vehicle licences
- Private hire vehicle driver licences
- Private hire vehicle operators licences

A hackney carriage may be used to ply for hire on taxi ranks and on the streets throughout the district of North Dorset. Private hire vehicles may not be used to ply for hire, and must be hired by some form of booking, usually made by telephone. An operator's licence is required by any person wishing to take bookings for private hire vehicles.

Any vehicle licensed by North Dorset District Council may only be driven by a North Dorset District Council licensed driver, hackney carriage and private hire licences are not interchangeable, drivers wishing to drive both types of vehicle will need both types of driver's licences or a combined licence.

TAXI LICENSING POLICY

The Legislation that allows the District Council to control the licensing of taxis is contained in two Acts. The provisions for granting and regulating private hire licences are contained in the Local Government (Miscellaneous Provisions) Act 1976 (LGMP76), and the requirements and restrictions for controlling hackney carriages is contained within the Town Police Clauses Act 1847 (TPC47) and the LGMP76.

Sections 51 and 59 of the LGMP76 sets two tests that must be satisfied before a licence to drive a hackney carriage vehicle or private hire vehicle can be granted.

- that the applicant is a fit and proper person to hold a driver's licence
- The person must have held a driving licence for at least twelve months before the date of application

Licences can remain in force for 3 years or lesser period (LGMP76 s53(1)) and that an applicant is to have a have medical and produce a medical certificate (s57(2)(i) (ii)). The Authority may attach conditions to private hire driver's licences, but there is no similar provision for attaching conditions to hackney carriage drivers licences. The

Authority may licence for a period of one year only (TPC47 s43) 'such numbers of hackney carriages of any kind or description adapted to the carriage of persons as they think fit'(s 37) and that they may attach conditions as they 'may consider reasonably necessary' and for them to be of such design or appearance to be clearly identifiable as a hackney carriage (LGMP76 s47(1 & 2)).

The Authority cannot licence Private Hire Vehicles unless they are satisfied that the vehicle is suitable for use as a private hire vehicle and not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage, that it is in a suitable mechanical condition, safe, comfortable, and insured (LGMP76 s48(1)). The district council may attach such conditions as they may consider reasonably necessary including, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates (s48(2)).

To grant Private Hire Operator Licences the Authority must be certain that applicants are fit and proper persons to hold such licences (s55(1)). They may then grant licences for up to five years (s55(2)) with appropriate conditions (s55(3)) including those controlling the keeping of records (s56(2)and(3)). Applicants are required to produce information on previous trade or business, any convictions, any previous applications and any suspensions or revocations 57(2)(b).

To fulfill their duty to comply with the provisions North Dorset District Council has agreed the following policies. The criteria identified below are in addition to any expressly required by statute.

Criteria for Licensing Vehicles – *requirements to be able to assess suitability for use of vehicle as a Hackney Carriage / Private Hire Vehicles (applies in relation to both an initial application and any renewal)*

Specification

1. Licenses will only normally be granted for a Proposed Vehicle that meets the following specification:

- (1) The Proposed Vehicle must have a hard top (metal or fiberglass);
- (2) The Proposed Vehicle must have a minimum of four passenger doors;
- (3) The front four (4) doors of a Proposed Vehicle must all provide reasonable access to the Proposed Vehicle by an able bodied Adult without assistance;
- (4) Each passenger door of a Proposed Vehicle must have fully operational internal and external door handles by which the door may be opened; and
- (5) The Proposed Vehicle meets the following minimum seating specification:
 - (i) height (inside): the distance from the top of the seat cushions to the roof at its lowest point must not be less than 800 millimetres (31.5 inches);
 - (ii) Knee space: the distance between the rear of the front seats and the squab of the back seat must not be less than 750 millimetres (29.5 inches);
 - (iii) Seats (width): the width of the back seats from the squab to the front edge must not be less than 450 millimetres (17.8 inches);
 - (iv) Rear seats (length): the length of the rear seat measured in a straight line must be such as to allow seating accommodation to the extent of at least 400 millimetres (15.8 inches) per person.

2. Every Proposed Vehicle must have a minimum seating capacity for four (4) Adults plus the driver each using different seats.

Suitability – mechanical; non- mechanical including cleanliness etc

3. A licence will only normally be granted to a Proposed Vehicle if within a period of time not earlier than fourteen (14) days prior to the submission of an application for a licence or later than fourteen (14) days following the date of submission of an application for the licence to the Council the applicant has:
 - (1) (a) caused the Proposed Vehicle to be presented for examination and inspection at an Approved Garage;
 - (b) prior to the issue of any licence the Approved Garage has, if the Proposed Vehicle is:
 - i. a New Vehicle issued a VIR; or
 - ii. any other vehicle issued a VIRMOT;in respect of the Proposed Vehicle; and
 - (c) that VIR or VIRMOT (as the case may be) has been produced to the Council; and
 - (2) (a) caused the Proposed Vehicle to be presented for examination and inspection by an Authorised Person;
 - (b) prior to the issue of any licence the Authorised Person has inspected the Proposed Vehicle to ascertain whether it meets the Cleanliness Standard; and
 - (c) there has been produced to the Council evidence that the Proposed Vehicle has not been rejected for failing to meet the Cleanliness Standard.
4. A licence will not normally be granted for a Proposed Vehicle unless there has been produced to the Council a valid insurance certificate which will be in force on the date when the licence is issued providing as a minimum third party insurance cover in respect of that Proposed Vehicle that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for vehicles.

5. Where a Proposed Vehicle is fitted with Lifting or Pulling Equipment then a licence will not normally be granted for that Proposed Vehicle unless there has been produced to the Council:
 - (a) evidence that the Lifting and Pulling Equipment has been examined in accordance with all legislative requirements relating to that Lifting and Pulling Equipment;
 - (b) evidence that:
 - i. the Lifting and Pulling Equipment has passed every relevant examination without any defect being identified; or
 - ii. if any defect has been identified in the Lifting and Pulling Equipment it has been remedied; and
 - (c) details of the person undertaking the examination(s) including contact information and qualifications.

Criteria for licensing drivers – Hackney Carriage or Private Hire *(applies in respect of both an original licence and any renewal)*

A. Criteria relating to the applicant and the application

In addition to all relevant statutory requirements, neither a Hackney Driver Licence nor a Private Hire Driver Licence will normally be issued to an applicant unless the applicant for such a licence and that person's application accords with all the following criteria.

1. Driver Qualifications

- (1) The applicant
 - (a) has completed;
 - (i) the Driving Standards Agency Taxi Driving Test, or
 - (ii) A BTECH qualification for taxi driving, or
 - (iii) completed a scheme which, in the opinion of the Council, is reasonably equivalent, or
 - (b) is a current member of the Institute of Advanced Motorists; or
 - (c) holds a current PCV or HGV licence; and
- (2) has, prior to the issue of the Hackney Driver Licence and/or the Private Hire Driver Licence (as the case may be) produced to the Council evidence of compliance with this paragraph.

This paragraph does not apply to an applicant who holds a current hackney carriage or private hire drivers licence issued by North Dorset District Council.

2. The applicant has, subject to sub paragraphs (1) and (2) below, prior to or at the same time as the date of an application for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may), provided to the Council a Medical Certificate that has been completed, dated and signed no earlier than twenty eight (28) calendar days prior to the date of the application.

- (1) Subject to sub paragraph (2) below, the Medical Certificate that is provided to the Council for a Hackney Driver Licence and/or Private Hire Driver Licence for the purposes of paragraph 2 does not need to have been completed, dated and signed within the time specified therein provided:
 - (i) the application is for a new licence that has been received by the Council prior to the expiry of an existing licence issued by the Council and the new licence is for a renewal or replacement of that existing licence;
 - (ii) the date when the Medical Certificate that is provided to the Council was completed, dated and signed is not a date that is earlier than three (3) years and two (2) calendar months before the proposed date of expiry of the new licence that is being sought; and
 - (iii) the Medical Certificate that is provided by the applicant for the purposes of sub paragraph (ii) above does not disclose any information that would or could indicate that driver is not a fit and proper person to drive a Hackney Carriage and/or a Private Hire Vehicle (as the case may be) up to Group 2 Standards.
- (2) The provisions contained in sub paragraph (1) above do not apply to any applicant who is aged sixty five (65) years or older on the date when the application for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may be) is received by the Council.

3. The Medical Certificate that is provided for the purposes of paragraph 2 above has been:

- (1) completed, dated and signed by a Registered Medical Practitioner who:
 - (i) is either the usual Registered Medical Practitioner used by that driver or another Registered Medical Practitioner from the same practice;
 - (ii) prior to completing and signing the Medical Certificate has had unrestricted access to the past medical records of the applicant; and
 - (iii) is either based in the United Kingdom or elsewhere in the European Union provided that in the case of the latter the Council has previously approved in writing the use of such a

Registered Medical Practitioner; and

- (2) certifies that the driver is a sufficiently fit and proper person to drive a Hackney Carriage and/or a Private Hire Vehicle (as the case may be) being up to Group 2 Standards.
4. The applicant has produced to the Council the originals of all relevant driving licence documentation relating to the applicant as prescribed in paragraph 5 below.
 5. (1) For the purposes of paragraph 4(1) above, the requirement to produce the originals of all relevant driving licence documentation means that the applicant must produce originals in the name of the applicant of:
 - (i) a current Great Britain driving licence and a current Great Britain counterpart licence; or
 - (ii) where the applicant does not hold a Great Britain driving licence, a current non Great Britain driving licence and a current Great Britain counterpart licence.
 6. There has been produced to the Council prior to or at the same time as the date of an application for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may):
 - (1) evidence confirming the applicant's right to live and work in the United Kingdom during the licence period of the proposed Hackney Driver Licence and/or Private Hire Driver Licence (as the case may be);
 - (2) (i) Evidence of every country in which the applicant has been resident, including:
 - (a) the applicant's current passport;
 - (b) any previous passport in the possession of the applicant; and
 - (c) where relevant, any visa relating to the applicant's current presence in the United Kingdom;
 - (ii) in the case of applicant who at any time during the applicant's life has been resident in any country other than the United Kingdom a certificate of good conduct for each country in which the applicant has been resident, including details of a relevant embassy contact by which such a certificate can be authenticated by the Council.
 7. The applicant has, subject to sub paragraph (1) below, prior to the date of an application for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may) been the subject of an enhanced Criminal Records Bureau check (including suitability information relating to both adults and children) carried out by the Council or any other body with whom the Council has arrangements for exchanging such information, not earlier than six (6) calendar months prior to the date of the application and the original documentation in respect of that check has been produced to the Council.
 - (1) An applicant for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may be) need not have been the subject of an enhanced Criminal Records Bureau check (including suitability information relating to both adults and children) within the time specified in paragraph 6 provided:
 - (i) the application is for a new licence that has been received by the Council prior to the expiry of an existing licence for which the new licence is being sought;
 - (ii) the date of the enhanced Criminal Records Bureau check (including suitability information relating to both adults and children) that is produced to the Council for the purposes of the application is not be a date that is earlier than three (3) years and two (2) calendar months before the proposed date of expiry of the new licence that is being sought; and
 - (iii) the enhanced Criminal Records Bureau check (including suitability information relating to both adults and children) that is produced to the Council for the purposes of the application did not produce any information that would or could indicate that driver is not a fit and proper person to drive a Hackney Carriage and/or a Private Hire Vehicle (as the case may be)
 8. The:
 - (1) appropriate enhanced Criminal Records Bureau check (including suitability information relating to both adults and children) that is produced for the purposes of paragraph 7 above does not contain any information the nature of which could or would suggest that an applicant was not a fit and proper person to drive a Hackney Carriage and/or a Private Hire Vehicle (as the case may be); and
 - (2) applicant, in addition to the production of an appropriate enhanced Criminal Records Bureau check (including suitability information relating to both adults and children), has produced to the Council a written statement signed and dated by the applicant no earlier than the date of the application, certifying that since the date of that enhanced Criminal Records Bureau check (including suitability information relating to both adults and children), the applicant is not aware of:
 - (i) having committed any offence that could or will lead to criminal proceedings being taken against the applicant;
 - (ii) Any criminal proceedings having been commenced against the applicant; or
 - (iii) any conviction against the applicant not identified in the check.

(B) Criteria relating to the Licence

1. Subject to paragraphs 2 and 3 below a Hackney Driver Licence and/or a Private Hire Driver Licence (as the case may be) will normally be granted for a period of 3 (three) calendar years.
2. Neither a Hackney Driver Licence nor a Private Hire Driver Licence will normally be granted to an applicant

aged sixty five (65) or over at the date of their application with an expiry period in excess of one calendar year.

3. Where an applicant at the date of an application for a Hackney Driver Licence or a Private Hire Driver Licence is aged under sixty five (65), but would exceed sixty five (65) years old within a period of three (3) calendar years of the grant of such a licence, that licence will not normally be granted for a period that would result in more than one (1) calendar year elapsing from the date of the applicant's sixty fifth birthday to the expiry of the licence that was granted.

Criteria for licensing Private Hire Operators (applies in respect of both an original licence and any renewal)

In addition to all relevant statutory requirements, a Private Hire Operator's Licence will not normally be issued unless the Proposed Operator:

1. has:
 - (1) either a current Hackney Driver Licence and/or current Private Hire Driver Licence issued by the Council, or has been the subject of a Criminal Record Bureau basic disclosure not more than six (6) calendar months prior to the date of the application for the Private Hire Operator's Licence, and the original documentation in respect of that check has been produced to the Council; and
 - (2) produced to the Council a written statement signed and dated by the Proposed Operator no earlier than the date of the application, certifying that since the date of the check, the Proposed Operator is not aware of:
 - (i) having committed any offence that could or will lead to criminal proceedings being taken against the Proposed Operator;
 - (ii) any criminal proceedings having been commenced against the Proposed Operator; or
 - (iii) any conviction against the Proposed Operator not identified in the check; and
 - (3) produced to the Council any such further information as the Council identifies to the Proposed Operator as being required;
2. has:
 - (1) identified to the Council whether one or more premises to which the public have access for the purposes of booking a vehicle with a Private Hire Licence is to be used by the Proposed Operator; and
 - (2) if premises are to be used, then prior to the issue of the Private Hire Operator's Licence, or at such other alternative time as the Council has previously specified in writing, produced to the Council:
 - (a) the public liability insurance in respect of those premises; and
 - (b) an explanation, together with any relevant supporting information, as to why the Proposed Operator considers that public liability insurance to be adequate.

Definitions and Interpretation:

Definitions

1. **"Adult"** means a person aged 16 years and over.
2. **"Approved Garage"** means a garage approved by the Ministry of Transport (or any other body or agency with such power) for issuing MOTs which at the time of the issue of a VIR or a VIRMOT (as the case may be) is approved by the Council for the purpose of carrying out of examinations and inspections on behalf of the Council;
3. **"Assistance Dog"** has the meaning contained in the Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002;
4. **"Authorised Person"** means an Officer but also includes in relation to any matter a person or body appointed to act on behalf of the Council in relation to that matter
5. **"Cleanliness Standard"** means the minimum standard for assessment of the cleanliness of a Proposed Vehicle as contained in relevant adopted policy of the Council (if any)
6. **"Council"** means the North Dorset District Council;
7. **"DVLA"** means the Driver and Vehicle Licensing Agency or any body or agency that assumes powers and responsibilities of that agency;
8. **"Exempted Vehicle"** means a Licensed Private Hire Vehicle which has the benefit of and exhibits a certificate of exemption that accords with the provisions of the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act;
9. **"Group 2 Standards"** means those medical standards applicable to a Group 2 licence holder as identified in the most up to date guidance produced by the DVLA as may be amended at any time and from time to time;
10. **"Hackney Carriage"** shall have the same meaning as that contained in section 80(1) Local Government (Miscellaneous Provisions) Act 1976
11. **"Hackney Driver Licence"** means a licence issued pursuant to section 46 of the Town Police Clauses Act 1847 authorizing a person to whom it relates to drive a Hackney Carriage;
12. **"Hackney Name"** means the business trading name under which the Licensed Hackney Vehicle generally operates;
13. **"Hackney Licence"** means a licence issued by the Council under section 37 of the Town Police Clauses Act 1847 authorizing the vehicle to which it relates to be used as a Hackney Carriage;
14. **"Hackney Plate"** means the plate issued by the Council in relation to a Hackney Licence for attachment to the vehicle to which that Hackney Licence relates;
15. **"Knowledge Assessment"** means such assessment(s) as have been approved by the Council for the purposes of assessing the knowledge of an applicant for a Hackney Driver Licence and/or Private Hire Driver Licence (as the case may be)
16. **"Licensed Driver"** means the person in respect of which a Private Hire Driver Licence has been issued;
17. **"Licensed Hackney Vehicle"** means a vehicle in respect of which a Hackney Licence has been issued;

18. **"Licensed Private Hire Vehicle"** means a vehicle in respect of which a Private Hire Licence has been issued;
19. **"Licensed Vehicle"** means a vehicle possessing an extant Hackney Licence and / or a Private Hire Licence;
20. **"Lifting or Pulling Equipment"** means any piece of equipment which has a purpose to lift or lower a person or load or pull a load and includes attachments used for anchoring, fixing or supporting it;
21. **"Medical Certificate"** means a certificate of a kind that accords in all material respects with a sample form contained in relevant adopted policy of the Council (if any);
22. **"Member"** means an elected Member of the Council;
23. **"Minimum Inspection Standards"** means the minimum standard for assessment of the mechanical and non-mechanical suitability of a Proposed Vehicle as contained in relevant adopted policy of the Council (if any)
24. **"New Vehicle"** means a vehicle (a) which was first registered with the DVLA less than three (3) calendar months prior to the date of the application for a Hackney Licence or Private Hire Licence (as the case may be) for that vehicle, (b) which has recorded less than one hundred (100) miles on its milometer; (c) for which the applicant for a licence relating to that vehicle is registered as its owner with the DVLA; and (d) for which there has not been more than one registered owner other than the applicant and that registered owner was a garage or car dealer;
25. **"Officer"** means an employee of the Council;
26. **"Operator"** means a person for whom a licence has been issued under section 55 Local Government (Miscellaneous Provisions) Act 1976 to operate one (1) or more Private Hire Vehicles;
27. **"Private Hire Driver Licence"** means a licence issued pursuant to section 51 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the person to whom it relates to drive a Private Hire Vehicle;
28. **"Private Hire Licence"** means a licence issued under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the vehicle to which it relates to be used as a Private Hire Vehicle;
29. **"Private Hire Name"** means the business trading name under which the Licensed Private Hire Vehicle generally operates;
30. **"Private Hire Operator's Licence"** means a licence issued pursuant to section 55 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the person to whom it relates to operate a Private Hire Vehicle;
31. **"Private Hire Plate"** means the plate issued by the Council in relation to the issue of a Licensed Private Hire Vehicle for attachment to the vehicle to which that Licensed Private Hire Vehicle relates;
32. **"Private Hire Vehicle"** shall have the same meaning as that contained in section 80 (1) Local Government (Miscellaneous Provisions) Act 1976;
33. **"Proposed Operator"** means the person applying for a Private Hire Operator's Licence;
34. **"Proposed Vehicle"** means a vehicle for which a Hackney Licence and/or Private Hire License is being sought;
35. **"Proprietor"** means the proprietor(s) of the vehicle identified in the current Hackney Licence and/or Private Hire Licence (as the case may be) relating to that vehicle;
36. **"Registered Medical Practitioner"** means a fully registered person as defined by s55(1) of the Medical Act 1983 or such other person who is able to satisfy the Council that he/she is a current medical practitioner who possesses qualifications, and is subject to codes, regulations and control that would be comparable in all relevant respects to such a person;
37. **"Re-inspection Date"** means the day commencing six (6) calendar months following the day of issue of the current Hackney Licence and/or Private Hire Licence (as the case may be) for the vehicle to which that licence relates;
38. **"Relevant Fire Protection"** means fire prevention equipment and any other item which has been provided and located in accordance with adopted policy of the Council (if any);
39. **"VIR"** means an inspection report not incorporating MOT inspection requirements that has been issued by an Approved Garage confirming that a Proposed Vehicle complies with the Minimum Inspection Standards completed on a form which accords in all material respects with the most up to date sample inspection report form contained in the relevant adopted policy of the Council (if any);
40. **"VIRMOT"** means an inspection report incorporating MOT inspection requirements that has been issued by an Approved Garage confirming that a Proposed Vehicle complies with the Minimum Inspection Standards completed on a form which accords in all material respects with the most up to date sample inspection report form contained in the relevant adopted policy of the Council (if any);

Interpretation

1. A Licensed Hackney Vehicle shall be deemed to be used as a Hackney Carriage if it is being used for a purpose to which a Hackney Licence relates including the carrying of passengers as a consequence thereof.
2. A Licensed Private Hire Vehicle shall be deemed to be used for private hire if it is being used for a purpose to which a Private Hire Licence relates including the carrying of passengers as a consequence thereof
3. Reference to any legislation shall be deemed to include: (a) any amendments to that legislation; and (b) any other legislation replacing or reenacting the legislation with or without modification.
4. Reference to Council policy includes any amendment to that policy which may be made at any time and from time to time, provided that in relation to any specific licence, reference to Council policy shall be deemed to mean those Council policies existing, and as worded, at the time of the issue of the licence. Any policy adopted after that date, or any subsequent amendment to existing policy, shall not be deemed to apply to that licence until: (a) notice of it has been sent by first class post or delivered to the last known address of the person to whom the licence is issued and 2 calendar days have expired since such sending or delivery; or (b) that licence is renewed or otherwise replaced.
5. Reference to any assessment includes any amendment to that assessment or any addition to or replacement of the assessment which may be approved at any time and from time to time.

CRIMINAL CONVICTIONS POLICY

1. Introduction

1.1 The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.

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

- That a person is a fit and proper person
- That the person does not pose a threat to the public
- That the public are safeguarded from dishonest persons
- The safeguarding of children and young persons

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

- Applicants for drivers' licences
- Existing licensed drivers whose licences are being reviewed
- Licensing officers

- Members of the licensing committee/panel (or other relevant decision making body)
- Magistrates hearing appeals against local authority decisions

1.4 Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing committee/panel (or other relevant decision-making body). Whilst officers and the committee/panel will have regard to the guidelines contained in the policy, **each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.**

2. General policy

2.1 There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.

2.2 A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:

- Remain free of conviction for an appropriate period; and
- Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

2.3 **Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction** [Nottingham City Council v. Mohammed Farooq (1998)].

3. Appeals

3.1 Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal [Local Government Miscellaneous Provisions Act 1976, s 77 (1)].

4. Powers

4.1 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

4.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

4.3 In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

5. Consideration of disclosed criminal history

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

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

5.2 Existing holders of drivers' licences are required to notify the licensing authority in writing within twenty-eight days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).

5.3 Applicants can discuss further what effect a caution/conviction may have on any application by contacting the

licensing officer, North Dorset District Council, Nordon, Salisbury Road, Blandford, DT11 7LL or 01258 484022/141 in confidence for advice.

5.4 The licensing authority conducts enhanced Criminal Records Bureau checks (including suitability information relating to both adults and children) from the Criminal Records Bureau (CRB) of any applicant for a driver licence. The licensing authority follows the CRB's Code of Practice on the fair use of disclosure information. A copy is available on request.

5.5 Applicants applying for the grant or a renewal of a drivers' licence will be required to obtain an enhanced Criminal Records Bureau (including suitability information relating to both adults and children) disclosure at their expense. The licensing authority abides by the CRB's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.

5.6 More information about the CRB now the Disclosure and Barring Service can be found on their website.

5.7 The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police under the Home Office scheme for reporting offences committed by notifiable occupations.

5.8 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

6 Serious offences involving violence

6.1 Licensed drivers have close regular contact with the public. A firm line is to be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.

6.2 In other cases anyone of a violent disposition will normally be refused to be licensed until at least 3 years free of such conviction. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.

6.3 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving
- Terrorism offences
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

6.4 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 10 years prior to the date of application:

- Arson
- Malicious wounding or grievous bodily harm which is racially aggravated
- Actual bodily harm which is racially aggravated
- Grievous bodily harm with intent
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Common assault with racially aggravated
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

6.5 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 5 years prior to the date of application:

- Racially-aggravated criminal damage
- Racially-aggravated offence
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

6.6 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 3 years prior to the date of application:

- Common assault
- Assault occasioning actual bodily harm
- Affray
- S5 Public Order Act 1986 offence (harassment, alarm or distress)

- S.4 Public Order Act 1986 offence (fear of provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Obstruction
- Criminal damage
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

6.7 A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.

6.8 In the event of a licence being granted, a strict warning both verbally and in writing should be administered.

7. Possession of a weapon

7.1 If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to carry the public.

7.2 Depending on the circumstances of the offence, an applicant should be free of conviction for 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), before a licence is granted.

8. Sex and indecency offences

8.1 As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. Those with convictions for the more serious sexual offences will generally be refused. For other offences, applicants will be expected to show a substantial period (normally at least 5 years) free of conviction for such offences before a licence will be granted.

8.2 (a) Unless there are exceptional circumstances, an application will be refused where the applicant has a conviction for an offence such as:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

8.3 (b) Before an application is allowed, an applicant should be free of conviction for at least 10 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:

- Sexual assault
- Indecent assault
- Possession of indecent photographs, child pornography etc.
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

8.4 (c) Before a licence is granted, an applicant should be free of conviction for at least 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:

- Indecent exposure
- Soliciting (kerb crawling)
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

8.5 In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register.

8.6 A licence will not be granted if an applicant has more than one conviction for a sex or indecency offence.

9. Dishonesty

9.1 A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. Taxi drivers are required to deposit such property with police within 24 hours. PHV drivers must pass lost property to the operator. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to an unscrupulous driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

9.2 In general, a minimum period of 3 years free of conviction or at least 3 years from completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:

- theft
- burglary

- fraud
- benefit fraud
- handling or receiving stolen goods
- forgery
- conspiracy to defraud
- obtaining money or property by deception
- other deception
- taking a vehicle without consent
- Or any similar offences (including attempted or conspiracy to commit) which replace the above

10. Drugs

10.1 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.

10.2 A licence will not normally be granted where the applicant has a conviction for an offence related to the supply of drugs and has not been free of conviction for 5 years.

10.3 A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.

10.4 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.

10.5 If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.

11 Driving offences involving the loss of life

11.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted unless the applicant is free of conviction for 7 years or (or at least 3 years must have passed since the completion of the sentence, whichever is longer) if he has a conviction for:

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

11.2 Before a licence is granted, an applicant should be free of conviction for 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), if he has a conviction for:

- Causing death by careless driving
- Causing death by driving: unlicensed, disqualified or uninsured drivers

12 Drink driving/driving under the influence of drugs

12.1 As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. At least 3 years, after the restoration of the driving licence following a drink drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.

13 Outstanding charges or summonses

13.1 If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings. Where information is received through the Notifiable Occupations Scheme on existing licence holders, consideration will be made at committee.

13.2 If the outstanding charge or summons involves a serious offence and the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.

13.3 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver. [Road Safety Act 2006, s 52, 2A&2B]

14 Non-conviction information

14.1 If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application. Such offences would include serious violent offences and serious sex offences.

14.2 In assessing the action to take, the safety of the travelling public must be the paramount concern.

15 Cautions

15.1 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.

16 Licensing offences

16.1 Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed since .

17 Insurance offences

17.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour. More than one conviction for these offences would normally prevent a licence being granted or renewed.

17.2 At least three years should elapse (after the restoration of the DVLA driving licence), before a licence would normally be granted for a hackney carriage or private hire drivers licence. An operator found guilty of aiding and abetting the driving passengers for hire and reward whilst without insurance will have his operators' licence revoked immediately and prevented from holding a licence for three years.

18 Overseas residents

18.1 If a private hire operator applicant has spent six continuous months or more overseas the licensing authority will expect to see evidence of a criminal record check from the country/countries covering the period.

19 Licences issued by other licensing authorities

19.1 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merit.

20 Summary

20.1 To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be allowed before 3 years free from conviction have elapsed.

20.2 Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.

20.3 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Annex A – Motoring offences and penalty points

The following is a guide to the number of penalty points a court may impose, it does not reflect the fact that some offences may incur a disqualification. These codes are recorded from information supplied by the courts (accurate at the time of this document).

Code	Offence	Penalty Points
Accident Offences		
AC10	Failing to stop after an accident	5-10
AC20	Failing to give particulars or to report an accident within 24 hours	5-10
AC30	Undefined accident offences	4-9
Disqualified Driver		
BA10	Driving whilst disqualified by order of court	6
BA30	Attempting to driver while disqualified by order of court	6
Careless Driving		

CD10	Driving without due care and attention	3-9
CD20	Driving without reasonable consideration for other road users	3-9
CD30	Driving without due care and attention or without reasonable consideration for other road users	3-9
CD40	Causing death through careless driving when unfit through drink	3-11
CD50	Causing death by careless driving when unfit through drugs	3-11
CD60	Causing death by careless driving with alcohol level above the limit	3-11
CD70	Causing death by careless driving then failing to supply a specimen for analysis	3-11
CD71	Causing death by careless driving then failing to supply A specimen for drug analysis	3-11
CD80	Causing death by careless, or inconsiderate, driving	3-11
CD90	Causing death by driving: unlicensed, disqualified or Uninsured drivers	3-11
Construction & Use Of Offences		
CU10	Using a vehicle with defective brakes	3
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicles or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition	3
CU30	Using a vehicle with defective tyre(s)	3
CU40	Using a vehicle with defective steering	3
CU50	Causing or likely to cause danger by reason of load or passengers	3
C80	Using a mobile phone while driving a vehicle	3
Dangerous Driving		
DD40	Dangerous Driving	3-11
DD60	Manslaughter or culpable homicide while driving a vehicle	3-11
DD90	Furious Driving	3-9
Drink or Drugs		
DR10	Driving or attempting to drive with alcohol level above limit	3-11
DR20	Driving or attempting to drive while unfit through drink	3-11
DR30	Driving or attempting to drive then failing to supply a specimen for analysis	3-11
DR40	In charge of a vehicle while alcohol level above limit	10
DR50	In charge of vehicle while unfit through drink	10
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive	10
DR61	Failure to supply a specimen for drug analysis in circumstances other than driving or attempting to drive	10
DR70	Failing to provide specimen for breath test	4
DR80	Driving or attempting to drive when unfit through drugs	3-11
DR90	In charge of a vehicle when unfit through drugs	3-11
Insurance Offences		
IN10	Using a vehicle uninsured against third party risks	6-8
Licence Offences		
LC20	Driving otherwise than in accordance with the licence	3-6
LC30	Driving after making a false declaration about fitness applying for a licence	3-6
LC40	Driving a vehicle having failed to notify a disability	3-6
LC50	Driving after a licence has been revoked or refused on medical ground	3-6
Miscellaneous Offences		

MS10	Leaving a vehicle in a dangerous position	3
MS20	Unlawful pillion riding	3
MS30	Play street offences	2
MS50	Motor racing on the highway	3-11
MS60	Offences not covered by other codes	As Appropriate
MS70	Driving with uncorrected defective eyesight	3
MS80	Refusing to submit to an eyesight test	3
MS90	Failure to give information as to identity of driver etc.	3
Motorway Offences		
MW10	Contravention of Special Roads Regulations (excluding speed limits)	3
Pedestrian Crossings		
PC10	Undefined Contravention of Pedestrian Crossing Regulation	3
PC20	Contravention of Pedestrian Crossing Regulations with moving vehicle	3
PC30	Contravention of Pedestrian Crossing Regulations with stationary vehicle	3
Speed Limits		
SP10	Exceeding goods vehicle speed limits	3-6
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)	3-6
SP30	Exceeding statutory speed limit on a public road	3-6
SP40	Exceeding passenger vehicle speed limit	3-6
SP50	Exceeding speed limit on a motorway	3-6
Traffic Directions And Signs		
TS10	Failing to comply with traffic light signals	3
TS20	Failing to comply with double white lines	3
TS30	Failing to comply with 'Stop' sign	3
TS40	Failing to comply with direction of a constable/warden	3
TS50	Failing to comply with a traffic sign (excluding stop signs, traffic signs or double white lines)	3
TS60	Failing to comply with a school crossing patrol sign	3
TS70	Undefined failure to comply with a traffic direction sign	3
Special Code		
TT99	To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within Years, the driver is liable to be disqualified	3
Theft or Unauthorised Taking		
UT50	Aggravated taking of a vehicle	3-11

Aiding, abetting, counseling or procuring

Offences as coded, but with 0 changed to 2 e.g. LC10 becomes LC12.

Causing or permitting

Offences as coded, but with 0 changed to 4 e.g. LC10 becomes LC14.

Inciting

Offences as coded, but with the end 0 changed to 6 e.g. DD40 becomes DD46.

Non-endorsable offences

Some offences are non-endorsable. A non-endorsable offence is an offence which courts do not endorse onto paper counterpart. No penalty points are attributed to these offences but they carry a period of disqualification. At the end of the disqualification (over 56 days) the driver will have to apply for a renewal licence together with the appropriate fee. Any queries about offences and endorsements should be directed to the convicting court.

Period of time

Periods of time are signified as follows: D=Days, M=Months, Y=Years

Endorsements remain on a counterpart licence for the following periods of time: Endorsements must remain on a

licence for 11 years from date of conviction if the offence is:

- Drinking/drugs and driving (shown on the licence as DR10, DR20, DR20 and DR80).
- Causing death by careless driving whilst under the influence of drink/drugs (shown on the licence as CD40, CD50 and CD 60).
- Causing death by careless driving, then failing to provide a specimen for analysis (shown on the licence as CD70).
Or 4 years from the date of conviction if the offence is as listed below:
- Reckless/dangerous driving (shown on the licence as DD40, DD60 and DD80).
- Offences resulting in disqualification.
- Disqualified from holding a full licence until a driving test has been passed.
Or 4 years from the date of offence in all other cases. Source www.direct.gov.uk

FIRE PROTECTION POLICY FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

Each licensed vehicle shall carry a fire extinguisher that is charged and has not expired. The extinguisher shall be in such a position as to be readily and immediately available for use.

CLEANLINESS STANDARD

Body Condition (Interior)	Reasons For Rejection
a. Fixtures, fittings or accessories.	a. Insecure and loose fixtures, fittings or accessories.
b. Trim, seat covers, carpets, seat belts, mats, headlining, boot area and inclusion of prescribed items.	b. Missing, dirty, soiled, stained worn or insecure trim, carpets, headlining, and mats.
c. Interior lights, motion door locks and warning lights.	c. An inoperative interior light (all lights must illuminate if they are part of the manufacturer's standard equipment). Missing or defective motion
d. Heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted (includes electric front and rear screen demisters)	d. A system(s), which does not function correctly, or any part is missing including vents, controls and switches.
e. Windows	e. An opening window that is inoperative or difficult to open and or close mechanism broken/missing.
f. Interior door locks, grab handles/rails safety covers	f. Missing, defective or loose door locks, child locks, protective covers grab handles and rails. Grab handles/rails, which are
g. Grills/partitions for security and condition	g. A grill/partition which is insecure or has sharp edge which may cause injury to passengers or driver.
h. Electrical wiring for condition, security, including intercom systems.	h. Frayed, chaffing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom system defective, warning light inoperative and signs illegible/missing.
i. Boot access, contents, cleanliness, and water ingress.	i. Unable to open, close and or lock boot lid, failure of boot lid support mechanism, defective seals/evidence of water ingress, dirty boot and or carpets, loose items stored in boot (i.e. spare wheel tools and equipment etc).
Additional items to be inspected in limousines and novelty vehicles:	
j. All fixtures and fittings i.e. mirror balls, drinks cabinets, televisions etc must be stored securely and not hinder the ingress or egress from the passenger compartment.	j. Any fixture or fitting, that is loose or insecure or where walkways are blocked that prevents ease of ingress or egress from the passenger compartment.
k. A notice identifying the maximum seating capacity to be displayed in the passenger compartment and clearly visible to all passengers. It may be necessary to display more than one sign indicating the maximum seating capacity.	k. No maximum seating capacity sign or signs displayed. A sign or signs not clearly visible to all passengers

GENERAL INFORMATION

Correspondence

All correspondence should be emailed to licensing@north-dorset.gov.uk or posted to THE LICENCING OFFICE, NORTH DORSET DISTRICT COUNCIL, 'NORDON', SALISBURY ROAD, BLANDFORD FORUM, DORSET DT11 7LL,.

Forms Of Application

All forms are available on the internet at www.dorsetforyou.com/taxi/north-dorset. or from the Licensing Office,

Personal Visits To The Licensing Office

Should you wish to see a member of the Licensing Team, you must make an appointment as they are not always available. Applications for licences can be posted or left with reception staff. Office hours are normally 9.00am (10.00am on Wednesdays) to 5.00pm Monday to Thursday and 4.00pm on Fridays.

Telephone Enquiries To The Licensing Office

Telephone enquiries may be made by telephoning a direct line to the office (01258) 484387/484022/484141.

Loss Of A Licence

This should be reported immediately to the Licensing Office, North Dorset District Council, 'Nordon', Salisbury Road, Blandford Forum, Dorset, DT11 7LL where, upon receipt of a charge, a duplicate can be issued.

Lost Or Stolen Driver's Badge

This should be reported immediately to the Licensing Office, where, upon receipt of a charge, a duplicate badge can be issued.

Lost Or Stolen Vehicle Plate

This should be reported immediately to the Licensing Office, where, upon receipt of a charge, a new plate will be issued.

Licence Renewals

The responsibility for renewal rests with the licence holder. Reminders are sent purely as a courtesy. The Council will endeavour to send all licence holders a reminder and the necessary forms of renewal well in advance of the expiry of a licence.

The application for renewal MUST be made before the current Licence expires. Even if the application is only one day late it must be treated as a First Application.

An application for renewal can be made in the month before the expiry of the current licence. Renewal applications for drivers licences received after the expiry date of a licence will be subject to a 'late renewal fee', which is 50% of a new application fee.

Payments

The Council's Cash Office has been closed and there is only a limited service for accepting cash in payment for applications, so please make payments by BACs, debit/credit card or cheque. Our BACs details are sort code 40-12-18 and account number 11207709. Any cheques or postal orders should be made payable to NORTH DORSET DISTRICT COUNCIL and crossed. You are advised to obtain an official receipt for all monies paid.

Report any significant health changes

Private hire and combined licensed drivers are required under the conditions of their licence to report any material changes to their health to the licensing department. Hackney carriage drivers are requested to.

Six monthly check

All licensed vehicles must have a Vehicle Inspection Report (VIR) completed at one of the approved garages six months after being licensed. It is a condition of the licence that this check is carried out and failure to do so can result in the suspension of the vehicle licence. It is the responsibility of the licence holder to make the appointment with the garage. The licensing office will endeavor to send out reminders before the due date, but this is a courtesy service. The check must be carried out in the week preceding the six month anniversary of the licence.

Vehicle Fitness Spot Checks

From time to time a licensed vehicle may be subject to a 'spot check' to determine its road worthiness. This check will be carried out by an authorised officer of the Council, or by an authorised tester in the presence of an authorised officer, usually by the roadside.

If, as a result of a check, an immediate suspension notice is issued, then the vehicle must not be used under any circumstances as a licensed vehicle until it has been re-examined and the suspension lifted by an authorised officer.

If the suspension notice gives you 10 days in which to rectify the defects, then a vehicle may continue to be used until the date given on the notice. If the defect is rectified during this 10 days the licensing office should be contacted regarding the lifting of the notice. If the defect is not rectified by the time limit specified the licence will be suspended and the vehicle will not be able to be used as a licensed vehicle until such time as the defect is rectified and the suspension has been lifted.

The roadside check carried out on a vehicle, because of practical difficulties, is unable to cover all items normally examined at a full test. The list of defects given to you only serves as justification for the issue of a suspension notice.

TAXI STANDS

Blandford, Sheep Market Hill -6 places

Shaftesbury, High Street -2 places

Gillingham, School Lane -1 place, High Street -3 places

THE LAW

Where it is relevant the source of the law is given in an abbreviated form;

Legislation

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Transport Act 1985

Abbreviation

TCPA

LG(MP)A

TA

Copies of the Acts of Parliament can be consulted at a reference library, at <http://www.legislation.gov.uk/>, or purchased from 'The Stationery Office' on 0870 600 55 22.

Plying And Standing For Hire

Licensed taxis may ply for hire on any street within the North Dorset area. They may only stand for hire on the appointed taxi stands (section 38 TCPA).

To ply for hire outside these boundaries is an offence (section 45 TCPA).

Drivers Of Licensed Vehicles Must Be Licensed

Once a vehicle is licensed as a taxi, **every** driver of that vehicle, whether it be used for business or pleasure, must possess a current taxi driver licence (section 46 TCPA).

Obstruction Of Officers

It is an offence to:-

- (a) willfully obstruct an authorised officer or police constable
- (b) fail to comply with any reasonable requirement of an authorised officer or police constable
- (c) fail to give an authorised officer or police constable any assistance or information he may reasonably require (section 73 LG(MP)A).

Charging Separate Fares

The practice of 'doubling up' of passengers and charging separately is illegal except in the following circumstances:-

- (a) The driver, proprietor or any other person must not organise people to share a vehicle whilst the vehicle is plying for hire on the streets or standing for hire at a rank. Only prospective passengers may agree amongst themselves to share and then approach the driver or proprietor with the request, AND;

- (i) If the journey begins and ends in the North Dorset Area – the taximeter must be used to determine the fare, and the fare charged in total must not exceed that finally displayed on the meter, OR
 - (ii) If the journey begins or ends outside the North Dorset Area – the charge is negotiable. If no negotiations take place then the meter must be used and no more than that recorded on it must be charged in total.
 - (iii) The amount of each separate fare must not in total exceed that which would normally be charged for the total journey if it had been one fare. The driver is not in a position to decide what to charge each passenger. The passengers themselves must apportion the fare between themselves (Part 1 of Schedule 1 TA), OR
- (b) (i) All the passengers carried on the occasion in question booked their journeys in advance; and
- (ii) each of them consented, when booking his journey to sharing the use on that occasion with others on the basis that a separate fare would be payable by each passenger for his own journey on that occasion (Section 11, TA).

Production Of Licences

Licence holders must produce the licences to an authorised officer or police constable if requested to do so (section 50 and 53 LG(MP)A).

Fares

Journeys that begin and end within the North Dorset Area

For every such journey the taximeter must be engaged at the commencement of the journey and no more than is displayed on the meter at the end of the journey be charged.

Journeys that begin or end outside the North Dorset Area

For these journeys the fare is negotiable with the hirer, provided that if no negotiation is entered into, no fare greater than that displayed on the meter can be charged. The meter must be used (section 66 LG(MP)A).

Private Hire

Taxis when used for private hire must charge from the point of pick up to the point of drop and use the meter (section 67 LG(MP)A).

NB: What must be noted is that for whatever type of journey, the taximeter must be in operation during the hiring even if the fare has been negotiated

Passengers

The driver must not convey any other person other than with the consent of the hirer (section 59 TPCA).

Accidents And Damage To Vehicles

Accidents causing damage to vehicles which materially affect the safety, performance or appearance of the vehicle, must be reported to the Council within 72 hours (section 50 LG(MP)A).

Identification Plates On Vehicles

A licensed vehicle must display the plate issued by the Council at all times (section 51 TPCA).

On revocation, suspension or expiry of the vehicle licence, the plate must be returned to the Council within 7 days (section 58 LG(MP)A).

Vehicle Insurance

Before a vehicle licence can be issued a current certificate or cover note for public hire use must be produced (section 50 LG(MP)A).

A certificate or cover note must be produced on demand to an authorised officer (section 50 LG(MP)A).

Retention Of Driver Licences

A vehicle proprietor must retain in his possession, the driver licences issued by the Council, of all drivers driving his vehicle(s) (section 48 TPCA).

Suspension And Revocation Of Vehicle Licences

The Council may suspend, revoke or refuse to renew a licence on the following grounds:-

- (a) the vehicle is unfit
- (b) the conviction of an offence under the LG(MP)A or TPCA.
- (c) any other reasonable cause (section 60 LG(MP)A).

A licence may be suspended by an authorised officer or police constable if he considers the vehicle unfit (section 68 LG(MP)A).

On suspension, revocation or expiry of the licence, the plate must be returned to the Council within 7 days (section 58 LG(MP)A).

Testing Of Vehicles

All vehicles (whatever their age) must be tested and inspected before a licence can be issued to ensure that they are mechanically fit and of good appearance (section 37 TPCA, section 68 LG(MP)A).

Transfer Of Ownership Of Vehicles

Where the ownership of a licensed vehicle is transferred, the Council must be informed by the person listed as owner by the Council of this within 14 days, stating the name and address of the new owner (section 48 LG(MP)A).

Unlicensed Drivers

It is an offence to employ an unlicensed driver (section 47 TPCA).

Vehicle Licences

Every vehicle used as a taxi must be licensed by the District Council (section 37 TPCA).

A licence cannot be issued for a period exceeding a year (section 43 TPCA).

Driver's Badges

All drivers must wear the badge provided, when driving a licensed vehicle, in a position so as to be plainly visible (S54 LG(MP)A, BYLAW 14).

The licence of the driver must be deposited with the proprietor of the vehicle being driven (section 48 TPCA).

Obstruction Of Other Drivers

It is an offence to willfully obstruct the driver of another licensed vehicle in setting down or picking up passengers or prevents another driver from being hired (section 64 TPCA).

Vehicle Plate Numbers

The interior and exterior display of plate numbers must not be concealed (section 52 TPCA).

Prolongation Of Journeys

A driver must proceed by the shortest route subject to the instructions of the hirer (section 69 LG(MP)A).

Refusing To Drive

It is an offence for a driver, whilst the taxi is standing on an appointed stand, to refuse, without reasonable excuse, to drive to any point within the North Dorset Area (section 53 TPCA).

Suspension And Revocation Of Driver Licences

The Council may suspend or revoke or refuse to renew any licence on the following grounds: -

- (a) the conviction of an offence involving dishonesty, indecency or violence
- (b) the conviction of an offence under LG(MP)A
- (c) any other reasonable cause (section 61 LG(MP)A).

NORTH DORSET DISTRICT COUNCIL BYELAWS

MADE UNDER S68 TOWN POLICE CLAUSE ACT 1847

References to "Hackney Carriages" should be read as if they were references to taxi".

Throughout these byelaws "the Council" means the North Dorset District Council and "the district" means the North Dorset District.

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

1. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.
- (b) A proprietor or driver of a hackney carriage shall: -
 - (i) not willfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

2. The proprietor of a hackney carriage shall
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;

- (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
3. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed attached and maintained as to comply with the following requirements, that is to say:
- (a) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-
 - (i) the words "FOR HIRE" shall be exhibited on each side of the flat or other device in plain letters at least one inch in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible.
 - (ii) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible;
 - (iii) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
 - (b) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":
 - (i) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (ii) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter;
 - (c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance.
 - (d) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
 - (e) The taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring
 - (f) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking damaging or permanently displaying the seals or other appliances.
4. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:-
- (a) the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height;
 - (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire

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

5. The driver of a hackney carriage shall;
- (a) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-
 - (i) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
 - (ii) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring;
 - (b) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-
 - (i) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;
 - (ii) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;
 - (iii) as soon as the carriage is hired by distance, and before commencing the journey, bring the

machinery of the taximeter into action by moving the key or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;

- (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act, 1972 and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-
 - (a) proceed with reasonable speed to one of the stands fixed by the Council in that behalf;
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
11. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate attached to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
14. The driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:-
 - (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading;
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages.

15. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list: - **(Hackney carriage stands are now appointed under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.**

Provisions fixing the rates or fares to be paid for hackney carriages within the district and ring the due publication of such fares.

16. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer expresses at the commencement of hiring his desire to engage by time.
17. Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save to any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter. **(Hackney carriage fares are now fixed under section 65 of the Local Government (Miscellaneous Provisions) Act 1976.**
18. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures

- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not willfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

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

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

Penalties

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

MODEL CONDITIONS RELATING TO VARIOUS LICENCES FOR HACKNEY CARRIAGES AND / OR PRIVATE HIRE VEHICLES

Definitions and Interpretation:

Definitions

1. **"Adult"** means a person aged 16 years and over.
2. **"Approved Garage"** means a garage approved by the Ministry of Transport (or any other body or agency with such power) for issuing MOTs which at the time of the issue of a VIR or a VIRMOT (as the case may be) is approved by the Council for the purpose of carrying out of examinations and inspections on behalf of the Council;
3. **"Assistance Dog"** has the meaning contained in the Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002;
4. **"Cleanliness Standard"** means the minimum standard for assessment of the cleanliness of a Hackney Vehicle or Private Hire Vehicle (as the case may be) as contained in relevant adopted policy of the Council (if any)
5. **"Council"** means the North Dorset District Council;
6. **"DVLA"** means the Driver and Vehicle Licensing Agency or any body or agency that assumes powers and responsibilities of that agency;
7. **"Exempted Vehicle"** means a Licensed Private Hire Vehicle which has the benefit of and exhibits a certificate of exemption that accords with the provisions of the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act;
8. **"Group 2 Standards"** means those medical standards applicable to a Group 2 licence holder as identified in the most up to date guidance produced by the DVLA as may be amended at any time and from time to time;
9. **"Hackney Carriage"** shall have the same meaning as that contained in section 80(1) Local Government (Miscellaneous Provisions) Act 1976
10. **"Hackney Driver Licence"** means a licence issued pursuant to section 46 of the Town Police Clauses Act 1847 authorizing a person to whom it relates to drive a Hackney Carriage;
11. **"Hackney Name"** means the business trading name under which the Licensed Hackney Vehicle generally operates;
12. **"Hackney Licence"** means a licence issued by the Council under section 37 of the Town Police Clauses Act 1847 authorizing the vehicle to which it relates to be used as a Hackney Carriage;
13. **"Hackney Plate"** means the plate issued by the Council in relation to a Hackney Licence for attachment to the vehicle to which that Hackney Licence relates;
14. **"Internal Plate"** means the plate issued by the Council in relation to a Hackney Licence or a Private Hire Licence (as the case may be) for attachment within the vehicle to which that Hackney Licence or Private Hire Licence relates;
15. **"Licensed Driver"** means the person in respect of which a Private Hire Driver Licence has been issued;
16. **"Licensed Hackney Vehicle"** means a vehicle in respect of which a Hackney Licence has been issued;
17. **"Licensed Private Hire Vehicle"** means a vehicle in respect of which a Private Hire Licence has been issued;
18. **"Licensed Vehicle"** means a vehicle possessing an extant Hackney Licence and / or a Private Hire Licence;
19. **"Lifting or Pulling Equipment"** means any piece of equipment which has a purpose to lift or lower a person or load or pull a load and includes attachments used for anchoring, fixing or supporting it;
20. **"Medical Certificate"** means a certificate of a kind that accords in all material respects with a sample form contained in relevant adopted policy of the Council (if any);
21. **"Minimum Inspection Standards"** means the minimum standard for assessment of the mechanical and non-mechanical suitability of a Hackney Vehicle or Private Hire Vehicle (as the case may be) as contained in relevant adopted policy of the Council (if any)
22. **"New Vehicle"** means a vehicle (a) which was first registered with the DVLC less than three (3) calendar months prior to the date of the application for a Hackney Licence or Private Hire Licence (as the case may be) for that vehicle, (b) which has recorded less than one hundred (100) miles on its milometer; (c) for which the applicant for a licence relating to that vehicle is registered as its owner with the DVLC; and (d) for which there has not been more than one registered owner other than the applicant and that registered owner was a garage or car dealer;
23. **"Operator"** means a person for whom a licence has been issued under section 55 Local Government (Miscellaneous Provisions) Act 1976 to operate one (1) or more Private Hire Vehicles;
24. **"Private Hire Driver Licence"** means a licence issued pursuant to section 51 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the person to whom it relates to drive a Private Hire Vehicle;
25. **"Private Hire Licence"** means a licence issued under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the vehicle to which it relates to be used as a Private Hire Vehicle;
26. **"Private Hire Name"** means the business trading name under which the Licensed Private Hire Vehicle generally operates;
27. **"Private Hire Operator's Licence"** means a licence issued pursuant to section 55 of the Local Government (Miscellaneous Provisions) Act 1976 authorising the person to

whom it relates to operate a Private Hire Vehicle;

28. **"Private Hire Plate"** means the plate issued by the Council in relation to the issue of a Licensed Private Hire Vehicle for attachment to the vehicle to which that Licensed Private Hire Vehicle relates;
29. **"Private Hire Vehicle"** shall have the same meaning as that contained in section 80 (1) Local Government (Miscellaneous Provisions) Act 1976;
30. **"Proposed Operator"** means the person applying for a Private Hire Operator's Licence;
31. **"Proposed Vehicle"** means a vehicle for which a Hackney Licence and/or Private Hire Licence is being sought;
32. **"Proprietor"** means the proprietor(s) of the vehicle identified in the current Hackney Licence and/or Private Hire Licence (as the case may be) relating to that vehicle;
33. **"Registered Medical Practitioner"** means a fully registered person as defined by s55(1) of the Medical Act 1983 or such other person who is able to satisfy the Council that he/she is a current medical practitioner who possesses qualifications, and is subject to codes, regulations and control that would be comparable in all relevant respects to such a person;
34. **"Re-inspection Date"** means the day commencing six (6) calendar months following the day of issue of the current Hackney Licence and/or Private Hire Licence (as the case may be) for the vehicle to which that licence relates;
35. **"Relevant Fire Protection"** means fire prevention equipment and any other item which has been provided and located in accordance with adopted policy of the Council (if any);
36. **"VIR"** means an inspection report not incorporating MOT inspection requirements that has been issued by an Approved Garage confirming that a vehicle complies with the Minimum Inspection Standards completed on a form which accords in all material respects with the most up to date sample inspection report form contained in the relevant adopted policy of the Council (if any);
37. **"VIRMOT"** means an inspection report incorporating MOT inspection requirements that has been issued by an Approved Garage confirming that a vehicle complies with the Minimum Inspection Standards completed on a form which accords in all material respects with the most up to date sample inspection report form contained in the relevant adopted policy of the Council (if any);

Interpretation

1. A Licensed Hackney Vehicle shall be deemed to be used as a Hackney Carriage if it is being used for a purpose to which a Hackney Licence relates including the carrying of passengers as a consequence thereof.
2. A Licensed Private Hire Vehicle shall be deemed to be used for private hire if it is being used for a purpose to which a Private Hire Licence relates including the carrying of passengers as a consequence thereof
3. Reference to any legislation shall be deemed to include: (a) any amendments to that legislation; and (b) any other legislation replacing or reenacting the legislation without or without modification.
4. Reference to Council policy includes any amendment to that policy which may be made at any time and from time to time, provided that in relation to any specific licence, reference to Council policy shall be deemed to mean those Council policies existing, and as worded, at the time of the issue of the licence. Any policy adopted after that date, or any subsequent amendment to existing policy, shall not be deemed to apply to that licence until: (c) notice of it has been sent by first class post or delivered to the last known address of the person to whom the licence is issued and 2 calendar days have expired since such sending or delivery; or (d) that licence is renewed or otherwise replaced.
5. Headings and titles are for ease of reference only and do not form part of the conditions

Hackney Carriage Vehicles.

Internal and External Licence Plates to be Displayed

1. At all times that a Licensed Hackney Vehicle is being used as a Hackney Carriage:
 - (1) the Hackney Plate relating to that Licensed Hackney Vehicle shall be fixed to and displayed on the outside body of the Licensed Hackney Vehicle so that there is an unobstructed view of it from the rear of the Licensed Hackney Vehicle and its contents are legible; and
 - (2) the Internal Plate relating to that Licensed Hackney Vehicle shall be fixed to and displayed on the left hand internal side of the windscreen of the Licensed Hackney Vehicle in such a position and manner so that there is nothing that covers its surface that would impair its legibility and so as to be clearly visible to a person sitting in any rear seat of the Licensed Hackney Vehicle and seeking to view the Internal Plate looking either between the front seats or over the top of the passenger side front seat.
2. At all times that a Hackney Plate is displayed on a Licensed Hackney Vehicle it shall be kept sufficiently clean to enable its contents to be clearly legible from a distance of at least five (5) metres.

Luggage to be Secured

3. Luggage and other articles placed or carried on a Licensed Hackney Vehicle shall at all times be secured in a manner that prevents harm to any user of the Licensed Hackney Vehicle and / or damage to the luggage and / or other articles.
4. Luggage and other articles shall not be placed or carried on the roof of a Licensed Hackney Vehicle unless they are secured to a luggage rack in a manner that prevents:
 - (1) harm to any user of the Licensed Hackney Vehicle;
 - (2) damage to the luggage / other articles; and
 - (3) any danger to other road users.

Roof Sign to be Fitted at All Times

5. A Licensed Hackney Vehicle shall at all times be fitted with a sign ("the Taxi Sign") on and above the roof of the Licensed Hackney Vehicle.
6. The Taxi Sign attached to a Licensed Hackney Vehicle shall at all times that the Licensed Hackney Vehicle is available for hire as a Hackney Carriage be illuminated with an internal light source so that at all times it is clearly visible to a person standing no less than five (5) metres from the Licensed Hackney Vehicle.
7. A Taxi Sign shall display the word "TAXI" to the front of the vehicle.
8. In addition to the word "TAXI" the front of a Taxi Sign shall only display the name of the Proprietor or the

Hackney Name.

9. A Taxi Sign shall only display to the rear the word "TAXI" and / or the name of the Proprietor or the Hackney Name and / or the telephone number of the Proprietor or Hackney Name.
10. No roof sign other than a Taxi Sign shall be affixed to or placed on the roof of a Licensed Hackney Vehicle without the prior written consent of the Council.
11. No roof sign on a Licensed Hackney Vehicle including a Taxi Sign shall have blue colouring either for the lettering or panels.

Other Signs and Notices, including Advertisements

12. Except for a Taxi Sign no sign, whether being an advertisement or otherwise, or other notice shall be placed on or in a Licensed Hackney Vehicle at any time that it is being used as a Hackney Carriage unless:
 - (1) it only specifies the name of the Proprietor and/or Hackney Name; or
 - (2) the prior written approval of the Council has been secured and the sign or notice (as the case may be) is in accordance with the approval.

All Door Handles to be in Full Working Order

13. Every door handle of a Licensed Hackney Vehicle shall at all times be in full working order.

Vehicle to be Kept Clean

14. A Licensed Hackney Vehicle shall not be used as a Hackney Carriage if at the time of such use there exists in relation to that Licensed Hackney Vehicle a reason for rejection of it pursuant to the provisions set out in the Cleanliness Standard.

Examination and Inspections

15. A Licensed Hackney Vehicle shall not be used as a Hackney Carriage after the Re-inspection Date unless:
 - (1) a VIR has been issued in respect of that Licensed Hackney Vehicle; and
 - (2) the inspection to which that VIR relates was undertaken not earlier than seven (7) calendar days prior to the Re-inspection Date.
16. Within seven (7) calendar days of a VIR being issued in respect of a Licensed Hackney Vehicle, the Proprietor (or one of them if more than one) shall produce a copy to the Council for its retention unless a copy has already been produced to the Council by an Approved Garage.
17. A Licensed Hackney Vehicle shall not be used as a Hackney Carriage if at the time of such use there exists in relation to that Licensed Hackney Vehicle a reason for rejection of it pursuant to the provisions set out in the Minimum Inspection Standards.

Lifting or Pulling Equipment to be Tested

18. A Licensed Hackney Vehicle which has fitted to it any Lifting or Pulling Equipment shall not be used as a Hackney Carriage at any time that:
 - (1) the Lifting or Pulling Equipment has not been examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment; and
 - (2) the Lifting or Pulling Equipment has passed such examination without any defect being identified or any defect identified as part of such examination has been rectified
19. Within seven (7) calendar days of any Lifting or Pulling Equipment that is attached to a Licensed Hackney Vehicle being examined in order to accord with the requirement of any legislation relating to such Lifting or Pulling Equipment the Proprietor (or one of them if more than one) shall ensure that a report of that examination has been completed by the person undertaking the examination and a copy of that examination report produced to the Council for its retention.

Vehicles Not to Have Re-Mould or Re-Tread Tyres

20. A Licensed Hackney Vehicle shall not be used as a Hackney Carriage at any time that it is running on one or more re-mould or re-tread tyres.

Valid Insurance

21. A Licensed Hackney Vehicle shall at all times that it is being used as a Hackney Carriage have as a minimum third party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

Fire Safety Equipment

22. A Licensed Hackney Vehicle shall at all times that it is being used as a Hackney Carriage have all

Relevant Fire Protection.

Alterations

23. No alterations or modifications shall be made to a Licensed Hackney Vehicle without the prior written consent of the Council

Private Hire Vehicles.

Internal and External Licence Plates to be Displayed

1. At all times that a Licensed Private Hire Vehicle is being used as a Private Hire Vehicle:
 - (1) the Private Hire Plate relating to that Licensed Private Hire Vehicle shall be fixed to and displayed on the outside body of the Licensed Private Hire Vehicle so that there is an unobstructed view of it from the rear of the Licensed Private Hire Vehicle and its contents are legible; and
 - (2) the Internal Plate relating to that Licensed Private Hire Vehicle shall be fixed to and displayed on the left hand internal side of the windscreen of the Licensed Private Hire Vehicle in such a position and manner so that there is nothing that covers its surface that would impair its legibility and so as to be clearly visible to a person sitting in any rear seat of the Licensed Private Hire Vehicle and seeking to view the Internal Plate looking either between the front seats or over the top of the passenger side front seat.
2. At all times that a Private Hire Plate is displayed on a Licensed Private Hire Vehicle it shall be kept be sufficiently clean to enable its contents to be clearly legible from a distance of at least five (5) metres.

Luggage To Be Secured

3. Luggage and other articles placed or carried on a Licensed Private Hire Vehicle shall at all times be secured in a manner that prevents harm to any user of the Licensed Private Hire Vehicle and/or damage to the luggage and/or other articles
4. Luggage and other articles shall not be placed or carried on the roof of a Licensed Private Hire Vehicle unless they are secured to a luggage rack in a manner that prevents:
 - (1) harm to any user of the Licensed Private Hire Vehicle;
 - (2) damage to the luggage / other articles; and
 - (3) any danger to other road users.

Other Signs and Notices, including Advertisements

5. At no time shall a Licensed Private Hire Vehicle have attached to or on it:
 - (1) the words "taxi", "cab", "hackney", "carriage" or "for hire"; or
 - (2) any other words that could lead a reasonable member of the public to believe that it was a vehicle in respect of which a Hackney Licence had been issued, without the prior written approval of the Council.
6. No sign, whether being an advertisement or otherwise, or other notice shall be placed on or in a Licensed Private Hire Vehicle at any time that it is being used as a Private Hire Vehicle unless:
 - (1) it only specifies the name of the Proprietor and/or Private Hire Name; or
 - (2) the prior written approval of the Council has been secured and the sign or notice (as the case may be) is in accordance with the approval

All Door Handles to be in Full Working Order

7. Every door handle of a Licensed Private Hire Vehicle shall at all times be in full working order.

Vehicle to be Kept Clean

8. A Licensed Private Hire Vehicle shall not be used as a Private Hire Vehicle if at the time of such use there exists in relation to that Licensed Private Hire Vehicle a reason for rejection of it pursuant to the provisions set out in the Cleanliness Standard.

Lifting or Pulling Equipment to be Tested

9. A Licensed Private Hire Vehicle shall not be used as a Private Hire Vehicle after the Re-inspection Date unless:
 - (1) a VIR has been issued in respect of that Licensed Private Hire Vehicle; and
 - (2) the inspection to which that VIR relates was undertaken not earlier than seven (7) calendar days prior to the Re-inspection Date.
10. Within seven (7) calendar days of a VIR being issued in respect of a Licensed Private Hire Vehicle, the Proprietor (or one of them if more than one) shall produce a copy to the Council for its retention unless a copy has already been produced to the Council by an Approved Garage
11. A Licensed Private Hire Vehicle shall not be used as a Private Hire Vehicle if at the time of such use there exists in relation to that Licensed Private Hire Vehicle a reason for rejection of it pursuant to the provisions set out in the Minimum Inspection Standards.

12. A Licensed Private Hire Vehicle which has fitted to it any Lifting or Pulling Equipment shall not be used as a Private Hire Vehicle at any time that:
 - (1) the Lifting or Pulling Equipment has not been examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment; and
 - (2) the Lifting or Pulling Equipment has passed such examination without any defect being identified or any defect identified as part of such examination has been rectified
13. Within seven (7) calendar days of any Lifting or Pulling Equipment that is attached to a Licensed Private Hire Vehicle being examined in order to accord with the requirement of any legislation relating to such Lifting or Pulling Equipment the Proprietor (or one of them if more than one) shall ensure that a report of that examination has been completed by the person undertaking the examination and a copy of that examination report produced to the Council for its retention.

Vehicles Not to Have Re-Mould or Re-Tread Tyres

14. A Licensed Private Hire Vehicle shall not be used as a Private Hire Vehicle at any time that it is running on re-mould or re-tread tyres.

Valid Insurance

15. A Licensed Private Hire Vehicle shall at all times that it is being used as a Private Hire Vehicle have as a minimum third party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

Fire Safety Equipment

16. A Licensed Private Hire Vehicle shall at all times that it is being used as a Private Hire Vehicle have all Relevant Fire Protection.

Alterations

17. No alterations or modifications shall be made to a Licensed Private Hire Vehicle without the prior written consent of the Council.

Private Hire Drivers

Number of Passengers

1. At no time shall a Licensed Driver convey in any Licensed Private Hire Vehicle a greater number of passengers that the maximum number specified in the Private Hire Licence relating to that Licensed Private Hire Vehicle.
2. A Licensed Driver shall not without reasonable excuse refuse to carry any passenger that has hired any Private Hire Vehicle that s/he is driving.

Attendance after Booking

3. A Licensed Driver shall at all times use his/her best endeavours to ensure that the Licensed Private Hire Vehicle that s/he is driving arrives on the date, appointed time and location that accords with any agreement for the hiring of that Licensed Private Hire Vehicle.

Luggage to be Carried and Secured

4. (1) Subject to (2) below, a Licensed Driver shall not refuse to carry luggage, other articles or animal(s) on or in any Licensed Private Hire Vehicle that has been hired and which s/he is driving unless it would be likely to cause damage to the Private Hire Vehicle or would otherwise give rise to a reasonable risk of harm or danger to the Licensed Driver, his/her passengers or other road users.
(2) None of the exceptions in paragraph (1) above apply to the carrying of an Assistance Dog provided that a Licensed Driver need not carry an Assistance Dog if the Licensed Private Hire Vehicle that the Licensed Driver is driving is an Exempted Vehicle.
5. A Licensed Driver shall, in the absence of reasonable excuse, provide reasonable assistance:
 - (1) loading and unloading luggage and other articles; and
 - (2) taking luggage and other articles to or from the entrance of any building, station or place at which s/he may take up or set down any passenger.
6. A Licensed Driver shall at all times ensure that luggage and other articles placed or carried on the Licensed Private Hire Vehicle that s/he is driving is secured in a manner that prevents:
 - (1) harm to any user of the Licensed Private Hire Vehicle;
 - (2) damage to the luggage / other articles; and
 - (3) harm to other road users.

Vehicle to be Kept Clean

7. A Licensed Driver shall not drive a Licensed Private Hire Vehicle at any time that there would be a reason

for rejection of it pursuant to the provisions of the Cleanliness Standard.

Vehicle Not to be Driven if it would Fail an Inspection

8. A Licensed Driver shall not at any time:
 - (1) drive a Licensed Private Hire Vehicle knowing there would be a reason for rejection of it pursuant to the provisions of the Minimum Inspection Standards; or
 - (2) recklessly drive a Licensed Private Hire Vehicle for which there would be a reason for rejection of it pursuant to the provisions of the Minimum Inspection Standards.
9. A Licensed Driver shall not drive a Licensed Private Hire Vehicle fitted with any Lifting or Pulling Equipment at any time that the Lifting or Pulling Equipment:
 - (1) has not been examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment; or
 - (2) has not passed such examination without any defect being identified or any defect identified as part of such examination has not been rectified.

Fire Safety Equipment

10. A Licensed Driver shall not drive a Licensed Private Hire Vehicle at any time that it has been booked for hire unless during all that time it has all Relevant Fire Protection.

Behaviour

11. A Licensed Driver shall at all times:
 - (1) behave in a civil and orderly manner with his/her passengers;
 - (2) act in a civil and courteous manner towards other road users; and
 - (3) take all reasonable precautions to ensure the safety of every person being conveyed in the Licensed Private Hire Vehicle that s/he is driving including at the times of entering or alighting from the Licensed Private Hire Vehicle

No Re-Mould or Re-Tread Tyres

12. At no time shall a Licensed Driver drive a Licensed Private Hire Vehicle that has been booked for hire if it has re-mould or re-tread tyres.

Valid Insurance

13. A Licensed Driver shall not drive a Licensed Private Hire Vehicle that has been booked for hire if it does not have as a minimum third party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

Copy of Licence to Operator.

14. A Licensed Driver shall not drive a Licensed Private Hire Vehicle unless s/he has previously given a copy of his/her current Private Hire Driver Licence to the Operator of that Licensed Private Hire Vehicle.

Changes in medical circumstance

1. A Licensed Driver shall:
 - (1) notify the Council in writing of any temporary or permanent change in his/her health which would or might have any impact upon the capacity or manner in which that Licensed Driver could drive a Licensed Private Hire Vehicle; and
 - (2) not drive a Licensed Private Hire Vehicle that has been booked for hire after becoming aware of such a change unless notification of it has been confirmed in writing by the Council as having been received.

Private Hire Operators

Details of vehicle bookings:

1. (1) An Operator shall keep in a book ("the Book") a record that accords with the provisions contained in sub paragraph (2) below ("a Record"), of each contract for the hire of every Licensed Vehicle invited or accepted by the Operator.
- (2) A Record shall contain the following information which shall be placed in the Book at or within the time(s) specified below (as the case may be):
 - (i) at the time of receipt of a request for the hire of a Licensed Vehicle, the name and address of the hirer or, if upon this information being requested at the time of receipt the hirer refuses to provide such details, a record of this refusal;
 - (ii) the number of passengers to be conveyed;
 - (iii) prior to the commencement of the journey in respect of the contract for hire, the date, start time and commencement point of the journey; and
 - (iv) as soon as reasonably practicable, and in any event no later than forty eight (48) hours, after the completion of the journey:
 - (1) the time of completion;

- (2) the destinations visited following the commencement point of the journey;
- (3) a description of the model and registration number of the vehicle that was used in respect of that contract for hire; and
- (4) the name of the driver of the Licensed Vehicle that was used in respect of that contract for hire.

2. The Book shall be kept by the Operator in a readily accessible location for a minimum period of six (6) months from the date of the last entry inside it.
3. An Operator shall without delay produce to an officer of the Council every copy of the Book upon receipt of a request for disclosure.

Details of vehicles and drivers

4. An Operator shall:
 - (1) at all times keep a register ("the Register") containing a written record of:
 - (i) the description, number plate and registration number of every Licensed Private Hire Vehicle operated by the Operator;
 - (ii) any Licensed Vehicle for which from time to time or at any time he/she may accept a contract for hire; and
 - (iii) the name and address of any driver who he/she may from time to time or at any time use to drive a Licensed Vehicle in respect of a contract for hire;
 - (iv) keep the Register in a readily accessible location for a minimum period of six (6) months from the date of the last entry inside it; and
 - (v) without delay produce to an officer of the Council the Register upon receipt of a request for its disclosure.
5. An Operator shall:
 - (1) notify the Council of any change to the details of the description, number plate and registration of every Licensed Private Hire Vehicle operated by the Operator, and
 - (2) ensure that such notification is received by the Council within seven (7) calendar days of any such change occurring.

Signage on Vehicles

6. At no time shall an Operator cause or permit any Licensed Private Hire Vehicle to bear:
 - (1) any of the words "taxi", "cab", "hackney", "carriage" or "for hire"; or
 - (2) any words that could lead a reasonable member of the public to believe that it was a Hackney Carriage, without the prior written approval of the Council.

Attendance after Bookings

7. An Operator shall not knowingly or recklessly cause or permit any Licensed Vehicle to be double booked.
8.
 - (1) An Operator shall not without reasonable cause or do anything that would or might prevent a Licensed Vehicle that has been hired to be in attendance at the date, time and location specified.
 - (2) If at any time an Operator becomes aware of any circumstance that might or would prevent a Licensed Vehicle that has been hired to be in attendance at the date, time and location specified then the Operator shall:
 - (i) use best endeavours to secure the provision of a reasonable substitute Licensed Vehicle to be in attendance at the date, time and location specified; and
 - (ii) if a reasonable substitute Licensed Vehicle cannot be secured, use best endeavours to notify the hirer at the earliest possible opportunity.

Number of Passengers

9.
 - (1) At no time shall an Operator cause or permit to be conveyed in any Licensed Vehicle a greater number of passengers that the maximum number specified in the Private Hire Licence or Hackney Licence (as the case may be) relating to that Licensed Vehicle.
 - (2) For the purposes of (1) above, the term "cause or permit" shall include the accepting of a booking with an excess number of passengers.

Condition of Vehicle

10. An Operator shall at all times ensure that every Licensed Private Hire Vehicle for which he/she accepts a contract for hire or allows to be hired would not have any reason for rejection of it pursuant to the provisions of
 - (1) the Cleanliness Standard; or
 - (2) the Minimum Inspection Standards.

11. An Operator shall at all times ensure that every Licensed Private Hire Vehicle for which he/she accepts a contract for hire or allows to be hired which has fitted to it any Lifting or Pulling Equipment:
- (1) has had that Lifting or Pulling Equipment examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment; and
 - (2) that the Lifting or Pulling Equipment has passed such examination without any defect being identified or any defect identified as part of such examination has been rectified.

No Re-Mould or Re-Tread Tyres

12. An Operator shall ensure that no Licensed Private Hire Vehicle for which he/she accepts a contract for hire or allows to be hired has re-mould or re-tread tyres.

Advertisements

13. An Operator shall ensure that no Licensed Private Hire Vehicle for which he/she accept a contract for hire or allow to be hired at any time displays an advertisement that does not have the prior written approval of the Council and is in accordance with the terms (if any) of such approval.

Valid Insurance

14. An Operator shall use his/her best endeavours to make reasonable enquiries to seek to ensure that every Licensed Vehicle for which he/she accept a contract for hire or allows to be hired has as a minimum third party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

Premises open to the public

15. (1) At no time shall an Operator use premises to which the public have access for the purposes of booking a Licensed Vehicle for such a purpose unless:
- (i) the Operator prior to any such use, and on an annual basis thereafter, has used his/her best endeavours to identify what would be reasonable public liability insurance for the premises being used for such a purpose;
 - (ii) the Operator has put in writing details of all those steps undertaken for the purposes of complying with sub paragraph (1) above including details of the date(s) when such steps were undertaken;
 - (iii) at all times that the premises are open to the public there is in force in respect of those premises public liability insurance that as a minimum accords with that identified for the purposes of sub- paragraph (1) above; and
 - (iv) there is kept in a readily accessible location on those premises: (1) the current public liability insurance or a copy of it; and (2) the written details referred to in sub-paragraph (2) above
- (2) The Operator shall without delay produce to an officer of the Council the public liability insurance (or copy) in respect of any premises to which sub paragraph (1) above relates and the written details referred to in sub paragraph (1) (ii) above.

HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS CODE OF CONDUCT

The Council recognises the valuable service provided by Hackney Carriage and Private Hire drivers and operators. The following Code of Conduct will be used as a reference when any complaints are received that relate to the conduct of a licensed driver or operator. Any complaint must be either made in writing or given in a statement to a licensing officer. Substantiated reports may result in a hearing before the Licensing and Orders Committee. The Committee will consider the severity of the misconduct, this code, any previous appearances before them and any other information put to them.

Customer Care

Passengers are entitled to expect a vehicle that is odour free and clean inside and out. This includes the boot or any luggage space.

A vehicle should be kept free of any rubbish.

The driver should always drive in an appropriate manner for their passengers, taking special care if they are old, young, nervous or disabled.

In the event of a pre-booked vehicle being unable to fulfill a booking the driver or operator will be expected to let the customer know as soon as possible to allow for alternative arrangements to be made.

Treating people with courtesy and having a sympathetic manner is very important - especially when dealing with complaints from customers. Drivers and operators are therefore expected to remain polite and well mannered towards customers at all times.

Nuisance

Drivers should do their best not to cause a nuisance to their passengers, other drivers or other members of the public. Particular instances of this would be blowing a horn to attract a passenger's attention, this may annoy others especially if it is early in the morning or done every day.

Your radio should only be played with the consent of the hirer and should not cause a nuisance to anyone either inside or outside of the vehicle.

Leaving car engines running can cause fumes and noise nuisance, particularly in the middle of a town at quiet times, or if a number of cars are sitting at the same place at the same time.

If parking a licensed vehicle when it is not in use due consideration should be given to the potential impact on neighbours. Please try not to annoy neighbours by blocking other cars in or obstructing the road or driveways.

Inappropriate behaviour

The following behaviours are unacceptable;

- Rude gestures to other licensed drivers or members of the public,
- Aggressive or threatening behaviour to other drivers or members of the public,
- Road rage,
- Rude or offensive notes on windows of premises or vehicles,
- Swearing at other drivers or members of the public.

Inappropriate behaviour towards other licensed drivers

It is important that drivers have respect for each other and treat other members of their profession fairly. Complaints of cutting up or blocking other licensed drivers on the rank in order to secure a better position at the rank will be deemed to be inappropriate as will stealing other drivers pre-booked fares.

Disregarding requests from an Officer of the Council

Disregarding repeated reminders for things like incorrect plate display or producing an insurance certificate could lead to the offender being brought before the Licensing & Orders Committee.

Not telling the Council of any significant medical issues that arise during the course of your licence that might affect your ability to drive. Technically we need to know about anything that would take you below the group 2 standard - this includes diabetes, heart disease, angina, TIA's or stokes, any black outs, serious head injuries, significant deterioration of eyesight, sleep disorders and cancer. It is always best to talk to an officer as early as possible if you are in any doubt and we will advise whether you may continue to drive or not. Failure to inform the Council will not be looked upon favourably and you may also be putting the safety of the public at stake which the Council will take a very serious view of.

Dress

It is not for the Council to tell you what to wear, however as North Dorset District Council licensed drivers a certain level of appearance and hygiene is expected. The wearing of offensive t-shirts, revealing clothing or dirty clothes may offend your passengers.

The same goes for tattoos, if there is any possibility that a tattoo could cause offence or upset to any customer it should be covered up.

Should complaints be received a common sense approach will be taken by Officers and the Committee as to whether a reasonable person is likely to be offended.

Mobile Phones

Whilst Officers are unable to prosecute drivers for using a hand held mobile phone to make a call they will still consider this unacceptable as this sort of conduct may put the safety of the travelling public at risk. Any sightings by officers or substantiated complaints will be put before committee.

Money

If your customer asks for a receipt we expect you to be able to comply with their request.

While the law is quite clear on these points a driver or operator should make sure their passenger knows whether the fare is an agreed fare or will be run on the meter before the journey starts and preferably at the time of booking. Please try to give a specific figure and do not say it will be "about £XXX" as this can lead to disputes and complaints to us.