



**Hackney Carriage and Private Hire Vehicles,
Drivers, Proprietors and Operators
Licensing Policy and Guidance**

December 2016

Foreword

- 1.1 This document brings together the Council's policies developed to set out its requirements of applicants and the manner in which it will maintain standards for the drivers, vehicles and operators that it licences and protect the public.
- 1.2 Information on how best to comply with the requirements of the policies is set out within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 1.3 In determining the policies the Council consulted widely and took into consideration the views of relevant stakeholders to ensure that each of the policies is properly justified by the risk it aims to address.
- 1.4 The policies were implemented in April 2016 with an intended review period of five (5) years. They will however be continuously evaluated and if necessary formally reviewed at any time.

Purpose

- 2.1 The Council's fundamental aim is to protect the safety of the public and ensure that they have reasonable access to safe and well maintained Hackney Carriage and Private Hire Vehicles.

Policies

All Applications and Licence Types

- 3.1 **The Council will only accept and process complete applications**
 - 3.1.1 To provide a consistent, cost effective and responsive service the Council requires that any application submitted be correct and complete. Information on the details to be submitted with each type of application can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.2 **The Council may impose appropriate conditions on licences**
 - 3.2.1 The Council will consider each application on its own merits and impose any conditions it considers appropriate to protect the safety and welfare of the public.
- 3.3 **The council will conduct investigations into and undertake enforcement action against any alleged or evidenced instances of non-compliance with any legal requirements or conditions in accordance with the Purbeck District Council Public Health and Housing Compliance and Enforcement Policy**
 - 3.3.1 When considering the impact of contraventions of the law and/or the licence conditions imposed by the Authority on the fitness of an individual to hold a licence the Council will be open and transparent in its dealings, ensuring a fair and consistent approach is taken to all elements of investigation and any enforcement action. A copy of the enforcement policy is available from the Council.

- 3.4 **If 3 written warnings have been issued to any licensed driver proprietor or operator within a 2 year period, the licence holder will be referred to the Licensing Sub-Committee for further consideration**
- 3.4.1 As a method of dealing with less serious matters, the Licensing Officer may issue a formal written warning for offences or contraventions. These warnings will stay 'live' for a period of 2 years from the date the offence was committed.
- 3.5 **A licensed driver accumulating more than 10 penalty points on their DVLA driving licence will be referred to the Licensing Sub-Committee for consideration of their fitness and propriety to hold a licence.**
- 3.5.1 The elected members will decide on what and if any further action should be taken such as suspension or revocation of a licence. In cases where a licensed driver is disqualified from driving, the licence will normally be suspended with immediate effect.
- 3.6 **The Council may, where evidence is found that an applicant or licence holder has provided false information in any application or submission to the Council, refuse the application or revoke the licence.**
- 3.6.1 It is an offence to knowingly or recklessly make a false declaration or omit any material particularly when giving information required by the application for a licence.
- 3.7 **Following the expiry of any licence, where no renewal application has been received within six months, the Council will require an application for the grant of a new licence to be made.**
- 3.8 **Where a licence has been surrendered or revoked the Council will require that a new application be submitted in accordance with the relevant procedures.**
- 3.8.1 Following the expiry, surrender or revocation of a licence the Council needs to be certain that the applicant/vehicle is still fit and proper/ suitable to be granted a licence.

Hackney Carriage and Private Hire Vehicle Drivers

- 3.9 **The Council will not licence anyone to drive a hackney carriage or private hire vehicle unless it is satisfied that they are a fit and proper person.**
- 3.9.1 Details of how the Council currently establishes the fitness and propriety of applicants and licensed drivers can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.10 **The Council will not normally licence anyone to drive a hackney carriage or private hire vehicle unless it is satisfied that they intend to work entirely or predominantly within the Council's administrative area.**
- 3.10.1 Although cross border hiring is a legal and legitimate activity there are potentially undesirable consequences of taxis and drivers licensed by the Council operating

remotely from it, as the Council has to supervise these drivers and vehicles from a distance and faces difficulty in keeping them under observation. The Council therefore will not normally licence vehicles or drivers who are unable to evidence that they will or have worked entirely or predominantly within the Council's area.

- 3.10.2 Details of how the Council currently establishes if an applicant intends to or has worked entirely or predominantly within the District can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.11 **An applicant is permitted to sit the Knowledge & Suitability Interview a maximum of 3 times per application, subject to the additional re-test fees being paid. Where an applicant fails the knowledge test 3 times, the application will be refused. The applicant will not be permitted to re-apply for a drivers licence until the expiry of a 12 month period from the date of the last failed knowledge test.**
- 3.12 **An applicant is permitted to take the driver assessment a maximum of 3 times per application, subject to the additional re-assessment fees being paid. Where an applicant fails the driver assessment 3 times, the application will be refused. The applicant will not be permitted to re-apply for a drivers licence until the expiry of a 12 month period from the date of the last failed assessment.**
- 3.12.1 In order to meet the purpose of the policy, as set out at 2.1 above, the Council considers that an appropriate period of time should elapse before re-submission of an application in order to afford applicants the opportunity to gain and demonstrate improved knowledge and skills.
- 3.13 **If during the period of a licence the Council considers that a person's driving record indicates that additional training is required the Council may require them to satisfactorily complete a further driver assessment or assessments. In such circumstances, the Council may suspend a licence until another driving assessment has been successfully completed by the licence holder.**
- 3.13.1 The Council overarching aim is public safety and it requires the highest standards of driving ability from licensed drivers.
- 3.14 **Should the Council have reasonable belief that it is necessary to do so it may impose the requirement to provide a satisfactory medical certificate at any time.**
- 3.14.1 In circumstances such as a driver returning to work following a period of illness the Council needs to be sure the driver's health remains suitable to be licensed. Details of how the Council currently establishes the medical fitness of an applicant or licence holder can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.

Hackney Carriage and Private Hire Vehicles

- 3.15 **The Council will not licence any vehicle that it does not consider to be mechanically sound, safe and comfortable.**
- 3.15.1 Details of how the Council currently establishes the suitability of vehicles can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.16 **The Council will not licence a vehicle for hire and reward which is licensed by another local authority or allow or permit a vehicle identification plate issued by another authority to be displayed on the vehicle.**
- 3.16.1 To ensure public safety, remove potential confusion to the travelling public and be satisfied that the intended use of any vehicle is compliant with the purpose of the policy the Council will not permit the dual plating of vehicles.
- 3.17 **Where a driver is plying for hire and is illegally parked or if, in the opinion of an officer of the Council or police officer, the driver is plying for hire in a dangerous location, the driver's licence may be reviewed and such conduct may be deemed a reasonable cause to revoke or suspend the licence or to take any other appropriate action.**
- 3.17.1 Failure to show due regard for the safety of other road users and the general public will require the Council to consider the suitability of the driver to retain their licence.
- 3.18 **Limousines, novelty vehicles and vintage vehicles will only be licenced as Private Hire Vehicles by the Council.**
- 3.19 **Exemptions from displaying external identification plates will be considered in respect of individual vehicles only and will not be granted without written proof being submitted by the vehicle owner that the nature of work undertaken by the vehicle meets the requirements of the Council's definitions of executive work and executive vehicle. Applications for the exemption must be made at first grant and at each subsequent renewal.**
- 3.19.1 The displaying of an external identification plate on a licensed vehicle is important in terms of public safety. The Council however recognises that there are occasions when corporate business and security requirements may be hindered by the display of the plate on a vehicle in 'executive use'. In these individual circumstances the council may consider it appropriate to permit an exemption (as provided for under the legislation) from the requirement to display the vehicle identification plate.
- 3.19.2 Details of how the Council currently considers applications for exemptions can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.20 **The Council will refuse the display of advertisements on Hackney Carriage and Private Hire Vehicles which it deems are inappropriate or offensive.**

- 3.20.1 Details of how the Council currently considers applications for the display of advertisement on vehicles can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.

Private Hire Operators

- 3.21 **The Council will not licence anyone as a Private Hire Operator unless it is satisfied that they are a fit and proper person.**
- 3.22 **The Council will not grant an operator's licence unless the operator can demonstrate to the Council that they have the appropriate planning consent required to operate their business.**
- 3.22.1 Details of how the Council currently establishes the fitness and propriety of applicants and licensed operators can be found within the Council's Guidance for Hackney Carriage and Private Hire Vehicle Drivers, Proprietors and Operators.
- 3.23 **The Council will only grant operator licences applicable to the physical premises from which the operator's business will be run.**
- 3.23.1 The Council cannot grant an operator's licence to any premises that falls outside of its administrative area.
- 3.24 **The Council may, where circumstances are determined appropriate, depart from the requirements of this policy.**
- 3.24.1 If during its consideration of the individual circumstances of applications or enforcement action the Council determine it is appropriate to depart from the policy reasons for such a departure will be recorded.

Guidance for

Hackney Carriage and Private Hire Vehicles, Drivers, Proprietors and Operators

Legislative Frame work

1.0 The operation of the Council's taxi licensing service is undertaken in accordance with relevant legislation. The primary legislation is contained within the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. In exercising its role as Licensing Authority the Council will also have particular regard to the following legislation, policy and guidance:

- i. Equalities Act 2010
- ii. Crime and Disorder Act 1998
- iii. Health Act 2006
- iv. Immigration Act 2016
- v. Purbeck District Council Public Health and Housing Compliance and Enforcement Policy
- vi. Purbeck District Council Data Protection Policy
- vii. Hackney Carriage and Private Hire vehicles National Inspection Standards Best Practice Guide published by the Freight Transport Association
- viii. Taxi and private hire vehicle licensing: best practice guidance published by the Department for Transport

Licensing Principles

2.0 The Council aims to provide a clear, consistent and responsive service to prospective and current licence holders, members of the public and other stakeholders. The Council will be mindful of the needs of applicants and licence holders but this will be balanced against the overarching duty to protect the safety and welfare of the public.

Licensing Process

- 3.0 The Council has delegated its licensing function to the Council's Licensing Committee and further delegated authority to officers who will consider all applications, complaints and enforcement action in accordance with the policy.
- 3.1 The Council aims to work in partnership when dealing with taxi licensing issues. Such partnerships may include but are not restricted to relevant trade associations, other licensing authorities and the Police.
- 3.2 The Council follows the Disclosure and Barring Service (DBS) Code of Practice for Registered Persons and Other Recipients of Disclosure Information (April 2009) and abides by the handling of DBS certificate information requirements on the secure storage, handling, use, retention and disposal of disclosure certificates and certificate information. Further information about the DBS can be found on the GOV.UK website at <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>.

Hackney Carriage and Private Hire Vehicle Drivers

- 4.0 Anyone who drives a hackney carriage must hold the appropriate driver's licence issued in accordance with the Town Police Clauses Act 1847.
- 4.1 Anyone who drives a private hire vehicle must hold the appropriate driver's licence issued in accordance with the Local Government (Miscellaneous Provisions) Act 1976.
- 4.2 The Council issues either a Private Hire Vehicle Driver Licence or a Combined Hackney Carriage and Private Hire Vehicle Licence. The requirements for applicants for each badge are identical save for applicants for the Private Hire Vehicle Licence not having to undertake the geographical section of the Knowledge and Suitability Interview.
- 4.3 The Council normally issues driver's licences for three (3) years unless individual circumstances or a request from the applicant are considered to require the grant of a licence for a lesser period.

Application Process

New Applications

- 4.4 Before an application for the grant of a drivers licence can be considered the following must be submitted:
 - i. Duly completed application form
 - ii. Enhanced Criminal Record Disclosure Certificate for appropriate employment purpose and issued no more than 6 months prior to the date of licence application (application forms are available from the Council)
 - iii. Current driving licence (The original must be produced and copies will not be accepted)
 - iv. A valid DVLA check code
 - v. A Medical Examination Form completed by a registered GP and issued not more than 6 months prior to the date of the licence application.
 - vi. A colour photograph of the same format as used for passports
 - vii. A Driver Assessment/Improvement Scheme Certificate issued not more than 3 years prior to the date of the licence application.
 - viii. Evidence of successful completion of an acceptable Driver Safeguarding Awareness Course issued not more than not more than 3 years prior to the date of the licence application.
 - ix. For applicants who reside outside of the Council area sufficient evidence (see below) to prove their intention to work entirely or predominantly within the Council's administrative boundaries.
 - x. Documents required under the Immigration Act 2016 (these must be presented in person to a member of the Council's licensing team)
 - xi. The appropriate fee

- 4.5 If the applicant has previously been licensed as a driver by the Council within the last 3 years they will not be required to submit the Driver Assessment/Improvement Scheme Certificate.
- 4.6 Once a complete application has been received the applicant will be required to attend and satisfactorily complete Knowledge and Suitability Interview (detailed below under Fit and Proper Person).

Renewal Applications

- 4.7 Before an application for renewal of an existing licence can be considered the following must be submitted:
- i. Duly completed application form
 - ii. Enhanced Criminal Record Disclosure Certificate for appropriate employment purpose and issued no more than 6 months prior to the date of licence application (every 3 years)
 - iii. Current driving licence
 - iv. Where required (see fit and proper person below) a Medical Examination Form completed by a registered GP and issued not more than 6 months prior to the date of the licence application.
 - v. A colour photograph of the same format as used for passports
 - vi. A valid DVLA check code to allow the Council to view the applicant's driving licence information.
 - vii. For applicants who reside outside of the Council area sufficient evidence (see below) to prove their continued intention to work and evidence that they have worked entirely or predominantly within the Council's administrative boundaries.
 - viii. Evidence of successful completion of an acceptable Driver Safeguarding Awareness Course issued not more than not more than 3 years prior to the date of the licence application.
 - ix. Documents required under the Immigration Act 2016 (these must be presented in person to a member of the Council's licensing team)
 - x. The appropriate fee
- 4.8 To allow continuation of the licence a complete application for renewal must be received by the Council at least 10 clear working days prior to the expiry date of the current licence.
- 4.9 Responsibility for submitting a renewal application with the appropriate fee, documents and a coloured passport sized photograph 10 days before the expiry date of the licence rests solely with the licence holder. Renewal reminders will be sent to licence holders but only as a courtesy services. The non-receipt of a reminder letter shall not be used as a defence for not submitting a renewal application.

Proof of intention to work or evidence of having worked entirely or predominantly within the Council's area.

- 4.10 When considering evidence at first application and renewal the Council will have regard to the following

- i. The residential address of the applicant
- ii. Any offer or contract of employment from or with a company or operator based within the District
- iii. The monetary value of work that starts and finishes within the district and that which does not.
- iv. Any activities carried out by the applicant that might influence where they might work.
- v. Whether they carry out the role full time or not.
- vi. Any other information that the Council considers relevant.

Driver Safeguarding Awareness Training

4.11 All applicants for the grant (and from 1 April 2018) applicants for renewal) of a combined hackney carriage and private hire vehicle driver licence or private hire vehicle driver licence must have satisfactorily completed one of the following training courses.

- i. Taxi Driver Training provided by Safer Poole Partnership in association with the Borough of Poole's transportation department.

www.poole.gov.uk
- ii. Driver Awareness Training provided by Dorset County Council.

www.dorsetforyou.com/dpttc

4.12 All licensed drivers will be required to satisfactorily complete one of the above courses by 1 April 2018.

Immigration Act 2016

4.13 From 1 December 2016, all applicants for the grant or renewal of a hackney carriage driver, private hire driver or private hire operator licences must produce evidence of his or her right to work in the UK.

4.14 This duty has been imposed on the Licensing Authority under the Immigration Act 2016 and will apply to all hackney carriage and private hire vehicle drivers and private hire operators regardless of how long they may have held their licence.

4.15 The applicant's right to work in the UK will be checked as part of their licence application and this may include the licensing authority checking their immigration status with the Home Office. Applicants must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents are set out as List A and List B within Appendix F.

4.16 In order to undertake the right to work check the applicant must book and attend a specific immigration check appointment with a member of the Council's licensing team at the Council Offices. At the meeting they must provide original document(s), that will be checked in their presence and copied (the copy being retained by the licensing authority).

- 4.17 Any application will not be considered valid until all the necessary information and original document(s) have been produced in accordance with the requirements of the Immigration Act 2016.

Fit and Proper Person

- 4.18 When assessing the fitness of an applicant or a licensed driver to continue to hold a drivers licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the time-scale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant / licence holder.
- 4.19 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of a licensed driver. Consequently, the Council requires all licensed drivers to maintain a reasonable standard of appearance and behaviour when in contact and dealing with other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants and licensed drivers must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.
- 4.20 The Council will also, through the Knowledge and Suitability Interview, assess the suitability of an applicant's local knowledge, comprehension, mathematical ability and motives before determining if they are fit and proper to be granted a licence.

DVLA and Age Requirements

- 4.21 The Council requires that applicants must be at least 21 years old and have held a full DVLA/EC/EEA category B driving licence for at least 1 year at the time of application.

Disclosure and Barring Service

- 4.22 At first application and every 3 years thereafter for the period that the driver is licensed the Council requires that they obtain an enhanced criminal record disclosure certificate.
- 4.23 Due to the nature of their occupation hackney carriage and private hire vehicle drivers are deemed to be within an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974 and the Rehabilitation of Offenders Act (Exceptions) Order 2003. The effect of this is to render the Rehabilitation of Offenders Act 1974 inapplicable and therefore convictions are deemed never to be spent. As a result, all convictions, including cautions, will be taken into account when considering a person's suitability to hold a driver's licence.
- 4.24 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good

conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practicing solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Proof of a right to work in the United Kingdom may also be required.

Criminal Convictions and Cautions

- 4.25 A criminal record does not automatically bar an applicant from holding a drivers licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. The Council cannot review the merits of any conviction but consideration will be given, but not restricted, to the following:
- i. How relevant the offence(s) are to the licence being applied for
 - ii. How serious the offences(s) were
 - iii. When the offence(s) were committed
 - iv. The date of conviction
 - v. Whether the offence(s) form part of a pattern of offending or indicate a pattern of unacceptable behaviour

Patterns of behaviour

- 4.26 A series of offences or a pattern of behaviour/conduct over a period of time is more likely to give cause for concern than an isolated conviction/incident. However, that is not to say that an isolated conviction/incident cannot give cause for concern in its own right, particularly where it relates to a serious matter. In such circumstances, the Council will give significant consideration to refusing to grant a licence or to suspending and/or revoking an existing licence.
- 4.27 A serious view will always be taken where an applicant shows any tendency towards criminal and/or unacceptable/inappropriate behaviour patterns. In such instances, the Council is unlikely to consider such an applicant/existing licence holder to be a fit and proper person to hold a licence and will give significant consideration to refusing to grant a licence or to suspending/revoking an existing licence.

Non Conviction Information

- 4.28 In addition to conviction/caution information, applicants are expected to provide details of all warnings, driving endorsements/disqualification periods relating to 'minor' traffic offences, fixed penalties, penalty charge notices and any other similar sanctions, together with any charges or arrests that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

- 4.29 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.
- 4.30 If an applicant has been arrested or charged but not convicted of offences but the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Rehabilitation periods

- 4.31 Where an applicant has previous criminal convictions, these will be considered in line with guidance on the Rehabilitation of Offenders Act 1974 published on the GOV.UK website at <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>
- 4.32 Where a person does not satisfy the rehabilitation periods referred to in the tables above, then the Council will refuse to grant a new licence or revoke or suspend an existing licence until the applicant is in a position to satisfy them.
- 4.33 The specific periods of rehabilitation are not intended to be taken as definitive time periods by which an applicant/licence holder is automatically granted a licence simply on the basis that the rehabilitation period has elapsed. Rather they are intended to give parameters for consideration when taken with the overall history of an applicant/licence holder in order to assist the Council to determine whether an applicant/existing licence holder is a fit and proper person or not. The rehabilitation periods will not be considered in isolation.
- 4.34 The Council will not grant a licence to an applicant who has been convicted of a specified sexual or violent offence unless significant and exceptional circumstances apply.

Medical Fitness

- 4.35 The Council needs to satisfy itself that an applicant for a licence is physically fit and remains so during the currency of any licence. Consequently, all applicants for a hackney carriage or private hire vehicle driver's licence are required to undertake a medical examination on initial application, at defined intervals thereafter and at any other such time as the Council may require ensuring their fitness to drive. The standards required are set out in the DVLA publication 'At a Glance Guide to the Current Medical Standards of Fitness to Drive' which can be downloaded here <https://www.gov.uk/government/publications/at-a-glance>
- 4.36 The standard required is the 'Group 2 entitlement'. Applicants and licence holders are strongly advised to familiarise themselves within the section of the guide that sets

out a number of specific medical conditions that are a bar to obtaining or holding a Hackney Carriage or Private Hire Vehicle Driver Licence.

4.37 The intervals at which licensed drivers are normally required to provide a satisfactory medical certificate are every 8 years to the age of 45 years then every 5 years to age 65 years then annually thereafter.

4.38 The Council may accept Group 2 medical standard DVLA medical forms from applicants who have obtained them for other purposes (e.g. if they have obtained medicals for coach driving, heavy goods vehicles etc.) provided that the medical certificate is not more than 6 months old at the time of application.

4.39 All medical examinations must be carried out by a General Practitioner who is qualified and registered with the General Medical Council.

4.40 The following medical conditions are normally a bar to the grant of a licence.

Epileptic Attack

4.41 Applicants must have been free of epileptic seizures for at least ten years and not have taken anti-epileptic medication during this ten year period.

Insulin Treated Diabetes

4.42 If applicants are found to be suffering from Diabetes Mellitus, the applicant must provide a medical report from a hospital consultant specialising in diabetes confirming that:

- i. the applicant has been undergoing insulin treatment for over four (4) weeks
- ii. during the 12 months prior to the date of the licence application, the applicant has not suffered a hypoglycaemic episode requiring the assistance of another whilst driving; and,
- iii. the applicant has a history of responsible diabetic control and is at minimal risk of a hypoglycaemic attack resulting in incapacity.

4.43 The applicant will also be required to submit a signed declaration that they will:

- i. comply with the directions for treatment given to him/her by the doctor supervising that treatment;
- ii. immediately report to the Council in writing, any change in diabetic condition; and
- iii. provide to the Council as and when necessary, evidence that blood glucose monitoring is being undertaken at least twice daily and at times relevant to driving a hackney carriage or private hire vehicle during employment.

Eyesight

4.44 Applicants must be able to read in good daylight a number plate at 20.5 metres, (67 feet), and if glasses or corrective lenses are required to do so, these must be worn while driving. In addition applicants must have a visual acuity of at least 6/9 in the

better eye; and visual acuity of a least 6/12 in the worst eye; and if these are achieved by correction the uncorrected visual acuity in each eye must be no less than 3/60.

- 4.45 A licence will also be refused or revoked if an applicant has uncontrolled diplopia, (double vision), or does not have a normal binocular field of vision.

Other Medical Conditions

- 4.46 In addition to those medical conditions covered by legislation, applicants (or licence holders) are likely to be refused if they are unable to meet the national recommended guidelines in the following cases:

- i. Within 3 months of myocardial infarction, any episode of unstable angina, CABG or coronary angioplasty
- ii. A significant disturbance of cardiac rhythm occurring within the past 5 years unless special criteria are met
- iii. Suffering from or receiving medication for angina or heart failure
- iv. Hypertension where the BP is persistently 180 systolic or over, or 100 diastolic or over
- v. A stroke or TIA within the last 12 months
- vi. Unexplained loss of consciousness within the past 5 years
- vii. Meniere's or other conditions causing disabling vertigo, within the past 1 year, and with a liability to reoccur
- viii. Recent severe head injury with serious continuing after effects, or major brain surgery
- ix. Parkinson's disease, multiple sclerosis or other 'chronic' neurological disorders likely to affect limb power or co-ordination
- x. Suffering from psychotic illness in the past 3 years, or suffering from dementia
- xi. Alcohol dependency or misuse
- xii. Persistent drug or substance misuse or dependency
- xiii. Insuperable difficulty in communicating by telephone in an emergency
- xiv. Any other serious medical condition which may cause problems for road safety when driving a Hackney Carriage or Private Hire Vehicle
- xv. If major psycho tropic or neuroleptic is being taken
- xvi. Any malignant condition within the last 2 years likely to metastasise to brain or lung or malignant melanoma.

Knowledge and Suitability Interview

- 4.47 Applicants for a new Combined Hackney Carriage and Private Hire Vehicle Driver's licence or Private Hire Vehicle Drivers Licence are required to attend and pass the Council's Knowledge and Suitability Interview.
- 4.48 The interview consists of two parts; the first part of which is designed to assess the driver's knowledge of streets, locations, attractions, entertainment venues and general geography of the Council's administrative area in order to satisfy the Council that they will be able to convey passengers who may be unfamiliar with the locality.

- 4.49 The second part of the test is designed to assess the applicant's knowledge of relevant regulations, numeracy, demeanour and also allow officers to assess the applicant's general suitability. Both parts of the test will be conducted in English. Details of what is required in the knowledge test are provided at the time the knowledge test booking is confirmed.
- 4.50 Applicants for the Private Hire Vehicle Drivers Licence will only be required to sit the second part of the Knowledge and Suitability Interview.

Driver Assessment

- 4.51 New applicants for a licence to drive a hackney carriage or private hire vehicle will be required to take and pass the driver assessment. This assessment aims to ensure drivers demonstrate a high degree of road safety awareness and excellent driving ability. Details of what is required in the assessment are provided at the time the assessment booking is confirmed. This is in recognition that vocational drivers are more at risk than other drivers. The Council therefore considers that licence holders should reach higher standards of driving than other road users. Details of the driver assessments can be found at <https://www.dorsetforyou.com/roadsafety/taxi-assessments>

Conditions and Legal Requirements

- 4.52 Each application will be determined on its own merits and the Council may impose any relevant conditions that it considers necessary. These conditions will normally be drawn from the pool of model conditions set out within Appendix A.
- 4.53 A number of legal requirements also apply to the operation of a Hackney Carriage and Private Hire Vehicle Drivers Licence. These should be regarded as conditions on the licence and the most relevant requirements are included for information within Appendix A

Right of appeal

- 4.54 Any applicant refused a driver's or operator's licence on the grounds that they are not a fit and proper person to hold such a licence, or who has had their licence suspended or revoked or had a condition attached with which they disagree has a right of appeal by way of written complaint, to the magistrates' court within 21 days of the notice of decision.

Hackney Carriage and Private Hire Vehicles

- 5.0 Hackney Carriages are licensed in accordance with the provisions contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provision) Act 1976
- 5.1 Hackney Carriages are licensed to stand for hire at a taxi rank or can be hailed in the street in the administrative area of the Council and may also undertake pre-booked journeys anywhere in the country. Private Hire Vehicles however can only be pre-booked.
- 5.2 The Council issues vehicle licences for a period of 12 months unless individual circumstances or a specific request requires a shorter period to be granted.

Application Process

Applicant

- 5.3 The applicant for a vehicle licence must be the person who is the legal owner of the vehicle concerned and entitled to have the ownership of the vehicle registered under the provisions of Regulation 10 of the Road Vehicles (Registration and Licensing) Regulations 2002 in their own name. Prior to licensing and thereafter, as required, satisfactory evidence must be produced to demonstrate compliance with this requirement.
- 5.4 For leased vehicles, the application may be made in the name of the driver, if the contract accompanies the application paperwork. This will be necessary if the V5 depicts the lease company name. Therefore the driver will be listed as the vehicle proprietor for the purposes of the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Vehicle

- 5.5 The legislation gives the Council a wide range of discretion over the types of vehicle that they can license as Hackney Carriages or Private Hire Vehicles. The Council specifies that in order to be considered for licensing a vehicle must meet the general criteria set out at Appendix B.

New licence / renewal application

- 5.6 The application process to licence a Hackney Carriage or Private Hire Vehicle is the same as is the application process for a new or renewal application.
- 5.7 Before an application for the grant or renewal of a Hackney Carriage or Private Hire Vehicle Licence can be considered the following must be submitted:
 - i. Duly completed application form
 - ii. A valid MOT
 - iii. A valid Purbeck District Council Vehicle Test
 - iv. A valid certificate of applicable insurance for the vehicle
 - v. The V5 registration certificate for the vehicle or lease contract.

- vi. A valid certificate confirming the vehicle is fitted with a taximeter in accordance with the Council's requirements.
- vii. Evidence of compliance with the relevant European Emission Standards either at the point of vehicle construction or by a subsequent adaption or conversion approved by the Council - the compliance must be relevant to the engine installed in the vehicle and this must be reflected in the V5 registration certificate
- viii. Evidence of compliance with the relevant European New Car Assessment Programme (NCAP) rating.
- ix. Where the vehicle is fitted with a mechanically operated ramp, a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Regulations 1998 (NB the proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- x. Where non-mechanical ramps are used, confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998.
- xi. Where fittings are used to secure wheelchairs to the floor of a vehicle, a valid certificate/report confirming that all the fittings meet the Department of Transport required specifications.
- xii. Where the applicant resides outside of the Council's administrative boundaries, the Authority will require such evidence as it reasonably considers appropriate to make an assessment of the intention to work or proof of operating since the grant of the licence, entirely or predominantly within the District.*
- xiii. The appropriate fee

*When considering such evidence the Authority will have regard to the following

- i. The residential address of the applicant
- ii. Any offer or contract of employment from or with a company or operator based within the Borough.
- iii. The monetary value of work that starts and finishes within the Borough and that which does not.
- iv. Any activities carried out by the applicant that may influence where they might work.
- v. Whether they will carry out the role full time or not.
- vi. Any other information that the Council considers relevant

MOT and Vehicle Tests

- 5.8 On first application and on each renewal private hire and hackney carriage vehicles less than 6 years old, must pass a vehicle test carried out by the Council's appointed agent and where applicable pass an MOT. Vehicles that are over 6 years old must also pass a vehicle test carried out by the Council's appointed agent every 6 months.

- 5.9 In addition to the MOT and vehicle tests, the vehicles may be checked by the Licensing Officer or their representative for overall cleanliness, the standard and appearance of bodywork and interior of the vehicle plus the condition of the plate and wheel trims. Once licensed, spot checks are also carried out from time to time to ensure that standards are being maintained.

Testing Stations

- 5.10 The Council has appointed the following businesses as 'Appointed Testing Stations' who will conduct the vehicle test on its behalf

Purbeck Ford

Corfe Road, Wareham, BH20 5AA. 01929 552151

St Michael's Garage

Valley Road, Swanage, BH19 3DX 01929 480221

Wool and Bovington Motors

Dorchester Road, Wool, BH20 6EH. 01929 462248

- 5.11 The Council in conjunction with the Appointed Testing Stations will determine a maximum fee for the vehicle test.

V5 Registration Certificate

- 5.12 The Council accepts that a full V5 registration form in the new owner's name is not always available upon first licence; however, the V5/2 green section of the V5 form must be produced. Where the green section has been produced on first licensing the vehicle, a full V5 form in the new owner's name must be produced to the Council within 7 days of the form being received by the owner of the vehicle. A V5 form or proof of purchase must be produced upon transfer of a vehicle licence. The Vehicle Registration Document must be submitted with the application form showing the applicant as the registered keeper.

- 5.13 For leased vehicles, the application may be made in the name of the driver, if the contract accompanies the application paperwork. This will be necessary if the V5 depicts the lease company's name. Therefore the driver will be listed as the vehicle proprietor for the purposes of the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Renewal of a Licence

- 5.14 To allow a vehicle's licence to be renewed, a renewal application form must be received by the Council at least 10 working days prior to the expiry date of the original licence to allow the Council sufficient time to process the renewal application. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist. In such circumstances the vehicle must not be used after the expiry date until the renewal plate has been issued.

- 5.15 Responsibility for submitting renewal applications with the appropriate fee and the supporting documents before the expiry of the vehicle licence rests solely with licence holders. Any application not received by the expiry date will subsequently be treated as a first time application.
- 5.16 Renewal reminders will be sent to licence holders but only as a courtesy service. The non-receipt of a reminder letter shall not be used as a defence for not submitting a renewal application.

Transfer of a licence

- 5.17 In accordance with the Local Government (Miscellaneous Provisions) Act 1976, the transfer of a current licence refers to a licensed vehicle being transferred from one owner to another. Application forms are available from the Dorset for you website.

Advertising

- 5.18 The Council does not normally preclude vehicle licence holders from displaying general advertisements on their vehicles, but any advertisements must conform to the Advertising Standards Agency code. Artwork is to be presented to the Licensing Officer for prior approval. Advertisements will not be permitted if in the Council's opinion the advertisement falls within any of the following categories:
- i. Does not comply with the law or incites someone to break the law
 - ii. Does not comply with the UK Code of Non-broadcast Advertising, Sales, Promotion and Direct Marketing
 - iii. Is likely to cause widespread or serious offence to members of the public on account of the nature of the product or service being advertised the wording or design of the advertisement or by way of inference
 - iv. Depicts men, women or children in a sexual manner or displays nude or semi- nude figures in an overtly sexual context (NB whilst the use of underdressed people in most underwear advertising may be seen as an appropriate context, gratuitous use of an overtly sexual nature will be unacceptable)
 - v. Depicts or refers to indecency or obscenity or uses obscene or distasteful language including that set out in a foreign language
 - vi. Relates to lap-dancing, 'gentlemen's clubs', escort agencies or massage parlours
 - vii. Depicts direct or immediate violence to anyone shown in the advertisement
 - viii. Condone or provokes anti-social behaviour
 - ix. Contains images or messages, which relate to matters of public controversy and sensitivity
 - x. Refers to or portrays (or gives the impression of portraying) a living person unless the written consent of that person is obtained and is produced to Purbeck District Council
 - xi. Contains negative references to Purbeck District Council's services or those services provided or regulated by other local authorities

- xii. Relates to a political party or parties or a political cause
- xiii. Relates to or advertises alcohol or tobacco
- xiv. In the case of digital media, poses a health and safety risk as a result of flickering or other visual imagery

Executive Vehicle Plate Exemption – Private Hire Vehicles Only

- 5.19 An application for an exemption from the requirement to display an external vehicle licence plate may be made in respect of vehicles that are:
- i. of a standard of comfort and equipped to a level equal to or above luxury brands of vehicle
 - ii. in pristine condition with no visible defects, dents or blemishes to the external bodywork or internal trim and seating
 - iii. used specifically to provide transport under a written contract to a company or person, or by the type of clients who for security or personal safety reasons would not want the vehicle to be identifiable.
- 5.20 When issued with an exemption notice, the vehicle will not be required to display any other signs which the Council may at any time require private hire vehicles to display. Any driver of the vehicle will also not be required to wear, but must carry about their person the driver's identification badge for the period that the exemption notice is in force.
- 5.21 Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicles current private hire licence. Thereafter any application for renewal of the exemption must be made at the same time that an application to renew the vehicle licence is made.
- 5.22 At each application for renewal the proprietor must produce to the Council the booking records to demonstrate that the work undertaken has been for executive use.

Closed Circuit Television

- 5.23 The Council supports the installation of CCTV in licensed vehicles. Proprietors are requested to notify the Council if CCTV has been installed in any taxi.

Conditions and Legal Requirements

- 5.24 Each application will be determined on its own merits and the Council may impose any relevant conditions that it considers necessary. These conditions will normally be drawn from the pool of model conditions set out within Appendix C.
- 5.25 A number of legal requirements also apply to the operation of a Hackney Carriages and Private Hire Vehicles Licences. These should be regarded as conditions on the licence and the most relevant requirements are included for information within Appendix C

Right of appeal

5.26 Any applicant refused a Hackney Carriage or Private Hire Vehicle licence, or who has had their licence suspended or revoked or had a condition attached with which they disagree has a right of appeal by way of written complaint, to the magistrates' court within 21 days of the notice of decision.

Private Hire Operators

- 6.0 Private Hire Operators are licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976. A person (including a sole trader, partnership or company) who takes bookings, in the course of a business, for a Private Hire Vehicle must hold a Private Hire Operators Licence.
- 6.1 Private Hire Operators Licences will normally be issued for a period of five years unless specific request or individual circumstance require otherwise.

Application process

- 6.2 Before an application for the grant or renewal of a Private Hire Operators Licence can be considered the following must be submitted:
- i. A duly completed application form
 - ii. Enhanced Criminal Record Disclosure Certificate for appropriate employment purpose and issued no more than 6 months prior to the date of licence application (every 3 years)
 - iii. A list of the vehicles and drivers which they operate
 - iv. Appropriate insurance details
 - v. Documents required under the Immigration Act 2016 (these must be presented in person to a member of the Council's licensing team)
 - vi. Appropriate fee

Immigration Act 2016

- 4.13 From 1 December 2016, all applicants for the grant or renewal of private hire operator licences must produce evidence of his or her right to work in the UK.
- 4.14 This duty has been imposed on the Licensing Authority under the Immigration Act 2016 and will apply to all private hire operators regardless of how long they may have held their licence.
- 4.15 The applicant's right to work in the UK will be checked as part of their licence application and this may include the licensing authority checking their immigration status with the Home Office. Applicants must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents are set out as List A and List B within Appendix F.
- 4.16 In order to undertake the right to work check the applicant must book and attend a specific immigration check appointment with a member of the Council's licensing team at the Council Offices. At the meeting they must provide original document(s) that will be checked in their presence and copied (the copy being retained by the licensing authority).
- 4.17 Any application will not be considered valid until all the necessary information and original document(s) have been produced in accordance with the requirements of the Immigration Act 2016.

Fit and Proper Person

- 6.3 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a private hire operator's licence as it does to persons applying for a drivers licence.
- 6.4 Where the applicant already holds a valid drivers licence then no further checks will be undertaken by the Council. However, if a valid driver's licence is not held and the applicant is either a sole trader or a partnership or company where the partners and directors/company secretaries are directly involved in the management of drivers, they must comply with the following additional requirements:
- i. Have a satisfactory enhanced DBS check
 - ii. Have two satisfactory references from either professional or business sources (NB The Council will not accept references from family members or, where relevant, the applicant's future employer)

NB For partnerships or companies, the above requirements apply to all partners and directors/company secretaries who are directly involved in the management of drivers. Where there is no direct involvement with the management of drivers, all partners and directors/company secretaries are required to provide a satisfactory enhanced DBS check. The information can be found on the Gov.UK website.

Operator's Premises

- 6.5 There are a number of specific conditions set out in the operator licence conditions that apply to premises. Operators must be particularly mindful of complying with these and should they fail to do so the Council will consider revoking the operator's licence.

Closed circuit television (CCTV)

- 6.6 Operators are permitted to install closed circuit television (CCTV) systems in premises to which the public have access to make bookings or to wait providing such systems are installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so. The sign must be depicted on the premises informing customers that CCTV recording is taking place.

Conditions and Legal Requirements

- 6.7 Each application will be determined on its own merits and the Council may impose any relevant conditions that it considers necessary. These conditions will normally be drawn from the pool of model conditions set out within Appendix C.
- 6.8 A number of legal requirements also apply to the operation of a Hackney Carriages and Private Hire Vehicles Licences. These should be regarded as conditions on the licence and the most relevant requirements are included for information within Appendix C

Right of appeal

6.9 Any applicant refused a Hackney Carriage or Private Hire Vehicle licence, or who has had their licence suspended or revoked or had a condition attached with which they disagree has a right of appeal by way of written complaint, to the magistrates' court within 21 days of the notice of decision.

Hackney Carriage and Private Hire Vehicle Drivers Licence

Legal Requirements and Pool of Model Conditions

- 1.0 All references to 'driver' in the conditions and legal requirements below should be read to mean anyone who holds a licence issued by the Council to drive a Hackney Carriage and/or Private Hire vehicle.
- 1.1 All references to 'licensed vehicle' in the conditions and legal requirements below should be read to mean any vehicle licensed by the Council for use as a Hackney Carriage or Private Hire Vehicle.
- 1.2 Throughout the period that a licence is held the driver must continue to be a fit and proper person. In this respect the driver must have due regard to the provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a licensed driver.
- 1.3 A driver must notify the Council, in writing, within 72 hours of any of the following occurring:
 - i. They receive any warnings, cautions, fixed penalties or driving endorsements
 - ii. They are arrested
 - iii. They are charged with any criminal offence
 - iv. They are convicted of any criminal offence
 - v. Allegations are made of their involvement in criminal activity
- 1.4 Loss of a driver's badge must be reported immediately to the Council and the local police. An incident number must be obtained from the police and the number given to the Council. The driver must immediately obtain a new driver's badge from the Council for which a fee will be charged. If the original badge is then found, it must be returned to the Council.
- 1.5 A driver must inform the Council within 7 days in the event that medical conditions would adversely affect the ability (however slight) to drive within the normal period between medical examinations.
- 1.6 It is the responsibility of a driver to ensure they are correctly insured to drive the vehicle.
- 1.7 The driver must at all times, when driving a licensed vehicle:
 - i. Wear their driver's badge around their neck ensuring that their photograph and licence details are visible.
 - ii. Be clean and respectable in their dress and person and maintain a high standard of personal hygiene.
 - iii. Behave in a civil and orderly manner towards all persons including, but not limited to, other road users, pedestrians, customers, the

general public, other licensed operators and drivers of hackney carriage and private hire vehicles, police officers, officers and elected members of the Council.

- iv. Be courteous to passengers, e.g. greeting passengers and opening vehicle doors on behalf of passengers.
- v. Take all reasonable steps to assist passengers when they are entering or alighting from the vehicle and to convey them, subject to any instructions given by them, to their destination by the shortest practicable route and to ensure their safety.
- vi. When requested to do so by a passenger, convey a reasonable amount of luggage and afford reasonable assistance in the loading and unloading of any luggage.
- vii. When, having agreed or been hired to attend a specific location at an appointed time with their vehicle, unless delayed/prevented from doing so by some sufficient/reasonable cause, punctually attend at such appointed time and place.
- viii. Show due consideration when driving through residential areas.

1.8 The driver must not at any time;

- i. Use offensive, abusive, profane or insulting language or behaviour.
- ii. Smoke or permit passengers to smoke in the vehicle.
- iii. Use electronic cigarettes or similar devices.
- iv. Eat or drink in the vehicle without the express permission of the hirer or whilst the vehicle is in motion.
- v. Cause or permit sound emitted from any radio/sound reproducing equipment in the vehicle to be an annoyance /nuisance to any person, whether inside or outside the vehicle.
- vi. Sound the vehicle's horn to alert hirers of the vehicle's arrival.
- vii. Permit persons to be carried in the vehicle unless they have the consent of the hirer.
- viii. Allow any person to drive the vehicle unless they are authorised to do so by the proprietor and hold the necessary licence.
- ix. Leave their vehicle unattended in any street, public place or venue when the vehicle is plying for hire, awaiting or carrying a fare.
- x. Obstruct other drivers/vehicles from undertaking their normal hiring and driving activities.
- xi. Carry a greater number of passengers than the vehicle is licensed for.

1.9 The driver, if requested, shall provide a written receipt in respect of the fare for any journey made.

1.10 The driver shall notify the Council in writing of a change of operator or employer within 7 days of the change taking place.

1.11 When driving a licensed vehicle, a driver must not carry any animal that does not belong to the hirer.

- 1.12 Other than assistance dogs which must be transported (unless the driver holds a medical exemption) and may travel in the front of the vehicle, in general the transportation of animals belonging to or in the custody of any fare paying passengers is permitted at the discretion of the vehicle owner/company and if undertaken must be in the rear of the vehicle in the foot well or floor pan of the vehicle.
- 1.13 Where a driver is exempt on medical grounds from carrying wheelchair bound passengers or assistance dogs, they must carry the Council issued letter confirming the exemption in the vehicle at all times.
- 1.14 The driver must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address or change of employer/operator. Any such change must be notified within 14 days. Where a change of address occurs, the driver must also amend the address on their driving licence and produce their driving licence showing the new address to the Council within 7 days of receipt from the issuing body, e.g. DVLA.
- 1.15 The driver must notify the Council in writing within 7 days of being informed that they have committed an offence, such as by Fixed Penalty Notice, charge sheet or letter advising that you have been caught by a speed camera.
- 1.16 The driver of a hackney carriage must ensure that the roof signs are maintained and kept in such condition that the information is clearly visible to public view at all times and that the light in the sign is connected to the meter switch such that the light is switched on when the hackney carriage is available for hire and switched off when the hackney carriage is not available for hire.
- 1.17 The driver must not convey or permit to be conveyed in a licensed vehicle a greater number of passengers than the number prescribed in the relevant vehicle licence.
- 1.18 Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.
- 1.21 After fare paying passengers have alighted from the vehicle, the driver must, as soon as is practicable, search the vehicle for any property which may have been left. Where such property is found and irrespective of the value, the driver must, if it has not been claimed by or on behalf of the passenger (or their representative) who left it within 24 hours, hand it, in the case of a private hire driver to their operator or in the case of a hackney carriage driver directly to a police station as soon as is practicable.
- 1.22 Prior to carrying any wheelchair bound passenger, the driver must ensure that the wheelchair is secured properly in the vehicle. If a wheelchair bound passengers cannot be secured by the appropriate equipment the driver must arrange with the Operator or another company for a suitable vehicle to be provided for safe passage of the hirer.

- 1.23 Where taximeters are fitted to vehicles, the driver must not cause the fare recorded thereon to be cancelled or concealed until the hirer has had an opportunity to examine the meter and has paid the fare (or credit has been given).
- 1.24 The driver must ensure that any meter fitted;
- i. is correctly maintained, visible to all passengers
 - ii. is sufficiently illuminated so that when it is in use it is visible to all passengers
 - iii. is used for the whole of any journey
 - iv. is only brought into action at the commencement of the hirer's journey; and
 - v. displays the correct tariff for that journey.
- 1.25 The driver must not demand from the hirer a fare in excess of any fare previously agreed between the operator and the hirer, or if the vehicle is fitted with a taximeter and no previous agreement as to the fare, the fare shown on the face of the taximeter.
- 1.26 Drivers must not cause or suffer any vehicle plate to be concealed from public view whilst the vehicle is being used for hackney carriage or private hire purposes.
- 1.27 A driver must not drive a licensed vehicle if he has reason to believe that the vehicle is in an unsafe, dangerous or illegal condition and must inform the operator or proprietor of the vehicle immediately.
- 1.28 The driver must, notwithstanding their responsibilities under relevant road traffic legislation, report to the operator or proprietor and in writing to the Council any accident involving a licensed vehicle under their control within 72 hours of the accident occurring.
- 1.29 A driver must advise passengers of their right to refer any complaint to the Council.
- 1.30 A driver must, on request, produce for inspection their driver's licence forthwith or within 7 days to either the Council's offices or a police station.
- 1.31 On ceasing to be a licensed driver through suspension, revocation, refusal to renew or expiry of the driver's licence, the licence holder must return their badge and licence to the Council within 7 days (or earlier if the Council so demands) of the suspension, revocation, refusal to renew or expiry becoming effective.
- 1.32 Drivers must not unnecessarily prolong a journey, in distance or in time.
- 1.33 Only drivers who are licensed by the Council that licenses the vehicle or a qualified mechanic who is driving the vehicle for the purposes of testing or recovery are permitted to drive a licensed vehicle.
- 1.34 A proprietor or driver of a hackney carriage when standing or plying for hire must not call out or otherwise importune any person to hire such vehicle and must not make use of the services of any other person for this purpose.

- 1.35 As a minimum standard when transporting children drivers must comply with the requirements set out within the Highway Code.
- 1.36 A driver of a hackney carriage who is waiting at a rank/stand must not refuse to carry a passenger without a reasonable excuse.
- 1.37 Drivers of hackney carriages must not charge more than is permitted under the current table of fares.
- 1.38 Drivers of hackney carriages must not permit persons to be carried in the vehicle unless they have the consent from the person who is actually hiring the vehicle.
- 1.39 The legal requirements contained above are not an exhaustive list and drivers are advised to familiarise themselves fully with the requirement of all relevant legislation.

Vehicle Specifications

Hackney Carriage and Private Hire Vehicles

- 1.0 The Council may licence as a Hackney Carriage or Private Hire Vehicle any vehicle suitable for the carriage of up to and including eight (8) passengers provided that it is defined as a Light Passenger Vehicle as defined by Section 85 of the Road Traffic Act 1988.
- 1.1 All licensed vehicles must comply in all respects with the requirements of any Acts and Regulations relating to motor vehicles in force at the time of licensing.
- 1.2 The vehicle must be of 'manufacturers' colour coding. The entire external bodywork must be of a uniform colour and be free from dents, scratches or rust.
- 1.3 The steering wheel and driving controls must be fitted to the off side of the vehicle and shall have been at the time of registration.
- 1.4 All vehicles must have at least 4 doors and 4 wheels. Vehicles must also have available a serviceable spare wheel.
- 1.5 Windows must be provided at each side and rear of the vehicle where one must have a means of opening / closing. The rear passenger door windows must be available for adjustment.
- 1.6 Passenger doors must be capable of being readily opened from inside and outside the vehicle by one operation of the latch mechanism. Central locking systems are permitted and must be in full working order. Double catches of approved types must be fitted to all doors. Sliding doors will be permitted but such doors must have displayed a warning notice affixed securely to the inside of the door advising passengers to exercise caution when alighting from the vehicle.
- 1.7 Seating Capabilities
 - i. Where separate seats for each person are provided one person shall be counted for each separate seat.
 - ii. Where the vehicle is fitted with a continuous seat, one person shall be counted for each seating area provided that seat restraint belts are fitted for each position.
 - iii. The vertical distance between the highest point of the un-deflected seat cushion and the top of the floor covering must not be less than 35 cm
 - iv. Where the seats are facing each other, there must be a clear space of 38cm between any part of the front of a seat and part of any other seat that faces it.
 - v. Occasional (tip up) seats must be so arranged as to rise automatically when not in use.
 - vi. Suitable means must be provided to assist persons to rise from the rear seat.

- vii. The front seat of a vehicle may be utilised for the use of conveying fare paying passengers, providing such seat is fitted by a suitably qualified mechanic and provided such seat is fitted with a seat restraint belt. No person shall be permitted to be carried in the front seat as a passenger over and above the permitted capacity displayed on the vehicle licence.
 - viii. All seats must be properly cushioned and covered
 - ix. The number of persons the vehicle is licensed to carry shall be permanently affixed and exhibited at all times both internally and externally on the vehicle. This is in the form of a licence plate issued by the Council.
- 1.8 An adequate heating and ventilation system must be fitted for the driver and passengers.
- 1.9 Adequate lighting must be provided for the passenger's compartment and must be capable of being controlled by the driver. Adequate lighting must also be provided in the driver compartment.
- 1.10 All body parts and trimmings that are manufactures original equipment such as wheel trims, mirrors, bumpers, valances, fabrics, switches, internal and external door handles and locks must be fitted and in good working order and or suitable condition.
- 1.11 All tyres and wheels (including the spare) must meet the legal requirements as to the suitable for use on the vehicle. Tyres must have a minimum tread depth of 1.6 mm as recommended by ROSPA. They must be kept in good order and at the correct pressures. A wheel brace and car jack to enable the effective change of a tyre and wheel must be carried. If the vehicle is equipped with a space saver spare tyre it may only be used to get the vehicle to a location for the tyre to be changed for a full sized tyre. It is not permitted to carry passengers using a space saver tyre.
- 1.12 Any vehicle to be licensed must a maximum step height of 43cm.
- 1.13 Wheelchair accessible vehicles offered for approval must be constructed so as to facilitate the carriage of a disabled person and capable of accommodating a disabled person in a wheelchair in the passenger compartment. These wheelchair accessible vehicles must have ramps or other approved devices readily available for use to enable loading of wheelchair passengers. They should also carry the approved straps and fixings for securing the wheelchair and passenger safely in the vehicle.
- 1.14 The vehicle including all fittings must be well maintained and kept clean.
- 1.15 The vehicle will at all times be subject to test and inspection and may not if not properly maintained or any part is found to be defective or missing be served with a notice prohibiting the use of the vehicle until the defect has been remedied.
- 1.16 If a vehicle has been converted to run on LPG a certificate of installation must be provided by the LPG installer. A further certificate must be provided annually from the installer confirming the installation is safe.

- 1.17 The vehicle must provide means for securing luggage. No luggage will be carried on the roof of a vehicle or within the passenger compartment unless a grill is in place to partition the luggage space from the passengers.
- 1.18 There must be provided and maintained sufficient means by which any passenger can communicate with the driver.
- 1.19 The vehicle must have a watertight roof or covering.
- 1.20 The floor of the vehicle must be fitted with a proper carpet, mat or other suitable covering.
- 1.21 A vehicle which reaches the 6 years of age whilst already licensed by the Council may continue beyond that age provided that renewal of the licence is continuous and that all the vehicle standard checks are met. Vehicles of 6 years (NB 8 years of age for purpose built hackney carriage vehicles) and older are required to have vehicle tests carried out every 6 months.
- 1.22 If a vehicle has been converted to LPG proof must be provided to the Council that the conversion has been converted correctly
- 1.23 As a minimum vehicles must be able to transport children in compliance with the requirements of the Highway Code.

Hackney Carriage Vehicles

- 1.24 An illuminated taxi meter of an approved type must be fitted in an approved position.
- 1.25 Taximeters must be;
 - i. certified by a notified body in accordance with the Measuring Instruments Directive (MID) (2004/22/EC), in particular Annex 007
 - ii. fitted with a device, the use/action of which will bring the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter and such a device must be capable of being locked in a position such that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter
 - iii. calibrated against an appropriate standard to ensure the tariff charged does not exceed the maximum fares agreed by the Council
 - iv. calendar controlled;
 - v. fixed to the vehicle with appropriate seals/appliances to prevent any person from tampering with the meter except by breaking, damaging, or permanently displacing the seals/appliances; and
 - vi. have the word 'FARE' printed on the face of the meter in plain letters so as clearly to apply to the fare recorded thereon.
- 1.26 All Hackney Carriages are required to display a white roof sign bearing the words TAXI on the front and rear in uppercase black lettering no less than 3.81c m (1.5 inches) in height. The light in the sign must be connected to the meter switch such that the light is switched on when the hackney carriage is available for hire and switched off when the hackney carriage is not available for hire. The sign must be

permanently mounted on the roof of the vehicle except in respect of purpose built taxis.

- 1.27 A current fare table must be displayed in a position which is clearly visible in the passenger compartment.

Private Hire Vehicles

- 1.28 Private hire vehicles must not have the appearance of a hackney carriage vehicle.
- 1.29 Whilst the fitting of taximeters is not mandatory in private hire vehicles, if a taximeter is fitted it must fully comply with the requirements set out at 1.26 above.
- 1.30 Private hire Vehicles must not display a roof sign

Limousines, novelty vehicles and vintage vehicles

- 1.31 For the purpose of licensing a limousine, it is described as a luxurious vehicle that has been stretched by the insertion of an additional section not exceeding 3048 millimetres to extend the length of the vehicle. The vehicle shall be capable of carrying up to but not exceeding eight passengers.
- 1.32 Limousines will be licensed by the Council; however, the over-riding consideration will be the safety of the vehicle. Such types of vehicle will only be licensed as private hire vehicles. They will be subject to the production of specific documents, in original form or as certified copies (photocopies will not be accepted), and to conditions as set out below. These are in addition to the documents required and the conditions applicable to standard private hire vehicle licensing.
- 1.33 The following documentation must be produced prior to licensing:
 - i. Completed importation documentation – a Single Vehicle Approval (SVA) or a Qualified Vehicle Modifier (QVM) certificate; this is issued by the vehicle builder.
 - ii. Valid appropriate insurance
 - iii. Documentation recording the overall weight of the vehicle.

Hackney Carriage and Private Hire Vehicle Licence

Legal Requirements and Pool of Model Conditions

- 1.0 All vehicles must meet the Council's safety and fitness test requirements. Where a vehicle is the subject of any test during the application process or during the currency of any licence and it is determined that the vehicle is not fit for the purpose of conveying passengers the proprietor must notify the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence.
- 1.1 The proprietor must notify the Council within 7 days of any LPG conversion and provide the Council with the LPG Association Conversion certificate.
- 1.2 The external rear plate identifying the vehicle as a hackney carriage as issued by the Council and required to be exhibited on the vehicle pursuant to Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 must be:
 - i. securely fixed to the outside rear of the vehicle in a conspicuous position
 - ii. maintained, kept clean and in such a condition that the information on the plates is clearly visible to the public at all times
 - iii. displayed at all times and in such a manner as to be easily removable by an authorised officer of the Council or a police officer
 - iv. returned to the Council within 7 days of revocation, suspension or expiry (if not renewed)
- 1.3 At no time, during the currency of the vehicle licence, is it permitted for the licence plates to be removed from the licensed vehicle.
- 1.4 Any existing licence plates must be returned to the Council before new licence plates for a vehicle will be issued.
- 1.5 In addition, a proprietor or driver of a hackney carriage or private hire vehicle must not sell, transfer or otherwise dispose of the vehicle plates separately from the vehicle in respect of which they have not been issued, nor permit such plates to be sold transferred or otherwise disposed of.
- 1.6 Internal plates must be securely fixed in the front windscreen on the passenger side of the vehicle where the tax disc used to appear in saloon type vehicles or on the partition for purpose built vehicles where fitted.
- 1.7 The proprietor must clearly mark and maintain inside the vehicle, in such a position as to be clearly visible at all times;
 - i. the maximum number of persons licensed to be conveyed therein
 - ii. the hackney carriage/private hire vehicle licence number
 - iii. contact details (telephone number and email address) for reporting complaints to the Council
 - iv. a 'No Smoking' sign; and

- v. if applicable a sign (the relevant nationally recognised symbol) confirming that the taxi is wheelchair accessible and caters for the needs of the disabled.
- 1.8 Proprietors must obtain approval from the Council prior to carrying advertisements on their vehicle.
- 1.9 Materials that are used for advertisements must be of a quality not easily defaced, soiled or detached. Reflective material must not be used.
- 1.10 Advertising signs must not be illuminated.
- 1.11 Advertisements must be affixed directly onto the exterior and /or internal body of the vehicle in such a position as not to obscure Council issued plates and all other required signs.
- 1.12 Any CCTV system must be installed in accordance with the appropriate legal framework. Appropriate signage must be displayed within the vehicle.
- 1.13 The proprietor of a licensed vehicle must notify the Council, in writing, of any change of their address during the period of the vehicle licence within 7 days of such a change taking place.
- 1.14 The vehicle must have a valid MOT and have valid Road Tax throughout the licence period.
- 1.15 A fire extinguisher meeting the current British standard is required to be provided within the vehicle.
- 1.16 A first aid kit of such type and quantities adequate for the number of passengers carried shall also be carried in the vehicle.
- 1.17 No material alteration or change in the mechanical or structural specification, design, condition or appearance of the vehicle shall be made at any time without the prior approval of the Council.
- 1.18 The proprietor must permit any authorised officer of the Council or any police officer, at all reasonable times, to inspect and examine the vehicle and to request driver identification and insurance details. A driver's badge, certificate of insurance, vehicle test and MOT must be produced either during the inspection/examination or to an officer of the Council or police officer within 5 days.
- 1.19 The proprietor or where the proprietor is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the period of the licence must, within 72 hours, disclose to the Council, in writing, if:
 - i. they receive any warnings, cautions, fixed penalties or driving endorsements;
 - ii. they are arrested (whether or not charged with an offence);
 - iii. they are charged with any criminal offence;
 - iv. they are convicted of any criminal offence; or
 - v. allegations are made of their involvement in criminal activity.

- 1.20 The proprietor of any licensed vehicle must report in writing to the Council details of any accident involving the vehicle within 72 of the accident occurring.
- 1.21 The proprietor of any licensed vehicle must, on request by the Council, produce for inspection the vehicle and insurance certificate. Under current legislation the Council is entitled to request the vehicle is presented for testing up to maximum of 3 times each year.
- 1.22 Where a vehicle licence is revoked, suspended or expires, the proprietor must return the identification plate to the Council within 72 hours.
- 1.23 In the interests of road and passenger safety, the licensed driver/owner or operator undertakes to make proper arrangements so that licensed vehicles are kept in a roadworthy condition at all times.

Hackney Carriages

- 1.24 A copy of the Council's current table of fares must be kept, maintained and clearly displayed in the vehicle at all times in the location provided by the manufacturers of the vehicle or in accordance with any instructions given by an authorised officer.
- 1.25 On arriving at a rank/stand not already fully occupied by other hackney carriages, the driver must:
 - i. park the vehicle immediately behind the vehicle(s) on the stand so as to face in the same direction; and
 - ii. when the vehicle(s) immediately in front are driven off or move forward must cause the vehicle to be moved forward so as to fill the place previously occupied by the vehicle that has driven off or moved forward; and
 - iii. where the rank/stand is fully occupied at the time the driver arrives, the
 - iv. driver must proceed to an alternative rank/stand.
- 1.26 The proprietor of a Hackney Carriage must ensure that they retain a copy of the driver licence for any person who is employed to drive the vehicle for the period that the driver remains in their employ. When a driver leaves their employ the proprietor must return to the copy to them.
- 1.27 Drivers undertaken journeys ending outside the Council's area and in respect of which no fare and no rate of fare was agreed before the journey commenced must not charge more than that indicated on the taximeter.
- 1.28 Where a Hackney Carriage licensed by the Council is used as a private hire vehicle the fare charged must not exceed the fare set down in the current table of fares.

Private Hire Vehicles

- 1.29 Private hire vehicles are prohibited from displaying the words 'taxi' or 'cab' in the singular or plural or the word 'hire' unless the word 'hire' forms part of the relevant

company name or any word or similar meaning or appearance to any of these words, whether alone or as part of another word.

1.30 The following additional conditions apply to the licensing of Limousines, novelty vehicles and vintage vehicles:

- i. The tyres must be of an appropriate weight loading for the limousine, novelty vehicle or vintage vehicle.
- ii. All front passenger seats must be removed.
- iii. Standard council licence plates must be displayed.
- iv. Any sale of alcohol in the vehicle must be covered by a separate licence in accordance with the Licensing Act 2003.

1.31 Any vehicle granted an exemption from displaying the external identification plate must affix the plate to the inside of the boot lid in a position where it will be readily visible when the boot lid is raised.

1.32 The exemption notice issued by the Council must be carried in the vehicle at all times and must be produced upon request to an authorised officer of the Council or any Police Officer.

1.33 Any vehicle granted an exemption from displaying the external identification plate must only be used for executive use.

Private Hire Operators

Legal Requirements and Pool of Model Conditions

- 1.0 Every contract for the hire of a private hire vehicle is deemed to be made with the operator who accepted the booking for that vehicle whether or not the operator provided the vehicle.
- 1.12 Any records required to be retained in accordance with the licence must be produced, on request, to any authorised officer of the Council or to any police officer
- 1.13 As a minimum any vehicle supplied must be capable of complying with the requirement of the Highway Code for the transportation of children.
- 1.14 Throughout the currency of the licence, the operator must be a fit and proper person to hold the licence. In this respect, the operator must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on an operator.
- 1.15 An operator must not employ or be employed by, engage in partnership with, or allow any involvement in the management of the licensed operation any person who would not satisfy the Council's 'fit and proper person' criteria
- 1.16 An operator is deemed to be responsible for the actions of any manager, supervisor or any other person appointed to run or play any part in the management of the private hire operator's business.
- 1.17 For each hackney carriage and/or private hire driver that an operator intends to use, the operator must examine the private hire driver's licence, issued by the Council, and ensure it is valid prior to agreeing to their employ. In addition, an operator must ensure that each driver's licence is lodged with the private hire operator's business before the driver is employed to carry out private hire work and must retain the licence in their possession for the period during which the driver remains in their employ.
- 1.18 When a driver or vehicle proprietor leaves the employ of an operator, the operator must return the driver's licence unless the licence holder has been guilty of misconduct in which case the operator may retain the licence and must issue a summons to have the cause of complaint determined by the Courts. (Note: If the Courts find that the licence has been improperly retained they have the powers to order its return and to award compensation.)
- 1.6 An operator must ensure all private hire drivers and employees are made aware of and fully understand the meaning of 'plying for hire' and, in particular, that private hire drivers are NOT permitted to 'ply for hire' under any circumstances. The Council's interpretation of 'plying for hire' is set out in paragraph 5.78 and is based on relevant legislation and case law.

- 1.7 An operator must ensure that all private hire drivers and employees are made aware of and fully understand their responsibilities under the Criminal Justice and Public Order Act 1994 with respect to touting.
- 1.8 Operators must display their private hire operator licence in a prominent position at any premises from where they operate and make available for inspection by members of the public if requested:
 - i. a copy of their private hire operator conditions; and
 - ii. the conditions applicable to private hire vehicles, hackney carriages and drivers licences, whichever are applicable
- 1.9 Operators must ensure that at all times there is in force, for all private hire vehicles operated, a policy of insurance covering the carriage of passengers for hire or reward or such security as complies with the requirements of Part VI of the Road Traffic Act 1988.
- 1.10 Any premises that provide access to members of the public must be covered by Public Liability insurance for a minimum of £5,000,000. The operator must also obtain information as to any requirement for them to have Employers Liability indemnity; if there is such a requirement it must be for a minimum of £1,000,000.
- 1.11 Operators must take steps to ensure their drivers understand and inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.
- 1.12 All private hire bookings taken by the operator must be received at and drivers of private hire vehicles instructed to fulfil bookings from within the physical premises (which must be located within the Purbeck District Council administrative area) to which the licence is applicable. Under no circumstances is an operator permitted to receive bookings or instruct drivers to fulfil bookings from any premises other than the premises referred to in their licence and which is physically located within the Council's administrative area.
- 1.13 All records that may be required to be retained by the operator must be held within these same physical business premises for inspection by an officer of the Council or a police officer. This is required even where the home or registered office address of the operator is also recorded within the licence as a separate address.
- 1.14 The operator must provide prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose must in particular:
 - i. Provide adequate telephone facilities and staff.
 - ii. Ensure that when a vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
 - iii. Where a waiting area or room is provided to which the public has access for the purposes of booking or waiting, must ensure that the

area/room is , kept in a good state of repair (interior and exterior), fitted with adequate seating facilities and kept physically separated from any driver rest areas and radio operations rooms.

- 1.15 The operator must ensure that any telephone facilities and radio equipment (for which an OFCOM Radio Licence may be required) are maintained in a sound condition and that any defects are repaired promptly.
- 1.16 An operator accepting booking remains liable for that booking, even if they sub-contract it to another operator.
- 1.17 An operator must make all reasonable provision that the booking system they have in place works effectively and that it enables any bookings that they accept to be honoured.
- 1.18 An operator must monitor the booking system to ensure that drivers and vehicles are available to fulfil the arrangements that are agreed with customers.
- 1.19 Immediately prior to the commencement of each journey, an operator licensed with the Council must keep records of any booking they accept. Such records must be kept either in a ledger with consecutively numbered pages, on individual consecutively numbered record slips, or in electronic format such as a computer database/spreadsheet. Where records are kept electronically, they must be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer. Irrespective of the format of the records, all such records must be available at all reasonable times to an authorised officer of the council or to any police officer for inspection.
- 1.20 The following particulars must be recorded:
 - i. The time and date of each booking
 - ii. The name of the hirer
 - iii. How the booking was made (telephone, in person, etc.)
 - iv. The time, date and place of pickup
 - v. The destination of the hirer
 - vi. The call sign or registration number of the vehicle used for each booking
 - vii. The proper name of the driver allocated to the booking
 - viii. Any other comments relevant to the booking, including details of specific instructions from the hirer or sub-contracting arrangements with another operator
- 1.21 The operator must keep and maintain at their licensed premises up to date records of the particulars of all their drivers and vehicles whether or not the vehicle is owned by the operator. The records to be kept must include:
 - i. Private hire vehicle or hackney carriage vehicle licence plate numbers
 - ii. Vehicle descriptions (make/model) and vehicle registration numbers

- iii. Where relevant, any radio or computer call sign used to identify vehicles or drivers
 - iv. Names and addresses of the proprietors of each vehicle
 - v. Names and addresses of the private hire and hackney carriage drivers used
 - vi. Copies of the private hire and hackney carriage drivers licences, issued by the Council, relating to the drivers in their employ
 - vii. Drivers licence numbers (badge number) of the private hire and hackney carriage drivers relating to the drivers in their employ
 - viii. Copies of current/valid insurance documents for all vehicles.
- 1.22 An operator must notify the Council within 72 hours when any vehicle or driver ceases or commences in their employ. Any other changes relating to licensed vehicles and drivers must be notified to the Council within 7 days.
- 1.23 An operator must notify the Council, within 7 days, of any change of address relating to any driver or vehicle proprietor they employ or allow to operate within the business.
- 1.24 An operator must provide to the Council a complete and up to date list of all drivers and vehicles employed by the business when requested to do so by an officer of the Council.
- 1.25 All records kept by the operator under sections 1.15 to 1.23 above must be retained for a period of not less than 6 months for licensing purposes. Other legislation may require records to be kept for a longer period.
- 1.26 The operator must, within 7 days, disclose to the Council, in writing, any change in their home address.
- 1.27 An operator must not commence operating from a new address without first consulting the Council as to the legal requirements of such a change of address.
- 1.28 An operator must notify the Council, in writing, of the sale of their business within 7 days of such an event taking place.
- 1.29 Operators must set up an effective internal complaints procedure to deal with complaints made by the public against the business, vehicle proprietors and/or drivers. Wherever possible, the procedure must be set up in such a way that complaints are dealt with by the operator or a member of staff not directly connected with the taking of private hire bookings or the dispatching of drivers and vehicles. An operator must monitor and review the complaints procedure to ensure it is operating effectively and make changes where necessary to ensure continued effectiveness.
- 1.30 Operators must ensure that all complaints received are properly recorded. This must include details of the booking (who accepted it on behalf of the business), vehicle details and driver details together with all information relating to any action taken. Records must be made in a book/diary with consecutively numbered pages or in an appropriate electronic format. Where the records are kept electronically, they must

be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer. Complaint records must be made available, upon request, to any authorised officer of the Council or police officer and may be used to assist officers in the investigation of complaints.

- 1.31 The operator must on receipt of a complaint concerning a private hire contract, or purported contract, relating to, or arising from their business, immediately notify the complainant of their right to forward their complaint to the Council.
- 1.32 The operator or an appointed representative from within the business must immediately investigate any complaint. The complainant must be kept informed and the outcome of the complaint must be notified, within a reasonable time, to both the complainant and the Council.
- 1.33 Where a complaint is received by the Council, the operator must comply with any reasonable request for information and/or follow any reasonable directions/instructions made by an authorised officer or police officer in respect of the complaint.
- 1.34 No operator shall cause or permit any advertisement in respect of their business on their private hire vehicles used for that purpose or any other advertising medium (e.g. newspapers and billboards) the words 'taxi' or 'cab' in the singular or plural or hire unless the word 'hire' forms part of the company name or any word or similar meaning or appearance to any of these words, whether alone or as part of another word.
- 1.35 Operators wishing to install closed circuit television (CCTV) in premises where passengers have access to make bookings or wait must notify the Council, in writing, of their intention to do so.
- 1.36 The CCTV system must be installed in accordance with the appropriate legal framework.
- 1.37 Where licensed drivers of private hire vehicles have handed property belonging to passengers to their operator or an operator finds such property themselves, they must hand it into the police, irrespective of value.
- 1.38 Operators must keep and maintain at their licensed premises a record of lost property detailing the date and time, the item found, the vehicle details and action taken to return the item to the rightful owner or to the police.
- 1.39 Operators must, irrespective of their responsibilities under road traffic legislation, notify the Council as soon as is reasonably practicable and in any case within 72 hours of the occurrence of any accident/damage to a private hire vehicle under their control that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein.
- 1.40 The operator or where the operator is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the period of the licence must, within 72 hours, disclose to the Council, in writing, if:

- i. They receive any warnings, cautions, fixed penalties or driving endorsements
- ii. They are arrested (whether or not charged with an offence)
- iii. They are charged with any criminal offence
- iv. They are convicted of any criminal offence; or
- v. Allegations are made of their involvement in criminal activity.

Hackney Carriage Ranks

- 1.0 Taxi ranks are provided for hackney carriages to wait whilst they are plying for hire or waiting for a fare.
- 1.1 The Council has appointed the following ranks for use by hackney carriage vehicles within Purbeck.

Location	No. of Taxis	Duration
North Street, Wareham	2	24 hours
South Street, Wareham	2	24 hours
Station Road, Swanage	1	24 hours
The Square, High Street, Swanage	1	24 hours
Pierhead, High Street, Swanage	3	24 hours
Swanage Railway Station*	10	24 hours
*Permit required from Swanage Town Council		

- 1.2 Anyone wishing the Council to consider the location of new taxi ranks or the removal of existing ranks should make such a request in writing to the Council's Licensing Officer.

Immigration Act 2016

- 1.0 Under section 37 and Schedule 5 of the Immigration Act 2016 immigration checks are now a mandatory part of the licensing regimes for hackney carriages and private hire vehicles.
- 1.1 This means that the Council as licensing authority are prohibited from issuing driver and operator licences to anyone who is illegally present in the UK or not permitted to work in this sector.
- 1.2 Applicants for driver and operator licences must submit one of a number of specified original documents which show that they are in the UK lawfully and permitted to work as a private hire or hackney carriage driver, or as an operator.
- 1.3 If applicants produce a specified document indicating they have no restriction on their ability to live and work in the UK, the immigration check will only have to be undertaken once. However, if a licence holder has limited permission to be in the UK, an immigration status check will need to be undertaken each time they apply to renew or extend their licence, until such time as there is no restriction on their permission to be in the UK because their immigration status may change.
- 1.4 If an applicant's immigration permission to be in the UK is time-limited to less than the statutory length for a driver or operator licence, any licence issued cannot be for a duration that exceeds this period.
- 1.5 Applicants must book an appointment, attend at the Council Offices and provide the original document(s) from List A or List B below, so that the check can take place. The document will be checked in the applicant's presence, copied and the copy retained by the licensing authority.

List A

- 1.6 List A contains the range of documents which you may accept for a person who has a permanent right to work in the UK. If you conduct the right to work checks correctly before employment begins, you will establish a continuous statutory excuse for the duration of that person's employment with you. You do not have to conduct any further checks.
 - i) A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
 - ii) A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
 - iii) A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
 - iv) A Permanent Residence Card issued by the Home Office to the family member of a national European Economic Area country or Switzerland.

- v) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- vi) A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- vii) A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- viii) A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ix) A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- x) A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

- 1.7 List B contains a range of documents which may be accepted for a person who has a temporary right to work in the UK. If you conduct the right to work checks correctly, you will establish a time-limited statutory excuse. You will be required to conduct a follow-up check in order to retain your statutory excuse. This will generally be when the permission to be in the UK comes to an end.

Group 1 – Documents where a time-limited statutory excuse lasts until the expiry date of leave

- i) A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- ii) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- iii) A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- iv) A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Group 2 – Documents where a time-limited statutory excuse lasts for 6 months

- v) A Certificate of Application issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.
- vi) An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- vii) A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

Enforcement

- 1.8 If the holder of a licence breaches UK immigration laws and commits an offence or receives a penalty, this will be grounds for the Council to review, suspend or revoke a licence. If the Home Office cuts short or ends a person's immigration permission (referred to as curtailment or revocation), any licence that a person holds which was issued on or after 1 December 2016 will automatically lapse. In these circumstances, the holder of the licence must return their licence to the Council. They will be committing a criminal offence if they fail to do so, punishable on conviction by a fine.